

# Land Acquisition and Resettlement Due Diligence Report

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## **BAN: Third Urban Governance and Infrastructure Improvement (Sector) Project-Additional Financing Cox's Bazar Solid Waste Management**

Prepared by the Government of Bangladesh for the Asian Development Bank

## CURRENCY EQUIVALENTS

(as of 01 March 2017)

Currency Unit	=	BDT
BDT1.00	=	\$0.01260
\$1.00	=	BDT79.36

## ABBREVIATIONS

ADB	–	Asian Development Bank
AP	–	affected person
DOE	–	Department of Environment
DPHE	–	Department of Public Health Engineering
EMP	–	environmental management plan
FGD	–	focus group discussion
GRC	–	grievance redress cell
GRM	–	grievance redress mechanism
lpcd	–	liters per capita per day
LGED	–	Local Government Engineering Department
NGO	–	nongovernmental organization
PIU	–	project implementation unit
PMU	–	project management unit
PPTA	–	project preparatory technical assistance
ROW	–	right of way
RF	–	resettlement framework
SPS	–	Safeguard Policy Statement
ToR	–	terms of reference

## WEIGHTS AND MEASURES

cum	–	cubic meter
Km	–	Kilometer
m <sup>2</sup>	–	square meter
Mm	–	Millimeter
µg/m <sup>3</sup>	–	micrograms per cubic meter

## GLOSSARY OF LOCAL (BENGALI) TERMS

Arotdar, aratdar	–	wholesale trader
Crore	–	10 million (=100 lakh)
Ghat	–	boat landing area along a river
Hat, hut, or haat	–	Market (bazaar) operating certain afternoons during the week when sellers establish temporary shops. There are also some permanent shops in a Hat. Markets usually represent a significant source of income for municipalities.



Hartal	–	general strike
Jhupri	–	kutchra or temporary structure drainage
Khal	–	ditch/ canal
Khas or khash	–	land/ property belonging to government
Kutchra, katchha or kacca	–	structures built without bricks and mortar or without concrete
Lakh or lac	–	100,000
Moholla or mohalla	–	subdivision of a ward
Mouza	–	government-recognized land area
Mouza map	–	cadastral map of mouza showing plots and their numbers
Nasiman	–	3-wheeler motorized vehicle
Parshad	–	councilor
Pourashava/ Paurashava	–	municipality
Pucca or Puccha	–	permanent structures built with bricks and mortar or concrete
Semi-pucca or semi-pucca	–	structures built partly with bricks and mortar or concrete
Upazila	–	administrative unit below the district level; a district is called a Zila.

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## I. INTRODUCTION

### A. Background

1. After the successful implementation of the first and second Urban Governance and Infrastructure Improvement (Sector) Project (UGIIP-1 and UGIIP-2)<sup>1</sup> in 78 *pourashavas* (municipalities), Local Government Engineering Department (LGED) with the financial assistance of Asian Development Bank (ADB) have been implementing UGIIP-3 in selected 30 *pourashavas* over a period of 6 years (2014 to 2020). The on-going UGIIP-3 (current project) supports strengthening of urban governance and improvement of urban infrastructure and service delivery in *pourashavas* by providing investment support to *pourashavas* based on their governance performance.<sup>2</sup> The additional financing will expand the current project and invest in (i) additional priority infrastructure and governance improvement in *pourashavas* under the current project, and (ii) infrastructure and governance improvement in five more *pourashavas*.<sup>3</sup> With additional financing the project implementation period is proposed to be extended for one year to 2021.

2. The impact will be an improved living environment in project towns. The outcome will be improved municipal service delivery and urban governance in project towns. Project towns are pre-selected 35 *pourashavas* (30 under the current project including five new towns added under additional financing) to be supported in an integrated manner. The overall UGIIP-3 will improve existing and provide new municipal infrastructures including (i) roads; (ii) drainages; (iii) water supply and sanitation, including septage management; (iv) solid waste management; (v) markets, community centers, bus and truck terminals; (vi) public toilets; and (vii) others such as provision for street lighting and improvement of slums.

3. The overall project adopts the sector-lending modality<sup>4</sup>, which is most appropriate for a multi-component project with performance-based allocation of funds, and allows flexibility.

4. Local Government Engineering Department (LGED) and Department of Public Health Engineering (DPHE), both under the Local Government Division (LGD) of the Ministry of Local Government, Rural Development and Cooperatives (MLGRDC), are the executing agencies (EA). LGED is responsible for providing support and guidance to *pourashavas* concerning performance criteria and *pourashava* development planning. DPHE will provide support in water supply and sanitation schemes. Implementation activities will be overseen by a project management unit (PMU). Participating *pourashavas* are the implementing agencies (IA), with a project implementation unit (PIU) within the *pourashava* structure. Consultant teams, composed of Management Design and Supervision Consultants, and Governance Improvement and Capacity Development Consultants, are responsible for (i) detailed engineering design, contract documents preparation and safeguards facilitation; (ii) project management and administration support; (iii) assistance in supervising construction; (iii) strengthening of local governance, conducting required studies/surveys and (iv) awareness raising on behavioral change in water, sanitation and solid waste management activities.

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<sup>1</sup> With limited but effective incentives for *pourashavas* to improve their governance, the first UGIIP introduced a performance-based fund allocation strategy through the urban governance improvement action plan (UGIAP) ensuring governance reforms while creating tangible development impacts in an integrated manner.

<sup>2</sup> Under UGIIP-3 the UGIAP covers the areas (i) citizen awareness and participation, (ii) urban planning, (iii) gender equality and social inclusion, (iv) local resource mobilization, (v) financial management and accountability, (vi) administrative transparency, and (vii) keeping essential *pourashava* services functional.

<sup>3</sup> *Pourashavas* to be included under additional financing are Cox's Bazar, Faridpur, Gopalganj, Kushtia, and Mymensingh.

<sup>4</sup> Such approach has been well established and successfully practiced in earlier and the current UGIIPs.



5. In accordance with ADB's Safeguard Policy Statement (SPS), 2009 a resettlement framework (RF) has been prepared.

6. Under additional financing a solid waste management improvement subproject is proposed in Cox's Bazar, of which components requiring land and involving civil works include a sanitary landfill, a bio-medical waste treatment facility including an effluent treatment plant and a disposal cell, and a compost plant.

## B. Scope of Report

7. This Land Acquisition and Involuntary Resettlement Due Diligence Report (DDR) is prepared for identified solid waste management components involving civil works in Cox's Bazar, proposed under additional financing of UGIIP-3. The DDR is prepared on the basis of the project preparatory studies for solid waste management component in Cox's Bazar. The DDR will be updated and reconfirmed for final involuntary resettlement impacts during detailed design, prior to implementation.<sup>5</sup> The final DDR will be reviewed and disclosed on Government of Bangladesh and ADB websites. No civil works contracts package should be awarded and started before updating and acceptance of the DDR by ADB. The implementing agency is responsible to hand over the project land/ site to the contractor free of encumbrance.

8. A due diligence process was conducted to examine land acquisition and resettlement issues in detail, in line with ADB SPS 2009. This report describes the findings and provides copies of available land-related documents, public consultations and photographs. This land acquisition and resettlement due diligence report needs to be read along with the resettlement framework prepared for the project.

9. Upon project implementation, the social safeguards personnel at PMU may be required to undertake a review of this due diligence, prepare a confirmation letter or report documenting any modifications for the subproject and submit to ADB; and receive a 'no objection' confirmation from ADB prior to start of construction in the subproject.

## C. Geographic Information of Cox's Bazar Pourashava

10. **Location and area.** Cox's Bazar is a fast growing *pourashava* and a district town. It is located on the Bay of Bengal between Chittagong and Teknaf. The town is the most important tourism destination of Bangladesh, and one of the most vibrant urban centres in this region. The geographical location of the *pourashava*, major physical features and administrative information are shown on Figure 1.

11. The *pourashava* covers an area of 32.9 square kilometers (km<sup>2</sup>) (BBS, 2011). It consists of 12 wards.

12. **Land elevation, alignment, land use.** The topography map in Figure 2 shows the land elevation and alignment of land within the Cox's Bazar *pourashava*. The land use map of the *pourashava* is shown in Figure 3.

13. Cox's Bazar is defined by the Bakkhali River to the north and east; the Bay of Bengal to

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<sup>5</sup> DDR will be updated and submitted to ADB for approval. Payment of compensation to affected persons and closure of any pending land related issues is mandatory before start of civil work at the site. MDSC will update the DDR prior to implementation.

the west; and by the Cox's Bazar hill range to the north and south. The height of the hill range varies from 50 meters (m) to 82 m above sea level and it terminates abruptly against the beach, creating vertical sections. The major part of the *pourashava* area is low-lying. Due to its location between steep hills and the sea, and along a river, the low slope gradients and high groundwater table exacerbate chronic flooding and water logging in the low-lying areas. Secondary data indicates that these conditions are especially damaging in Wards 1, 2, 3 and 4 and 12.

14. Deforestation and increased development on the hill slopes (Wards 5 and 6, as well as the surrounding areas outside of municipal boundaries) are vulnerable to landslides during high rainfall periods.

15. Cox's Bazar is also located in an active earthquake zone, on the boundary of two active plates, and is highly susceptible to earthquakes and related landslides.

Figure 1: Major Physical Feature of Cox's Bazar Pourashava

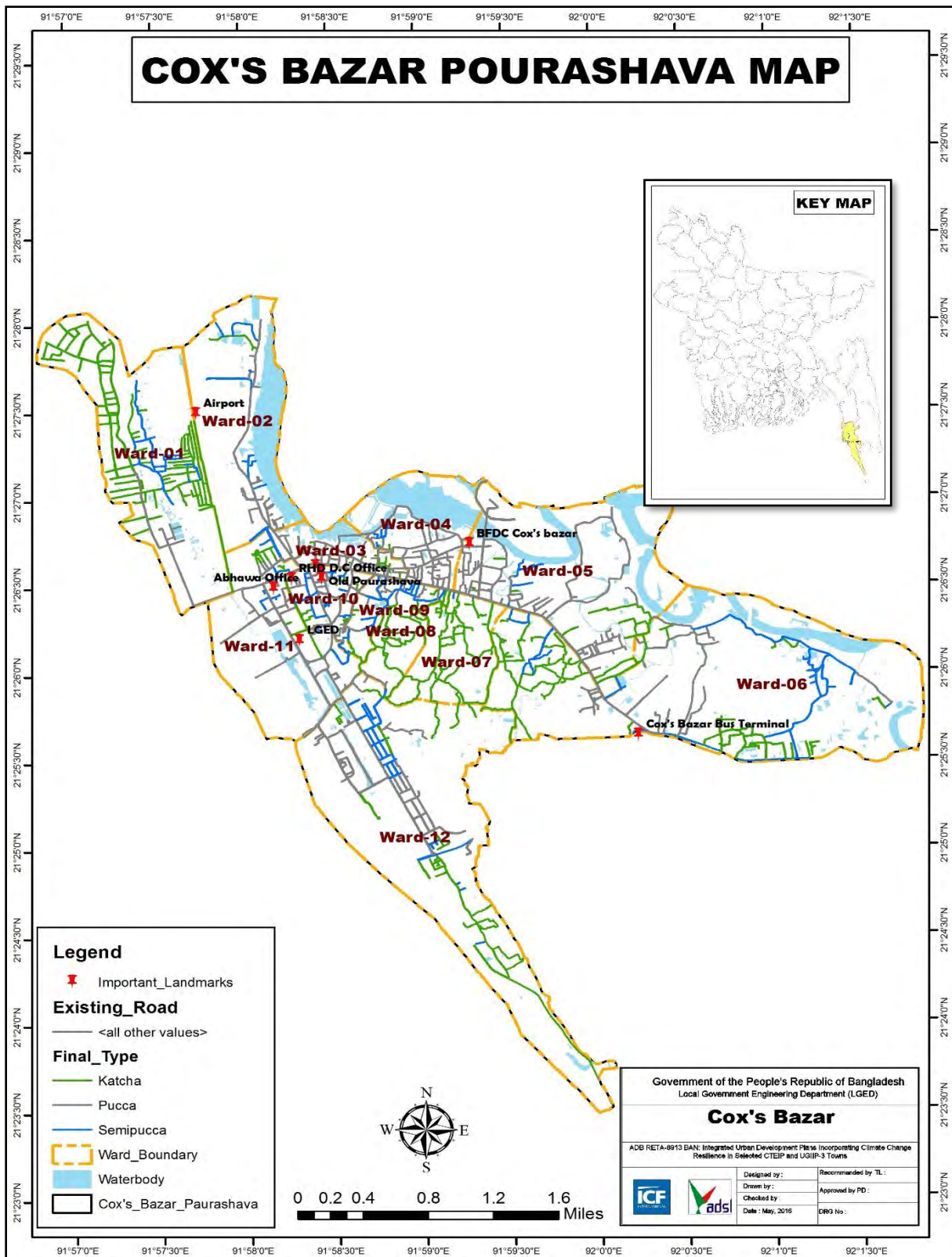
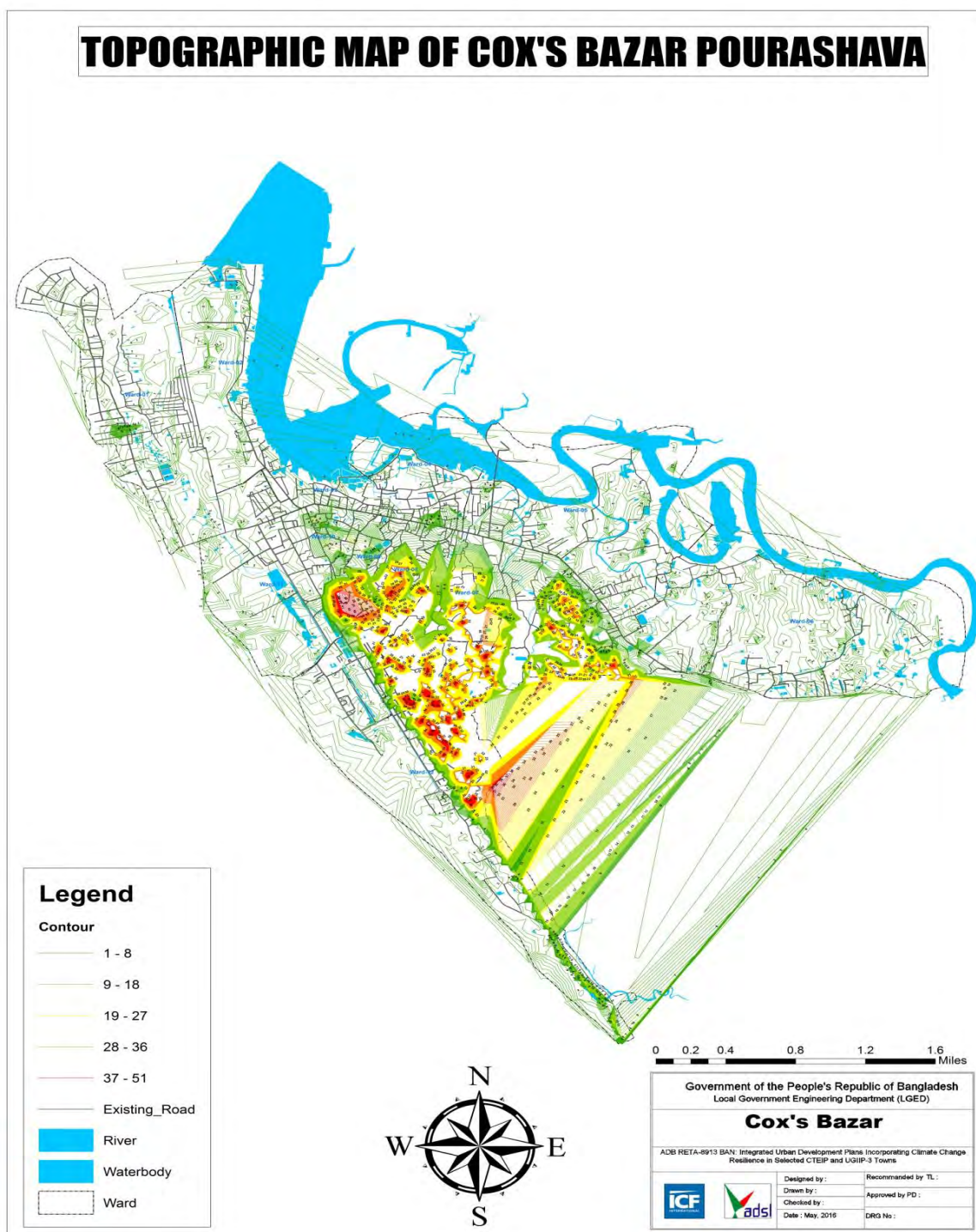


