

# Resettlement and Tribes, Minor Races, Ethnic Sects and Communities Plan

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## Bangladesh: Chattogram Hill Tracts Inclusive and Resilient Urban Water Supply and Sanitation Project

### Bandarban Water Supply Component

Prepared by Department of Public Health Engineering, Government of Bangladesh for the Asian Development Bank.



## CURRENCY EQUIVALENTS

(As of April 2022)

Currency Unit – Bangladesh taka (Tk)

Tk 1.00 = \$0.01162

\$1.00 = Tk 86.00

## ABBREVIATIONS

ADB	- Asian Development Bank
ARIPA	- Acquisition and Requisition of Immovable Properties Act
ADD	- Average Daily Demand (water supply)
BBS	- Bangladesh Bureau of Statistics
BPL	- Below Poverty Level
BPS/BS	- Booster Pump Station/Booster Station
CBO	- Community Based Organization
CHT	- Chittagong Hill Tracts
CPR	- Common Property Resource
CRO	- Complaint Receiving Officer
CSO	- Civil Society Organisation
CWR	- Clear Water Reservoir
DPHE	- Department of Public Health and Engineering
DMA	- District Metered Area
DMC	- Development Member Countries
DNCC	- Dhaka North City Corporation
DSCC	- Dhaka South City Corporation
DPHE	- Department of Public Health Engineering
DPP	- Development Project Proforma
DTW	- Deep Tube well
DWASA	- Dhaka Water Supply and Sewerage Authority
DWSNIP	- Dhaka Water Supply Network Improvement Project
EMP	- Environmental Management Plan
EandS	- Environmental and Social
FGD	- Focus Group Discussion
FSM	- Faecal Sludge Management
EMP	- Environmental Management Plan
GoB	- Government of Bangladesh
GRC	- Grievance Redress Cell
GRM	- Grievance Redress Mechanism
HDD	- Horizontal Directional Drilling
HDPE	- High-Density Polyethylene
HEED	- Health Education and Economic Development
ICB	- International Competitive Bidding
IEE	- Initial Environmental Examination
IRP	- Iron Removal plant
IWM	- Institute of Water Modelling
IWTP	- Integrated Waste Treatment Plant
JVC	- Joint Verification Committee
LGD	- Local Government Division
MLD	- Millions litres per day

MoLGRDandC	- Ministry of Local Government Rural Development and Construction
MPR	- Monthly Progress Report
NGO	- Nongovernmental Organization
NRW	- Non-Revenue Water
OHT	- Overhead tank
OGR	- Over Ground Reservoir
PDB	- Power Development Board
PIU	- Project implementation unit
PMCS DR	- Project Management Construction Supervision and Design Review
PMCS DR C	- Project Management Construction Supervision and Design Review Consultant
PMC	- Project Management Consultant
PMU	- Project Management Unit
PVAC	- Property Valuation Advisory Committee
PVC	- Polyvinyl chloride
PPTA	- Project Preparatory Technical Assistance
PTW	- Production Tube Wells
RAC	- Resettlement Advisory Committee
RAJUK	- Rajdhani Unnayan Kartripakkha
RHD	- Roads and Highways Department
RoW	- Right of Way
RTMRESCP	- Resettlement and Tribes, Minor Races, and Ethnic Sects Communities Plan
SEC	- Small Ethnic Communities
SSMR	- Social Safeguards Monitoring Report
SPS	- Safeguard Policy Statement
SSO	- Social Safeguards Officer
STIWSSP	- Secondary Towns Inclusive Water Supply and Sanitation Project
SWM	- Solid Waste Management
SWTP	- Surface Water Treatment Plant
ToR	- Terms of Reference
UIIPF	- Urban Infrastructure Improvement Preparatory Facility
UPVC	- Unplasticized Polyvinyl Chloride

### WEIGHTS AND MEASURES

km	-	Kilometer
m <sup>2</sup>	-	Square Meter
mm	-	Millimeter
m <sup>3</sup>	-	Micrograms per Cubic Meter

### NOTE

In this report, "\$" refers to United States dollars.



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## EXECUTIVE SUMMARY

**Background.** The proposed Chittagong Hill Tracts – Inclusive and Resilient Urban Water Supply and Sanitation Project (CHT-IRUWSSP) aims to provide inclusive and resilient safely managed drinking water supply, sanitation, and solid waste management (SWM) services to the three hill towns of Chittagong Hill Tracts (CHTs) namely, Lama, Bandarban, and Rangamati. The project will also build the capacity of Department of Public Health and Engineering (DPHE), *Pourashavas* and Hill District Councils to ensure sustainable management and quality service delivery of water supply, sanitation and Solid Waste Management (SWM), and will include reform agenda in the covered towns to improve governance and citizen's participation. The project is consistent with the vision of Bangladesh's Eighth Five-Year Plan of the Government of Bangladesh (GoB) which recognizes the need to manage urbanization transition efficiently to sustain economic growth and address poverty, with CHT as one of the priority regions, and in line with the United Nations' Sustainable Development Goals (SDG) 6.1, 6.2 and 11.6.

The project is proposed to be funded with loan assistance from Asian Development Bank. The total investment envisaged for the DPHE components of the proposed project is US\$ 150 million and Government of Bangladesh contribution is US\$ 30 million. The Department of Health and Public Engineering, under the Ministry of Local Government Rural Development and Construction (MoLGRD&C)/Local Government Division, Government of Bangladesh is the project implementing agency.

Bandarban *Pourashva* established in 1984 is one of the towns selected for the improvement of water supply, sanitation, and SWM services in Bandarban Zila. Bandarban town comprises of Bandarban *Pourashava* with nine (9) wards and 69 *mahallas*.

**Project Description.** The proposed rehabilitation and upgradation of water supply system in Bandarban town is designed to serve the projected population of 95,933 at an average per day demand of about 10MLD in 2045. The water supply system includes (i) rehabilitation of two SWTPs (old and new) at Keychinghata, (ii) construction of a new surface water treatment plant (SWTP) along with treatment units, clear water reservoirs, intake, pre-settling tanks, sludge drying bed, etc. at Chyanga village in Tarasa *mouza*, (iii) construction of one over ground reservoir (OGR) , (iv) construction of three overhead tanks (OHT) , (v) one booster pumping station, (vi) laying 11.10 km of transmission pipelines and 103.50 km of distribution pipelines and (vi) 8993 house connections. The proposed rehabilitation and upgradation of water supply system aims at providing adequate quantity and quality of water as per the Environmental Conservation Rule, 1997 on a 24x7 basis.

The water supply system for the Bandarban town has been designed to address the infrastructure gaps in a holistic and integrated manner. The main objective is to improve water efficiency, security, and provide safe and clean drinking water. In view of this, the water supply system of the town has been divided into 5 Zones and 6 Booster Pump Stations (BPSs) zones. The bulk water will be supplied from the new SWTP at Chyanga village. Water will be supplied directly from SWTP to the nearest zones. As for other zones water will be supplied from Overhead Tanks (OHTs) and Over Ground Reservoir (OGR) as well as boosting through pump operation.

**Resettlement and Tribes, Minor Races, and Ethnic Sects Communities Plan (RTMRESCP):** This draft RTMRESCP is prepared for the investments covering all the components of water supply (SWTPs, OGRs, OHTs, CWR, booster pumping station, network pipelines, intake structure, house connections, etc.) based on the available preliminary design, field visit to construction site locations, transect walks, and consultations with local communities including the

poor, women and small ethnic communities (SEC), Department of Public Health and Engineering (DPHE), *Pourashava* officials, and respective municipal ward councillors. On finalisation of detailed design, the involuntary resettlement impacts will be further reassessed and confirmed during detail measurement survey (DMS). The draft RTMRESCP will be updated based on detailed design, DMS, site-specific consultations, and will include 100 percent assessment of involuntary resettlement impact on all the stretches along which the water supply pipelines will be laid.

**Scope of land acquisition, resettlement and Small Ethnic Communities (SEC) impacts:**

About 7.635 acres of land is required for the rehabilitation and upgradation of the water supply system in Bandarban town. Out of the total land required and identified, 7.185 acres is private land and 0.45 acre is government land. Rehabilitation of SWTP (Old and New) at Keychinghata, construction of OGR, construction of two OHTs and rehabilitation and upgradation of the water supply pipelines laying works will be carried out on government land. Rehabilitation of SWTP (Old and New) is proposed at Keychinghata, on land belonging to DPHE. Construction of OGR and one OHT is proposed near the Bandarban Bus Stand on land owned by Bangladesh Army. The water supply pipelines will be laid along the rights of way (ROW) of roads belonging to different government departments/agencies namely, the Roads and Highways Department, Bandarban *Pourashava* and Local Government Engineering Department (LGED). The contractor will identify the ownership of all the roads and obtain permission from the concerned departments/agencies before the start of the pipeline laying works. DPHE through the Project Implementation Unit (PIU) will obtain the “No Objection Certificate” (NOC) from Bangladesh Army and other government agencies as required.

Private land is required for the construction of new SWTP along with other water treatment facilities, clear water reservoir (CWR), over ground reservoir (OGR) and OHT is 7.025 acres, and 0.10 acres respectively. Land acquisition for the construction of proposed SWTP and intake is likely to affect 3 landowners (17 family members) who have been surveyed. Land acquisition for 1 OHT is likely to affect 1 landowner (5 family members), who have not yet been surveyed. Of the three surveyed landowners, one belongs to SEC group (5 family members). These land parcels are not customary or traditional land of SECs. There will be no physical or economic displacement as no structure exists on the proposed sites and cultivation of seasonal vegetables is done for own family consumption. Construction of one Booster Station is proposed on private land measuring 0.06 acres and likely to be located at Telephone and Telegraph Para (T&T Para), Bandarban; the anticipated Involuntary resettlement impact for the booster station site is yet to be assessed, as the site is yet to be finalized. Similarly, a private land parcel (belonging to 1 landowner) is tentatively identified, but not yet finalized for one OHT. Socioeconomic survey of the landowner and consultations will be undertaken upon finalization of the site for the OHT, during detailed design. The updated RTMRESCP will reflect the assessment of impact for the finalized OHT site. Care will be taken during detailed design to ensure that in addition to technical considerations, the site with minimum land acquisition and/or resettlement impacts is selected. During detailed design, the two remaining sites (1 booster station and 1 OHT site) will be finalized and the RESCP will be updated with the relevant impact assessment and land documents. The resettlement budget will also be revised based on the findings. No significant impacts are anticipated due to the booster station and OHT components. The land required for the construction of the new SWTP, OGR, Booster Station and OHTs will be acquired as per the provisions outlined in the Acquisition and Requisition of Immovable Property Act, 2017 and Chittagong Hill-tracts (Land Acquisition) Regulation 1958 and Chittagong Hill Tracts (Land Acquisition) Regulation (Amendment) Act, 2019; resettlement and rehabilitation compensation or top-up amount to meet the replacement cost of land will be guided by ADB Safeguard Policy Statement (SPS) 2009.



The rehabilitation and upgradation of existing components of the water supply system and will be carried out in DPHE and other government department land, and hence no involuntary resettlement has been assessed due to implementation of these components. The land owned by DPHE, and the Bangladesh Army is free from encumbrances. No encroachers and squatters have been found on the proposed land. The laying of the transmission and distribution pipelines network is likely to entail temporary economic impacts to 1211 affected households (6297 affected family members). This has been identified based on transect walks across different parts of the town covering approximately 300 meter each of the transmission and distribution pipeline network passing through three different categories of roads. A sample survey was conducted in April 2022 by categorising the road stretches into high, medium and low density commercial development and roads with zero commercial development;<sup>1</sup> 100% impact assessment was done for 300 metres sample stretches in each category. The socio-economic survey identified 29 affected persons across the high, medium and low-density road stretches and extrapolated to get the estimated number of affected business entities, the details of affected business owners have been recorded. Based on the sample survey, the total number of temporarily affected persons in Bandarban town was extrapolated to 1211 with estimated<sup>2</sup> 6297 family members. The temporarily affected persons are likely to suffer temporary loss of income during the construction period.

The involuntary resettlement impacts will be reassessed after finalization of the detailed design and DMS for water supply pipelines alignment before the start of the construction works and accordingly, the RTMRESCP will be updated and submitted to ADB for final approval. The updated RTMRESCP will be submitted to ADB, prior to award of contract.

