

Resettlement Plan

June 2014

BAN: SASEC Railway Connectivity: Akhaura-Laksam Double Track Project

Prepared by Ministry of Railways, Government of the People's Republic of Bangladesh for the Asian Development Bank

CURRENCY EQUIVALENTS

(as of 30 March 2014)

Currency unit	–	Bangladesh Taka (BDT)
BDT 1.00	=	\$ 0.12
\$1.00	=	BDT 78.85

ABBREVIATIONS

AB	Acquiring Body
AC	Assistant Commissioner (Land)
ADB	Asian Development Bank
ADC	Additional Deputy Commissioner
AH	Affected household
AP	Affected person
APD	Additional Project Director
BBS	Bangladesh Bureau of Statistics
BR	Bangladesh Railway
CBE	Commercial and Business Enterprise
CCC	Chittagong City Corporation
CCL	Cash Compensation under Law
CEGIS	Center for Environmental and Geographic Information Services
CLARP	Consolidated Land Acquisition and Resettlement Plan
CMP	Current Market Price
CPR	Common Property Resources
CROW	Construction Right-of-Way
CSC	Construction Supervision Consultant
DAE	Department of Agriculture Extension
DC	Deputy Commissioner
DCI	Direct Calorie Intake
DoF	Department of Fisheries
DOF	Department of Forest
EA	Executing Agency
EC	Entitlement Card
EIA	Environmental Impact Assessment
EIB	European Investment Bank
EM	External Monitor
EP	Entitled Person
EPZ	Export Processing Zone
FGD	Focus Group Discussion
ft	foot / feet (3.28 ft = 1 m)
GDP	Gross Domestic Product
GO	Government Organisation
GoB	Government of Bangladesh
GRC	Grievance Redress Committee
ha	hectare
HIES	Household Income and Expenditure Survey
HH	Household
IA	Implementing Agency
ID Card	Identity Card
IGP	Income Generating Programme

IR	Involuntary Resettlement
JVS	Joint Verification Survey
JVC	Joint Verification Committee
km	kilometer
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
LIRIP	Livelihood and Income Restoration Programme
M&E	Monitoring & Evaluation
MIS	Management Information System
MoC	Ministry of Communications
MoR	Ministry of Railways
MoWR	Ministry of Water Resources
NGO	Non-Government Organisation
NRS	National Resettlement Specialist
PAH	Project Affected Household
PAU	Project Affected Unit
PIU	Project Implementation Unit
PD	Project Director
PDB	Power Development Board
PIB	Public Information Brochure
PIM	Project Implementation Unit
PMO	Project Management Office
PPR	Project Progress Report
PRA	Participatory Rural Appraisal
PVAC	Property Valuation Advisory Committee
PWD	Public Works Department
R&R	Resettlement and Rehabilitation
RAC	Resettlement Advisory Committee
RP	Resettlement Plan
RB	Requiring Body
RF	Resettlement Framework
RHD	Roads & Highways Department
RO	Resettlement Officer
RoR	Record of Rights
RoW	Right-of-Way
RRP	Revised Resettlement Plan
RS	Resettlement Site
RU	Resettlement Unit
RV	Replacement Value
SES	Socioeconomic Survey
Sft	Square feet
TA	Technical Assistance
ToR	Terms of Reference
USD	United States Dollars
VH	Vulnerable Household

WEIGHTS AND MEASURES

1 ha	–	2.47 acre
1 ha	–	10,000 sq.m
1 acre	–	100 decimal

NOTE

In this report, "\$" refers to US dollars

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 or without 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 7 of the Land Acquisition Ordinance.

Compensation includes payments in cash or kind for assets acquired or affected by a Project at replacement cost or current market value.

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

Eminent Domain refers to the regulatory authority of the Government to obtain land for public purpose/interest or use as described in the 1982 Ordinance and Land Acquisition Law.

Encroachers include 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.

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.

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 assets listed during the survey/census as a preliminary record of affected or lost assets.

Khas land refers to state-owned land which the Government is entitled to both lease and give away to citizens of the country who do not own land. Khasland is considered an important livelihood source for the extreme poor and can generate and protect the ainsmade ward achieving sustainable livelihoods, particularly for those with low quality, under-sized and flood prone land.

Non-titled refers to persons who have no recognisable 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. ADB's policy explicitly states that such people cannot be denied resettlement assistance.

Parcha is a record of rights of a land owner.

Project Affected Family includes residential households and commercial & business enterprises except CPRs.

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

Project means SubProject 2: Construction of double line and upgrading of existing rail line between Akhaura and Laksam.

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

Replacement cost 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 its existing condition, without deduction of transaction costs or for any material salvaged.

Replacement Land refers to land affected by the Project that is compensated through provision of alternative land, rather than cash, of the same size and/or productive capacity as the land lost and is acceptable to the AP. In this Project, there is no provision for replacement land. However, additional Project assistance is allowed in the form of CMP as grant to affected persons to buy land lost to the Project.

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

Squatters (Informal settlers) include non-titled and other households, business and common establishments on land owned by the Government (BR). Under the Project this includes railway land on which railway track, stations; residential structures are established and/or remain fallow.

Structures include 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.

Vulnerable Households include households that are (i) headed by single woman or woman with dependents and low incomes; (ii) headed by elderly/ disabled people without means of support; (iii) households that are below the latest nationally defined poverty line ;(iv) households of indigenous population or ethnic minority; and (v) households of low social group or caste.

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EXECUTIVE SUMMARY

A. Introduction

1. This Resettlement Plan (RP) has been prepared for the Akhaura-Laksam Double Track Project (the Project). Bangladesh Railway (BR) under the Ministry of Railways is the executing agency (EA) of the Project. The Project will be jointly financed by the Asian Development Bank (ADB), the European Investment Bank (EIB) and the Government of Bangladesh (GOB). The Project is developed under the Regional Cooperation and Integration Project (RCIP) – Rail Component for sub regional and Trans-Asian Railway (TAR) connectivity.

2. The RP approach incorporates (i) Compensation for land and structures at full replacement cost prior to relocation; (ii) Moving assistance; (iii) Income-restoration measures including a Livelihood Restoration Programme (LRP); (iii) Special assistance measures for women and vulnerable groups; and (iv) Assistance measures to secure housing and rental spaces.

B. Scope of Land Acquisition

3. Overall, a total of 2,180 households/units (titled and non-titled included) for a total population of 10,408 will be physically and economically impacted by the project. The doubling of the track will require a total of 303 ha of land. Of this, only 58.43 ha will require private land acquisition – the rest of the land (244.57 ha) already belongs to BR. However, a number of households who have assets on BR land will have to be relocated.

4. A total of 701 title owners will lose their land, representing 30% of affected households. Out of these, 48% use this land for agricultural purposes, 21.5% as fishing ponds and 16.2% for homesteads. Moreover, a total of 1358 households (64%) will have to relocate their homesteads or business structure: these include 390 title-holders households, 676 informal settlers households (i.e. squatters) and 321 tenants. Finally, 721 employees will also lose their jobs due to impacts associated with the relocation of businesses. The Project will also require the removal of trees of various sizes and species.

Table A: Summary of Key Project Impacts

Sl. No.	Project Impacts	Total
1	Amount of land to be acquired	58.43 ha
2	Total number of households requiring relocation	1358
	Number of titled hhs losing res/com and other structures requiring relocation	390
	Number of squatters losing res/com and other structures requiring relocation	676
	Number of renters (from titled owners) losing res/com structure requiring relocation	101
	Number of renters (from squatters on BR land) losing res/com structure requiring relocation	191
4	Number of hh losing other structures	48
3	Number of hh losing land, trees and fish ponds only – no relocation required	715
4	Number of hh losing over 10% of their income	317
5	Number of PCRs(3) and CPRs (56)	59
6	Total number of persons affected	10408
7	Number of trees affected	56933

5. The proposed Project interventions will also affect common property resources (CPRs) such as community schools, mosques, club house and physical cultural resources (PCRs) – for example, *mazar sharif* (shrine) and *moth* (age-old temple).

C. Impacts and Socioeconomic Profiles

6. Among the affected households, the male-female ratio is 120:100 females. The average household size is five. The census findings show that about 30% of the affected persons have up to 10 grade education and 11% have schooling up to secondary school and about 10% are only able to sign their names. Affected households belong to diverse occupational groups yet only 31% of them are directly engaged in income generating activities, the most important of which are businesses (23%) and farming (7%).

7. It is expected that 15% of the households (or 317) will be losing 10% or more of their income from land. 24% households (524) will have to relocate their business. Finally, 13% of households (274) households have been identified as vulnerable, defined as earning below the poverty line (BDT 60,000/year) as well as headed by disabled, female and elderly people.

8. As for the squatters, most of those losing homesteads live in rural areas while those losing businesses live close to the stations in urban centers. 61% of informal shops/business owners (including those renting spaces) have residences in town and even own land and house in outside villages. Most of them (76%) earn an income above the average for the district (average of BDT 10,000/month from their businesses). In sum, these informal settlers earn a good income and do not qualify as vulnerable.

D. Information Disclosure, Consultation and Responses

9. The primary stakeholders of the Project are land owners, traders, farmers, service holders, day labourers, and rickshaw/van pullers, as well as small shop/kiosk owners, largely on BR land as informal settlers. Stakeholder consultation meetings were held during (i) social surveys (e.g., census, SES, land market survey, and video filming), followed by formal community-wide Stakeholder Consultation Meeting (SCM), and (iii) Focus Group Discussion (FGD). The cut-off dates (a) for land and (b) eligibility for resettlement benefits were discussed during the surveys and local consultation meetings/FGDs. The affected people support the project that they see will enable faster transportation as well as improve the connection with other parts of the country and neighbouring countries. However, they raised concerns over timely and fair compensation as well as availability to relocate their businesses in proximity to the stations. Most of these concerns have been integrated into the compensations and resettlement measures outlines in the RP.

10. A project information brochure, which described key expected environmental and social impacts was distributed to the communities in the project's zone of influence during the environmental and social impact assessment. In addition, a RP disclosure brochure, with specific information on entitlements has been prepared in Bangla. These will be distributed in the concerned DC and Upazila on or before 31 May 2014 as part of the disclosure requirements. These brochures will also be distributed to every affected household unit prior to RP implementation. The RP policy will also be uploaded on the ADB and BR websites after getting concurrence from the ADB/EIB and approval from the Ministry of Railways. A Grievance Redress Mechanism (GRM) will be put in place prior to the implementation of the RP to ensure complaints and feedback from affected people are adequately and timely addressed (see section H below).

E. Legal and Policy Framework

11. The principal legal instrument governing land acquisition in Bangladesh is the Acquisition and Requisition of Immovable Property Ordinance, 1982 (Ordinance II of 1982 including amendments up to 1994 - ARIPO 1982) and other land laws and administrative manuals which requires that compensation be paid at “fair value” for (i) land and assets permanently acquired (including standing crops, trees, houses); and (ii) any other damages caused by such acquisition. The Deputy Commissioners (DC) in all the cases, determine the market value of acquired land based on the assessment of transacted deeds of the 12 months prior to the date of notice under Section 3. However, the value provided is generally lower than the true “market value” as owners customarily report lower rates in land transaction prices to avoid duties and taxes.

12. ADB SPS/Involuntary Resettlement Safeguards (2009) as well as EIB/Standard 6 Involuntary Resettlement require payments of replacement cost (RC) of the affected land and other assets. There are evident gaps in the Land Acquisition Law of Bangladesh to address ADB/EIB Safeguards requirements. These gaps have been spelled out in the RP through a comparative assessment between ADB SPS/Involuntary Resettlement Safeguards (2009), EIB/Standard 6 Involuntary Resettlement (2014) and GoB Ordinance II (1982). To ensure fair compensation and comply with the donors’ policies, this RP has adopted policy measures to address the losses at full replacement cost (RC) in addition to other resettlement assistance measures further detailed below.

13. Additional surveys and studies have also been undertaken under the Project to assess current market value of land and other assets for payments at replacement costs. These have been synthesized in the Land and Property Valuation Report, which is summarized in Chapter 11 and detailed in Annex 2. The values of the Land and Property Valuation Report will be reviewed and verified by the Property Valuation Advisory Committee (PVAC), which will be set up for the implementation of the RP. More information on the role of the PVAC is provided in Annex 3.

F. Entitlements, Assistance and Income-Restoration Measures

14. Both titled and non-titled affected households will be compensated at full replacement costs for their assets.

15. In addition to compensation measures for land, structures and other assets at full replacement costs, the following income restoration measures have been proposed. It is expected that these additional mechanisms will ensure improvement or restoration to pre-project standards of living and that they will ensure poor and vulnerable households’ standards of living are improved to meet minimum national standards.

- i. *Moving assistance*: This includes transfer grants and reconstruction grants for structure owners and moving grants for tenants.
- ii. *Income-restoration measures*: This includes allowance for loss of income for business owners, allowance for loss of income for employees/wage earners, allowance for loss of income from agricultural land, pond and fruit trees and participation to the Livelihood Restoration Programme.
- iii. *Assistance measures to secure housing and rental space*: This includes assistance to all affected households losing homesteads, business structures or rental space in identifying and securing an alternative space to rent or buy.

- iv. *Special assistance measures:* This includes special cash grants to vulnerable households and female-headed households.

16. The Project has devised a comprehensive entitlement matrix covering both titled and non-titled affected households to be compensated at full replacement costs for their assets and assisted in relocation (see Table B).

Table B - Entitlements, Assistance and Benefits under the RP – Summary

Category of Losses	Persons Entitled	Entitlements
1. Loss of agricultural land	• Legal owner/ titleholders as identified by Deputy Commissioner (DC)	<ul style="list-style-type: none"> • CCL by DC as per 1982 Ordinance • The difference between CCL and Replacement value (RV) of land (to be determined by PVAC) paid by the Project as additional payments. • Stamp duty and updated registration cost will be paid once the EP purchases new land and submits proper records. The value for stamp duty will be limited to CCL and/replacement value paid. • Assistance from INGO in re-titling plot.
2. Loss of homestead, commercial, industrial land and common property resources	• Legal owner/ titleholders as identified by DC	<ul style="list-style-type: none"> • CCL by DC as per 1982 Ordinance • The difference between CCL and Replacement value (RV) of land (to be determined by PVAC) paid by the Project as additional payments. • Stamp duty and registration cost will be paid once the EP purchases new land and submits proper records. The value for stamp duty will be limited to CCL and/replacement value paid. • Assistance from INGO in re-titling structure.
3. Loss of water bodies (ponds, both cultivated and non-cultivated)	• Legal owner/ titleholders as identified by DC	<ul style="list-style-type: none"> • CCL by DC as per 1982 Ordinance • The difference between CCL and Replacement value (RV) of land (to be determined by PVAC) paid by the Project as additional payments. • Stamp duty and registration cost will be paid once the EP purchases new land and submits proper records. The value for stamp duty will be limited to CCL and/replacement value paid. • Assistance from INGO in re-titling asset.
4. Loss of residential structures with title to land	• Legal owner/ titleholders as identified by DC	<ul style="list-style-type: none"> • CCL by DC for residential structures • The difference between CCL and Replacement Cost (RC) for structures as determined by PVAC • Transfer and reconstruction grants respectively of BDT 8000 and BDT 9800 • Owner allowed to take all salvageable materials free of cost.
5. Loss of commercial/industrial structures with title to land	• Legal owner/ titleholders as identified by DC	<ul style="list-style-type: none"> • CCL by DC for commercial/industrial structures • The difference between CCL and Replacement Cost (RC) for structures as determined by PVAC • Transfer and reconstruction grants respectively of BDT 8000 and BDT 9800

Category of Losses	Persons Entitled	Entitlements
		<ul style="list-style-type: none"> Owner allowed to take all salvageable materials free of cost
6. Loss of residential and other physical structures without title to land (squatters/informal settlers)	<ul style="list-style-type: none"> Socially recognised owners of structures built on the RoW as identified during census. 	<ul style="list-style-type: none"> Compensation for the structures as per PWD rates, plus 50% (as per law). The difference between compensation above and RC for structure as determined by PVAC. Transfer and reconstruction grants respectively of BDT 8000 and BDT 9800 Owner allowed to take all salvageable materials free of cost
7. Loss of physical cultural resources (PCR)) and common property resources (CPRs) structures (a) with or (b) without title to land	<ul style="list-style-type: none"> (a) Legal owners (or registered committees) identified by DC in the process of CCL payment. (b) Socially recognised owners of structures built on the RoW as identified during census and verified by JVC 	<p>(a) •CCL by DC to legal owners, plus the difference between CCL and RC of structure as determined by PVAC.</p> <ul style="list-style-type: none"> Transfer grant of BDT 16,000 for the relocation of structure. Dismantling and reconstruction cash assistance as per assessed value by PVAC. Allowed to take all salvageable materials free of cost <p>OR</p> <p>(b) •RC for structure as determined by PVAC</p> <ul style="list-style-type: none"> Transfer grant to be determined by PVAC Transfer grant of BDT 16,000 for the relocation of structure. In both cases, owner(s) allowed to take all salvageable materials free of cost
8. (a) Loss of trees with title to land; and (b) owner of trees on public land or lessees	<ul style="list-style-type: none"> Legal owner as identified by DC. Socially recognised owners of trees grown on public or other land, as identified by census. Owners of trees such as Forest Department, Zilla Parishad, Society, Union Parishad, Lessee on public land. 	<ul style="list-style-type: none"> (a) Timber trees and bamboos: CCL by DC for those with title to land and difference between CCL and RC as determined by PVAC. For fruit trees: CCL by DC for those with title to land and difference between CCL and RC as determined by PVAC. In addition, market value of fruits for average 3 annual year production (see entitlement measure # 10). <p>OR</p> <p>(b) •Timber trees and bamboos: Compensation for lost trees as per DOF rates to be determined by PVAC at RC for those w/o title to land.</p> <ul style="list-style-type: none"> For fruit trees: compensation for lost trees as per DOF rates to be determined by PVAC at RC for those w/o title to land. In addition, market value of fruits for average 3 annual year production (see entitlement measure # 10). Owner of trees (in both cases) will be allowed to fell and take the trees free of cost
9. Loss of standing crops/fish stock with (a) title to land and (b) without title to land.	<ul style="list-style-type: none"> (a) Legal owner/cultivators as identified in joint verification by DC and BR. (b) socially recognised users of land identified during census and 	<ul style="list-style-type: none"> (a) CCL for crops by DC for those with titles and difference between CCL and RC as determined by PVAC; <p>OR</p> <p>(b) compensations for crops/fish stock at RC to be determined by PVAC for those without title.</p> <ul style="list-style-type: none"> In both cases, owners/Users will be allowed to take crops and fish stock (within BR declared

Category of Losses	Persons Entitled	Entitlements
	validated by JVC	deadline)
10. Loss of fruit production (due to loss of fruit trees).	<ul style="list-style-type: none"> • (a) Legal owner/cultivators as identified in joint verification by DC and BR. • (b) socially recognised users of land identified during census and validated by JVC 	As mentioned in entitlement measure # 8, RC of fruit production for 3 years.
11. Loss of leased or mortgaged agricultural land or ponds and commercial land	<ul style="list-style-type: none"> • Agricultural and commercial plot owner(s) on the Project RoW. • Titled and non-titled leaseholders/licensees/ share croppers 	<ul style="list-style-type: none"> • CCL as per law for those with registered contracts/lease OR • Cash grant of BDT 5200 and BDT 4600 will be paid to the non-titled share croppers, licensees and lessees of agricultural land, and pond respectively by the Project thru INGO. • In both cases, the cultivator will be allowed to take the crops/fish free of costs within the BR declared deadline
12. Loss of income from dismantled commercial and business premises	<ul style="list-style-type: none"> • Any proprietor or businessman or artisan operating in premises, at the time of issuance of notice and/or identified by census. 	<ul style="list-style-type: none"> • Cash grant of BDT 30,000 for loss of business income by affected trader (based on average monthly income of BDT10,000 for 3 months)
13. Loss of income (wage earners in agricultural, small business and industry; excluding owners or employers)	<ul style="list-style-type: none"> • Regular employees/wage earners affected by the acquisition as identified by census. 	<ul style="list-style-type: none"> • Cash grant of BDT 19,500 (equivalent to 3 months average income)
14. Loss of income from rented-out residential and commercial premises	<ul style="list-style-type: none"> • Legal owner of the rented-out premises as identified by census. 	<ul style="list-style-type: none"> • Grant for loss of rental income equivalent to Rental assistance for rented residential and commercial structures of BDT 3,000 (equivalent to 2 months rental income).
15. Rental assistance for renters in order to support them finding alternative place to rent	<ul style="list-style-type: none"> • Tenants in rented structures as identified by census. 	<ul style="list-style-type: none"> • Rental assistance for both residential and commercial tenants of BDT 6,000 (equivalent to 4 month rent). • Moving grant of 1500
16. Reconnection of utilities (gas, electricity, telephone, water, sewage, etc)	<ul style="list-style-type: none"> • Legal subscriber as identified by DC (Eligible only when the affected households can submit evidence of past connections/bills/receipt) 	<ul style="list-style-type: none"> • Cash grant for new utilities connection will be provided by BR: (a) Gas connection = BDT 12000; (b) Electricity connection = BDT 7000; (c) Telephone connection = BDT 5000; (d) Water connection = BDT 6000; (e) Sewage connection = BDT 6000.
17. Assistance to vulnerable households	<ul style="list-style-type: none"> • Households under the poverty level and whose head of household are female-headed, elderly, disabled and very poor 	<ul style="list-style-type: none"> • BDT 8200 as one time grant in addition to other compensations

Category of Losses	Persons Entitled	Entitlements
18. Assistance to poor female-headed households	• Households headed by women and under the poverty level.	• BDT 10000 as one time grant in addition to other compensations
19. Livelihood improvement programme	• One member of each vulnerable household as well as households losing 10% and over of their total income.	• Cost of program implementation (as separate line in budget summary Table 45). • BDT 16000 to be provided as seed “grant” to each trained member with a business plan reviewed and approved by PMU/Resettlement Unit.
<i>20. Personal finance management program</i>	• <i>All households losing structure/trees/crops/land.</i>	• <i>Cost of program implementation (estimated at BDT 3,000/participants).</i>
21. Assistance in identifying available land/space/structure to rent or buy	• All households losing their homestead or business structure or rented structure.	• Cost of program implementation (as separate line in budget summary Table 45).
22. Unforeseen adverse impacts	• Households/ persons affected by any unforeseen impact identified during RP implementation - for instance, any Project induced impacts	• Compensations/allowance and assistance depending on type of loss will follow entitlement matrix
23. Temporary impact during construction	• Households/ persons and/or community affected by construction impacts	• 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 entitlement matrix (see entitlement measure # 11). • All temporary use of lands outside proposed RoW to be through written approval of the land owner and contractor. • Land will be returned to owner rehabilitated to original preferably better standard.

G. Relocation of Housing and Settlements

17. The households who will be physically relocated are either titled homestead/business owners, informal settlers (squatters) on BR land and renters. Most of the affected structures in urban centers tend to be businesses and in rural areas homesteads.

18. Most of these households (95%) stated their preference to remain in their current location in order to continue their present occupations. When asked about modalities for compensation, the survey shows that 75% of households would opt for cash compensation. 23% of them (mostly private land owners) said that they would rather get land for land.

19. The relocation of scattered homesteads in rural areas along a 72 km linear stretch is not pragmatic as it would imply concentrating the households in a few identified locations that would be away from their existing source of livelihood (farming). Most of the land owners will not lose a substantial amount of land and will be able to relocate on their residual land. Land title holders will receive on average BDT6, 301,383 (US\$79,916) per household as compensation, which is believed to be sufficient to rent or buy alternative plots. Non-title holders losing a homestead in rural sections will either relocate on residual land or rent within proximity. According to the rental

availability and affordability survey, space and structures to rent in rural areas are readily affordable and accessible.

20. There is limited availability of BR land close to the stations in urban areas that would be sufficient to relocate affected households. Acquiring land from private owners to provide as compensation is not a pragmatic option, as this would entail affecting a new set of people in a cyclical way. Moreover, the rental availability and affordability survey confirmed that most squatters in urban areas, who represent over 50% of the affected business owners, will not lose their homesteads, as they already own a house (60%) or rent a house in town. Their income depends on being in the city and close to the stations. The survey also indicates that while rent from private individuals is affordable in urban centers (from BDT 750-1500/month) it is not widely available.

21. It is believed that the compensations, allowances and assistance measures proposed under this RP are sufficient to enable affected households to secure alternative spaces for their homesteads and businesses. The cash option for titled owners as well as informal settlers is very attractive. Firstly, households losing a primary structure (both titled and non-titled holders) will receive an estimated BDT 781,209 (US\$ 9,908), which represents 13 times the average annual income and is more than sufficient to cover for several years of rent. As for renters, who will not be compensated for the structure, they will receive the equivalent of 4 month rent, which is sufficient time for them to find an alternative option. This should address the question of affordability of renting space in urban centers.

22. As for the availability issue, the INGO will assist all affected households losing land or structure (or rented structure) in identifying and securing an alternative space to rent or buy. One of its tasks will be to establish a list of available plots and structures to rent or buy and support the affected household with legal documentation and in negotiations. Assistance from the INGO was explicitly sought by the affected households as demonstrated by the survey (requested by over 80% of those surveyed). Furthermore, under the RP, BR will consider giving priority in re-allocating leases to former lease holders and affected businesses after modernization of the station areas.

H. Grievance Redresses Mechanism

23. Grievance redress mechanism (GRM) is a locally based, formalised way of accepting, assessing, and resolving community complaints concerning the performance or behavior of the Project. A two-tier Grievance Redress Committees (GRCs) has been established in this project to deal with all complaints related to RP implementation. The affected persons will be informed through consultations and FGDs during project implementation. This will also be clearly outlined in the public information booklet, APs will be informed that they have a right to resolve any land acquisition related grievance or complaints they may have. Grievances will be settled with their full representation in GRCs constituted by the Ministry of Railways with representatives from the Executing Agency (BR), the Implementing NGO (INGO) engaged for RP implementation, LGI representative (2) including one representative of the affected community. The APs will call upon the support of INGO to assist them in presenting their grievances to the GRCs. GRCs will review grievances involving all social, resettlement and environmental issues related to Project implementation. Grievances will be redressed within a month from the date of lodging the complaints.

I. Resettlement Cost and Budget

24. The total estimated budget for implementation of the Resettlement Plan is BDT 6,558.16 millions (USD 83.18 million). Table C provides a summary of the LAR costs. Details are available in Chapter 10.

Table C: Costs and Budget – Summary

Breakdown of Total Cost for LA and Resettlement for Project			
Sl. No.	Head of Budget	Million BDT	Million Dollar
A	Compensation for Land	4,507.51	57.14
B	Compensation for Primary Structures and Secondary Structures	1,093.63	13.87
C	Compensation for Trees	81.66	1.04
D	Compensation for Crop Production	2.07	0.03
E	Compensation for Fish Stock	1.99	0.03
F	Other Resettlement Benefits/ Allowance and Grants	98.7	1.27
G	Income and Livelihood restoration Programme	15.00	0.19
H	Assistance in identifying space to rent/buy	6.00	0.07
I	Capacity Building and Training of Officials of EA	4.00	0.05
J	Operational Cost for RP Implementing Agency/ INGO	48.40	0.62
K	Relocation of three PCRs	4.70	0.06
L	Contingency	694.50	8.81
	Total Estimated Budget	6,558.16	83.18

25. This budget includes compensation for land, structures, trees, standing crops and fish, along with other resettlement benefits. Provision of contingency costs (10%) has also been calculated and incorporated in this budget to meet unforeseen expenses during RP implementation. The RP budget further includes capacity building of the Executive Agency (BR), the operational cost for the INGO, and training cost of income generating activities for vulnerable households. INGO will review and adjust the budget further in consultation with BR prior to Project implementation. This budget is indicative of outlays for different expenditure categories assessed by census and IoL survey (May-June 2013 and February 2014) for physical assets and estimates of land for acquisition. These costs will be updated and adjusted once the land acquisition boundaries will be finalised and the Government adopts a price of land and other assets based on recommendations of the PVAC for replacement cost prior to implementation.

J. Institutional Arrangements for RP Implementation

26. The BR will establish a Project Implementation Unit (PIU) for the implementation of the Project in which a resettlement unit (RU) will be set up for RP implementation. The PIU will be headed by the General Manager/Project Director (PD) and the RU by an Additional Chief Engineer (ACE). The PD will engage a non-governmental organization (INGO) to assist the RU in the implementation of the RP. The INGO will assist the RU in disbursing compensation and resettlement benefits to the Project affected persons as will be responsible for elaborating and conducting the livelihood restoration programme, as well as key activities related to the implementation of the gender action plan that has been designed for the project and which purpose goes beyond this RP. BR will ensure land acquisition with assistance from Deputy Commissioners of Brahmanbaria and Comilla. The Construction Supervision Consultant (CSC) will act as external monitor (EM) and will have among its team of experts an international and national Resettlement Specialist. Besides, the Ministry of Railways will form various teams/committees such as Property Valuation Advisory Committee (PVAC), and Grievance

Redress Committee (GRC) with representatives of BR, DC, LGI and APs for ensuring stakeholder participation and upholding the interest of the vulnerable APs.

K. Monitoring and Evaluation

27. BR will set up a Monitoring and Evaluation (M&E) system for collecting and analysing information on RP implementation in a systematic and continuous process and for identifying the constraint of the process. A multi-level monitoring system has been established that includes both internal and external members to provide feedback to the PIU as well as to assess the effectiveness of the RP implementation. Internal monitoring will be carried out by the RU and while external monitoring will be carried out by the Project Supervision Consultants. ADB will also monitor RP implementation activities during periodic mission. The monitoring reports will be accessible to stakeholders and posted in Project website.

I. DESCRIPTION OF THE PROJECT

A. Project Background

28. The Akhaura-Laksam Double Track Project (the Project) will bring efficiency in railway operation and enhance the line capacity significantly from the current 31 train pairs per day to around 72 train pairs per day. Further, the upgrading under the Project, particularly the existing loops will also permit the operation of longer trains, making better utilisation of the available train slots. The Project alignment is shown in Figure 1. The Bangladesh Railway (BR) under the Ministry of Railways (MoR), is the executing agency (EA) of this Project.

29. The Project is being developed under the framework of the Regional Cooperation and Integration Project (RCIP) designed to develop Sub-Regional and Trans-Asian Railway (TAR) connectivity as well as improving the communication system between and among the South Asian and other Asian countries with Bangladesh. The overall objectives of RCIP are to (i) promote economic cooperation and (ii) internal efficiency and effectiveness of the transport sector.

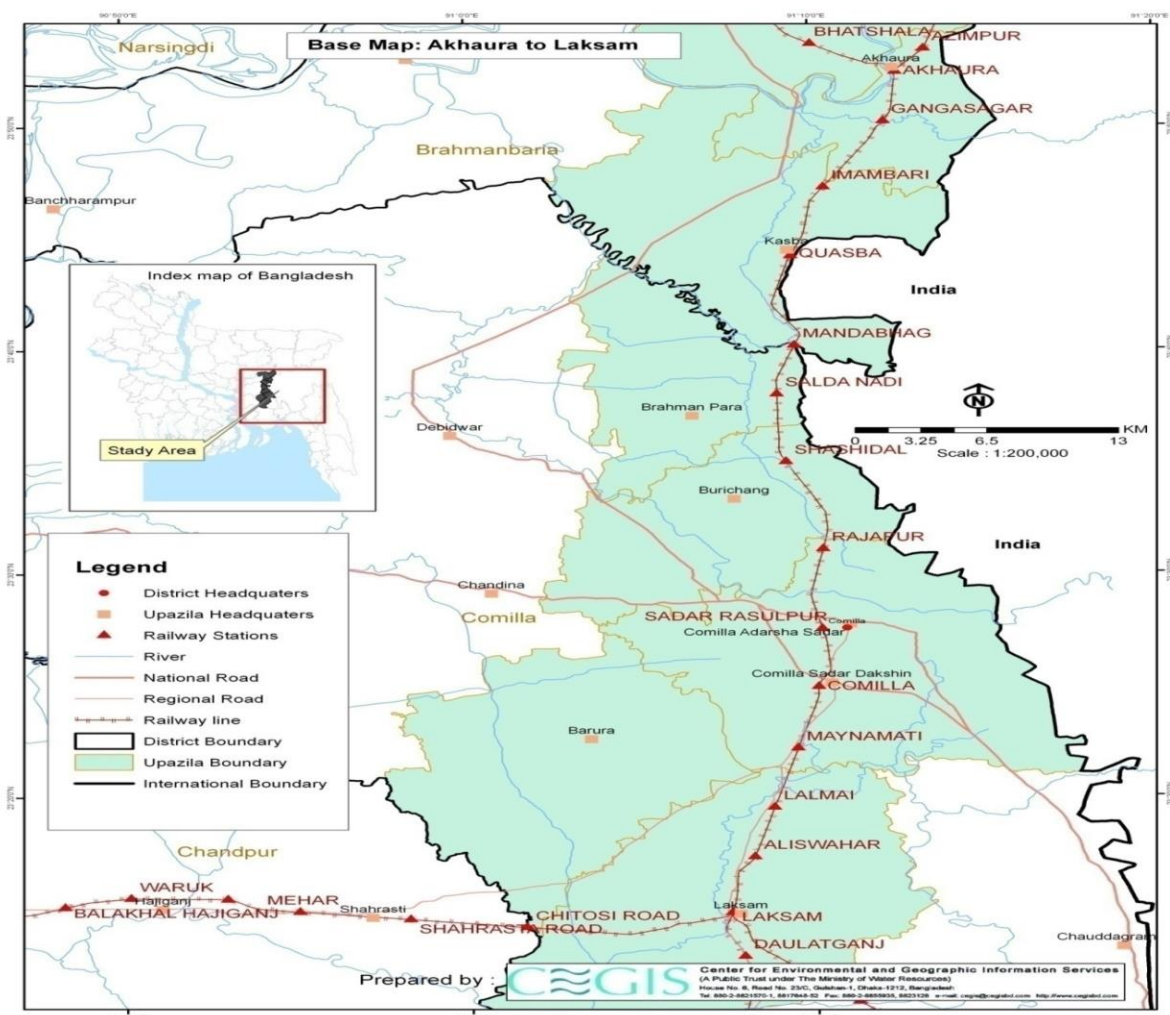


Figure 1: Location of the Project Area

B. Project Components

30. The existing Akhaura to Laksam single railway line was built on land acquired in the 1890s. The embankment along single railway line can largely accommodate a second line with additional acquisition for land for doubling, including provisions for new bridges and culverts, extensions stations or diversions where necessary. The total length of the proposed strip is 72 km with variable width of 40 to 50m, depending on embankment heights, bridges and stations. In addition to construction of the double line, the Project includes the following components:

- i. Construction of 59 (fifty nine) new bridges and culverts; this also includes 13 major bridges (more than 60 ft);
- ii. Eleven new stations will be built replacing existing stations within the same station complex; and
- iii. Improving access at 2 existing stations (Comilla and Akhaura) by construction of foot-over-bridges (FOB) and ramps;
- iv.

31. In addition to affected titled owners, the proposed Project interventions will cause displacement of largely informal settlers/squatters (residential and commercial), tenants and encroachers from BR land on the right-of-way (RoW) and in and around station areas with adverse impacts on their assets and livelihoods.

C. Measures to Minimise Impacts

32. The Project considered any technical options in order to reduce land acquisition and minimise possible adverse impacts. For example,

- i. Out of total required area of 303 ha, only 58.43 ha (19%) of area will be acquired for Project implementation; the remainder is BR land;
- ii. The section from Gangasagar Railway Station to Akhaura was re-designed to avoid a major market and settlement, including an old temple. As a result, the overall impact of the Project was significantly reduced;
- iii. The reconstruction and modernisation of the stations were designed as much as possible within the available BR land. As a result, land acquisition was reduced during the design phase.
- iv. The initial design of the alignment near Morga Bazar requiring acquisition of private land for the station area. A site meeting with the affected community resulted in re-designing the station area to minimise land acquisition and resettlement.
- v. Access roads to some stations were re-designed through further field inspections to reduce land acquisition and minimize impacts

During project implementation, the Project will make efforts to minimize project impacts and disruptions as much as possible.

D. Purposes of Resettlement Plan

33. The purpose of the RP is to mitigate, compensate and re-establish the lives and livelihoods of the affected persons and communities affected by the Project. The RP is based on GOB laws/legal framework for land acquisition and compensation payments. It also complies with the ADB SPS/Involuntary Resettlement Safeguards and EIB Standard 6 - Involuntary

Resettlement and other relevant guidelines¹ with Project-specific provisions for replacement value for assets acquired, assistance for relocation and construction of houses, livelihood restoration and other allowance for vulnerable groups so that those affected can maintain and/or improve their pre-project standard of living. The compensation rates assessed and the resettlement assistance and benefits to be provided under the RP will help the affected households and businesses to re-establish themselves in post-relocation period. Special attention has been given to non-titled affected squatters/informal settlers, shops and business owners on BR land along the alignment and in and around the station area to support their relocation and safeguard their livelihoods. The RP implementation NGO (INGO) will further assist in the relocation and rehabilitation processes.

E. Methodology

34. For the purpose of social survey/census, the alignment from Akhaura – Laksam was divided into three sections, namely (i) Laksam – Comilla, (ii) Comilla – Salda Nadi, and (iii) Salda Nadi – Akhaura (see Table 1).

Table 1: Survey Sections by Chainage and Length

Section	Chainage	Length/km
Laksam-Comilla	130+625 to 155+000	24.375
Comilla-Shalda Nadi	155+000 to 174+500	19.500
Shalda Nadi-Akhaura	174+500 to 202+700	28.200

35. The data/tables in the RP are presented accordingly. The base maps of three sections are presented in Annex 1 (Map A1.1, Map A1.2 and Map A1.3).

36. In preparing the RP a participatory approach was followed for collecting data and information. The tools and techniques used include (i) census of affected households (100%); (ii) sample socio-economic survey (SES) of 20% affected households; (iii) property valuation survey (PVS); (iv) stakeholder consultation meetings (SCMs); and (v) focus group discussions (FGDs). Besides, the house/structure marking along with video filming was done also. Finally, a rapid assessment and four FGDs were conducted (7-10 May 2014) among the squatters and informal settlers in three major station areas (Akhaura, Comilla and Laksam) to assess the availability and affordability of commercial/residential spaces or accommodation for the informal settlers. Table 2 provides a full list of activities carried out during the survey and census for preparing the RP.

Table 2: Survey/Census Activities and Coverage

Sl. No.	Task	Coverage
1	Household/Unit level census	2180
2	Socioeconomic sample survey	418
3	Property valuation survey	350
4	Participants at stakeholder consultation meetings	427
5	Number of groups covered in FGDs	34
6	Rental availability and affordability Survey	89

37. Structured questionnaires and checklists were used for collecting data/information. A team of experienced professionals along with a number of field staff were engaged in conducting these surveys and consultations following the off-set data and profile drawings provided by the design consultants. The tasks are further briefly explained.

¹ EIB Standard 5 Cultural Heritage; Standard 7 Rights and Interests of Vulnerable Groups; and Standard 10 Stakeholders Engagement. Environmental and Social Handbook, 2014.

1. Census and Inventory of Losses (IoL) Survey

38. Census and IoL survey was conducted for all affected households, shops, irrespective of title to the land including squatters, encroachers, vendors, tenants, wage labourer, etc. The enumerators visited house to house and collected information from the household head or his/her senior proxy. All of the affected entities such as land owners, structure owners, businessmen, tenants, pond owners, vendors, and community properties were covered by the census and IoL survey. Census and IoL survey was conducted twice for this Project, once in May-June 2013 and later in February 2014, primarily due to changes in alignments to reduce and minimise impacts identified during the May-June 2013 surveys.

2. Socio-economic Survey (SES)

39. Based on the census and IoL survey 20% of enumerated households were selected for conducting detailed SES. In this regard systematic random sampling technique was used in selecting households. The selected households/entities were informed in advance by the enumerators concerned for ensuring their presence during the interview for SES.

3. Property Valuation Survey (PVS)

40. PVS was conducted for the affected land, structures, trees and other properties by collecting information from knowledgeable persons of the affected mouzas within the Project areas. In this regard prices of the affected properties were collected from potential sellers and buyers, deed writers, religious leaders, school teachers, etc. At least 05 persons were interviewed in a mouza. Besides, Government property rates were collected from the Register Offices (for land), from the PWD (for structures) and from the Forest Department (for trees) concerned. More information on the valuation methodology is provided in Chapter 5 (also, see Annex 2 Property Valuation Report 2014).

4. Structure Marking and Video Filming

41. All of the affected entities with their owner households were identified during the census survey conducted in May-June, 2013 and February 2014. Based on the 'number of census form' the individual household number was created. The household number was written with permanent ink (red colour) on the visible wall of the structure, where necessary live evidences were recorded through carrying out video filming. The video filming was done for preventing fraudulent claims by the structure owner(s) in future and to restrict policy abuse and influx of outsiders into the Project RoW for fraudulent claims. The affected structure along with the household head or any members of the family were captured during video filming with name of household head with father's/husband's name and address.

5. Stakeholder Consultation Meeting (SCM)

42. A two-fold SCM process was carried out simultaneously during the social survey. In this regard, the SCMs were conducted firstly with both the primary and secondary stakeholders and later, affected persons within the occupation and gender based groups were consulted through FGDs. Nine (9) SCMs were carried out at three sections of the Project area (a. Laksam–Comilla, b. Comilla–Salda Nadi and c. Salda Nadi-Akhaura). On the other hand, thirty FGDs were conducted at different locations of the Project areas with five different occupational/gender groups, e.g., businessmen/traders, farmers, day labourers, landless and women. During the

consultation meetings and discussions, the cut-off date (commencement date of survey, e.g., May 02, 2013) was shared with the participants.

6. Rapid Assessment Surveys

43. A rapid assessment survey was carried out in three station areas (Akhaura, Comilla and Laksam) in May 2014 to explore the availability of alternative rental spaces for businesses and/or accommodation for the affected squatters/informal settlers currently settled in and around major railway stations in urban areas. A total of 86 shops/business and residential unit were interviewed. In addition, four FGDs were conducted for collecting additional qualitative data on issues related to availability of alternatives rental space for business and housing. The findings have been used to revise and update the RP.

7. Data Generation

44. Filled-in survey questionnaires were sent to the RP Consultant's central office, Dhaka at the end of each week by the Field Supervisor concerned in coordination with the Field Coordinator for data coding and entry into the computer. The survey and data entry were conducted simultaneously. The surveyed data were inserted into the computer system in a user-friendly menu-driven software by the Data Entry Operators under the guidance of Data Manager. The entered data were analysed in MS Access and SPSS as well and auto generated in tabular form as per requirements of preparing the RP.

II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

A. Scope of Land Acquisition

45. A total of 303 ha of land will be required for doubling the track. As identified in the offset profile drawing, Bangladesh Railway (BR) has already 244.55 ha of land in the existing track on 72 km of the Project alignment. Only 58.43 ha of additional land will be acquired. The use of Project affected land was marked in the census and IoL survey. A major portion of the affected land is located in the Salda Nadi-Akhaura section. Details of affected land in the Project area by use and area coverage in hectare (ha) are presented in Table 3.

Table 3: Affected Land in the Project Areas by Use and Area Coverage (in ha)

Land use Types	Laksam – Comilla	Comilla - Salda Nadi	Salda Nadi – Akhaura	Total
Homestead	2.1247	2.6559	4.7806	9.5613
High land	0.17771	0.8853	1.0624	2.1247
Cropped land	5.3118	9.2072	13.9878	28.5068
Bamboo	0.0590	0.000	0.1180	0.1171
Orchard	0.1771	0.4722	1.1804	1.8296
Pond	1.7116	4.8397	6.1381	12.6893
Wet land	0.0590	0.8853	0.3541	1.2984
Others (fallow, road, etc.)	0.8853	0.5902	0.7673	2.2428
Total	10.5056	19.5357	28.3887	58.4300

46. The land use types used in the table above are briefly defined here: (Homestead land: The homestead land refers to a piece of land where people are living by constructing residential structure; Vitta/High land: The vitta/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 vitta/highland and used as fruit/timber tree garden; Cropped/arable (Nal) land: Agricultural land, which is used for crop production in once, twice, or thrice a year. Level of land is below the homestead, vitta or orchard; and 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).

47. A little less than a half (28.50 ha) of the affected area is agricultural land (cropped land); of which 13.98 ha belong to the Salda Nadi – Akhaura section followed by Comilla - Salda Nadi (9.20 ha) and Laksam – Comilla (5.31 ha) sections of the Project area. A sample of the land acquisition profile is in Figure 2. In this selected profile, the red line is the construction right-of-way (CROW) while the green line is the boundary of BR land on the alignment. The two lines/tracks are presented in blue.



Figure 2: Land Acquisition/ROW Profile

48. Several plots are partially affected in this section. Table 4 provides an estimate of private and BR lands by sections in the Project. Less than 20% of the total requirements will be acquired for the Project and nearly half of the new acquisition (28.51 ha) is from Shashidal to Akhaura Section.

Table 4: Land Required by Section for Construction of the Double Line

Section	Location	Chainage	BR Land/ha	%	Private Land/ha	%	Total/ha
1	Laksam to Comilla	130+625 to 155+000	54.88	22.44	10.86	18.58	65.74
2	Comilla to Shashidal	155+000 to 174+500	88.35	36.13	19.07	32.63	107.42
3	Shashidal to Akhaura	174+500 to 202+700	101.32	41.43	28.51	48.79	129.83
	Total		244.55	100.00	58.44	100.00	302.99

B. Key Project Impacts

1. Summary

49. According to the census and IoL survey conducted in the Project area, 2,180 affected households/units will experience different types of losses. Table 5 presents a summary of the key Project impacts. The details are discussed in the rest of the Chapter.

Table 5: Project Impacts – Overview

Sl. No.	Project Impacts	Total
1	Amount of land to be acquired	58.43 ha
2	Total number of households/units to be affected	2180
	Number of titled hhs losing res/com and other structures requiring relocation	407
	Number of squatters losing res/com and other structures requiring relocation	707
	Number of renters (from titled owners) losing res/com structure requiring relocation	101
	Number of renters (from squatters on BR land) losing res/com structure requiring relocation	191
3	Number of hh losing land, trees and fish ponds only – no relocation required	715
4	Number of PCR(3) and CPRs (56)	59
5	Total number of persons affected	10408
5	Number of trees affected	56933

2. Impacts by Categories of Affected Persons

50. Table 6 provides further breakdown of the impacts by (i) titled owners; (ii) renters from titled owners; (iii) squatters on BR land; and (iv) renters from squatters on BR land. The data provided in the table provides a clear insight in to nature of impacts, particularly those on BR land (707 units) and those renting from squatters (191 units) on BR land. Thus, over 40% of the affected units do not have titles.