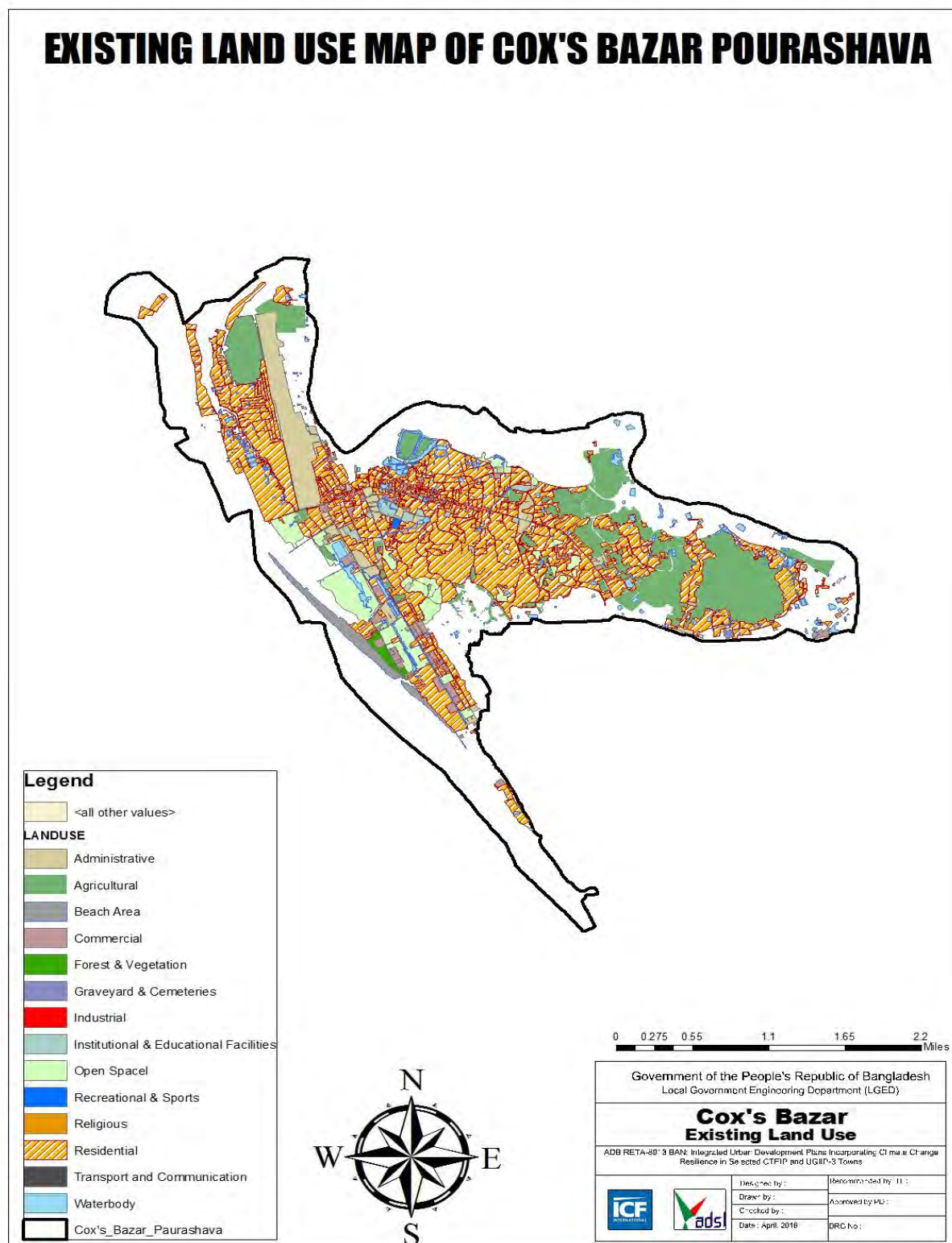
Figure 2: Topographic Map of Cox's Bazar Pourashava



Source: TA 8913 Report for UGIP-3 additional financing project preparation, based on master plan.



Figure 3: Land Use Map of Cox's Bazar Pourashava



Source: TA 8913 Consultant team, based on master plan.

#### D. Socioeconomic Profile of Landowners

16. **Population.** In 2011 the population of the *pourashava* was 167,477 (BBS, 2011); the population density is 5,090 persons per km<sup>2</sup>.

17. Cox's Bazar *pourashava* has experienced high population growth in recent years. The annual growth rate during the last inter-census period (2001-2011) shows very high population growth rate. The Cox's Bazar Development Plan found 6.93 % annual growth rate between 2001 and 2010, although the plan considered it very high to sustain in the long-term future. However, the *pourashava* is likely to grow with a higher urbanization rate than the national average urban population growth rate. Thus, a 5% annual population growth rate for Cox's Bazar *pourashava* seems to be reasonable and likely to continue in the short-term to long-term future. Infrastructure improvements will help sustain a reasonably a high growth of population.

18. The sex ratio in Cox's Bazar is 890 females per 1000 males, as per primary data collected through a socioeconomic baseline survey in 2016.

**Table 1: Age-Sex Distribution of Population in Cox's Bazar**

Age	Total	Male percentage	Female percentage
0 - 4 years	139	60.4	39.6
5 - 9 years	243	53.9	46.1
10 - 14 years	263	51	49.0
15 - 19 years	259	51	49
20 - 24 years	241	46.9	53.1
25 - 29 years	240	55.4	44.6
30 - 34 years	194	52.1	47.9
35 - 39 years	157	54.8	45.2
40 - 44 years	152	53.9	46.1
45 - 49 years	113	46.0	54
50 - 54 years	107	43.9	56.1
55 - 59 years	84	58.3	41.7
60 years and above	169	62.1	37.1
<b>Total</b>	<b>2361</b>	<b>52.9</b>	<b>47.1</b>

Source: Baseline Survey, 2016.

**Table 2: Household Members by Sex**

Sex of the household members	Number	Percentage
Male	1249	52.9
Female	1112	47.1
Transgender/ Hijra		
<b>Total</b>	<b>2361</b>	<b>100</b>

Source: Baseline Survey, 2016.

19. About 7% of the population over 5 years of age is illiterate, and only about 9% of the overall population comprises graduates or higher degrees. About 48% of the population above 5 years age has completed only up to primary education.

**Table 3: Household Members According to Level of Education (Highest Class Passed)**

<b>Educational Level of the members of the households</b>	<b>Total</b>	<b>Male percentage</b>	<b>Female percentage</b>
Up to Primary	1024	52.7	47.3
SSC	565	52.2	47.8
HSC	230	55.2	44.8
Honors	152	64.5	35.5
Masters and above	65	60	40
Illiterate	153	34.6	65.4
Children under 5 years of age	172	56.4	43.6
<b>Total</b>	<b>2361</b>	<b>52.9</b>	<b>47.1</b>

Source: Baseline Survey, 2016

20. Thirty three percent of the respondents' family members (excluding children) in the baseline survey comprised students, businessmen (17.03%) and educational professionals (8.5%), labourers (4.1%) and skilled workers (3.17%) forming the largest occupational segments among the workforce in Cox's Bazar.

**Table 4: Household Members by Primary Occupations**

<b>Primary Occupation</b>	<b>Total</b>	<b>Male percentage</b>	<b>Female percentage</b>
Business (contractor, other business)	371	97.8	2.2
Household work / Retired Person	686	9.0	91.0
Children	182	54.9	45.1
Educational Professional (Teacher, Lawyer, Job, NGO, Doctor, Govt. service)	185	85.9	14.1
Student	728	51.8	48.2
Unemployed	36	83.3	16.7
House rent / Remittance / Land rent etc.	1	100.0	0.0
Agricultural farmer	10	100.0	0.0
Skill worker (Driver, Carpenter, Garments worker, Mechanic etc.)	69	95.7	4.3
Servant	2	0.0	100.0
Labour / Day Labour	91	89.0	11.0
<b>Total</b>	<b>2361</b>	<b>52.9</b>	<b>47.1</b>

Source: Baseline Survey, 2016.

21. About 100 (4.6%) respondents reported alternative or supplementary occupations of household members (excluding children).

**Table 5: Household Members by Alternative Occupations**

<b>Alternative Occupation</b>	<b>Total</b>	<b>Male percentage</b>	<b>Female percentage</b>
Educational Professional (Teacher, Lawyer, Job, NGO, Doctor, Govt. service)	6	66.7	33.3
House rent/ Remittance/ Land rent etc.	94	73.4	26.6
Agricultural farmer	0		
Skill worker (Driver, Carpenter, Garments worker, Mechanic, etc.)	0		
<b>Total</b>	<b>100</b>	<b>73</b>	<b>27</b>

Source: Baseline Survey, 2016.

22. The average monthly household income reported by respondents of the baseline survey is BDT26,249. Only about 2% of households reported monthly income less than BDT5,000, a majority of households (about 73%) fall in the BDT10,000-30,000 income brackets and about 25% households fall in the higher monthly income brackets in Cox's Bazar.

**Table 6: Monthly Income of Sample Households in Cox's Bazar**

Household monthly income	Number	Percentage
BDT0-5000	10	2.3
BDT5001-10000	60	13.6
BDT10001-15000	73	16.6
BDT15001-20000	83	18.8
BDT20001-25000	54	12.2
BDT25001-30000	52	11.8
BDT30001-35000	26	5.9
BDT35001-40000	23	5.2
BDT40001-45000	13	2.9
BDT45001-50000	18	4.1
BDT50000+	29	6.6
<b>Total</b>	<b>441</b>	<b>100</b>
Average household monthly income		26249.43
Average Slum HH income		7573.53

Source: Baseline Survey, 2016.

23. About 1% of respondent households in the city reported speech related disability and 0.5% reported physical disability.

**Table 7: Households with Differently Abled Members**

Disability	Number	Percent
Speech related disability	0	0
Mentally ill	6	1.36
Autistic	0	0
Physically disabled	2	0.45
Household without disable member	433	98.19
<b>Total</b>	<b>441</b>	<b>100</b>

Source: Baseline Survey, 2016.

## II. SUBPROJECT DESCRIPTION

### A. Proposed components

24. Table 8 provides a list of proposed solid waste management subproject components in Cox's Bazar. Of these, civil works are proposed at two locations, including sanitary landfills, a bio-medical waste treatment facility and composting facilities. Project implementation schedule is in Figure 4.