**Impact on Small Ethnic Community People:** The laying of transmission and distribution pipeline network is also likely to affect persons from small ethnic communities. The SEC comprises 20.8% of the total population of Bandarban town as per Population and Housing Census 2011. It will be ensured that all SEC and other vulnerable households in all the wards are benefitted by the water supply connections. No direct or indirect impact to the dignity, human rights, livelihood systems or natural or cultural resources of small ethnic community, is anticipated. The implementation of water supply component of the project will be more beneficial to small ethnic communities as compared to temporary adverse impacts. The construction work will be undertaken in a culturally appropriate manner, taking into account the specific preferences and concerns of the community, if any, their religious festivals and beliefs. Out of 1211 estimated number of affected persons, it is assessed that the proposed project may lead to temporary livelihood loss to 877 affected SEC households (with 4560 family members).<sup>3</sup> One of the land owners of the proposed SWTP site belongs to SEC (5 family members). Thus, the total affected SEC households has been enumerated to 878 and affected population has been enumerated to 4565 considering the family members of the affected persons. Out of the total affected SEC persons, five persons (one household) will face permanent impact due to loss of land and 4560 SEC persons will be potentially impacted due to temporary loss of income for the period of disruption assessed to be for seven days.

**Categorization:** The proposed project is assessed as Category B for both involuntary resettlement and small ethnic communities' (indigenous peoples) impacts.

<sup>1</sup> Road stretches with maximum number of commercial entities are considered high density roads; road stretches lesser number of commercial entities are considered as medium density roads; and road stretches where there are very few or no commercial entities are considered as low-density roads. and roads where there are no commercial entities (vendors or road-side shops) are considered zero density roads

<sup>2</sup> Family size for Bandarban is considered as 5.2 per family as per Bangladesh Bureau of Statistics.

<sup>3</sup> The number of affected SEC households obtained through extrapolation of surveyed number of households along the sample stretch of roads.

**GRM:** The project will establish a three-tier grievance redress mechanism (GRM) viz., at field/site level, PIU level and PMU level for the resolution of grievances/complaints related to social, environmental or any other project related grievances. Public awareness campaign will be conducted to ensure that awareness on the project and its grievance redress procedures is generated. The campaign will ensure that the poor, vulnerable including SEC and others are made aware of and are part of the awareness program. Grievance redress mechanism outlined in the draft resettlement plan will ensure that complaints and grievances are resolved in a collaborative, expeditious, and effective manner through dialogue, joint fact-finding, negotiation, and problem solving. The second and third level grievance redress team will have a representative from SEC community. At the 3rd level grievance redress team (GRC), a leader of the SEC community (to ensure that traditional grievance redress systems are integrated) or a member of the Bandarban Hill District Council or an NGO/CSO working with SEC will be a special member, who will help address any complaints from SECs in the project areas.

**Consultation and Disclosure:** Goals and objectives of the project have been disclosed to stakeholders such as the beneficiaries, potential affected persons, elected representatives and institutional stakeholders through consultation meetings and focus group discussions. A number of consultations were conducted at different locations during the RTMRESCP preparation stage. Besides, three community consultations were held which comprised 48 females and 70 of males. Besides, a multi-stakeholder's workshop was held at Cox's Bazar on 8th November 2021 related to the project. The approved entitlement matrix and RTMRESCP will be made available at public locations within the town and will be disclosed to a wider audience through the DPHE and ADB website. A copy of the RTMRESCP, translated in local language, will always be kept at site during the construction period and will be disclosed to affected persons.

**Institutional Setup:** DPHE under the Ministry of Local Government Rural Development and Cooperatives (LGRD&C) is the project Implementing Agency (IA). A project management unit (PMU) in DPHE will be established as a nodal agency for overall management of the activities. A Project Management Construction Supervision and Design Review (PMCS DR) consultant will be engaged by DPHE to provide support in implementation and management of the project including the water supply system in Bandarban town. The PMU, headed by the Project Director will be overall responsible for the execution of the project.

A PIU comprising the officials of DPHE, Bandarban will be constituted that will be headed by the Executive Engineer. The PIU will be responsible for the execution of civil works and the implementation of RTMRESCP at site.

**Estimated budget and financing plan:** The estimated total land acquisition and resettlement cost for the water supply component in Lama is **BDT 27,92,71,128** (US\$ 3.24 million). Of the total budget, the land acquisition cost including 10% contingency is BDT 25,48,87,875 (US\$ 2.96 million), and the resettlement cost including 10% contingency is BDT 2,43,83,253 (US\$ 283,526.20). The land acquisition cost will be disbursed through the concerned Deputy Commissioner's office and the resettlement costs including top-up, if any, will be disbursed by DPHE. The RTMRESCP will be implemented by the DPHE.

**Monitoring and Reporting:** RTMRESCP implementation will be closely monitored to provide the PMU with an effective basis for assessing resettlement progress and identifying potential difficulties and problems. Monitoring will be undertaken by the PMU and PIUs. Monitoring will involve administrative monitoring to ensure that implementation is on schedule and problems are dealt with on a timely basis; socio-economic monitoring during and after any resettlement impact

as well as impact on small ethnic community utilizing baseline information established through the detailed measurement survey of affected persons undertaken during project preparation, and overall monitoring.



## I. INTRODUCTION

### A. Background

1. The Department of Public Health Engineering (DPHE), Government of Bangladesh (GOB) has undertaken the “**Chittagong Hill Tracts – Inclusive and Resilient Urban Water Supply and Sanitation Project (CHT-IRUWSSP)**” which aims to provide inclusive and resilient safely managed drinking water supply, sanitation, and solid waste management (SWM) services to the three hill towns of Chittagong Hill Tracts (CHTs): Lama, Bandarban, and Rangamati with loan assistance from Asian Development Bank (ADB). The project will also build the capacity of DPHE, *Pourashavas* and Hill District Councils to ensure sustainable management and quality service delivery of water supply, sanitation and SWM, and will include reform agenda in the covered towns to improve governance and citizen’s participation. The project is consistent with the vision of Bangladesh’s Eighth Five-Year Plan of the Government of Bangladesh (GoB) which recognizes the need to manage urbanization transition efficiently to sustain economic growth and address poverty, with CHT as one of the priority regions, and in line with the United Nations’ Sustainable Development Goals (SDG) mainly 6.1, 6.2 and 11.6.

### B. Project Description

2. The Government of Bangladesh (GoB) is placing a strong focus on the development of the water sector in its poverty reduction strategy, which has broad support from funding agencies. The focus is on the improvement of urban infrastructure for increasing urban services for the citizens with sustainable service delivery. The CHT-IRUWSSP under the Urban Infrastructure Improvement Preparatory Facility (UIIPF) Project emphasises the transition from currently poor and intermittent groundwater-based water supply to continuous and efficient surface water-based water supply service and also has commitment of improving sustainability of water supply, and sanitation and SWM.

3. The project is aligned with the following impact: access for all to adequate, safe, and affordable basic services, including water, sanitation, and waste management ensured.<sup>4</sup> The project will have the following outcome: access to safely managed, inclusive, and resilient drinking water supply, sanitation, and SWM services improved in the project area.<sup>5</sup>

4. **Output 1: Climate-resilient and inclusive drinking water supply, sanitation, and solid waste management infrastructure developed and/or upgraded.** The project will develop full surface-based drinking water supply systems with household connections to provide safely managed, inclusive, resilient, and continuous (24/7) drinking water supply services in Bandarban, Lama, and Rangamati *pourashavas*. These will include (i) three new and five rehabilitated water treatment plants with a total capacity of 57 million liters per day (MLD), (ii) 300 kilometers of drinking water distribution networks with 25,000 metered households’ connections (including 90% of vulnerable households), and (iii) smart water management and district metered area (DMA) approaches to improve capacity for climate-resilience and service sustainability.<sup>6</sup> The project will also establish end-to-end systems adopting a citywide inclusive sanitation (CWIS) framework and simple digital applications to provide safely managed sanitation and SWM services in Bandarban and Lama *pourashavas*. These will include (i) improved toilet containment for 1,500 vulnerable

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<sup>4</sup> This period (2010–2019) saw per capita income rise from \$754 to \$2,064, life expectancy increased from 67 years to 73 years, adult literacy expanded from 58% to 75%. Government of Bangladesh. 2020. [Eighth Five-Year Plan July 2020 – June 2025: Promoting Prosperity and Fostering Inclusiveness](#). Dhaka.

<sup>5</sup> The design and monitoring framework is in [Appendix 1](#).

<sup>6</sup> Refer to female- or single mothers-headed households, households with older persons or persons with disabilities.

households, (ii) 16 public toilets rehabilitated with GESI-responsive features,<sup>7</sup> (iii) 10 vehicles for safe fecal sludge emptying and 13 solid waste collection trucks with integrated geographic information system (GIS), (iv) 35,000 household bins with radio-frequency identification (RFID) tags, and (v) two integrated facilities for fecal sludge and organic waste treatment (e.g., co-composting), resource recovery, and a sanitary landfill for safe disposal of non-marketable treated sludge and waste.

**5. Output 2: Capacity, governance, and awareness of institutions and local communities in climate-resilient, sustainable, and inclusive urban services strengthened.**

To improve sustainability and quality of urban service delivery, the project will strengthen capacity of 300 staff (at least 90% eligible women staff) from DPHE, *pourashavas*, and HDC, in climate-resilient, inclusive, and sustainable water supply, sanitation, and SWM service delivery. It will develop GESI-responsive service sustainability plans<sup>8</sup> with clear responsibilities, financing mechanisms for revenue improvement for O&M, and water and sanitation safety plans. Digital applications for georeferenced customers' records and revenue collection, nonrevenue water control, SWM (e.g., GIS and RFID), will strengthen the service provision capacity of local institutions. The project will conduct community awareness and behavior change campaigns targeting 1,000 people (at least 60% women and girls, and vulnerable people) on water, sanitation, and hygiene (WASH) (including menstrual hygiene for girls), climate-resilience, and sustainable SWM (including reduce, reuse, recycle) to maximize the health and economic impact of the infrastructure investments. This output will also support an institutional improvement road map and performance-based grant incentive scheme for the project *pourashavas* to strengthen governance, sustainability, service quality, and citizens' inclusion in urban service provision.

**6. Output 3: Quality, readiness, and resilience of water supply and sanitation projects in Cumilla and Ishwardi clusters, economic zones, Khagrachari *pourashava*, and coastal towns improved.**

To scale up water sector services improvement, this output will support high-quality design and readiness for inclusive and resilient water supply and sanitation investments in the Cumilla and Ishwardi clusters towns (eight), Mirsarai economic zone (bulk supply including enroute towns), Khagrachari *pourashava* in CHT, and 22 coastal towns, which face similar challenges related to urban service provision, exacerbated by climate change. This will include preparation of disaster- and climate-resilient and GESI-responsive feasibility studies, detailed designs, and bidding documents.<sup>9</sup> The project will propose optimal institutional arrangements for sustainable O&M in cluster-based water supply (including towns and economic zones), which is a novel approach for Bangladesh.<sup>10</sup>

7. The Project locations area of the three hill towns of Chittagong Hill Tracts (CHTs) are Lama, Bandarban, and Rangamati. The study area of the CHT-IRUWSSP of the Urban Infrastructure Improvement Preparatory Facility Project is shown in **Figure 1**.