Table 6: Impacts by Categories of Affected Persons

Category	Titled owners	Renters (from titled owners)	Squatters on BR land	Renters (from squatters on BR land)	Total
HH losing land	672	29	0	0	701
HH losing residential structure	330	53	409	42	834
HH losing commercial structures	30	33	229	131	423
HH losing both com. and residential structures	30	15	38	18	101
HH losing other structures	17	0	31	0	48
HH losing trees only	9	0	0	0	9
PCRs (3) and CPRs (56)	59	0	0	0	59
HH losing fishing ground	5	0	0	0	5
TOTAL	1152	130	707	191	2180

3. Access Roads to Stations

51. Of the total 11 stations along the alignment, seven (i.e. Gangasagar, Imambari, Quasba, Mandabag, Salda Nadi, Shashidal, and Rajapur) will be rebuilt replacing the existing buildings. In 5 of 7 stations, a total of 350m of improvements in the access roads outside the stations' construction right-of-way was initially envisaged. This would have resulted in affecting some roadside structures as confirmed per a survey conducted in March 2014. It was decided to review the access roads provisions. In April 5-6, a team of BR engineers and the Consultants undertook a joint site inspection of all the station locations, and revised the access roads provisions. The inspection led to redesigning the station areas and access ensuring that (a) existing access roads to the stations will be retained and not widened/expanded; and (b) no new access roads will be necessary. This was achieved in part by amending the sitting of some station buildings to eliminate the need for new access roads for station access. This was conducted with the view of further reducing the impacts of the project. As a result, there is no need for census and additional budget necessary for access roads in the Project.

4. Impacts by Various Categories of Losses

52. The disaggregated results identified that the household losing land only are 701, losing residential and other structures are 882, losing commercial structures only are 419, losing residential cum commercial structures are 101, losing trees only are 9, and losing fish ground only are 4. There are 56 affected PCRs/CPRs also. Details are presented in Table 7 below.

Table 7: Households by Different Categories of Impact

Section	Losing land only	Losing residential structures	Losing commercial structures	Losing residence cum commercial structures	Losing trees only	CPRs/ PCR	Losing other structures	Losing fishing ground	Medium to Large Business	Total
Laksam-Comilla	182	304	143	22	2	23	19	0	1	696
Comilla-Salda Nadi	241	172	97	36	2	18	11	1	2	580
Salda Nadi-Akhaura	278	358	179	43	5	18	19	3	1	904
Total	701	834	419	101	9	59	49	4	4	2180

Source: Census & IOL survey, 2013 & 2014

C. Asset Inventory and Assessment of Losses

1. Ownership of Affected Households Losing Business and Community Structures

53. All the physically displaced households, shops, business enterprises and PCR structures are included. These structures are either private properties or Government or both, meaning that someone built his structure on his own land but extended his property - i.e., encroached on the adjacent BR/Government land. Table 8 shows the distribution of households by type and ownership of structures and location.

Table 8: Affected Households Losing Structures by Type

Area	Residential			Commercial			Residential & commercial			PCR			Other			Large Scale Business		
	Pvt.	Govt.	Both *	Pvt.	Govt.	Both *	Pvt.	Govt.	Both*	Pvt.	Govt.	Both *	Pvt.	Govt.	Both *	Pvt.	Govt.	Both *
Laksam-Comilla	122	136	46	30	106	7	2	15	5	6	15	2	4	13	2	0	0	1
Comilla-Salda Nadi	38	73	61	1	92	4	3	12	21	6	9	2	2	7	2	2	0	0
Salda Nadi-Akhaura	48	242	68	6	161	12	4	29	10	3	8	3	3	11	4	0	1	0
Total	208	451	175	37	359	23	9	56	36	15	32	7	9	31	8	2	1	1
%	24.94	54.08	20.98	8.83	85.68	5.49	8.91	55.45	35.64	27.78	59.26	12.96	18.75	64.58	16.67	50.00	25.00	25.00

Source: Census & IOL survey 2013 & 2014

* Encroached

54. In total 721 employees of business structures in the Project area will lose their jobs (10.26% of them are employed with the affected business for more than 6 months and 89.7% for less than 6 months). The number of employees losing job due to impacts on businesses is higher in the Comilla-Salda Nadi section. Table 9 shows the details.

Table 9: Number of Employees Affected by the Project

Area	Total No. of affected Employee		No. of employee working more than 6 months		No. of employee working less than 6 months	
	No.	%	No.	%	No.	%
Laksam-Comilla	225	31.21	27	12.00	198	88.0
Comilla-Salda Nadi	341	47.30	13	3.81	328	96.2
Salda Nadi-Akhaura	155	21.50	34	21.94	121	78.1
Total	721	100	74	10.26	647	89.7

Source: Census & IOL survey, 2013 & 2014

2. Category of Affected Physical Structures

55. Most of the affected dwellings and other physical structures in the Project areas have been identified, including community structures. Table 10 shows various types of primary structures that might be affected due to the Project (detailed categories of affected structures are presented in Annex 4: (Table A 4.1). The majority of these structures (38.49%) will be affected in the Salda Nadi - Akhaura section. Details of the affected secondary are shown in Table 10.

Table 10: Primary Affected Structures

Category of Structures	Unit	Laksam-Comilla		Comilla-Salda Nadi		Salda Nadi - Akhaura		Total	
		No.	Area	No.	Area	No.	Area	No.	Area
Total Primary Structures	sft	1005	325756	898	330606	1191	292048	3094	948410
Percentage (%)		32.48	34.35	29.02	34.86	38.49	30.79	100	100

Source: Census & IOL survey, 2013 & 2014

Table 11: Secondary Affected Structures

Secondary Structure	Unit	Laksam-Comilla		Comilla-Salda Nadi		Salda Nadi - Akhaura		Total	
		No.	Area	No.	Area	No.	Area	No.	Area
Tube-well	no.	80	80	113	113	189	189	382	382
Deep tube-well	no.			1	1	1	1	2	2
Sanitary Latrine	no.	73	73	150	150	91	91	314	314
Slab Latrine	no.	109	109	72	72	154	154	335	335
Kutcha Latrine	no.	3	3	5	5	15	15	23	23
Water pump	no.	35	35	45	45	9	9	89	89
Pillar	no.	23	23	2	2	8	8	33	33
Shahid Minar	no.	1	1					1	1
Bakery Burner	no.			3	3			3	3
Graveyard	no.			3	3			3	3
Mobile Tower	no.					1	1	1	1
Boundary wall (5")	rft	32	3794	35	5602	44	4868	111	14264
Boundary wall (10")	rft	1	72	3	325			4	397
Tin made boundary wall	rft	27	1241	27	1133	24	941	78	3315
Grill	rft	7	69	0		1	260	8	329
Drain	rft	1	20	5	641			6	661
Gate	rft	1	20	1	15	1	10	3	45
Gas line	rft	14	409	14	382			28	791
Brick built Stair in pond	rft	1	20	1	18	1	26	3	64
Culvert	rft					1	12	1	12
Water tank	cft	15	9797	3	346	6	2994	24	13137

Source: Census & IOL survey, 2013 & 2014

3. Affected Agricultural Land

56. According to the Land Acquisition Plan, it is estimated that 58.43 ha of land will be acquired by the Project, of which 28.51 ha will be agricultural land. In the process of acquisition, if any plot of land so acquired becomes unviable (for example, if less than 10% remains) and if the owner(s) wants the same to be acquired, BR will acquire the entire plot and pay compensation as per the set entitlement in this Project.

4. Affected Trees and Crops

57. The Project will also require removal of trees of various sizes and species. The census and IoL survey found varieties of trees on both private and BR land. Different species of trees are divided into four categories by size viz big, medium, small and sapling. There are 100 species of trees found in the Project areas: 34 species of fruit trees, 61 species of timber and five (5) species of medicinal trees. Number of affected trees on private and BR land in the Project areas by type and size are presented in Annex 4. The highest number of trees/plants/bamboo (12194) on private land is found in Salda Nadi – Akhaura section followed by Laksam-Comilla (4471) and Comilla-Salda Nadi (4100) sections, while those on BR/Government land are 26525, 7207 and 2436, respectively (Annex 4: Table A-4.2 and Table A-4.3). Table 12 shows the aggregated number of trees found on both Government and private land.

Table 12: Total Number of Affected Trees by Type, Size, Number

Categories of trees	Name of Sections			Total
	Laksam-Comilla	Comilla-Salda Nadi	Salda Nadi-Akhaura	
Fruit	3513	2048	8790	14351
Percentage of fruit trees	24.48	14.27	61.25	100
Timber	4352	3295	24751	32398
Percentage of timber trees	13.43	10.17	76.40	100
Medicinal	68	21	112	201
Percentage of medicinal trees	33.83	10.45	55.72	100
Banana	1322	717	2172	4211
Percentage of banana plants	31.39	17.03	51.58	100
Bamboo	2423	455	2894	5772
Percentage of bamboo	41.98	7.88	50.14	100
Grand total	11678	6536	38719	56933
Percentage of grand total	20.51	11.48	68.01	100

Source: Census and IoL survey by 2013 & 2014

III. SOCIO-ECONOMIC DATA AND PROFILES

A. Introduction

58. This chapter presents the socio-economic profile of the affected households. No ethnic minority or indigenous peoples are affected by the Project alignment. Socio-economic profiles of the affected households include demographic characteristics, income and expenditure status and poverty dimension. These are discussed in the following sections of this chapter.

B. Profile of the Affected Households

59. There are 2,180 households/units with a total population of 10, 408. The male population is higher than that of female. There are 54.56% males and 45.54% females as found in the household census. The average male-female ratio is 120 i.e. 120 males per 100 females which is higher than the national figure of 100.3 and significantly higher than that of Chittagong² division of 96.1 (BBS 2011). The Comilla-Salda Nadi area has the highest sex ratio (122) and the Laksam-Comilla area has the lowest (117). The average household size is 4.92 (Table 13); it is also higher than the national household size of 4.50 (HIES 2010³). Area-wise distribution shows that the Salda Nadi-Akhaura area has a higher population and household size (respectively 4,713 and 5.33) while Laksam-Comilla has a smaller population and household size (respectively 3,046 and 4.5). With the proximity of the Project site to Dhaka, male members remain away from home as temporary migrant workers to earn a living.

Table 13: Area-wise Distribution of Households and Population

Area	HH	Male		Female		Total population		HH size	Sex ratio
	No.	No.	%	No.	%	No.	%		
Laksam-Comilla	672	1644	53.97	1402	46.03	3046	100	4.53	117:100
Comilla-Salda Nadi	560	1455	54.93	1194	45.07	2649	100	4.73	122:100
Salda Nadi – Akhaura	884	2569	54.51	2144	45.49	4713	100	5.33	120:100
Total	2116	5668	54.46	4740	45.54	10408	100	4.92	120:100

Source: Household Census, 2013 & 2014

C. Distribution of Household Heads

60. The following table (Table 14) shows sex-wise distribution of household heads. It is observed from the table that the percentage of male headed households (88.28%) is higher than that of female headed households (11.72 %). The Population and Housing Census of Bangladesh in 2011 and in 2001 found 15.6% and 13.8% female headed households in the country.

Table 14: Sex-wise Distribution of Household Heads

Type of household	Laksam-Comilla		Comilla-Salda		Salda Nadi -		Total	
	No.	%	No.	%	No.	%	No.	%
Male headed	597	88.84	493	88.04	778	88.01	1868	88.28

² In most cases, the data are compared with that of Chittagong Division only as the study area falls under that division.

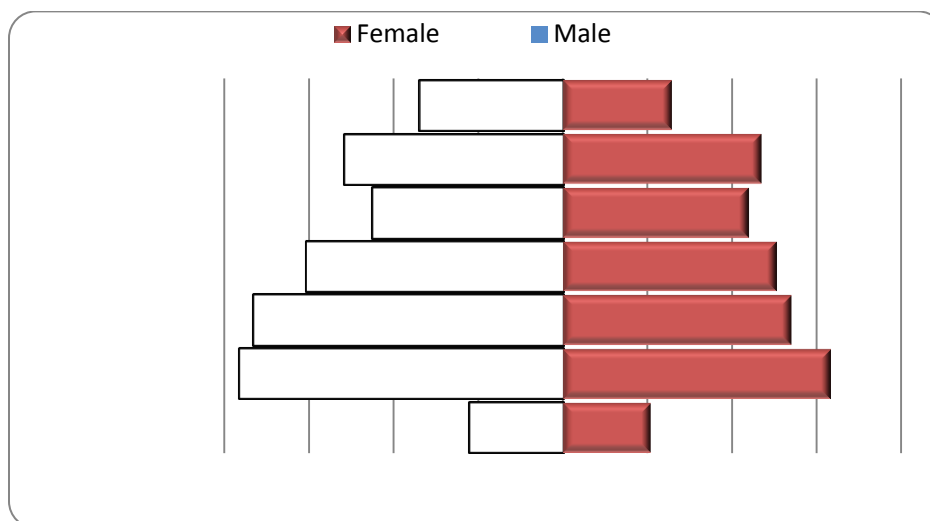
³ HIES 2010 refers to Household Income and Expenditure Survey conducted by the Bangladesh Bureau of Statistics (BBS) in 2010.

Female headed	75	11.16	67	11.96	106	11.99	248	11.72
Total	672	100	560	100	884	100	2116	100

Source: Household Census, 2013 & 2014

D. Age Composition

61. The following figure (Figure 3) shows population distribution in the Project area on the basis of age composition. It shows that the highest section of the population constitutes the age category of 5 to 14 years (21%). The second highest category is 15 to 24 years (19%). In all of the age groups the number of males is higher than that of females.



Source: Household Census, 2013 & 2014

Figure 3: Population Pyramid in the Project area

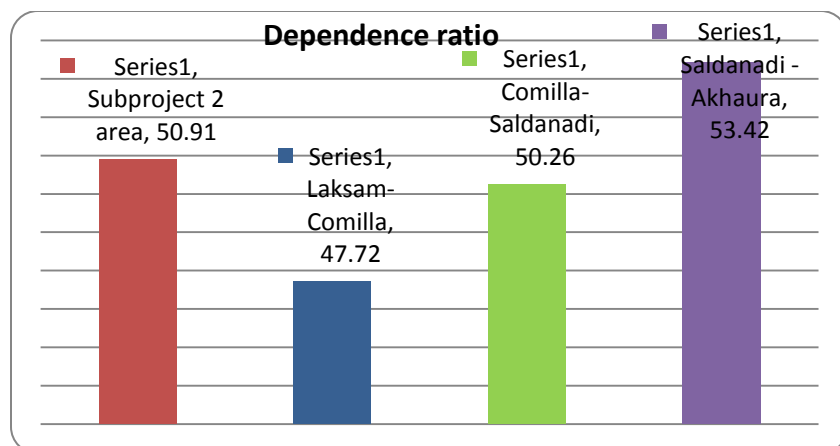
E. Dependence Ratio

62. Dependence ratio refers to the ratio of the dependent population (population aged 0-14 years and 60 years and over) to the working age population (population aged 15- 59 years). The dependence ratio of total alignment is estimated as 50.91. The dependence ratio is highest in Salda Nadi -Akhaura section followed by Comilla-Salda Nadi and Laksam-Comilla sections (Table 15 and Figure 4).

Table 15: Distribution of Population in Terms of Dependence Ratio

Area	Total population	Dependent population	Probable workforce
Project area	10408	3511	6897
Laksam-Comilla	3046	984	2062
Comilla-Salda Nadi	2649	886	1763
Salda Nadi -Akhaura	4713	1641	3072

Source: Household Census, 2013 & 2014

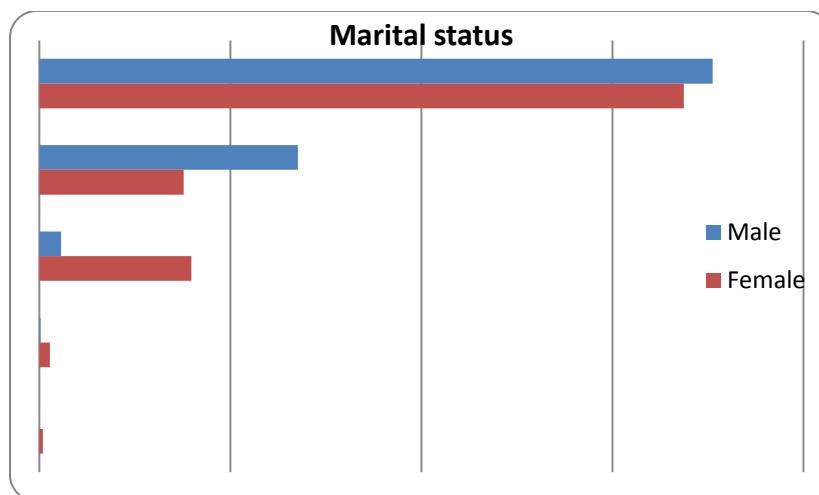


Source: Household Census, Project 2013 & 2014

Figure 4: Dependence ratio in the Project area

F. Marital Status

63. The following figure (Figure 5) shows the marital status of population in the Project area. Irrespective of age group it is found that the rate of married people is higher than that of unmarried people. In the married category, the rate of unmarried males is higher than that of females. In the widow/widower category, the percentage of female is higher compared to that of male. The percentage of abandoned and divorced category is minimal compared to the rest of the categories.



Source: Household Census, Project 2, 2013 & 2014

Figure 5: Marital status in the Project area

G. Household by Religion

64. The following table (Table 16) shows the distribution of households by religion category. It is found that Islam is the predominant religion in the Project area (95%). The percentage of Hinduism and Buddhism are minimal (4% and 1% respectively).

Table 16: Affected Population by Religion

Religion	Laksam-Comilla		Comilla-Salda Nadi		Salda Nadi - Akhaura		Total	
	Male	Female	Male	Female	Male	Female	Male	Female
	%	%	%	%	%	%	%	%
Islam	92.52	92.08	94.85	95.06	96.69	96.83	95.01	94.98
Hinduism	4.81	5.06	5.15	4.94	3.31	3.17	4.22	4.18
Buddhism	2.68	2.85	0	0	0	0	0.78	0.84
Total	100	100	100	100	100	100	100	100

Source: Household Census, 2013 & 2014

H. Education

65. Census findings of the Project area show that concentration of literate people is higher in primary (28.42%) and secondary levels – class six to ten (29.83%) and SSC or equivalent (11.62%); higher the levels of education lower the percentages of literate population. In these two levels of education the percentages of males and females are closer to each other. The rate of higher education is negligible in the Project area due to the lack of opportunity and lack of interest of the people. The illiteracy rate in the Project area, however, is lower i.e. only 18.12% are found as illiterate (Table 17). In Bangladesh, 42.1% of population aged 7 years and above (BBS, 2011, HIES-2010) are illiterate.

Table 17: Distribution of Affected Population (7 years & above) by Education Levels

Education level	Male		Female		Total	
	Number	%	Number	%	Number	%
Up to class five/Ebtedayee Madrasa	1454	15.47	1217	12.95	2671	28.42
Class Six to Ten	1444	15.36	1360	14.47	2804	29.83
SSC or Equivalent	657	6.99	435	4.63	1092	11.62
HSC or Equivalent	402	4.28	175	1.86	577	6.14
BA or Equivalent	277	2.95	99	1.05	376	4
MA or Equivalent	121	1.29	30	0.32	151	1.6
Hafez	22	0.23	3	0.03	25	0.27
Illiterate	758	8.06	945	10.05	1703	18.12
Total	5135	54.63	4264	45.37	9399	100

Source: Household Census, 2013 & 2014

I. Occupation

66. Considering occupational distribution, diverse occupational groups are found in the Project area. Major occupations of the household heads are business (33.19%) and farming (19.20%) and mostly of them are male. Other remarkable occupations are service, day labouring, and transportation. A few female heads are engaged with all of those occupations, except transportation. About 4% male heads also work in abroad and they send remittance in their households. No female heads work in abroad. More than 68% of the female heads are unemployed i.e., they are housewives and engaged with household chores (Table 18).

Table 18: Occupation of the Head of the Household

Occupation	Male		Female		Total	
	No.	%	No.	%	No.	%
Business	688	36.97	12	4.84	700	33.19
Farming	404	21.71	1	0.40	405	19.20
Service	200	10.75	6	2.42	206	9.77

Occupation	Male		Female		Total	
	No.	%	No.	%	No.	%
Day labouring	143	7.68	29	11.69	172	8.16
Transport work	120	6.45	0	0.00	120	5.69
Job in abroad	74	3.98	0	0.00	74	3.51
Unemployed	9	0.48	169	68.15	178	8.44
Aged /Retired	140	7.52	19	8	159	7.54
Others	83	4.46	12	4.84	95	4.50
Total	1861	100	248	100	2109	100

Source: Household Census,, 2013 & 2014

J. Income and Expenditure Status and Poverty Dimension

67. **Income.** A description has been presented earlier on occupation i.e., sources of income. This section describes the extent of income earned from the sources in the Project area (Table 18) The highest income comes from business (23.4%) followed by pension/gratuity (11.8%), remittance (11.7%) and so on. The amounts of household income with ranges are presented in the Table 19.

Table 19: Sources of Income (%)

Sourcesof income	Percentage of income
Business	23.4
Pension/gratuity	11.8
Remittance	11.7
Service	7.4
Farming	7.2
Driving	5.1
House rent	4.5
Cobbler	4.5
Day labouring	4.1
Barber	3.8
Medical profession	3.8
Rickshaw puller	3.8
Masonry	3.5
Mechanic	3.1
Carpentry	1.3
Teaching	0.9
Cottage Industry	0.9
Total	100

Source: Socio-economic Survey, 2013

Table 20: Annual Income Level of Household

Income ranges (yearly)	Laksam-Comilla		Comilla-Salda Nadi		Salda Nadi - Akhaura		Total	
	No.	%	No.	%			No.	%
Up to BDT 30,000	5	0.74	7	1.25	4	0.45	16	0.76
30,001-60000	94	13.99	77	13.75	87	9.84	258	12.19
60,001-90,000	79	11.76	113	20.18	118	13.35	310	14.65
90,001-120,000	135	20.09	160	28.57	194	21.95	489	23.11
Above 120,000	359	53.42	203	36.25	481	54.41	1043	49.29
Total	672	100.00	560	100	884	100	2116	100

Source: Household Census, 2013 & 2014

68. **Expenditure.** In the Project area, the main outlay of expenditure is payment of employees (74%). These employees are mainly engaged in business and farming. The second highest sector of expenditure is food (7%). The following table (Table 21) shows the overall expenditure of the Project area.

Table 21: Extent of Expenditure by Sectors

Sectors of expenditure	Percentage of expenditure
Payment of employees	73.7
Food	7.5
Repayment of debt	4.7
House rent	3.5
Social affairs	2.6
Agricultural or other investment	1.6
Transport	1.0
Medical treatment	1.0
Clothing	1.0
Fuel	0.9
Others	3.3
Total	100

Source: Household Census, 2013 & 2014

69. Using the lower poverty line, it is found that per capita/per month expenditure of the poor in Chittagong Division is BDT 1,174.5 while household expenditure at that level is BDT 5,872.50 and at annual level it is BDT 70,470.00.

Table 22: Annual Expenditure Level of the Household

Yearly Expenditure Level	Laksam-Comilla		Comilla-Salda Nadi		Salda Nadi - Akhaura		Total	
	No.	%	No.	%			No.	%
Up to BDT 30,000	11	1.64	5	0.89	10	1.13	26	1.23
30,001-60000	114	16.96	130	23.21	103	11.65	347	16.40
60,001-90,000	98	14.58	154	27.50	144	16.29	396	18.71
90,001-120,000	164	24.40	173	30.89	208	23.53	545	25.76
Above 120,000	285	42.41	98	17.50	419	47.40	802	37.90
Total	672	100.00	560	100	884	100	2116	100

Source: Household Census, 2013 & 2014

70. **Loan.** The following table (Table 23) shows the amount of loan received by the local people from Government, non-Government, and private money lending agencies. On average, a total of BDT 2,957,942 was received by them as loan from those agencies. It shows that they received loan at various amount for various duration of time. Preference is given for choosing sources of loan on average duration of repayment. The higher the duration, the bigger the size of the loan.

Table 23: Source of Loan

Name of the Area	Name of source	Average loan size	Average duration of repayment (yr)
Laksam-Comilla	BRAC	30,000.00	1
	ASA	15,000.00	1
	Grameen Bank	57,916.67	1
	Local NGOs	17,500.00	1
	Private Bank	200,000.00	3
	Govt. Bank	2,000,000.00	5
Comilla-Salda Nadi	BRAC	252,222.23	2

Name of the Area	Name of source	Average loan size	Average duration of repayment (yr)
	ASA	40,277.33	1
	Grameen Bank	66,044.44	1
	Local NGOs	42,130.00	1
	Govt. Bank	37,000.00	1
Salda Nadi-Akhaura	BRAC	125,909.09	1
	ASA	43,600.00	1
	Grameen Bank	44,400.00	1
	Local NGOs	50,833.33	1.75
	Private Bank	10,955.56	1
	Govt. Bank	60,000.00	1

K. Poverty and Gender Dynamics

71. By comparing income and expenditure it is found that 27% of the households belong to the poorer category in terms of income group. On the other hand, 36% of the households belong to the poorer category in terms of household expenditure (HIES 2010). The unemployment rate of women is very high as they are mainly housewives and look after the household chores and have limited access to economic activities outside their homestead. About 10% women work as day labourer followed by business (6%) and service (2%). According to survey data, the household income of the poor at lower poverty level is BDT 63,100. About 22% and 10% of the female-headed household (FHH) and male-headed household (MHH), respectively earn yearly income at lower poverty level. About 64% of FHHs have homestead land which is much higher than that of MHHs (48%) and about 27% MHHs have agricultural land which is higher than that of FHHs (18%). The gender analysis conducted in this Project examined the differences in women's and men's lives to understand social and economic inequity for women and its underlying causes, including provisions for income restoration, training and livelihoods programme for poorer women in this Project. Furthermore, the Project design has integrated gender-friendly features in the railway stations to be built under the Project.

L. Vulnerable Groups

72. Vulnerable households have been defined as (i) headed by single woman or woman with dependents and low incomes; (ii) headed by elderly/ disabled people without means of support; (iii) households that are below the latest nationally defined poverty line iv) households of indigenous population or ethnic minority; and (v) households of low social group or caste. During the elaboration of the RP no indigenous population, ethnic minority or affected person of low social group or caste were identified. In all, there are 274 households listed under vulnerable groups (see Table 24). Of them, 64 are female-headed households. The female heads are mainly widows (45%) or married (43%) but husbands are away as migrants; some others are abandoned (11%) or divorcees (2%).

Table 24: List of Vulnerable Groups and Households

Category	Type	Number
Female Headed HHs	Female HHHs (income level up to BDT 60000)	52
	Female & Disabled HHs (income level up to BDT60000)	1
	Elder Female HHHs (income level up to BDT60000)	11
Sub-Total		64

Category	Type	Number
Headed by elderly (65yr older) male-headed	Elder male HHHs (income level up to BDT60000)	25
Sub-Total		25
Disabled HHHs	Disabled male HHHs (income level up to BDT60000)	2
Sub-Total		2
Households under poverty line (less than BDT 60000/annual income)	Male HHHs, under 65 (income level up to 60000)	183
Total		274

73. Others in the vulnerable group include heads of households headed by poor elderly/disabled persons without adequate means of support and households below the nationally defined poverty line. Those listed as vulnerable groups will receive special attention in relocation and benefit from Project implementation. The entitlement matrix has provision for one-time grants in addition to eligible compensation. Furthermore, there are provisions for training for income with seed grant money to each member of vulnerable households.

M. Informal Settlers

74. The survey identified 676 informal settlers (squatters) located on BR land. Most of them (409 or 60%) will lose their residential structures in rural sections of the alignment. Another important portion of them will lose their commercial (229) or commercial cum residential (38) structures in urban areas, with major concentration in Akhaura, Comilla and Laksam station areas.

Table 25: Squatters per category

Squatters on BR land	Number
HH losing residential structure	409
HH losing commercial structures	229
HH losing both com. and residential structures	38
Total	676

75. A survey and FDG with squatters conducted in May 2014 (Rental availability and affordability survey, see Annex 7) concluded that informal settlers, and in particular commercial squatters, are not poor or vulnerable. Most of them (61%) own a house and 39% live in rented houses in town where their business is. For the ones who rent in town, the monthly rent ranges from 750 to 1500 BDT a month. Overall, 40% of those interviewed have land and houses in their village homes despite their “illegal” status as shops and business owners on BR land. In addition, 76% of them have a monthly income over BDT 10,000, which is above the average in the project area (See Chapter 3).

76. Finally, the survey revealed that a third of the commercial squatters (28%) rent from BR land around the stations area. BR has a standard policy to provide lease for commercial purposes around the stations when land is available.

N. Summary and Implications

77. The Project impacts have both physical and economic dimensions. It is evident from the analysis presented in this chapter that the impacts are more on small businesses/shops, largely owned by those who live on BR land. Male members have greater mobility compared to the females, who largely work within the household except for poorer women who reported earning their living as wage labourers. The occupational and income differences are also significantly different between men and women in the Project area. Among the affected households, those without titles and live on BR land will experience significant adverse impacts. The resettlement policy and mitigation measures outlined in this Project including livelihood rehabilitation programme, have been tailored to the address these impacts.

IV. CONSULTATION, DISCLOSURE AND PARTICIPATION

A. Introduction

78. Public consultation is an essential part of the social safeguard planning process aimed at involving the local stakeholders in the Project development and implementation phases of the Project cycle. The stakeholders, in this process, are able to provide inputs and engage themselves in developing measures to minimise and/or avoid impacts and development mitigation measures, based on local needs and conditions. Potential Project impacts were disclosed and discussed in stakeholders meetings along the alignment. These meetings, which were attended by both men and women, provided venues to influence, share their views, and raise their voices in decision making processes leading to sustainable resettlement.

B. Key Stakeholders of the Project

79. The consultation, discussion and participation processes start by identifying the stakeholders of the Project. The stakeholders of the Project were identified through a stakeholder mapping exercise conducted by the field survey team members. The exercise was done by categorising the potential affected/benefited persons and host communities who have a stake in the Project. The identified primary stakeholders are the land owners, traders, farmers, service holders, day labourers, rickshaw/van pullers etc, who will be directly and/or indirectly affected by the Project interventions.

80. The identified secondary stakeholders are the public representatives, local Government administration, the executing agency, financing institutions, consultants, construction contractors, suppliers and service providers. The list of secondary stakeholders for the Project includes the BR, ADB, EIB, DC-Comilla and Brahmanbaria, public representatives, Project Preparation Consultants including Social Safeguard Consultants, Implementing NGO, and Management/Supervision Consultants.

C. Approaches and Methodology

81. 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. The GoB ordinance/acts and policies as well as policy/guidelines of the Project financiers have been followed in designing and performing the consultation and participation process. The process was initiated through conducting necessary stakeholder consultation meetings (SCMs) in the Project area. Despite the local practice of *purdah* (seclusion of women) from public gatherings, the team encouraged the participation of women in the stakeholders meetings. Thus, both men and women were in attendance in the consultation meetings, particularly in primary stakeholders' consultation meetings. These SCMs were preceded by meetings with local administration at the upazila and district levels. In sum, multi-level consultations were carried out, starting with initial meetings with local administration, SCMs, and FGDs. The process continued at individual level also through various surveys undertaken in this Project.

1. Social Survey

82. A number of social surveys were conducted such as (i) a census & inventory of losses survey, (ii) a socio-economic survey, (iii) a property valuation/market survey, and (iv) marking of the properties and video filming etc. The census covered 100% of the APs while the socio-

economic survey (SES) covered 20% of the households for IPSEA. The house/structure marking along with video filming was done also. These surveys and associated activities conducted in the field have brought the specific affected persons into an effective consultation and participation process. The census survey covered 2180 households; socio-economic survey covered 418 households; market survey covered about 350 persons in 70 mouzas. Individual and household-level consultations were integral part in conducting all of the above tasks.

2. Stakeholder Consultation Meeting (SCM)

83. In order to assess stakeholder needs, expectations, perceptions, and choices, and to ensure their rights and voices a two-fold consultation process was carried out during the survey. In this regard, SCMs were conducted firstly with both the primary and secondary stakeholders and later, affected persons within the occupation and gender based groups were consulted through FGDs. Nine (9) SCMs were carried out at three sections of the Project (a. Laksam–Comilla, b. Comilla–Salda Nadi and c. Salda Nadi-Akhaura). The total number of participants in nine SCMs was 427 (Table 26). In addition, six consultation meetings were also conducted during the additional survey (February 2014) to inform local stakeholders the design modifications in new railway stations that minimised impacts in the locality. These meetings were held at (i) Dharmapur Railway Gate (Kotowali, Comilla); (ii) Alishahar Railway Station (Comilla Sadar Dakshin); (iii) Comilla Railway Station (Comilla Sadar); (iv) Sadar Rashulpur Railway Station (Comilla Sadar); (v) Quasba Railway Station (Quasba, Brahmanbaria) and Mogra UP Office (Akhaura, Brahmanbaria).

Table 26: Schedule and Number of Participants of SCMs

Section	Meeting Place	Upazila Name	Mouza/Union Name	Date	Time	No. of Participants
A	Beside Alishahar Railway Station	Comilla Sadar Dakshin	Uttor Perul	20/05/13	10 am	58
	Talukdar Tower, Baghmara Bazar	Comilla Sadar Dakshin	Baghmara	20/05/13	03 pm	30
	Bara Para UP Office (Beside Bijoypur Bazar)	Comilla Sadar Dakshin	Bara Para	21/05/13	10 am	59
B	Mim Hospital (Near Comilla Sadar Railway Station)	Comilla Adarsha Sadar	Comilla Sadar, Ward No. 3	19/05/13	10 am	81
	Beside Sadar Rashulpur Railway Station	Burichang	Rajapur	19/05/13	03 pm	37
	At Rajapur Railway Station	Comilla Adarsha Sadar	Amratali	20/05/13	10 am	34
C	Bayek UP Office (Near Salda Nadi Railway Station)	Quasba	Bayek	20/05/13	03 pm	39
	Ganganagar Govt. Primary School (Jajishar, near Quasba Railway Station)	Quasba	Quasba	21/05/13	10 am	54
	Akhaura Upazila HQ (Near Akhaura Railway Station)	Akhaura	Radhanagar	21/05/13	03 pm	35

3. Focus Group Discussion (FGD)

84. The specific issues and concerns and choices of particular occupation and gender based groups within the primary stakeholder were obtained from the FGDs. Thirty (30) FGDs were conducted at different locations of the Project area with five different occupational/gender groups. In this regard 9 (nine) FGDs were conducted with businessmen/traders, 9 (nine) with farmers, 5 (five) with day labourers, 2 (two) with the landless and 5 (five) with the women groups. About 393 participants from different groups were attended in 30 (thirty) FGDs (Table 27).

Table 27: Meeting Schedule and Number of Participants of FGDs

Section	Meeting Place	Upazila Name	Mouza/Union Name	Date	Stakeholder Group	No. of Participants
Laksam-Comilla	Chhoto Harkila (adjacent to rail line)	Sadar Dakhin	Uttar Perul (11 No.) 5 No Ward	28/05/13	Day Labour	14
	Aliwsahar Mitarpara	Sadar Dakhin	Uttar Perul (10 No.), 2 No Ward	28/05/13	Farmer	12
	Baral	Sadar Dakhin	Dakhin Baghmara	28/05/13	Businessman	11
	Baghmara	Sadar Dakhin	Dakhin Baghmara	27/05/12	Landless	15
	Dattapur	Sadar Dakhin	Barpara	29/05/13	Woman	11
	Jangalia	Sadar Dakhin	21 No. Ward, Comilla City Corporation	27/05/13	Businessman	8
	Saktala	Sadar Dakhin	21 No. Ward, Comilla City Corporation	29/05/13	Woman	9
	Daulatpur	Sadar Dakhin	Kotowali	27/05/13	Landless	9
	Durgapur	Sadar Dakhin	4 No. Baropara	29/05/13	Farmer	9
	Dharmapur	Sadar Dakhin	South Durgapur	29/05/13	Day Labour	11
Comilla-Salda Nadi	Shasongasa-1	Comilla Adarsha Sadar	Shasongachha	03/06/13	Woman	12
	Shasongachha-2	Comilla Adarsha Sadar	Durgapur	04/06/13	Day Labour	9
	Shasongachha-3	Comilla Adarsha Sadar	Durgapur	04/06/13	Woman	12
	Arajura	Comilla Adarsha Sadar	Arajura	03/06/13	Businessman	9
	Rashulpur	Comilla Adarsha Sadar	Amratoli	06/06/13	Businessman	10
	Panchara	Burichong	Rajapur	09/06/13	Farmer	8
	Dakshin Teta Bhomi	Brahmanbaria	Shashidal	09/06/13	Farmer	8
	Uttar Teta Bhumi	Brahmanbaria	Shashidal	09/06/13	Farmer	8
	Shashidal	Brahmanbaria	Shashidal	07/06/13	Businessman	9
	Salda Nadi	Brahmanbaria	Shashidal	07/06/13	Businessman	9
Salda Nadi-Akhaura	Raghurampur	Quasba	Raghurampur	03/06/13	Farmer	21
	Mondobagh	Quasba	Chandkhola	03/06/13	Businessman	14
	Uttar Chakbosta	Quasba	Kalyanpur	02/06/13	Farmer	21
	Quasba Rail Station	Quasba	Quasba	30/06/13	Businessman	10
	Noahpara	Quasba	Guruhit	29/05/13	Farmer	20
	Mogra	Akhaura	Mogra	06/06/13	Businessman	14
	Dharmanagar	Akhaura	Dharmanagar	05/06/13	Fish Farmer	35
	Basudevpur	Akhaura	Basudevpur	05/06/13	Day Labour	20

Section	Meeting Place	Upazila Name	Mouza/Union Name	Date	Stakeholder Group	No. of Participants
	Debgram	Akhaura	Debgram	06/06/13	Day Labour	15
	Chandansar	Akhaura	Chandansar	06/06/13	Woman	20

D. Project and Resettlement Issues raised during consultations

85. The Project, its preliminary design and its anticipated impacts were shared with the affected/benefitted people at the beginning of each SCM session. The major issues that were discussed included: (i) Project details and alignment; (ii) benefit and adverse impact of the Project; (iii) opinion on the compensation against potential losses; (iv) compensation for the vulnerable population; (v) mechanism of compensation, and (vi) resettlement assistance and options. The stakeholder participants joined actively in all discussions and shared their views, needs and aspirations from the Project (for details, see Annex 6).

1. Stakeholder's Attitude towards the Project

86. Local stakeholders' have a very positive attitude towards the Akhaura-Laksam Double Line Project. They opined that, an important sector of the country will be developed through implementation of this Project. The stakeholders were happy to learn that the rail communication of the country will be modernised in terms of its system and services. As the railway is used frequently by the mass people due to its comfort and cost-effectiveness; and it provides an environment friendly means of transportation in the country, therefore, this Project will accelerate overall socio-economic development of the country. The local people were happy that the railway communication system will be improved as an outcome of the double line. They were ready to support the Project implementing authority as they understood that the Project will improve local infrastructures and businesses as well as establish improved connection with other parts of the country and neighbouring countries for the purposes of education and health care, trade and commerce, tourism etc.

2. Concerns Raised at the Consultation Meetings

87. The stakeholders identified the prospects as well as issues related to the construction of the project and recommended solutions as per their own perceptions. In this section, the concerns, issues, and recommendations are presented in various tables. Further, the recommendations were duly recorded in the meeting minutes and also documented. The overall outcome of the consultation meetings are presented in detail in the Annex 6.

88. During the consultation the stakeholders expressed their views of the overall benefit and adverse impacts of the Project. Table 28 presents the perceived outputs of the proposed Project as discussed in the consultation meetings.

Table 28: Perceived Benefits and Impacts of the Project

Issues	Responses
Perceived Outputs of the Proposed Project	
Benefits of the Project	Modernisation of railway sector with improved communication system and quality service Development of local infrastructures of roads and highways Development in communication network and business with neighbouring countries Enhancement of socio-economic state of the locality as well as the country
Adverse	Displacement of affected households and squatters on BR land

Issues	Responses
impacts of the Project	<p>Temporary unemployment due to loss of business/dislocation</p> <p>Adverse impacts on extended/joint family and increase of nuclear family</p> <p>Loss of trees/plants and degradation of environment</p> <p>Noise and air pollution during construction</p> <p>Increased possibility of accidents due to enhanced railway traffic</p> <p>Potential increase in crime in terms of smuggling of illegal goods and human trafficking through international connectivity</p>

89. The general issues and concerns that were discussed in the consultation meetings are presented in Table 29. During the first series of consultations, the stakeholders were principally concerned about the alignment and to make sure the final alignment integrated the inputs of consultation with the local community. Other major concerns expressed were the impacts of land acquisition on asset and income.

Table 29: Stakeholders' Concerns, Responses and Action Taken

Issues	Observations by Stakeholders	Responses and follow up actions taken to address the issues
Project alignment	<p>Alignment should be selected with correct information by following the CS and RS map and should follow BR Records</p> <p>The selection of alignment has not done appropriately in many areas, hence require re-design by the authority concerned</p> <p>The authority should clearly disclose all information regarding the existing and required land on the east and west sides of the railway tract</p>	<p>The communities were told that their concerns would be taken into account.</p> <p>The alignments were subsequently adjusted taking into accounts key concerns. For example (i) the original alignment in Gangasagar to Akhaura station was adjusted to avoid impacts on the local bazaar and old historical sites; (ii) the station area in Mandabag and others were redesigned to reduce acquisition of private land; and (iii) alignments were adjusted to avoid impacts on two PCRs and thus saved by realignments.</p>
Effect of the land acquisition on asset	<p>Loss of land, houses, commercial/business structures, trees, tube wells, boundary walls, latrines, fish pond/farms etc.</p> <p>Loss of productive agricultural land with good intensity of crop production</p> <p>Day labourers/landless people will lose work and/or shelter, or both, therefore, livelihoods will be severely hampered</p> <p>Farm day labourers who cultivate vegetable beside railway land round the year will lose their gardens</p> <p>Day labourer/landless community will face financial crisis and would not be able to rebuild their house</p>	<p>The communities were told that their concerns would be taken into account and that any impact on their land, asset or livelihood would be compensated.</p> <p>In practice, private land acquisition was reduced from 99 ha to 58.43 ha with further adjustments of the design. This includes both tracks and station areas.</p> <p>In addition, the concerns with regard to loss of structures and livelihoods have been taken into account and reflected in the entitlement matrix.</p>
Effect of the land acquisition on work /source of income	<p>Temporary loss of jobs/business/work hamper income sources from business/trade/agriculture crop/labour wage</p> <p>The women community and their children</p>	<p>The issues of loss of business, income/livelihoods, relocation adjustments have been taken into account and reflected in the entitlement matrix thorough additional income restoration and</p>

Issues	Observations by Stakeholders	Responses and follow up actions taken to address the issues
	<p>will be at risk of being relocated and unable to adapt new environment after displacement</p> <p>Income sources will be hampered up until replaced/rehabilitated</p> <p>Women and children will suffer from lack of nutrition because due to loss of income</p> <p>Disruption of income sources will cause insecurity in food, accommodation, education facilities etc. for the affected persons</p>	<p>relocation assistance measures and allowances. Since the affected families are likely to relocate within the vicinity, the disruptions will be limited, including access to schools for children. Essentially, the families will re-establish themselves within their communities.</p>

90. The opinion on compensation issues e.g. type and form of compensation; mechanism and modalities of compensation payment including suggestions offered by the people on restoration/ rehabilitation assistance are given in Table 30 below.

Table 30: Issues and Concerns Regarding Compensation and Responses

Issues	Concerns raised by Stakeholders	Responses and Policy actions
Compensation against loss	<p>Special consideration for the people who will lose all their land and structures entirely</p> <p>Consider all affected HHs irrespective of titles</p> <p>Compensation should be determined according to current market price</p> <p>Affected infrastructure should be rebuilt/reconstructed by authority</p> <p>Acquired land should be compensated by land as much as possible</p>	<p>Compensations will be paid at market rates. DC will pay as per the 1982 Ordinance and the difference between the DC and market rate (replacement value) will be paid by the project. Through the elaboration of the RP, the Project has conducted a valuation report that assesses market rate of land and assets (see Annex 2).</p> <p>Since land for land is not possible given the lack of availability of public land in the urban areas, market value will be provided so that those losing lands may buy or rent replacement land. For title holders, the Project will pay transaction costs such as stamps and duties required.</p>
Compensation for vulnerable population	<p>Arrange land within same area and/or set up cluster villages in elsewhere for the resettlement of slum dwellers</p> <p>Landless people/small businessman should be given gross amount/ compensation at a time so that they can relocate/resettle to other places</p> <p>Build market beside the rail station and shared with affected petty traders on lease or other way as rehabilitation</p> <p>Special compensation should be given to distressed women and landless people</p> <p>Alternative assistance should be given to affected small/marginal/tenant farmers so that they become re-established</p>	<p>Compensation for structures, including those illegally built on BR land, will be paid. The value of compensation is sufficient to support relocation elsewhere.</p> <p>BR land around stations, where most informal settlers are located is very limited and as such it is not possible to provide area to relocate. However, within availability, BR will give priority for leasing to affected commercial settlers.</p>
Compensation type including	Suitable places/lands for relocation are very scares in the area as people are	Land for not is not an option due to land the scarcity of public land in the project

Issues	Concerns raised by Stakeholders	Responses and Policy actions
relocation	<p>unwilling to sell homestead/commercial lands</p> <p>Alternative land in the same area or nearby as compensation for commercial/homestead/agriculture purpose</p> <p>Alternative accommodation facility (single /cluster) for low earners group</p> <p>The affected community should be relocated near their village of origin so that they can continue their local business/work/farming</p>	<p>zone of influence. Those affected and requiring relocation will be assisted by the INGO in identifying land/structure to buy as well as a list of available spaces/structures to rent.</p>
Mechanism of compensation	<p>Replacement value/price should be determined in consultation with LGI, public representatives and local elites concerned</p> <p>In terms of rehabilitation of traders (e.g. constructing business centers) compensation may be provided to community instead of individual</p> <p>The compensation should consider alternative options (e.g. land, livelihood etc.) besides cash money</p> <p>The grievance redress committee should play proper role in determining the ownership of land</p> <p>Payments in cash directly through bank cheques/money transfer to local bank or postal services or by hand by the relevant Project officials</p> <p>Not to involve any public representatives (e.g. Chairman, Member of UP and Councilor of Pourashava) in the cash payment process</p> <p>There should not be political manipulations involved in the compensation of the affected persons, specially the women and vulnerable groups</p> <p>Necessary consultation and disclosure should be arranged for disseminating all updated information to the local people</p> <p>The INGO should be trustworthy to all stakeholder</p>	<p>The project will pay replacement value for assets to be acquired. Compensation will be paid in checks to the bank account – no cash will be involved. Also no “middlemen” will be used. The Project will employ an experienced and capable INGO to assist this process and to help the affected families to receive their compensation and other entitlements. The INGO will conduct regular group meetings with affected families to explain the process and assist the APs.</p>
Livelihood restoration/ rehabilitation assistance	<p>A livelihood Improvement program will be provided along with financial assistance for better livelihood for the low earners group</p> <p>Provide/arrange jobs for the affected family members suitable to their skills and expertise</p> <p>Arrange training facilities to enable displaced people to adapt to the alternative livelihood/occupations</p> <p>Skills development training on cattle,</p>	<p>The RP will have provision for skill training for alternative livelihoods. Also, those willing to work, the construction contractors will give preference in hiring affected persons for unskilled/daily laboring jobs. Contractors can't discriminate between men and women in terms of wages and other benefits. The INGO will conduct additional survey to identify skill and training needs. Poor and vulnerable families will be eligible for</p>

Issues	Concerns raised by Stakeholders	Responses and Policy actions
	<p>duck and poultry rearing as well as farming will make the APs self-reliant</p> <p>Women community require training for employment in garments and small cottage industries</p> <p>The women want to production tools/instruments (e.g. sewing machine etc) for employment so that they can work at home</p>	<p>seed grants for small businesses with approved business plans. INGO will also assist in the development of business plans.</p>

91. During the meetings, some location-specific issues and concerns were raised. The members present also provided some recommendations. These are discussed in Table 31 below.