**Table 8: Proposed Solid Waste Management Components in Cox's Bazar**

No.	Scheme/Subproject
<b>Solid waste-first stage</b>	
1	Construction of landfill with Fecal Sludge treatment facility and leachate treatment at South Mitachori with internal roads and boundary wall
2	5 demountable trucks with containers (40 containers 2.5 cubic meter size)
3	Construction of 3 Transfer Stations (without ramps)



No.	Scheme/Subproject
4	60 improved rickshaw vans for primary collection of waste with bins for collection
5	2 vacuum trucks (1.5 cubic meter size) and other equipment
6	1 backhoe loader ( 1 cum bucket and 0.35 cum excavator)
7	Capacity building and awareness raising
8	Hospital waste management facility at South Mitachori landfill site
<b>Solid waste –second stage</b>	
1	Construction of landfill with Fecal Sludge treatment facility and leachate treatment at South Mitachori with internal roads and boundary wall
2	5 demountable trucks with containers (40 containers 2.5 cubic meter size)
3	Construction of 3 Transfer Stations (without ramps)
4	60 improved rickshaw vans for primary collection of waste with bins for collection
5	2 vacuum trucks (1.5 cubic meter size) and other equipment
6	1 backhoe loader ( 1 cum bucket and 0.35 cum excavator)
7	Capacity building and awareness raising
8	Hospital waste management facility at South Mitachori landfill site
<b>Solid waste – third stage</b>	
1	Construction of landfill with leachate treatment at SM Para with internal roads and boundary wall
2	1 backhoe loader (1 cum bucket and 0.35 cum excavator)
3	Acquisition of additional land at SM Para landfill site 3 acres
4	Capacity building and awareness raising

Source: TA 8913 Report for UGIIP-3 additional financing project preparation

**Figure 4: Project Implementation Schedule**

No.		2016				2017				2018				2019			
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
1.2	<b>Phase 3 Subprojects</b>																
	<i>Municipal infrastructure, solid waste/ fecal sludge management, sanitation infrastructure, water supply</i>																
	Land acquisition for landfill sites																
	Engineering surveys, site investigations, designs, SPAR preparation																
	Preparation and approval of contract documents for civil works																
	Tendering, evaluation of bids, negotiations, award of contracts																
	Construction of physical works																

### III. FIELD WORK AND PUBLIC CONSULTATION

#### A. Outline of field work

25. In June-August 2016 and October 2016, field inspection of proposed subproject facility locations was undertaken. These included field visit to the identified sites and stakeholder consultations. While one site for proposed sanitary landfill at Mithachari was acquired earlier and belongs to the local body, private land is proposed to be obtained through negotiated settlement (willing buyer, willing seller) at S.M. Para for the solid waste management component. Consultations with landowners, other affected persons (sharecroppers) and the public were held to determine issues and concerns related to facility siting, willingness to sell land, identify potential involuntary resettlement issues.

## B. Public Consultation

26. Consultations were undertaken with key stakeholders in line with ADB's requirements pertaining to environment and social considerations. Tools used for consultation were stakeholder consultation meetings and focus group discussions (FGD) around the proposed sites. Issues e.g. possible smell and other nuisance, potential disturbance due to movement of garbage trucks, need for roads to the landfill sites which would serve local people as well, were discussed. A public consultation on findings of involuntary resettlement impact surveys of components (roads, drainage, solid waste management) of UGIIP-3 were held and a total of 59 persons were consulted in Cox's Bazar, of which 6 persons (10%) were women. Appendix 1 to this DDR provides the detailed minutes of meeting.

27. Field visits were made to the proposed facility locations. The existing dump site at Cox's Bazar (about 2.03 acres in area) is proposed to be closed.

28. **Proposed Landfill Site at Mithachari.**<sup>6</sup> Proposed civil works at Mithachari include a sanitary landfill (with lining and leachate treatment facility), internal roads, faecal sludge management (2 units), embankment and boundary wall. Municipal officials informed that the Mithachari site measuring 3.72 acres has already been acquired by the *pourashava*.<sup>7</sup> The land is vacant and unused, and there are a few houses near the approach road to the site.<sup>8</sup> LGED representative accompanying the social safeguard team informed that the approach road to the site (presently part brick and part kutcha) is already under construction by LGED and that the existing available right of way (3 meters) shall be used for approach road construction.

29. **Proposed Landfill Site at SM Para (Patli Mashuakhali).** Land measuring 2.03 acres was acquired by the *pourashava* using its own funds in 2015. Since the *pourashava* had no solid waste dumpsite/ landfill, this land was obtained through negotiated settlement and an amount of BDT8,200,000 paid to the landowner, Mr. Tapas Chakraborty for the same. As informed by the *pourashava*, this land was not acquired in anticipation of ADB funding. In addition to the 2.03 acres, the *pourashava* intends to obtain 4 acres of privately owned land which is presently being used for agriculture and pisciculture. The land is close to a river and there is no settlement in the vicinity. The landowners (including Mr. Tapas Chakraborty and his relatives) have indicated that they are willing to sell the land at the registered government price to the local body.<sup>9</sup> There are two sharecroppers who presently cultivate the land; however, less than 10% annual income loss to both is anticipated as they will continue to either cultivate their own land and/or run their businesses.<sup>10</sup> Proposed facilities at the SM Para site include a sanitary landfill, embankment, and

<sup>6</sup> Further public consultation for Mithachari site will be required after final design is completed to inform the people living around the areas about possible impacts to them. The mitigation plan for Mithachari should be included in the site specific EMP to be developed by the environmental specialist of the PMU/ MDSC. Typically, design considerations that help address social concerns include a buffer zone, tree plantations, ensuring that facility layout takes into account the wind direction and odor-generating facilities are located as far away from local communities as possible.

<sup>7</sup> Land records for the Mithachari landfill site are attached as Appendix 10 to this DDR.

<sup>8</sup> Discussions with people at the Mithachari site during field visit revealed the need for a pucca road as it would benefit the locals and serve as an approach road to the proposed landfill site. Further consultations with the surrounding community will be held prior to implementation to record their concerns and propose mitigation measures, as required. Details of these consultations will be presented in the updated DDR.

<sup>9</sup> The third party who will oversee the process will ensure that a mutually agreed, adequate and fair negotiated price is arrived at without coercion and paid to the landowners under the negotiated settlement.

<sup>10</sup> The two sharecroppers have own agricultural land and / or businesses. They were also confident of finding alternate lands nearby for sharecropping and stated during separate consultations that they did not need or wish to receive any compensation. Their present income from the sharecropping is less than 10% of their annual income. The two sharecroppers will be assisted to find alternate land for sharecropping, before handover of land to the contractor to avoid any income loss.

bio-medical waste disposal facilities for deep burial of hazardous medical waste and a separate disposal facility for sharp blades etc.<sup>11</sup> The approach road to the site is an existing embankment built for flood protection and will be constructed by LGED using government funds under a different program. Consultations were held with the landowners and sharecroppers, an adjacent landowner and with residents of Barua Para, en route to the site.

30. This section and Table 9 provides a summary of consultations and discussions held with stakeholders including affected persons about the proposed landfill site at SM Para. Further consultations will be undertaken and reported in the updated DDR after the design/technology of the proposed landfill is identified by the SWM experts. A total of 14 persons participated in the consultation meeting at the proposed landfill site, of which one was a woman. Concerns and views expressed by stakeholders and affected persons include:

- (i) **Consultation with Landowner (Mr. Tapas Chakraborty):** Mr. Tapas Chakraborty, one of the 5 affected persons, is owner of 80 decimal land at the proposed landfill site. He indicated willingness to provide land at an agreed rate, for public welfare.<sup>12</sup>
- (ii) **Consultation with Landowner (Mr. Manas Chakraborty):** Mr. Manas Chakraborty is one of the 5 affected persons. He owns 80 decimal land at the proposed landfill site. He indicated willingness to provide land at an agreed rate, for public welfare.
- (iii) **Consultation with Sharecroppers (Mr. Jahidul and Mr. Jamal Hossain):** Mr. Jamal Hossain and Mr. Jahidul Hossain are the 2 sharecroppers. They cultivate the land (400 decimal) at the proposed landfill site. During discussion they indicated willingness to stop cultivation at the proposed site for public welfare. They also indicated that they will continue to cultivate their own lands and that they have enough land of their own to lead a good life.
- (iv) **Consultation with Mr. Jaane Alam, adjacent landowner.** Mr. Jaane Alam who owns the land parcel adjacent to the proposed landfill site at SM Para unequivocally stated that he has no objection to the proposed landfill facility near his site, as there is an urgent need for the facility for the *pourashava* and its residents.
- (v) **Consultation with Mr. Swapan Barua of Barua Para, a locality en route to the landfill facility.** As a representative of Barua Para (a settlement of minority Buddhist community located more than 500 m from the proposed site, along the approach road to the site), Mr. Swapan Barua stated that the residents of Barua Para welcome initiatives that will lead to development in and around Cox's Bazar.
- (vi) **Consultation with Honorable Mayor, Executive Engineer, Councilor and Prominent Local Resident:** During discussion with the persons they all spoke about the importance of new landfill site and the acquisition versus negotiated purchase issue. They indicated that they had already discussed with concerned landowners, government officers etc. The Panel Mayor said that about 4.0 acres land needs to be purchased, which will serve the municipality for another twenty years. The identified site is 4.5 km away from the main town. The Panel Mayor indicated that at present, land price is around BDT16,500,000 for proposed 4.0 acre land.

<sup>11</sup> Detailed design is under finalization; as indicated by project engineers, the bio-medical waste treatment facility may be proposed at Mithachari instead of SM Para, as the latter is very close to river.

<sup>12</sup> The five landowners own a large amount of land in the area (they were not willing to divulge the area of land owned by them) and have donated some land for public welfare in the past.



**Table 9: Summary of Consultation with Local Community and Affected Persons, at Proposed Landfill Site, Cox's Bazar**

SI #	Component	Date	Number & Type of Participants	Purpose of Consultation	Key Issue discussed	Recommendations/ Issues raised	Involuntary Resettlement Impact
1	Landfill site, SM Para	30.06.16	14 Participants Service holder, Businessman, Laborers nearby farmers (landowners), students, Councilor Male: 13 Female: 1	Message/ Information dissemination; To know community opinion about the scheme; Identify affected persons, Support seeking from the community; To know community demand about pourashava/ ADB support.	The status of land ownership is verified. Willingness to donate land for the scheme. Aware of option of composition for the loss of land and crops in any ADB-financed project.	The landowners confirmed that they are willing to provide the land for public welfare at an agreed, negotiated price.	400.0 Decimal agriculture land will be acquired No. of landowners =5. The affected persons expressed willingness to sell their land at agreed, negotiated price and were informed about the agreed RF.

#### IV. LAND AVAILABILITY AND RESETTLEMENT IMPACTS

##### A. Findings

31. No land acquisition impacts are identified for the proposed solid waste management subproject in Cox's Bazar, as facilities are proposed either on *pourashava* land or land proposed to be obtained through negotiated settlement. Details are given below:

- (i) Landfill site at Mithachari: The land was purchased and is in the possession of Cox's Bazar *pourashava*. The local body had completed land purchase and payment of BDT13,700,000 made to 2 landowners (Mofijul Alam Chowdhury and Chhaibar Alam Chowdhury) on September 2, 2015. The land was initially obtained with the idea of setting up a compost plant.
- (ii) Landfill site at SM Para: The *pourashava* purchased 2.03 acres land at SM Para in 2015 from landowner Mr. Tapas Chakraborty at the agreed price (government registered price) of BDT8,200,000. In addition, it proposes to purchase about 4 acres of land adjacent to the existing land. Five owners (including Mr. Tapas Chakraborty) of 80 decimals land each (total 4 acres), and 2 sharecroppers who cultivate the land, will be affected. Land is proposed to be obtained through negotiated settlement, with third party oversight, as per the agreed resettlement framework for UGIIP-3.<sup>13</sup> The socioeconomic profile of landowners/ sellers is presented in Appendix 2 to this DDR; none of the surveyed landowners/sellers are vulnerable.<sup>14</sup>
- (iii) Bio-medical waste treatment facility: Proposed within the 4 acre site being obtained for landfill at SM Para, hence no additional land impact anticipated.
- (iv) Faecal sludge management facility: Proposed within the municipal land at Mithachari
- (v) Transfer stations (3 No.s) are proposed at the following locations: (a) near Sweepers Colony in place of open dustbin. Transfer station is expected to improve environmental health and safety situation as it will be covered and will have a gate; (b) near Old Jinuk Market; and (c) opposite Bus Terminal. Demountable containers proposed in place of existing large, open dustbins.

32. Table 10 provides a summary of land availability, ownership and anticipated involuntary resettlement impacts of proposed components of Phase 3 UGIIP-3 in Cox's Bazar. The Google Earth map showing the location of proposed landfill is presented in Figure 5 and a cadastral map depicting affected plot/ dag number of the proposed landfill site is presented in Figure 6.

<sup>13</sup> The process of negotiation involves the following steps: (i) negotiation will take place when there is a willing buyer – willing seller; (ii) consultation with the affected person has to be carried out and documented; (iii) the minimum negotiated price to start negotiations will be not below the valuation of land based on the market value of land; (iv) all the safeguards as mentioned in the resettlement framework has to be followed (v) all negotiations has to be carried out in a transparent manner and validated by a Third Party (any party without any interest in the process, appointed by the PMU for example, a leader of the community or a representative of a local NGO/CBO with formal and legal standing); (vi) in case of failure of negotiations compensation will be paid as outlined in the Entitlement Matrix of the RF and (viii) the entire process has to be documented. The third party will have to submit reports during and on conclusion of negotiations; costs related to third party certification will be borne by the project proponent. The land transfer and updated records of the purchased lands will have to be completed prior to the start of civil works. No negotiated purchase from vulnerable households shall be undertaken for the project. Terms of reference for third party is in Appendix 4.

<sup>14</sup> Socioeconomic survey of affected sharecroppers needs to be conducted and the DDR updated with survey results.