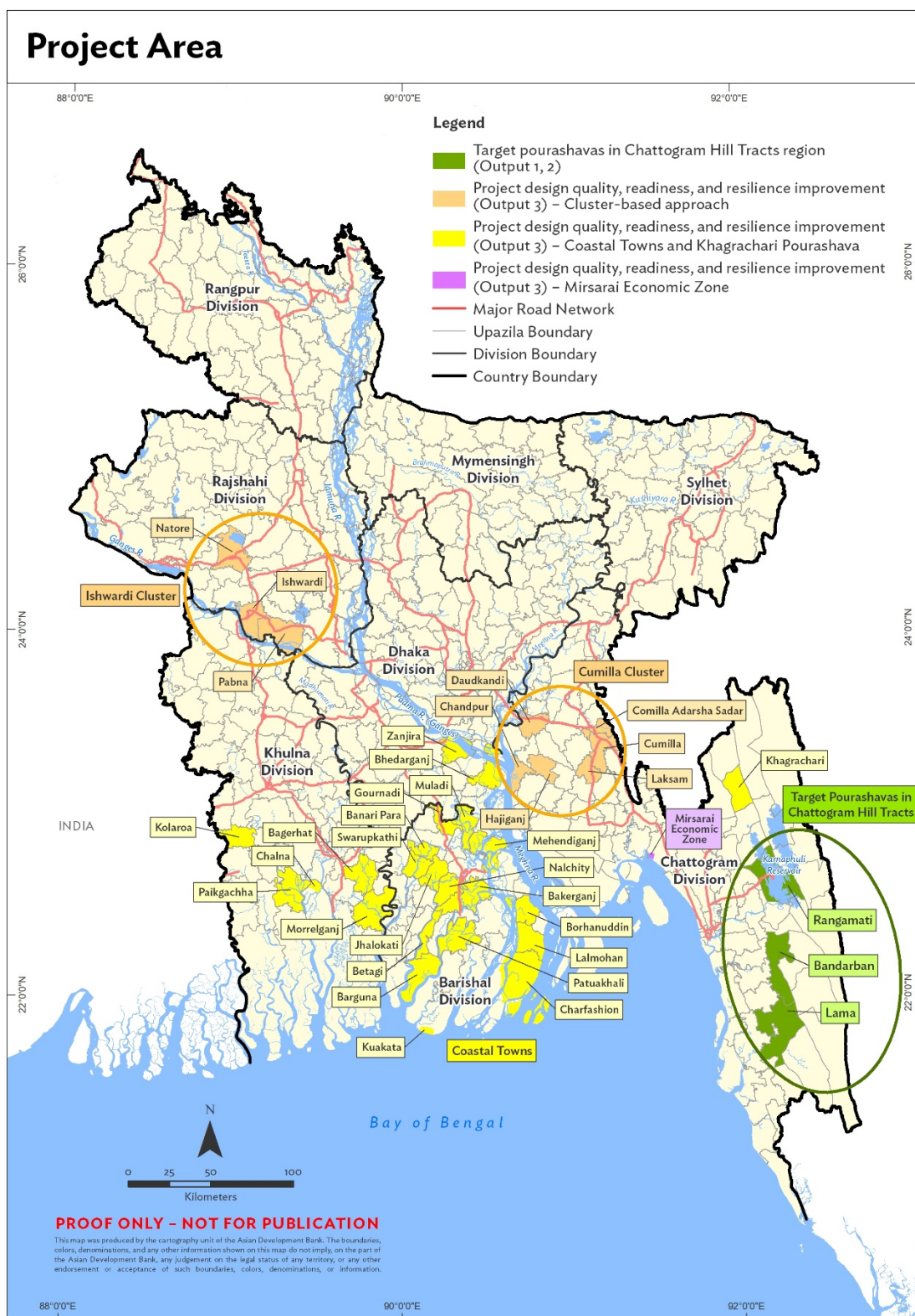
<sup>7</sup> It refers to specific features such as doors, windows, ventilation, and specific buckets for disposal of menstrual pads; water taps, knobs and latches of toilet doors and windows at suitable heights and convenience for children of different ages; design features include ramps up to toilet, sufficient space for a wheelchair in the passage, and hand railing.

<sup>8</sup> These will include budgetary provision and specific targets for women, girls, and for elderly, differently abled and people from small ethnic communities in committees in *pourashava* and HDC, regular monitoring and maintenance of gender responsive elements, and specific targets for women employment in operation and maintenance.

<sup>9</sup> GESI responsive refers to inclusion of relevant data on sex and other social inclusion indicators for the project area in the report, as well as designs for infrastructure that will benefit women and vulnerable groups.

<sup>10</sup> The project will support only detailed engineering designs for Cumilla and Ishwardi cluster towns based on the results of the feasibility studies being prepared under the readiness financing facility (para. 12). The 22 coastal towns are the same with those supported by the proposed Coastal Towns Climate Resilience Sector Project.

Figure 1: Project Location Map



Source: Asian Development Bank.

8. **Project Components:** Various components of the proposed project are given in **Table 1**.

**Table 1: Proposed project components**

Sl. No.	Components	Bandarban
1	Dismantling of old SWTP Keyching Ghata old SWTP (construction year 1989)	-
2	Rehabilitation of old SWTP Keyching Ghata old SWTP (construction year 1989)	√
3	Rehabilitation of new SWTP Keyching Ghata new SWTP (construction year 2013)	√
4	Construction of new SWTP	√
5	Rehabilitation and Upgradation of the Water Supply Network to achieve 100% coverage	√
6	Over ground reservoir (OGR)	√
7	Construction of overhead tank (OHT)	√
8	Booster stations	√
9	Construction of intake structures	√
10	House connections	√

Source: FSR for Hill Towns\_Vol 2 of 3 Bandarban\_Draft\_RevE, 2022, DPHE Project

9. The Project will be implemented by the Department of Public Health Engineering (DPHE). A PMU has been created in DPHE, Dhaka for project preparation, execution and management of project activities. The project preparation started with the engagement of the Technical Assistance (TA) Consultant for Feasibility Study, Detailed Design and Procurement Support Services for DPHE Components in August 2020. The implementation of the Project is anticipated by early 2023. The implementing agency (DPHE) will be supported by Project Management Construction Supervision and Design Review (PMCSR) consultants for implementing all components of the project during the implementation period.

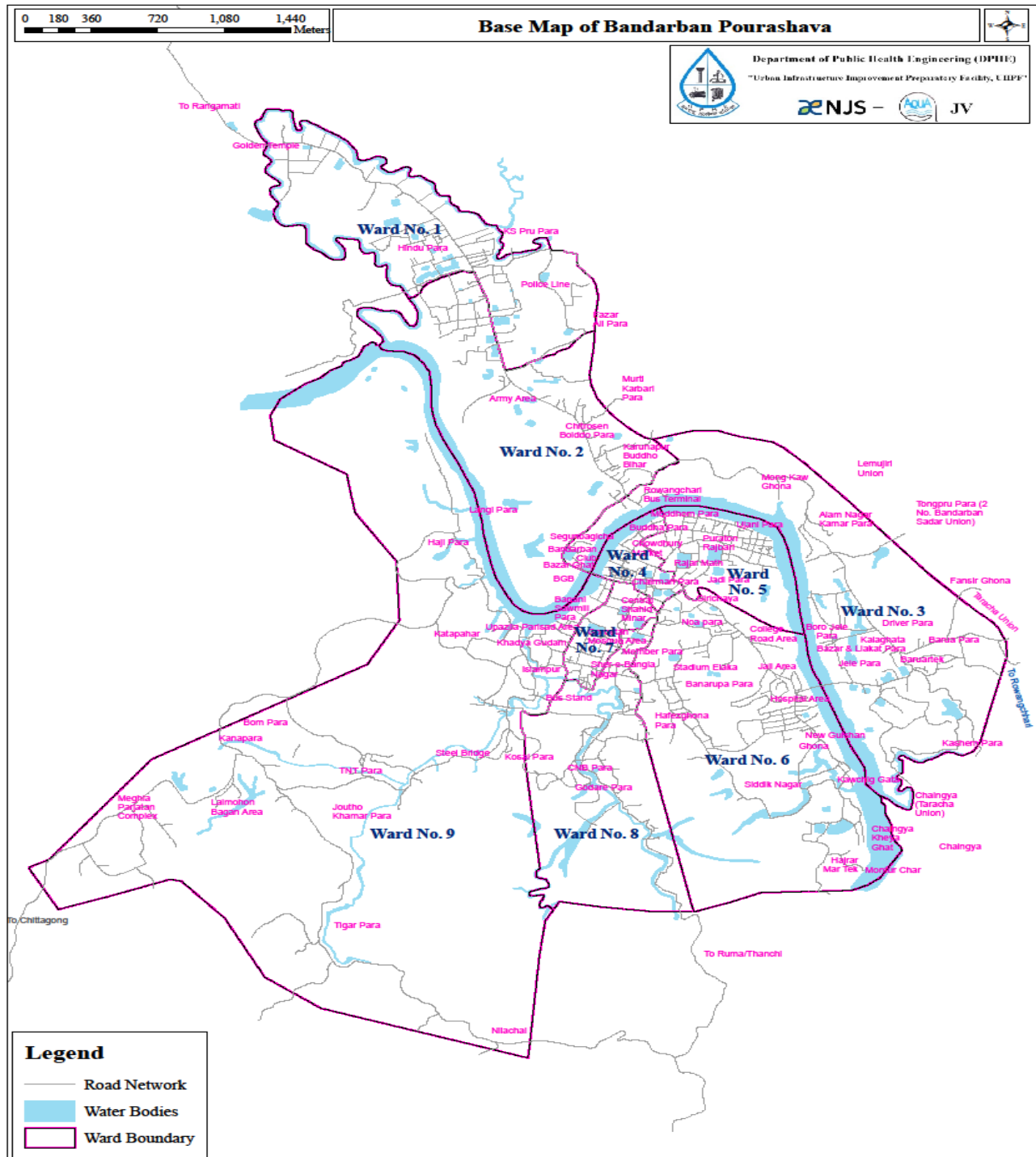
### C. Description of the Project Area (Bandarban)

10. Bandarban town has been selected for the improvement of water supply, sanitation, and SWM services in Bandarban Zila. This RTMRESC plan has been prepared for water supply components for Bandarban town.. The district of Bandarban is home to sever small ethnic community (SEC) people. The ethnic communities of the Zila include Marma, Murong, Tripura, Bawm, Tanchangya, Chakma, Chak, Khyang, Khumi, Lushei, and Pankho.

11. Bandarban town comprises of Bandarban *Pourashava* with nine (9) wards and 69 *mahallas*. It has an area of 13.05 sq. km. Bandarban is a fast-growing town, which is about 80 km from Chittagong city and about 330 km from Dhaka city. It is well connected by a road network with major cities of the country. It is a diverse town surrounded by hills and rivers namely, Sangu, Matamuhuri and Bakkhali. Bandarban *Pourashava* was established in 1984. The population of Bandarban town is 41434 with 23191 males and 18243 females according to Census of Bangladesh 2011. The Ward map of Bandarban is given in **Figure 2**.



Figure 2: Ward Map of Bandarban



Source: FSR for Hill Towns\_Vol2 of 3 Bandarban\_Draft\_RevE, 2022, DPHE Project

12. The population of Bandarban town increased from 32151 to 41434 from 2001 to 2011. It is expected to rise significantly (66,238 in 2030, 84,791 in 2040, and 95,933 in 2045) which would lead to further deterioration in water supply, sanitation, and SWM services if the current service level is not improved in view of the projected population. The water supply project is proposed to be implemented to serve the projected design population of 95,933 in 2045 at an average water

demand of 14.4 MLD in 2045. The source for the water is the Sangu River. The source water shall be treated at the new SWTP to be constructed at Chyanga Village, Tarasa Mouza.

13. The existing water supply network in Bandarban has 1.9 km of water transmission pipelines and 60.5 km of distribution pipelines. Most of the pipelines are Polyvinyl chloride (PVC) and the diameter of the pipelines varies from 4 to 8 inches. The capacity of the existing water supply system was analysed using a hydraulic model. The combined water supply of Bandarban *Pourashava* is being operated through two existing SWTPs at Keyaching Ghata (old and new) with source from Sangu River and production tube wells (PTWs). The present SWTPs and PTWs can only produce about 2.5 MLD. This is much less than the average water demand of 7.76 MLD in 2020. The existing network needs to be increased substantially considering the new coverage and the future demand of 14.4 MLD in 2045. The existing pipelines need to be replaced with new pipelines considering the new coverage and increased demand. The water demand will be cumulatively met by the existing and new SWTPs. The summary of existing water supply system is provided in **Table 2** and the schematic diagrams of existing SWTP at Keyaching Ghata are shown in **Appendix 1**.