Table 31: Specific Local Issues/Concerns and Responses

Issues	Suggestions	Responses
New market/trade Centers and/or land for market	To establish new market/business centres at Bara Bazaar (Akhaura Rail Station) , Baghmara Bazaar (Comilla Sadar Dakshin); Bijoypur Bazaar, Comilla Sadar Dakshin (Rajapur Station (Burichang, Comilla) and Comilla Sadar Railway Station	The Project will explore such possibilities but BR land around those stations is extremely limited. Acquisition of private land for establishing markets or business centers will not be considered to avoid further impacts and displacement.
Alternative agricultural land and BR land for resettlement	<p>Settlement of landless squatters (on both sides of the railway line), Comilla Sadar</p> <p>Fish hatcheries adjacent to Sadar Rashulpur Station, Comilla Sadar Uttar</p> <p>Agricultural land as compensation instead of cash money to enable 70% of farmers near Salda Nadi Station to continue earning their livelihoods from agriculture</p> <p>Fish farms at Gangasagar for the fishermen community of Dharmapur mouza of Akhaura upazila</p>	<p>There are no BR lands on both sides of the track forcing BR to acquire private land for the double track. So resettlement of squatters on BR land on both sides of the track is not a feasible option.</p> <p>Land-for-land for agriculture will be problematic as it will lead further acquisition. The Project will pay replacement value for land as a support to buy alternative agriculture land by the titleholders. The fish farms affected will get similar compensation to reestablish their farms.</p>
Reconstruction of PCR/CPRs at Project costs	<p>Mogra Bazar, Akahura</p> <p>Old Hindu Temple, Mogra Bazar, Akahura</p> <p>Union Parishad, Mogra Bazar, Akahura</p> <p>Baghmara Bazar, Comilla Sadar Dakshin</p> <p>Nandaram Shadur Mandir, Rajapur Railway Station, Burichang, Comilla is to be left undisturbed</p> <p>Shrine to be left undisturbed and a pucca road (1 km from Nandoram's temple) to be reconstructed, Burichang, Comilla</p>	<p>All affected PCRs (historical buildings like temple) and CPRs (community buildings, schools, clubs etc.) will be reconstructed at project costs. The project team will review some of the PCR sites for realignments and avoid impacts, and also institutions like local hospitals will likely be avoided through technical adjustments.</p> <p>* Most of these concerns have been taken into account. Many of the structures listed have been</p>

Issues	Suggestions	Responses
	<p>Mosque at Baghmara Bazar, Comilla Sadar Dakshin</p> <p>Bijoypur High School, Bara Para (near Bijoypur Bazar), Comilla Sadar Dakshin</p> <p>Mim Hospital near Comilla Railway Station</p> <p>Eidgah and graveyard, Shashangasa, Comilla Sadar</p> <p>Deep tube well (for irrigation) near Sadar Rashulpur Station, Comilla Sadar Uttar</p> <p>Public toilet at Bijoypur Bazar, Comilla Sadar Dakshin</p> <p>Existing village located on the north side of the Mandabag Rail Station</p> <p>An old Pagoda named Meghusen Buddha Bihar near Alishahar Railway Station, Comilla Sadar Dakshin</p>	<p>avoided now – for instance, three major PCRs, the Mim Hospital in Comilla, the old Pagoda at Alishahar station.</p>
Construction of ROB, FOB, bridge/culvert and roads	<p>Road over bridge (ROB) at rail crossing gate beside Akhaura Rail Station, Akahura</p> <p>Foot over bridge (FOB), Sadar Rashulpur Station, Comilla Sadar Uttar</p> <p>Small bridge (that will be damaged) near Rajapur Railway Station, Burichang, Comilla</p> <p>Paved road along the railway line between Akhaura and Gangasagar Rail Station</p> <p>Paved road (on both sides of the railway line of Comilla Sadar) for local residents</p>	<p>The Project design has provisions for ROB and FOB in major stations like Akhaura and Comilla. Additional, guarded rail crossing gates have been designed for safety purposes.</p>

E. Rental Availability and Affordability Survey and FGDs

92. A rental availability and affordability survey and FGDs was conducted in May 2014 to assess the overall socioeconomic context of the squatters/informal settlers in station areas, current incomes, and future options for relocation and re-establishment of businesses. Of the 89 respondents interviewed, 87 (98%) are shops/businesses while only 2 (2%) are business-cum-residences. Twenty-five (28%) respondents reported to have taken commercial lease of land from BR.

93. Four FGDs were also conducted. In all four FGDs, a key demand was cash compensation by BR prior to relocation. They expressed desire to stay around the station areas in order to continue their businesses. One participants said, “compensation first and then shifting.” Another said, “we need sufficient advance notice for shifting.” Those who attended clearly mentioned that they are not interested in changing their occupations and primarily want to stay in business. With double lines and improvements in the station area, they expect more

business in the future. They also requested assistance from the INGO to support them in identifying another place to relocate (rent or buy) in proximity of the station. FGD participants, particularly those who are BR lease holders, demanded that BR gives them “priority” in re-allocating shops after modernization of the stations. Also, they should be allowed to operate within the station platform for businesses. For more information, see Annex 7.

F. Consultation Outcomes and Policy Issues

94. The outcomes of the consultation meetings were very helpful in minimising the impacts of the Project. First, the alignment from Gangasagar to Akhaura was realigned to save Mogra Bazaar partially and avoided the old temple. Second, two private hospitals near Comilla Town were also saved. Third, compensation for the affected structures on BR land will be given by the Project at market rates. Fourth, based on discussion at the consultation meetings, the Project has designed special compensation packages for the poorer families and livelihood restoration for the affected families. It was explained clearly at the meetings that land for land as an alternative was not an option in this Project; however, adequate compensation will be paid and the Project will assist the relocation and rehabilitation of the affected families. Finally, the rapid assessment and FGDs provided helpful data for designing appropriate level of supports for relocation and re-establishment of businesses by the informal settlers.

G. Consultation and Participation during Project Implementation

95. A consultation and participation mechanism has been developed by engaging the primary stakeholders in local committees – for instance, grievance redress committees (GRC), property valuation advisory committee (PVAC), and local resettlement implementation committees. The INGO to be appointed by the Project for the implementation of RP will continue the processes of consultation and participation by involving the affected households and the beneficiaries as well. Thus, consultation will remain as an integral part of Project management and implementation.

H. Disclosure of the RP

96. As per the guidelines of ADB and IEB, the EA will disclose the RP in a summarised form as an Information Brochure and Booklet in Bangla language to the local stakeholders immediately after the RP is approved by the cofinanciers. Copies of the RP and the Booklet will be available in DC offices in Comilla and Brahmanbaria, and in the subdistricts (upazilas) within the Project area for the general public and civil society members. In disclosure sessions, the extent of Project impacts on their communities and individual households will be fully disclosed to the directly affected persons and communities. The policies for mitigation of adverse social impacts will also be disclosed to the affected persons. In this regard, meaningful consultations will be arranged by the INGO with affected persons for enabling their informed participation in preparing, implementing, and monitoring of the RP.

97. The Booklet already drafted in English (see Annex 5) briefly presents (i) the Project impacts; (ii) mitigation measures and entitlement matrix; (iii) grievance redress mechanisms; (iv) the institutional framework for Project implementation; (v) schedule for implementation and monitoring arrangements; and (vi) a set of common Q&A about the Project for affected people. The RP will be also uploaded in the BR website after obtaining concurrence from the ADB and approval from the Ministry of Railways, GoB.

V. LEGAL AND POLICY FRAMEWORK

A. National Laws and Regulations

98. The principal legal instrument governing land acquisition in Bangladesh is the Acquisition and Requisition of Immovable Property Ordinance, 1982 (subsequent amendments of it up to 1994). The 1982 Ordinance 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 Ordinance provides certain safeguards for the owners and has provision for payment of “fair value” for the property acquired. The Ordinance, however, does not cover Project-affected persons without titles or ownership record, such as informal settler/squatters, occupiers, and informal tenants and lease-holders (without document) and does not ensure replacement value of the property acquired. The Act has no provision of resettlement assistance and transitional allowances for restoration of livelihoods of the non-titled affected persons.

99. The Deputy Commissioners (DC) in all cases, determine “market value” of acquired assets on the date of notice of acquisition (notice under section 3 of the Ordinance). The DCs then add 50% premium of the assessed value, which becomes “*cash compensation under law*” (CCL) of all acquired assets due to compulsory acquisition. The CCL paid for land is generally less than the “market value” as owners customarily report lower values during registration to avoid and/or pay fewer taxes. If land acquired has standing crops cultivated by tenant (bargadar) under a legally constituted written agreement, the law requires that part of the compensation money be paid in cash to the tenants as per the agreement. Places of worship, graveyard and cremation grounds are not to be acquired for any purpose. The law requires that the salvaged materials upon payment of compensation will be auctioned out by the Government.

B. Cofinanciers Safeguards Policies and Guidelines

100. The Project cofinanciers – ADB and IEB – have specific social and resettlement safeguards that recognise and address the resettlement and rehabilitation (R&R) impacts of the affected persons irrespective of their titles and require preparation of RP in every instance where involuntary resettlement occurs. In brief, the policy requirements are:

- i. avoid or at least minimise impacts where possible i.e. explore viable alternative Project designs to avoid and/or minimise involuntary resettlement;
- ii. carry out meaningful consultations with affected persons, avoid and/or prevent forced eviction and provide effective remedy to minimise negative impacts;
- iii. provide resettlement support and/or sites to communities impacted by the Project, including host communities;
- iv. pay compensation for acquired assets at the replacement value;
- v. enhance, or at least restore, the livelihoods of all affected persons in real terms relative to pre-project levels; and to improve the standards of living of the displaced poor and other vulnerable groups;
- vi. planning through a survey and/or census of displaced persons, including gender analysis, specifically related to resettlement impacts and risks;
- vii. inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation and M&E of resettlement programmes;
- viii. pay particular attention to the needs of the vulnerable groups, especially those below poverty line, the landless, the elderly, women and children and indigenous

- people, and those without title to land, and ensure their participation in consultations;
- ix. establish a grievance redress mechanism for dispute resolution
- x. support the social and cultural institutions of displaced persons and their host population;
- xi. provide resettlement assistance to displaced persons, including non-titled persons;
- xii. socio-economic surveys and a census are to be conducted, with appropriate socio-economic baseline data to identify all persons who will be displaced by the Project and to assess the Project's socio-economic impacts on them;
- xiii. the social impact assessment will identify individuals and groups who may be differentially or disproportionately affected by the Project because of their disadvantaged or vulnerable status;
- xiv. Resettlement Plans will elaborate displaced persons entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring & reporting framework, budget and a time-bound implementation schedule; and
- xv. disclose the Resettlement Plan and other relevant information in a form and language(s) accessible to key stakeholders, civil society, particularly affected groups and the general public.

C. Gap between GOB Laws and Cofinanciers Policies

101. There are evident gaps in the GOB 1982 Ordinance for land acquisition and ADB/EIB policies and guidelines related to land acquisition, compensation and involuntary resettlement. A Gap analysis is presented in Annex 8 describes gaps between GOB and cofinanciers policies and Project-specific measures to bridge the gaps. A brief summary of the gaps between GOB and ADB/EIB is in order:

102. Generally, the 1982 Ordinance II does not recognise unauthorised occupants on the Government land and there is no clear indication about avoiding or minimising displacement. Both ADB and EIB policies strongly require avoidance or at least minimise adverse impacts through alternative design options.

103. The adverse social impacts are not entirely recognised by the 1982 Ordinance – for instance, there are no provisions for resettlement of the displaced population, whereas both ADB and EIB policies require not only resettlement sites and support but uphold and at least restore pre-project standard of living of the affected people.

104. The 1982 Ordinance pays very little attention to public consultation and stakeholders engagements in Project planning and execution. ADB/EIB policies require meaningful consultation with the affected people and other stakeholders to disseminate Project goals and objectives to obtain stakeholders' views and inputs in Project planning and implementation.

105. Finally, ADB/EIB policies pay special attention to gender issues and vulnerable groups in the resettlement processes, particularly the non-titled and the affected poor households. The policy gaps have been bridged by additional Project-specific measures adopted in the RP. The Project has minimised displacement of people as much as possible by exploring all viable design alternatives. Extensive community consultations were held during Project preparation and will continue during implementation of the Project. Adequate compensation; replacement cost (for lost assets and income); and rehabilitation and livelihood assistance will be provided so that APs can improve or at least restore their standard of living at pre-project level. Special

attention will be given to vulnerable APs including elderly and women headed households. In sum, the added measures in this Project fully comply with ADB/EIB social and resettlement safeguard policies. Table 32 provides a summary of the key measures taken to comply with ADB/EIB Policy requirements (for details, see Annex 8). These measures are derived from “good practices” in resettlement management in other externally funded (i.e., ADB, World Bank) projects in Bangladesh.

Table 32: Summary of Gaps and Additional Gap-filling Measures Adopted in the Project

Sl. No	Gaps between ADB/EIB Policies and GOB 1982 Ordinance II	Gap-filling measures/actions taken in this Project
1	Gaps with regard to avoidance and minimized project impacts	The project designs adopted aimed to minimize impacts and adjusted tracks and station design further to reduce impacts.
2	Existing GOB laws recognize title owners only; informal settlers are not covered	All affected persons irrespective of titles have been identified for compensation and assistance
3	Existing laws and methods of assessments do not ensure full replacement costs	Provisions have been adopted for additional top up payments to ensure current market or replacement costs
4	Consultation with affected community not legally required under GOB 1982 Ordinance II	Extensive consultations were carried out during the preparatory phase; similar consultations will continue during project implementation
5	No relocation assistance or support under 1982 Ordinance II	Affected households and businesses will receive relocation assistance and support from the project
6	No support or program for income and livelihood restoration	The project benefits include income and livelihood restoration, including training for alternative incomes, and seed grants for small businesses
7	No provision for reconstruction of common property resources	The project will reconstruct all physical and cultural resources (PCRs) and common property resources affected by the project.

D. Eligibility and Cut-Off-Dates

106. Eligibility to receive compensation and resettlement assistance will be limited by “cut-off” dates. There will be two cut-off dates in this Project. The first cut-off date is for titled owners only to be notified by the Deputy Commissioner (DC) under Section 3 of the 1982 Ordinance II informing the land owners of the Project right-of-way land for the double track. This will be done once Land Acquisition Plans (LAPs) are submitted by BR to respective DCs. The second cut-off date is called the “social cut-off date” - based on the census for identification and eligibility for all “non-land” related entitlements. The social cut-off dates were set during the survey and disclosed publicly in the consultation meetings and also during household-level interviews in the concerned affected villages and communities. In this Project, the household level census was conducted in the three sections at different dates. Table 33 lists the cut-off dates to be used in different sections for eligibility by any non-titled persons such as squatters or other informal settlers and additional benefits under the Project entitlement matrix.

Table 33: Cut-off Dates Based on Census

Sl. No.	Location	Cut-Off date
1	Laksam-Comilla	31 May 2013
2	Comilla-Salda Nadi	15 June 2013
3	Salda Nadi-Akhaura	30 June 2013

107. The census has identified and established the households living in the Project area, including the squatters/informal settlers on BR land and will be affected by the Project. It has also established a record of all losses at household level, including structures, trees and communal structure. Any persons moving into the Project area after the cut-off dates will not be entitled for compensation from DCs or any assistance from BR.

E. Valuation Methods for Acquired Assets

108. In this project, two steps will be followed in the determination of replacement value for the assets acquired. The first is the “conventional” rule set by the law – often called DC payments or cash compensation under law (CCL). Second, the Project has provision for “top up” payments to match replacement value for assets acquired in the case of differences between DC valuation and current market price (CMP). To do that, a *Property Valuation Report* (2014) has been prepared, which covers lands, structures, trees and crops. The study is based on field surveys as well as use of secondary data collected from local land registration office, public works department, forests department and department of agricultural extension for crops. The Report recommended CMP for various types of land acquired by *mouza* (revenue unit), structures by types, trees and crops. Once the DC payments are determined and paid to the affected persons, the second step for “top up” payments will begin. The Property Valuation Advisory Committee (see Chapter 11) to be constituted by the Project will review the recommended CMP and finally determine the replacement value of the assets, and any additional payments to be made by the Project. Any additional payments for land will also include transaction costs to pay for stamps and duties. These procedures are familiar and well established, based on practices in large projects such as the Padma Bridge Project.

109. Table 34 provides average CMP of various kinds of land under the Project, the *mouza* rates and the ratio of the differences between the CMP and *mouza* rates. The CMP is based on data collected from various sources while the *mouza* rates are from government land registration office, which is used by DCs for payments of compensation. In all cases, the CMP is higher than the *mouza* rates (including 50% or CCL rate). Valuation assessments have also been made for structures, trees and crops, which are summarized in Tables 34 and 35. As noted earlier, the PVAC will use the recommended value, review and verify – including field verification of the data – prior to determining the replacement value or rates for land and other assets. Further details on PVAC formation and functions are available in Annex 3 (Property Valuation Advisory Committee).

Table 34: Average CMP and Mouza Rate of Land – Summary

Type of land use	CMP for Akhaura Laksam Project (BDT per decimal)	Mouza rate including 50% premium/CCL (BDT per decimal)	Difference between CMP and Mouza rate (BDT per decimal)	Ratio
Homestead	334096	164378	169,718	100:103
High land	286980	140963	146,017	100:104
Agricultural or cropped land	124691	106238	18,453	100:17
Bamboo groves	178062	89285	88,777	100:99
Fruit or timber	210320	72447	137,874	100:190
Pond	170357	67227	103,130	100:153
Wetland	114369	65974	48,395	100:73

Source: Property Valuation Survey 2013

Table 35: Average structure rate (BDT) per square feet by category of structures

Sl.No.	Primary structures	Unit	Akhaura-Laksham
1	Pucca (Floor Pucca) (sft)	Sft.	2124
2	Pucca (Floor Katcha) (sft)	Sft.	1621
3	Semi Pucca (Floor Pucca) (sft)	Sft.	1171
4	Semi Pucca (Floor Katcha) (sft)	Sft.	1014
5	Tin Made Double Barreled house (Floor Pucca) (sft)	Sft.	785
6	Tin Made Double Barreled house (Floor Katcha) (sft) (sft)	Sft.	510
7	Tin made House with only one slanting roof (Floor pucca) (sft)	Sft.	703
8	Tin made House with only one slanting roof (Floor Katcha) (sft)	Sft.	412
9	Kacha double barreled (sft)	Sft.	338
10	Ktacha house with only one slanting roof (sft)	Sft.	254
11	Thatched (sft)	Sft.	131
12	House with only polythin made roof (sft)	Sft.	34
13	House with only one slanting tin roof without wall (sft)	Sft.	150
14	House without roof (Floor & wall pucca) (sft)	Sft.	700
15	House with only pucca roof (without wall & floor) (sft)	Sft.	500
16	House under construction (sft)	Sft.	700
17	House with polythen made roof and Tin made wall (Floor katcha) (sft)	Sft.	131

Source: Property valuation survey, 2013

Table 36: Calculated CCL and CMP of Crops

Variety of Crops	CCL for Crops (in BDT/Decimal)	CMP of Crops (in BDT/Decimal)
Tomato	1392	1618
Boro Dhan (Paddy)	521	862
Aus Dhan (Paddy)	145	420
Aman Dhan (Paddy)	167	550
Gol Alu (Potato)	1920	693
Begun (Brinjal)	3,970	728
Dherosh (Ladies Finger/Okra)	507	307
Karala (Bitter Gourd)	910	460

Source: Property valuation Survey, 2013

F. BR Experience and Commitments to Resettlement

110. BR policy commitments for resettlement are evident from many Projects – for instance, the ongoing Tongi-Bhairab Bazar Double Line Project (TBDLP) and Jamuna Bridge Railway Link Project (JBRLP, completed in 2001). In both Projects, BR took efforts and minimised negative impacts, consulted the affected people on policy aspects and implemented RPs as social development activities. These are very much in conformity with ADB policies. Likewise, BR in compliance with the ADB/EIB policy requirements and as well as past experience from Project implementation, confirms the following principles:

- The land acquisition and resettlement impacts would be avoided or minimised as much as possible through alternate design options;
- A summary of the RP with the entitlement matrix will be disclosed to the affected persons in local language;
- Compensation for land and other assets acquired will be paid prior to the start of civil work. in accordance with the provisions described in this document;
- People moving in the Project area after the cut-off date will not be entitled to any assistance;

- Appropriate grievance redress mechanism will be established to ensure speedy resolution of disputes;
- All activities related to Resettlement Planning, implementation, and monitoring would ensure the involvement of women and other vulnerable groups;
- There should be a clause in the contract agreement that the construction contractor will compensate any loss or damage in connection with collection and transportation of borrow-materials.

111. In accordance with the resettlement principles adopted in this Project, all displaced households and persons will be entitled to a combination of compensation packages in cash and kind and resettlement assistance depending on the nature of ownership rights on lost assets, scope of the impacts including socioeconomic vulnerability of the displaced persons and measures to support livelihood restoration if livelihood impacts are envisaged. The displaced persons will be entitled to

- a. compensation for the loss of land at replacement value;
- b. compensation for loss of structures (residential/ commercial) and other immovable assets at their replacement value;
- c. compensation for trees, crops and fish stock to legally or socially recognised owners at current market price;
- d. assistance for loss of business/ wage income;
- e. assistance for shifting of structures;
- f. rebuilding and/ or restoration of community resources/facilities; and
- g. special assistance to women headed and vulnerable households with support to livelihood and income restoration.
- h. assistance from the INGO in identifying available premises to rent or buy from private owners.

112. In sum, BR will provide cash compensation and support the relocation and resettlement of the affected households to the extent possible to ensure that all affected households are resettled and rehabilitated. There will not be any forced eviction without payments of compensation. The affected households and communities will be informed well ahead of relocation schedule. The difference between the CCL and Replacement Cost (RC) as determined by PVAC will be paid by the INGO. BR will be involved through the INGO in meaningful consultation and participation of the affected people in Project implementation.

G. Compensation Payment Procedure

113. BR will ensure that the properties (land, structure and non-structure assets) to be displaced by the Project will be compensated at their full replacement cost determined by the Property Valuation Advisory Committee (PVAC) as per the RP. The modalities for payment of compensation and other assistance for assets, incomes and livelihoods, resettlement assistance for substituting and restoration of loss of income and workdays by the relocated households are explained below.

H. Procedure of Land Acquisition and Compensation Payment to Titled EPs

114. BR produces land acquisition proposal to Deputy Commissioner (DC) with Administrative Approval from the Ministry of Railways (MoR) on the acquisition. Upon approval of the LAP from the Ministry of Land (MoL) or from the Divisional Commissioner, DC serves notice to the recorded owner of the affected property for public appraisal. DC and BR conduct

joint verification of the affected properties. DC collects prices of land, structures, trees, crops from Sub-register office, PWD, BFD, DAE & DAM, respectively for valuation as per Government rules. Upon placement of fund by BR, the DC serves notice to the titled APs for receiving cash compensation under law (CCL). The detailed process of compensation payment is presented in Annex 9 and the schematic view of the process is presented in Figure 6.

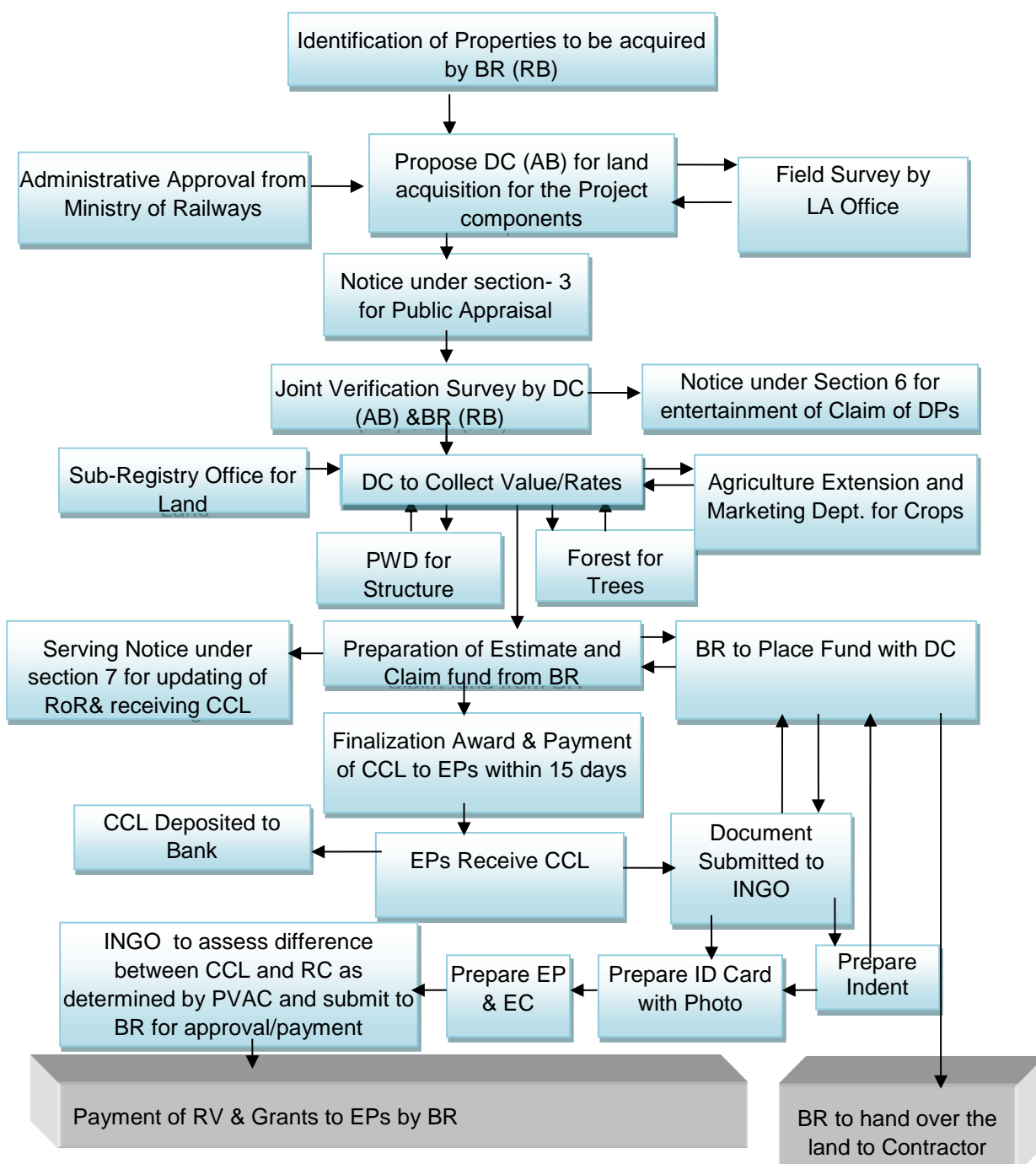


Figure 6: Compensation Mechanism for Legal Title Holder

I. Compensation Payment Procedure to the Non-titled EPs

115. The non-titled EPs i.e. those have no legal ownership of the affected property but socially recognised and enlisted during census, SES and or joint verification survey on the RoW will be compensated following a separate procedure. The Acquisition and Requisition of Immovable Property Ordinance 1982 has no provision to compensate these types of affected people, but the ADB prescribes to address the non-titled EPs as stated in the SSP 2009 explicitly states that such people cannot be denied resettlement assistance.

116. Steps to be followed in paying resettlement benefits to non-titled EPs:

- a) As per tripartite joint verification survey and consult the census data, a final list of APs will be prepared by the INGO;
- b) Individual identity number will be created against the name of each entitled person (EP);
- c) Photograph of the EPs will be taken and ID cards will be prepared;
- d) The INGO will prepare EPs file and entitlement card (EP file & EC) for each of the EPs;
- e) The INGO will assist the EPs opening Bank Account in their names should they not have a Bank account. If the EP is a woman, ensure that the Bank account is in her name;
- f) The tenants of the house or commercial premises will collect documents in favor of their tenancy or identification from the owner of the structure which will be attested by the concern UP Chairman/Ward Councilor/Mayor;
- g) Wage labourer will collect certificate for the employer which will be attested by the concern UP Chairman/Ward Councilor/Mayor;
- h) The ID card will be jointly signed by the BR and INGO representative and photograph will be attested by the UP Chairman/ Ward Councilor/Mayor concerned;
- i) The INGO will assist the Project/PMU in preparing payment debit voucher as per EP file & EC and those will be disbursed in Account Payee Cheque in public place or office of the UP Chairman issuing prior notice to the EPs.

117. The schematic view of the process of compensation payment to the non-titled EPs is presented in Figure 7.

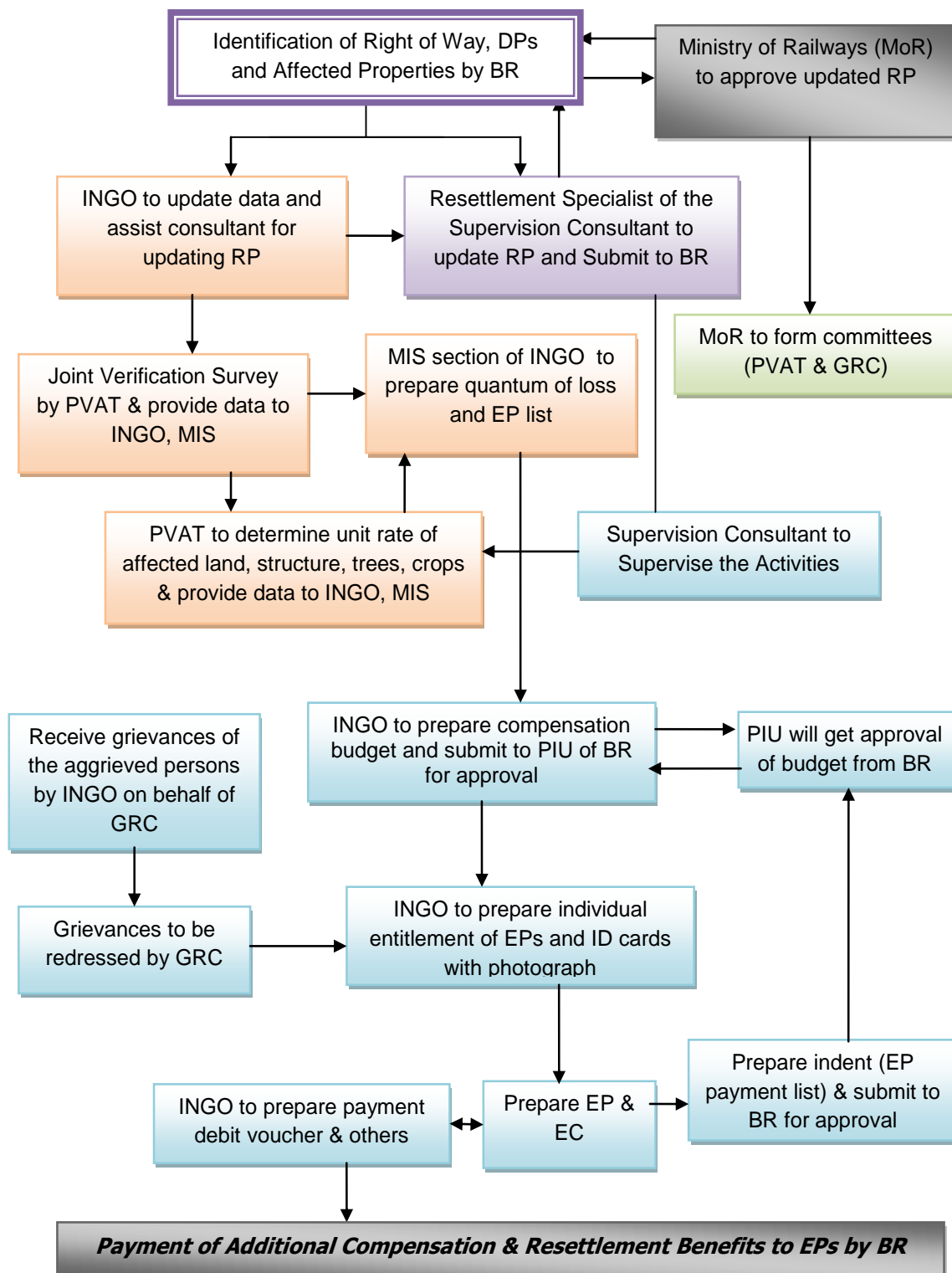


Figure 7: Compensation Mechanism for Non-title Holders

VI. ENTITLEMENTS, ASSISTANCE AND BENEFITS

A. Introduction

118. The GoB and ADB/EIB policies define the entitlement of compensation, assistance and benefits for APs who lose all or part of their physical and non-physical assets, including homes, communities, productive lands, fishing areas, important cultural sites, commercial properties, tenancy, and income-earning opportunities, as a consequence of the Project. The unit of entitlement may be an individual, a household, a family or a community. The unit of loss will determine the unit of entitlement. If more than one person has customary rights to a resource (for example, common property), the compensation may be shared by all. Households headed by women are to be recognised and compensated equally with households headed by men. Widowed women or divorcees living within male-headed households and having no legal rights to land will be considered as separate units for relocation purposes. All of the APs will be benefited by providing (i) compensation for lost assets, incomes, and livelihoods; (ii) assistance for relocation; and (iii) assistance for rehabilitation to achieve at least the same level of well-being with the Project as without it.

B. Eligibility Policy and Entitlement Matrix

1. Eligibility Criteria

119. All APs will be entitled to compensation and resettlement assistance based on severity of impacts. Nevertheless, eligibility to receive compensation and other assistance will be limited by the cut-off date. The absence of legal title will not bar APs from compensation and assistance, as specified in the entitlement matrix (Table 36).

120. Land owners as identified by the DC office will be eligible for compensation under law (CCL) and additional benefit to reach the replacement value to be determined by the PVAC and paid by the Project directly to the entitled persons/family. Structures located on GoB land, if displaced, will be entitled for compensation under the policy of the Project. Vulnerable APs will qualify for additional assistance to facilitate their relocation and restoration of their livelihoods. Non-vulnerable households with land and or structures affected will be entitled to compensation for lost assets at replacement costs and assistance for shifting and reconstruction of the structure. Any structure not directly used by a non-vulnerable household i.e., rented out for income will also qualify for additional resettlement assistance.

2. Compensation and Entitlement Policy

121. An Entitlement Matrix has been prepared on the basis of information derived from census and inventory of losses (IoL) survey of the households, shops and common/community properties affected within the Project right-of-way. It identifies the categories of impact based on the census and IoL and shows the entitlements for each type of loss. The matrix describes the units of entitlements for compensating the loss of land, structure, business and various resettlement benefits.

122. The affected persons of Akhaura-Laksam Double Line Project will be entitled to:

- Compensation for land and structures at full replacement cost prior to relocation;
- Moving assistance
- Income-restoration measures
- Secure housing and special assistance measures

- Special assistance measures
- Participation to the Livelihood Restoration Programme

123. Other than those entitlement mentioned above, the Akhaura-Laksam Project has also specific provisions of entitlement for (i) loss of income from rented-out and access to rented-in residential and commercial premises, (ii) reconnection of utilities (gas, electricity, telephone, water, sewage, etc), (iii) unforeseen adverse impacts; and (iv) compensation for any construction-related impacts during Project implementation. Female headed households and other vulnerable groups, irrespective of their title to acquired property, will be eligible for additional assistance for relocation and income restoration to achieve at least the same level of well-being with the Project as without it. Cash grants will be on lump sum basis to both titled and non-titled APs for transfer and construction of structures, to both titled and non-titled lessee/licensee/share croppers and employer/employee in business/commercial premises for income loss.

124. In accordance with the resettlement principles of 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, scope of the impacts including socio-economic vulnerability of the affected persons and measures to support livelihood restoration if livelihood impacts are envisaged. The informal settlers – both commercial and residential – on BR land will receive compensation for their lost assets and relocation/resettlement assistance and income restoration and livelihood support from the Project.

125. The resettlement benefits for indirect losses will be directly paid by BR through RP implementing agency (INGO). The APs will be allowed to fell and take away trees and salvaged materials of affected structures free of cost without delaying the Project works. The crops owners will be given one month prior notice to harvest the crops if it is at or near harvesting period. If the Project damages the standing crops, the actual owners of crops will be entitled for compensation for crops at market price. Any trees planted on BR land by local people is required for the Project work, the owner/planter of the trees will be eligible for compensation. The INGO will assist the BR in preparation of necessary papers (ID cards, EP/EC, indent, debit voucher, etc.) for making payment of resettlement benefits to the EPs.

Table 37: Entitlements, Assistance and Benefits under Resettlement Plan

Loss Item 1: Loss of Agricultural Land				
Persons Entitled	Entitlements	Application Guidelines	Additional Services	Expected Outcomes
• Legal owner/ titleholders as identified by Deputy Commissioner (DC)	• CCL by DC • Difference between CCL and RV as defined by PVAC to be provided by project. • Stamp duty and registration cost will be paid once the EP purchases new land and submits proper records. The value for stamp duty will be limited to CCL	• Land on the Project right-of-way to be acquired by DC. • Top up RV will be recommended by PVAC. • DC will pay (cash compensation under law) CCL for the land. • If RV is higher than CCL, the	• Legal owners will be assisted by INGO to arrange legal documents in support of their ownership and titles. • INGO will identify loss and entitlement of co-sharers (including female members) through share determination at	• Replacement of land or the value to the APs.

	and/replacement value paid. .	difference will be paid by BR with the assistance of INGO. • The dislocation allowance will be paid by BR with assistance of INGO.	the field upon receipt of payment data from DC office. • INGO will assist APs in re-titling	
Implementation Issues: <ul style="list-style-type: none"> • Persons entitled will be informed of the details about the land acquisition and compensation process, resettlement package and payment procedure. • PVAC will recommend RV for land based on current market price (CMP) assessed by the RP Consultant at the time of preparation of RP. The RV may be updated at the time of dispossession, if required. CMP will be assessed for each affected mouza for each type of land averaging (i) minimum approved price of land available in the respective Sub-registrars' offices, (ii) reported price, and (iii) transacted price of land at those mouzas (CMP may not be less than minimum approved price of land). The Ministry of Railway will approve RV. • DC will determine the market price of land averaging last 12 months sale prices (from the date of service of notice under section 3) as per registration deeds in affected mouzas for each type of land obtained from respective sub-registrar's offices. For all private land, the market price will be enhanced by 50% for CCL. For khas land (DC is the owner at respective districts on behalf of the Government), CCL will be assessed as the market price without 50% enhancement. • Title updating for usufruct and other rights will be done before issuance of notice under section 6 with assistance from INGO. • The INGO shall encourage entitled persons (EPs) to consider purchasing replacement land or investing the money in productive/ income generating alternatives. • Persons in process of awaiting titles will be eligible upon documentation that titling is in process 				
Loss Item 2: Loss of homestead, commercial, industrial land and common property resources				
Persons Entitled	Entitlements	Application Guidelines	Additional Services	Expected outcome
<ul style="list-style-type: none"> • Legal owner/ titleholders as identified by DC 	<ul style="list-style-type: none"> • CCL by DC • Top up RV for land to be provided by the project • Stamp duty and registration cost will be paid once the EP purchases new land and submits proper records. The value for stamp duty will be limited to CCL and/replacement value paid. 	<ul style="list-style-type: none"> • Land on the Project right-of-way to be acquired by DC. • PVAC will recommend RV. • DC will pay CCL for the land. • If RV is higher than CCL, the difference will be paid by BR with the assistance from the RP INGO. • The dislocation allowance will be paid by BR with assistance from INGO. 	<ul style="list-style-type: none"> • Legal owners will be assisted by INGO to arrange legal documents in support of their ownership and titles • INGO will identify loss and entitlement of female owners and co-sharers through share determination at the field upon receipt of payment data from DC office. • INGO will assist APs in re-titling 	<ul style="list-style-type: none"> • Replacement of land or the value to the APs.

Implementation Issues:

Persons entitled will be informed details of the compensation policy, resettlement package and payment procedure.

RV will be determined and approved for the Project following the procedure as stated under Loss Item 1.

CCL for private and khas land will be determined by DC as stated under Loss Item 1.

Title updating for usufruct and other rights will be done before issuance of notice under Section 6 with assistance from the INGO.

The INGO will encourage and motivate EPs to purchase homestead/ commercial/ community or industrial land or invest the compensation money in productive or income generating activities.

Persons in process of awaiting titles will be eligible upon documentation that titling is in process

Loss Item 3: Loss of water bodies (ponds, both cultivated and non-cultivated)

Persons Entitled	Entitlements	Application Guidelines	Additional Services	Expected Results
<ul style="list-style-type: none"> Legal owner/ titleholders as identified by DC 	<ul style="list-style-type: none"> CCL by DC Top up RV of the water body as defined by PVAC for private land. Stamp duty and registration cost will be paid once the EP purchases new land and submits proper records. The value for stamp duty will be limited to CCL and/replacement value paid. 	<ul style="list-style-type: none"> Land on the Project right-of-way to be acquired by DC. PVAC will recommend RV of private land. DC will pay CCL for the land. If RV is higher than CCL, the difference will be paid by BR with the assistance from the RP INGO. 	<ul style="list-style-type: none"> INGO will identify loss and entitlement of female owners and co-sharers through share determination at the field upon receipt of payment. Assistance from INGO for re-titling 	<ul style="list-style-type: none"> Replacement of land or the value to the APs.

Implementation Issues:

Persons entitled will be informed details of the compensation policy, resettlement package and payment procedure.

RV will be determined and approved for the Project following the procedure as stated under Loss Item 1.

CCL for private and khas land will be determined by DC as stated under Loss Item 1.

Title updating for usufruct and other rights will be done before issuance of notice under Section 6 with assistance from the INGO.

The INGO will encourage and motivate EPs to purchase homestead/ commercial/ community or industrial land or invest the compensation money in productive or income generating activities.

Persons in process of awaiting titles will be eligible upon documentation that titling is in process

Loss Item 4: Loss of residential structures with title to land

Persons Entitled	Entitlements	Application Guidelines	Additional Services	Expected Results
<ul style="list-style-type: none"> Legal owner/ titleholders as identified by DC 	<ul style="list-style-type: none"> CCL by DC for residential structures Difference matching RV for structure to be provided by the project Transfer Grant of BDT 8000 to legal owner(s). Reconstruction Grant of BDT 9800 	<ul style="list-style-type: none"> Structure on the Project right-of-way identified by DC and/or the census. Applicable to all structures located on the Right-of-Way (RoW) at cut-off dates. DC will pay CCL for structure RV for structures to be determined by 	<ul style="list-style-type: none"> Assistance in relocation and reconstruction. 	<ul style="list-style-type: none"> Reconstruction of structure at a new site.

	to legal owner(s). • Owner will be allowed to take away all salvageable materials (within BR declared deadline) free of cost	PVAC • BR will provide other resettlement benefits directly with assistance from INGO.		
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Implementation Issues:

- Joint Verification (DC and BR) and/or Census will identify (records floor areas and category) structure for titled owners.
- DC office with assistance from district Public Works Department (PWD) office will determine the market price of structures and enhance it by 50% for cash compensation under law (CCL).
- Compensation must be paid before EP dismantles and removes the structures as per civil works requirement.
- The date of serving of notice u/s 3 will be the cut-off date for titled owners and the date of census will be the cut-off date for structures not covered by DC (i.e., social cut-off-date).
- Persons in process of awaiting titles will be eligible upon documentation that titling is in process

Loss Item 5: Loss of commercial/industrial structures with title to land

Persons Entitled	Entitlements	Application Guidelines	Additional Services	Expected Results
• Legal owner/ titleholders as identified by DC	• CCL for structure by DC. • RV for structures by the project • Transfer Grant of BDT 8000 to legal owner(s). • Reconstruction Grant of BDT 9800 to legal owner(s). • Owner will be allowed to take all salvageable materials (within BD declared deadline) free of cost.	• Applicable to all structures located on RoW at cut-off dates. • DC will pay CCL for structure • BR will provide other resettlement benefits with assistance from INGO.	• Assistance to be provided by INGO in identifying available premises to rent or buy	• Reconstruction of structure at a new site.

Implementation Issues:

- Joint Verification Committee identifies (records floor areas and category) structure for titled owners.
- CCL will be determined in the process as stated in Loss Item 4.
- Compensation must be paid before AP dismantles and removes the structures as per civil works requirement.
- The cut-off dates for titled owners and socially recognised owners as stated in Loss Item 4.
- Persons in process of awaiting titles will be eligible upon documentation that titling is in process

Loss Item 6: Loss of residential and other physical structures without title to land (squatters/informal settlers)

Persons Entitled	Entitlements	Application Guidelines	Additional Services	Expected Results
• Socially recognised owners of structures built on the RoW as identified during census.	• Compensation for structures as per PWD rates, plus 50% to be paid by the Project • Any additional payments for structures to be determined by PVAC to match RV and	• Applicable to all structures located on RoW at social cut-off dates. • BR will provide other resettlement benefits directly with assistance from	• Assistance to be provided by INGO in identifying available premises to rent or buy	• Reconstruction of structure at a new site.

	paid by the Project • Transfer Grant of BDT 8000 to non-tilted owners including renters and informal settlers. • Reconstruction Grant of BDT 9800 to non-tilted owner(s). • Owner will be allowed to take all salvageable materials (within BR declared deadline) free of cost	INGO.		
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Implementation Issues:

- Census identifies structure on the BR or any Government land within Project right-of-way for non-titled owners.
- Compensation must be paid before EP dismantles and removes the structures as per civil works requirement.
- The date of census will be the cut-off date for non-titled owners.

Loss Item 7: Loss of PCR and CPR structures with or without title to land

Persons Entitled	Entitlements	Application Guidelines	Additional Services	Expected Results
<ul style="list-style-type: none"> • (a) Legal owners (or registered committee) identified by DC in the process of CCL payment. • (b) Socially recognised owners of structures built on the RoW as identified by JVC and in census. 	<ul style="list-style-type: none"> • Cash compensation (a) for structure to legal owner(s) as determined by DC; • Difference between RV for structures as determined by PVAC and paid by the project • (b) cash compensation for CPRs on land without titles to be determined by PVAC to match RV for the structure • Transfer Grant of BDT 16000 for relocation of structure. • Dismantling and reconstruction cash assistance as per assessed value by PVAC. • Owners will be allowed to take all salvageable materials (within BR declared deadline) free of cost 	<ul style="list-style-type: none"> • Applicable to all PCRs and CPRs located on RoW at cut-off dates. 	<ul style="list-style-type: none"> • INGO to conduct community consultations to ensure PCR/CPRs are relocated taking into account community concerns. 	<ul style="list-style-type: none"> • Restoration of community structure for common benefits.

Implementation Issue:

- Joint Verification identifies (records floor areas and category) structure for titled owners and census identifies structure for non-titled owners.