**Table 10: Proposed Solid Waste Management Subproject Components and their Anticipated Involuntary Resettlement Impacts**

Sl. #	ID. No.	Contract Package No.	Name of Schemes	Land use	Existing municipal land	Area of proposed site (additional land required)	Involuntary Resettlement Impacts
1			Landfill site at SM Para (Patli-Mashuakhali)	Agriculture (Boro Paddy)	2.0300 acre (owned by pourashava)	4.00 acre	4 acre agricultural land No. of Household/ Affected persons = 7 (5 owners, 2 sharecroppers) No. of affected HH members = 15 (include sharecroppers HH members) 50 Trees (Eucalyptus, Korai)
2			Bio-medical waste treatment facility	„	NA	„	Proposed within the 4 acre site being obtained through negotiated settlement for landfill at SM Para (Patli Mashuakhali), hence no additional impact anticipated.
3			Fecal sludge drying beds	„	NA	„	Proposed at the Mithachari landfill site, hence no additional impact anticipated.
4			Transfer stations (3 no.)	Proposed on municipal land presently having open dustbins	Yes		(1) Proposed near Sweepers Colony in place of open dustbin. Transfer station will improve environmental health and safety situation as it will be covered and will have a gate Near Old Jinuk Market

Sl. #	ID. No.	Contract Package No.	Name of Schemes	Land use	Existing municipal land	Area of proposed site (additional land required)	Involuntary Resettlement Impacts
							(2) Opposite Bus Terminal (Demountable containers proposed in place of existing large, open dustbins).

Source: TA 8913 consultants. Site visits conducted in 22 June to 6 July and 14-18 August 2016 and 20 October 2016



**Figure 5: Google Earth Map depicting Proposed Landfill Site at South Mitachari,**

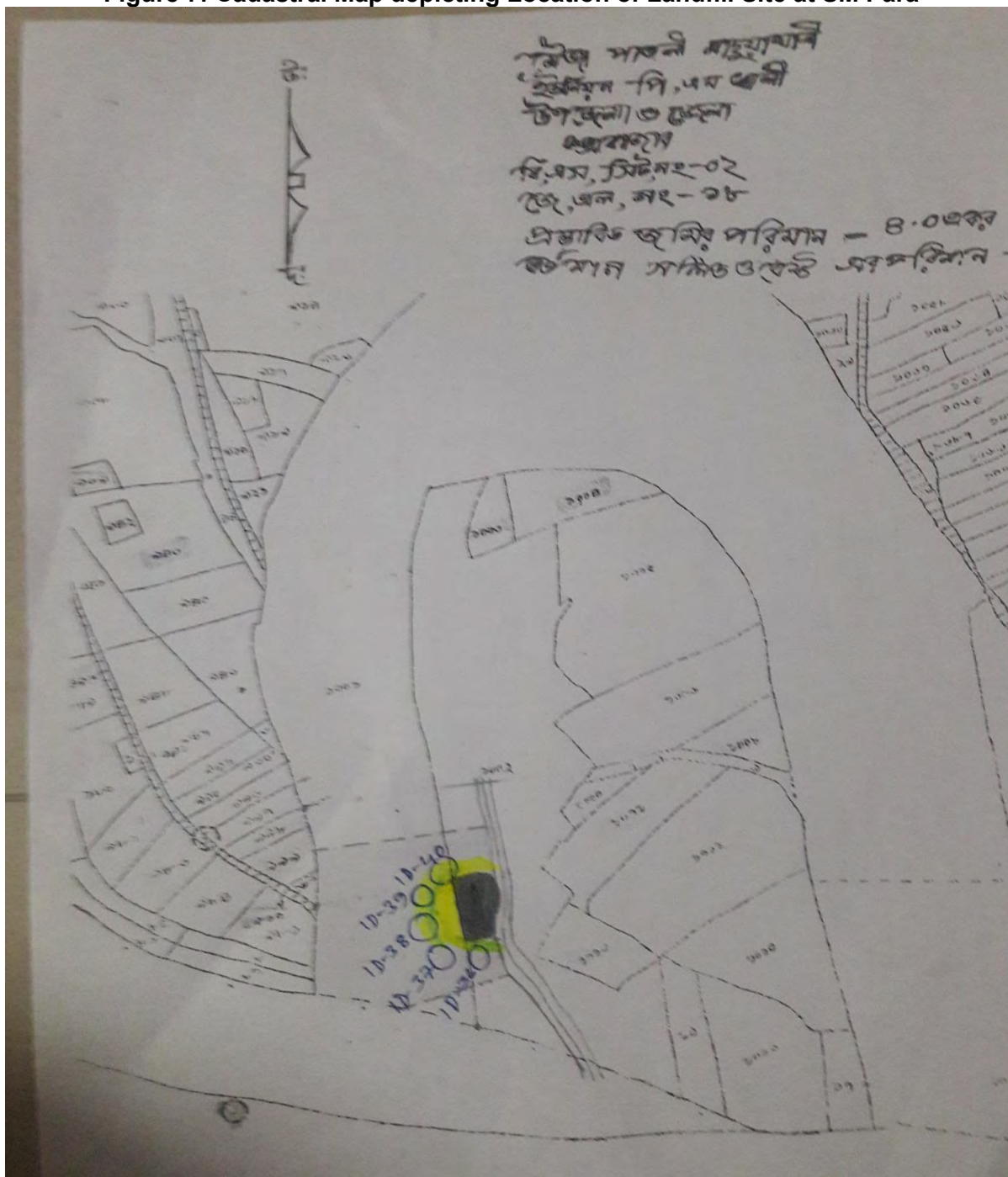


**Figure 6: Google Earth Map showing proposed Landfill Site at SM Para, Cox's Bazar**



Note: The above map depicts land already available with the local body as "existing" and the land to be obtained through negotiated settlement as "proposed".

Figure 7: Cadastral Map depicting Location of Landfill Site at SM Para





## V. CONCLUSIONS

### A. Summary and Conclusions

33. Of the two sites proposed for sanitary landfills at Cox's Bazar, one at Mithachari is owned by the municipality. Purchase of private land for the proposed landfill at SM Para (4 acres) through negotiated settlement from 5 landowners (having 15 members in their households) for the proposed landfill cum bio-medical waste facility at Cox's Bazar is proposed. Apart from the 5 landowners, 2 sharecroppers (and their household members) are likely to be affected. Existing labour employed by the *pourashava* will be trained and absorbed in the proposed facilities under UGIIP in Cox's Bazar; the municipality and/or the contractor undertaking operation and maintenance will be responsible to ensure that none of the existing employees face loss of jobs. The DDR will be updated by MDSC prior to implementation.

### B. Next Steps

- (i) DDR to be updated post finalization of detailed design prior to project implementation, formally approved by ADB and disclosed as per standard practice;
- (ii) Google Earth map of landfill site at Mithachari to be included in the updated DDR;
- (iii) Undertaking from Cox's bazar municipality indicating willingness to retain/employ existing labor in the conservancy wing to be obtained and appended to updated DDR; and
- (iv) Third party certification of negotiated settlement to be appended to updated DDR.

## APPENDIX 1: RECORD OF PUBLIC CONSULTATIONS IN COX'S BAZAR POURASHAVA

Venue: Conference Room, Cox's Bazar Pourashava

Date: 30.6.2016

Time: 12.30 Pm to 4.00 Pm

**Purpose:** Public Consultation on Resettlement and Safeguard Survey Findings

**Introduction:** A public consultation meeting was held on 30 May 2016 at Pourashava Auditorium. In absence of Mayor, the Mr. Mahabuber Rahman, Mayor presided over the meeting. The local councilors, representatives of affected persons, politician, NGO representative and other pourashava staff were present in the meeting. Participants: See attachment. Out of the total participants 10% were women. At the beginning of the meeting the Panel Mayor welcome the participants and delivered a welcome speech and invited the participants to introduce themselves and make their valuable comments on the resettlement issues to make the project success.

### **Agenda:**

1. Sharing information on the project
2. Presentation of the survey Findings:
3. Opinion of the participants
4. Any Other Business

### **1. Information Sharing:**

a. **Background:** The TA-8913 in Bangladesh is being undertaken to strengthen and scale up the efforts being made under two ongoing loan projects—(i) the Coastal Towns Environmental Infrastructure Project (CTEIP), and the (ii) Third Urban Governance and Infrastructure Improvement (Sector) Project (UGIIP-3)—in terms of climate-resilient integrated urban planning, as well as supporting the identification and preparation of additional subprojects ready for implementation. In total seven municipalities are included: two under CTEIP (Bagerhat and Patuakhali) and five under UGIIP-3 (Cox's Bazar, Faridpur, Gopalganj, Kushtia, and Mymensingh). The outline engineering designs for some of the infrastructure subprojects indicate that land acquisition or purchase through negotiated settlement may be required, for which individual 'Resettlement Plan's will be prepared for each municipality. The resettlement plans will detail the necessary information as regards the affected persons, amount of loss and consequent compensation, grievance redress mechanisms and overall implementation modality of the resettlement process.

b. **Arrangement Resettlement Plan, Policy and principals:** The resettlement plan will be prepared according to the safeguard policy Statement 2009 and Government of Bangladesh (GOB) Acquisition and Requisition of Immovable Property Ordinance 1982 (APIRO). She also mentioned that the Grievance Redress Committee will be formed following the ADB Safeguard Policy Statement (SPS) 2009 to address or resolve unusual incidence occurs during implementation of the project activities. The solution of the incidences will be based on the complaints raised from the affected persons.

c. **Entitlements:** The types of losses due to the project include; (i) loss of land (in case of failure of negotiation); (ii) loss of residential/ commercial/ community structure; (iii) loss of trees; (iv) loss of crops; (v) loss of business; (vi) loss of work days/ incomes, and relocation of households and businesses; (vii) loss of rental premises; and (viii) loss of access to premises for

residence and trading. According to ADB SPS, 2009 of ADB in the context of involuntary resettlement, APs are those who are physically relocated, or lose residential land, or shelter and/or economically displaced (with loss of structure, assets, access to assets, income sources, or means of livelihood). The absence of formal and legal title to the land should not prevent the AP to receive compensation and resettlement assistance from the project. Special consideration will be given to the vulnerable destitute and female headed households. Income generating support to the member physically displaced households and including them in the poverty reduction and livelihood enhancement program.

d. **Institutional Arrangement: Executing agencies.** LGED will be the executing agency for the project, and DPHE will be a co-executing agency for water supply and sanitation components. A PMU will be established in LGED headed by a project director from LGED and will include one deputy project director from DPHE. The PMU will be staffed by a safeguard officer to oversee safeguards implementation and monitoring of the project. The PMU will be responsible for implementing and monitoring safeguards compliance activities, public relations activities, gender mainstreaming activities, and community participation activities.

e. **Grievance Redress Mechanism:** A project-specific grievance redress mechanism (GRM) will be established to receive, evaluate, and facilitate the resolution of AP's concerns, complaints, and grievances about the social and environmental performance at the level of the project. The GRM will aim to provide a time-bound and transparent mechanism to voice and resolve social and environmental concerns linked to the project.

2. Presentation of the resettlement survey findings Mr. Bazlur Rahman presented the findings of the safeguard and resettlement survey. He said that a six member team had been working from 6 days. The team collected data from secondary sources, conducted transect walks, focus group discussion, key informant interviews and recorded their personal observations. A total of 07 drain and 06 roads have been surveyed. The team conducted 17 FGD and 9 Key informants' interviews. He said that out of the total drainage and roads, the team found squatters on 02 drains. The team conducted video documentation of all roads and drains. He presented the survey team's findings on number of affected persons and types of anticipated impacts, inventory of losses. The affected persons will be compensated according to agreed resettlement framework of the project.

3. **Opinion of the Participants:** Councilor of Mr. Lalu, the councilor of no. 19 ward said that the people of 7 no. union are suffering from severe drainage congestion. He has given no objection certificate (NOC) on behalf of the land owners. He said due to water logging the price of Agricultural land is cheaper. If the drainage system develop, then the land price will be double. So, there is no problem from the land owner's site to give the land for drainage improvement.

4. Mr. Omar Siddik said that as a counsellor of the no. 6 ward, he and his people will provide all sorts of cooperation during implementation of the project.

5. Mr. Mizanur Rahman, the Councilor of no. 22 ward said that the people of his ward are also suffering from the water logging problem. So, he requested to the authority to include his drain as priority basis. In response to this question Ms. Helen Rahman said that the resettlement team is not the authority to include any road or drain as the priority list. It is mayor, who can improve the road from the other fund of the pourashava or he can wait for the second phase of the project.

6. The panel mayor said that considering availability of municipal land at different locations, about 4.0 acres additional land needs to be purchased to serve the local body for twenty years. This site is 4.5 kilometers (km) away from the main town. Present land price is about BDT16,500,000 for the proposed 4.0 acre land.

7. Finally, the panel Mayor thanked everybody for their active participation and concluded the public Consultation meeting.