**Table 2: Existing Water Supply System in Bandarban**

Components	Location	Co-ordinates		Year of commission/constructed	Present condition	Remarks
		X	Y			
SWTP (Old)	Keyching Ghata	92° 13' 41.250" E	22° 11' 13.982" N	1989	Operational	Requires minor repairs and renovation.
SWTP (referred as New SWTP)	Keyching Ghata	92° 13' 41.250" E	22° 11' 13.982" N	2013	Good	Needs renovation.
Clear Water Reservoir (CWR)	Keyching Ghata	92° 13' 41.250" E	22° 11' 13.982" N	1989	Good	Rehabilitation needed
Booster Stations	Rowanchari	92° 13' 5.676" E	22° 12' 3.289" N	-	Operational	-
	Uzanipara	92° 13' 31.620" E	22° 11' 55.390" N	-	Operational	-
Intake structure	Keyching Ghata	92° 13' 44.344" E	22° 11' 15.326" N	1989	Operational	Will be phased out gradually after the construction of new one.
Production tube wells (PTWs)	Balaghata	92° 12' 35.467" E	22° 12' 55.729" N	-	Operational	Will not be there in future water supply network.
	Uzanipara	92° 12' 45.051" E	22° 13' 1.355" N	-	Operational	
Water Supply Network	Across the town	Transmission pipelines – 1.9 km (poor condition)				Rehabilitation and upgradation needed
		Distribution pipelines – 60.5 km (poor condition)				-do-
Source: Feasibility Study Report ( FSR )for Hill Towns_Vol2 of 3 Bandarban_Draft_RevE, 2022, DPHE Project						

## D. Proposed Project Components

14. The summary of proposed project components for water supply in Bandarban is presented in **Table 3**.

**Table 3: Proposed Project Components**

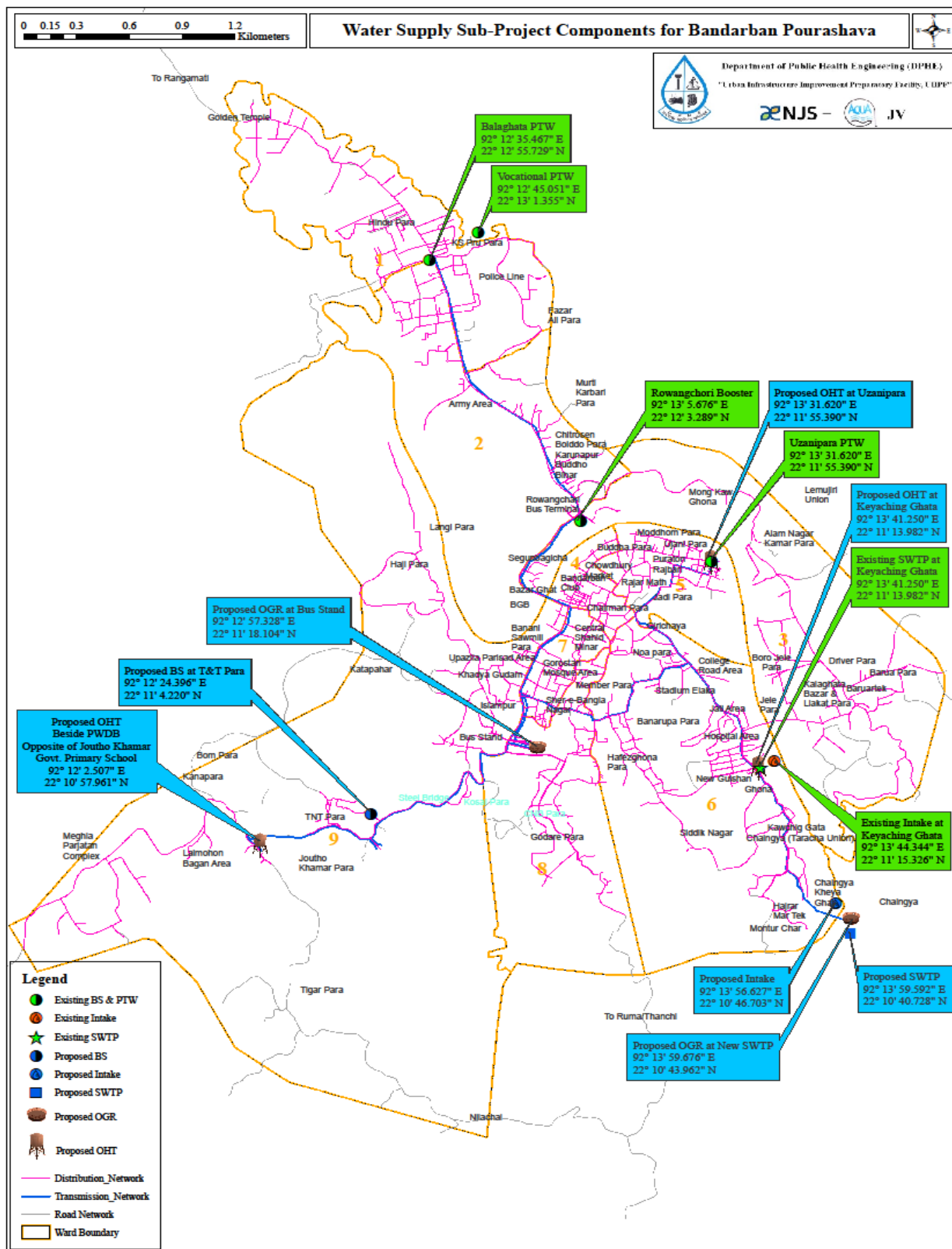
Sl. No.	Components		Unit	Quantity	Capacity
i	SWTP at Keychinghata (old) – Existing capacity 3.2 MLD		No.	-	3.2 MLD
ii	SWTP at Keychinghata (new) - Existing capacity 2.4 MLD		No.	-	3.2 MLD
iii	Construction of new SWTP at Chyanga Village, TarasaMouza		No.	1	10 MLD
iv	Construction of OGR – at Bus Stand		No.	1	1.5 ML
v	Construction of OHT	at Uzanipara	No.	1	680 ML
		at Keychinghata	No.	1	680 ML
		Beside PWDB	No.	1	680 ML
vi	Construction of Intake		No.	1	-
vii	Booster Station at Telephone and Telegraph Para (T&T Para)*		No.	1	
vi	Rehabilitation and Upgradation of the Water Supply Network to achieve 100% coverage	Transmission pipelines	KM	11.10 km	-
		Distribution pipelines	KM	103.50 km	-
viii	House connections		No.	8993	-

\* T&T stands for Telephone and Telegraph. The department is now called Bangladesh Telecommunications Corporation Limited (BTCL).

Source: Source: FSR for Hill Towns\_Vol2 of 3 Bandarban\_Draft\_RevE, 2022, DPHE Project

15. Major project interventions for water supply component proposed in Bandarban *Pourashava* are shown in **Figure 3**.

Figure 3: Proposed Water Supply Components in Bandarban



Source: FSR for Hill Towns\_Vol 2 of 3 Bandarban\_Draft\_RevE, 2022, DPHE Project

16. Brief description of the proposed project components are provided below.

### 1. Rehabilitation of Keychingghata (Old) SWTP

17. There are three existing SWTPs in Bandarban namely, Keyching Ghata (old), Keyching Ghata (new), and Nilachol (partly constructed).

18. Keyching Ghata (old) SWTP was constructed in 1989. The water source is Sangu River. It is operating in good condition with capacity of 200 m<sup>3</sup>/hour and runs 20 hour/day. It requires some minor repairs and renovation and it is recommended that it be retained.

### 2. Keychingghata (New) SWTP

19. Keyachingghata (new) SWTP was constructed in 2013, next to Keyachingghata (old) SWTP. The SWTP has a capacity of 150 m<sup>3</sup>/hr and runs 10–20 hours/day during the dry season for 3 months because its roughing filter cannot treat turbid water during the rainy season. It will be retained, subject to the upgrading the roughing filter to a rapid sand filter and some minor repairs. Google Earth image of Keychingghata SWTP and Intake is shown in **Appendix 2**.

### 3. Construction of New SWTP at Chyanga

20. Three alternative sites were identified for the construction of a new SWTP in Bandarban. Assessment of alternatives was carried out based on technical, social and environment parameters. **Table 4** below provides the parameters considered for the assessment of alternatives.

**Table 4: Assessment of Alternative Sites for Construction of new SWTP at Chyanga**

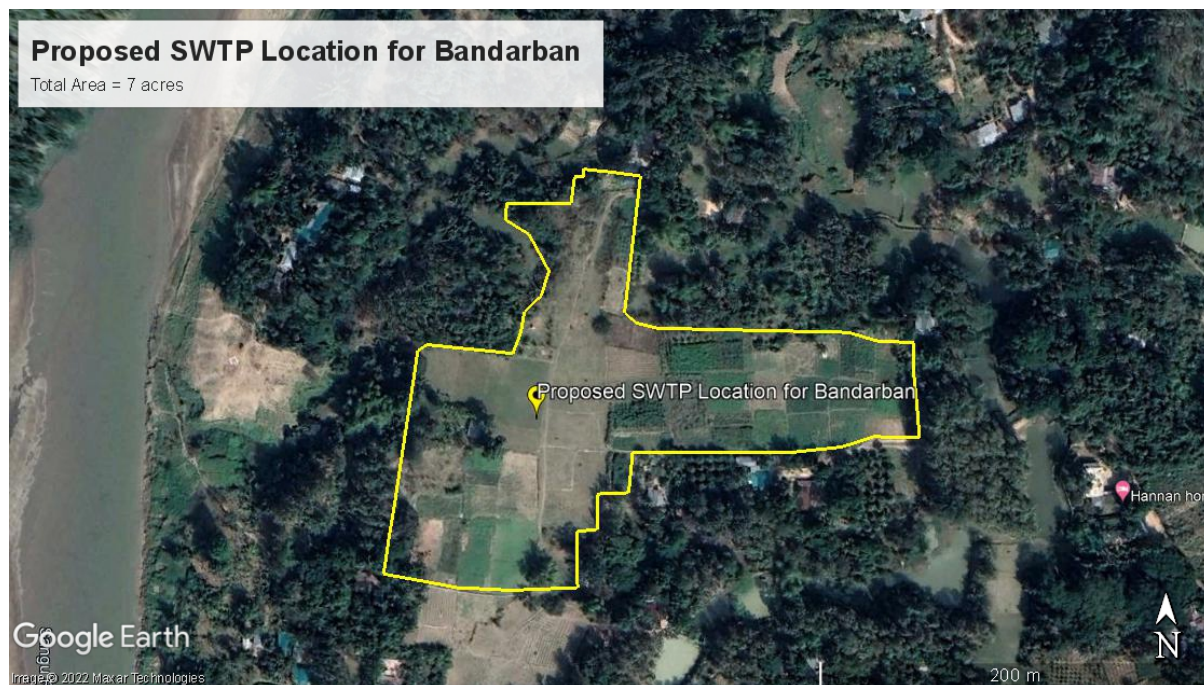
Parameters	Alternative-1 Site	Alternative-2 Site	Alternative-3 Site
Location	Adjacent to Intake	400m south of the intake	Paddy field in the south of brick field
Approx. land area (acre)	3.5	7.025	6-10 (Adequate land area is available)
Land use	Agriculture, House, Pond	Unused land	Paddy fields
Landowners likely to be affected	4	3	3
Houses likely to be affected	20	No houses on the site	No houses on the site
Elevation	Relatively high elevation (Approx. GL+28-30m). No risk of flooding	Relatively high elevation (GL+28-30m). No risk of flooding	As low level (GL+18m). Possibility of submergence during heavy rains every few years
Distance from intake	20m	400m	800m
Access	Approx. 600 metres from the main road	Approx. 80 metres from the main road	On the main road
Topography	Undulating site (not levelled - about 10m variation at some locations)	Site is almost flat. The site is of asymmetrical shape.	Site is almost flat
Others	Pond at the site	Construction of access road to the	About 4m of embankment will be required to prevent

Parameters	Alternative-1 Site	Alternative-2 Site	Alternative-3 Site
		site is required (approx. 80m)	flooding. Also, half of the site is owned by Mosque.
Social Assessment	Involuntary resettlement impacts assessed to be high; 20 land owners would potentially lose land, structure, crop loss and relocation Impact anticipated	Involuntary resettlement impact low; land loss for 3 households	Involuntary resettlement impact ; Land Loss for 3 households and loss of livelihood and crops etc.
Conclusion		Both from technical and social safeguards perspective, Alternative – 2 site has been considered as most suitable for the project in line with ADB SPS.	

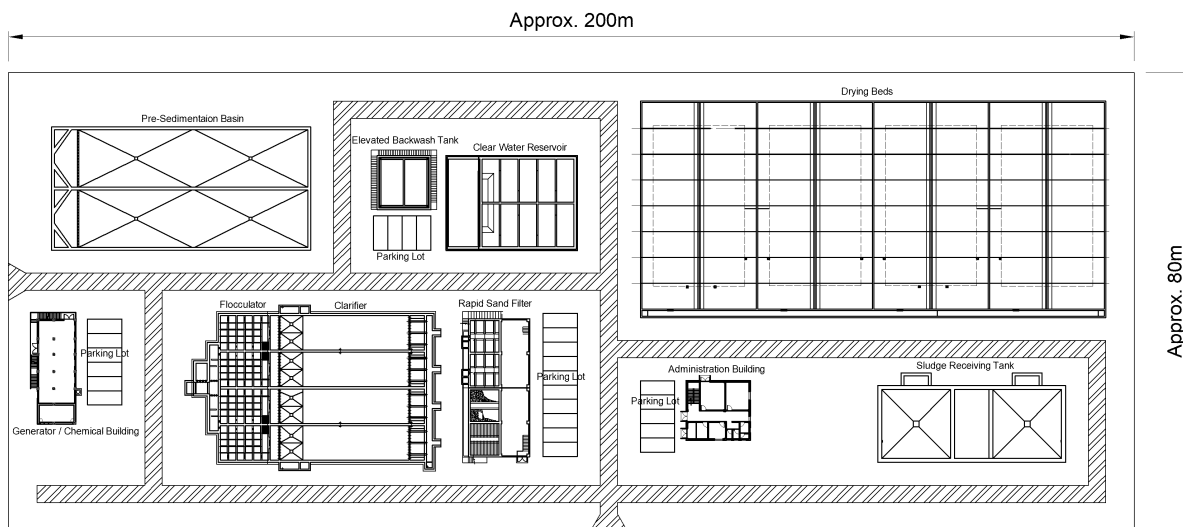
Source: FSR for Hill Towns\_Vol 2 of 3 Bandarban\_Draft\_RevE, 2022, DPHE Project

21. The Alternate-2 site has been selected for the construction of new SWTP. The reason for selecting this location is the availability of raw water at the intake point throughout the year, free from contamination due to upstream location, unlikely to be flooded during heavy rains, unused land, ease of access, etc. The new proposed SWTP site is located outside the *Pourashava* boundary upstream of the existing SWTP at Keychinghata. The new SWTP with a capacity of 10 MLD will provide the entire water demand of Bandarban town. The approach road to the proposed SWTP site is 3.60m to 4.00m wide. Widening of approach road will not be required. Google Earth image of the proposed new SWTP site and the tentative layout plan of the proposed SWTP are shown in **Figure 4 and 5** below. Google Earth image of alternative sites is provided in **Appendix 3**.