Loss Item 8: Loss of trees with title to land and owner of trees on public land or lessees

Persons Entitled	Entitlements	Application Guidelines	Additional Services	Expected Results
• Legal owner/	• Timber trees and	• Applicable to all	• INGO to	•

<p>titleholders as identified by DC.</p> <ul style="list-style-type: none"> • Socially recognised owners of trees grown on public or other land, as identified by census. • Owners of trees such as Forest Department, Zilla Parishad, Society, Union Parishad, Lessee on public land. 	<p>bamboos: CCL by DC for those with title to land or amount equivalent of RV as determined by PVAC, whichever is higher.</p> <ul style="list-style-type: none"> • <u>For fruit trees:</u> CCL by DC for those with title to land or amount equivalent of RV as determined by PVAC, whichever is higher, plus market value of fruits for average 3 annual year production. <p>OR</p> <p>(b) Timber trees and bamboos: Compensation for lost trees as per DOF rates to be determined by PVAC at RC for those w/o title to land.</p> <ul style="list-style-type: none"> • <u>For fruit trees:</u> compensation for lost trees as per DOF rates to be determined by PVAC at RC for those w/o title to land, plus market value of fruits for average 3 annual year production. <ul style="list-style-type: none"> • Owner of the trees (in all cases) will be allowed to fell and take the trees free of cost 	<p>trees and plants located on RoW at cut-off dates.</p>	<p>explain RP policies regarding compensation for the trees of different categories and size and make the EPs aware that they could take the timber and fruits free of cost.</p>	<p>Compensation for trees.</p>
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Implementation Issues:

- Standard rates for trees of different species available with the Bangladesh Forest Department will be considered by PVAC
- DCs will determine the market price of trees with assistance from Bangladesh Forest Department and enhance it by 50% to fix compensation under law (CCL).
- The INGO will provide guidance in plantation and post-plantation care.

Loss Item 9: Loss of standing crops/fish stock with (a) title to land and (b) without title to land

Persons Entitled	Entitlements	Application Guidelines	Additional Services	Expected Results
<ul style="list-style-type: none"> • (a) CCL for crops by DC for those with titles or (b) RC as determined by PVAC, whichever is higher; 	<ul style="list-style-type: none"> • (a) CCL for crops by DC for those with titles OR (b) RC as determined by PVAC, whichever is higher; 	<ul style="list-style-type: none"> • Applicable for all crops/fish stock standing on land/pond within RoW at the time of dispossession. • DC will pay CCL for crops/fish stock; for (b), PVAC will determine the compensation to the paid by the Project 	<ul style="list-style-type: none"> • INGO will assist APs in the process of claiming compensation from DC/Project offices 	<ul style="list-style-type: none"> • Compensation for standing crops and fish stock.

Implementation Issues:

- DCs will determine the market price of crops with assistance from district Department of Agricultural

Extension and district Agricultural Marketing and market price of fish with assistance from district Department of Fisheries. Likewise, PVAC will determine the value of compensation for socially recognised owners/users.

Loss Item 10: Loss of leased or mortgaged agricultural land or ponds and commercial land

Persons Entitled	Entitlements	Application Guidelines	Additional Services	Expected Results
<ul style="list-style-type: none"> • Agricultural and commercial plot owner(s) on the Project RoW. • Titled and non-titled leaseholders/licenses/share croppers 	<ul style="list-style-type: none"> • CCL as per law for those with registered contracts/lease OR • Cash grant of BDT 5200 and BDT 4600 will be paid to the non-titled share croppers, licensees and lessees of agricultural land, and pond respectively by the Project thru INGO. • The cultivator will be allowed to take the crops/fish free of costs within the BR declared deadline 	<ul style="list-style-type: none"> • With legal agreement: Legal owner and mortgagee/leaseholder will be paid CCL by DC in accordance with the law. • With customary tenancy agreements, including socially-recognised verbal agreements: Legal owner will receive CCL from DC. The legal owner will pay the outstanding liabilities to the lessee/mortgagee. Under the following conditions: (i) all contractual liabilities are already paid up; (ii) if not, the legal owner will get the residual payment after all liabilities are paid up. 	<ul style="list-style-type: none"> • INGO will assist in ensuring that the lessee receives all eligible payments. • INGO will mediate refund of outstanding lease money by the owner to the lessees. 	<ul style="list-style-type: none"> • Compensation for loss of access to agricultural/commercial land and pond.

Implementation Issues:

- Legal tenants of land will be identified by DCs and non-titled tenants, licensees/lessees of land will be identified by the Census.
- PVAC will identify each land owner and any persons who presently have interest in the acquired land due to mortgage, license, share cropping, lease.
- Any disputes over status of present interest in the land will be resolved through grievance redress procedure. Once resolved, INGO will assist in processing payments of all outstanding liabilities on the land to the appropriate persons.
- Cash grant to cover loss of income will be paid to the tenant, licensee/lessee as per Project-specific policy provisions.

Loss Item 11: Loss of income from dismantled commercial/business premises

Persons Entitled	Entitlements	Application Guidelines	Additional Services	Expected Results
<ul style="list-style-type: none"> • Any proprietor or businessman or artisan operating in premises, at the time of issuance of notice u/s 3 and/or as per census. 	<ul style="list-style-type: none"> • Cash grant of BDT 30,000 for loss of business income by affected trader (based on average monthly income of BDT10,000 for 3 months) 	<ul style="list-style-type: none"> • BR will directly pay the entitlement to the eligible displaced persons with assistance from INGO. 	<ul style="list-style-type: none"> • Vulnerable EPs will be brought under income generating programme. 	<ul style="list-style-type: none"> • Income support in post-displaced period.

Implementation Issues:

- Primary eligibility to be based on businessmen identified by census and /or DC/BR joint verification.
- All the business operators will be entitled for grant against loss of business.
- The income-generating programme will be implemented engaging an NGO experienced in rehabilitation and livelihood generation activities for the poor.

Loss Item 12: Loss of income (wage earners in agricultural, small business enterprises excluding owners or employers)

Persons Entitled	Entitlements	Application Guidelines	Additional Services	Expected Results
<ul style="list-style-type: none"> • Regular employees/wage earners affected by the acquisition as identified by census. 	<ul style="list-style-type: none"> • Cash grant of BDT 19,500 to the affected employees/wage earners equivalent to 3 months income as per the survey data 	<ul style="list-style-type: none"> • EP must have been an employee of landowner or business located in the acquired lands for at least twelve months, as identified by Joint Verification and/or census. • The needs of vulnerable groups will be assessed. • The resettlement benefits will be paid by BR with assistance from INGO. 	<ul style="list-style-type: none"> • Vulnerable EPs will be brought under income and livelihood regenerating programme. • Involvement of qualified APs in construction work. • Involvement of qualified APs in tree plantation and social afforestation. 	<ul style="list-style-type: none"> • Income support in post-displaced period.

Implementation Issues:

Primary eligibility to be based on employees/wage earners identified by census and/or Joint Verification. Further claims and grievances, if any, will be settled by the grievance redress committee.

Loss Item 13: Loss of income from rented-out and access to rented-in residential and commercial premises

Persons Entitled	Entitlements	Application Guidelines	Additional Services	Expected Results
<ul style="list-style-type: none"> • (a) Legal owner/ titleholders of the rented-out premises as identified by census. • (b) Household/ person rented-in any such structure as identified by census. 	<ul style="list-style-type: none"> • (a) Rental assistance for both residential and commercial structure rented-out EPs or owners with rental assistance of BDT 3,000 for loss of income on an average (equivalent to 2 months rental income as per the survey – not exceeding BDT5,000 in case of large premises) • (b) Rental assistance for both residential and commercial rented-in EPs (tenants) in the amount BDT 6,000 (equivalent of 4-month rent) • One-time moving 	<ul style="list-style-type: none"> • The owners of rented out premises will be entitled for dislocation allowance for each unit of premises rented out to separate households or persons. • Each tenant household/person of affected rented-in premises will be entitled for the dislocation allowance. • Dislocation allowance will be paid by BR with assistance from INGO. • In case of any advance deposited by the tenant, an agreement on non-claim or outstanding balance should be certified by the local 	<ul style="list-style-type: none"> • EPs will be brought under income and livelihood regenerating programme. 	<ul style="list-style-type: none"> • Income support in post-displaced period.

	grant of BDT1,500 • Additional structures erected by tenant will be identified by the PVAC and compensated as Item No.6 • Right to salvage materials from demolished structure erected by tenant, if any.	Government representative between owner and tenant. The agreement will have to be submitted by both parties at the time of payment of resettlement assistance. It will be considered an essential part of the payment procedure.		
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Implementation Issues:

Census and/or Joint Verification will identify the owner and household/person rent-in of the residential and commercial premises

Loss Item 14: Reconnection of utilities (gas, electricity, telephone, water, sewage, etc)

Persons Entitled	Entitlements	Application Guidelines	Additional Services	Expected Results
• Legal owner/ titleholders as identified by DC /or census with pre-existing connections and utilities in the "original" house/business	• Cash grant for new utilities connection for will be provided by BR: (a) Gas connection = BDT 12000; (b) Electricity connection = BDT 7000; (c) Telephone connection = BDT 5000; (d) Water connection = BDT 6000; (e) Sewage connection = BDT 6000.	• BR will make payment of the compensation money with assistance from INGO	• INGO will help reinstallation of the line	• Reconnection of utilities.

Implementation Issues:

This additional entitlement will be paid to the head of the household by BR thru INGO for the reconnection of utilities

Loss Item 15: Vulnerability allowance, female-headed household allowance and eligibility for participation to livelihood restoration program

Persons Entitled	Entitlements	Application Guidelines	Additional Services	Expected Results
• Vulnerable households identified by census and defined as poor female-headed, elderly, disables and very poor (below the poverty line) • EPs losing main source of income (including affected farmers losing more than 10% of income) who have no alternative source of income as identified by	• BDT 8200 as one time grant in addition to other compensations for vulnerable households. • BDT 10,000 to be provided to poor female-headed household in addition to other types of assistance. • Livelihood Restoration Programme for vulnerable households (one member per household). Cost of training not exceeding BDT 8,000 for one member • A provision of BDT 16000 to be provided as seed grants to each trained member of vulnerable	• The EPs will be identified as per the census and income and livelihood support will be provided by BR with assistance from INGO. • Cost of trainer will be borne by BR. • To be eligible for seed grant, a business plan reviewed and approved by BR is necessary	• INGO will motivate the EPs for appropriate skill training • INGo will assist EPs in designing a business plan in accordance with skill training.	• Income and livelihood support.

census.	households			
Implementation Issues: <ul style="list-style-type: none"> • Vulnerable households losing income from business, employment, livelihood resources and for the transitional time up to permanent settlement will be assessed by INGO-BR joint verification. • These persons will be covered under the skill training programme and the allowances will be paid upon performance following the entitlement package. 				
Loss Item 16: Unforeseen adverse impacts				
Persons Entitled	Entitlements	Application Guidelines	Additional Services	Expected Results
<ul style="list-style-type: none"> • Households/ persons affected by any unforeseen impact identified during RP implementation - for example, any Project induced impacts 	<ul style="list-style-type: none"> • Entitlements will be determined as per the entitlement matrix 	<ul style="list-style-type: none"> • The unforeseen impacts will be identified through special survey by BR as per request from impacted population. • The entitlements will be approved by MoR and ADB. 	<ul style="list-style-type: none"> • As appropriate 	<ul style="list-style-type: none"> • Adverse impacted mitigated
Implementation Issues: <ul style="list-style-type: none"> • The unforeseen impacts and displaced persons will be identified with due care as per resettlement plan and proposed to the MoR and ADB for approval including quantity of losses, their owners and the entitlements. 				
Loss Item 17: Temporary impact during construction				
Persons Entitled	Entitlements	Application Guidelines	Additional Services	Expected Results
<ul style="list-style-type: none"> • Households/ persons and/or community 	<ul style="list-style-type: none"> • The contractor shall bear the cost of any damage to structure, land or other asset. • All temporary use of lands outside proposed RoW will be conducted with written approval of the land owner and contractor. • Owner of land unused for an unreasonable amount of time (over 1 week) will be eligible to compensation equivalent to rental fee for land. Moreover, land will be returned to owner rehabilitated to original preferably better standard. 	<ul style="list-style-type: none"> • The temporary impacts will be identified through special survey by BR as per request from impacted population. • The entitlements will be approved by BR as per the entitlement matrix policy 	<ul style="list-style-type: none"> • As appropriate 	<ul style="list-style-type: none"> • Land returned and restored to original preferably better standard.
Implementation Issues: <ul style="list-style-type: none"> • The temporary impacts and displaced persons will be identified with due care as per resettlement plan of the Project and approved by BR. 				

VII. RELOCATION OF HOUSING AND SETTLEMENTS

A. Introduction

126. The Project will displace households from their residence, business-structures, and productive resources like land, employment and income. Affected persons will experience loss of livelihood sources mainly due to loss of shops/commercial enterprises and agricultural lands. In addition, wage earners such as employees of shops and businesses and those working on the affected agricultural lands will also incur loss in their income. The affected households will be provided with compensation and assistance for relocation of their housing, productive assets and employment affected due to the Project. Necessary efforts have been made so as to minimise the Project impacts and to reduce impacts on assets and disruption of livelihood.

B. Scope of Displacement and Relocation

127. Of the total 2121 affected households (which does not count CPR and PCR), 1358 households will have to be physically relocated from their homestead or business (Table 38). Detailed distribution of affected properties is shown in Table 38 below.

Table 38: Impacts by Categories of Physically Relocated Households

Category	Titled owners	Renters (from titled owners)	Squatters on BR land	Renters (from squatters on BR land)	Total
HH losing residential structure	330	53	409	42	834
HH losing commercial structures	30	33	229	131	423
HH losing both com. and residential structures	30	15	38	18	101
Total	390	101	676	191	1358

Source: Census & IoL survey, 2013

C. Options and Preferences for Relocation

128. The households who will be physically relocated are either titled homestead/business owners, informal settlers (squatters) on BR land and renters. Most of the affected structures in urban centers tend to be businesses and in rural areas homesteads.

129. Most of these households (95%) stated their preference to remain in their current location in order to continue their present occupations. Only 2% want to be relocated to other villages and 3% to town area. When asked about modalities for compensation, the survey shows that 75% of households would opt for cash compensation. 23% of them (mostly private land owners) said that they would rather get land for land (see details in Table 39 below).

Table 39: APs' choice for resettlement options

Type of assistance chosen	%
Cash compensation	74.98
New land against the lost land	22.89
Resettlement	1.97
Employment generation	0.16
Total	100

130. The relocation of scattered homesteads in rural areas along a 72 km linear stretch is not pragmatic as it would imply concentrating the households in a few identified places that would be away from their existing source of livelihood (farming). Most of the land owners will not lose a substantial amount of land and will be able to relocate on their residual land. Land title holders will receive on average BDT6, 301,383 (US\$79,916) per household as compensation, which is believed to be sufficient to rent or buy alternative plots. Non-title holders losing a homestead in rural sections will either relocate on residual land or rent within proximity. They should have sufficient cash compensation for the loss of their structure and transfer and reconstruction allowance to afford rent (see paragraph 120 below). According to the rental availability and affordability survey, space and structures to rent in rural areas are readily affordable and accessible.

131. There is limited availability of BR land close to the stations in urban areas that would be sufficient to relocate affected households. Acquiring land from private owners to provide as compensation is not a pragmatic option, as this would entail affecting a new set of people in a cyclical way. Moreover the relocation of informal settlers on designated public land is highly controversial given that it implies they would be given preference over other renters and title owners. Moreover, the rental availability and affordability survey confirmed that most squatters in urban areas, who represent over 50% of the affected business owners, will not lose their homesteads, as they already own a house (60%) or rent a house in town. Their income depends on being in the city and close to the stations. The survey also indicates that while rent from private individuals is affordable in urban centers (from BDT 750-1500/month) it is not widely available.

132. It is believed that the compensations, allowances and assistance measures proposed under this RP are sufficient to enable affected households to secure alternative spaces for their homesteads and businesses. The cash option for titled owners as well as informal settlers is very attractive. Firstly, households losing a primary structure (both titled and non-titled holders) will receive an estimated BDT 781,209 (US\$ 9,908), which represents 13 times the average annual income and is more than sufficient to cover for several years of rent. As for renters, who will not be compensated for the structure, they will receive the equivalent of 4 month rent, which is sufficient time for them to find an alternative option. This should address the question of affordability of renting space in urban centers.

133. As for the availability issue, the INGO will assist all affected households losing land or structure (or rented structure) in identifying and securing an alternative space to rent or buy. One of its tasks will be to establish a list of available plots and structures to rent or buy and support the affected household with legal documentation and in negotiations. Assistance from the INGO was explicitly sought by the affected households as demonstrated by the survey (requested by over 80% of those surveyed). Furthermore, under the RP, BR will consider giving priority in re-allocating leases to former lease holders and affected businesses after modernization of the station areas.

134. Overall, it is expected that these measures will be adequate to address their housing and business needs in post-relocation period.

D. Integration of Displaced Households with Host Population

135. Due to linear acquisition and scattered resettlement over 72 km of largely rural areas, project-sponsored resettlement in selected sites has not been considered in this project. The affected households and businesses will relocate and remain within their existing communities

and neighborhoods as much as possible. The choices in favor of such decisions are factored by already established social links, kinship and social support. So the issue of host-resettlers is not an issue, rather displaced households will integrate within the existing communities. However, during project implementation, the INGO will assess the need for any additional assistance to enhance carrying capacity of the “host” communities with regard to community support services. Relocation and Reconstruction of PCRs.

136. There are 3 PCRs of historical, religious and cultural significance that are likely to be affected by the Project (Table 39). The Mazar Sharif is a shrine of a famous and locally popular *Sufi* (religious leader). It is 100 to 120 years old located on BR land near the signal post of Rasulpur station. It has a pucca roof with a tomb, pucca wall in one side with boundary walls. The shrine will be fully affected. The Moth (Temple) is located near the Rajapur Station. It is nearly 150 to 200 years old and very well respected place to both Hindu and Muslim communities in the area. It is made of tin-roof with pucca floor and wall. The temple will be affected fully. Finally, the Kalibari Mondir is located near Gangasagar railway station. About 50% of the Mandir will be affected, including boundary walls and trees.

137. BR will relocate and reconstruct the PCRs in consultation with the affected communities and PCR management committees to ensure the structures are relocated in a way that addresses community concerns. Detailed consultation will be arranged with the support of the INGO in participation of the representatives from community concerned and LGIs on the issue of relocation. In case of the relocation of the temple/moth of Hindu religion, the local religious leader/purahit as well as the devotees will be consulted adequately before taking any decision. For the mazar complex with graves of the Muslim saints, Fatwa from a nominated Mufti (vetting from Islamic lawyers) will be taken in agreement with the local Muslim community, devotees and the Khadem (guardian) of the complexes. In both cases, suitable alternative land will be managed in consultation with the community concerned. A dedicated budget has been kept for the reconstruction of the PCRs.

Table 40: List of PCRs in the Project Area

Sl. No.	Name of the PCRs	Chainage	Name of Owner/ President/ Secretary	Village	Union	Upazila	District
1	Hazrat Shah Sufi Riasat Ali Fakir (R) Mazar Sharif	161+100	Md. Shah Alam	Pitamber	Baksimail	Burichang	Comilla
2	Sree Nandoram Goshwami Moth	167+000	Sree Bikas Chandra Roy	Rajapur	Rajapur	Burichang	Comilla
3	Doso Phuja Kalibari Mandir	196+850	Babu Ratun Kumar Pal	Mogra	Mogra	Akhaura	Brahmanbaria

Source: Census & IOL survey, Project, 2013

138. Other than these PCRs there are 56 community property resources (CPRs) in the Project area. According to the entitlement policy all CPRs will be given cash compensation for the land, structure and additional transfer grants for relocation of each structure. Dismantling and reconstruction cash assistance will be provided as per assessed value of PVAC. In this way CPRs will be rebuilt at Project cost, in consultation with the APs and the affected communities. Affected family graveyards will be dealt with sensitivity in consultation with the concerned families. These are private, family graveyards located on private and homestead lands and are not bigger, community graveyard officially “registered” with the local Government. Although

these will not be compensated by the DC, the INGO will assist the families to exhume the bodies for reburial provided the concerned families wish the graves to be relocated.

139. In all cases, affected CPRs will be rebuilt at alternative sites selected by the community where they expect to relocate. These are already included in the Project cost estimates. INGO will facilitate all the processes while BR will coordinate the activities of site selection, design and estimate, site development and reconstruction. The list of CPRs is presented in Table 41.

Table 41: Number of Community Property Resources (CPRs) by category

Sl. No.	Category of community resources	No. of CPRs
1	Religious institutions/structures (e.g. mosque, temple, graveyard, eidghah)	30
2	Educational institutions (e.g. school, madrasa, moktob)	7
3	Community based associations/institutions (e.g. samity, club)	10
4	Public offices/institutions (e.g. BADC, LGED, BR, LGI)	8
5	Others (e.g. monument, shelter house)	1
Total		56

Source: Census & IOL survey, 2013 & 2014

140. BR will use available public (khas) land or seek voluntary donation of land by the local beneficiary communities for the reconstruction of the PCR and CPRs. If khas lands and/or voluntary donation are not available, BR will make negotiated settlement over any new purchases of land for the civic and social/religious infrastructures. In all cases (voluntary donation or negotiated settlement), BR will engage in meaningful consultations with the affected people, including those without titles to assets. The processes related to negotiations and settlement will be recorded by the CSC Safeguard Specialist, with particular attention to negotiation methods, valuation, transactions and other record keeping requirements and meet principles and conditions laid out in this RP, complying with Safeguards Requirements 2 – Involuntary Resettlement and EIB's standards.

VIII. INCOME RESTORATION, REHABILITATION AND GENDER

A. Introduction

141. The Project will acquire private lands that include residential land, commercially used land, productive agricultural land and pond. The acquisition and Project interventions will lead to a loss of income and livelihood resources temporarily or permanently. Restoration of income to pre-project level is thus one of the most important tasks in resettlement management. The RP has provisions for interim support to mainstream alternative income generating schemes or enhancement of existing livelihood resources so that AHs can either continue their previous occupation, start new venture or undertake an alternative occupation. The basic objective behind the income restoration and rehabilitation measures is to restore the economic status of the displaced persons at least at the level they were enjoying prior to the Project.

B. Livelihood Impact and Risks

142. Livelihood means and resources in the Project-affected area include land (agricultural land and fish ponds), and commercial and businesses activities. The people engaged in commercial and business activities in the Project area include traders, vendors, and those engaged in agricultural activities include farmers, sharecroppers and agricultural labourers. Women are involved in poultry/cattle rearing for cash income and day labouring in and around the local area.

143. Affected persons will experience loss of livelihood sources mainly due to loss of shops/commercial enterprises, rented structures and agricultural lands. The displaced households will experience temporary dislocation in their income and work days. In addition, wage earners such as employees of shops and businesses and those working on the affected agricultural lands will also incur income losses. A total of 2081 such households will experience direct and indirect impact on their income (Table 42).

Table 42: Type of Income Impact on Affected Households

Type of Loss	No.
Loss of income from businesses	524 (AHs)
Loss of income from agricultural land	701 (AHs)
Loss of income from fish cultivation	5 (AHs)
Loss of wage labour	721(No.)
Loss of rental income	130 (AHs)
Total	2081

Source: Census & Socio-economic survey, 2013 & 2014

C. Approach towards Income and Livelihood Restoration

144. The approach towards the income and livelihood restoration relates with the improvement and/or restoration of the livelihood of all displaced persons. This includes necessary measures considering the diminishing income and dislocation of livelihoods of the APs during and after relocation. Appropriate support measures, in this regard, are needed for income and livelihood restoration of the affected and displaced households. The RP has provisions also for income restoration and rehabilitation of the AHs.

145. Within the policy entitlement of RP, all the persons losing their livelihood resources or places of generating income as a result of the Project will be supported with cash grants and

allowances to supplement the lost income and workdays. These will enable them to mainstream the transitional period of displacement with the stabilised period of sustaining with the previous sources of livelihood or starting an alternative source of income. In this regard indicative income and livelihood restoration options for AHs have been identified from the survey outcome.

D. Rehabilitation Measures

146. Considering the findings of the surveys and consultations the following measures will be adopted in terms of rehabilitation and income restoration of the AHs:

- i. Compensation for land and structures at full replacement cost prior to relocation;
- ii. Moving assistance
- iii. Income-restoration measures
- iv. Assistance measures to secure housing and rental spaces
- v. Special assistance measures
- vi. Livelihood Restoration Programme
- vii. Encouraging Employment in Construction Works
- viii. Gender Considerations.

147. In accordance with the entitlement policy, the following measures will be taken to support for restoration of income and economic rehabilitation of the affected households and families.

1. Moving Assistance:

148. **Transfer Grant for moving structure (residential and commercial):** A transfer grant of BDT 8000 will be provided to titled owners and non-titled owners of residential and commercial structures. Owner will be allowed to take away all salvageable materials (within BR declared deadline) free of cost. A total of 1358 AHs are expected to be eligible for this grant.

149. **Reconstruction Grant:** A reconstruction grant of BDT 9800 (for both titled and non-titled owners) will be provided to all households losing residential and commercial structures. A total of 1358 AHs are expected to be eligible for this grant.

150. **Moving grant for renters:** Affected renters will also be provided with a grant of BDT1,500 equivalent to 1 month rent (based on the rapid survey) but not exceeding BDT 3000 for larger spaces to help them in their transition. A total of 321 households will be eligible for this grant.

151. **New connection/reconnection assistance:** Households losing their legal connection with a utility as a result of relocation will be provided with BDT 12,000 for gas connection, BDT 7,000 for electricity, BDT 5,000 for water and BDT 5,000 for sewage services. Eligible number of households include: gas (14); electricity (1358), water supply services (408), and sewerage services (666).

2. Income-restoration measures:

152. **Allowance for loss of income for business owners:** All owners of affected businesses will receive a BDT 30,000 cash allowance, equivalent to 3 month income, for loss of business income. This assistance is intended to support them in the transition and help them re-establish their enterprises in new locations and to continue their previous occupations and

commercial activities in the new locations. A total of 524 businesses will be eligible for this grant.

153. Allowance for loss of income for employees, wage earners: Temporary loss of employment due to severe impact on business and commercial enterprises for acquisition and taking over land for implementation of the Project will be supplemented with cash allowance to the affected employees/wage earners. A cash grant of BDT 19,500 will be provided to the affected employees, wage earners equivalent to 3 months income. A total of 721 AH would be eligible.

154. Allowance for loss of income from agricultural land and pond: Temporary loss of access to agricultural land and pond by tenants (non-titled share croppers, licensees and lessees) and thereby loss of income from productive land/pond will be compensated through providing cash grant of BDT 5200 for land and BDT 4600 for pond as well as giving back the share of the crop, lease money, if any, to share croppers, licensees and lessees. Moreover, the cultivator will be allowed to take the crops/fish within the BR declared deadline. A total of 706 (701 hhs losing land and 5 losing ponds) household will be eligible.

155. Assistance for loss of income from fruit tree production: The market value of 3 year fruit tree production will be provided for any loss of mature fruit tree.

156. Allowance for loss of income due to renting residential/commercial structures: Affected households losing income from rented-out residential and/or commercial structure will be provided with rental assistance BDT3, 000 (equivalent to 2 month rent). A total of 130 households will be eligible to this allowance.

157. Livelihood Restoration and Programme (LRP): One member of each vulnerable household (274) as well as households losing 10% and over of their income (371) as a result of the project will be eligible to participate in the LRP. More information on the LRP is provided below. A total of 591 persons are expected to participate to the program.

158. Personal finance programme: one member of all affected household will be eligible to participate in a personal finance programme. The budget for its implementation is provisioned in the overall INGO budget.

3. Secure housing and rental assistance measures:

159. Rental assistance: All tenants losing their homestead/business structure will be provided with a rental assistance equivalent of 4 month rent. This should give them ample time to find alternative housing or commercial structure to rent. A total of 321 households are eligible to this type of assistance,

160. INGO Assistance in identifying renting space: The INGO will conduct a survey and provide affected households with a list of available plots, structures and spaces for rent of purchase for residential or commercial purposes. The focus will be primarily on identifying rental space availability in urban areas such as Akhaura, Comilla and Laksam, where the offer tends to be more limited. The INGO will also assist AHs in negotiation and preparing the documentation to secure rent or purchase space/plot. All households losing land, residential and commercial structures, whether titled or non-titled, as well as tenants will be eligible to this assistance. This activity has been designed as a result of consultation with APs during the rapid assessment and will be included in the INGO TOR.

161. Priority to lease on BR land around station for commercial purposes (subject to availability): BR will give priority to provide lease for commercial purposes to former lease-holders and affected households who lost a business as a result for the project. BR has a standard policy on land lease for commercial purposes, which it can use for the implementation of this RP.

4. Special assistance measures

162. Assistance to Vulnerable Households: Vulnerable households, defined as poor female-headed, elderly-headed, disabled or very poor (below the poverty line) will be provided with BDT 8200 one time grant in addition to other compensations. The number of EP is 274.

163. Assistance to female-headed households: Female-headed households will receive a BDT 10,000 cash grant in addition to being eligible to the vulnerable household assistance. A total of 64 female-headed hhs will be eligible for this grant.

164. Special relocation grant for CPR: a special one-time grant of BDT 16,000 will be allocated for the relocation of each affected common property resource. Total numbers of CPRs are 56.

5. Livelihood Restoration Programme (LRP)

165. The LRP will be provided for one member of each vulnerable and severely affected (i.e. losing 10% and over of their income) households. The LRP will consist in trade development trainings and support in elaborating business plans as well as seed grant money of BDT 16,000 to launch the business. A minimum of 30% female participation is expected for the Programme.

166. The trade development training will be identified during Project implementation by the INGO. Table 43 presents details of various activities being anticipated under the Trade development trainings based on the survey conducted with APs. The majority of the AHs prefer to restore their livelihoods through business (69.23%) followed by crop farming (35.26%), fish culture (17.91%) and so on. These will be further reviewed by the INGO during implementation phase through a need assessment focused on the eligible households to further target the available skills and/or need for skill training.

Table 43: Details of Indicative Income & Livelihood Restoration Options for Ahs

Income & livelihood restoration options	Affected households (AHs)	
	In number (n=2116)	In percentage
Business	1465	69.23
Agricultural farming	746	35.26
Fish cultivation	379	17.91
Poultry and livestock farming	59	2.79
Day labour	58	2.74
Livestock	40	1.89
Handicraft	25	1.18
Others	35	1.65

Source: Census & Socioeconomic survey, 2013 & 2014

167. In addition to trade trainings, the INGO will provide basic financial management classes and assist participants in developing business plans for review and approval by BR for seed grants.

6. Other type of assistance

168. The INGO will also support the titled affected households losing property in re-titling their plot or structure.

7. Encouraging Employment in Construction Work

169. The construction activities under the Project will require many unskilled labourers for construction of rail embankment, rail bridges/culverts, staff sheds etc. The contractor(s) will require to give preference to hiring affected persons (with ID), including women, willing to work in Project construction activities. Provisions in the general contract conditions also require the contractors to pay equal wages to men and women without any gender discrimination. . Affected women will to work in Project construction will form labour contracting society (LCS) with the help of INGO and be deployed by the contractor in embankment slope turfing, watering, tree plantation etc or any other suitable works. Employment in the Project construction will act as an added source of income in the income and livelihood restoration processes of the APs.

8. Gender Considerations

170. Specific gender considerations to this RP are the following:

- The INGO will ensure that all affected women owner entitled to compensation receive compensation in a bank account in their names or jointly with their husbands
- All affected female-headed households are considered vulnerable and receive additional assistance
- 30% of participants to the LRP training are women.

IX. GRIEVANCES REDRESS MECHANISMS

A. Introduction

171. Grievances are issues, concerns, problems, or claims (perceived or actual) that individuals or community groups want to address and be resolved by the Project. The grievance mechanism is a locally based, project-specific extra-legal way to deal with and resolve complaints and grievances faster and thus enhance project performance standards in terms of social and resettlement management.

B. ADB/EIB Guidelines on Grievance Mechanisms

172. ADB/EIB have specific clauses/guidelines requiring the borrower/client to set up and maintain a grievance redress mechanism at the Project level. This mechanism does not replace donors' accountability mechanism, but is intended to solve grievances at the local level. If aggrieved, it is expected that affected people will first approach the local grievance mechanism before taking the issue to other forum. The GRC system established in this project is expected to be effective in resolving grievances related to compensation and relocation aspects. All affected persons will have full and free access to GRCs.

C. Grievance Redress Committee (GRC)

173. A two-tier bottom up GRC system will be established in this project. First, there will be GRCs at the local level, hereafter called Local GRC (union parishads or municipality level); and second, GRC at the Project level to give room for grievances to be fairly reviewed. These GRCs will be established through gazette notifications from the Ministry of Railways. The APs will be informed through public consultation that they have a right to have their grievances redressed by the local committees as well as by the project management. . The APs can also call upon the support of the implementing NGO (INGO) engaged to implement the RP to assist them in presenting their grievances or queries to the GRC. Other than disputes relating to ownership right under the court of law, the GRC will review grievances involving all resettlement assistance, relocation and other support. The local GRCs (at the union parishad or municipal level)_ will hear the grievances first. Only unresolved cases will be forwarded to the next tier – Project level GRC for further review and resolution. Grievances will be redressed within a month from the date of lodging the complaints. GRC decisions will be on a majority basis and will be disclosed and available for review by the stakeholders. If any disputant is unhappy or unsatisfied with the outcome of the Project level GRC, he/she may file cases in the court.

174. GRCs at the union or municipality level (community level) will be formed with representatives from BR, local elected representatives from the Local Government Institutions (LGI), representatives of the affected persons (preferably women representative in case of women APs), and RP implementing NGO. There will a GRC in each union parishad or municipality affected by the project to make it accessible both in terms of distance and time.

175. The member secretary of GRCs will be regularly available and accessible for APs to address concerns and grievances. Female UP member will participate in the grievance redress sessions when the complainant will be a female. The Legal Advisor of the INGO will support the GRC processes (both local and Project levels) in terms of legal and other interpretation matters.

D. Composition of the Local GRC

176. The Local GRC will consist of members from executing agency (BR), RP implementing NGO, people's representatives from local Government institution and representative of the affected persons. This will represent all stakeholders and agencies associated with RP implementation. Thus the Local GRC will be formed with 5 members representing various stakeholders, including representative of the affected communities. The RO (BR) will chair the GRC at field level. Members of GRC, is presented below (Table 44):

Table 44: Members of the GRC at Union Parishad/Municipal Level

Level	Members of the GRC
GRC Composition at the Local Level (UP/Municipality)	Assistant Director of BR – Convener Representative of RP implementing NGO- Member Secretary Representative of the Local Government Institutions - Member Local women UP member - Member Representative of the affected people – Member

177. The scope of work and the Terms of Reference (TOR) for the Local GRC are:

- (i) The Local GRC shall review, consider and resolve grievances related to social and resettlement mitigations received during implementation of the RP
- (ii) Any grievances presented to the GRC should ideally be resolved on the first day of hearing or within a period of three weeks, in cases of complicated cases requiring additional investigations.
- (iii) Grievances of indirectly affected persons and/or persons affected during project implementation will also be reviewed by GRC
- (iv) The GRC will not engage in any review of the legal standing of an “awardee” other than in the 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 RP and entitlements
- (vi) The GRC will not deal with any matters pending in the court of law
- (vii) A minimum three (3) members shall form the quorum for the meeting of the GRC.

178. GRC meetings will be held in the respective RU Field Office in the project area or other location(s) as agreed by the Committee. If needed, GRC members may undertake field visits to verify and review the issues at dispute, including titles/shares, reason for any delay in payments or other relevant matters.

E. Composition of Project –Level GRC

179. The Project-Level GRC will review all unresolved cases forwarded to by Local GRCs. It will be headed by the Project Director (PD). The Composition of the Project-Level GRC is presented in Table 45. The Project-level GRC with representation of senior elected upazila official and civil society member will further establish fairness and transparency in the resolution of disputes or grievances. In specific cases, Project-level GRC may seek legal advice from the INGO Legal Advisor or any external legal advisor, if required.

Table 45: Composition of Project Level GRC

Level	Members of the GRC
GRC Composition at the Project Level	Project Director – Convener Local Upazila Parishad Chairman -Member Team Leader -INGO Member Secretary Representative of District level Civil society organization -Member Representative of the affected people – Member

180. The provision of the Project-Level GRC will further establish fairness and transparency in the resolution of grievances by project affected persons. The presence of senior public representative and civil society members will provide room for grievances to be fairly reviewed. The Project Level GRC may seek legal advice from the INGO Legal Advisor or any external legal expert, if required.

181. The scope of work and the Terms of Reference (TOR) for the Project-Level GRC are:

- (i) Review, consider and settle unresolved grievances forwarded by local GRCs related to RP implementation
- (ii) Any grievances presented to the Project Level GRC should ideally be resolved within two months from the date of receiving the complaints.
- (iii) In case of complicated cases, the GRC members can request additional information or carry out field level verifications.
- (iv) Resolutions should be based on consensus among members, failing which the decision may be taken on majority vote.
- (v) Any decision made by the GRC must be within the purview of Resettlement Plan and entitlements.
- (vi) The GRC will not deal with any matters pending in the court of law.
- (vii) All five (5) members are required to form the quorum for the meeting of the GRC.

F. Scope of Work of GRC

182. The GRCs will be activated with power to resolve resettlement and compensation issues not to be addressed under legal suit in the courts. The GRCs will receive grievance cases from the affected persons through the RP implementing NGO. The INGO will assist the APs in lodging their resettlement complaints in a proper format acceptable to the GRCs after they get ID cards from the BR or are informed about their entitlements and losses. GRCs will be activated during the land acquisition and resettlement process to allow APs sufficient time to lodge complaints and safeguard their recognised interests. Where land acquisition will not be involved but relocation of structures or vacating land from cultivation will be required, the GRCs will facilitate resolution of complaints regarding categorisation of vulnerable affected persons, types of structures and eligibility for compensation and assistance within the set guidelines and provisions of the Resettlement Plan.

183. Any complaints on ownership title or other suits falls under arbitration which is to be resolved by the judiciary system will not be within the purview of the GRCs. The affected people will be informed about their right and entitlements as per policy of the Resettlement Plan in the focus group discussion facilitated by the RP implementation NGO field level staff. People's initial

complaints/comments would be resolved in the focus group meetings. If the AP is not satisfied with the explanation of the INGO staff, he/she may bring his/her complaints to GRC. In this regard, the INGO field level staff will assist the AP in lodging the complaints.

184. Other than disputes relating to ownership right under the court of law, GRC will review grievances involving all resettlement benefits, relocation and other assistance. However, the major grievances that might require mitigations include:

- i. APs not enlisted;
- ii. Losses not identified correctly;
- iii. Compensation/assistance not as per entitlement matrix;
- iv. Dispute about ownership;
- v. Delay in disbursement of compensation/assistance;
- vi. Improper distribution of compensation/assistance in case of joint ownership;
- vii. Incorrect name in the award book of DC.

G. APs Petition to GRC

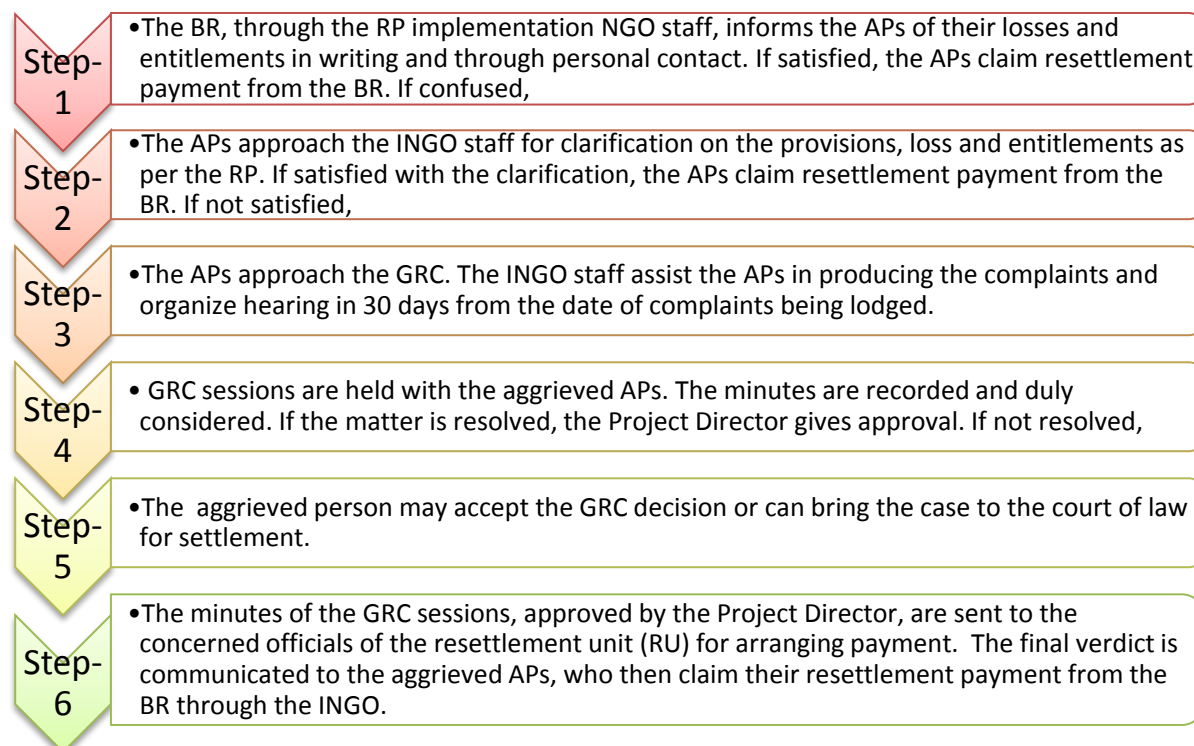
185. APs will be able to submit their grievances/complaints about any aspects of Resettlement Plan implementation and compensation. Grievances can be shared with the BR verbally or in written form. In case it is in verbal form, the INGO representatives at the GRC will write it down in the first instance during the meeting at no cost to the APs. The APs will sign and formally present to the GRC at the respective offices of the INGO assisting the BR in implementing the RP. The GRC will settle the matter within 30 days of receiving the complaint from the AP. Resolution of the GRC will be final and adopted in the process of resettlement for issuance of ID cards, and determination of loss & entitlements and payment thereof.

186. The appeal procedure for solving the grievances will be as follows:

- All complaints from the APs will be received at the field office of the INGO, the member secretary of the GRC, with a copy to the relevant Local Government Institution representatives.
- Upon receipt of complaint, the representative of the INGO at the GRC will inform the convener (BR representative) of the GRC. The convener will organise a hearing session for the complainant at the UP Chairman/Ward Councillor office where the complaint would have been lodged.
- The GRC will review the proceedings and pass verdict that will be conveyed to the AP concerned through the INGO.
- Unresolved cases will be forwarded by the Member-Secretary of the Local GRC to the Convener of the Project Level GRC.
- If matters exist relating to arbitration, those will be referred to the court.

H. Processes for Filing GRC Cases and Documentation

187. The procedural steps of resolving grievances and the grievance redress mechanism are presented in Figure 8. Figure 9 explains the approval processes. GRC procedures and operational rules will be publicized widely through community meetings and pamphlets in the local Bangla language so that APs are aware of their rights and obligations, and procedure of grievance redress. All local GRC documents will be maintained by INGO for review and verification by CSC, Co-financiers and any external reviewers. The RU Field Office(s) will act as the Secretariat to the local GRCs. As a result, the records will be up-to-date and easily accessible on-site.

Figure 8: Grievance Redress Procedures

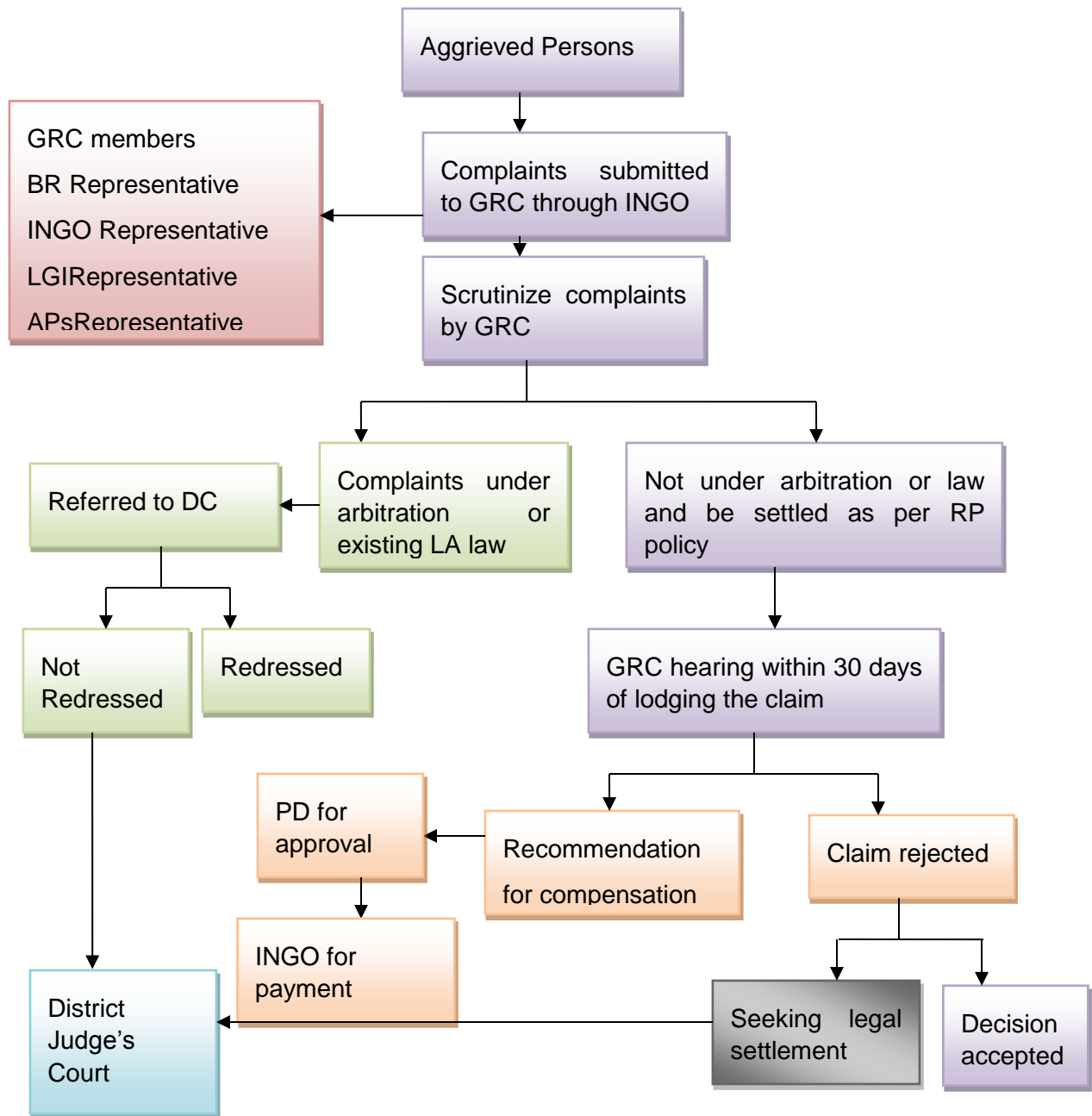


Figure 9 Grievance Redress Mechanism

X. RESETTLEMENT COSTS AND BUDGET

A. Introduction

188. The total estimated budget for implementation of the Resettlement Plan is BDT 6,558.16 million (US\$ 83.18 million) which is shown in Table 45. The costs for land acquisition and resettlement for the Project have been estimated at current market price for the year 2013 with necessary supplements for replacement cost, physical assets and businesses with assessed replacement cost for the same year, and additional assistance for loss of income and vulnerabilities as per the resettlement plan. This budget is indicative of outlays for different expenditure categories assessed by census and IoL survey (May-June 2013) for physical assets and estimates of land for acquisition.