**Table A11: List of Participants**

Sl. No.	Name	Designation	Age	Address	Cell No.
1	Md. Mahabubar Rahman	Mayor Coks Bazar Pourashava		Coks Bazar Pourashava	0341-62329
2	Mannamul Islam	Nattoker		Coks Bazar Pourashava	01616942132
3	Mizanur Rahaman	Counsellor		2 no. Ward Coks Bazar Pourashava	01819853737
4	Akter kamal Azad	Counsellor		1 no. Ward Coks Bazar Pourashava	01816169338
5	Asraful huda Siddiki	Counsellor		7 no. Ward Coks Bazar Pourashava	01819102481
6	Mir MD. Shirazul kalam	Ass. Project		Coks Bazar Pourashava	01819536189
7	Mujibul Haque mujib	Political Person		2 no. Ward	01829293837
8	Shahab uddin	Business		2 no. Ward	01840074998
9	Abu sadad mohammad sayem	O/A		Boi para	01765577599
10	Nowshad hossin	M.L.S.S		Coks Bazar Pourashava	01830425140
11	Subbroto das	WA		Coks Bazar Pourashava	01812945001
12	Nur islam	M.L.S.S		Coks Bazar Pourashava	01826578466
13	Md. Shohidullah	Business		Uttar Dikkul	01859621012
14	Zoynal abedin	Contractor		Romaliyar Chara	01818554113
15	Roshid Ahammed	Contractor		Kolatolil	01819645988
16	Mojammal Haque	Business		BGB Champ	01818554113
17	Abdul Aziz	Job		Nappa Para	01832215244
18	Nur Mohammad	Job		Shahittik polli	0174300175
19	Shamim Akter	Slum Development Officer		Coks Bazar Pourashava	01712210704
20	Mohammad Nur Alam	Executive Engineer		Coks Bazar Pourashava	01688559151
21	Nurul kobir led	Business		Shahittik polli	0181855418
22	Monjumon Nahar	Counsellor		Coks Bazar Pourashava	01821693459
23	Subodhon Boruya	Business			01839658905
24	Khorshad Alam	Business		Uttar Dikkul	01850393784
25	Abdul Monnaf	Business		Shahittik polli	01837190215
26	Nurul Islam	Contractor		Shahittik polli	01837195089
27	Md. Darus salam	Business		Jawtola	01824830540

Sl. No.	Name	Designation	Age	Address	Cell No.
28	Azamal Huda	Business		Jawtola	01749004589
29	Md. Omor Siddik	Counsellor		6 No. Ward	0181720121
30	Zisan Uddin	Counsellor		12 No. Ward	01819311252
31	Razib Boruya	ASS. Eng		Coxs Bazar Pourashava	01875038825
32	Alamgir Hossain	Contractor		„	01856884241
33	Zosim Uddin	Contractor		„	01814149193
34	Md. Helal Uddin	Counsellor		„	01819520038
35	Md. Foridul Islam	Business		Uttar Dikkul	01840077709
36	Md. Shoyod Ahammad	Job		Haji Para	01812366161
37	Md. Bosir Ahammad	Business		Uttar Dikkul	018394113221
38	Md. Abul Hasan	Business		Uttar Dikkul	01991559196
39	Md. Joshim Uddin	Business		Kolatoli	01837192962
40	Md. Shahadot Mia	Job		Kolatoli	01826575885
41	Md. Ali Ahammad	Business		Shahiktik Polli	01717351247
42	Md. Ohedul Islam	Job		Nap-Pangga Para	01554327477
43	Md. Azizul Islam	Job		Nap-Pangga Para	01832215244
44	Suras Borua	Business		Feta Sowdagor Para	01824683160
45	Md. Zafor Alam	Business		Pahartoli	01823029963
46	Md. Zamal Hossan	Business		Nutun Bazar	01812742857
47	Md. Sirazul Islam	Business		Pesker Para	01818288006
48	Md. Shamsul Alam	Business		Pesker Para	01824424033
49	Md. Lokman Hakim	Business		IslamPur	01813671995
50	Md. Shaki Alam	Business		Feta Sowdagor Para	01881590058
51	Md. Abdul Kader	Business		Dokkin Kolatoli	01834526525
52	Md. Abdur Roshid	Business		Dokkin Kolatoli	01879312653
53	Helen Rahaman	Social Safeguard		ADSL, Dhaka	01712532003
54	Md. Bozlu Rahaman	Supervisor		„	01712219506
55	Md.Motasim Billah	FGD- Facilitator		„	01708761326
56	Md. Papul Mia	Enumerator		„	017204827767
57	Md. Mahamud-ur- Rashid	Enumerator		„	01721543625
58	Md.Roushan Ferdous	Enumerator		„	01714608510
59	Ms.Shahanaz Perven	FGD- Facilitator		„	01717282166

## APPENDIX 2: SOCIOECONOMIC PROFILE OF LANDOWNERS

S . N	Name of Affected Persons	Size of affected land	% of property lost at the location	Total private land holding of affected persons (at the location & other places)	Income Sources of House-hold	Stated House-hold Income Per Month	Whether vulnerable	Family Members	Type of loss	Owner-ship	Remarks
1	Tapas Chakraborty	80 decimals (Dc)	100%	None	Business	25000	High School	3	Agricultural land	Private	No relocation impact
2	Manas Chakraborty	80 Dc	100%	None	Business	30000	Master's degree	3	Agricultural land	Private	No relocation impact
3	Bivas Chakraborty	80 Dc land	100%	None	Business	35000	Graduate	3	Agricultural land	Private	No relocation impact
4	Puspen Chakraborty	80 Dc land	100%	None	Business	22000	Graduate	3	Agricultural land	Private	No relocation impact
5	Soumen Chakraborty	80 Dc land	100%	None	Business	22000	Graduate	3	Agricultural land	Private	No relocation impact
6	Md. Jamal Hossain	2 Acre land loss (used for sharecropping/ cultivation boro paddy crop)	10% income lost	None	Business, agriculture (own land) and sharecropper	15000	HSC	3	Partial loss of income	Not applicable (sharecropper)	No relocation impact. Confident of getting other lands nearby as sharecropper.
7	Jahidul Hossain	2 Acre land loss (used for sharecropping/ cultivation of boro paddy crop)	20% income lost	None	Business and sharecropper	10000	SSC	3	Same as above	Not applicable (sharecropper)	r. Will be assisted by project to identify such land as required

Note: 1. The below poverty line (upper poverty line) for Chittagong Urban is estimated at BDT 2827, based on the 2010 upper poverty line determined by the Bangladesh Bureau of Statistics, with inflation rate added. None of the landowners or sharecroppers is BPL. The sharecroppers indicated that they are not desirous



of any income generation assistance under the project or any other assistance, as they are confident of getting similar additional lands for sharecropping, and have their own agricultural lands and/or shops/businesses.

## APPENDIX 3: INFORMATION ON PROPOSED SOLID WASTE LANDFILL SITES

Sl. No	Components	Proposed Landfill Site (Mithachari)	Proposed Site (S.M Para)	Remarks
1	Total Lands	3.72 acres (already acquired by pourashava and in its possession)	6.03 Acres 2.03 acres already acquired (in the pourashava's possession). Negotiated settlement for 4.00 acres under process	Third Party witness to be appointed
2	Approach road	10 feet width From main road to landfill site partly brick and partly kutcha (Under construction by LGED)	10 feet width From pucca road to landfill site	Construction proposed by LGED
3	Fecal sludge	2 Unit	No	
4	Landfill (solid waste)	Yes	Yes	
5	Construction of Embankment	Yes	Yes	
6	Construction of Boundary wall	Yes	Yes	
7	Bio-medical waste facilities	No	Yes	
8	Leachate treatment	Yes	Yes	

# APPENDIX 4: GOVERNMENT REGISTERED LAND PRICES (COX'S BAZAR) AND TERMS OF REFERENCE FOR INDEPENDENT THIRD PARTY CERTIFICATION

কক্সবাজার সদর সাব-রেজিস্ট্রার অফিসের ২০১৫ইং হইতে ২০১৮ইং সনের শ্রেণী ভিত্তিক  
শতক প্রতি গড় মৌজা রেইট

ক্রম নং	মৌজার নাম	মাপ	ভিট	বাড়ী ভিট	সোকাব ভিট	জলা/ঘোরা	বিলা	মার্গ	জলখোলা	পুকুর	খাই	পাতি	খাদান	দরগা মার্গ	পুকুর পাড়	পান বরজ	ওম খাদান	শিল্প	জাল	খাল	
১	২	৩	৪	৫	৬	৭	৮	৯	১০	১১	১২	১৩	১৪	১৫	১৬	১৭	১৮	১৯	২০	২১	২২
০১	কক্সবাজার	*১০০০১৯১	*১৭৭০০০১	*২২৭৫৫০২	*৩০৫৬১৭৮	*১৮২২৭৮	৮২১০৯১	---	*২১৬২১৬	*৫৬২৫০০	১৫৫৫২০৫	*৭৫০০০০	---	*৮৫৮০৭	*---	*৬৫৭৫৫৫	*১০৫৫৫৬	*১৫০৬০৬	---	২৫০০০০	*২০৭০০০
০২	কক্সবাজার	*৬৬৮০৫৬	১০৫৫২৫০	*১০৭৮২২২	*৫১৬৬৬৬৭	*১০০০০০০	*৩৬৯৯৫৭	---	১৮০৫০০	*৩০৬০৯৮	*৩৫৬৮২০	২০৫৬৬৩	২৬০৯৭৬	৫৬২০৩১	*৫৫৬৫০	---	২০৫৫৫৫	---	---	৮২২৭৫৫	---
০৩	কক্সবাজার	*৩৭৫০৫৯	*১১৬৮০৫৬	*৯৫০৯৫৮	*৮৮০০৫০	*২০০০০০০	*৫০৫২৬৭	---	৫৬৮৫০	*৩৭০০৫৫	*২৫০০০০	*২২৫২৫২	*২১৬২৮৬	*১৭৬১০৬	*৩২৮৫০	---	৩৭০৫৫৫	---	---	*১৫০০০০	*১৭২৫০
০৪	কক্সবাজার	*১২৫১৫০	৭৫৮৮৫	*১৫৬৫০৬	*২১৬০০০০	*৩৫৬৫৫	*১৯০৫০	---	*১৭৫৫০	*১১১৯১	১০৫৮৫৬	১৫৬০৫৮	১৫০৭৭৭	*২৬২০২৫	*৩২৮৫০	---	---	---	---	*৩০০০	---
০৫	কক্সবাজার	*৫৫৭৮৫	৩২০৯৮১	৫৫৫০৮২	*৩১০০০০	*৩০০০০	*৫০০০০০	---	*১০৭২০	৫০০২	৫৯১৮৫	৩০৫৭৫	৮৫৬২০	*১১৬৬৬৭	*---	*২২৭৫৫	---	---	---	---	---
০৬	কক্সবাজার	*৫১২৯২	৩৮০০৫	৬২৫৮৫	---	১১৫২৯	৫৬০৬০	---	*৮০০০	*৮২২২	১০৫৫০৬	*১০১৮৫৫	*১৫২৫২	৫৮৫৮৫	*৮৫০০	*৩০০০০	*৭৫৮৫০	---	*১০৬০৬১	*৭২০০	*৫০০০
০৭	কক্সবাজার	*২৬০১৫	৫৭০৮২	২০৫৫০০	---	*১১০০০	*৬৬৬৭	---	*৫০৫০	*৫০০০	৭১৫৮৯	*৯০০০০	১১৮৮৭	*২০৫৫০	৯২৫০০	---	---	---	---	*৬০০০	*১০০০০
০৮	কক্সবাজার	*৭৯৯৮৭	*১৫৭৯২০	*১৬৫২২২	*৩০০০০০	১০০০০০	*৯৫৭৬১	*২০০৮৭	*৩৮৫০	*৩৬৫৮১	*১০৫৫০২	৫৭০৭৩	*১০৬০৭৭	১৬০৮১৯	*১০৭৫৫	*১০০০০০	৬৯৮৬৬	---	---	*১২৫০০	*১০৫০০
০৯	কক্সবাজার	২৫৯৮৬	১৫২৭০৬	১৭২২৬১	---	*৫০৫৯	১০০২৭	---	*৫৬২০	*৩৭০০	২৭৭৫৫	২৫৫৫৫	*২২৫২৬	---	১৫৯০২	---	---	---	---	---	*১৫২১৮
১০	কক্সবাজার	*২০০৬৫	২৭০৫৯	*২৭১২০	---	*৫০০০	*১৬২৫০	---	*৫০৫০	৫২১৯	২১১৭৫	৬৬৬৩	*৩০১১২	*৫২২৬০০	১৫৮৭৫	---	*১২৫৫০	---	---	*৫৫০০	১১২০০
১১	কক্সবাজার	৩১৮৮৮	২৫০০০	*৩৭০৮০	---	*২১৭০৯২	২৫৫৮৭	---	*৫৬০০	*২০৯১৮	*১৬৮২৯	*৩৯৫০০	*৫১৫৮৮	*৫১৬৬৭	৬২৮৫৫	---	*১২০০০	---	---	*৮৫১০	*৮৮৫০০
১২	কক্সবাজার	২১১৫৬	*৯০০০০	*৯০০০০	---	*৫০৫০	*১১২৫০	---	*৫৫৫০	*৬২৫০	*১৯০০০	*৫৭৬২	---	---	১৭৯৫৮	---	---	---	---	---	*৮১০০০
১৩	কক্সবাজার	*২৫০১০	*১২৬০০০	৩০৫২৭০	৩৫৫৫৫৫	*৫৭০০	২১৬০০৯	---	*৩৭০০	*৩৬০০	*৫০৫০	৭৫৮৭	*৬০০০	---	---	---	---	---	---	*৯০০০	---
১৪	কক্সবাজার	২০৫৫৬	১৫০১৭	*৫৫৫১৬	*৫০৫০	*৭০০০	*৯৭১২২	---	*১১২৫০	---	*৫০৫০	*৫০০০০	*৭৫০০০	---	১২৯১৮	---	---	---	---	---	---
১৫	কক্সবাজার	২৫৫১৮	*১৮৫০০	*৫৫৫৮৫	---	*৫৫০০	২৫৭১৬	---	*২৫৫০	*২৭৫০	৩০০০০	*৯০০০	*১৭৫০০	---	*৭২২২	---	*২৬৫০	---	---	---	---
১৬	কক্সবাজার	*২৫০১৭	১৬৬৬৭	*৭১৯২৬	*১৫০০০	*৫০০০	*৫৮৮০	---	*২৫৫০	*২৭০০	১০৫৫০৯	১০৯২৭	*৩২২৭২	---	---	---	---	---	---	*১২৭৫৭	*৫০৮৫
১৭	কক্সবাজার	*১৯৫১৫	১৫০০৯	৩০০৮২	*১৯০০০০	১৫৫৯২	৫০৮২৮	---	*৩২০০	*৬০০০০	*৭০০১৬	*৫০০০০	*২৭০২১	---	১৬৭৫৭	*৬০০০	---	---	---	*৫৫৫৫	১৫৫০৮
১৮	কক্সবাজার	১৭৮০০	*২০০৬৬	৬৫২৭৬	---	*২৭০০	*৯২২৭	---	*১৫৫০	*২৫০০	*৫০০০০	*৫০০০০	*৬০০০	*৩৫০০	২০৯২০	---	---	---	---	*৩৮১২০	*৫৫৫৫
১৯	কক্সবাজার	১৬০৬৭	*১২৫০০	*১৭৫২৫	---	*৩০০০	১৫৫১২	---	*১৭৫০	*৬২৫০	---	---	*১০৫৮৮	---	---	---	---	---	---	*৫০০০	---

Note: The registered land price of the affected parcel is BDT 41, 29,200.00/acre (i.e. BDT 16516800 for 4 acres).  
Source: Cox's Bazar Sadar Sub Registrar's Office.