**Figure 4: Proposed SWTP Site at Chyanga, Bandarban**



**Figure 5: Tentative Layout Plan of Proposed SWTP at Bandarban**



Source: FSR for Hill Towns\_Vol 2 of 3 Bandarban\_Draft\_RevE, 2022, DPHE Project

#### 4. Clear Water Reservoir (CWR), OGR and OHT

22. The water supply network of Bandarban will have 3 Clear Water Reservoirs - 2 existing within the SWTP compound at Keychinghata and one proposed to be constructed at the new SWTP site. Similarly, the water supply network will have 3 OHTs – one existing within the SWTP compound at Keychinghata, one OHT is proposed to be constructed within the SWTP compound at Keychinghata, and another OHT is proposed to be constructed beside Bangladesh Power Development Board. In addition, one OGR is proposed to be constructed near old Bus Stand in



the Army compound. The systems will be developed in such a way that it can work independently in an emergency. In total, 5 MLD water will be stored in the future system.

**Table 5: Existing and Proposed CWR, OGR and OHTs**

S. No.	Project Component	Existing/ Proposed	Location
<b>Clear Water Reservoir (CWR)</b>			
1	CWR – 1 (old)	existing	Within SWTP compound, Keyching ghata
2	CWR – 2 (old)		
3	CWR – 3 (new)	proposed	New SWTP site, Chyanga
<b>Overground Reservoir (OGR)</b>			
1	OGR - new	proposed	Near old bus stand, in Army Compound
<b>Overhead Tank (OHT)</b>			
1	OHT – 1 (old)	existing	Within SWTP compound, Keyching ghata
2	OHT – 2 (new)	proposed	Within SWTP compound, Keyching ghata
3	OHT – 3 (new)	proposed	Private land beside Bangladesh Power Development Board

Note: Land ownership and land area details are provided in Table 8

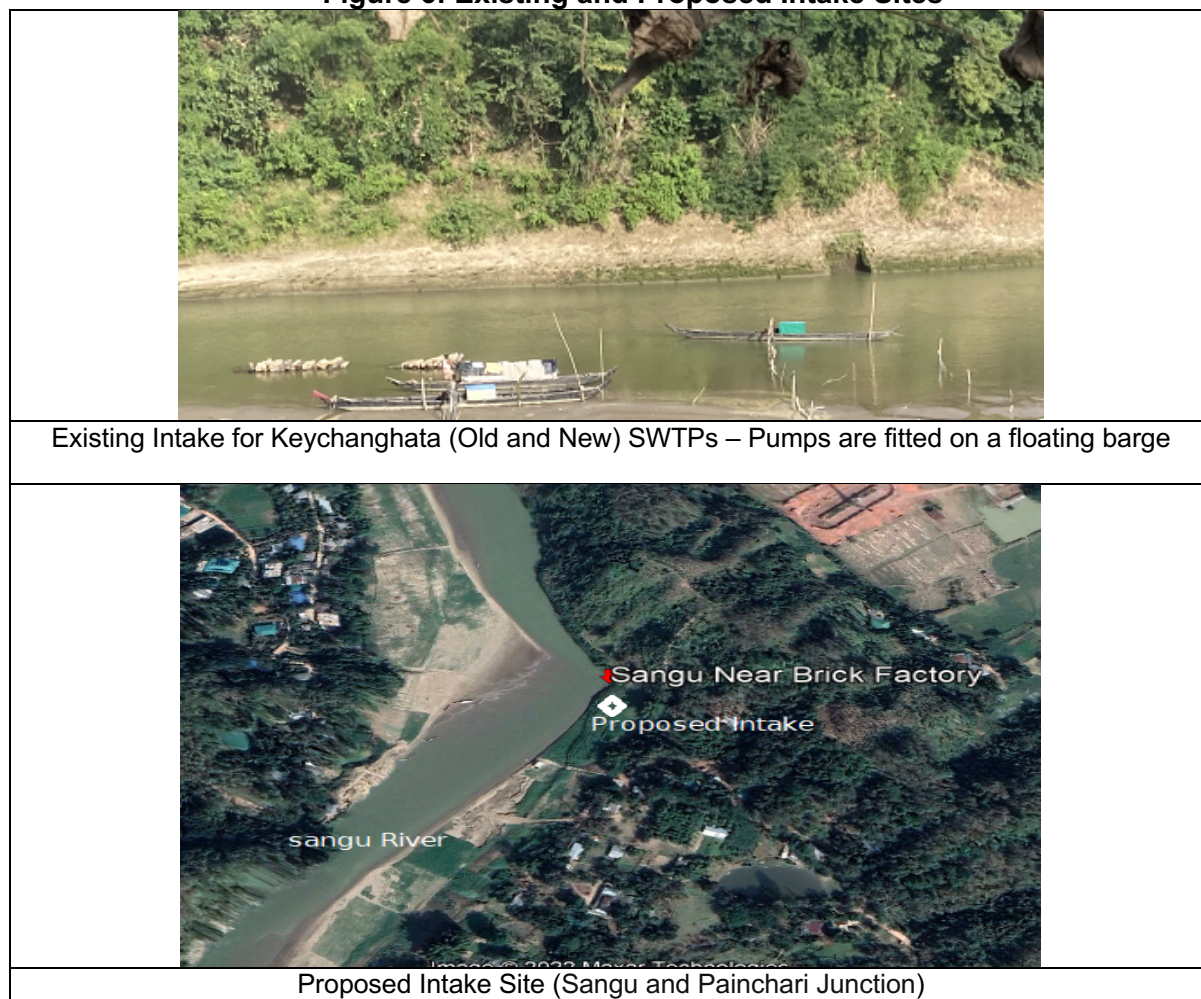
Source: FSR for Hill Towns\_Vol 2 of 3 Bandarban\_Draft\_RevE, 2022, DPHE Project

## 5. Booster Pumping Stations (BPSs)/Booster Stations (BSs)

23. Booster pumping stations are required for continuous pumping. The existing BPSs at Rowanchari and Uzanipara are operational. A new booster station is proposed at Telephone and Telegraph (T&T)<sup>5</sup> para. Small zoning has been introduced where there is a high regional elevation level.

## 6. Intakes

24. There is one existing intake operational structure at Keyching Ghata. It is proposed to be upgraded. Major rehabilitation works are replacement of most of the electro-mechanical works (pumps, motors and valves of backwash) without increasing the capacity. A new intake structure at the new SWTP site is proposed to be constructed. A photograph of the existing intake location and Google Earth image of the proposed intake location is shown in **Figure 6**. The project will obtain no objection or approval for extraction of water from the concern Department of Water Resource, under Ministry of Water Resource.

**Figure 6: Existing and Proposed Intake Sites**

Source: FSR for Hill Towns\_Vol 2 of 3 Bandarban\_Draft\_RevE, 2022, DPHE Project

## 7. Replacement and Upgradation of the Water Supply Network

25. Bandarban *Pourashava* is being served with the public water supply system by DPHE. Most of the water supply pipelines are PVC pipes and the diameter of the pipeline varies from 4 to 8 inches. Some distribution pipelines are very old and there are distribution pipelines in the middle of roads. Most of the pipes were laid around 1989. Galvanised Iron (GI) pipes have been installed in case of the bridge, culvert crossing, and also for the roads which are prone to natural landslides. There are also two High Density Polyethylene (HDPE) transmission pipes from the Keyachinghata treatment plant having an 8-inch diameter. Pipes are being laid randomly without proper planning. The total length of the entire existing network is 62.4km (transmission pipelines – 1.9 km and distribution pipelines – 60.5 km). The classification of transmission and distribution pipeline based on material and diameter are shown in **Table 5**.

**Table 6: Details of Existing Transmission and Distribution Pipelines**

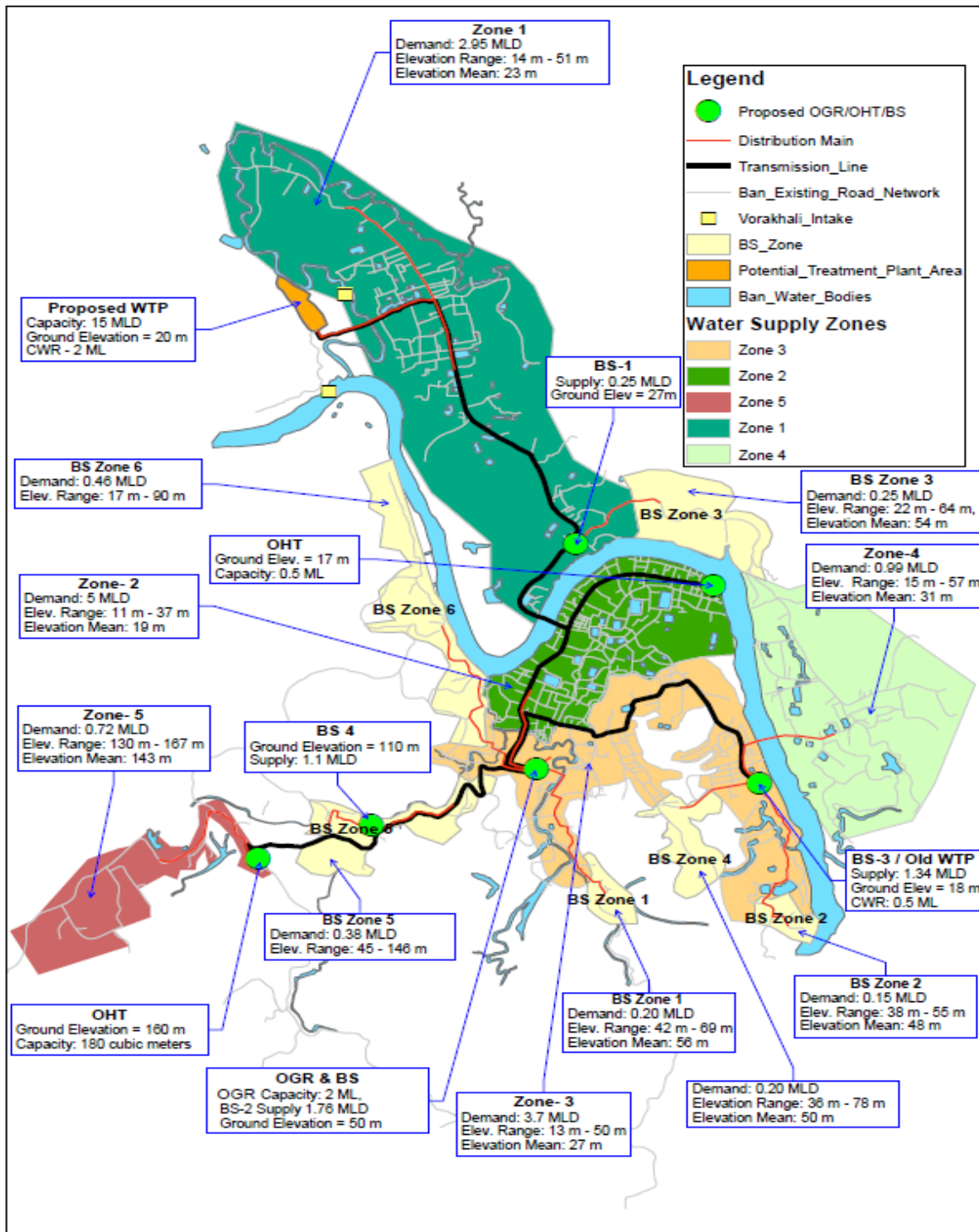
Dia (inch)	Material	Transmission pipe (km)	Distribution pipe (km)	Total
4	GI	-	0.1	0.1
	PVC	-	48.8	48.8
6	GI		0.17	0.17

	PVC	1.9	8.3	10.27
6	HDPE	-	2.1	2.1
	PVC	-	1.0	1.0
Total		1.9	60.5	62.4

Source: FSR for Hill Towns\_Vol 2 of 3 Bandarban\_Draft\_RevE, 2022, DPHE Project

26. There are multiple visible leakages found in the existing water supply network during the field survey. Also, it has been observed that a significant amount of unaccounted water is wasting through house connections as there is no customer water meter in Bandarban *Pourashava*. The current water supply system is not a 24x7 pressurized system. The entire network is divided into around 20 zones (Source: DPHE Bandarban). Water is supplied to each zone by controlling isolation valves in different parts of the hydraulic network. The existing network needs to be replaced and upgraded in view of the new coverage and increased demand. The concept design of water supply network in Bandarban *Pourashava* is shown in **Figure 7**.