189. The budget will be updated and adjusted once the land acquisition boundaries is finalised and the Government adopts a price of land and other assets based on the recommendations of the PVAC prior to implementation. Replacement cost of land and property will be updated annually if the PVAC at the district level justifies the same at the time of dispossession for any considerable price escalation.

B. Summary Land Acquisition and Resettlement Budget

190. This budget includes compensation for land as well as both main and secondary structures, trees, standing crops and fish, along with other resettlement benefits i.e. additional assistance, dislocation allowance, transfer grants/assistance for shifting of structure, rebuilding and/ or restoration of community resources/facilities, assistance for loss of business/ wage income; one-time special grants and special assistance to women-headed and vulnerable households with support to livelihood and income restoration allowances. Provision of contingency costs (10%) has also been calculated and incorporated in this budget. The RP budget further includes capacity building of the EA, the operational cost for the INGO as well as the costs of the livelihood restoration program. The land acquisition and resettlement fund will be provided by the EA (i.e., Bangladesh Railway). The Development Project Proposal (DPP) prepared by BR has provision for this amount in Year 1 to pay for compensation and resettlement purposes.

Table 46: Costs and Budget – Summary

Breakdown of Total Cost for LA and Resettlement for Project			
Sl. No.	Head of Budget	Million BDT	Million Dollar
A	Compensation for Land	4,507.51	57.14
B	Compensation for Primary Structures and Secondary Structures	1,093.63	13.87
C	Compensation for Trees	81.66	1.04
D	Compensation for Crop Production	2.07	0.03
E	Compensation for Fish Stock	1.99	0.03
F	Other Resettlement Benefits/ Allowance and Grants	98.7	1.27
G	Income and Livelihood restoration Programme	15.00	0.19
H	Assistance in identifying space to rent/buy	6.00	0.07
I	Capacity Building and Training of Officials of EA	4.00	0.05
J	Operational Cost for RP Implementing Agency/ INGO	48.40	0.62
K	Relocation of three PCRs	4.70	0.06
L	Contingency	694.50	8.81
	Total Estimated Budget	6,558.16	83.18

C. Assessment of Unit Value for Compensation

191. The cost is estimated on the basis of inventory of losses identified through census & IoL and property valuation/market surveys. Replacement value of land, structures and other assets are calculated using the market rates. The Property Valuation Advisory Committee will confirm the rates by types of land and location during the RP implementation. The costs for relocation and special assistance are consistent with the entitlement matrix. Details of the compensation cost estimation are presented sequentially below.

1. Replacement Value of Land

192. The replacement value of land for different categories i.e., homestead land, high land, agricultural land, banana and bamboo groves, orchards, ponds, wetland, fallow land and other commercial land for the total proposed Project is presented in Table 47. The total estimated amount for land compensation is about BDT 4,507.51 million (US\$ 57.14 million).

Table 47: Estimated Amount for Land Compensation for the Project

Breakdown of land Cost following 58.43 ha of land acquired						
Sl. No.	Category of land	Quantity in Ha	Quantity in Decimal	Rate in BDT per decimal	Estimated Cost in Million BDT	Estimated Cost in Million Dollar
1	Homestead	9.561	2362	565,945	1,337.0	16.95
2	Highland	2.125	525	617,247	324.06	4.11
3	Cropped Land	28.507	7044	295053	2,078.36	26.36
4	Bamboo	0.177	43.76	95,931	4.19	0.05
5	Orchard	1.830	452	203,978	92.22	1.17
6	Pond	12.689	3135.53	162,561	509,71	6.46
7	Wet land	1.298	320.83	196,144	62.93	0.798
8	Others	2.243	554	177,743	98.50	1.24
	Total	58.430	14438		4,507.51	57.14

Source: Census & IoL Survey, 2013 & 2014

2. Replacement Value of Structures

193. The replacement value of primary and secondary structures for Project is presented in Table 48 and Table 49, respectively. For the primary and secondary structures the total estimated budgets are BDT 1,050.83.2 million and BDT 47.50 million, respectively. The total estimated amount for structure compensation is BDT 1,098.33 million.

Table 48: Estimated Compensation Amount for Primary Structures

Sl. No.	Primary Structures	Quantity in sft. /No.	Rate in BDT	Estimated amount of Compensation in BDT
1	Pucca (pucca floor) (sft)	262192	2124	556,895,808
2	Pucca (kutcha floor) (sft)	321	1621	520,341
3	Semi Pucca (pucca floor) (sft)	201212	1171	235,619,252
4	Semi Pucca (kutcha floor) (sft)	12920	1014	13,100,880
5	Tin Made Double Barreled house (pucca floor) (sft)	100562	785	78,941,170
6	Tin Made Double Barreled house (kutcha floor) (sft)	220596	510	112,503,960
7	Tin made House with only one slanting roof (pucca floor) (sft)	16207	703	11,393,521
8	Tin made House with only one slanting roof (kutcha floor) (sft)	26929	412	11,094,748

Sl. No.	Primary Structures	Quantity in sft. /No.	Rate in BDT	Estimated amount of Compensation in BDT
9	Kutcha double barreled (sft)	42198	338	14,262,924
10	Kutcha house with only one slanting roof (sft)	20653	254	5,245,862
11	Thatched (sft)	4144	131	542,864
12	House with only polythene made roof (sft)	3905	34	132,770
13	House with only one slanting tin roof without wall (sft)	27310	150	4,096,500
14	House without roof (Floor & wall pucca) (sft)	6769	700	4,738,300
15	House with only pucca roof (without wall & floor) (sft)	70	500	35,000
16	House under construction (sft)	2272	700	1,590,400
17	House with polythene made roof and Tin made wall (kutcha floor) (sft)	100	131	13,100
18	Only Pucca floor (sft)	50	2000	100,000
	Total (primary structure)	948360		1,050,827,400
	Total (in million BDT)			1050.83

Source: Census & IoL and Property Valuation Survey, 2013 & 2014

Table 49: Estimated Compensation Amount for Secondary Structures

Sl. No.	Secondary structures	Quantity in sft. /No.	Rate in BDT	Estimated amount of compensation in BDT
1	Tube-well (no.)	382	12696	4,849,872
2	Deep tube-well (no.)	2	50000	100,000
3	Sanitary Latrine (no.)	314	45002	14,130,628
4	Slab Latrine (no.)	335	3339	1,118,565
5	Kutcha Latrine (no.)	23	1576	36,248
6	Water pump (no.)	89	16000	1,424,000
7	Pillar (No.)	33	1000	33,000
8	Shahid Minar (no.)	1	1654	1,654
9	Bakery Burner (no.)	3	500000	1,500,000
10	Graveyard(no.)	3	500000	1,500,000
11	Mobile Tower(no.)	1	1000000	1,000,000
12	Boundary wall (5") (rft.)	14264	974	13,893,136
13	Boundary wall (10") (rft.)	397	1654	656,638
14	Tin made boundary wall (rft.)	3315	416	1,379,040
15	Grill (rft.)	329	1000	329,000
16	Drain (rft.)	661	838	553,918
17	Gate (rft)	45	1000	45,000
18	Gas line (rft.)	791	250	197,750
19	Brick built Stair in pond (rft.)	64	2000	128,000
20	Culvert (rft.)	12	2500	30,000
21	Water tank (cft.)	13137	350	4,597,950
	Total (secondary structure)			47,504,399
	Total (in million BDT)			47.50

Source: Census & IoL and Property Valuation Survey, 2013 & 2014

3. Market Value of Trees

194. The compensation values of trees on private and Government lands in the project are presented in Table 50 and Table 51, respectively. The estimated amounts for compensation trees on private land and Government land are BDT 52.69 million and BDT 28.57 million, respectively. The total estimated amount for compensation of trees is BDT 81.66 million.

Table 50: Estimated Amount of Compensation for Trees on Private Land

Sl. No.	Category of trees	Quantity in No.	Rate in BDT	Estimated amount of compensation in BDT
P.1	Fruit Trees by category			
1	Big	752	10613	7,980,976
2	Medium	1192	4796	5,716,832
3	Small	1579	1960	3,094,840
4	Plant	5517	70	386,190
	Sub-total			17,178,838
P.2	Timber by categories			-
1	Big	722	16455	11,880,510
2	Medium	1589	7474	11,876,186
3	Small	3552	2853	10,133,856
4	Plant	1831	49	89,719
	Sub-total			33,980,271
P.3	Medicinal trees and leafs			-
1	Big	11	17667	194,337
2	Medium	19	7458	141,702
3	Small	39	2884	112,476
4	Plant	50	35	1,750
	Sub-total			450,265
P.4	Banana trees			
1	Big	292	564	164,688
2	Medium	203	320	64,960
3	Small	165	179	29,535
4	Plant	128	37	4,736
	Sub-total			263,919
P.5	Bamboo	3124	260	812,240
	Total of P			52,685,533
	Total (in million BDT)			52.69

Source: Census & IoL and Property Valuation Survey, 2013 & 2014

Table 51: Estimated Amount of Compensation for Trees on Government Land

Sl. No.	Category of trees	Quantity in No.	Rate in BDT	Estimated amount of compensation in BDT
G.1	Fruit trees by category			
1	Big	667	10613	7,078,871
2	Medium	1237	4796	5,932,652
3	Small	1588	1960	3,112,480
4	Plant	1355	70	94,850
	Sub-total			16,218,853
G.2	Timber by category			-
1	Big	125	16455	2,056,875
2	Medium	542	7474	4,050,908
3	Small	1095	2853	3,124,035
4	Plant	22748	49	1,114,652
	Sub-total			10,346,470
G.3	Medicinal trees and plants			-
1	Big	8	17667	141,336
2	Medium	27	7458	201,366
3	Small	30	2884	86,520
4	Plant	15	35	525
	Sub-total			429,747

Sl. No.	Category of trees	Quantity in No.	Rate in BDT	Estimated amount of compensation in BDT
G.4	Banana trees			-
1	Big	1067	564	601,788
2	Medium	1035	320	331,200
3	Small	914	179	163,606
4	Plant	836	37	30,932
	Sub-total			1,127,526
G.5	Bamboo	3259	260	847,340
	Total of G			28,969,936
	Total (in million BDT)			28.97

Source: Census & IoL and Property Valuation Survey, 2013 & 2014

4. Market Value of Crops/Fish

195. The budget for compensation of standing crops and fish stocks has been estimated based on a fixed rate for total crop land and pond/low lying area. It is standard practice in Bangladesh for calculating crop compensation on the basis of per decimal rate 400/- taka. For fish compensation the rate is 1000/- per decimal. The standing crops and fish stock values of the three sections of the Project areas are presented in Table 52. The total estimated amount for crop and fish compensation is BDT 4.05 million.

Table 52: Estimated Amount of Compensation for Standing Crop and Fish

Sl. No	Category of loss	Quantity in No.	Rate in BDT	Estimated amount of compensation in BDT
D	Compensation for crop production @ BDT 400/-decimal in the case of cultivated area	5164	400	2,065,600
E	Compensation for fish stock @ BDT 1000/-decimal in the case of cultivated ponds /water bodies	1988	1000	1,988,000
	Total			4,053,600
	Total (in million BDT)			4.05

Source: Census & IoL and Property Valuation Survey, 2013 & 2014

D. Provision for Resettlement and Rehabilitation Allowances and Assistance

196. In accordance with the resettlement and rehabilitation assistance plan all displaced households and persons will be compensated with different compensation packages and additional resettlement assistance. The packages have been revised and additional new packages included based on the Rapid assessment survey conducted in May 2014. The allowances and benefits have been considered to support the relocation and rehabilitation of the affected persons both in rural and urban areas. . The displaced persons will be able to receive:

- i. Transfer grant for moving structure
- ii. Reconstruction grant
- iii. Shifting grant for moving household and commercial materials and belongings
- iv. Reconstruction grant to rebuild residential/commercial structure
- v. New connection/reconnection assistance
- vi. Moving grant for Renters
- vii. Allowance for loss of income
- viii. Allowance to re-establish business/enterprise
- ix. Allowance for loss of income from agricultural land and ponds
- x. Allowance for loss of rental income from residential/commercial structures.

- xi. Assistance for vulnerable Households
- xii. Assistance to Female-Headed Households
- xiii. Livelihood Restoration Program
- xiv. Special relocation grant for CPR

Table 53: Estimated Amount of Allowance and Grant

Sl. No.	Category of loss	Quantity in No.	Rate in BDT	Estimated amount of Compensation in BDT
1	Transfer Grant per affected household losing residential and commercial structures	1358	8000	10,864,000
2	Reconstruction Grant per affected household losing residential and commercial structures	1358	9800	13,308,400
3	Moving Grant for tenants	321	1,500	481,500
4	Compensation for fruits trees		30% of 33,397,691	10,019,307
5	Allowance for loss of rental income	130	3,000	390,000
9	Rental assistance for both residential and commercial tenants	321	6000	1,926,000
10	Allowance for loss of income for business owners, employees and wage earners	721	19,500	14,059,500
11	Allowance for loss of income	524	30,000	15,720,000
12	Allowance for loss of income from agricultural land	701	5200	3,645,200
13	Allowance for loss of income from pond	5	4600	23,000
14	Special Grants for CPR	56	16000	896,000
15	Re-connection assistance for gas supply services	14	12000	168,000
16	Re-connection assistance for electricity supply services	1358	7000	9,506,000
17	Re-connection assistance for water supply services	408	5000	2,040,000
18	Re-connection assistance for sewerage services	666	5000	3,330,000
19	Assistance for vulnerable households	274	8200	2,246,800
20	Assistance for female headed households.	64	10000	640,000
21	Livelihood improvement program	591	16,000	9,456,000
	Total of allowance and grants			98,719,707
	Total (in million BDT)			98.7

XI. INSTITUTIONAL ARRANGEMENTS FOR RP IMPLEMENTATION

A. Introduction

197. The Bangladesh Railway under the Ministry of Railways (MoR) is representing the Government of Bangladesh as the Executing Agency of the Project. BR will establish a Project Implementation Unit (PIU) for the implementation of the Akhaura-Laksam Project. . It is mandated to undertake steps, as per the guidelines of the MoR and advice of the Government, to secure required funds both from external and internal sources for the implementation of the Project. This chapter outlines the institutional arrangements for implementation of RP for Akhaura-Laksam Project.

B. Present Institutional Framework of Bangladesh Railway

198. Bangladesh Railway is run by expert professionals recruited through the Bangladesh Public Service Commission. It is headed by the Director General who is supported by the Additional Director Generals at the Headquarters. The Additional Director Generals are responsible for different sectors. In addition to this Headquarters level officials there are two General Manager at two zones – East and West Zones. This set up is permanent. Moreover, there are Project levels Project Management Units (PMU) who are responsible for running the Projects. For instance, the Tongi-Bhairab Double Line Project or Laksam – Chinke Asthana Double Line Project are run by the respective Project Directors. Under their control, there are officials who are responsible for the Environmental and Social Affairs. At present, there is no specific Environment and Social Unit at the Headquarters for management and supervision of environmental and resettlement aspects in Project planning, development and implementation.

C. Institutional Framework for RP Implementation

199. The Project Implementation Unit (PIU), headed by a Project Director (PD), will be set up within the BR HQ for execution of the Project. A Resettlement Unit (RU) will be established within this PIU at the Project level, which is responsible for implementation of the RP in terms of compensation disbursement and resettlement of the Project affected peoples including livelihood restoration in the process of construction of the railway and resettlement of the APs. The RU will have two field offices headed by resettlement Officers (ROs), one in each district to make it more accessible to the affected persons.. The ROs will have other staff at their respective field offices (e.g. Sub Assistant Engineer). The PD will ensure the land acquisition with assistance from Land Acquisition Offices (LAOs) of respective districts and the RO. The PD will take assistance from the DCs of Comilla and Brahmanbaria for acquisition of land for the Project.

200. At the corporate level, BR will take initiative to establish an Environment and Social Development Unit (ESDU) to implement and monitor safeguard activities and thus enhance its own capacities in safeguard management. The ESDU to be established will be led by a Chief/Deputy Chief Engineer level officer of BR at the HQ. The Unit will be staffed initially by specialists (1 Environment Specialists, 1 Resettlement Specialists,) headed by a Safeguard Manager recruited from the market for the RCIP Projects.

201. The Project Director of Akhaura-Laksam Double Line Project will appoint and mobilise an experienced Implementing NGO (INGO) for designing and implementing the resettlement activities including the income and livelihood restoration programme. The RU, under the overall responsibility of the PD, will undertake day to day activities with the INGO. The RU will

coordinate land acquisition, manage resettlement and rehabilitation of the APs, disburse resettlement grants, and ensure APs' access to development programmes. The RU will carry out the following specific tasks relating to RP implementation:

- Liaison with district administration to support land acquisition and RP implementation activities;
- Discharge overall responsibility of planning, management, monitoring and implementation of resettlement and rehabilitation programme;
- Ensure availability of budget for all activities;
- Synchronise resettlement activity and handover land with construction schedule;
- Develop RP implementation tools and form necessary committees;
- Monitor the effectiveness of entitlement packages and payment modality.

202. The appointed Implementing NGO will set up at least three field offices, carry out information campaign and involve affected persons including women in the implementation process from the very beginning. Special attention will be given to the squatters and informal settlers affected by the Project for relocation and re-establishment of businesses. The INGO will collect, collate, computerise and process data for correct identification of eligible persons for resettlement benefits and assess their entitlements as per the RP policy. The CRO in charge of the land acquisition and resettlement management will report to the PD. He/she will work in close coordination with the respective field-based offices and INGO on the day-to-day activities of the resettlement implementation. The draft Terms of Reference (ToR) for engaging the INGO is appended in Annex 10.

D. The Organisational Set up of the RU

203. The PD is the head of the PMU and will supervise the work of RU in the Project. . An Additional Chief Engineer will be head of RU. Under his control Executive Engineers, Deputy Director, Assistant Engineer, Assistant Director, Computer Programmmer, Accountant, Data Entry Operator etc. will work. A detail organogram is given herewith (Figure 10).

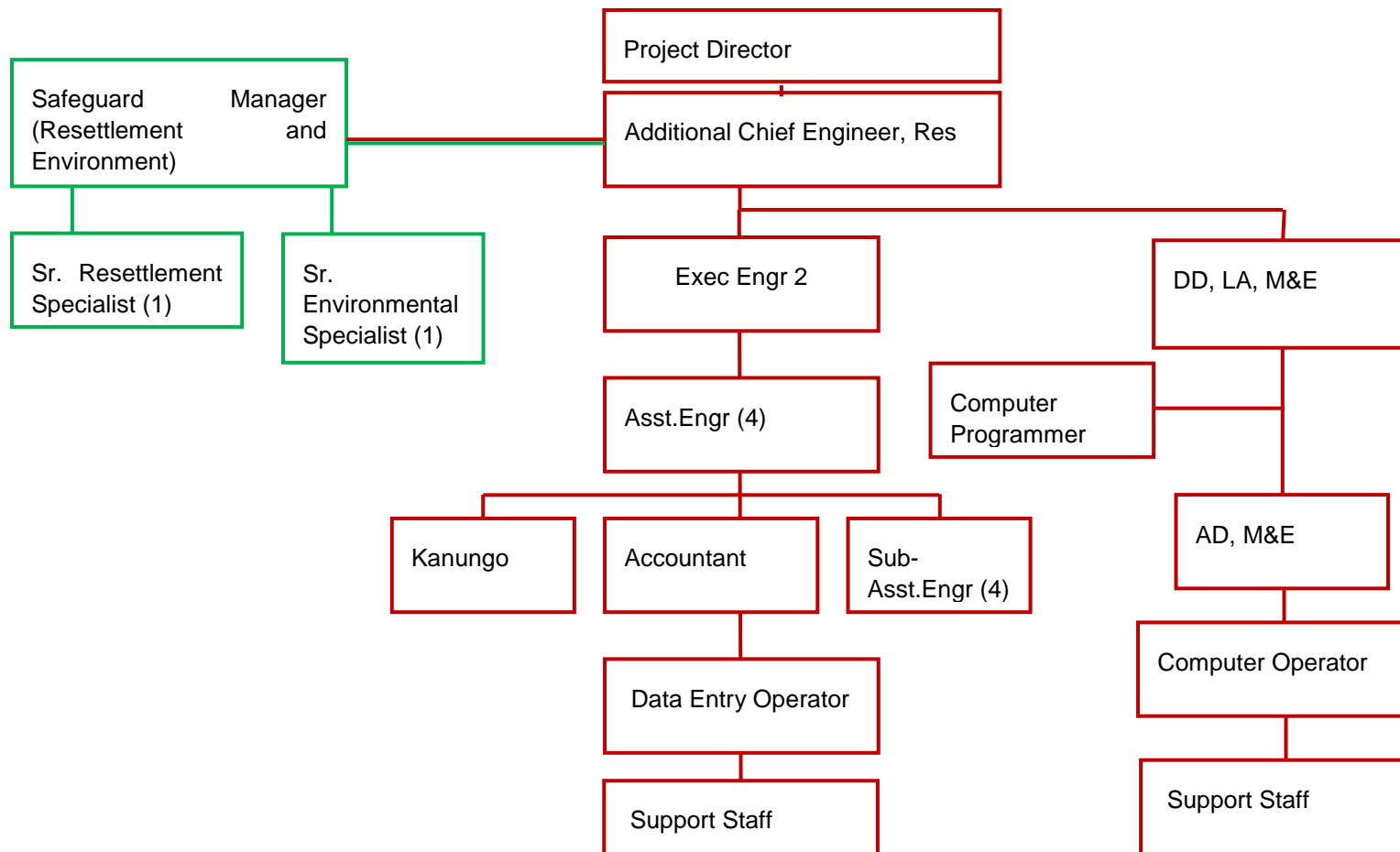


Figure 10: RU's Organisational Structure

E. Roles and Responsibilities of the Project Management and Resettlement Units

1. Role of the Project Director

204. The Project Director (PD) is the chief executive of PMU - BR. The PD is responsible for necessary policy, administrative and financial decisions and actions for effective and timely implementation of the Project as per the approved policy and implementation arrangements. PD may delegate his/her power through the Additional Chief Engineer, heading RU for overall management & implementation of the Resettlement Plan (RP) and Public Consultation and Participation Plan (PCPP).

2. Role of Resettlement Unit (RU)

205. BR-RU will be stationed at the BR headquarter in Dhaka. Depending upon the length of the Project the number of field offices will be more than one or two. In this Project of 72 km length there may be two Executive Engineers in the field. The role of the RU will be generally:

- Overall planning, management and monitoring of the Land Acquisition Plan (LAP), Resettlement Plan (RP), Public Consultation and Participation Plan (PCPP) and Income and livelihood Restoration Programme (ILRP).
- Synchronisation of resettlement activities with the construction schedule of the Project;
- With the help of consultant/INGO design and set up necessary computer and software facilities necessary for preparation of ID cards, automated loss, entitlement and payment files of individual EPs so as to effectively monitor and evaluate RP implementation;
- Ensure that all eligible persons are identified, provided with their respective entitlements (as per to the resettlement policy/package) and are relocated/resettled as per the implementation schedule, on time, with minimum hardships;
- Liaise with the DCs' offices for the timely acquisition of land required and payment of compensation and ensure that these activities are completed as per the planned schedule;
- Ensure that all APs are informed about their entitlements and provided with ID cards as a proof of their eligibility to resettlement benefits;
- Form Grievance Redress Committee (GRC) and ensure their smooth functioning, including disposal of grievances;
- Monitor the effectiveness of entitlement packages and delivery mechanism and, if necessary, propose modifications to BR management;
- Prepare Terms of Reference (ToR) for Resettlement Implementing NGOs/Agency (INGO) and other agencies that are to execute specific components of resettlement implementation on behalf of the BR –RU
- Select and appoint such agencies to implement and monitor progress and take remedial action against slippages.
- Prepare monthly and quarterly progress reports for BR Management as well as the Co-financier;
- Prepare Terms of Reference (ToR) for a "Post Resettlement Survey" as well as select and appoint appropriate agency to execute these survey(s).
- Propose to BR any remedial action needed, based on the Post Resettlement Survey results,

- Payment of additional grant for replacement land purchase, house/business reconstruction grant, and dismantling and removal assistance and all other assistances in cash or kind, as stipulated under the resettlement policy, to all the eligible APs;
- Propose establishment of PVAC to determine realistic replacement costs of Land, Structure, Trees and crops and accordingly recommend prices/rates for all types of losses incurred by the APs;
- Update, if required, the Land Market Survey to determine the replacement cost of land in and around the Project area Identify and plan resettlement measures for EPs who have already vacated their lands;
- Arrange afforestation programmes on BR surplus land, rail sides and embankments and in host areas, with the help of Forest Department and/or NGOs, involving poor & vulnerable APs;
- Negotiate with Construction Contractors for providing preferential employment to APs in the construction activities;
- Study and monitor unforeseen adverse effects during and after construction and take necessary mitigation measures;
- Liaise with other Government and non- Government agencies in the country, on matters of mutual interest, related to resettlement.

3. RU – Role of the Additional Chief Engineer (Resettlement)

206. The ACE (Resettlement) will be the head of the RU in BR and will work under the overall guidance and supervision of the Project Director/ Director General. The ACE – Resettlement will be directly responsible for executing all tasks assigned to the RU and any other tasks assigned to him/her by the DG/PD from time to time. The ACE-Resettlement will be assisted by the Deputy Director, Executive Engineers and four Assistant Engineers for management of the resettlement operations.

207. The ACE-Resettlement, as the head of the resettlement unit, will be responsible for:

- Preparation of job descriptions of Deputy Directors/Assistant Directors, delegate tasks, responsibilities and powers to them, supervise and monitor their work;
- Plan, organise and manage the implementation of Land Acquisition Plan (LAP), Resettlement Plan (RP), Public Consultation and Participation Plan (PCPP) and Income and livelihood restoration programme (ILRP) in consultation with other participating agencies and in accordance with the agreed time schedule.
- In consultation with the PD/DG and the GoB carry out negotiations and deploy NGOs and other participating agencies, contract specific tasks and activities with them and ensure that these agencies carry out and complete activities as per the agreement with BR and within the agreed time schedule;
- In consultation with the PD/DG and GoB, negotiate and finalise contract with banks, financing and micro-financing institutions, operational modalities of credit schemes, implement that as part of the resettlement programme and ensure that such arrangements and agreements are working;
- Identify and bring to the notice of the PD/DG – any policy, administrative or financial actions that are necessary at the Government level for smooth implementation of RP;
- Ensure that the funds necessary for carrying out resettlement activities in the field are released to field officers, INGO and other agencies (as assigned with

resettlement tasks) on time and such activities are carried out without any administrative hindrances;

- Closely monitor the implementation of LAP, PCPP and ILRP and propose modification/improvement to BR and to the Co-financiers, as necessary;
- Submit comprehensive periodic progress reports to BR Management and through them to GoB and the Co-financiers.

208. The ACE-RU will also have full administrative and financial powers to manage the resettlement programme in all matters including the following:

- i. appointment of work-charged staff, up to certain levels, with prior sanction of the post. (In the case of recruitment, promotion, transfer and disciplinary action against staff, normal rules of the Government will be followed);
- ii. administrative control of all officers and staffs of the RU, and
- iii. will exercise the full financial powers in following matters related to resettlement Project/Unit, subject to availability of fund and with PCP/PP provision the ACE-RU:
- iv. Regarding finalisation of tenders of resettlement Project, the PD will form tender evaluation committee(s) in line with the GoB procurement policy and process the selection and award.
- v. All kinds of bills related to the resettlement programme will be finalised and approved by the ACE-RU and payments will be made through cash/check by RU Accounts section. The Resettlement Project Accounts section will assist ACE-RU in the process of finalisation and approval of these bills. For reconciliation of accounts, a quarterly meeting will be held with Resettlement Accounts section and BR Accounts Dept. the same will also be audited annually.
- vi. Salary and allowance of officers and staffs either deputed or recruited in RU will be prepared and passed by ACE-RU.
- vii. Specific civic amenities in host areas as per the design plans.

4. Role of Executive Engineer - Resettlement

209. Executive Engineers will be the field level-implementing officers of the Resettlement Unit responsible for field level coordination of the resettlement operation in Project area. The RU-field Offices will be located at Project sites shall have the responsibility for the overall implementation of all field level operation related to resettlement.

210. The key functions of the Executive Engineer at the field office level would comprise of the following:

- Issuance of ID Cards to all eligible persons (EP);
- Provide necessary assistance for purchase of replacement land;
- Ensure that all EPs are relocated on time and are provided with the Transfer Grant in cash and or in kind;
- Identify eligible EPs who need to be allotted plots at resettlement sites and Commercial areas;
- Organise grievance redress committee meetings;
- In consultation with DC and local leaders, organise meetings in host area villages to persuade and encourage the host population to provide replacement lands and settlement sites to APs;

- Sanction and provide various cash grants planned under the RP to entitled persons and ensure that these grants are made available as per the system defined in the RP;
- Selection of homestead losing EPs for temporary settlement on "KHAS LAND" or surplus land (only in addition to their other entitlement);
- Provide hard copies of draft and final EP file, EC and Payment Statement to respective EPs

5. Role of Deputy Director – LA, M&E

211. DD– LA, Monitoring and Evaluation (M&E) will be responsible to maintain the database of the entire resettlement operations covering RP. DD will be assisted by a trained computer programmer who will manage the database using software that will allow quick verification and assessment of the status of compensation payment and other relocation benefits of individual households.

212. DD - LA, M&E will review the monthly progress report submitted by implementing NGO and verify the progress through field level investigations and consultation with the affected households.

213. The DD will be responsible for preparation of quarterly progress report for co-financiers on resettlement implementation based on monthly reports of INGO and field inputs. Moreover, he has following duties:

- To assist ACE in Implementation of RP with assistance from concerned agencies.
- To set up an electronic databank and document archive by the concerned agencies as the key source of information on all resettlement-related data for implementation and monitoring purposes.
- Monitoring and evaluation of RP to assist ACE in overall planning, management and monitoring of RP.
- Synchronisation of resettlement activities with the construction schedule of the Project.
- Liaise with DCs' Offices for payment of compensation as per the planned schedule.
- Monitoring the activities of NGO, RU field Offices, the effectiveness of entitlement packages and delivery mechanism and if necessary, propose modification to BR management.
- Assist ACE preparing terms of reference (ToR) for a post Resettlement survey.
- Supervise the activities of subordinates as Assistant Directors and other supporting Staff.

6. Functions and Powers of the Safeguard Manager

214. The Safeguard Manager will be part of development budget and he/she will be borne by the allocation of the Project and be appointed from the market. The Safeguard Manager will be head of the Safeguard Unit consists of Resettlement Specialist and Environmental Specialist. The Safeguard unit will assist the RU in discharging their duties. This unit will plan training programme for the officials of RU and other BR officials to enhance their capacity.

F. Roles and Responsibilities of Other Agencies involved in Resettlement Process

1. Roles of Deputy Commissioners' Office(s)

215. The Deputy Commissioner (DC) has a key role to play in land acquisition (LA) and R&R processes. He/she has the legal responsibility of acquiring land and paying compensation directly to the APs as per the Acquisition and Requisition of Immovable Property Ordinance, 1982 and subsequent amendments made thereafter. Furthermore, he/she has access to official records and the Legal/Administrative authority for title of land and eligibility of APs for Cash Compensation under Law (CCL) for land as well as for other assets, covered by the law.

216. Taking into account the additional land acquisition requirement of the Project, there is a definite need to enhance the capacity of the LAO section of the concerned DCs, by means of engaging additional senior LA staff, for efficient processing of LA requests.

217. The EA and the implementing NGOs, will work with the representatives of the DCs during the Joint Verification of affected properties and the market survey of the properties, for ascertaining the current replacement value, before budgeting the total compensation payable to the APs.

218. The DC offices will receive funds for CCL payment from BR and effect payment of CCL to the directly affected persons immediately, following issuance of notice under section 7 to facilitate quick disbursement of differentials, if any, by the BR. Participation of the DC will be necessary in the host area meetings. Similarly DC's intervention/assistance will be required in matters such as land requisition, disposal of land ownership disputes, allotment of khas land and other surplus land.

2. Role of Implementing NGO

219. It has now been generally recognised that the task of successfully implementing a RP requires special attitude, experience and skills in dealing with the grassroots level people, which are available among some reputed NGOs in the country. Therefore, it has been adopted as a Government policy to commission the services of such an NGO to assist in the implementation of this RP. The principal task of the implementing NGO would be to identify the Project affected households/business enterprises and persons relating to the enterprises, estimating their losses and dislocations, and processing their entitlement as per the packages. The next main task would be to assist BR in disbursing entitlements, which are outside the purview of CCL.

220. The INGO would also play an important role in addressing legitimate grievances of the APs and vulnerable groups. INGO would also undertake Income and livelihood restoration activities. (Refer to Annex 10 for Terms of Reference)

3. Role of Construction Supervision Consultants (CSC)/External Monitor

221. International and national resettlement specialists of the Construction Supervision Consultant (CSC) Team, acting on behalf of the Project and BR, will be responsible for the resettlement supervision, monitoring and evaluation for the implementation of land acquisition and resettlement; although there will be provision for internal monitoring of the RU of BR. As External Monitor, they will ensure that sound methodologies and practices are followed in the implementation of RP. The consultants will advise on any changes in the modalities of the implementation work, participate in meetings with the contracted agency/NGO and BR, and

monitor the work of the implementing NGO/agency in the field. The consultants will also review, on behalf of ACE-RU, the implementation progress report, submitted by the contracted NGO/agency, on a regular basis. The Consultant of the RU and the consultants of the DDC and CSC will work together to have a good result. The roles and responsibilities of the external monitoring are presented in Chapter 12: Monitoring and Evaluation as well as in Annex 9 for Terms of Reference.

G. Ministry of Railways

1. Resettlement Management Committees

222. The Ministry of Railways will form various committees (PVAC, JVC, GRC) through a gazette notification for implementation of the RP at field level. In a participatory manner, the committees will be formed with representatives of the BR, DC, LGI and APs. The committees will ensure stakeholder participation and uphold the interest of the vulnerable APs.

223. A Property Valuation Advisory Committee (PVAC) at the upazila level will be formed for determination of replacement market value of land and assets for compensation. A Joint Verification Committee (JVC) will be formed at each of the Union Parishads within the Project area to compare and review the physical verification data. A Grievance Redress Committee (GRC) for each union will be formed for addressing grievances of the affected persons in the resettlement process. Formation, roles and responsibilities and the mandates of the committees proposed are presented below:

224. Property Valuation Advisory Committee (PVAC): Given that compensation levels are often inadequate in reflecting RVs, it is necessary to form Property Valuation Advisory Committees (PVACs) to (i) provide guidance for the valuation of properties at replacement cost, and (ii) recommend the replacement value to the Government of Bangladesh (GOB) for approval. The Director General (DG)/Secretary, Ministry of Railway, will authorise the formation of PVACs in each of the upazilas covered by the Project. The PVACs, which should record proceedings of all their deliberations, shall comprise the following:

- Additional Chief Engineer (Resettlement), Convener
- Chairman, Upazila Parishad, Concern upazila (Member)
- LAO, Concern District (Member)
- Sub-Divisional Engineer, PWD, to be nominated by the Executive Engineer PWD, Concern District, (Member)
- Deputy Director (Resettlement), BR (Member-Secretary).

225. The Consultants will assist the PVACs by providing technical expertise in assessing the RVs for properties (land by type and mouza, structure by basic construction type, trees by broad species-type, and crops by type. Consultants will undertake consultations, as needed, with affected persons and host populations to obtain adequate information about property values, review, as needed, past reports on replacement value. For land, DDC will seek to reconcile those values with the land market survey data obtained under the census surveys conducted by the Concern Sub-Contractors.

226. The PVACs will review and verify, as needed, through additional field investigations, the replacement values assessed by type in all concern districts will be submitted to MOR for approval. The difference between CCL and RV will be paid by BR to the eligible persons (EPs)

with the assistance from the RP implementing NGO. A more detailed description of PVAC is in Annex 3.

H. Capacity Building for Resettlement Management

227. There is a need for an efficient organisational set-up for involuntary resettlement management. The key organisations/agencies responsible for implementation of RP involve:

- BR as the Executing Agency (EA) for the Project
- Deputy Commissioner(s) of the concerned districts
- Department of Fisheries, Forestry, Agricultural Extension, Cooperative, Upazila administration and Banks,
- Local Government Institutions like Upazila Parishad and Union Parishad which represents the APs in all forums in connection with land acquisition, resettlement and income and livelihood restoration;
- Experienced NGOs/Institutions/Consultants for assisting BR for RP implementation, income and livelihood restoration and need based surveys and services and internal monitoring; and
- BR is in the process of establishing a Safeguard Department within the permanent structure of the organisation with separate environmental and resettlement units.

228. Participation of these organisations/agencies is important to implement a time-bound (i) Land Acquisition Plan, (ii) Resettlement Plan, (iii) Public Consultation and Participation Plan and (iv) Income and Livelihood Restoration Programme. In order to build capacity of these bodies, specific terms of reference, legal/administrative authority, intensive training/orientation focusing on the tasks and responsibilities, are considered imperative.

229. Consultants stationed at the RU unit will conduct training on resettlement management for capacity building of the agencies (e.g., RU, DC/Local administration, and GRC members) for effective implementation of RP. The Consultant will also conduct briefing on RP and implementation issues with implementing NGOs prior to mobilisation and resettlement implementation.

230. The Consultant stationed with RU will conduct short-term resettlement management training and workshops involving related agencies and field staff dedicated to RP implementation. In addition, a set of operational guidelines and a handbook will be prepared to guide the field staff for consistent applications of the policies and practices.

I. Implementation Schedule

231. The RP implementation schedule is based on the principle that people affected by land acquisition and displacement due to vacating the BR and acquired land are paid their legal compensation and due resettlement benefits prior to relocation. In terms of compensation and relocation, the implementation will be synchronised with the construction plan with particular attention to make available land for the award of the first contract package. Therefore, implementation of the RP will begin prior to the commencement of construction/engineering works.

232. The key activities in the critical path for a timely implementation of the RP are: (i) securing the RP budget by BR; (ii) recruitment of the INGO. Other important activities are the

publication of the notice for land acquisition in order to launch the process of acquisition as well as setting up the PVAC in order to validate the valuation methodology and budget.

233. BR will initiate some advance actions such as the placement of resettlement unit staff for the headquarters and the field offices, formation of PVAC, JVC, GRCs, RACs and hiring of INGO for resettlement implementation etc. The PIU will provide adequate advance notification to the APs and will pay their due resettlement benefits, after payment of CCL by DC, including relocation and income restoration/assistance prior to start of construction work. Payment of compensation will be made prior to the actual possession of the acquired lands and removal of the structures from the RoW so that APs have sufficient time to dismantle and remove all salvageable material for rebuilding of houses and reestablishment of businesses.

234. As per the proposal efforts will be made to complete the RP implementation process in about five (5) years (55 months: July 2014 to December 2018) time including a margin of 6 months to redress any unforeseen situations or circumstances that may arise during the implementation. The INGO should be fielded simultaneously with the commencement of land acquisition. Step-wise activities will be followed for implementation of RP. The activities are presented in the implementation schedule. A tentative Implementation Schedule has been included in Figure 11.

No.	Activity	2014				2015				2016				2017				2018			
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
A	LAND ACQUISITION																				
1	Preparation of LAP and Submission to DCs																				
2	Land Acquisition Processing by DCs																				
3	Notice u/s 3, Joint Verification, Notice u/s 6																				
4	LA Estimate and Fund Placement with DCs																				
5	Payment of CCL																				
6	Transfer of Land																				
B	SOCIAL PREPARATION																				
1	Mobilisation of INGO in the field																				
2	Disclosure of RAP																				
3	NGO assistance to APs for CCL collection																				
4	Formation of PVAC/IVC/GRCs/RACs																				
5	Identification of EPs/Issuance of ID Cards																				
6	Determination of Entitlements																				
C	PAYMENT OF COMPENSATION																				
1	Coordinate with DC offices on land acquisition																				
2	Assist APs in the process of CCL collection																				
3	Prepare application for CCL collection for APs																				
4	Opening Bank Account by the APs																				
5	APs apply and receive CCL																				
6	APs approach and receive RV/AG for RV																				
D	RELOCATION																				
1	Payment of Transfer and Reconstruction Grants																				
2	Payment of other resettlement grants																				
3	Allotment of RS Plots																				
4	PAP mobilisation and relocation																				
6	Monitoring relocated households																				
E	GRIEVANCE REDRESS																				
1	Complaints from aggrieved APs																				
2	Review, Approval and Actions																				
F	MIS AND MONITORING																				
1	Design, Develop and Operate Automated MIS																				
2	Internal Monitoring																				
3	External Monitoring																				
G	IMPLEMENTATION OF ILRP																				
1	Needs Assessment survey by INGO																				
2	Develop/update ILRP																				
3	Implementation of ILRP																				
4	Monitoring ILRP Implementation																				

Figure 11: RP Implementation Schedule

XII. MONITORING AND EVALUATION

A. Introduction

235. The aim of resettlement of Project affected persons is to improve on or at least restore their social and livelihood resources at the pre-project level. The process of the RP implementation must ensure that the affected persons are able to regain their pre-project socio-economic condition. Therefore, monitoring of the process of implementation of the RP is designed as an important part of the overall functioning and management of the Project. It will ensure that inputs are provided, procedures are followed, and outputs are monitored and verified as per approved plan and schedule of actions. The monitoring and evaluation is a tool of the resettlement programme ensuring timely and fair delivery of entitlements and smooth implementation of the process. The M&E will enable the Project Implementation Unit (PIU) to get feedback from the field operatives to work out remedial measures to ensure achievement of targets within schedule. Achievement of the objectives of the M&E will enhance the delivery capacity of the PIU and maximise benefits to the affected persons and the host communities. Also an evaluation of the process and outcomes will enable Bangladesh Railway (BR) to identify lapses, procedural weaknesses, policy inadequacies and institutional problem to work out and implement remedial measures to achieve the desired goals and objectives of the Resettlement Plan (RP). The Safeguard Specialist in the CSC will monitor RP implementation and submit (i) semiannual resettlement reports (every six months after the beginning of the resettlement processes) and (ii) Resettlement Completion report (submitted within 30 days of the end of resettlement process). A TOR for external monitoring is in Annex 11.

B. Monitoring Tasks and Activities

236. Monitoring will be done both internally and externally to provide feedback to the BR and to assess the effectiveness of the RP policy and implementation. Internal monitoring will be carried out by the Resettlement Unit (RU) through their field offices and prepare monthly reports on the progress of RP implementation. The services of an external monitor are required to carry out the evaluation of the RP implementation. The Supervision Consultant will monitor its implementation and report on a quarterly basis to the PIU on the progress of resettlement activities covering monitoring activities in three consecutive stages of the process for RP implementation; preparatory stage, relocation stage and rehabilitation stage. The scope of M&E at these stages will be as follows:

C. Preparatory Stage

- Consultation with APs in the preparation of Resettlement Plan and their participation in the implementation process
- Establishment of resettlement unit
- Budget and fund management
- Requirement for further land acquisition
- Information dissemination on payments of entitlement
- The following key issue need to be monitored also during the preparatory phase:-
- Conduct of baseline survey
- Identify of APs and their numbers
- Identification of different categories of APs and entitlements of individuals
- Establish inventory of losses
- Valuation of different assets

- Fund delivery
- Information dissemination
- Institutional capacity assessment
- Implementation schedule and items of expenditure

D. Relocation Stage

237. Monitoring during the relocation stage covers such issues as assistance to APs (especially to vulnerable groups) in physically moving to the new sites. Attitude of the host population towards the newcomers and development of community life are the issues considered at this stage.

238. The key issue for monitoring will be:-

- Payment of compensation
- Delivery of entitlement
- Redressal of complaints
- Preparation of resettlement site
- Consultation
- Relocation
- APs who do not relocate
- Payment of resettlement benefit
- Income and livelihood restoration assistance

E. Rehabilitation Stage

239. Once affected persons are settled down at the new sites, the focus of monitoring will shift to issues of economic recovery programmes including income generating schemes (IGSs), acceptance of these schemes by the affected persons, impact of IGSs on their living standards, and the sustainability of the new livelihood options.

240. The key issue for monitoring will be:-

- Start of income generation activities
- Provision of basic local facilities and essential facilities in the relocated area
- Public consultations
- Assistance to enhance livelihood and quality of life

F. Monitoring and Evaluation Indicators

241. Fulfillment of the RP policy and targets in the implementation process will be monitored through setting up indicators. The vital indicators to be monitored will include the contents of the activities and entitlement matrix. The RP contains a set of indicators for achievement of the objectives under the resettlement programme (Table 54). These indicators shall be assessed for the implementation process, outcomes and impacts.

Table 54: Monitoring and Evaluation Indicators

Type	Examples of Indicators
Process Indicators	<ul style="list-style-type: none"> - Funds for land acquisition obtained - Notice for land acquisition published - INGO recruited and operational - Resettlement Unit (RU) established and operational - External Monitor recruited and operational - Grievance redress mechanism in place and operational - Final RP brochures disseminated among APs - RP disclosed in local BR and administrative offices as well as on BR's website. Assessment for and design of livelihood restoration program conducted - Number of consultation meetings held - Semi-annual monitoring reports and completion report submitted - Amount of RP budget disbursed
Outcome Indicators	<ul style="list-style-type: none"> - Number of PCR relocated - Number of affected households that received compensations for land - Number of households that received compensation for structures - Number of households that received relocation assistance - Number of vulnerable households who receive additional assistance - Number of women head of households who received additional assistance - Number of households who got new land titles re-issued - Types of skills trainings and number of participants for each type - Number of persons who received assistance from INGO for identifying new relocation sites - Number of complaints registered, resolved and unresolved - Capacity-building activities for BR staff conducted
Impact Indicators	<ul style="list-style-type: none"> - Number of affected persons who purchased replacement agricultural land - Number of affected persons who re-established their businesses - Number of persons renting land/structures from private owners - Number of affected persons who relocated on BR land - Average income of affected person - Number of affected person below the poverty line - Share of affected households satisfied with resettlement process

G. Monitoring Arrangements

1. Internal Monitoring

242. The first two types of indicators related to process and outputs will be monitored by RU/PIU internally. They will gather information through their field level officers from the Project sites and incorporate in the form of monthly progress report to assess the progress of RP implementation and adjust the work plan, where necessary, in case of delays or difficulties.

243. The specific activities under RP implementation that will be monitored internally by RU/PIU are the following:

- Discussion with the affected persons (Land APs, Non land APs) on individual entitlements and compensation packages
- Status of land acquisition and payment of land compensation
- Compensation for affected structures (homestead, shops) and other assets of APs
- Payment for loss of income

- Income restoration activities

2. External Monitoring

244. As mentioned above, external monitoring is required to carry out evaluation of RP implementation. The external monitoring will be carried out by CSC Safeguard Specialist on a bi-annual basis. . Mid-term and final evaluations will also be undertaken to assess the achievement of the RP objectives against the impact indicators, with particular attention to the following: :

- Review and assessment of the overall implementation performance and the quality of resettlement operations
- Verification of the measures and restoration and/or enhancement of the Project affected peoples' quality of life and livelihoods in post rehabilitation phase
- Assessment of the quality of implementation and lessons learned

H. External Monitoring Activities

245. The RP identifies the following activities for the expert monitoring. Refer to Annex 11 for Terms of Reference:

- Review of internal monitoring procedures and reporting to determine whether the activities are being undertaken in compliance with the RP;
- Review of internal monitoring records as a basis for identifying any areas of noncompliance, any recurrent problems, or potentially disadvantaged groups or households;
- Review of objection records for evidence of significant non-compliance or recurrent poor performance in resettlement implementation;
- Discussion with the PIU and others involved in land acquisition, compensation disbursement or livelihood restoration to review progress and identify critical issues;
- Assess overall fulfilment with the RP requirements and to prepare a summary compliance report for the BR on resettlement progress, any issues arising and any necessary corrective actions.