## TERMS OF REFERENCE FOR INDEPENDENT THIRD PARTY CERTIFICATION

1. An independent third party shall be appointed by the project management unit (PMU).

### **TOR for Independent Third Party**

2. An independent third party is sought to be appointed to oversee and certify the process of negotiated settlement/purchase of land required for Cox's Bazar landfill. The third party shall be briefed about his/her expected role and deliverables by the PMU.

3. **Eligibility:** The third party shall be a representative of the community (any party without any interest in the process, appointed by the PMU for example, a leader of the community or a representative of a local NGO/ CBO with formal and legal standing).

4. **Scope of work:** The role of the third party shall be to ensure a fair and transparent process of negotiated settlement. The envisaged scope of work shall entail the following:

- (i) Witness and keep a record of dates of meetings held with land sellers, and prepare minutes of meetings;
- (ii) Ensure that balanced information is provided to both parties on the cost/ market price of the affected land/ structures;
- (iii) Ensure there is no coercion involved in arriving at the negotiated price;
- (iv) Ensure that the negotiated price and all agreed assistance and entitlements are given to affected persons prior to commencement of works; and
- (v) Submit a certificate as witness to the negotiation process as well as payments and assistance.

5. **Deliverables:** The minutes of the meetings, note on negotiated land price, and a certificate as witness to the negotiation process and payments made and assistance provided to affected persons, shall be submitted by the third party to PMU and affected persons in the local language.

## APPENDIX 5: PHOTOGRAPHS

Proposed Landfill Site at SM Para  
(partly owned by pourashava and part private ownership)

**Proposed Landfill site at SM para**  
(part owned by pourashava and adjacent land proposed to be obtained through negotiated settlement)



**Proposed Landfill Site, Mithachari (owned by pourashava)**





**Proposed Landfill Site, Mithachari**



**Proposed Transfer Station in place of existing open dustbin at Sweepers Colony, Cox's Bazar**



### Photographs of Transect Walks and Consultations



**Transect walk at Mithachari landfill site during ADB Fact Finding Mission**



**FGD with Local People around SM Para Landfill Site**



**Discussion with AP (Landowner, Mr. Tapas Chakraborty)**



**ADB Team discuss with Landowners and Local Peoples**





**Discussions at SM Para landfill site (with landowners Mr. Tapas Chakraborty and Mr. Manas Chakraborty, the two sharecroppers and local people including adjacent landowners and residents of nearest locality, Barua Para)**



**Discussion with sharecropper of landfill site at SM para**



**Meeting with Honorable Mayor and Executive Engineer  
Discussions with local people at Mithachari landfill site**



**Discussions in Public Consultation Meeting, Cox's Bazar pourashava**





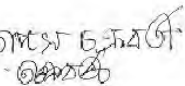
# APPENDIX 6: INITIAL CONSENT LETTER BY LANDOWNER (SM PARA) FOR ADDITIONAL 4 ACRES LAND

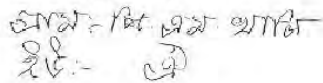
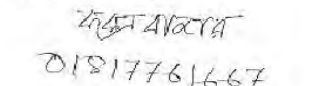
স্বাক্ষর পত্র

আমি নিম্নস্বাক্ষরকারী -স্বাক্ষরকারী পাটালি-মাসুখালি মৌজার  
অনুসৃত ১০০১ ও ১০০২ দাগের অধিকার-হীন ১ আশি একশত  
অশীকার বনটিতেছি যে, বসতি-অসুবিধাজনক স্থানটি মরি হতে  
কল্যাণকর-সৌকর্য্যে বর্জিত মরি ৪'০০ (চার) একর হইলি আই-  
সহর বসতিতে চাপ-তাহলে আমি বা আমার অসুবিধা-  
সুজনগন (মরি বসতি-অসুবিধাজনক স্থানটি স্থানিক)-সেবা দাখি-  
দিতনা । আমার-সৌকর্য্যে বর্জিত মরি সাব-দালিমের  
অধিকার দিয়া দিহ । তাহে স্থানিক-সুখ বাবদ-কল্যাণকর মরি-  
বৈলিখ্যে বর্জিত-বৈলিখ্যে স্থানিক-সুখ-অসুবিধাজনক স্থান-অসুবিধাজনক  
কো-সুবিধাজনক স্থান ১

স্বাক্ষর:

১. নাম: বজ্রব্রত রায় - Social Safeguards  
Survey - Super
২. নাম: প্রমোদ রায় - F40 Facilitator

স্বাক্ষর: 

স্বাক্ষর:   
স্বাক্ষর: 

০১৮৭৭৬১৬৬৭

## Translation

### No Objection Certificate

This is to certify that I the undersigned owner of the land of Patali masuakhali mouza Dag no 1002 and 1003 . On behalf of the 5 landowners, I do hereby give our consent to contribute 4 acres of land. My relatives (other owners) and I will not raise any complaint /objection if pourashava obtains and uses the land for solid waste dumping place. We will sell the land to pourashava at the cost fixed by the sub registrar's office, Cox's Bazar.

Sd/Tapas Chakraborty, landowner and representative of the 5 affected landowners




কক্সবাজার পৌরসভা কার্যালয়  
কক্সবাজার।

Email-coxspourashava1869@gmail.com  
www.paurainfo.gov.bd

প্রত্যয়ন পত্র

প্রত্যয়ন করা যাচ্ছে যে, কক্সবাজার পৌরসভার ০৬ নং ওয়ার্ডের অন্তর্গত পি.এম.খালী মৌজার ২.০৩ একর জমিতে স্থিত সলিড ওয়েস্ট ম্যানেজমেন্ট সংলগ্না অধিকতর ৪.০ একর জমি একই প্রকল্পে অর্ন্তভূক্তির জন্য অধিগ্রহণে পার্শ্ব-প্রতিক্রিয়ার কোন সম্ভাবনা নেই।

  
(মোঃ মাহাবুবুর রহমান চৌধুরী)  
মেয়র  
কক্সবাজার পৌরসভা, কক্সবাজার।

Certificate

This is to certify that there is no possibility of any dispute arising with regard to acquiring 4 acres of land adjacent to the existing 2.03 acres land that is already acquired for solid waste dumping place at PM khali mouza under Ward no.6.

Md. Mahabubur Rahman  
Acting Mayor  
Cox's Bazar Pourashava

## APPENDIX 7: LAND OWNERSHIP RECORDS AND NO OBJECTION CERTIFICATES

**SM Para Landfill Site- Additional Land**

Land ownership records showing plot numbers, land owner names, area for proposed SM Para Landfill Site (to be obtained from private owner)

http://192.168.0.1/oscs/modules/mokolbab

বাংলাদেশ করম নং ৫৪৬২ [সংশোধিত]

**বি এস খতিয়ান**

জেলা : কক্সবাজার থানা : কক্সবাজার সদর খতিয়ান নং : ১৩৫৭ রিসার্ভে নং :  
মৌজা : পাতলী জে এল নং : ১৮ পরগণা : তৌজি নং :

মালিক অকুশি প্রজা বা ইজারাদারের নাম ও ঠিকানা	অংশ	রাজস্ব	দাগ নং	জমির শ্রেণী		দাগের মোট পরিমাণ		দাগের মধ্যে অত্র খতিয়ানের অংশ	অংশ অনুযায়ী জমির পরিমাণ		দখল বা বিশেষ
				কৃষি ৫(ক)	অকৃষি ৫(খ)	একর ৬(ক)	শতাংশ ৬(খ)		একর ৮(ক)	শতাংশ ৮(খ)	
নিরোদ বরন চক্রবর্তী	০/০	১৮৩.০০	৮৬০	কাটি	-	-	১১	-	১৮	আবাদ র	
পিং বিনোদ বিহারী	০/০		৮৭০	বাড়ী	-	-	১১	-	৩২	জনা	
পিং বিহারী চক্রবর্তী	০/০		৯০০	নাল	-	-	১১	২	৯০	ঘর/২	
অমল্য কুমার	০/০		৯০৪	এ	২	৫৮	১১/১৫	১	৭৩	-	
পিং বিমল বিহারী	০/০		৯০৫	এ	-	-	১১	-	৩৭	-	
কমলা দেবী	০/০		৯০৬	এ	৪	১০	০/৫	-	৮৪	-	
জং সুপিন বিহারী	০/০		৯০৭	খিলা	-	-	৬	-	০১	-	
অপন কুমার চক্রবর্তী	১৬১১///		৯০৮	এ	-	২৯	১০	-	২১	-	
সমির কুমার	১৬১১///		৯০৯	নাল	৩	৪১	১০	-	৫৬	-	
সুধীর কুমার চক্রবর্তী	১৬১১///		৯১০	এ	২	৩৪	১০	-	৭৪	-	
পিং রতীন্দ্ৰী লাল দে			৯১১	এ	১	৯৬	০৫	-	৪৮	-	
থানাঃ কক্সবাজার			৯১৪	এ	২	৭৬	১০	-	৭৬	-	
			৯১৫	খিলা	-	০৭	১৬/০	-	০৬	-	
খারা মতে নোট বা পরিবর্তন									মোট জমি.....	৩৩	৪৪
মার মোকদ্দমা নং এবং সন।											
সুদ্বনেষ নং-সুঃ আঃ নং-৩৬/০৪-০৫-তার ১৭-০৩-০৫											
পতনমেন্ট প্রিন্টিং প্রেস- কম্পিউটার শাখা-৩১/২০০৬-২০০৭(লঃ)-১১-০৭-২০০৬-৫০,০০,০০০ কপি											

১ of 2

৩০/৭/১৭  
মোক্তা সনদ প্রাপ্ত  
স্বাক্ষর করণ

৩০/৭/১৭  
মোক্তা সনদ প্রাপ্ত  
স্বাক্ষর করণ

7/29/201



http://192.168.0.1/oscs/modules/nokolbabostap

আবু বকর	১৫	৯১৬	ঐ	-	-	১১	-	১৪	-
পিং ছৈয়দ আহমদ		৯১৮	খিলা	-	-	১১	-	১৬	-
ছালামত উল্লা	১৫	৯১৯	নাল	-	-	১১	-	৪৩	-
পিং হাজী আবুল হাসিম		৯২০	ঐ	-	৩৮	১১	-	২৯	-
সাং কিলংজা	১১	৯২১	খিলা	-	-	১১	-	১৪	-
		৯২২	কাটা	-	-	১১	-	৫০	-
		৯২৩	নাল	-	-	১১	-	১৮	আবাদ রক্ষা:
		৯২৪	ঐ	-	-	১১	-	১৬	জন্য
		৯২৫	ঐ	-	-	১১	১	৬২	-
		৯২৬	ঐ	-	-	১১	-	৭৭	-
		৯২৭	কাটা	-	-	১১	১	০১	-
		৯২৮	ঐ	-	-	১১	-	২৭	-
		৯২৯	নাল	-	-	১১	-	২৩	সাধারণের
		৯৩০	ঐ	-	-	১১	-	৩২	ব্যবহার্য
		৯৩১	ঐ	-	-	১১	-	০৮	আবাদ রক্ষা:
		১০০০	ঐ	-	-	১১	-	২৫	জন্য
		১০০১	নাল	-	৩১	১১/০	-	৫৬	সাধারণের
		১০০২	ঐ	-	৮৬	১১/০	-	৪৮	ব্যবহার্য
		১০০৩	ঐ	-	-	১১	-	২২	আবাদ রক্ষা:
		১০০৪	ঐ	-	-	১১	-	২৩	জন্য
		১০০৫	ঐ	-	২৬	১১/০	-	০৮	সাধারণের
		১০০৬	ঐ	১	১৯	১১/১০	১	৬২	ব্যবহার্য
		১০০৭	ঐ	২	৬৬	১১/০	১	৩০	আবাদ রক্ষা:
		১০০৮	ঐ	-	৬৮	১১/১০	-	৫৭	জন্য
		১০০৯	খিলা	৮	২১	১১/৫	১	০৮	সাধারণের
		১০১০	ঐ	৬	২২	১১/১০/১	৪	২১	ব্যবহার্য
		১০১১	নাল	-	-	১১	-	০৯	আবাদ রক্ষা:
		১০১২	ঐ	-	-	১১	১	৪৭	জন্য
		১০১৩	ঐ	-	-	১১	-	৪৭	সাধারণের
		১০১৪	খিলা	৬	১৫	১১/১০	১	৩৬	ব্যবহার্য
		১০১৫	নাল	-	-	১১	-	৬৯	আবাদ রক্ষা:

..... ধারা সতে নোট বা  
পরিবর্তন

মোট জমি..... ৩৩ ৪৪

সায় মোকদ্দমা নং এবং সন।

মুদ্রলেখ নং-মুঃ আঃ নং-৩৬/০৪-০৫-তার ১৭-০৩-০৫

গভর্নমেন্ট প্রিন্টিং প্রেস- কম্পিউটার শাখা-৩১/২০০৬-২০০৭(১৪)-১১-০৭-২০০৬-৫০,০০,০০০ কপি

মোঃ নুরুল আলম  
নকল কার্যক

2 of 2

মোঃ নুরুল আলম  
নকল কার্যক

মোঃ সয়াওয়ার উজ্জিন  
মোকাবিলা কার্যক  
মোঃ সয়াওয়ার উজ্জিন

7/29/201

Note: 2.03 acres land at SM Para (PM Khali Mouza) is already purchased by the pourashava. Legal documents (more than 15 pages) of registration and transfer of the site (2.03 acres) are available with the pourashava and were shown to the PPTA Team during field visit.