**Figure 7: Concept Design of Water Supply Network in Bandarban Pourashava**

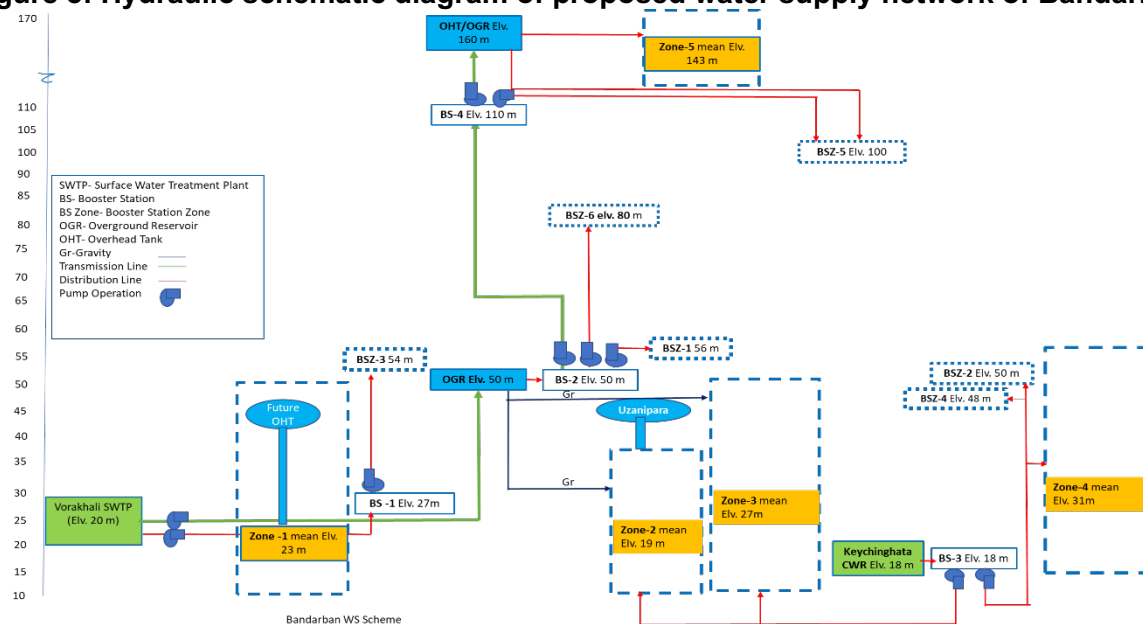


Source: FSR for Hill Towns\_Vol2 of 3 Bandarban\_Draft\_RevE, 2022 DPHE Project

27. The entire water supply network of Bandarban has been divided into five (05) Zones and six (06) number of Booster Pumping Stations (BPSs)/ Booster Stations (BSs) Zones. The bulk of water to be supplied to the town will be provided from the new SWTP at Chyanga to the nearest zones. As for other zones, water will be supplied from Overhead Tank (OHT) and Over Ground

Reservoir (OGR) as well as boosting through pump operation. The water flow process is shown in **Figure 8** below.

**Figure 8: Hydraulic schematic diagram of proposed water supply network of Bandarban**



Source: FSR for Hill Towns\_Vol 2 of 3 Bandarban\_Draft\_RevE, 2022, DPHE Project

28. The proposed transmission system will follow the road network and the total length of the transmission pipelines will be 11.10 km. At the crossings of the bridges,<sup>11</sup> it would be laid over the ground on one side of the bridge crossings with the help of clamps. The locations of the bridges are shown in **Appendix 4**. The transmission pipelines will have intermediate structures such OGR, OHTs, and Booster Pumping Stations at strategic locations. The proposed water supply network will cover 100% of the population of the entire *Pourashava*. The total distribution pipeline length will be 103.50 km.

29. Mostly, open cut method will be used for pipeline laying. Trenchless technology and pipe bursting methods would be selectively used for pipeline laying. The right of way of roads through which the transmission and distribution pipelines would be laid belongs to different agencies viz., Roads and Highways Department (RHD), Bandarban *Pourashava*, and Local Government Engineering Department (LGED). The laying of transmission and distribution pipelines would require road cutting permission from concerned agencies depending upon the ownership of the RoW. The contractor will identify the ownership of all the roads wherein pipelines would be laid and apply to the concerned agencies for suitable permission.

## 8. House Connections

30. Only 2659 houses are connected with the water supply system out of total 6287 holdings (Residential-4938, Commercial-833, Government Residential-251, Government Commercial- 19, Others-246) in Bandarban *Pourashava*. Only around 42% of total holdings are connected with the existing water supply system within the *Pourashava*. Diameter wise total number of house connections is given in **Table 6**.

<sup>11</sup> The owner of the bridges is Bandarban *Pourashava*. No objection certificate will be obtained by the Contractor before the start of construction works.

**Table 7: Existing House connections with diameters**

Sl. No.	Diameter		Domestic	Non-domestic	Total
	Inch	mm			
1	1/2"	12.7	31	8	39
2	3/4"	19.05	2212	171	2383
3	1"	25.4	161	27	188
4	1.5"	38.1	17	12	29
5	2"	50.8	8	6	14
6	3"	76.2	1	2	3
7	4"	101.6		3	3
<b>Total</b>			<b>2430</b>	<b>229</b>	<b>2659</b>

Source: Feasibility Study Report for Hill Towns\_Vol 2 of 3 Bandarban\_DraftRevE, 2022 DPHE Project

31. The consumers are not satisfied with the present network pressure and intermittent supply of water. The existing network is not capable of providing 24x7 water supply with desired pressure. So, a new proper planned network is required to mitigate the water scarcity in future. The number of house connections that is proposed to be covered is 8993.

#### **E. Resettlement and Tribes, Minor Races, and Ethnic Sects Communities Plan (RTMRESCP)**

32. This RTMRESCP has been prepared based on the available preliminary design, site visit to proposed water supply component locations, transect walks and sample socio-economic survey, consultations with local communities including the poor, women and Small Ethnic Communities (SEC), etc. At the outset, it is important to mention that the proposed water supply system has been designed to provide benefits to all households in each ward of Bandarban *Pourashava*/town. The proposed project will benefit 100% population of Bandarban town. The RTMRESCP will be updated based on final design and detail measurement and census survey and the involuntary resettlement impacts will be verified and reconfirmed before the start of construction activities. The updated RTMRESCP shall be shared with ADB for approval and till such time no civil work will be started. Civil work will be taken up only after compensation payment to adversely affected persons (including SECs if any) is completed, as per the approved entitlement matrix. Encumbrance free land/sites shall be handed over to the contractor by the implementation agency.

33. The report has been prepared covering all components of the water supply system in line with applicable national laws and ADB's Social Safeguards Policy 2009. This project is classified as Category B, based on the ADB SPS 2009 Involuntary Resettlement and Indigenous Peoples/Small Ethnic Communities categorization criteria. The RTMRESCP is consistent with the agreed entitlement matrix of the project, includes grievance redressal mechanism, institutional arrangement, monitoring and reporting, etc.

#### **F. Measures to Avoid and Minimise Involuntary Resettlement**

34. The construction of new SWTP along with all treatment facilities (CWR, intake, pre-settling tanks, sludge drying bed, etc) at Chyanga Village booster station at Telephone and Telegraph Para, and construction of OHT at Lalmohan Bagan, beside Bangladesh Power Development Board is proposed on private land. The private land area required for the construction of new SWTP along with all treatment facilities is 7.025 acres and 0.10 acres for OHT; on identification of land details for booster pumping station, it will be included to the updated RTMRESCP. This is the minimum land area required for the construction of these facilities. Rehabilitation of existing



SWTPs, OGR, OHTs and the laying of water supply pipelines will be carried out in the land owned by government departments. Approximately 0.25 acres of the land area is required for the construction of OGR which is in Army compound. DPHE will obtain a No Objection Certificate (NOC) from Bangladesh Army following the inter-governmental process.

35. The laying of water supply network pipelines will be in the Right of Way of different government departments/agencies. Trenchless technology would also be used in some congested market areas namely, Uzani Para, Town Hall plaza, Barisal Para gali, etc to avoid and minimise the involuntary resettlement impacts as much as possible. However, likelihood of any unanticipated impacts will be re-confirmed along the pipeline routes in each road section before laying the network pipelines. Temporary shops and vendors and others likely to be affected because of the laying of network pipelines will be enumerated for loss of temporary livelihood impact in accordance with ADB SPS, 2009 and the agreed resettlement principles and entitlement matrix included in the Project Administration Manual. Affected persons will be compensated based on the principle of replacement cost and accordingly the report will be updated.

36. For laying of the transmission and distribution pipelines, the contractor will obtain 'No Objection' from concerned agencies namely, the Roads and Highways Department, Bandarban *Pourashava* and LGED. The implementing agency will obtain the NOC from different government departments/agencies. As stated above, the existing facilities will be developed in the existing land of DPHE and other government agencies and therefore there is no further scope to minimize the requirement of land area.

37. The final involuntary resettlement impacts will be reassessed during detailed measurement survey (DMS) at the detailed design stage. Based on the findings of DMS, the RTMRESCP will be updated and submitted to ADB for final clearance. The updated document will be submitted to ADB, prior to award of contract.

38. The following measures will be adopted to avoid and minimize impacts and disturbances during the construction: (i) distribution of notice to residents and business units and others in the area; (ii) traffic management with proper liaison with police department; (iii) provision of planks to provide temporary access to citizens, access to residential and business units, religious places; (iv) excavation for pipeline laying to be carried out in small sections, one section at a time, in order to reduce the time period of possible disruption and inconvenience to hawkers, mobile vendors and residents of the area; (v) inform residents and others in sufficient advance time about the date and time of pipeline laying in each section through public announcement system; (vi) If required, diversion way will be constructed temporarily, to facilitate the shops located adjacent to the road, to continue with their business; (vii) careful timing of implementation to avoid peak sale hours/days or school timings; (viii) night work in commercial areas, where possible; (ix) minimize construction period to the extent possible; (x) liaise with the police department for traffic management for uninterrupted traffic flow; (xi) install signages at suitable locations; (xii) display details of GRM (address, contact number and email) for lodging grievances/ complaints, if any at several locations across the town where works are under implementation; (xiii) provide planks at close intervals for easy access to properties including business units, religious places, public convenience etc (if required); (xiv) provide other innovative measures to minimise the impact and disturbance during construction.

39. These measures will be part of the bid document. The RTMRESCP will form part of the bid document and these impact minimization measures will be taken into consideration for budgeting and implementation by the contractor.

## G. Objectives of the RTMRESCP

40. This draft Resettlement and Tribes, Minor Races, and Ethnic Sects Communities Plan is prepared for the Chittagong Hill Tracts – Inclusive and Resilient Urban Water Supply and Sanitation Project (CHT-IRUWSSP) Rehabilitation and Upgradation of Water Supply Components in Bandarban Town based on preliminary design. It addresses the potential involuntary resettlement impacts of the proposed project components, includes a specific action plan to enhance beneficial impacts to SEC.

41. The overall objective of the RTMRESCP is to assess the potential adverse impacts due to implementation of proposed project components on land, structure, other properties/assets, livelihood, and assist the affected persons in getting their entitlements (compensation and rehabilitation and resettlement assistances) as per their eligibility to enable them in improving or at least restoring their socio-economic conditions to pre-project level and also ensure that all households including the poor and vulnerable and SEC receive appropriate benefits by the implementation of the project components.