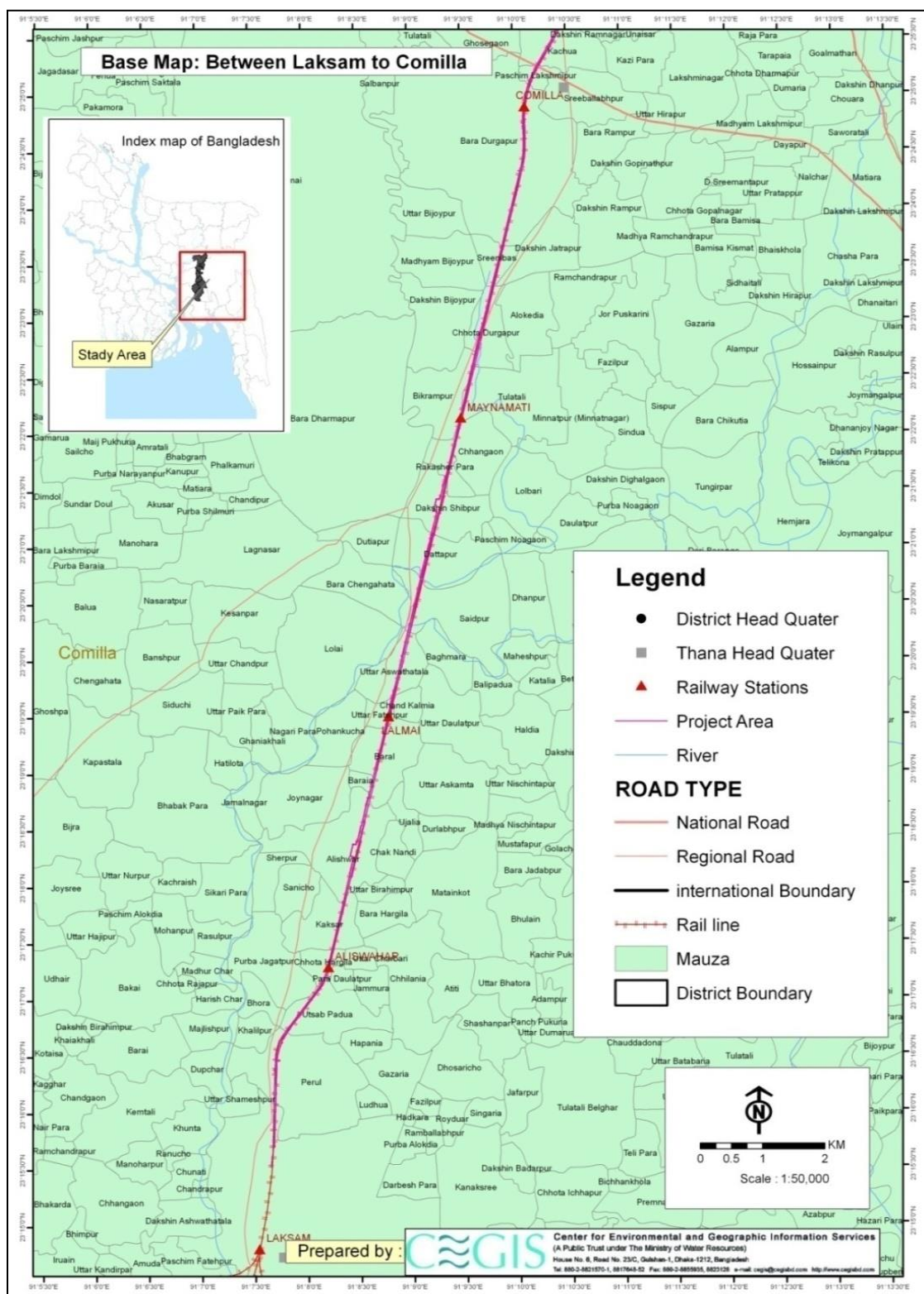
I. Reporting Arrangements

246. The INGO will prepare monthly progress report (MPR) highlighting progress, issues, constraints, targets for every month. The Supervision Consultant will monitor implementing progress and submit quarterly progress report (QPR) of RP to the PD. These reports will closely follow the involuntary resettlement monitoring indicators agreed at the time of Resettlement Plan approval. Project Director, responsible for supervision and implementation of the RP, will review the MRPs and QPRs and prepare biannual monitoring reports that describe the progress of the implementation of resettlement activities and any compliance issues and corrective actions, then submit biannually to ADB for comments. The benefit monitoring and evaluation exercise will be included in these reports to ascertain whether the APs have been adequately benefited by various. Project assistance provided so as to enable them to regain their pre-project level standard of living and/or further improve their social and economic conditions. The costs of internal and external monitoring requirements are included in the Project budget. Table 55 provides details on the contents and timing of various progress monitoring reports.

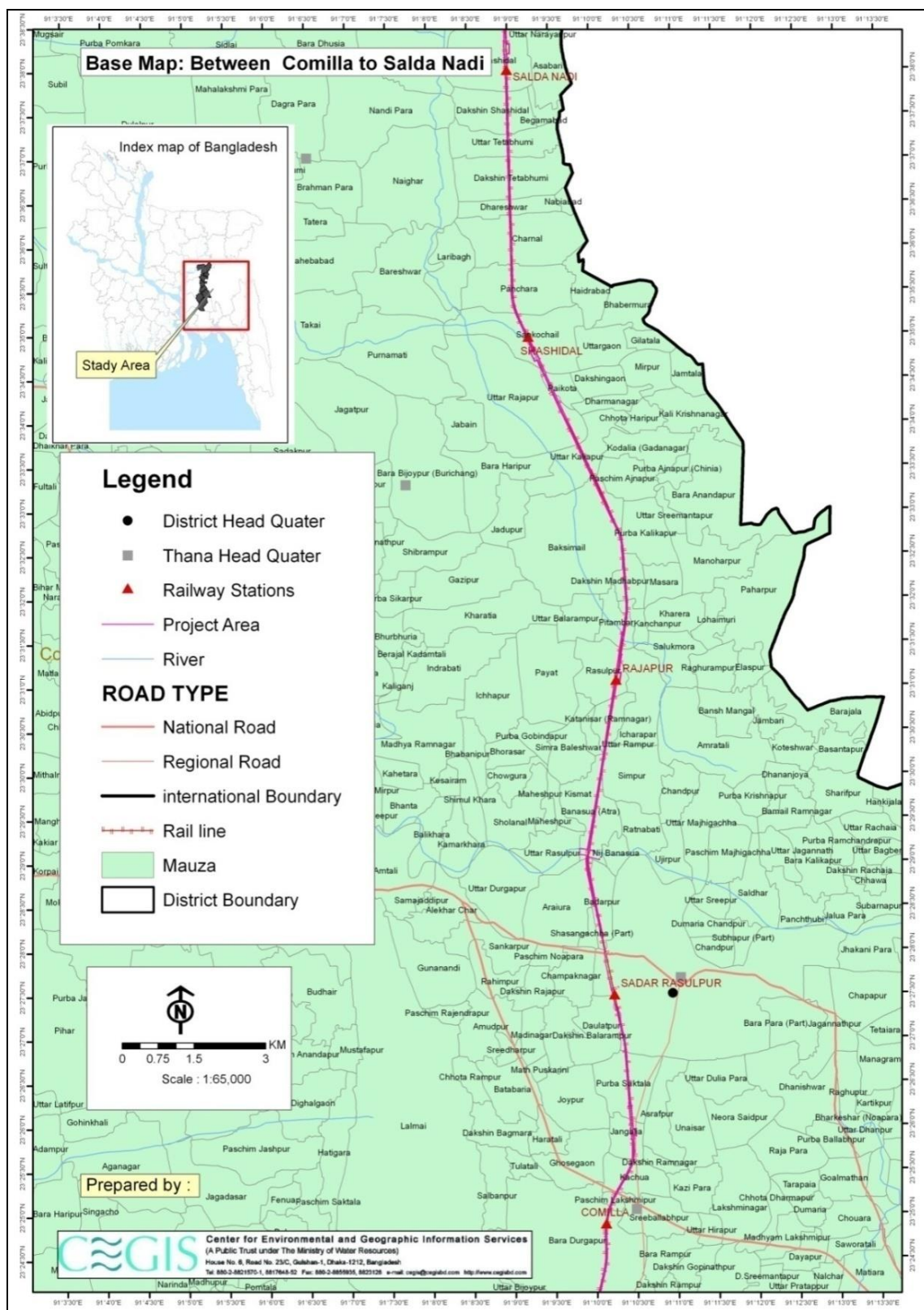
Table 55: Reporting Arrangements

Activity	Content	Timeline	Responsibility
Monthly Progress Report	Narrative as per 'Monitoring Plan Format' giving details on activity, results, issues affecting performance and variance if any and reason for same and corrections recommended	Submitted within 10 days of the next month	INGO
Quarterly Progress Report	Progress, issues, with regard to payments of compensation, and other assistance, review of expenditure vs. budgeted amount by budget heads and sub heads; recommendations	Submitted within 20 days of end of each quarter	Resettlement Specialist
Biannual Progress Report	Narrative as per monitoring programme on R&R issues in the RP	Submitted within 30 days of the end of half year	CSC Safeguard Specialist
Resettlement Completion Report	Achievement of Resettlement Objectives, changes in original resettlement plan, impacts and areas for improvement	Submitted within 30 days of the end of the resettlement process	CSC Safeguard Specialist
Final Report	Project achievements, failures and impacts	Submitted within 90 days of end of the Project	PIU

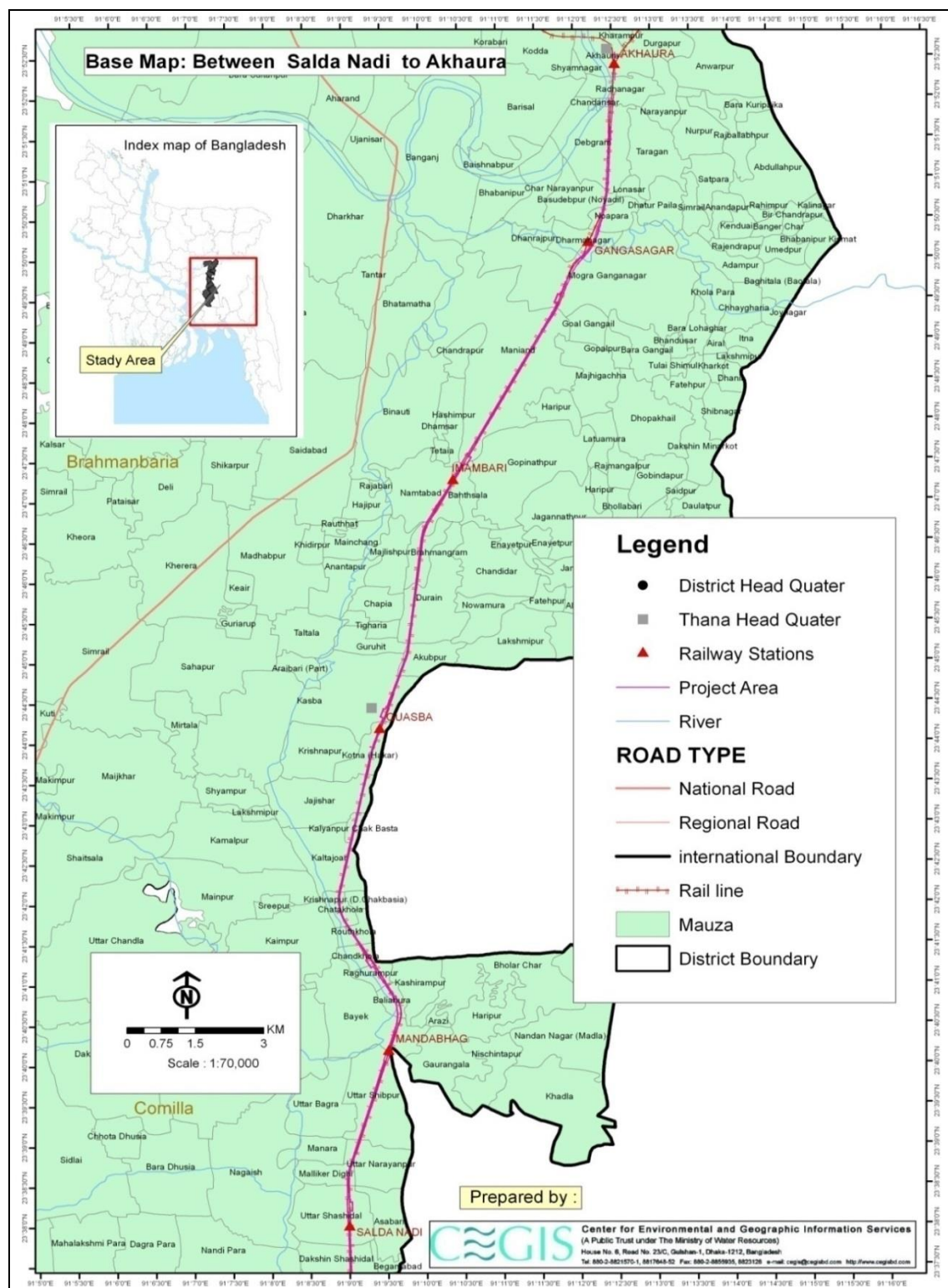
Annex 1: Base Maps of three Sections of the Project



Map-A1.1: Laksam to Comilla Section



Map-A1.2: Comilla to Salda Nadi Section



Map-A1.3: Salda Nadi to Akhaura Section

Annex 2: Property Valuation Report – Summary

A. Background

1. The construction of the Akhaura-Laksam Double Track Project (the Project) requires land acquisition resulting loss of agricultural land, residential/commercial structures, trees, crops and other immovable assets from the acquired land. Due to inadequate compensation for acquired assets by under the 1982 Ordinance II, a study on current market price (CMP) of various assets was conducted for payment of compensation at replacement costs as required by ADB and EIB – the cofinanciers of the Project. This note presents a summary of the study report. The CMP so determined will be applied to assets owned by both titled and non-titled persons. It summarizes CMPs and replacement values for all properties to be affected by acquisition. The full report is available with BR.

B. Objectives of CMP Assessment

2. The key objective of assessment of CMP for affected properties is to prepare cost estimation for indicative budget in Resettlement Plan implementation. The specific objectives are to:

- Assist the Property Valuation Advisory Committee (PVAC) in recommending replacement value of affected assets; and
- Ensure determination of full replacement value of the properties lost to the Project.

C. Methodology of CMP Assessment

3. The current market price has been assessed through a land and property valuation survey using a structured questionnaire from a cross-section of informed and knowledgeable persons about prices of land, structures, trees and other assets in the project area. The recorded and actual transacted price of the land was also considered during determination of the current market prices of land. The replacement value (RV) of the affected land includes stamp duty and registration costs @ 7.5% of the land price. This calculation has been drawn from the Padma Bridge Project and considered actual cost incurred for land registration. Selected people, such as potential buyer or seller of land, deed writer, religious leader, teacher, etc. were interviewed for assessing current market prices of land. Some of the actual transacted price of land was also collected during property valuation survey. Further, mouza rates for the affected land were collected from local sub registrars' office. These rates were averaged to reach mouza wise rate for each category of land and further averaged for determining project wise rates.

4. For structures, people involved with the businesses of rod, cement, wood, bamboo, CI sheet, etc. were consulted to obtain the actual price of housing materials and cost of particular categories of affected structures. The CMP for affected crops has been determined based on the secondary information collected from Department of Agricultural Extension (DAE) and Marketing Department. The compensation assessed by the Deputy Commissioner (DC) for trees, crops and fish through various concerned departments/agencies usually represents the current market price. So, additional compensation on top of DC's payment may not require for trees, crops and fish in this Project.

5. Assessment of current market price for these assets is always a challenging task and may be done in many ways. The rates recommended will be reviewed after DC payments are

made, because CCL will provide the basis for the differences and determine the top up payments. The experience of Tongi-Bhairab Double Line Project and the Padma bridge Project will be considered in finalizing the rates by PVACs.

D. CMP for Various Categories off Land

6. According to the land acquisition law and practice of Bangladesh, the category of land will be determined by the Deputy Commissioner of the respective district. Preparation of the compensation and resettlement budget, category of the affected land in the Project has been estimated as per the recommended value of this study to that there is no short fall money for payment of compensation.

7. According to the field survey, about eight categories of land have been affected such as homestead, highland, cropped land, bamboo groves, orchard, pond, wet land, fallow land and others categories. Price of the land has been assessed based on current market price collected through questionnaire survey from different cross sections of the knowledgeable people. Average current market price of land per mouza has been further averaged to reach section wise unique rate for easy calculation of the budget. The estimated current market prices reported in this study are used for planning and budgeting purposes. PVAC, based on the study recommendations, will review, and verify through further field visits, if required, to finalize the rates and recommend the same to the executing agency for payments.

Table 1 Average CMP and mouza rate of land

Type of land use	CMP for the Project (BDT per decimal)	Mouza rate including premium (BDT per decimal)	Difference between CMP and Mouza rate (BDT per decimal)	Ratio
Homestead	334096	164378	169,718	100:103
High land	286980	140963	146,017	100:104
Agricultural or cropped land	124691	106238	18,453	100:17
Bamboo groves	178062	89285	88,777	100:99
Fruit or timber	210320	72447	137,874	100:190
Pond	170357	67227	103,130	100:153
Wetland	114369	65974	48,395	100:73

Source: Property Valuation Survey, 2013

E. CMP for Structures

8. The primary and secondary structures have been valued based on the replacement cost to be required for construction of a new one with same quality of materials. The primary structures have been broadly categorized in 5 different items such as *pucca* (concrete roof with brick wall and brick/earthen floor), *Semi-pucca* (tin roof with brick wall and brick/earthen floor), *Tin* (tin roof with tin wall and brick/earthen/wooden floor), *kutchha* (tin roof with wooden/bamboo wall and earthen/wooden floor) and *thatched* (straw roof with wooden/bamboo/straw wall and earthen floor). These five categories have been further sub-categorized into 17 items. Secondary structures have been valued in same way based on replacement cost. The knowledgeable persons including businesspersons of rod, cement, CI sheet, wood, bamboo, etc. were consulted during assessing the unit rate of the affected structures. Apart from these, replacement value of the structures assessed in recent development projects have also been taken into account in determining unit cost of affected structures. Average values of structures

collected from different persons were further averaged to fix the replacement rate for each category (see Table 2).

Table 2 Average structure rate (BDT) per square feet by category of structures

Sl.No.	Primary structures	Unit	Akhaura-Laksham
1	Pucca (Floor Pucca) (sft)	Sft.	2124
2	Pucca (Floor Katcha) (sft)	Sft.	1621
3	Semi Pucca (Floor Pucca) (sft)	Sft.	1171
4	Semi Pucca (Floor Katcha) (sft)	Sft.	1014
5	Tin Made Double Barreled house (Floor Pucca) (sft)	Sft.	785
6	Tin Made Double Barreled house (Floor Katcha) (sft) (sft)	Sft.	510
7	Tin made House with only one slanting roof (Floor pucca) (sft)	Sft.	703
8	Tin made House with only one slanting roof (Floor Katcha) (sft)	Sft.	412
9	Kacha double barreled (sft)	Sft.	338
10	Ktacha house with only one slanting roof (sft)	Sft.	254
11	Thatched (sft)	Sft.	131
12	House with only polythin made roof (sft)	Sft.	34
13	House with only one slanting tin roof without wall (sft)	Sft.	150
14	House without roof (Floor & wall pucca) (sft)	Sft.	700
15	House with only pucca roof (without wall & floor) (sft)	Sft.	500
16	House under construction (sft)	Sft.	700
17	House with polythen made roof and Tin made wall (Floor katcha) (sft)	Sft.	131

Source: Property valuation survey, 2013

9. If the market price, to be determined by the DC, is lower than the replacement value assessed by property valuation advisory committee (PVAC), the additional amount will be paid by the BR through INGO.

Secondary Structures

10. Table 3 presents rates for average secondary structure as per the CMP.

Table 3 Average secondary structure rate (BDT) in square feet

Sl.No.	Primary structures	Unit	Akhaura-Laksham
1	Tube-well (no.)	No.	12696
2	Deep tube-well (no.)	No.	50000
3	Sanitary Latrine (no.)	No.	45002
4	Slab Latrine (no.)	No.	3339
5	Katcha Latrine (no.)	No.	1576
6	Boundary wall (5") (rft.)	rft.	974
7	Boundary wall (10") (rft.)	rft.	1654
8	Tin made boundary wall (rft.)	rft.	416
9	Shahid Minar (rft.)	rft.	1654
10	Grill (rft.)	rft.	1000
11	Drain (rft.)	rft.	838
12	Gate (rft.)	rft.	1000
13	Gas line (rft.)	rft.	250
14	Water pump (rft.)	rft.	16000
15	Water tank (cft.)	cft.	350
16	Pillar (No.)	No.	1000
17	Brick built stair in pond (sft.)	Sft.	2000

Source: Property valuation Survey, 2013

F. Price of Trees

11. Affected trees have been broadly classified into 04 categories irrespective of species such as big, medium, small and sapling. Classification of the trees has been done in same manner in other development projects including Padma Bridge project. Even the considerable factors for determining category of trees (big, medium, small and sapling) also found similar in many projects. In this report, some project experiences such as Road Sector Reform Project, Padma Bridge Project, Paksy Bridge Project, etc have been considered the category (size) of tree with species wise current market price (CMP) of all affected trees has been assessed based on the property valuation survey result. The rate of trees used in recent development projects implemented in the region has also been consulted. Official rate of Department of Forest for each species of trees will be ultimately established for payment of compensation by the Deputy Commissioner.

12. Current market prices of the trees have been assessed based on valuation survey conducted with structured questionnaire. The prices of different species of trees taken from various respondents have been averaged to reach into CMP. Species wise rate of different categories of trees has been annexed with this report. Prices of trees vary depending on the size of trees (big, medium, small and sapling) and geographic location. Average market price of trees obtained from the field and other sources are presented in Table 4. .

Table 4 Market price (in BDT) of trees (per number) averaged from the various categories by location of RoW and size of trees

Size	Laksam-Comilla	Comilla-Saldanadi	Saldanadi-Akhaura
Big	10613	16455	17667
Medium	4796	7474	7458
Small	1960	2853	2884
Sapling	70	49	35

Source: Property valuation survey, 2013

G. Price of Crops

13. In the Project areas, the crops are predominantly grown in *Rabi* season. Diversified crops such as different varieties of paddy and different species of winter vegetables are grown in *Rabi* season. Aman paddy is grown only in *Kharif-II* season. The selling unit of paddy and almost all species of vegetables except white gourd, cabbage and cauli flower grown in the Subproject areas is kg. While the selling price of white gourd, cabbage and cauli flower is determined on per piece basis.

14. Aus paddy in Kharif-I season is only grown in Laksam – Comilla section. The Comilla – Laksam section is triple crop growing area. While Comilla – Saldanadi and Saldanadi – Akhaura sections are double crop growing areas. The farm gate price of paddy grown in Kharif-I season is 14 Taka per kg .Aman paddy is grown in all of the three sections of the Subproject areas. Only Aman paddy is grown in the Kharif-II season.

15. The CMPs and CCL rates of crops are shown in table 5. The CCL rates have been used from the Padma Bridge Project in the assessment.

Table 5 Calculated CCL and CMP of Crops

Variety of Crops	CCL for Crops (in BDT/Decimal)	CMP of Crops (in BDT/Decimal)
Tomato	1392	1618

Boro Dhan (Paddy)	521	862
Aus Dhan (Paddy)	145	420
Aman Dhan (Paddy)	167	550
Gol Alu (Potato)	1920	693
Begun (Brinjal)	3,970	728
Dherosh (Ladies Finger/Okra)	507	307
Karala (Bitter Gourd)	910	460

Source: Property valuation Survey, 2013

H. Conclusions

16. Bangladesh Railway, through the INGO, will review the recommended prices in view of CCL paid by the DCs. The INGO may also review standards used in other projects. For instance, since affected persons not only receive compensation for structures, trees and crops, they are also allowed to take all salvageable from the structures, trees and standing crops. This may also be considered or added in any assessment of replacement value.

Annex 3- Property Valuation Advisory Committee

A. Background

1. The Akhaura-Laksam Double Track Rail Project (the Project) will be cofinanced by ADB, EIB, and the GOB. The safeguard policies of ADB and EIB require compensation payments to be made at replacement cost for property [this includes lands, structures, trees and crops, as defined under the *Acquisition and Requisition of Immoveable Property Ordinance II* (1982)] acquired for project construction purposes. This note further explains the concept of “replacement cost” and how it will be applied in this Project.

B. Overview

2. Experience with involuntary resettlement has shown that loss of property is often a major source of impoverishment. Mitigation of such impoverishment risks requires compensation at full replacement cost. However, the standards and valuation methods for properties vary across countries. For example, in the case of land, replacement cost is equivalent to “current market price” (CMP) land, plus any transaction costs such as preparation, transfer, registration stamps/fees, taxes and other costs in restoring such assets. Nonetheless, the calculation of replacement costs for land is often very complex due to varied physical terrain types, land use patterns, valuation methods, and the level of land market development across developing countries.

C. The Context and Current Practices

3. In Bangladesh, the statutory compensation standards are determined by the *Acquisition and Requisition of Immoveable Property Ordinance II* (1982), which requires payments by the Deputy Commissioners (DCs) of a legally recorded “market value” (Section 8/a) for acquired assets. In the case of land, the market value typically includes land price by average transacted value registered in the local sub-registry office during the 12 months prior to the date of notification under Section 3 of the LA Ordinance for lands of the same type and quality as those acquired, and a premium or “mark-up” of 50% for compulsory acquisition. However, a common practice is that people understate the value of their lands in formal records to be able to pay lower stamp duty and registration fees. In that situation, cash compensation for land under the law (CCL), including the premium, remains less than the true market price or replacement value. Consequently, affected families are often unable to replace their lost assets with CCL thus incur losses, possibly becoming impoverished or poorer.

4. The CMP is the price that the land might be expected to realize if sold in the open market by a willing seller to a willing buyer. However, the fair valuation holds true only in cases where (i) markets provide reliable information about prices, and (ii) comparable assets or substitutes are available for purchase. In Bangladesh, land markets are still relatively undeveloped in rural areas as those do not provide reliable information about prices. Therefore, it is important to clearly and explicitly (i) define replacement cost in the project context, (ii) provide more specific direction for valuation to determine the replacement costs, and (iii) set payments for land at replacement cost to be able to comply with donor safeguard requirements.

Valuation of structures is based primarily on the PWD (Public Works Department) manual/schedule of rates. When the acquisition of structures is notified, PWD, at the request of

the DC concerned, prepares an assessment and recommends a unit price for compensation. The compensation also reflects a deduction for depreciation of the assessed structure. Within those parameters, the payments made are often inadequate for construction of similar structures. Once compensation is paid, the structure is legally owned by the Government of Bangladesh.

5. Similar to the assessment of structures, when clearing trees for development purposes, the FD, at the request of the DC concerned, assesses the value of those trees based on such factors as species, age, and types of timber and fruit-bearing trees. In case of fruit-bearing or perennials, the loss of fruits is often not adequately considered. The assessment of standing crops is carried out following current valuation methods set by the District Agricultural Marketing Office.

D. Replacement Cost and Valuation

6. Replacement cost as the method of valuing assets is expected to replace the loss of property at current market value, or its nearest equivalent. The fundamental principle of replacement cost is that it should be set at a level that enables project-affected persons to be adequately compensated for acquired properties. In the Bangladesh context, replacement cost is equivalent to the Replacement Value (RV).

7. The RV for land is based on: (i) CMP, (ii) transaction costs (stamp duty, registration, titling, etc.); and (iii) an adjustment for price escalation, which is paid only in situations in which the payment of the CCL or RV has been delayed into a subsequent year, and is applicable only to the RV established by the Property Valuation Advisory Committees (PVACs), subject to a maximum of 15% increase per year until the RV is fully paid. As the CCL is a legally mandated payment by the DC, BR will be responsible for compensation payments representing the difference between CCL and the CMP determined by the PVACs, plus associated transaction costs, together with an annual adjustment for escalation, if applicable.

8. The RV for structures is based on: (i) value of materials; and (ii) depreciation. Those who lose structures will be entitled to compensation by GOB based on the PWD schedule of rates, together with reimbursement by BR for the depreciated amount assessed by PWD. They will also be allowed to take away any salvageable materials free of cost.

9. The RV for trees is based on (i) the value of the specific type of tree established by the FD; (ii) the value of fruits for fruit-bearing trees. Those who lose trees will not only be entitled to the value of the tree established by FD, but also be able to take the fruits and timber of that tree free of cost. The RV for standing crops is based on the CCL applied by the DC for the particular type of crop.

E. Formation and Functions of PVAC

10. Given that compensation levels are often inadequate in reflecting RVs, it is necessary to form Property Valuation Advisory Committees (PVACs) to (i) provide guidance for the valuation of properties at replacement cost, and (ii) recommend the replacement value to the Government of Bangladesh (GOB) for approval. The Secretary, Ministry of Railways (MOR) will authorize the formation of PVACs in each of the Upazilas covered by the Project.

11. The PVACs, which shall maintain proceedings of all their deliberations, shall comprise the following: (i) Head of RU of the Project/Chair (ii) Upazila Chairman of the concern Upazila–Member; (iii) ADC (Revenue) of the concern District - Member; Sub-divisional/Ex Engr. –PWD of the District; and Deputy Director (Resettlement) – Member-Secretary.

12. The CSC Resettlement Specialist will assist the PVACs by providing technical expertise in assessing the RVs for properties (land by type and *mouza*, structure by basic construction type, trees by broad species-type, and crops by type).

13. The PVACs will review and verify, as needed, through additional field level investigations, the replacement values and recommend for BR approval, the final RV for land by type in all upazilas in Comilla and Brahmanbaria Districts. The difference between CCL and RV will be paid by BR to the eligible persons (EPs) with the assistance of the INGO.

F. Schedule

14. The PVACs for all Upazilas will be gazetted by the MOR immediately after the approval of the Project by ADB and EIB. The PVACs will work almost in parallel so that the time gap between DC payments and top-ups are minimized as much as possible. The RU will assist the PVACs in the conduct of their functions and maintain all records available for review by ADB/EIB Missions and any external reviewers.

Category of Structure	Unit	Laksam-Comilla		Comilla-Salda Nadi		Salda Nadi - Akhaura		Total	
		No.	Area	No.	Area	No.	Area	No.	Area
Tube-well	no.	80	80	113	113	189	189	382	382
Deep tube-well	no.			1	1	1	1	2	2
Sanitary Latrine	no.	73	73	150	150	91	91	314	314
Slab Latrine	no.	109	109	72	72	154	154	335	335
Kutch Latrine	no.	3	3	5	5	15	15	23	23
Water pump	no.	35	35	45	45	9	9	89	89
Pillar	no.	23	23	2	2	8	8	33	33
Shahid Minar	no.	1	1					1	1
Bakery Burner	no.			3	3			3	3
Graveyard	no.			3	3			3	3
Mobile Tower	no.					1	1	1	1
Boundary wall (5")	rft	32	3794	35	5602	44	4868	111	14264
Boundary wall (10")	rft	1	72	3	325			4	397
Tin made boundary wall	rft	27	1241	27	1133	24	941	78	3315
Grill	rft	7	69	0		1	260	8	329
Drain	rft	1	20	5	641			6	661
Gate	rft	1	20	1	15	1	10	3	45
Gas line	rft	14	409	14	382			28	791
Brick built Stair in pond	rft	1	20	1	18	1	26	3	64
Culvert	rft					1	12	1	12
Water tank	cft	15	9797	3	346	6	2994	24	13137

Table A- 4.2: Affected Trees by Species, Size, Number and Sections on Private Land

Categories of trees	Name of Sections			Total
	Laksam-Comilla	Comilla-Salda Nadi	Salda Nadi-Akhaura	
Fruit				
Big	236	177	339	752
Medium	410	242	540	1192
Small	517	465	597	1579
Sapling	536	281	4700	5517
Sub-total	1699	1165	6176	9040
Timber				
Big	124	274	324	722
Medium	237	317	1035	1589
Small	619	1341	1592	3552
Sapling	236	548	1047	1831
Sub-total	1216	2480	3998	7694
Medicinal				
Big	3	2	6	11
Medium	11	1	7	19
Small	19	9	11	39
Sapling	6	6	38	50
Sub-total	39	18	62	119
Banana				
Big	93	24	175	292
Medium	93	17	93	203
Small	68	22	75	165
Sapling	51	8	69	128

Categories of trees	Name of Sections			Total
	Laksam-Comilla	Comilla-Salda Nadi	Salda Nadi-Akhaura	
Sub-total	305	71	412	788
Bamboo (B)	1212	366	1546	3124
Grand Total	4471	4100	12194	20765

Table A- 4.3: Affected Trees on Government Land by Type, Size, Number and Sections

Categories of trees	Name of Sections			Total
	Laksam-Comilla	Comilla-Salda Nadi	Salda Nadi-Akhaura	
Fruit				
Big	187	305	373	865
Medium	468	185	641	1294
Small	686	246	896	1828
Sapling	473	147	704	1324
Sub-total	1814	883	2614	5311
Timber				
Big	62	73	36	171
Medium	302	108	164	574
Small	585	270	367	1222
Sapling	2187	364	20186	22737
Sub-total	3136	815	20753	24704
Medicinal				
Big	1	1	5	7
Medium	4	1	18	23
Small	18	1	19	38
Sapling	6	0	8	14
Sub-total	29	3	50	82
Banana				
Big	182	183	544	909
Medium	230	156	538	924
Small	304	186	341	831
Sapling	301	121	337	759
Sub-total	1017	646	1760	3423
Bamboo (B)	1211	89	1348	2648
Grand Total	7207	2436	26525	36168

Source: Census and IoL Survey, 2013

Table A-4.4: Extent of Loss of Agricultural Land by Household

hhhPercentage of loss	Laksam-Comilla		Comilla-Salda Nadi		Salda Nadi-Akhaura		Total	
	Household							
	No.	%	No.	%	No.	%	No.	%
up to 10%	143	70.10	70	33.98	155	53.45	368	52.57
11 to 20%	29	14.22	49	23.79	52	17.93	130	18.57
21 to 40%	22	10.78	41	19.90	37	12.76	100	14.29
41 to 59%	4	1.96	29	14.08	18	6.21	51	7.29
60 to 95%	4	1.96	11	5.34	17	5.86	32	4.57
96 to 100%	2	0.98	6	2.91	11	3.79	19	2.71
Total	204	100	206	100	290	100	700	100

Annex 5: Draft Public Information Booklet Akhaura-Laksam Double Track Project Resettlement, Compensation & Rehabilitation

A. Introduction

1. The Government of the People's Republic of Bangladesh (GoB) has identified some investment Projects for Sub-Regional and Trans-Asian Railway (TAR) connectivity under the banner of Regional Cooperation and Integration Project (RCIP) – Rail Component. The Bangladesh Railway (BR) under the Ministry of Railways is the executing agency (EA) of these Projects. These Projects include construction of a new railway track, construction of missing links, increase of line capacity, and strengthening of existing stations and bridges etc. The length of the Project is approximately 72 km from Akhaura Railway Station to Laksam Railway Station. The proposed Project will require total 303 ha of land in which 244.57 ha belongs to BR and the remaining 58.43 ha of private land to be acquired under Brahmanbaria and Comilla districts. The proposed Project interventions will cause displacement of both residential and commercial squatters, tenants and encroachers from the Right-of-Way (RoW) and impose adverse impacts on their assets and livelihoods. Therefore, a Resettlement Plan (RP) for the Project affected persons (PAPs) has been prepared by the BR following the GoB rules and the cofinanciers – ADB and EIB – policies and guidelines.

2. All households and persons likely to lose land and any property due to acquisition of land for the Project will receive compensation from concern Deputy Commissioners (DCs) as per legal ownership records (within the framework of Ordinance II of 1982 with amendments). In addition to the compensation to be paid by the DCs, BR will provide additional cash and material assistance for resettlement and livelihood restoration of the affected households and persons including those not recognised by the DCs but experience material and livelihood losses due to undertaking of the Project. In this regard resettlement and rehabilitation of the affected persons both titled and non-titled will be covered by the BR through engaging an experienced implementing NGO (INGO).

3. Bangladesh Railway on behalf of the Government of the People's Republic of Bangladesh expects that the local communities, respected persons; community based organisations, non-Government organisations will be extending cooperation for successful implementation of the Resettlement Plan.

B. RP Concepts and Definitions

4. Various terms used in the domain of resettlement and rehabilitation of affected persons are defined as follows:

5. **Directly Affected Person (DAP):** Persons living within the right-of-way of the Project at the time of serving notice under section 3 of the Ordinance II of 1982 for land acquisition or at the time of census and video archiving in February 2008 or any person losing their land, other assets including residence, or source of livelihood will be considered as Directly Affected Person.

6. **Indirectly Affected Person (IAP):** Persons losing only their place of residence or livelihood resources but are not owner of any land within the right-of-way of the Project, will be considered as indirectly affected person.

7. **Compensation:** Compensation refers to compensation to affected households and persons under the Ordinance II of 1982 (with amendments) paid by the Deputy Commissioners for acquired assets (land, structure and trees).
8. **Assistance:** Assistance refers to resettlement assistance & tended in cash and/or in kind over and above the compensation under law. The replacement price of land and physical assets is generally provided by the RP implementing NGO.
9. **Cut-off date:** The first day of conducting the census survey will be considered as the "cut-of date" for payment of resettlement benefits. Video filming of all structures on the ROW was prepared to control fraudulent claims. The cut-off date of eligibility for resettlement assistance under this RP is May 02, 2013.
10. **Encroacher:** Households or shop owners in the neighbourhood of BR alignment who encroached into BR and.
11. **Entitled Person:** An entitled person (EP) is one who has lost his/her assets like land (on the ROW), fish pond, built structures, etc. and/or business /employment as a direct/indirect impact of the Project and is eligible to receive compensation from the DC office and/or cash grant from BR.
12. **Grievance Redress Committee (GRC):** Redressal of grievances lodged by the EPs is to be carried out by the Grievance Redress Committee. GRC will be established with representation from EA, local Government and INGOs representatives. The Resettlement Officer will chair the GRC. Other than disputes relating to ownership right under the court of law, GRC will review grievances involving all resettlement benefits, relocation and other assistance.
13. **Homestead failure:** Households fail to organise land for homestead immediately after relocation are considered as homestead failure and provided with transitional support for alternative place of residential plot.
14. **Household:** A household includes all persons living, cooking and eating together as a single-family unit. The socioeconomic survey used this definition and the survey data forms the basis for identifying the household unit. There may be one or more persons in a household who are entitled to resettlement benefits based on the nature of losses and ownership.
15. **Households require relocation:** May consist of both vulnerable and non-vulnerable households needing relocation from the right-of-way land.
16. **Licensee:** Taking lease of agricultural or commercial land of BR a yearly basis.
17. **Occupier:** They live on BR land without permission or paying any lease money to BR but have their own land elsewhere.
18. **Relocation/Resettlement:** Relocation refers to physically moving of the APs from the affected area to a new area/site and rebuilding homes, assets, including productive land/employment while resettlement means re-establishing income, livelihoods, living and social system.
19. **Replacement Land:** In most cases the Project can't provide replacement land in the vicinity of the Project due to scarcity of land. A land and property valuation survey, based on price recorded from formal and informal sources, will determine the Replacement Value (RV) of

land and structures at current market price and be approved by PVAC. BR will pay the difference between CCL and RV, including stamp duty and land registration fees for land purchase. Further, the implementing agency/INGO will assist in all possible ways, including finding land for the APs, in the purchase of replacement land, if available.

20. **Replacement Value (RV):** RV is to ensure that the affected person can buy the lost property from the market. The valuation is done through a survey by an independent agency based on the methodology approved by PVAC. RV is recommended to the MOR by the PVAC for approval. The RP implementing NGO (INGO) will be the member secretary of the PVAC.

21. **Right-of-Way (RoW):** The land identified for construction Project facilities including extension of embankment, station buildings, etc.

22. **Squatter:** People who squat (for residential purpose) on the govt. land without permission (BR land or other Government land).

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

C. Principles for Rehabilitation of Affected Families

24. Principles for the compensation/rehabilitation of affected persons (APs) by the Project are:

- Private land acquisition will try to be avoided as much as possible and work will be done on BR land;
- Compensation will guarantee the maintenance of the APs pre-project living standards;
- APs will be fully informed/consulted on compensation options;
- APs' socio-cultural institutions will be supported and used;
- Resettlement and rehabilitation provisions will equally apply to male and female;
- Lack of formal title will not impede rehabilitation of families losing structure;
- Particular attention will be paid to women-headed households and vulnerable groups;
- Resettlement budgets will be included in Project costs; and
- Compensation will be fully provided prior to ground leveling and demolition.

D. Compensation and resettlement Eligibility and Entitlements

25. All families residing in affected areas and holding affected assets or incomes before the eligibility cut-off date for the Project (May 02, 2013, the date of the start of the census survey) will be entitled to compensation and/or rehabilitation for their losses. This provision includes legal owners, non-titled users, leaseholders and squatters as detailed in Table A4.1.

Entitlements, Assistance and Benefits under Resettlement Plan

Category of Losses	Persons Entitled	Entitlements
1. Loss of agricultural land	• Legal owner/ titleholders as identified by Deputy Commissioner (DC)	<ul style="list-style-type: none"> • CCL by DC as per 1982 Ordinance • The difference between CCL and Replacement value (RV) of land (to be determined by PVAC) paid by the Project as additional payments. • Stamp duty and updated registration cost will be paid once the EP purchases new land and submits proper records. The value for stamp duty will be limited to CCL and/replacement value paid. • Assistance from INGO in re-titling plot.
2. Loss of homestead, commercial, industrial land and common property resources	• Legal owner/ titleholders as identified by DC	<ul style="list-style-type: none"> • CCL by DC as per 1982 Ordinance • The difference between CCL and Replacement value (RV) of land (to be determined by PVAC) paid by the Project as additional payments. • Stamp duty and registration cost will be paid once the EP purchases new land and submits proper records. The value for stamp duty will be limited to CCL and/replacement value paid. • Assistance from INGO in re-titling structure.
3. Loss of water bodies (ponds, both cultivated and non-cultivated)	• Legal owner/ titleholders as identified by DC	<ul style="list-style-type: none"> • CCL by DC as per 1982 Ordinance • The difference between CCL and Replacement value (RV) of land (to be determined by PVAC) paid by the Project as additional payments. • Stamp duty and registration cost will be paid once the EP purchases new land and submits proper records. The value for stamp duty will be limited to CCL and/replacement value paid. • Assistance from INGO in re-titling asset.
4. Loss of residential structures with title to land	• Legal owner/ titleholders as identified by DC	<ul style="list-style-type: none"> • CCL by DC for residential structures • The difference between CCL and RV for structures as determined by PVAC • Transfer and reconstruction grants respectively of BDT 8000 and BDT 9800 • Owner allowed to take all salvageable materials free of cost.
5. Loss of commercial/industrial structures with title to land	• Legal owner/ titleholders as identified by DC	<ul style="list-style-type: none"> • CCL by DC for commercial/industrial structures • The difference between CCL and RV for structures as determined by PVAC • Transfer and reconstruction grants respectively of BDT 8000 and BDT 9800 • Owner allowed to take all salvageable materials free of cost
6. Loss of residential and other physical structures without title to land (squatters/informal settlers)	• Socially recognised owners of structures built on the RoW as identified during census.	<ul style="list-style-type: none"> • Compensation for the structures as per PWD rates, plus 50% (as per law). • The difference between compensation above and RC for structure as determined by PVAC. • Transfer and reconstruction grants respectively of BDT 8000 and BDT 9800 • Owner allowed to take all salvageable

Category of Losses	Persons Entitled	Entitlements
		materials free of cost
7. Loss of physical cultural resources (PCR)) and common property resources (CPRs) structures (a) with or (b) without title to land	<ul style="list-style-type: none"> • (a) Legal owners (or registered committees) identified by DC in the process of CCL payment. • (b) Socially recognised owners of structures built on the RoW as identified during census and verified by JVC 	<p>(a) •CCL by DC to legal owners, plus the difference between CCL and RC of structure as determined by PVAC.</p> <ul style="list-style-type: none"> • Transfer grant of BDT 16,000 for the relocation of structure. • Dismantling and reconstruction cash assistance as per assessed value by PVAC. • Allowed to take all salvageable materials free of cost <p>OR</p> <p>(b) •RC for structure as determined by PVAC</p> <ul style="list-style-type: none"> •Transfer grant to be determined by PVAC • Transfer grant of BDT 16,000 for the relocation of structure. • In both cases, owner(s) allowed to take all salvageable materials free of cost
8. (a) Loss of trees with title to land; and (b) owner of trees on public land or lessees	<ul style="list-style-type: none"> • Legal owner as identified by DC. • Socially recognised owners of trees grown on public or other land, as identified by census. • Owners of trees such as Forest Department, Zilla Parishad, Society, Union Parishad, Lessee on public land. 	<ul style="list-style-type: none"> • (a) Timber trees and bamboos: CCL by DC for those with title to land and difference between CCL and RC as determined by PVAC. • For fruit trees: CCL by DC for those with title to land and difference between CCL and RC as determined by PVAC. In addition, market value of fruits for average 3 annual year production (see entitlement measure # 10). <p>OR</p> <p>(b) •Timber trees and bamboos: Compensation for lost trees as per DOF rates to be determined by PVAC at RC for those w/o title to land.</p> <ul style="list-style-type: none"> •For fruit trees: compensation for lost trees as per DOF rates to be determined by PVAC at RC for those w/o title to land. In addition, market value of fruits for average 3 annual year production (see entitlement measure # 10). • Owner of trees (in both cases) will be allowed to fell and take the trees free of cost
9. Loss of standing crops/fish stock with (a) title to land and (b) without title to land.	<ul style="list-style-type: none"> • (a) Legal owner/cultivators as identified in joint verification by DC and BR. • (b) socially recognised users of land identified during census and validated by JVC 	<ul style="list-style-type: none"> • (a) CCL for crops by DC for those with titles and difference between CCL and RC as determined by PVAC; <p>OR</p> <p>(b) compensations for crops/fish stock at RC to be determined by PVAC for those without title.</p> <ul style="list-style-type: none"> • In both cases, owners/Users will be allowed to take crops and fish stock (within BR declared deadline)
10. Loss of fruit production (due to loss of fruit trees).	<ul style="list-style-type: none"> • (a) Legal owner/cultivators as identified in joint verification by DC and BR. • (b) socially recognised users of land identified during census and 	As mentioned in entitlement measure # 8, RC of fruit production for 3 years.