Letter from District Commissioner stating that dag/plot nos. 7563, 7564, 7565, 7566, 7567, 7568, 7571, 7572, 7573, 7574 at Mithachari obtained by government can be permitted for use as landfill site.

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার  
জেলা প্রশাসকের কার্যালয়, কক্সবাজার।  
[www.dcocoxshazar.gov.bd](http://www.dcocoxshazar.gov.bd)  
(রাজস্ব শাখা)

স্মারক নং: ০৫.২০.২২০০.১২৮.৩২.১৪৫.১২- ৩ ০৩৭ তারিখ: ৬/০২/২০১৪ খ্রি:।

বিষয়: জমির অবস্থানগত প্রত্যয়ন।

সূত্র: তাঁর কার্যালয়ের স্মারক নং- কপৌ/২০১৪/৩৫, তারিখ: ২৩.০১.১৪ খ্রি:।

উপর্যুক্ত বিষয় ও সূত্রোক্ত স্মারকে প্রেক্ষিতে জানানো যাচ্ছে যে, রামু উপজেলাধীন দক্ষিণ মিঠাখড়ি মৌজার বি এস ৫৭৪ নং বড়িয়ানের ৭৫৬৩, ৭৫৬৪, ৭৫৬৫, ৭৫৬৬, ৭৫৬৭, ৭৫৬৮, ৭৫৭১, ৭৫৭২, ৭৫৭৩, ৭৫৭৪ নং দাগসমূহের আদর ৩.৭২ একর জমির শ্রেণী বিলা এবং বর্তমানে উক্ত জমিতে ধান চাষ হচ্ছে। প্রস্তাবিত জমির পূর্ব, পশ্চিম ও দক্ষিণে বি এস ০১ নং বাস বড়িয়ানভুক্ত সরকারি জমি রয়েছে। উক্ত জমিতে ভূমি উন্নয়ন করা ব্যতীত সরকারের অন্যকোন স্বার্থ জড়িত নেই। নিম্নবর্ণিত শর্তসাপেক্ষে বর্ণিত জমিতে ডাম্পিং স্টেশন করা যেতে পারে।

শর্তনামূহ:

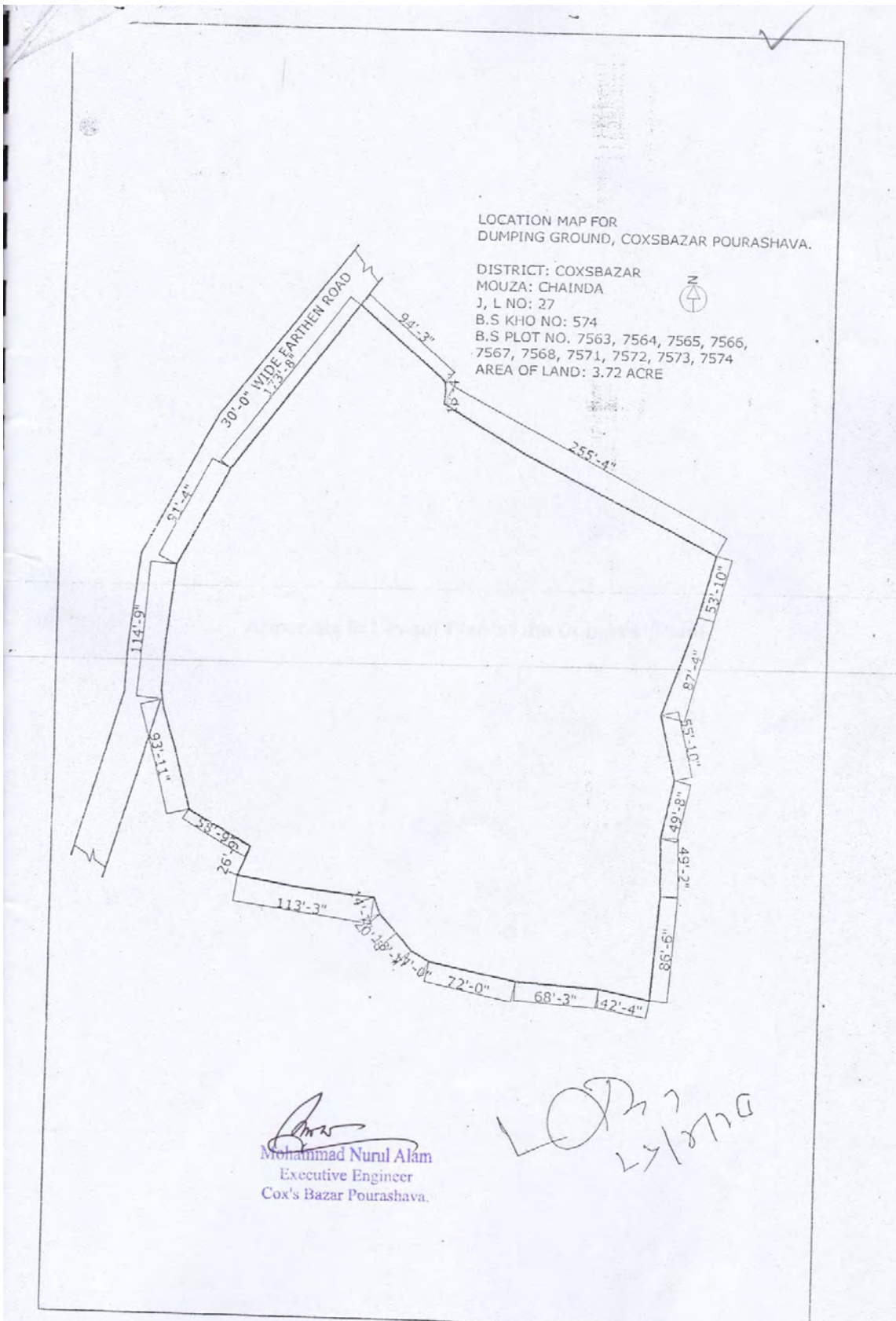
- ০১। তফসিলোক্ত জমির পার্শ্বস্থ সরকারি খাস জমি দখল করা যাবে না।
- ০২। প্রকৃতি ও পরিবেশের ক্ষতি সাধন করা যাবে না।
- ০৩। পশ্চিম পাশের চাহিন্দা ছড়ার পানি প্রবাহে বিঘ্ন সৃষ্টি করা যাবে না।
- ০৪। স্থানীয় জনগণের স্বাস্থ্যের ক্ষতি হয় এমন কোন স্থাপনা তৈরী করা যাবে না।

মোহাম্মদ জাফর আলিম  
অতিরিক্ত জেলা প্রশাসক (রাজস্ব)  
কক্সবাজার।

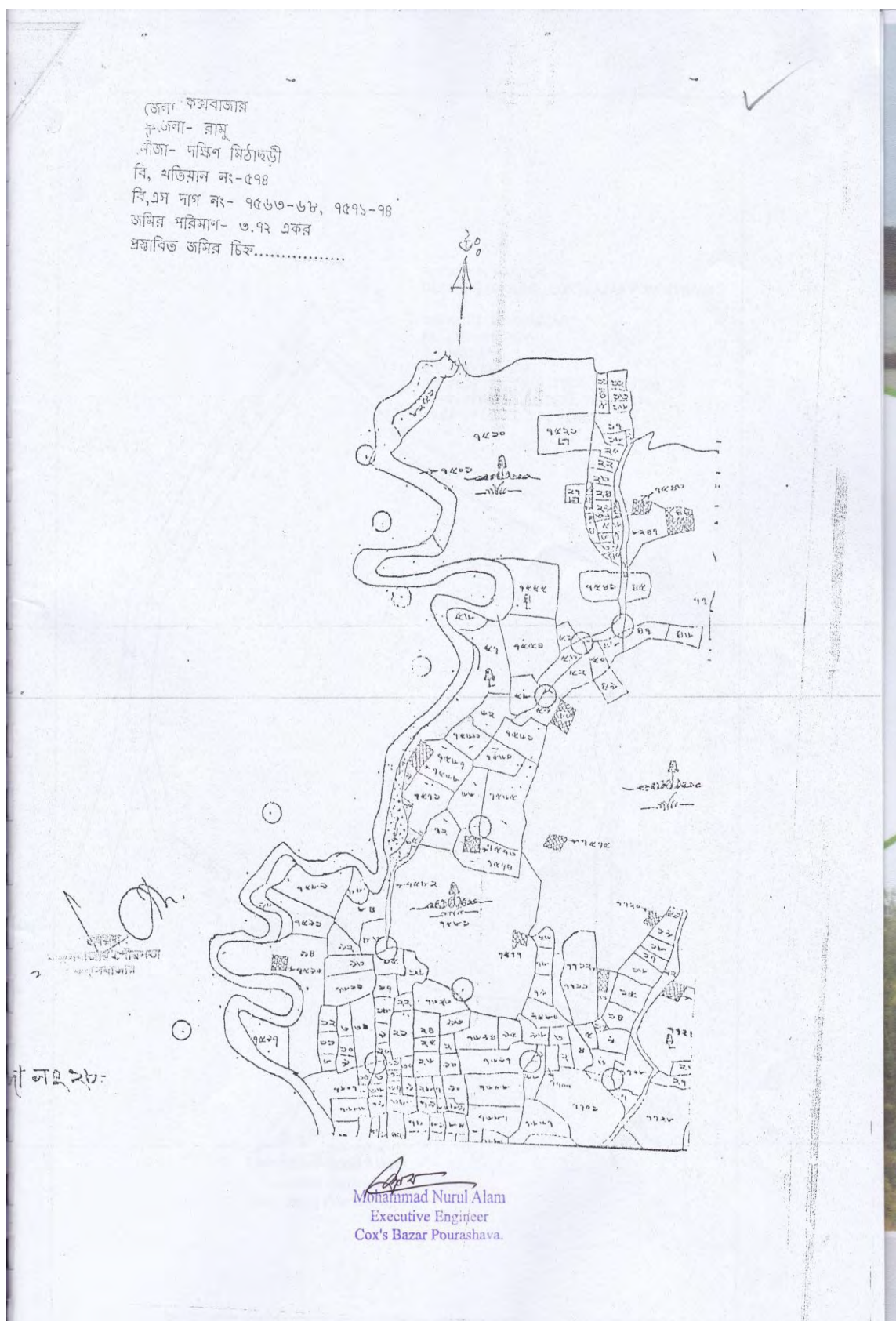
মোহাম্মদ নুরুল আলম  
Executive Engineer  
Cox's Bazar Pourashava.

মেয়র  
কক্সবাজার পৌরসভা  
কক্সবাজার।



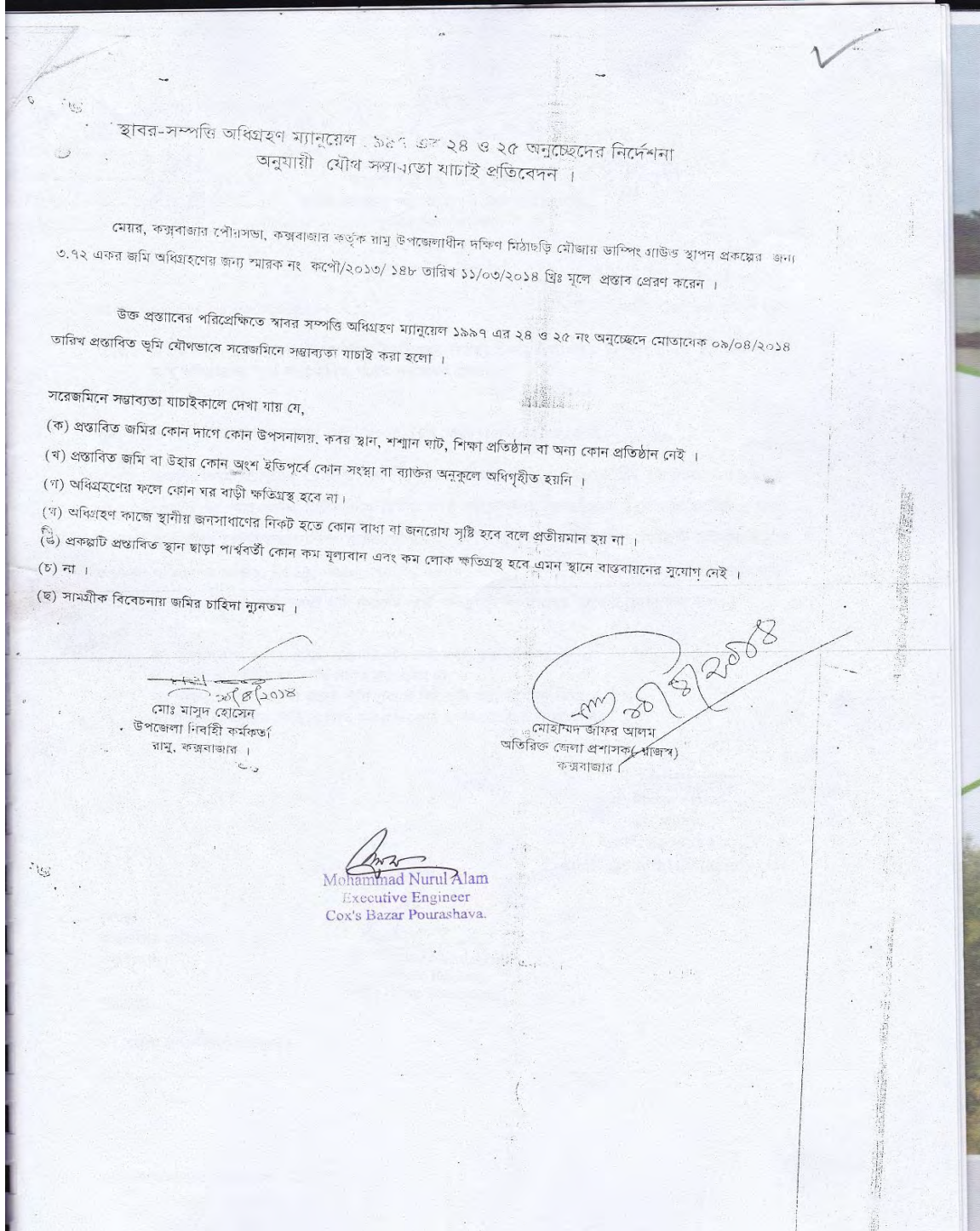
**Map demarcating Mithachari Site, indicating dimensions/ area**