42. This draft RTMRESCP is prepared in accordance with national laws and ADBSPS (2009) requirements for involuntary resettlement and indigenous peoples/small ethnic communitiescategory B projects to meet the following objectives:

- (i) to describe the scope and extent of land acquisition and involuntary resettlement impacts due to implementation of project components, and address them through appropriate recommendations and mitigation measures in the resettlement and small ethnic community plan;
- (ii) to ensure that the affected persons belonging to SEC groups receive culturally appropriate social and economic benefits;
- (iii) to ensure that when potential adverse impacts on the SEC are identified, these will be avoided to the maximum extent possible;
- (iv) to present the socio-economic profile of the population in the project area, identify social impacts, including impacts on the SEC , women, poor and vulnerable and the needs and priorities of different sections of the population;
- (v) to describe the likely economic impacts and livelihood risks of the proposed project components;
- (vi) to describe the process undertaken during project design to engage stakeholders and the planned information disclosure measures and the process for carrying out consultation with affected SEC people and facilitating their participation during project implementation;
- (vii) to establish a framework for grievance redressal for affected SEC persons, that is appropriate to the local context and acceptable in consultation with stakeholders;
- (viii) to establish a framework for grievance redressal for affected SEC persons that is appropriate to the local context, in consultation with stakeholders;
- (ix) to describe the applicable national and local legal framework for the project , and define the involuntary resettlement and indigenous peoples policy principles applicable to the project;
- (x) to define entitlements of affected persons, assistance and benefits for the affected persons under the project;to present a budget for resettlement and the specific action plan for SEC and define institutional arrangements, implementation responsibilities and implementation schedule for resettlement and small ethnic community plan implementation; and



- (xi) to describe the monitoring mechanism that will be used to monitor RTMRESCP implementation.

## H. Methodology

43. The draft RTMRESCP has been prepared based on secondary sources, site visits, transect walks, sample socio-economic survey of affected persons, observations, consultations with local communities including Small Ethnic Communities (SEC), DPHE and *Pourashava* officials. The assessment for involuntary resettlement and impacts on SEC is based on the preliminary design of the water supply component of the project. A sample survey was conducted by categorising the road stretches into high, medium and low density roads; 100% survey (impact assessment) was done for 300 metres sample stretches in each category of road, which was further extrapolated to get the number of affected persons in one kilometre stretch of road. The estimated number of affected persons is obtained by multiplying the road length for each high, medium and low-density roads. The draft RTMRESCP will be updated based on detail design and DMS and also, in the event of any change/modification in the project design/scope; the involuntary resettlement and impacts on SECs will be further assessed and RTMRESCP will be updated accordingly.

## I. Project Categorization

44. The categorization of the project is based on assessment of involuntary resettlement impacts and SEC impacts (refer **Appendix 5** for involuntary resettlement and indigenous people/small ethnic communities checklists), based on transect walks and sample socio-economic surveys. No involuntary resettlement impacts have been identified due to the construction of existing SWTPs, CWR, Booster stations, Intake, and PTWs. The involuntary resettlement is likely due to the acquisition of land area proposed for the new SWTP, one OHT and the laying of the water supply pipelines network. The acquisition of private land is anticipated to affect four landowners (22 family members). There will be no physical displacement due to land acquisition. The acquisition of private land will be less than 10% of the total land holdings of the affected persons. Besides, the sample socio-economic survey identified a total of 29 affected business owners who will incur temporary income loss due to the laying of the water supply pipelines network. The total number of persons whose livelihood would be temporarily affected due to the laying of water supply pipelines covering the entire Bandarban town is estimated to be 1211. The impact assessed is permanent for the land owners losing land due to acquisition. In addition, temporary income loss to businesses is identified; the involuntary resettlement impacts are assessed to be non-significant and therefore, the project is categorized as **Category-B** for involuntary resettlement. Out of 1211 estimated number of affected persons, it is assessed that the proposed project may lead to temporary livelihood loss to 877 affected SEC households (with 4560 family members).<sup>12</sup> One of the land owners of the proposed SWTP site belongs to SEC (5 family members); it is assessed that the affected SEC person is a private landowner and the site is not customary or traditional land. The total affected SEC households facing involuntary resettlement impacts are 878 and affected population is 4565 (family members of the affected persons). Out of the total affected SEC persons, five persons (one household) will face permanent involuntary resettlement impact due to loss of land and 4560 SEC persons are likely to face temporary loss of income for the period of disruption assessed to be for seven days. The project will not impact customary rights of use of land, or natural resources, cultural and communal integrity of the small ethnic community. However, it is assessed that the project will have beneficial

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<sup>12</sup> The number of affected SEC households obtained through extrapolation of surveyed number of households along the sample stretch of roads.

impact on the SEC community. Hence, the project is classified as Category -B for indigenous people/small ethnic communities based on the ADB SPS 2009.

## II. SCOPE OF LAND ACQUISITION AND INVOLUNTARY RESETTLEMENT

### A. Land Acquisition and Involuntary Resettlement

45. The scope of the land acquisition and involuntary resettlement has been assessed for each project components based on the available design, stakeholders' consultations (with DPHE, *Pourashava* Officials, Ward Councillors, and local communities), field visits including transect walk, along the proposed pipeline routes and project component locations. The water supply components of Bandarban town entails the requirement of 7.635 acres of land area comprising 7.185 acres of private land and 0.45 acres of government land. The social safeguard specialist along with a technical member of the TA consultant and DPHE official visited all the proposed sites to assess the potential involuntary impacts, the ownership of the land proposed for the construction of project components, as well as to see the land use.

46. Details of available land area and additional land area required for project components are given in **Table 8**.

**Table 8: Requirement of Additional Land Area**

Sl. No.	Components	Location	Land area required (acre)	Ownership of land	Present land use	Remarks
i	Rehabilitation of existing SWTP (Old)	Keychinghata	Nil	Govt. land	Built up	DPHE Land. No involuntary resettlement impact assessed.
ii	Rehabilitation of existing SWTP (New)	Keychinghata	Nil	Govt. land	Built up	DPHE Land. No involuntary resettlement impact assessed.
iii	Construction of new SWTP and all treatment units (CWR, intake, pre-settling tanks, sludge drying bed, etc)	Chyanga Village, Tarasa MouzaBanorupa	7.025	Private land	Agricultural land	Loss of land due to land acquisition 3 affected land owners
iv	Construction of OGR	Near Bus Stand, Bandarban	0.25	Govt. land	Vacant space within Army area	No objection will be required from Bangladesh Army.No involuntary resettlement impact.
v	Booster station	Telephone And Telegraph Para, Bandarban	0.06	Private land	Vacant land	Site is yet to be finalized and may require acquisition. Details of land records and landowner to be updated on identification. Impact to affected land owners due to land acquisition is possible. To be confirmed based on site finalization during detailed design.
vi	Construction of OHT	Lal mohon Bagan (Beside PWDB ,Nilachal Road	0.10	Private land	Vacant land	Requires acquisition.

Sl. No.	Components		Location	Land area required (acre)	Ownership of land	Present land use	Remarks
			(Opposite of Joutha Khamar Govt. Primary School)				One land owner will be affected due to land acquisition. Details of land records and landowner will be updated. Final IR impact yet to be assessed.
vii	Rehabilitation and Upgradation of the Water Supply Network to achieve 100% coverage	Transmission pipelines	Across the town	Nil	Govt. land	Right of Way	Within the existing RoW of roads. NOC would be required from concerned agencies (RHD, LGED, Bandarban Pourashava. Temporary income loss for 7 days to 1211 road-side shop owners
		Distribution pipelines	Across the town	Nil	Govt. land	-do-	

47. One of the major components of the project is “Rehabilitation and Upgradation of the Water Supply Network to achieve 100% coverage.” As per the feasibility study, this requires rehabilitation and upgradation of transmission and distribution pipelines covering a length of 11.10 km and 103.50 km respectively. The right of way of roads will be utilised for laying of the water supply pipeline network. The water supply pipelines will be laid along one side of the existing road network.

48. The laying of the water supply pipelines network is likely to cause temporary involuntary resettlement impacts on temporary shops and vendors. This has been identified based on transect walks across different parts of the town covering approximately 300 m of the transmission and distribution pipeline network. A sample survey was conducted in April 2022 by categorising the road stretches into high, medium, low-density roads<sup>13</sup> and roads with zero-commercial development; 100% impact assessment was done for 300 metres sample stretches in each category. The socio-economic survey identified 29 affected persons across the high, medium and low-density road stretches and extrapolated to get the estimated number of affected business entities, the details of affected business owners have been recorded. Based on the sample survey, the total number of affected persons in Bandarban town was estimated to be 1211.

49. It is assessed that the affected business owners will incur temporary income loss during laying of the water supply pipelines in stretches. The disruption period is assessed to be for 7 days.

50. The diameter of the existing transmission and distribution pipelines is 250mm to 630mm. The diameter of distribution pipelines varies from 110mm to 400mm. Generally, service connection pipeline sizes are 19mm, 25mm, 32mm, 38mm and 50mm respectively. The diameters of pipelines proposed to be used for providing service connections are 12mm, 19mm, 25mm, 38mm and 50mm. These pipelines will be laid down in the available space along the existing roads without any damage to buildings/structures on either side of the roads/pathways/streets. The details of the transmission and distribution pipelines proposed to be laid are provided in **Table 9**.

**Table 9: Details of water supply pipelines**

Transmission Pipeline		Distribution Pipeline	
Diameter (mm)	Length (km)	Diameter (mm)	Length (km)
250	1	110	75.75
345	1.5	160	16.00
400	5	180	0.20
500	1.6	200	4.80
560	0.8	250	5.40
630	1.2	315	1.30
-	-	355	0
-	-	400	0
<b>Total</b>	<b>11.10</b>	<b>Total</b>	<b>103.50</b>

Source: FSR for Hill Towns\_Vol 2 of 3 Bandarban\_Draft\_RevE, 2022, DPHE Project

<sup>13</sup> Road stretches with maximum number of commercial entities are considered high density roads; road stretches lesser number of commercial entities are considered as medium density roads; road stretches where there are very few commercial entities are considered as low density roads and road stretches where there no commercial entities are considered as zero (vendor/road-side shop) density roads.

51. It will be ensured that the contractor provides sufficient advance notice/information of temporary disturbance during the laying of the pipeline in a particular section/stretch so as to make aware the temporary shops, vendors and others to avoid/minimise adverse impacts. This will also help residents of the area to avoid any inconvenience due to the laying of the pipeline. The Contractor shall assist the shop owners and vendors to temporarily shift to an alternate location (if required) to the nearby/adjoining area so that they are able to continue with their business during the interim period of construction and then are allowed return to the original location once the pipeline laying works in the area is complete. Based on the discussion with the water supply expert, the time period of disruption for the laying of pipelines is estimated to be a maximum of 7 days. Accordingly, the compensation will be paid to affected persons for the time of disruption. Additional assistance will be provided to vulnerable affected persons. Further, assessment will be done before the award of contract and accordingly the RTMRESCP will be prepared and submitted to ADB for approval. No civil works will start till the time approval is obtained from ADB.

52. Also, there will be no impacts on road side residential, commercial, and residential cum commercial and other buildings/structures along the proposed route of pipeline other than possible access disruptions. In case of disruption of access to affected persons, the contractor will provide assistance through provision of access planks. Night work (11 pm – 4 am) will be undertaken in congested areas to avoid traffic disruptions. Full closure of roads will be avoided.

## B. Summary of Impacts

53. As mentioned in above sections, the construction of the new SWTP along with all treatment units (CWR, intake, pre-settling tanks, sludge drying bed, etc) is likely to result in permanent involuntary impacts to 3 persons (17 family members) who were surveyed; and the OHT land is likely to affect 1 landowner (5 family members), yet to be surveyed. The laying of water supply pipelines network is likely to cause temporary loss of income to approximately 1211 road-side shop owners and vendors (6297 family members) across the Bandarban town. However, a final involuntary resettlement and impacts on SEC will be reassessed and accordingly the document will be modified (as applicable) and submitted to ADB for clearance before the DMS.

54. The category wise break up of affected persons is presented below in **Table 10**.

**Table 10: Estimated Number of Affected Persons facing Temporary Economic Impacts**

Sl. No.	Category of Road	Total Road Length		Length of Sample Stretch (m)	No. of APs identified	Extrapolated Number of APs
		(Km.)	(m)			
1	Roads with high-density commercial development	6.78	6780	300	17	346
2	Roads with medium density commercial development	24.04	24040	300	12	865
3	Roads with low-density commercial development	14.3	14300	300	0	0
4	Zero commercial development	15.05	15050	300	0	0

Sl. No.	Category of Road	Total Road Length		Length of Sample Stretch (m)	No. of APs identified	Extrapolated Number of APs
		(Km.)	(m)			
				<b>Total</b>	<b>29</b>	<b>1211</b>

Source: Sample Survey and analysis, April 2022.