Category of Losses	Persons Entitled	Entitlements
	validated by JVC	
11. Loss of leased or mortgaged agricultural land or ponds and commercial land	<ul style="list-style-type: none"> • Agricultural and commercial plot owner(s) on the Project RoW. • Titled and non-titled leaseholders/licensees/share croppers 	<ul style="list-style-type: none"> • CCL as per law for those with registered contracts/lease OR • Cash grant of BDT 5200 and BDT 4600 will be paid to the non-titled share croppers, licensees and lessees of agricultural land, and pond respectively by the Project thru INGO. • In both cases, the cultivator will be allowed to take the crops/fish free of costs within the BR declared deadline
12. Loss of income from dismantled commercial and business premises	<ul style="list-style-type: none"> • Any proprietor or businessman or artisan operating in premises, at the time of issuance of notice and/or identified by census. 	<ul style="list-style-type: none"> • Cash grant of BDT 30,000 for loss of business income by affected trader (based on average monthly income of BDT10,000 for 3 months)
13. Loss of income (wage earners in agricultural, small business and industry; excluding owners or employers)	<ul style="list-style-type: none"> • Regular employees/wage earners affected by the acquisition as identified by census. 	<ul style="list-style-type: none"> • Cash grant of BDT 19,500 (equivalent to 3 months average income)
14. Loss of income from rented-out residential and commercial premises	<ul style="list-style-type: none"> • Legal owner of the rented-out premises as identified by census. 	<ul style="list-style-type: none"> • Grant for loss of rental income equivalent to Rental assistance for rented residential and commercial structures of BDT 3,000 (equivalent to 2 months rental income).
15. Rental assistance for renters in order to support them finding alternative place to rent	<ul style="list-style-type: none"> • Tenants in rented structures as identified by census. 	<ul style="list-style-type: none"> • Rental assistance for both residential and commercial tenants of BDT 6,000 (equivalent to 4 month rent). • Moving grant of 1500
16. Reconnection of utilities (gas, electricity, telephone, water, sewage, etc)	<ul style="list-style-type: none"> • Legal subscriber as identified by DC (Eligible only when the affected households can submit evidence of past connections/bills/receipt) 	<ul style="list-style-type: none"> • Cash grant for new utilities connection will be provided by BR: (a) Gas connection = BDT 12000; (b) Electricity connection = BDT 7000; (c) Telephone connection = BDT 5000; (d) Water connection = BDT 6000; (e) Sewage connection = BDT 6000.
17. Assistance to vulnerable households	<ul style="list-style-type: none"> • Households under the poverty level and whose head of household are female-headed, elderly, disabled and very poor 	<ul style="list-style-type: none"> • BDT 8200 as one time grant in addition to other compensations
18. Assistance to poor female-headed households	<ul style="list-style-type: none"> • Households headed by women and under the poverty level. 	<ul style="list-style-type: none"> • BDT 10000 as one time grant in addition to other compensations
19. Livelihood improvement programme	<ul style="list-style-type: none"> • One member of each vulnerable household as well as households losing 10% and over of their total income. 	<ul style="list-style-type: none"> • Cost of program implementation (as separate line in budget summary Table 45). • BDT 16000 to be provided as seed "grant" to each trained member with a business plan reviewed and approved by PMU/Resettlement

Category of Losses	Persons Entitled	Entitlements
		Unit.
20. Personal finance management program	• All households losing structure/trees/crops/land.	• Cost of program implementation (estimated at BDT 3,000/participants).
21. Assistance in identifying available land/space/structure to rent or buy	• All households losing their homestead or business structure or rented structure.	• Cost of program implementation (as separate line in budget summary Table 45).
22. Unforeseen adverse impacts	• Households/ persons affected by any unforeseen impact identified during RP implementation - for instance, any Project induced impacts	• Entitlements will be determined as per the resettlement plan
23. Temporary impact during construction	• Households/ persons and/or community affected by construction impacts	<ul style="list-style-type: none"> • 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 entitlement matrix (see entitlement measure # 11). • All temporary use of lands outside proposed RoW to be through written approval of the land owner and contractor. • Land will be returned to owner rehabilitated to original preferably better standard.

E. Obtaining Resettlement and Rehabilitation Entitlements

26. Bangladesh Railway will engage an experienced NGO for implementing of the RP for resettlement and rehabilitation of the APs. All cash and material assistance will be determined based on assessment of the JVC at replacement cost. The staff of the INGO will identify, communicate and contact the eligible affected persons recognised by the DCs for directly affected persons and by census for indirectly affected persons. Any grievances of the eligible affected persons (entitled persons – EPs) will be received by the implementing NGO staff and all such grievances if not litigable under law will be resolved through the Grievance Redress Committee resolution.

1. Entitled Person

27. Persons receiving compensation from the DCs and those will be identified for providing resettlement assistance by Bangladesh Railway will be considered as entitled persons (EPs). Payment data from award books and data on inventory of losses from census updated as per final engineering design (following eligibility cut-off date) will be the basis for identification of EPs. Bangladesh Railway will provide each of the entitled persons an ID Card with attested photographs of the bearers. This ID card will hold all relevant information of the affected households. The INGO will assist the affected persons to get an ID card from Bangladesh Railway. The willing EP will produce his/her National ID Card to obtain the resettlement ID card; however, the local communities including elected representatives will certify the holder.

2. Entitled Person's File

28. All the losses at all locations of the Project right-of-way as per the Resettlement Plan will be accumulated in a single file called the Entitled Person's File (EP File). The losses will be processed in computer using specialised software, preserved in computerised MIS and printed in EP File format. Basis for losses will be the final award book produced by the DCs and the updated loss database by census as per final engineering design.

3. Entitlement Card

29. Entitlement against all recognised losses as per the EP File will be calculated in computer using specialised software, preserved in computerised MIS for entitlements and printed in a format called Entitlement Card (EC) time to time with the development of payment by the DCs. Basis for entitlements will be the provision of non-asset entitlements in the Resettlement Plan and the replacement value determined by the PVAC for land, structure, trees and crops.

4. Replacement Land Purchase

30. In case of replacement land purchase, the EP will negotiate with the owner/seller of land to determine the price, and register the land transfer in his/her name. The EP must scrutinise the records of rights of the seller of the parcel of land to be purchased and be sure that they are alright for a transaction. The deed value of the replacement land purchase will be considered for determination of entitlement for replacement land purchase. If the deed value is more than the replacement value of the parcel of land acquired for the Project, entitlement will be prorated up to the replacement value. If it is less than replacement value, the entitlement will be prorated on the deed value.

31. For receiving entitlements for replacement land purchase, the EP has to produce the documents to prove that he/she has purchased replacement land. The INGO will scrutinise the documents, pay field verification and on being satisfied, will recommend the claim for consideration.

32. Bangladesh Railway seeks cooperation from all concerned to cooperate the affected persons willing to buy replacement land by providing information on availability of land.

5. Grievances Redress Process

33. Any affected person may file a complaint or grievance to a two-tier system of GRC established under the Project Local Level GRC and Project-level GRC). . Grievance redress committees (GRCs) will full representation of the affected persons, their elected representatives, the BR and the INGO assisting BR for implementation of the RP. During implementation of the Project, you will be informed through open consultation, personal contact and written documents about your right to grievance redress from the BR. APs will have the right to call upon support of implementing NGO to assist them in presenting their grievances to the GRCs.

34. Grievances will be redressed within a month from the date of lodging the complaints using the following procedure:

- All complaints from the APs will be received at the field office of the INGO, the member secretary of the GRCs with a copy to the concerned LGI representatives.

- The representative of the INGO in the GRCs upon receipt of complaints will organise a hearing session from the complainants in concerned GRC of the Union from where the complaint was receipt.
- The GRC will review the proceedings and pass verdicts to convey to the concerned AP through the INGO.
- If there are such matters relating to arbitration through the courts, the matter will be referred to the court.
- The GRC will settle the disputes within 30 days of receiving the complaints from the APs.
- Resolution of the GRCs will be final and adopted in the process of resettlement for issuance of ID cards, determination of loss and entitlements and payment thereof.

6. Joint Verification of Assets

35. The loss and disturbances of the potential affected persons have been documented and entered into computer database through census which is further updated as per the detail engineering design. The implementing NGO will carry out physical verification of the recognisable losses and a legally constituted Joint Verification Committee (JVC) comprised of the Assistant Director - Resettlement of Bangladesh Railway, nominated representative of the concerned Deputy Commissioners and Area Manager of the INGO engaged by Bangladesh Railway for implementation of the Resettlement Plan.

36. Scope of Work of the JVC is as follows:

37. Review and update the data from physical verification conducted by Implementing NGO and compare them with the DCs' assessment of loss of physical assets and their owners. Signing on the Joint Verification Forms, determining the loss of the affected persons, preparing budget and produce to the Project Director and the concerned Deputy Commissioners.

38. Identify the squatters on BR or Government land (khas land) on the right of way, determine their losses, sign on Joint Verification Forms, determine the compensation and budgets, and produce to the Project Director and the concerned Deputy Commissioners.

39. Identify the lease holders of BR land on the right of way, determine their losses, sign on Joint Verification Forms, determine the compensation and budgets, and produce to the Project Director and the concerned Deputy Commissioners.

40. Perform the above activities in connection with the execution of the Akhaura-Laksam Railway Project and submit the documents and reports as applicable to the Project Director.

7. Replacement Value of Assets

41. Bangladesh Railway will ensure compensation for land and assets at full replacement cost. A legally constituted body (Property Valuation Advisory Committee - PVAC) comprising of representative of Bangladesh Railway, designated representative of DC of concerned district, representative of RP implementing NGO and local elected representatives will be responsible for determination of replacement value of land, structure and trees considering the current market prices.

42. Scope of Work of the PVAC is as follows:

- Design and conduct valuation survey for affected land and property due to land acquisition and execution of the Project, determine the current market price of land and other property. The members will sign on the price list.
- Design and conduct valuation survey for affected property of the lease holders of BR land and squatters on the BR or other Government land within the right of way, and determine the current market price. The members will sign on the price list.
- The implementing NGO will conduct the surveys as per design adopted by the PVAC and produce the results to the PVAC for their review and signing.
- The PVAC will perform the above tasks and submit the relevant documents and reports to the Project Director.

F. Some Important Information for the EPs

- a) The titled affected persons will not be considered for resettlement assistance until and unless they receive compensation under law from the Deputy Commissioners. Within the implementation period of the Resettlement Plan, any EP can produce documents to the implementing NGO for claiming refund of registration cost.
- b) All entitled persons will be provided with an ID card containing the holders photograph issued by the Chief Resettlement Officer of Bangladesh Railway for the Project. The entitled persons have to produce this ID card for any claim from BR.
- c) The affected persons should obtain all records of rights including ownership deed, Parcha (settlement records), Tax Receipt, Kharij (Mutation), Farayez in favour of the owner beforehand to ensure timely receipt of compensation under law.
- d) The EP has to open a bank account in nominated Bank as per advice of the RP implementing NGO. The BR will pay cash assistance through crossed cheques cashable through bank account only.
- e) Any additional information regarding land acquisition and resettlement will be available from the BR field office and the RP implementing NGO.

G. Basic Questions Related to Compensation and Rehabilitation

Question 1 - Does compensation apply to my house or structures?

Answer: Yes. Houses, part of houses and any other structures (shops, etc) that will be affected by the Project shall be compensated at replacement cost so that owners can build another structure of the same size and standard.

Question 2 - Does the above mean that anybody in our community can claim compensation or rehabilitation?

Answer: No. The eligible affected families are only those who were residing in Project affected areas and had affected assets at the time of the census for non-titled holders and serving notice u/s 3 for titled holders for impacts assessment and the affected people was carried out. Anybody who encroaches into the area after the cut-off date will not be entitled to compensation or any other form of resettlement assistance.

Question 3 - Do we need to vacate and clear the affected properties immediately after they have been identified as needed by the Project?

Answer: No. Clearing the affected areas will only take place after the compensation or rehabilitation for lost assets have been provided to you. After the date in which compensation and rehabilitation was delivered to you, you will then have 30 days time to clear the land. If you have not done so after 30 days the Project will be allowed to enter in to your ex-property and clear the land for you.

Question 4 - If there is any disagreement regarding the way the compensation policy set up in the RP has been implemented or any other issue relative to the compensation and rehabilitation programme for the Project do we have the right to complain, and if so how and where?

Answer: Yes. Any AH may file a complaint or grievance to BR regarding resettlement. BR will set up a platform for grievance resolution within the Resettlement Unit of the Field Office at District level where anybody can file a complaint. Grievance redress committees (GRCs) are with full representation of the affected persons, their elected representatives, the BR and the Implementing Agency (IA) assisting BR for implementation of the RP. During implementation of the Project, you will be informed through open consultation, personal contact and written documents about your right to grievance redress from the BR. APs will have the right to call upon support of Implementing Agency to assist them in presenting their grievances to the GRCs.

43. Grievances will be redressed within 21 days from the date of lodging the complaints using the following procedure:

- All complaints from the APs will be received at the field office of the RP Implementing Agency (IA), the member secretary of the GRCs with a copy to the concerned Convener of GRC.
- The representative of the IA in the GRCs upon receipt of complaints will request the Convener to organise a hearing session from the complainants in concerned GRC of the Upazila on from where the complaint was receipt.
- The GRC will review the proceedings and pass verdicts to convey to the concerned AP through the IA.
- If there are such matters relating to arbitration through the courts, the matter will be referred to the court.
- The GRC will settle the disputes within 15days of receiving the complaints from the APs.
- Resolution of the GRCs will be finalised and adopted in the process of resettlement for issuance of ID cards, determination of loss and entitlements and payment thereof.

Question 6 - Who can we contact for more information about the Project?

Answer: For further information about the Project as a whole, and/or the RP for the Project, please contact the Project Director.

H. Responsibility for Resettlement of Affected Persons

44. Bangladesh Railway on behalf of the Government is responsible for implementation of resettlement programmes. An experienced NGO will implement the programme under direction and supervision of Bangladesh Railway and the Project's Supervision Consultant. This resettlement information brochure can be modified at the discretion of the Government of Bangladesh and/or the Asian Development Bank. Such changes will be informed to the affected persons and their community in due course. This information brochure is applicable for the Akhaura-Laksam Railway Project only.

45. For further information about the Project as a whole, and/or the RP for the Akhaura-Laksam Railway Project, or if you would like to receive a full copy of the Resettlement Plan for the Project, please contact the Project Director.

Project Director

Akhaura-Laksam Double Track Project
Bangladesh Railway
Rail Bhaban
16 Abdul Gani Raod
Dhaka – 1000
Bangladesh
Contact Phone number

Annex 6: Summaries of Consultation Meetings

A. Summary of Stakeholders Consultation Meetings (SCMs)

1. Nine (9) SCMs were conducted at nine different locations of the Akhaura-Laksam Project area. The SCMs were held at different railway stations, UP/UZP offices, schools or villages/community places/markets where participants have easy access. The total number of participants in nine (9) SCMs was 427. Details of stakeholders' consultation meetings are presented in the Final Consultation Report. The summary outcome of the SCMs is given below by topic of discussion:

1. Project details and Project alignment

- Project objectives, merits and demerits, steps of the Project implementation etc. were discussed thoroughly where a positive attitude was shown by the participants
- There was no disagreement among the participants regarding the Project components
- The participants had some observations on the Project alignment and requested the BR Authority to make the alignment easier to understand
- The participants have urged to ensure flexible time to carry out the Project area selection activities
- The Project area selection should be neutral and need-based
- The participants requested the BR Authority to give more attention to the Project alignment to avoid the settlement before finalising boundary selection
- The Project boundary should be selected with correct information by following the CS and RS map
- The selection of alignment is not appropriate and, as a result, many people will be affected
- Community should be involved in boundary/alignment identification
- The number of affected people will be higher if the Project boundary is selected erroneously
- The Project should ensure as little disturbance to local establishments, crops and other assets to the extent possible
- The authority should re-design the Project after finalising area boundary
- The authority should clearly disclose all information regarding the measurement of the Government's existing and required land on the east and west sides
- There are many agricultural land and infrastructure on both sides of the study area. So, selection of area boundary should be done very carefully

2. Opinion on the compensation against probable loss

- Rehabilitation should be considered for the people who will lose all their land and structures
- Compensation should be ensured for all affected HHs irrespective of title
- Compensation for infrastructure should be given according to the current market price
- Local people should be satisfied with their compensation
- Sapling rate should not depend on present market price as it is an investment of the owners for their future

- Compensation of trees should be given considering the height and age of trees
- Compensation of crops should be given as per the current market price
- In the case of acquisition of the front yard of a homestead, the backyard will be used as the front yard where the BR Authority will build a walkway
- Damaged infrastructure should be rebuilt/reconstructed
- The occupations of some affected people will be changed due to Project implementation. There is a need for arranging training facilities to enable them to adapt to their new occupations
- The participants urged for land as compensation

3. Compensation for the vulnerable population

- Slum dwellers living in and around rail stations have no option to migrate or relocate. The amount of money they may get as compensation would not be enough to buy new land for habitation. Hence, they would not be adversely affected if the authority arranges another place within the same area for their rehabilitation. In other words, they demand land as compensation
- The landless people and small businessman should be given a gross amount so that they can relocate to other places
- Compensation should be given to landless people and small businessman directly so that they can be resettled/relocated to other locations
- The total amount of compensation has to be disbursed at a time so that the affected people can utilise the amount optimally
- A huge number of petty traders conduct business around rail stations, and their dependents are highly vulnerable to the land acquisition. If a market is built by the authority beside a rail station and shared with traders on lease, it would prevent their loss of employment. As a result, the dependent members of their households would have livelihood security
- The business centers located around different rail stations are the main source of livelihood for the petty traders of each locality. They will be destroyed financially if the authority acquires the land of the business centers. Hence, these petty traders should be rehabilitated through petty shops set up elsewhere
- Alternative assistance should be given to farmers who will be affected by this Project so that they can become resilient
- Special compensation should be given to distressed women and landless people
- Alternative options should be initiated for small and petty businessmen
- The authority should set up cluster villages to rehabilitate people who are presently living in slums near different rail stations

4. Mechanism of compensation

- The compensation price should be determined through integrated consultation of LGI, public representatives and local elites and should be based on the current price of land
- At times the compensation may be provided as community based instead of per individual (e.g. rehabilitation of business centers etc.)
- The compensation should consider alternative options (e.g. land, livelihood etc.) besides money
- Compensation should be given to the affected people individually and directly

- The grievance redress committee will be required to assist in determining the ownership of land
- Compensation money as determined by the Government should be given directly to the affected owners of land through single bank cheques. They do not want compensation through Government officers and or NGO departments
- Distribution of compensation should be organised locally so that affected HHs can receive the money without any problem
- No corruption should be allowed in the compensation allocation process
- There should not be any delay in giving compensation
- The authority should follow existing laws while giving compensation
- Compensation procedures should not be influenced by local/national politics

5. Local issues and concerns

2. The types of location specific issues are as follows:

a. Arrangement of alternative business/trade centers and/or land for the marginal and small traders using the railway land in-

- Bara Bazar, Akhaura Rail Station, Akahura
- Baghmara Bazar, Comilla Sadar Dakshin
- Bijoypur Bazar, Comilla Sadar Dakshin
- Rajapur Station, Burichang, Comilla
- Comilla Sadar Railway Station

b. Alternative land for:

- Settlement of landless squatters (on both sides of the railway line), Comilla Sadar
- Fish hatcheries adjacent to Sadar Rashulpur Station, Comilla Sadar Uttar
- Agriculture land as compensation instead of cash money to enable 70% of farmers near Salda Nadi Station to continue earning their livelihoods from agriculture
- Fish farms at Gangasagar for the fishermen community of Dharmapur mouza of Akhaura upazila

c. Protect/reconstruct CPRs-

- Mogra Bazar, Akahura
- Old Hindu Temple, Mogra Bazar, Akahura
- Union Parishad, Mogra Bazar, Akahura
- Baghmara Bazar, Comilla Sadar Dakshin
- 'Nandaram Shadur Mandir, Rajapur Railway Station, Burichang, Comilla is to be left undisturbed
- Shrine to be left undisturbed and a pucca road (1 km from Nandaram's temple) to be reconstructed, Burichang, Comilla
- Mosque at Baghmara Bazar, Comilla Sadar Dakshin
- Bijoypur High School, Bara Para (near Bijoypur Bazar), Comilla Sadar Dakshin
- Mim Hospital near Comilla Railway Station
- Eidgah and graveyard, Shashangasa, Comilla Sadar
- Deep tube well (for irrigation) near Sadar Rashulpur Station, Comilla Sadar Uttar

- Public toilet at Bijoypur Bazar, Comilla Sadar Dakshin
- Existing village located on the north side of the Mondobag Rail Station

d. Compensation-

- For loss of agriculture production until new deep tube well can be installed near Sadar Rashulpur Station, Comilla Sadar Uttar
- Adequately for the bakery factory at Sadar Rashulpur Station (employed 35 labourers) would able the owner to rebuilt by himself

e. Construction of –

- Vehicle overbridge at rail crossing gate beside Akhaura Rail Station, Akahura
- Foot overbridge, Sadar Rashulpur Station, Comilla Sadar Uttar
- Small bridge (that will be damaged) near Rajapur Railway Station, Burichang, Comilla
- Paved road along the railway line between Akhaura and Gangasagar Rail Station
- Paved road (on both sides of the railway line of Comilla Sadar) for local residents

B. Summary of Focus Group Discussions (FGDs)

3. In order to complement the SCMs, 30 (thirty) FGDs were conducted with the affected occupational groups, landless people and women. The number of FGD was 9 (nine) with trader groups; 9 (nine) with farmer groups; 5 (five) with day labourer groups; 5 (five) with women groups and 2 (two) with landless groups. The total number of participants in 30 FGDs was 393. Details of FGD findings are presented in the Final Consultation Report. The summary outcome of FGDs with five (5) groups is given in the following by major issue of discussion:

1. Stakeholder Group: Businessmen/Traders (summary of 9 FGDs)

a. Effect of the Project in terms of loss of land/structure/business/wage

- The stakeholders will lose their houses as well as commercial/business structures, trees, tube wells, boundary walls, latrines, land, fish farms etc. due to the Project interventions
- Businessmen who have fisheries will be affected adversely which to be replaced only after receiving adequate compensation
- It is envisaged that business units where many employees are engaged will be affected severely due to temporary loss of jobs
- The farmer community will lose their land only, but the businessmen will lose their properties as well as businesses; therefore the effect will be more upon the businessmen than the farmers.

b. Effect of the Project in terms of loss of income sources

- The Project is likely to temporarily hamper the income sources of the stakeholders by evicting them from their present locations of business/trade
- The income sources will be hampered up until replaced or relocated and rehabilitated as well

c. Willingness to change profession in case present work opportunity is disturbed

- Stakeholders are not thinking of bringing any changes to their current occupations/professions if disrupted by the Project; hence, they are not yet searching for alternative jobs
- It is thought that some of the petty businessmen may have to change their jobs due to the Project and they are prepared to do so if rehabilitation assistance is provided
- Small and marginal businessmen have agreed/are prepared to change their current business/trade if affected, provided relocation and rehabilitation are arranged
- The medium and large businessmen are not ready to change their businesses all of a sudden as they have been engaged in those businesses for a long time with significant investment already made

d. Existing work opportunity of stakeholder groups in the Project area

- Work opportunity in and around the station area is mainly in terms of small/medium trading/business and farming (e.g. fisheries, poultry etc.)
- There are some opportunities for work as day labourer/daily basis worker in the factories located in the Comilla EPZ
- Some stakeholders depend on crop and vegetable farming, while others are rickshaw/van pullers, CNG and Auto/Battery drivers etc.
- Some local people are already engaged as carpenters/masons/day labourers/tree plantation workers in different repair/maintenance work of railway under railway contractors

e. Future opportunity of work during Project implementation:

- The stakeholders expect some job opportunities will be created during the Project implementation phase
- The work created would include that for porters as well as in ground leveling, land filling, local goods transporting, loading/unloading of construction and other materials etc.
- Some day labour work will be created for women e.g. tree plantation, cooking for the Project staff, breaking of bricks and stones for construction etc.

f. Any able bodied family members would find employment in the Project's civil work if provision is there

- Most of the stakeholders have family members who are capable of taking part in the Project's civil work, if selected and assigned to such work
- The stakeholders were of the opinion that affected families should be given priority in being assigned to the Project work as well as railway department work if there is any provision
- Provision of training on different trades for the affected people as well as their family members will be a good support for those who would lose land

g. Opinion of mode of compensation or assistance from the Project

- A good amount of money as well as suitable places, which is very scares in the area, will be required to replace the present loss
- Stakeholders prefer payments in cash directly to the affected people through bank cheques or by hand by the relevant Project officials
- They requested the authority not to involve any public representatives (e.g. Chairman, Member of UP and Councilor of Paurashava) in the cash payment process
- Stakeholders requested to send the compensation through 'money transfer' to local bank or postal services to the affected persons, which will enable to have a problem free compensation system
- The authority can provide/arrange jobs for the affected family members suitable to their skills and expertise
- Local people are not willing to sell their homestead/commercial lands as there is scarcity of such lands in the Project area. It is very difficult to acquire land even for someone with the means to buy land
- The stakeholders requested alternative land in the same area as compensation for commercial and homestead land acquired by the Project.
- Construction of alternative market may be a good option for the businessmen group.

2. Stakeholder Group: Farmers (summary of 9 FGDs)

a. Effect of the Project in terms of loss of land/structure/business/wage

- The stakeholders will lose mainly their agricultural and homestead land, houses, trees, tube wells, boundary walls, latrines, fish ponds etc.
- Productive agriculture land with good intensity of crop production will be affected severely
- The number of homeless persons with no alternative land for farming will increase in the Project area

b. Effect of the Project in terms of loss of income sources

- The Project is likely to temporarily hamper the income sources of the stakeholders by interrupting crop cultivation and causing instant damage to standing crop
- Most of the people depend on their agriculture land, so acquisition of agriculture land will affect earning sources
- The income sources will be hampered up until the time of replacement of present land and general compensation of seasonal crop
- The disruption of income sources will cause insecurity in food and nutrition intake leading to health problems and hampering education facilities etc.
- A good number of stakeholders will become borrowers and the number of poor people will rise in the area

c. Willingness to change profession in case present work opportunity is disturbed

- The farmers of this area generally have no expertise or financial capacity for becoming involved in other occupation like business/trade etc.

- Some marginal farmers may be forced to change their occupation when the little land they currently own will be acquired by the Project
- The marginal farmers could be motivated to change their occupation only if a restoration programme along with financial assistance is initiated for alternative livelihood
- The medium and large farmers will find it very difficult to change their occupation even if their current occupation is disrupted

d. Existing work opportunity of the stakeholder groups in the Project area

- The scope of work for the farmer community along the railway line is mainly in terms of crop cultivation; farming (e.g. fisheries, poultry, livestock rearing etc.) and farm labour
- In most of the Project area along railway tracks, there is no alternative opportunity for farmers except for agriculture and farming
- The alternative or secondary occupation of the farmers are teaching, NGO service, small business, pottery, and labour in factories (e.g. jute mills, handloom/khadi and EPZ etc)
- There are some farmers who carry out seasonal trade of agricultural products, while some marginal farmers sell labour seasonally
- Some farmers have also taken lease of land from the BR that they have been cultivating for a long time

e. Future opportunity of work during Project implementation:

- Some temporary job opportunities will be created during the implementation phase of the Project
- The temporary work include work for porters as well as ground leveling, land filling, local goods transporting, carrying of bricks and stones, loading/unloading of construction and other materials, security services etc.

f. Any able-bodied family members could become engaged in the Project's civil work if there is provision for it

- Stakeholder family members are skilled and capable of becoming engaged in the Project's civil work if given the chance
- Unskilled family members can be given training by the authority to take part in the Project work
- The stakeholder family members should be given priority in being engaged in the rail stations of the BR
- There should be provision for training of the affected eligible people as well as their family members on different trades including agriculture and farming
- It will be very helpful for the women members of the affected families to receive training on small and cottage industries as well as farming like duck, poultry, cattle and goat rearing etc.

g. Opinion of mode of compensation or assistance from the Project

- The stakeholders have urged that the compensation money should be transferred directly to their bank accounts or through NGOs instead of the DC office
- Market survey should be carried out correctly by knowledgeable persons to obtain the actual current price for estimating the value of damaged property accordingly
- There should not be political manipulations involved in the compensation of the affected persons
- The authority should follow the national and international rules and regulations in dispensing the compensation
- Alternative land as compensation for acquired residence and agriculture land is proposed by the stakeholders
- Skills development training on cattle, duck and poultry rearing as well as farming will make the APs self-reliant
- The NGO that will be involved in the implementation of the resettlement and rehabilitation programme should be trustworthy to all stakeholders
- Necessary consultation and disclosure should be arranged for disseminating all updated information on the Project as well as resettlement assistance to the local people.

3. Stakeholder Group: Day Labourers (summary of 5 FGDs)

a. Effect of the Project in terms of loss of land/structure/business/wage

- The local day labourers will lose work as well as shelter. It will also be difficult for them to find other suitable shelters and jobs where they would need to relocate. Their livelihoods will be severely hampered
- Those who will lose both job and home will be the most hard hit
- Farm day labourers who cultivate vegetable beside railway land round the year will lose their gardens, and thus their source of income
- As the day labourer community is very poor, they will find it very difficult to face the financial loss due to the damage to their houses which they would not be able to afford to rebuild
- Some of the affected persons would lose their trees and other belongings
- The number of homeless persons will increase in the Project area

b. Effect of the Project in terms of loss of income sources

- The Project is likely to hamper the income sources of the day labourers
- The income sources will be hampered up until the time of replacement of present house and arrangement of alternative source of income
- The disruption of income sources will cause insecurity in food, accommodation, education facilities etc. for the affected persons
- Most of the stakeholders will become poorer and resort to borrowing money

c. Willingness to change profession in case present work opportunity is disturbed

- Stakeholders are not certain whether they have to change their current day labour occupation if affected

- Although the day labourers do not need to change their jobs, it would still be better if the Authority found alternative jobs for them
- They requested necessary relocation of house and income restoration programme to be provided along with financial assistance for better livelihood

d. Existing work opportunity of the stakeholder group in the Project area

- The community people have the opportunity of work as day labourers in their own locality as well as in different factories in and around their residences
- Some stakeholders depend on rickshaw/van pulling etc. for earning income
- Some are engaged as carpenters/masons/day labourers/ tree plantation workers in different repair/maintenance work of railway under railway contractors

e. Future opportunity of work during Project implementation:

- Stakeholders expect day labour opportunities to be created during Project implementation such as to serve as porters as well as ground leveling, land filling, local goods transporting, loading/unloading of construction and other materials etc.
- Some day labour work will be created for women as well, e.g. tree plantation, cooking for the Project staff, breaking bricks and stones for construction etc.

f. Any able-bodied family members would become engaged in the Project's civil work if there is provision for it

- Most of the stakeholder family members are able to work in the Project's civil work such as breaking bricks and stones, serving as porters, digging and leveling grounds, tree plantation, etc. if given the opportunity
- Unskilled family members including women can be given training by the authority to take part in the Project as day labourers

g. Opinion about mode of compensation or assistance from the Project

- Day labourer community prefer alternative accommodation facility (single /cluster) from the BR
- It is preferable to have the compensation paid in cash through bank account. It is also preferable to not involve local elites and public representatives in the compensation process
- Training on different trades shall be useful to the affected day labour community as it would enable them to continue their desired livelihoods in any location that they would relocate
- The Project authority should take consider the actual price of land and other properties
- Skills development training on different trades may help the APs to become self-reliant

4. Stakeholder Group: Women (summary of 5 FGDs)

a. Effect of the Project in terms of loss of land/structure/business/wage

- The stakeholder group will lose their houses and small businesses
- They and their children will be at risk of being relocated
- They would not be able to adapt easily to the new environment after displacement.
- Monthly income will be reduced due to wage loss
- They would not be able to raise poultry and livestock due to the lack of land

b. Effect of the Project in term of loss of income sources

- The basic human needs of the stakeholder group would not be fulfilled due to their affected income sources
- They will be lose their previous standard of living
- Their per capita income will be diminished
- They will be neglected socially due to loss of income
- They will face suffer from lack of nutrition because due to loss of income
- They shall suffer in terms of health care and education due to the loss of income

c. Willingness to change profession in case present work opportunity is disturbed

- They will be able to change their profession if the Government supports them financially
- They would require skills training that should be arranged locally under the Project
- They would require training in poultry and livestock rearing and merchandising
- They would also require training in for employment in garments and small cottage industries

d. Existing work opportunity in the Project area for the stakeholder group

- Small business and employment in local restaurants
- Vegetable cultivation
- Day labour (there is a demand for labourers in the area due to male labour migration abroad)
- Employment in the EPZ
- Fish, poultry, cattle etc. rearing

e. Any able-bodied family members, including women family members, could become employed in the Project civil work if there is provision for it

- If the opportunity is created, women would be able to find employment under the Project according to their capacity and skill, particularly in light physical labour such as supply water to the Project staff, cook for them and clean instruments

f. Opinion about mode of compensation or assistance from the Project:

- Compensation will be given for the loss of structures and trees

- For cash reimbursement, the current price of land must be considered
- The affected stakeholder group should be compensated with nearest alternative homestead so that they may relocate in safely and easily
- There should be no discrimination against the affected women for enjoying work opportunity in the Project
- The affected women should not be subjected to social/political harassment during payment of compensation
- The compensation should be in terms of land/homestead instead of money
- The money should be handed over in cash directly to the affected persons
- The affected stakeholder group should be relocated near their village of origin so that they can continue their local business/ work
- Training for skill development should be given to the affected women to help them survive
- They want to production tools/instruments (e.g. sewing machine etc) for employment so that they can work at home.

5. Stakeholder Group: Landless (summary of 5 FGDs)

a. Effect of the Project in terms of loss of land/structure/ business/wage

- Some residents have completely lost their livelihoods, for example one participant had five shops and lost all five of them. The owner of these shops used to get monthly rents. If the Project will be promoted, he will become landless and the employees will lose their jobs. So the landless workers are anxious about losing their valuable source of income
- The stakeholder group will become homeless. Therefore, they are worried about their future
- If the Project is implemented, many people's wage will be reduced and many would become beggars

b. Effect of the Project in terms of loss of income sources

- Most of the landless people live along railway lines illegally. They work as day labourer in rice mills, saw mills, as rickshaw pullers, or have tea stalls. As they earn their income on a day to day basis, therefore, they will be affected adversely and would be able to support their families even less than before
- The poor stakeholder group will not be capable of buying new land or take up fresh livelihoods
- They could become frustrated and give over to a life of crimes or become drug addicts

c. Willingness to change profession in case present work opportunity is disrupted

- The Comilla EPZ area offers some job opportunities. There is also opportunity in shop keeping, petty business, scrap item workshops, masonry, rickshaw and auto rickshaw driving etc. So if Government creates work opportunity for the landless people, they could adapt to their new life

- They are not thinking about alternative livelihood facilities because they have no enough resources for that
- The Project should provide technical vocational training to the landless people so that they can change their occupations
- Training should be given according to local resources and needs

d. Existing work opportunity of the stakeholder group in the Project area

- Pottery, fish farming and land filling
- CNG and auto rickshaw driving, and van and rickshaw pulling
- Tailoring, thatchery etc.
- Agricultural work
- Small businesses

e. Any able-bodied family member would be able to find employment in the Project's civil work if there is provision for it

- The local poor and their family members can become involved in the Project work if they are given the opportunity
- The stakeholder group will include people of all sections of the community, including the well-off. Opportunity for work should be created for people of all tiers of the community and according to their skills
- The affected people are also willing to perform physical labour if required

f. Opinion about the mode of compensation or assistance from the Project

- Alternative accommodation facility from the Government is preferable by the stakeholder group; payment in cash against their loss is also acceptable
- The best solution to the problem created by land acquisition will be to arrange alternative land for the residents
- The Government should arrange alternative homesteads for the residents in a nearby village as compensation for infrastructure damage and land loss
- Work opportunity in the railway Project and at the rail stations must be created for the stakeholder group
- The compensation money must be handled by persons who are trustworthy and respected in the community to ensure that it reaches the affected stakeholder group. The chairman or members should not be involved in the payment process
- Market survey should be carried out correctly and the survey information should be collected from knowledgeable persons
- In dispensing compensation, the Government should follow the international rules.

Annex 7: Key Findings of the Rental Availability and Affordability Survey

A. INTRODUCTION

The survey and objective

1. This brief report presents a summary of the findings of the rapid assessment carried out last week. The purpose was to explore the alternative rental options available for affected businesses and residences on BR land. The report analyses the findings within their overall socio-economic context, current income and future options.

Sample and responses

1. The target was to complete 100 randomly selected shops/business owners in and around the three (Akhaura, Comilla and Laksam) station areas. The study team interviewed 89 shops/business and household units (Akhaura – 23 (26%); Comilla – 48 (54%); and Laksam – 18 (20%) within the available time constraints. In addition, four FGDs were held. A separate report on FGDs is available.

B. FINDINGS - SUMMARY

Background and profiles

2. Of the 89 units interviewed, 87 (98%) are shops/businesses while only 2 (2%) units are business-cum-residences. Seventy-three (82%) have had their shops/businesses for over 5 years. In terms of their village homes, 53 (60%) are from the station areas/neighborhood; 22 (25%) are from the same district; and 14 (16%) are from other districts. Thirty-five (40%) of the 89 interviewed reported to have land and houses in their place of origins, in addition to the shops/businesses on BR land around the stations. Twenty-five (28%) respondents reported to have taken commercial lease of land from BR.

Status of ownership of shops and residential structures

3. Twenty-five (28%) own the shops/structures while the rest 64 (72%) units are on rental basis. With regard to living arrangements by the shop owners and tenants, 54 (61%) reported to have their own residence in town (this includes a large segment of the tenants); only 35 (39%) live on rented houses. The units rented are owned by non-relatives except for two respondents in Akhaura, who rented from relatives. Monthly rental paid are as follows: (i) 4 (11%) respondents pay BDT 751 to 1000; 2 (6%) from BDT 1001 to 1500; and 29 (83%) pay over BDT 1500 per month. Of the 2 business-cum-residences, one is owned and the other is rented (monthly rental over BDT1500).

Monthly Income from Business

4. Sixty-eight (76%) of the respondents have a monthly income of over BDT 10,000; 17 (19%) have incomes ranging from BDT7501 to 10,000; and only 4 respondents have under BDT7500 monthly income. Of the two shops-cum-residence owners, one has a monthly income of less than BDT 10,000 while the other has over BDT10, 000. The shops around major stations

such as Akhaura, Comilla and Laksam remain open 24 hours a day. As a result, monthly incomes of these shops are almost double than other similar type shops in the area.

Availability of alternative rent/accommodation

5. In response to question regarding alternative options to re-establish businesses, the following responses were provided: (i) look for alternative rental space – 10 (11%); (ii) lease private land to re-establish businesses – 7 (8%); (iii) move my business close by – 37 (42%); (iv) Not yet planned – 20 (22%); and (v) Others (“want to do business in the station area”) – 15 (17%).

6. When asked are there enough rental space or other alternative available for businesses like yours, 12 (13%) reported available but not affordable; 67 (75%) said not available, and 10 (11%) mentioned “don’t know.” With regard to private lands /space for renting, the responses are as follows: available but not affordable - 38 (43%); not available – 35 (39%), and don’t know – 16 (18%).

Help from INGO

7. The respondents were told that BR will hire an experienced INGO to assist in their relocation. Within this context, question was asked of the kind of help they would seek from the INGO? Eighteen (20%) want INGO help to get their compensation paid prior to relocation; and 71 (80%) wanted INGO help finding rental spaces.

C. ANALYSIS AND IMPLICATIONS

8. Rapid surveys are not necessarily the best of tools for such a critical assessment. However, given the time constraints, the survey has provided some feedback on several issues of interest dealing with relocation, housing, rental and re-establishment of businesses by the affected informal settlers in and around major stations.

9. The overall picture that emerges is that the affected shops and business owners on BR land are not necessarily very poor and vulnerable. This is evident from their socioeconomic background and incomes. First, 40% of those interviewed have land and houses in their village homes in addition to their shops and businesses on BR land. Second, 28% reported to have taken commercial lease of land from BR. Third, 28% own their shops and the rest 72% are on rental basis. Fourth, 61% of the shops and business owners (including those renting spaces) have their own residence in town and 39% live on rented houses with a large majority (83%) paying over BDT1500 per month. Finally, the monthly reported incomes for 86% of the respondents are over BDT10, 000, which is a fairly good income to put anyone above the nationally defined poverty line. In sum, for a large majority, the business on BR land is viewed as an opportunity free of any tangible costs.

10. With regard to availability of alternative space for renting for business and/or accommodation, the responses are “mixed” at best. The range of options reported and their distributions suggest that the people are still not sure and have not decided yet except that many would like to stay around the station areas. There are suggestions that spaces are available but not affordable or that alternative spaces are not available or did not look into it at

all. The issue seems to appear more with rental space to re-establish business as most owners have already residences in the towns. This clearly indicates need for some support to find out alternative spaces for businesses. This has also been clearly stated by the respondents – i.e., 80% wanted INGO help finding rental space.

11. Thus, it is clear from the data that the “informal” settlers doing businesses on BR land are in most cases already well established “residents” in the local towns. In many cases, they are not “squatters” in any real sense. They have good incomes from the shops/businesses around station areas and live in the vicinity in their own residences. In view of the above findings, the existing entitlements in the RP for replacement costs for lost assets on BR land, cash for relocation, all additional grants – including livelihood training and support – and assistance by INGO for relocation and re-establishment of businesses appear adequate. For instance, provisions for rental assistance (under Entitlement Matrix 13) for residential and commercial structures (rented out) for three months (up to BDT 17,200) still covers the range as the reported rent as per the rapid assessment is around BDT1500/month. Similarly, for rented-in tenants, if the provision is moved up to 3 months (against current provision for 1 month), the allocation of BDT5800 is still okay. This is also true in the case of EM 12 (cash grant of BDT10,200 to employees/wage earners equivalent to 2 months). The provision for 2 months is considered sufficient for employees/wage earners to find alternative employment. In sum, there is no need for additional rental assistance or grant in addition to the current entitlements in the RP for loss of business and re-establishment of businesses and livelihoods. The data from the need assessment survey provide support to this assertion.