### Mouza Map (cadastral map) of Mithachari Site





Letter from DC stating there are no common property resources (temples/mosques) or houses will be affected, no other government department has acquired the said land parcels in Mithachari, and the local community will not oppose construction of landfill facility at Mithachari (based on consultations held by the DC's office with local community)





✓

১। জেলা প্রশাসক, কক্সবাজার।  
২। উপসচিব, পৌরসভা  
৩। প্রকল্প পরিচালনা কর্মকর্তা, পল্লী উন্নয়ন ও সমবায় মন্ত্রণালয়  
৪। জনপ্রজাতন্ত্রী বাংলাদেশ সরকার  
৫। স্থানীয় সরকার, পল্লী উন্নয়ন ও সমবায় মন্ত্রণালয়  
৬। স্থানীয় সরকার বিভাগ  
৭। পৌর-১ শাখা  
৮। www.lgd.gov.bd

তারিখঃ ০৬.০৩.২০১৪ খ্রিঃ

নং-৪৬.০৬৩.০১৪.০১.০০.০০৪.২০১৩-৩৭৩

বিষয়ঃ দ্বিতীয় নগর পরিচালন ও অবকাঠামো উন্নতিকরণ(সেট্টার) প্রকল্পের আওতায় ডাম্পিং গ্রাউন্ড স্থাপনের লক্ষ্যে জমি অধিগ্রহণের পূর্বে অনুমোদিত পত্রের সংশোধন প্রস্তাব।

সূত্রঃ কক্সবাজার পৌরসভার স্মারক নং-কপৌ/২০১৪/১৪৭, তারিখঃ ০৬.০৩.২০১৪ খ্রিঃ।

উপর্যুক্ত বিষয় ও সূত্রের প্রেক্ষিতে, স্থানীয় সরকার বিভাগের ০৭.০১.২০১৪ খ্রিঃ ৪৬.০৬৩.০১৪.০১.০০.০০৪.২০১৩-২৯ নং স্মারকাদেশ বাতিলক্রমে দ্বিতীয় নগর পরিচালন ও অবকাঠামো উন্নতিকরণ(সেট্টার) প্রকল্পের আওতায় কক্সবাজার পৌরসভায় ডাম্পিং গ্রাউন্ড স্থাপনের লক্ষ্যে রামু উপজেলাধীন দক্ষিণ মিঠাছড়ি মোজার বিএস ৫৭৪ নং খতিয়ানের ৭৫৬৩, ৭৫৬৪, ৭৫৬৫, ৭৫৬৬, ৭৫৬৭, ৭৫৬৮, ৭৫৭১, ৭৫৭২, ৭৫৭৩, ৭৫৭৪ দাগসমূহের মোট ৩.৭২ একর ঝিলা ও এক ফসলী জমি নিম্নোক্ত শর্তে অধিগ্রহণে নির্দেশক্রমে অনুমতি প্রদান করা হ'ল।

ক) তফসিলোক্ত জমির পার্শ্বস্থ সরকারি খাস জমি দখল করা যাবে না;  
খ) প্রকৃতি ও পরিবেশের ক্ষতি সাধন করা যাবে না;  
গ) পশ্চিম পার্শ্বের চাইন্দা ছড়ার পানি প্রবাহে বিঘ্ন সৃষ্টি করা যাবে না; এবং  
ঘ) স্থানীয় জনগণের স্বাস্থ্যের ক্ষতি হয় এমন কোন স্থাপনা তৈরি করা যাবে না।

তারিখঃ ০৬.০৩.২০১৪ খ্রিঃ

(মোঃ খালিদুর রহমান)  
উপ সচিব  
ফোনঃ ৯৫১৪১৪২  
E-mail: lgpaural@lgd.gov.bd

Mohammad Nurul Alam  
Executive Engineer  
Cox's Bazar Pourashava.

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## WASTE MANAGEMENT/ CONSERVANCY

টেনা - ২০ টি  
 চিল - ২২ টি  
 চলমান গার্মেন্টস ট্রাকের সংখ্যা = ৪ টি  
 পৌরসভার আয়তন - ৩২.৮০ বর্গ মাইল  
 শ্রমী - ৫  
 প্রতিষ্ঠা - ১ এপ্রিল ১৯৬৬ ইং  
 ওয়ার্ড - ১২ টি  
 সরকারী অফিস - ১০ টি  
 হাউস ডাউজবিন - ০৭ টি  
 টেনা ডাউজবিন - ১৫ টি

Note: The present (315 no.) employees of the conservancy wing of the local body will be absorbed in the proposed improved solid waste management system in Cox's Bazar. A list of employees will be appended to the updated DDR. The ULB will provide a letter stating willingness to train and deploy existing staff in proposed system. In case of a DBO contract, the contract will have appropriate clauses to protect the workers and ensure their livelihoods are not affected.

## APPENDIX 10: INVOLUNTARY RESETTLEMENT IMPACT ASSESSMENT CHECKLIST

Note: This is an expanded checklist based on ADB IR Impact Assessment Checklist. The modifications are indented to facilitate quick IR assessment by PIUs of a proposed subproject. The checklist may be modified as deemed necessary during project implementation

### A. Introduction

Each subproject/component needs to be screened for any involuntary resettlement impacts which will occur or have already occurred. This screening determines the necessary action to be taken by the project team/design consultants.

### B. Information on proposed scheme/subproject:

- a. District/administrative name: Cox's bazar
- b. Location: Cox's bazar Pourashava
- c. Proposed scheme considered in this checklist: (check one)

☐ Roads  
☐ Drainages  
☐ water supply  
☒ solid waste management  
☐ Sanitation

☐ street lighting

☐  
☐  
☐  
☐

☐ Slaughterhouse  
☐ Market  
☐ community center/auditorium  
☐ bus and truck terminals  
☐ river *ghats*  
☐ Others (*please specify*)

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

### C. Screening Questions for Involuntary Resettlement Impact

Pourashava Code No.	Questionnaire SL No.

## INVOLUNTARY RESETTLEMENT AND INDIGENOUS PEOPLE SCREENING CHECKLISTS

### A. Introduction

1. Each project/ subproject/ component needs to be screen for any involuntary resettlement impacts and indigenous people impacts which will occur or already occurred. This screening determines the necessary action to be done by the project team.

### B. Information on project/subproject/component:

- a. District/ Administrative Name: Cox's Bazar Pourashava, Chittagong Division\_
- b. Location (km): \_\_\_\_\_
- c. Civil work dates (proposed): \_\_2018-19\_\_\_\_\_
- d. Technical Description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### C. Screening Questions for Involuntary Resettlement Impact

2. Below is the initial screening for involuntary resettlement impacts and due diligence exercise. Both permanent and temporary impacts must be considered and reported in the screening process.

*(Put ✓ in the appropriate place)*

Involuntary Resettlement Impacts	Yes	No	Not known	Remarks
1. Will the project include any physical construction work?	X			Construction of two sanitary landfills, including fecal sludge drying beds, bio-medical waste treatment facility, and construction of transfer stations.
2. Does the proposed activity include upgrading or rehabilitation of existing physical facilities?		X		



Involuntary Resettlement Impacts	Yes	No	Not known	Remarks
3. Will there be permanent land acquisition?		X		5.75 acres of land is already under possession of the pourashava. An additional 4 acres is proposed to be purchased through negotiated settlement. DDR prepared will be updated with third party certification.
4. Will it require temporary land acquisition?		X		Temporary rent of space by contractor to stack materials may be required. No IR impacts anticipated.
5. Is the ownership status and current usage of the land known?	X			
6. Are there any non-titled people who live or earn their livelihood at the site or within the corridor of impact (COI) / Right of Way (ROW)?	X			There are two sharecroppers on the land proposed to be purchased through negotiated settlement at SM Para. Both have additional sources of income (agricultural land and / or own business/ shop) and are confident of finding (and will be assisted to find) alternate lands for sharecropping in the vicinity. Social monitoring report will track their socioeconomic status and need for assistance, if any.
7. Will there be loss of housing?		X		
8. Will there be loss of agricultural plots?	X			
9. Will there be losses of crops, trees, and fixed assets (i.e. fences, pumps, etc.)?	X			Loss of 1 crop is possible at SM Para. Care will be taken to inform both landowner and sharecroppers before sowing season and before payment is made, to avoid such loss. Negotiated settlement will include market price of land, trees and crops affected, if any.
10. Will there be loss of businesses or enterprises?		X		
11. Will there be loss of incomes and livelihoods?		X		Refer serial no. 6 and 9 above.
12. Will people lose access to facilities, services, or natural resources?		X		
13. Will any social or economic activities be affected by land use-related changes?			X	
14. Will people lose access to natural resources, or common property resources, or communal facilities and/or services?		X		
15. If land use is changed will it have an adverse impact on social and economic activities?		X		
16. Will access to land and resources own communally or by the state be restricted?		X		

Involuntary Resettlement Impacts	Yes	No	Not known	Remarks
17. Are any of the affected persons (AP) from indigenous or ethnic minority groups?		X		Landowners belong to the high caste Bengali Hindu community. Sharecroppers belong to the mainstream Bengali Muslim community.

**Additional Notes: (sketch map or pictures)**

## APPENDIX 11: INDIGENOUS PEOPLES IMPACT ASSESSMENT CHECKLIST (COX'S BAZAR)

### D. Screening Questions for Indigenous People Impact

3. Below is the initial screening for indigenous people impacts and due diligence exercise. Positive or negative/permanent and temporary/ directly and indirectly impacts must be considered and reported in the screening process.

*(Put ✓ in the appropriate place)*

Key concerns (Please provide elaborations on the Remarks column)	Yes	No	Unknown	Remarks
<b>A. Indigenous Peoples Identification</b>				
1. Are there socio-cultural groups present in or use the project area who may be considered as "tribes" (hill tribes, schedules tribes, tribal peoples), "minorities" (ethnic or national minorities), or "indigenous communities" in the project area?	✓			There are IP/tribal people in Cox's Bazar town, who are part of mainstream society. Landowners and sharecroppers of land at SM Para proposed for negotiated settlement; do not belong to tribal communities.
2. Are there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the project area as belonging to "ethnic minorities", scheduled tribes, tribal peoples, national minorities, or cultural communities?	✓			
3. Do such groups self-identify as being part of a distinct social and cultural group?	✓			
4. Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories?		✓		
5. Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture?		✓		

Key concerns (Please provide elaborations on the Remarks column)	Yes	No	Unknown	Remarks
6. Do such groups speak a distinct language or dialect?	√			Tribal people living in Cox's Bazar speak their own language as well as Bengali, the mainstream language.
7. Has such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against?	√			
8. Are such groups represented as "Indigenous Peoples" or as "ethnic minorities" or "scheduled tribes" or "tribal populations" in any formal decision-making bodies at the national or local levels?	√			
<b>B. Identification of Potential Impacts</b>				
9. Will the project directly or indirectly benefit or target Indigenous Peoples?	√			The project will benefit the entire population of Cox's Bazar including tribal people living in the town.
10. Will the project directly or indirectly affect Indigenous Peoples' traditional socio-cultural and belief practices? (e.g. child-rearing, health, education, arts, and governance)		√		
11. Will the project affect the livelihood systems of Indigenous Peoples? (e.g., food production system, natural resource management, crafts and trade, employment status)		√		
12. Will the project be in an area (land or territory) occupied, owned, or used by Indigenous Peoples, and/or claimed as ancestral domain?		√		
<b>C. Identification of Special Requirements</b> <i>Will the project activities include:</i>				
13. Commercial development of the cultural resources and knowledge of Indigenous Peoples?		√		
14. Physical displacement from traditional or customary lands?		√		

<b>Key concerns (Please provide elaborations on the Remarks column)</b>	<b>Yes</b>	<b>No</b>	<b>Unknown</b>	<b>Remarks</b>
15. Commercial development of natural resources (such as minerals, hydrocarbons, forests, water, hunting or fishing grounds) within customary lands under use that would impact the livelihoods or the cultural, ceremonial, spiritual uses that define the identity and community of Indigenous Peoples?		√		
16. Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?		√		
17. Acquisition of lands that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?		√		

### **E. Involuntary Resettlement and Indigenous People Impact**

3. After reviewing the answers above, EA/ Safeguard Team confirms that the proposed subsection/ section/ subproject/component (tick √ as appropriate):

[ 1 ] Has involuntary resettlement (IR) impact, a resettlement plan (or corrective action plan) is required. (√)

[ 2 ] Has No IR impact, no resettlement plan is required. (√) Has limited IR impact, which can be managed/mitigated during negotiated settlement.

[ 3 ] Has Indigenous People (IP) impact, an indigenous people plan (IPP) (or specific IP action plan) is required. (√)

[ 4 ] Has No IP impact, no IPP/specific action plan is required. (√)

<b>Prepared By:</b>	<b>Verified by:</b>
Signature: _____	Signature: _____
Name: _____	Name: _____
Position: _____	Position: _____
Date: _____	Date: _____