Annex 8: Gaps between GoB Laws and ADB/EIB Policies

Aspect	GOB 1982 Ordinance II and other applicable laws/Guidelines	ADB SPS 2009	EIB E&S Standard	Gaps between ADB SPS 2009, EIB E&S Standard and 1982 Ordinance	Safeguard measures to bridge the gaps between ADB SPS, EIB E&S Standard and 1982 Ordinance in this Project
Objectives					
1. Avoidance of involuntary resettlement	Avoidance of resettlement is not specifically mentioned in the 1982 Ordinance – focuses on mitigation than avoidance.	Avoid involuntary resettlement wherever possible	Avoid involuntary resettlement whenever feasible	Gaps with regard to this principle to avoid resettlement impact through alternative options.	Resettlement Plan (RP) adheres to this principle- i.e., avoid resettlement impacts where feasible.
2. Minimisation of involuntary resettlement	The law implicitly discourages unnecessary and excess land acquisition, as excess land remains idle and unused and lands acquired for one purpose cannot be used for a different purpose.	Minimise involuntary resettlement by exploring Project and design alternatives.	Minimise Project-induced resettlement by exploring alternative Project designs.	Section 3/under 1982 Ordinance requires notification only; no consultation is required.	<ul style="list-style-type: none"> - Minimise displacement of people as much as possible by exploring all viable design alternatives. - If unavoidable, provide for prompt payment of adequate compensation, - Provide replacement cost (for lost assets and income) and rehabilitation and livelihood assistance, towards better condition than before relocation for all displaced households regardless of title to land. - Land that remains unused should be returned to the original owner(s).
3. Mitigation of adverse social impacts	The mitigation measures are cash compensation only for lost assets. The complexities of resettlement is not addressed by the Ordinance	To enhance, or at least restore, the livelihoods of all affected persons in real terms relative to pre-project levels; and to improve the standards of living of the displaced poor and other vulnerable groups.	Respect right of affected people to property, housing with particular attention to vulnerable groups; Assist displaced persons to improve or at least restore their livelihoods.	Only cash-based compensation for acquired assets. The impacts on loss of houses and the need for resettlement are not considered.	Provision for replacement value for assets lost (i.e. structures, trees, etc.). Other resettlement benefits are to be provided. RP is to be disclosed to the community in Bengali version.
Core Principles					
1. Identification, assessment and	The 1982 Ordinance requires preparation of a Land	Screen the Project early on to identify past, present and future	If involuntary resettlement is	Impact assessments are typically done in the	RP requires identification of impacts caused by

Aspect	GOB 1982 Ordinance II and other applicable laws/Guidelines	ADB SPS 2009	EIB E&S Standard	Gaps between ADB SPS 2009, EIB E&S Standard and 1982 Ordinance	Safeguard measures to bridge the gaps between ADB SPS, EIB E&S Standard and 1982 Ordinance in this Project
addressing the potential social and economic impacts	<p>Acquisition Plan (LAP) for land acquisition (if any) and compensation purposes. However GoB environmental rules/guidelines (1997) synchronise various applicable laws and policy frameworks of the country for early identification of impacts on biophysical, socioeconomic and cultural environment of a Project intervention and their mitigation.</p> <p>Requires the assessment of technical alternatives, including the no action alternative to minimise adverse environmental impacts, include impact on human health and safety.</p>	<p>involuntary resettlement impacts and risks. Determine the scope of Resettlement Planning through a survey and/or census of displaced persons, including gender analysis, specifically related to resettlement impacts and risks.</p>	<p>unavoidable, the client, with full involvement in the decision-making process of all stakeholders, and in particular the affected people, should adopt adequate steps to minimise and mitigate its adverse impacts from an early stage. Resettlement is a process to assist those displaced to replace their housing, assets, livelihoods, land, access to resources and services and to improve or at least restore their socioeconomic and cultural conditions to those levels existing prior to the Project.</p>	<p>case of externally funded Projects; otherwise, Project impacts on properties, livelihoods and employment, are discussed in RP and provide enough information to determine losses and basis for compensation. Existing national laws do not have provision for identification of indigenous people to recognise their particular problem and inconveniences due to a Project.</p>	<p>displacement whether or not through land acquisition (maintaining the principle that lack of formal title to land should not be a bar to compensation and resettlement assistance), including number of affected persons. The RP also addresses indirect impacts.</p>

Aspect	GOB 1982 Ordinance II and other applicable laws/Guidelines	ADB SPS 2009	EIB E&S Standard	Gaps between ADB SPS 2009, EIB E&S Standard and 1982 Ordinance	Safeguard measures to bridge the gaps between ADB SPS, EIB E&S Standard and 1982 Ordinance in this Project
2. Preparation of mitigation plans for affected persons	<p>The Deputy Commissioners (DCs) have the mandate in their respective jurisdiction as per law to acquire land for any requiring person (public agency or private person). The requiring body requests the Deputy Commissioners for acquisition of land for their Project/scheme. DCs investigate physically the requirement of land and carry out joint verifications of assets and type of land for assessing quantity of losses (u/s 8(1) of the law). Affected titled holders receive the assessed value and 50% on that for compulsory acquisition. Fair compensation is required for acquisition of land which is dependent on recorded data with relevant Government agencies (sub-registrar's office for land, PWD for structure, DAE for crops, DoF for trees, etc.). Affected owners have the right to appeal on acquisition or on the compensation amounts determined as per law.</p>	<p>Develop Resettlement Plan on the basis of assessment during Project processing, with the intent that plan will guide refinements of impact estimates and mitigating measures as Project parameters are finalised.</p>	<p>RAP should be developed to mitigate the negative impacts of resettlement and identify potential development benefits; assure that the rights and interests of Project-affected people are respected and protected, in particular those deemed vulnerable;</p>	<p>Existing law and methods of assessment do not ensure full replacement cost of property at current market price. The law does not consider resettlement or rehabilitation of affected persons or their loss of income or livelihood resources. "Market value" of property is often found low in respect of current market price, it can be raised, if appealed, by a maximum of 10 percent each time which in most case is not sufficient to match with real market price.</p>	<p>Resettlement Framework of the Project requires full census and/or updating, where possible, for up-to-date database. RPs will be developed on the updated survey data.</p> <p>Provide guidelines to ensure displaced persons and communities' compensation for lost assets at full replacement costs and other assistance to help them improve or at least restore their standard of living at pre-project level. Includes special attention to gender and preparation of gender action plan</p>
3. Consideration of alternative Project design	<p>Feasibility studies including social, political, cultural and environmental impact assessments, detailed engineering surveys as basis</p>	<p>Explore viable alternative Project designs to avoid and/or minimise involuntary resettlement.</p>	<p>Project-induced involuntary resettlement should be avoided by analysing alternative Project</p>	<p>No specific laws for considering Project design to avoid or minimise involuntary resettlement. Feasibility</p>	<p>RP considers feasible alternative Project design to avoid or at least minimise physical or economic displacement, while balancing</p>

Aspect	GOB 1982 Ordinance II and other applicable laws/Guidelines	ADB SPS 2009	EIB E&S Standard	Gaps between ADB SPS 2009, EIB E&S Standard and 1982 Ordinance	Safeguard measures to bridge the gaps between ADB SPS, EIB E&S Standard and 1982 Ordinance in this Project
	for acquisition of private property or rights.		designs and locations.	study considers cost-benefit more from technical than socio-cultural considerations.	environmental, social, technical and financial costs and benefits.
4. Involvement and consultation with stakeholders	<p>The 1982 Ordinance have provisions (Section 3 and 3/2) to notify the owners of property to be acquired.</p> <p>Any party having any objections can appear to DC for a hearing with 15 days of notification.</p>	<p>Carry out meaningful consultations with affected persons, host communities, and concerned agencies/ Government organisations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation and M&E of resettlement programmes. Pay particular attention to the needs of the vulnerable groups, especially those below poverty line, the landless, the elderly, women and children and indigenous people, and those without title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the APs' concerns. Support the social and cultural institutions of displaced persons and their host population.</p>	<p>Opportunities for dialogue and consultation must be extended to the PAPs including host communities, executing agency, CBOs, NGOs, Govt. agencies of local and national level during implementation and monitoring of the resettlement process. Particular attention should be given to the women, vulnerable and marginalised groups; important to hold separate consultations with women only. There should have a grievance mechanism that is independent, free and in line with the EIB requirements. It should allow prompt addressing of specific concerns about compensation and relocation from the affected people and</p>	<p>There is no provision in the law for consulting the stakeholders but the land allocation committees at district, division and central Government level. People have limited scope to negotiate with the Government on the price of land, but have no right to refuse acquisition.</p>	<p>RP has provisions for community consultation and public disclosure of impacts as well as mitigation measures, including disclosure of Resettlement Plan. Further, grievances redress procedures involving cross-section of people, including representative of affected persons, are to be established for accountability and democratisation of the development process.</p>

Aspect	GOB 1982 Ordinance II and other applicable laws/Guidelines	ADB SPS 2009	EIB E&S Standard	Gaps between ADB SPS 2009, EIB E&S Standard and 1982 Ordinance	Safeguard measures to bridge the gaps between ADB SPS, EIB E&S Standard and 1982 Ordinance in this Project
			host communities and other directly involved entities.		
5. Informing APs by disclosing RP (emphasising on mitigation measures)	The 1982 Ordinance requires a “notice” to be published at convenient places on or near the property in a prescribed form and manner stating that the property is proposed to be acquired (under section 3).	Disclose the Resettlement Plan and other relevant information in a form and language(s) accessible to key stakeholders, civil society, particularly affected groups and the general public.	RAP need to include measures to ensure that the displaced persons are informed about their options and rights pertaining to resettlement; effectively consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives which take into account the suggestions made by the affected community as much as possible;	Disclosure takes place in the case of donor-funded Projects.	RP requires disclosure of Draft RPs to the affected communities in a form or language(s) that are understandable to key stakeholders, civil society, particularly affected groups and the general public in a national workshop. Further, updated RPs will be disclosed based on material changes as a result of the concerns of affected families.
6. Supporting existing social and cultural institutions of the affected persons	No provision in the 1982 Ordinance.	Ensure that the existing social and cultural institutions are supported and used to the extent possible, including legal, policy and institutional framework of the country to the extent that the intent and spirit of the IR policy is maintained.	When possible, resettlement should also provide opportunities to affected and host communities to improve social and public infrastructure with the aim of contributing to the sustainable socio-economic development of their members.	No provision in any existing laws.	Following good practices in other resettlement Project i.e. Padma and Jamuna Bridge Projects, the RP has provisions to enhance carrying capacity of the host villages in post-relocation period.

Aspect	GOB 1982 Ordinance II and other applicable laws/Guidelines	ADB SPS 2009	EIB E&S Standard	Gaps between ADB SPS 2009, EIB E&S Standard and 1982 Ordinance	Safeguard measures to bridge the gaps between ADB SPS, EIB E&S Standard and 1982 Ordinance in this Project
7. Building capacity of the borrower (BR) on RP implementation	No provision in the 1982 Ordinance.	Assist in building capacity of EA on best practice on involuntary Resettlement Planning and implementation.	If vulnerable individuals or groups are identified, there should be screening to determine the need for technical assistance or capacity building for the borrower or others facilitating the effective management of risks falling under this Standard.	There is no law or directives on the supervision of the land acquisition process by Deputy Commissioner.	Resettlement supervision in the Akhaura-Laksam Rail Project will follow best practices of other similar type of resettlement Projects in the country. Mid-term review of resettlement performance and regular supervision of resettlement operations by the BR.
8. Social Assessment		The borrower/client will conduct socio-economic surveys and a census, with appropriate socioeconomic baseline data to identify all persons who will be displaced by the Project and to assess the Project's socioeconomic impacts on them. As part of the social impact assessment, the borrower will identify individuals and groups who may be differentially or disproportionately affected by the Project because of their disadvantaged or vulnerable status.	The borrower is required to carry out a census and a socio-economic baseline survey to establish the number of people to be displaced, livelihoods affected, and property to be compensated. The surveys should take into account persons affected through anticipated cumulative impacts of the resettlement. The census date is usually also a cut-off date for eligibility claims.	There is no provision in the law for conducting census or socio-economic surveys except video filming and joint verification of the property within the proposed right of way.	Census and Socioeconomic survey, consultation meetings with video filming of the alignment are mandatory.
9. Resettlement Plan		The borrower will prepare a Resettlement Plan, if the proposed Project, will have	The Executing agency shall prepare RAP including consultation	No provision in the national law for preparation of the	Resettlement Plan is prepared for the Project where there are land acquisition and involuntary

Aspect	GOB 1982 Ordinance II and other applicable laws/Guidelines	ADB SPS 2009	EIB E&S Standard	Gaps between ADB SPS 2009, EIB E&S Standard and 1982 Ordinance	Safeguard measures to bridge the gaps between ADB SPS, EIB E&S Standard and 1982 Ordinance in this Project
		involuntary resettlement impacts. The objective of the Resettlement Plans will elaborate displaced persons entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring & reporting framework, budget and a time-bound implementation schedule.	of APs, valuation of and compensation for lost assets and income, details of sustainable arrangement for improving and restoring livelihoods. It will also describe legal framework, grievance mechanism, implementation schedule, budgets, and arrangements for monitoring and evaluation.	Resettlement Plan	resettlement impacts.
10. Monitoring	The 1982 Ordinance II has provision that the DC will monitor and submit a statement to the Government annually about the properties acquired for different requiring bodies and mode of utilisation of the land.	The borrower will monitor and measure the progress of implementation of the RP. For Projects with significant involuntary resettlement impacts, the borrower will retain qualified and experienced external experts or qualified agencies to verify the borrowers monitoring information. The borrower will prepare semi-annual monitoring reports that describe the progress of the implementation of the resettlement activities and any compliance issues and corrective actions.	The Executing agency shall setup necessary systems to monitor the implementation of a RAP on a regular basis and take corrective action as necessary. The implementation and effectiveness of the resettlement action plan shall be subject to monitoring and review by qualified resettlement specialists and/or other independent third parties as appropriate and commensurate to the	No provision in the national law for monitoring implementation of the RP	RP has provision for internal monitoring by BR and Supervision Consultants and external monitoring by an independent monitor during implementation period.

Aspect	GOB 1982 Ordinance II and other applicable laws/Guidelines	ADB SPS 2009	EIB E&S Standard	Gaps between ADB SPS 2009, EIB E&S Standard and 1982 Ordinance	Safeguard measures to bridge the gaps between ADB SPS, EIB E&S Standard and 1982 Ordinance in this Project
			scale and risks involved in the resettlement.		
11. Evaluation	No provision for evaluations of the post-displaced lives of the affected households and communities			No provision in the national law for conducting evaluation of the RP implementation.	An independent reviewer (a senior level Resettlement Specialist) will conduct evaluation of the performance of resettlement operations as well as impacts of resettlement during and after implementation of Resettlement Plan to assess resettlement efficiency, effectiveness, impacts, and sustainability. The evaluations will reflect broadly on the success or weaknesses in RP implementation and "lessons learned."

Annex 9: Land Acquisition and Compensation Payment Procedure

For the Titled EPs

1. The procedures of land acquisition and compensation payment to the titled EPs follow a step-wise process as follows:
 - BR produces land acquisition proposal to DCs with Administrative Approval from the Ministry of Railway (MoR) on the acquisition.
 - DCs carry out feasibility study of the acquisition and submit the land acquisition proposal with the feasibility report to the Ministry of Land (if the land is more than 16.67 acres) or to the Divisional Commissioner (if the land is less than 16.67 acres) for approval.
 - Upon approval of the LAP from Ministry of Land (MoL) or from Divisional Commissioner, as the case may be, DC serves notice under section (u/s) 3 of the Acquisition and Requisition of Immovable Property Ordinance (ARIPO) 1982 to the recorded owner of the affected property for public appraisal.
 - Acquiring Body (DC) and Requiring Body (here BR) representatives conduct joint verification of the affected property within 3 days of serving notice u/s 3 and wait 15 days to receive any objection from land owners.
 - After that the DC serves notice u/s 6 for entertaining claims from the potential affected persons.
 - On the basis of joint verification survey data DC writes letter to Public Works Department (PWD) with information of affected structures, list of trees to the Forest Department and type of crops to the Department of Agricultural Extension for valuation as per Government rules.
 - DC also collects recorded land price from the Sub-registrar's office concerned for 12 months prior to the date of notice under section 3.
 - After receiving rates from the PWD, Forest and Agriculture Department the DC prepares estimate adding 50% premium where applicable and send it to the RB for placement of fund within 60 days.
 - The DC prepares award for compensation in the name of recorded owner.
 - Upon placement of fund, the DC serves notice u/s 7 to the titled APs for receiving cash compensation under law (CCL) within 15 days from the date of issuing notice u/s 7.
 - The affected people are noticed to produce record of rights to the property with updated tax receipt of land, declaration on non-judicial stamp, photograph etc before Land Acquisition section of DC office with the claim.
 - Upon fulfillment of the criteria of the DC office i.e. requisite papers and document the LA section disburse CCL in the office or at field level issuing prior notice to the APs.

- Local Government Institution representative identifies the affected people during receiving CCL.
- As per ARIPO 1982, DC pays compensation to the legal owner of the properties for land, structure, trees and crops.
- After receiving CCL from the LA office and obtaining clearance from the Treasury Section of the DC the entitled person (EP) deposits the CCL to his own bank account.
- One copy of the CCL will be submitted to the INGO office for additional payment of compensation as per RP.
- The INGO will devise ID number for the CCL holder and prepare entitled persons file and entailment card (EP & EC) for payment.
- The INGO will prepare ID card with photograph of the EP.
- The ID card will be jointly signed by the BR and INGO representative and photograph will be attested by the concerned UP Chairman/Mayor or Ward Councilor of the Municipality.
- The INGO will prepare necessary documents and papers (payment debit voucher, etc.) and submit to BR field office along with EP payment list (indent) and EP-EC.
- The BR field office will check and verify the list and other documents and send to PIU (PD office), and PIU will arrange preparation and distribution of compensation cheque through INGO.

Annex 10: TOR for RP Implementing NGO

A. PURPOSE OF THE TOR

1. Bangladesh Railway (BR) intends to engage a NGO to implement the Resettlement Plan for the Akhaura- Laksam Double Track Project. The Terms of Reference (ToR) is prepared for the Implementing NGO (INGO) to be engaged in implementing the RP. The ToR includes the approach and methodology of activities to be performed by the INGO. The ToR also includes a guideline to plan, implement and evaluate the activities within the Resettlement Plan along with the technical resources to be required for this purpose.

2. To become eligible for this purpose, the INGO must be a Resettlement Implementing Organisation duly registered with the NGO Bureau and Ministry of Social Welfare, Government of Bangladesh, having the necessary expertise and experience in carrying out the implementation of the Resettlement Plan, and all other associated Resettlement activities to implement this ToR. The INGO in the process of RP implementation will carefully follow ADB/IEB Involuntary Resettlement Policy and Guidelines as well as the GOB 1982 Ordinance II.

B. INTRODUCTION TO THE PROJECT

3. The Akhaura-Laksam Double Track Project is an investment Project of the Government of the People's Republic of Bangladesh (GoB). Bangladesh Railway (BR) under the Ministry of Railways (MoR) is the executing agency (EA) of this Project. The Project is designed for developing Sub-Regional and Trans-Asian Railway (TAR) connectivity for developing as well as improving the communication system between and among the South Asian and other Asian countries with Bangladesh. The Project is jointly funded by ADB, EIB and the Government of Bangladesh.

4. This ToR is implementation of the RP for the Project. It covers the administrative areas of Akahura and Quasba Upazilas of Brahmanbaria District; and Brahman Para, Burichang, Comilla Sadar North and South, and Laksam Upazilas of Comilla District. Total length of this strip is 72 km with 40m of width where BR has already has 244.75 ha of land in the existing track, and only 58.43 ha of land will be required as fresh acquisition. The Project is divided into three sections:

- a. Laksam – Comilla
- b. Comilla – Salda Nadi
- c. Salda Nadi – Akhaura

C. PROJECT IMPACTS

5. According to the census and IoL survey data, 2180 affected entities incur different types of losses. The disaggregated results identified that the household losing agricultural land only are 701, losing residential and other structures are 882, losing commercial structures only are 419, losing residential cum commercial structures are 101, losing trees only are 9, and losing fish ground only are 4. In total 721 employees of business structures will lose their jobs. There are 59 affected PCRs/CPRs also. A large number of those affected are shops/businesses and residential structures on BR land along the alignment and particularly near major stations like Akhaura, Comilla, and Laksam.

D. LAND ACQUISITION AND RESETTLEMENT POLICIES

1. Legal Framework of the Government of Bangladesh

6. Current legislation governing land acquisition in Bangladesh is the Acquisition and Requisition of Immovable Property Ordinance (Ordinance II) of 1982 (hereafter 1982 Ordinance). The 1982 Ordinance requires that compensation be paid for land and assets permanently acquired (including standing crops, trees, houses); any other damage caused by such acquisition.

7. The Deputy Commissioner (DC) determines the market price of assets based on the legislative procedures and in addition to that pays an additional 50 percent on the assessed market value established by DCs. The 1994 amendment made provisions for payment of crop-compensation to tenant cultivators. The Ordinance does not cover Project-affected persons without title to land or ownership record, such as informal settlers/squatters, occupiers, and informal tenants and lease-holders (without registration document) and does not ensure replacement market value of the property acquired.

8. The 1982 Ordinance has no provision for providing resettlement assistance and transitional allowances for restoration of livelihoods of the non-titled affected persons. The Ordinance has been applied for this Project for land acquisition; however, displaced persons, irrespective of their title will be assisted under resettlement framework, on co-financiers safeguard policies on involuntary resettlement.

2. ADB/EIB Safeguards Systems

9. Both ADB and EIB policies recognise and address the resettlement and rehabilitation (R&R) impacts of all the affected persons (APs) irrespective of their titles and requires preparation of RP in every instance where involuntary resettlement occurs. The policy requirements of both ADB/EIB are:

- i. avoid or minimise impacts where possible i.e. explore viable alternative Project designs to avoid and/or minimise involuntary resettlement;
- ii. carry out meaningful consultations with affected persons, host communities, and concerned agencies /organisations in Project planning and implementation;
- iii. payments of compensation for acquired assets at the replacement value;
- iv. enhance, or at least restore, the livelihoods of all affected persons in real terms relative to pre-project levels; and to improve the standards of living of the displaced poor and other vulnerable groups;
- v. planning through a survey and/or census of displaced persons, including gender analysis, specifically related to resettlement impacts and risks;
- vi. inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation and M&E of resettlement programmes;
- vii. pay particular attention to the needs of the vulnerable groups, especially those below poverty line, the landless, the elderly, women and children and indigenous people, and those without title to land, and ensure their participation in consultations;
- viii. establish a grievance redress mechanism to receive and facilitate resolution of the APs concerns;
- ix. support the social and cultural institutions of displaced persons and their host population;

- x. resettlement assistance to displaced persons, including non-titled persons in urban and rural areas
- xi. socio-economic surveys and a census are to be conducted, with appropriate socio-economic baseline data to identify all persons who will be displaced by the Project and to assess the Project's socio-economic impacts on them;
- xii. the social impact assessment will identify individuals and groups who may be differentially or disproportionately affected by the Project because of their disadvantaged or vulnerable status;
- xiii. Resettlement Plans will elaborate displaced persons entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring & reporting framework, budget and a time-bound implementation schedule; and
- xiv. disclose the Resettlement Plan and other relevant information in a form and language(s) accessible to key stakeholders, civil society, particularly affected groups and the general public.

3. Resettlement Principles Adopted by the Project

10. In view of the above legal framework of GoB as well as ADB/EIB Policies, the resettlement principles and guidelines adopted in this Project are:

- i) the land acquisition and resettlement impacts on persons affected by the Project would be avoided or minimised as much as possible through alternative design options;
- ii) where the negative impacts are unavoidable, the persons affected by the Project will be identified and assisted in improving or regaining their standard of living;
- iii) information related to the preparation and implementation of Resettlement Plan will be disclosed to all stakeholders and people's participation will be ensured in planning and implementation;
- iv) additional support over and above the cash compensation under law (CCL) will be extended for ensuring the replacement market value of the affected property. The affected persons (APs) who do not own land or other property, but have economic interests or lose their livelihoods will be assisted as per the broad principles described in this document;
- v) before taking possession of the acquired lands and property or dispossession of structure/assets on right-of-way (ROW), compensation and resettlement assistance will be paid in accordance with the provisions of the 1982 Ordinance as described in this document;
- vi) an entitlement matrix for different types of losses and dislocation experienced by different categories of people due to the Project has been prepared. The entitlement matrix covers all affected persons irrespective of titles and as identified prior to "cut-off date" by the survey/census used in this Project.
- vii) in the case of land acquisition, the date of notification for acquisition has been treated as the cut-off date. For non-titleholders such as informal settlers/squatters the date of census mentioned above. Any encroacher or squatter moving in to the Project areas after the cut-off date will not be entitled to any assistance;
- viii) an appropriate grievance redress mechanism has been established to ensure speedy resolution of disputes;
- ix) all activities related to Resettlement Planning, implementation, and monitoring would ensure peoples participation including women and other vulnerable

groups. Consultations with the APs will continue during the implementation of resettlement and rehabilitation works.

- x) all affected households and persons, as per the above principles, will be entitled to a combined compensation and resettlement assistance depending on the nature of ownership rights to the assets likely to be dispossessed from and socio-economic vulnerability of the affected persons.

E. MITIGATION OF ADVERSE IMPACT

11. As per the census survey, the Project will have substantial resettlement impacts. The compensation entitled for the loss of land and structures at replacement value, shifting and reconstruction assistance, and income restoration assistances are detailed in the entitlement matrix of the RP. Special support for affected people belonging to vulnerable groups, e.g., poor and women-headed households, households having handicapped people are included in the Resettlement Plan.

12. The APs will be entitled to-

- compensation for the loss of land, crops/ trees at their market value;
- compensation for structures (residential/ commercial/community) and other immovable assets at their replacement market value;
- assistance for loss of business/ wage income;
- assistance for shifting and reconstruction,
- assistance for housing and rental and
- rebuilding and/ or restoration of community resources/facilities.

13. This will ensure that persons affected by land acquisition or dispossession of their physical assets – whether titled or non-titled – will be eligible for appropriate compensation and or resettlement assistance. Persons having no legal title but using the land under acquisition, if vacated for the Project purposes, would be provided with compensation and resettlement assistance for structures and shifting/reconstruction allowances.

14. Households having customary rights to land and physical assets acquired – for instance, renters, sharecroppers, any kind of formal or informal tenancy contracts are also covered under the Resettlement Plan. 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 livelihood regeneration measures. The resettlement activities of the Project will be carried out in consultation with the APs and all efforts will be made to minimise disruption during implementation. AP preferences will be taken into account in relocating and resettling the affected persons.

15. A summary entitlement matrix has been prepared on the basis of currently known impacts of the Project. Census surveys conducted earlier identified the level of impact. The matrix shows the entitlements for each type of losses and dislocation. In case additional impacts are identified during implementation, the entitlement matrix will be revised through inclusion of compensation and assistance for the additional impacts as per the resettlement policy framework of the Project.

F. OBJECTIVE OF INVOLVING INGO

16. The primary objective of involving an Implementing NGO by BR is to carry out implementation activities and strengthening of delivery capabilities of the employer at the field level to implement the RP. The INGO will build up a team of trained field workers to provide necessary institutional support to the employer in identifying, informing and mobilising all APs during the RP implementation. They will ensure that all eligible APs receive their respective entitlement and can resettle properly in terms of acquiring/replacing homestead, agricultural land and other properties. INGO will coordinate with the Employer, Deputy Commissioners and Supervision Consultant on a regular basis to discuss progress and constraints in RP implementation. In case of rising any critical issue not covered by the provision of the RP, the INGO can make necessary recommendations consulting with different committee (PVAC, RAC, GRC and JVC) members to solve it.

G. SCOPE OF WORK AND RESPONSIBILITIES

17. The responsibility for the effective, timely and efficient execution of the resettlement activities will lie with the Implementing NGO. The INGO will be responsible to the Project Director for payment of entitlement and relocation of the APs based on Cash Compensation under Law (CCL) would be made by concerned DCs within short period of time of signing the contract. The general scope of work for the selected INGO will include:

- a. Logistics:**
 - Recruitment, deployment and training of the HQ and field staff;
 - Setting of office, equipment and implementation tools
- b. Consultations of Affected People**
 - Information and communications campaign;
- c. Support in compensation payments and resettlement benefits:**
 - Carry out additional census and IOL, if required for verification;
 - Identification of entitled persons (EPs);
 - Preparation of EP file, preparation of entitlement card, preparation of payment statement;
 - Assist in collecting CCL;
 - Computerisation of DC data (calculation sheet, DC Award, share determination);
 - Preparation of supplementary LAP during implementation for any "left out" land/plots or disputed area required for Project implementation;
 - Disbursement of resettlement benefits;
- d. Assistance in securing housing**
 - Support APs in the search for alternative land and/or housing to buy or rent by (i) conduct a survey of rental spaces in urban areas and plots of land to buy or rent in rural areas with of contacts (ii) assisting APs with documentation and negotiation;
- e. Other assistance**
 - Support APs in re-titling
 - Assist APs in moving private graves (if requested by the affected households)
- f. Livelihood Programme and other training activities**
 - Preparing and implementing the Livelihood Restoration Programme (LRP). This programme is designed for vulnerable households and households who will be losing 10% or more of their land. Activities involves: (i) conducting an assessment of trades and skills improvement interests among eligible participants to the program; (ii) based on this assessment design a program that includes the following activities: a– designing training sessions on skills enhancement in key trades as identified in the assessment; b – support participants in elaborating business plans. Only one member of eligible

household can participate. The INGO should ensure that 30% of participants are women.

- Prepare training on basic personal finance for all affected households who wish to participate.

g. Participation in Grievance Redress Committee (GRC):

- Participation in grievance redress committee (GRC);

h. Monitoring of RP implementation

- Preparation of monitoring and supervision reports to EA as agreed in the contract.

i. Carrying out specific tasks related to project-related communities awareness (beyond RP implementation)

- Carry-out awareness and information sessions on STD transmission, trafficking and female passenger security and safe mobility for communities along the corridor and targeted railway stations.

18. The general tasks and responsibilities for the selected INGO in three consecutive stages of the process for RP implementation; preparatory stage, relocation stage and rehabilitation stage will be as follows:

1. Preparatory Stage

19. **Carry out a census or verify IOL:** the INGO will carry out, where needed, additional census and/or verify existing IOL for compensation purposes. In case new areas are to be acquired, the NGO will have to carry out census for additional areas.

20. **Carry out survey of rental spaces in urban areas and plots/space availability in rural areas:** Under (a) the INGO will carry out, where needed, additional census and/or verify existing IOL for compensation purposes. In case new areas are to be acquired, the NGO will have to carry out census for additional areas; and (b) A survey of rental spaces in urban areas to assist in the relocation and re-housing of the informal settlers affected by the project, particularly from station areas.

21. Creation of inventory of losses (IOL):

- (i) Collection and computerisation of Land Acquisition (LA), joint verification data, payment of cash compensation under law data and resettlement benefit payment data, and reconciliation of all these;
- (ii) Creation of an electronic database of inventory of losses and dislocations

22. **Preparation/updating of EP file:** Prepare the entitled person files bringing together all her/his losses or update on a regular basis.

23. **Preparation/updating of entitlement card:** Prepare or update 'entitlement card' for the individual EPs as per their types of losses and the amount of compensation due for each types of losses from legal title and the amount of Resettlement Benefit to be paid by BR.

24. **Information campaign:** Design, plan and implement an information campaign in the Project affected areas to ensure Affected Persons (APs) are aware of their entitlements and assistance measures and how to avail them. Also explain the additional assistance measures provided to them: (i) assistance in securing housing/plot/rent; (ii) livelihood restoration

programme; (iii) basic personal finance trainings. The campaign would include activities such as translating the information booklet in Bengali distributing information booklets, leaflets, notices among the APs, carrying out public consulting meeting, public announcements and any other measures necessary to provide information to all APs in the Project area. The campaign should also inform APs on the Grievance Redress Mechanism and its procedures.

25. **Information dissemination and feedback:** Assist BR and the local representatives in organising consultation and recording the outcome of the meetings. Ensure dissemination of information on the Project and resettlement policy to the Project-affected persons and others (community groups, local administration, etc.) who are instrumental in effective and transparent implementation of the RPs.

26. **Prepare activities under the livelihood restoration trainings:** The RP plans for the setting up of a livelihood restoration program for the benefit of vulnerable households as well as households losing more than 10% of their land. Only one member per eligible household can participate to the program. In order to target livelihood activities to the need of this group of AP, the INGO will carry out a survey among eligible AP to assess the skill needs and define the activities that should be conducted under the program.

27. **Support BR in the establishment of the Grievance Redress Committee (GRC):** The INGO should support BR in setting up the GRC and provide advice to ensure its smooth implementation.

2. Implementation Stage

28. **Identification of entitled persons (EPs) and issuance of ID card:** Assist BR field personnel in identifying and issuing ID cards to the entitled persons identified as per Resettlement Framework (RF) duly certified by the UP members or ward councilor.

29. **Preparation/updating of payment statement:** Prepare and/or update payment statements for individual EPs as per their types of losses and the amount of compensation due for each type of losses from legal title and the amount of resettlement benefit paid by BR.

30. **Disbursement of resettlement benefit:** Process payment of additional benefits based on the price approved by MoR following recommendation of PVAC and ensures that all resettlement benefits are paid accordingly.

31. **Participation in Grievance Redress Committee (GRC):** Support the establishment of the grievance redress mechanism. Build personal rapport and confidence with the Affected Persons (APs) and ensure that they are fully aware of the grievance redress procedure and the process of bringing their complaints to the GRCs. Investigate the veracity of the complaints and try to settle them amicably, fairly and transparently before they go to the redress committee or the courts of law. Assist GRC in settling the dispute and prepare minutes of the GRC meetings and communicate the decisions to the parties involved.

32. **Assistance to EPs in the process of resettlement:** The EPs and their losses will be identified and recorded in EP file. The EPs will be informed of the resettlement benefits adequately. Payment of entitlement will be processed and assisted in collection of those. They should be guided in relocating and investing the compensation and resettlement benefit in an appropriate manner.

33. **Assist AH losing their land in re-titling:** Assist all households losing part of their land in re-titling their asset.

34. **Post list of available plots/structures/rental spaces and assist EPs in negotiation and documentation process:** Disseminate information about available plots, structures, spaces to rent or purchase to eligible affected households (i.e. all households losing a plot of land, households losing residential or commercial structure whether titled or non-titled, renters losing a homestead or a business rental space.

35. **Conduct livelihood restoration trainings:** Conduct livelihood restoration activities and basic financial management training under the program. Trainings on trade could include: poultry and livestock farming, fattening cows, sewing, vegetable cultivation, fish cultivation, computer operation, and workshop mechanic. Assist participants in elaborating business plan. The trained households would also be provided with seed money for setting up their own small enterprises.

36. **Conduct basic personal finance trainings:** Conduct basic trainings on personal finance for EPs interested in attending.

3. Monitoring and Evaluation Stage

37. **Monitoring tools for implementation progress: Prepare** monitoring tools covering RP implementation issues as follows to monitor the progress:

- Land Acquisition (LA) progress;
- LA compensation payment (CCL) progress;
- Compensation payments (BR) progress;
- Preparation and distribution of Bengali version of brochures and booklets/leaflets; and
- Awareness level of the stakeholders including the Aps by different awareness programmes.

38. *Monitoring and supervision:* Generate progress reports for real-time monitoring of RP implementation progress using user-friendly menu driven software. The software will be simultaneously operated by the RU, INGO, the construction supervision contractor as well as by BR so that all the organisations are aware of the progress and problems instantly. Monitoring and supervision will include the following:

- Implementation progress;
- Utilisation of manpower input;
- Internal coordination meetings; and
- Meeting with client and INGO.

39. **Progress Reporting:** The RP requires that all Eps are paid the stipulated compensations/entitlements before they are evicted from the properties and/or construction work begins. The INGO will provide BR monthly report on the progress in RP implementation, including any issue that might be hindering progress, separately for each civil works contract. The INGO will design tabular and other formats appropriate for reporting on the above information. To the extent possible, the Tables will have to be pre-programmmed in the menu-driven MIS and the quantitative reports will have to be generated directly. The report will contain the following together with the progress reporting:

- a. A clear and complete account of work performed in each Project component;
- b. Work planned for the next reporting period;
- c. Status of funding and expenditure;
- d. Identification of any problems encountered or anticipated that would affect the completion of the Project within the time and money constraints set forth in the agreement, together with recommended solution to such problems.

40. Technical services: Prepare software for reconciliation of data bases, create database, prepare software for EP file and EC or their updating, calculating and processing payment, progress and performance and participatory monitoring. In this regard a computerised Management Information System (MIS) will be developed by the INGO for use by BR and ADB Review Missions.

4. Other activities outside the RP implementation: Public Awareness on Health and Social risks and impacts associated with railway upgrading

41. The INGO will be responsible for carrying-out Public Awareness on Health and Social risks and impacts associated with railway upgrading the area of influence of the project (which goes beyond people affected by resettlement activities). These activities go beyond the scope of the RP implementation. They include:

- a. Conduct at least 10 STD and human-trafficking gender segregated awareness sessions as well as sessions on female passenger safe mobility and security. The target is to have at least 500 community members (with 40% women) living around the railway lines participate in Public Awareness Campaigns.
- b. At least 20 STD and human trafficking preventative awareness billboards and signs are set up in strategic places along the railway corridors during and after construction

H. RP IMPLEMENTATION PERIOD

42. Implementation of the RP will begin prior to the commencement of construction/engineering works. A total of 54 months is planned for the implementation of RP. The implementation work is scheduled to start from September 2014 and will continue till the end July 2018.

I. ACTIVITY SCHEDULE FOR INGO

43. The INGO will be engaged by the executing agency (EA) for a period of 54 months from the date of commencement of service. The selected INGO will assist EA in implementing the tasks set out in Table 1. Using the estimated man-months (Table 2) the INGO should show the duration of their services and total time in weeks as per requirement of the services.

Table 2 – Activity schedule of INGO for implementation of RP

Sl. No.	Activities	Duration	Total Time (weeks)
1	Recruitment, training and Assist in collecting CCL deployment		
2	Census/Additional LAP, if needed		
3	Information campaign		
4	Assist APs in Relocation		

Sl. No.	Activities	Duration	Total Time (weeks)
5	Identification of EPs		
6	Technical services		
7	Preparation of EP file		
8	Preparation of EC		
9	Preparation of Payment statement		
10	Payment of Resettlement Benefit		
11	Participate in GRCs		
12	Support APs in search of alternative land and/or housing		
13	Awareness and information sessions on STI, HIV/AIDS and trafficking of women and children		
14	Assist EPs in the Process of Resettlement		
15	Monitoring and Supervision		
16	Implementation of HIV/AIDS, trafficking and health campaign		

J. SUPPORT TO BE PROVIDED BY THE EA

44. The implementing NGO will be provided with the Resettlement Plan, and a map showing locations of Project and mouza maps.

K. ACCOUNTS AND RECORDS

45. The INGO shall keep accurate and systematic accounts and records in respect of the services in such form and detail as are customary in its profession and sufficient to establish accurately that the remuneration and reimbursable out-of-pocket expenses have been duly incurred. The INGO shall permit duly authorised representatives of the Client, to inspect and make an audit of all such documents, accounts and records in connection with payments made in accordance with this contract.

L. OWNERSHIP OF DOCUMENTS AND EQUIPMENT

46. All reports, documents, correspondence, draft publications, maps, drawings, notes, specifications, statistics, work product in any form and, technical data compiled or prepared by the INGO and communicated to the Client in performing the services (in electronic form or otherwise and including computer-disks comprising data) shall be the sole and exclusive property of the client, and may be made available to the general public at its sole discretion. The INGO may take copies of such documents and data for purpose of use related to the services under terms and conditions acceptable to the client but shall not use the same for any purpose unrelated to the services without the prior written approval of the client. All computer programmes developed by the INGO under this contract shall be the sole and exclusive property of the client; provided, however, that the INGO may use such programmes for their own use with prior written approval of the client.

47. Equipment, and materials furnished to the INGO by the client, or purchased by the INGO wholly or partly with funds supplied or reimbursed by the Client hereunder, shall be the property of the client. Equipment or materials brought into by the INGO and the personnel and used either for the Project or personal use shall remain the property of the INGO or the personnel concerned, as applicable.

M. MONITORING AND EVALUATION OF INGO WORK

48. In order to monitor progress of INGO work in RP implementation, an appropriate monitoring format should be prepared with score/weight against each activities and sub-activities. User-friendly menu driven software should be used to generate progress reports for monitoring the progress regularly. The software will be simultaneously operated by the RU and INGO and the construction supervision consultant so that all the organisations are aware of the progress without delay.

49. Proper orientation to the BR staff members is to be given so that they can supervise the INGO activity appropriately from the very beginning and operate the menu-driven MIS to remain updated about the progress and problem. CCL payment records should be collected from DC office regularly and be compared with the payment data of the INGO so that the progress achieved, mistakes made, if any by the stakeholders in the process of RP implementation are checked and verified instantly. Before making payment of entitlement, land schedule and census data will be compared with the payable amount, to avoid mistakes or fraud.

50. Criteria for measuring performance of INGO staff: There are number of actions needed in collecting CCL and grants. The INGO operatives will investigate the steps completed so far in collecting compensation for a particular plot. Data collected through Focus Group Discussions in this connection will be processed in a computerised system to monitor the progress in CCL and grant collection by the EPs. Performance evaluation of the INGO operatives, especially the field staff will be judged by that progress. Production and application of RP implementation tools, payment of grants and resettlement of APs should also be the basis for calculating INGO performance.

51. The INGO will develop monthly progress reporting format as per the requirement of the ADB and RHD. Based on the quantitative reports generated through the above-mentioned computerised system monthly progress report by INGO will be prepared and submitted to the RU and BR. The INGO will ensure the following issues in implementation of the RPs in addition to the above.

N. COORDINATION

52. The INGO will meet regularly with the BR to discuss progress and constraints on activities during the previous month. Actions to be taken and the key actors for the tasks concerned will be identified as tasks assigned from respective agencies. In case any items are not covered by the RP, the coordination meeting should come up with recommendations, which should be approved and implemented through executive order of the BR.

53. Payment of service charges: Bills for the NGO services will be paid as per the progress achieved during the preceding month

O. CRITERIA FOR INGO SELECTION

54. The INGO to be selected must have proven experience in following tasks of Resettlement Planning and implementation:

- (i) The INGO shall have the demonstrated capacity to mobilize the required trained and experienced field staff.
- (ii) The INGO shall have the experience in implementation of large Resettlement

- Plan like the present Project.
- (iii) INGO must have at least ten years of working experience in the implementation of resettlement and land acquisition under externally funded development programme.
 - (iv) The INGO must be registered under the Social Welfare Department or under NGO Affairs Bureau.
 - (v) The INGO must present certificate/s from the concerned Government department/agency to verify its satisfactory performance in resettlement social/census surveys, planning and implementation of Resettlement Plan, monitoring and evaluation through effective management information systems and preparation of analytical reports that meet the standards of co-financiers.
 - (vi) The INGO shall have to present audit report for the past three years.

P. STAFFING

55. The INGO must be able to present evidence of sufficient experienced and trained qualified manpower to be mobilised to this end. The INGO shall have to provide staff input to carry out the works under this Terms of Reference. The man-months and designation of the staff shall have to be as stated in Table 5. The INGO should show the duration of their services and limit as per requirement in consultation with the civil works contract. If settlement of legal issues on land acquisition requires longer time, the INGO may have to demobilise for a period as per the request from the executing agency in writing.

56.

Table 5: - Man-month and designation of the staff

Item No.	Position	Number of staff	Estimated man-month
A. Professional Staff			
1	Team Leader (Senior Resettlement specialist)	1	51
2	Deputy Team Leader (Resettlement expert)	2	102
3	LA Advisor	1	18
4	Social development specialist	1	24
5	Women in development specialist/gender specialist	1	18
6	MIS specialist	1	24
7	Rental/land market research analyst	1	10
8	Legal Advisor	1	6
9	Personal finance trainer	1	6
Sub-total		10	299
B. Office Support Staff			
1	Database manager	1	51
2	Accountant	1	51
3	Computer operator	2	102
4	Messenger	4	204
Sub-total		8	408
C. Field Support Staff			
1	Area Manager (one for each District)	2	102
2	Supervisor	4	204
3	Field accountant	2	102
4	Land surveyor	1	18
5	Resettlement worker	30	1530

Item No.	Position	Number of staff	Estimated man-month
6	Messenger	2	102
Sub Total		41	2058
TOTAL		59	2765

Q. QUALIFICATIONS AND EXPERIENCE OF KEY STAFF

57. Table 6 presents a general description of key staff including qualification and minimum required experience.

Table 6: - Qualification of the key staff and minimum required experience

Position	Academic qualifications	Minimum years of experience in similar position		Specific experience
		Resettlement	General	
Team Leader (Resettlement Specialist)	MSc/MSS/MA/ BSc Engineering	5	10	Experience in planning and implementing resettlement programme and in (i) leading and supervising multidisciplinary teams engaged in socioeconomic development activities; (ii) multidisciplinary action research/surveys; and thorough knowledge of (iii) Bangladesh land administration system and land acquisition laws; (iv) process and functionaries involved in land administration and acquisition; (v) report writing capability; and ability to demonstrate personal integrity and create a transparent and accountable work environment.
Deputy Team Leader (Resettlement Expert)	MSc/MSS/MA	3	5	Experience in (i) leading and supervising multidisciplinary teams engaged in socioeconomic development activities ; (ii) ability to conduct methods; and thorough knowledge of (iii) Bangladesh land administration system and land acquisition laws – specifically the property valuation process; (iv) the process and functionaries involved in land administration and acquisition; and (v) report writing capability;
Land Acquisition Specialist	MSS/MA/ LLM/MSc	3	5	Thorough knowledge of Bangladesh land administration system and land acquisition laws-specifically the properly valuation process; (i) the process and functionaries involved in land administration and acquisition; and extensive practical experience (ii) examining/identifying legal issues involved in land transaction, inheritance and other issues related to legality of ownership, (iii) working with mouza maps and (iv) advising on resolving legal issues.
Social Development Specialist	MSS/MA/ MSc	3	5	Thorough knowledge of socio-economic issues and their implications in development Projects; research and work experience relating to anthropological perspectives; and knowledge of development techniques and their applications in mobilising community

Position	Academic qualifications	Minimum years of experience in similar position		Specific experience
		Resettlement	General	
				participation in development programmes.
Women in Development Specialist	MSS/MA/ MSc	3	5	Thorough knowledge of gender issues and their implications in development Projects; research and work experience relating to gender issues; and knowledge of techniques and their applications in mobilising community participation in development programmes.
MIS Specialist	MSc. in Statistics/ Computer Science/ Mathematics	3	5	Working experience and knowledge of software, preferably relational, those are most commonly used in Bangladesh; demonstrated ability to design and implement user friendly menu-driven MIS (s) for monitoring progress and generate reports as and when necessary.
Market Research Analyst	MSc. in Statistics/ marketing/ Mathematics		5	Working experience in conducting market research in real estate/leasing. Experience in using primary market research tools (focus groups, surveys, field tests, interviews, and observation)

Annex 11: Draft TOR for External Monitor

A. Introduction

1. The CSC Safeguard Specialist will conduct periodic monitoring of the implementation of resettlement to ensure quality operations and effective implementation of the RP.

B. Objectives

2. The major objectives of the monitoring would be to:

- Assess the overall approach of resettlement activities along eroding bank lines
- Verify the result of internal monitoring
- Assess whether resettlement objectives have been met; especially whether livelihoods and living standards have been restored or enhanced.
- Assess resettlement efficiency, effectiveness, impact and sustainability drawing lessons as a guide to future resettlement policy making and planning
- Ascertain whether the resettlement entitlements were appropriate in meeting the objectives, and whether the objectives were suited to AP conditions.

C. Specific Tasks

3. The Specialist will carry out periodic review and assessment of resettlement implementation, verification of the results of internal monitoring in the field to assess the achievement of objectives of the RP against the performance impact indicators. A database for monitoring and evaluation, building upon the Project's own M&E system, will be developed for external monitoring. It will optionally include maps, charts, photographs of affected property, copies of contracts and land titles, payments, and valuation documents relating to resettlement. The specific tasks of the external monitor will be to:-

- Build up a system of internal monitoring to assess progress in order to fulfill the targets of the RP: budget and time frame, delivery the APs' entitlements, consultation, grievance and mitigation actions.
- Review of internal monitoring and evaluation reports on a regular basis to reach consensus on actions required to improve resettlement performance and implementation.
- Establish a system of external monitoring and evaluation to assess overall achievement of RP implementation.
- Establish monitoring and evaluation reporting methods and reporting requirements.
- Establish a participatory M&E system.
- Include post evaluation of resettlement to be conducted by the independent monitor after completion of the Project.

D. Monitoring Indicators and Information Needed

Indicator	Information
Basic information on affected household	<ul style="list-style-type: none"> • Location of the HHs • HH structure, age, education, skills, occupation and employment pattern • Access to health, education and other social services • Land holdings and pattern of use • Income source and levels

Indicator	Information
	<ul style="list-style-type: none"> • Housing type • Participation level in social activities • Value of all assets forming entitlements and resettlement entitlements
Restoration of living standard	<ul style="list-style-type: none"> • Cost of compensation and entitlements • Undertaking housing option development • Reinstatement of opinion of the community • Replacement of social and cultural elements
Restoration of livelihoods	<ul style="list-style-type: none"> • Creation of employment opportunities for the APs • Sufficient assistance for re-establishment of entrepreneurship development • Adequate income substitution allowance • Sufficient transfer and relocation grants • Availability of replacement land • Sufficient compensation and entitlements
Satisfaction	<ul style="list-style-type: none"> • Knowledge of RP procedure and entitlements • Knowledge about the fulfillment of resettlement entitlements • Assessment of living standard and their livelihoods • Knowledge about grievance and mitigation actions
Effectiveness of RP	<ul style="list-style-type: none"> • Sufficient time and budget to meet the objectives of the RP • Support provided to the land speculators • Level of generosity of the entitlements • Identification of the vulnerable groups • Dealing with unforeseen problems by the PIU

E. Methodology and Approach

4. The M&E approach will identify and select a set of appropriate indicators and gather information on them to assess the changes and variations. Participation of stakeholders especially the affected persons, women and vulnerable groups, will be ensured in the M&E 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 M&E process.

F. Monitoring Tools

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

- **Sample household survey:** a baseline household survey of representative sample (20% of affected households), disaggregated by gender and vulnerability to obtain information on the key indicators of entitlement delivery, efficiency, effectiveness, impact and sustainability.
- **Focus Group Discussion (FGD):** Consultation with a range of stakeholder groups (local Government, resettlement field staff, INGOs, community leaders and APs including women and vulnerable groups).
- **Key informant interviews:** Consultation with individuals like local leaders, village workers or persons with special knowledge or experience about resettlement activities and implementation.
- **Public Consultation meetings:** Public consultation 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 APs, host village, workers, resettlement staff, and implementing agency personnel using non-sampled methods.
- In the case of special issues, in-depth case studies of APs and host populations from various social classes will be undertaken to assess impact of resettlement.

G. Institutional Arrangements for M&E

6. Internal monitoring will be carried out by the Resettlement Unit (RU) through their field level offices and implementing NGOs. An independent external monitor will carry out M&E independent of the Project. The Project supervision consultant under the RU will oversee and monitor safeguard compliance of the Project. The Project affected persons, their community and local level NGOs will also participate in the M&E process.

H. Office of the Project Director

7. The Project Director (PD) will be responsible for overseeing proper and timely implementation of all activities of the RP. The PD will carry out internal monitoring through the Deputy Director M&E with the help of the implementing NGO. The resettlement unit within the office of the PD will operate and manage implementation of the RP with assistance from an appointed implementing NGO. The RU will establish an M&E Section at the head office headed by a Deputy Director in charge of Monitoring and Evaluation. The M&E Section will have sufficient staff having appropriate skills and capacity, and necessary resources. The Implementing NGO will collect appropriate data from the field and provide feedback to the RU on progress of RP implementation and the day to day problems arising out of the process. The implementing NGO will also prepare monthly/quarterly reports on the progress of RP Implementation. The RU of the M&E section will collect information from the Project site and incorporate in the form of monthly/quarterly progress of RP implementation and adjust work programme where necessary, in case of delays or problems.