55. The involuntary resettlement impacts of the project have been summarized in **Table 11**.

**Table 11: Summary of Estimated Involuntary Resettlement Impacts**

Sl. No.	Components	Affected persons (No.)*	Remarks
i	Loss of Land	4 landowners (22 family members)  3 landowners surveyed (17 family members) + 1 landowner (5 family members) pending survey	Approximately, 7.125 acres of private land is required for construction of new SWTP along with all treatment facilities, and OHT. Three land owners have been identified and surveyed (17 family members) for SWTP site at Chyanga. One of the land owner is female and belongs to Small Ethnic Community. The land owners have provided consent for acquisition of land (refer to <b>Appendix 6</b> ). The OHT land is owned by one private land owner (5 family members). Socio-economic profile of the affected land owner will be updated to the RTMRESCP report. Details of private land to be acquired for the booster pumping station will be updated to the RTMRESCP on identification.
ii	Structure loss	Nil	No structures will be impacted as existing facilities will be rehabilitated and upgraded in DPHE and other government department land. The laying of water supply pipelines will be in the Right of Way of government land and hence no structures will be impacted. <sup>14</sup>
iii	Permanent and significant livelihood impact (landowners)	No	None of the landowners will face any significant impact, the surveyed three landowners will lose less than 10% of their total land holding. The agricultural produce of the lands are being used for domestic consumption and does not have any commercial value for the landowners. The OHT landowner is also not anticipated to suffer significant loss of land, based on consultations. This will be confirmed in the updated resettlement plan, based on socioeconomic survey.
iv	Loss of crops (farming by non-titleholders)	No	Nil

<sup>14</sup> The EMP C.12 includes measures to offset any potential impacts during pipeline laying will be undertaken by Contractor.



Sl. No.	Components	Affected persons (No.)*	Remarks
v	Potential temporary impacts (income loss)	1211 business owners (6297 family members)	<p>Temporary shop owners and vendors are likely to face temporary income loss due to the laying of the water supply pipelines network. Efforts will be made in detailed design stage as well as during implementation to avoid the temporary impact resulting in income loss as far as possible. Affected persons will be compensated for the loss of income if impact is unavoidable. The temporary income loss is assessed to be for 7 days.</p> <p>Census and socio-economic survey will be conducted based on the final design before the start of the construction work and RTMRESCP will be updated and approval obtained from ADB.</p>
vi	Potential temporary income loss to employees in affected shops/business units	Nil	No employees were identified during the survey. However, if employees of the shop are identified during DMS, they will also be compensated as per the entitlement matrix. They will potentially incur temporary income loss will be for 7 days.
vii	Temporary access disruption	Yes	There will be temporary access disruption to shops/business units and vendors and hawkers. Access plank at suitable intervals will be provided by the contractor to avoid inconvenience as far as possible. Temporary access disruption to shops/vendors will be compensated. The temporary income loss will be for 7 days.
viii	Vulnerable households	920 (4784 family members)	Out of surveyed 29 road-side shops, 21 belong to SEC (13 are SEC + female headed households and 8 are SEC households) and three temporary affected business owners are identified to be below poverty line (24 affected vulnerable business owners). One affected land owner belongs to SEC category. In total 25 vulnerable households have been identified through socioeconomic survey. It has been extrapolated to 920 affected vulnerable households based on the data of the sample socio-economic survey. Total vulnerable persons 4,784 (family members).
ix	Small Ethnic Community households	877 business owners (4560 family members) and one land SEC land owner (5 family members)	Out of surveyed 29 affected shop owner, 21 affected shop owners belong to SEC. It has been extrapolated to 877 affected SEC business owners based on the sample socio-economic survey. Total number of SEC affected persons has been enumerated as 4560 (family members). One affected land owner belongs to SEC community (5 family members)
<p>*Estimated number of Affected persons  Note: The above impact summary does not include the assessment of impacts for one booster pumping site and 1 OHT site, for which the land is yet to be finalized. This will be added to the updated Resettlement Plan during detailed design.</p>			

Source: Sample socio economic survey of affected persons, April 2022

56. The Contractor will obtain 'No Objection' from the concerned government departments having the ownership of the right of way of roads or any public land before the start of civil work and the same shall be updated in the RTMRESCP. The implementation agency will facilitate the Contractor in obtaining no objection from concerned government departments.

### C. Small Ethnic Communities (SEC)

57. The sample socio-economic survey identified involuntary resettlement impacts (temporary loss of income) to 877 business owners (4560 household members) belonging to small ethnic communities<sup>15</sup> due to the laying of the water supply pipelines network in Bandarban town. The acquisition of private land is also likely to affect one land owner (5 household members) from small ethnic community. There will be no physical displacement of SEC. The implementation of the water supply system in Bandarban will not affect areas that are culturally sensitive to small ethnic communities or infringe on their customary rights. Regarding broad community support (BCS), the assessment indicates that: (i) The project will not commercialize the cultural resources or the knowledge of the small ethnic community (SEC); (ii) No physical displacement is envisaged in this project. All affected landowners, including SEC are titleholders of private land parcels. The three affected SEC landowners are not facing loss of customary land; (iii) Water will be sourced from Sangu River for Bandarban town. The intake is located at a distance of 3 km from the nearest habitation. The construction work will be undertaken in a culturally appropriate manner, taking account of the specific preferences and concerns of the SEC (if any), and their religious festivals and beliefs. The development project will benefit the entire population in the project coverage areas, including SEC population (20.8%), which currently do not have access to safe water supply. No impact on the livelihoods or cultural or ceremonial use of the water bodies by the SEC is envisaged. SEC in the town have been consulted and have expressed the urgent need for the water supply project. In sum, the project will not involve commercial development of cultural resources, physical displacement of SEC nor commercial development of natural resources. Hence, BCS is not triggered.

54. The population of Bandarban *Pourashava* comprising all nine wards is 41434 of which 55.97% are males and 44.03% are females and 8610 SEC population as per Population and Housing Survey, 2011. However, the Small Ethnic Communities (SEC) survey<sup>16</sup> conducted in November 2021 identified a total of 1360 households across the nine wards of Bandarban *Pourashava* of which a large majority (62.48%) belong to Marma community (**Table 12**). The total population of SEC as per the survey is 5996 with 3162 females and 2834 males. The women headed households comprise 12.6% of the total household identified. Ward wise SEC households and population in Bandarban *Pourashava* certified by the Mayor is provided in **Appendix 7**. The sample socio-economic survey of the affected shop owners conducted along the water supply pipeline found that out of the total number 72.4% of them belonged to small ethnic communities, which is about 877 affected SEC shop owners; this will be further verified and confirmed during detail measurement and census survey.

<sup>15</sup>The ethnic communities of the Zila include Chakma, Marma, Tanchangya, Tripura, Chak, Khumee, Luchei, Pankhoa, Riang, Khumi, Mro, Santal, Monipuri, Bome, Kheyang, Murang and other sub-groups.

<sup>16</sup>Survey conducted by TA consultant, DPHE Project

**Table 12: Ward wise SEC Population in Bandarban Pourashava**

Ward	Total population (BBS 2011)	SEC Population (BBS 2011)	% of SEC population to total population
1	3996	1066	26.7
2	4511	702	15.6
3	3561	545	15.3
4	3507	804	22.9
5	5395	3882	72.0
6	7424	803	10.8
7	3656	30	0.8
8	3654	151	4.1
9	5730	627	10.9
<b>TOTAL</b>	<b>41434</b>	<b>8610</b>	<b>20.8</b>

Source: Population and Housing Census - 2011, Bangladesh Bureau of Statistics (BBS), Government of Bangladesh (GoB)

#### D. Profile of SEC in Bandarban

58. The total population of Bandarban Pourashava is 41,434 (as per Population and Housing Census – 2011), out of which 8,610 (20.8%) is SEC population, Table 13.

**Table 13: Population Distribution**

Total population	41,434
SEC population	8,610
<b>% of SEC population</b>	<b>20.8</b>

Source: Population and Housing Census-2011

59. The average household size of SEC (4.35) is less than the overall average household size of the Pourashava (4.76), Table 14. Sex ratio among the SEC population is in favour of males (99 females for 100 males) than that for the overall population (100 females for 127 males).

**Table 14: Demographic Characteristics**

Parameter	Total Population	SEC Population
Average household size	4.76	4.35
Sex ratio	127	99

Source: Population and Housing Census-2011

60. Ward wise distribution of SEC population is presented in **Table 15** and socio-economic profile of SEC affected is given in Table 19. The maximum concentration (72%) of SEC population is found in ward no. 5 followed by ward no. 1 (26.7%).

**Table 15: Ward-wise Distribution of Small Ethnic Community Population**

Percent	No. of Wards	Ward Numbers
<10	5	1, 3, 4, 7, 8
>10-20	4	2, 5, 6, 7

Source: Population and Housing Census-2011

61. The total population of Bandarban *Pourashava* is projected to be 56387 in 2022. Considering the projected population for 2020 as the present total population of Bandarban

*Pourashava*, SEC constitutes about 10.63% of the total population of Bandarban *Pourashava*. It is envisaged that all SEC households in the coverage area will be benefitting from the proposed rehabilitation and upgradation of the water supply system. The development and upgradation of the water supply system in Bandarban will benefit all the households including the poor and vulnerable households in all wards of the *Pourashava*. Therefore, the implementation of the water supply system in Bandarban *Pourashava* is likely to have more benefits than impacts.

62. Project design incorporates features for inclusion of all households belonging to SEC for providing project benefits in Bandarban *Pourashava*. Temporary loss of income to SEC and land loss to one SEC landowner has been assessed as a result of the rehabilitation and upgradation of the water supply system under the project. Contractual provisions will ensure that all SEC households in the project coverage area will benefit from the proposed water supply system.

63. **Specific Action Plan for SEC:** Further, to enhance project benefits to SEC, ensure culturally appropriate project implementation, address any potential safeguards issues and ensure inclusion, a specific action plan for indigenous peoples/small ethnic community is proposed for this project. The action plan will carry out the following specific activities:

- (i) A baseline survey was conducted for the identification of SEC in Bandarban *Pourashava*. The contractor will further check and update data on exact number SEC households for ensuring water supply connection. Cost for such activity is already included in the contract document of the project;
- (ii) Proposed benefits (e.g., access to shops and houses) to SEC households will be shared and monitored;
- (iii) IEC materials, information sharing, consultations and other outreach activities will be culturally sensitive and appropriate during the implementation;
- (iv) At the 3rd level grievance redress team, a leader of the SEC community (to ensure that traditional grievance redress systems are integrated) or a member of the Bandarban Hill District Council or an NGO/CSO working with SEC will be a special member, who will help address any complaints from SECs in the project areas. GRC will also ensure that grievance redress established is gender inclusive in receiving and facilitating resolution of the SEC concerns;
- (v) Consultations with SEC households will be conducted at all stages which shall help in identifying any culture-specific requirements and traditions like avoidance of any specific festival days, and/or other activities with cultural significance to the SEC communities during civil work; and any other SEC related issues and concerns that may be of importance to the community. A monitoring survey will be conducted to document the views of SEC households about project benefits. Such a survey is in line with project internal monitoring.
- (vi) The proposed action plan with activities, timelines and responsibilities is attached in **Appendix 8**. This action plan will be used for project monitoring to ensure that SEC/indigenous people activities are undertaken on a timely basis and reported semi-annually and to determine whether project objectives have been achieved a budget is included for implementation of the specific action plan.

### III. SOCIO-ECONOMIC INFORMATION AND PROFILE

#### A. Profile of Affected Persons

64. The profile of affected persons has been prepared based on the sample socio-economic survey conducted. As per the survey, 29 temporary shops and vendors (selling vegetables, seasonal fruits, fish, groceries, agricultural products, eatables, miscellaneous items) are likely to face temporary income loss due to disruption during the laying of the transmission and distribution pipelines. Besides, four land owners<sup>17</sup> are likely to face permanent loss of productive land due to acquisition. The name of areas where the socio-economic survey was conducted and the number of affected persons are given in Table 16.

**Table 16: Distribution of Affected Persons by Area**

Sl. No.	Area	No. of affected persons	Vulnerable AP
1	Balaghat Bazar	17	18
2	Member Para	4	3
3	Moddam Para	8	3
4	Chyanga (SWTP)	3	1
5	Lal Mohon Bagan (OHT land)	1	-
	<b>Total</b>	<b>33</b>	<b>25</b>

Source: Sample socio-economic survey Marchand April 2022, DPHE Project

65. As stated earlier, socio-economic impact assessment survey was done based on the preliminary design and transect walks along water supply system across different parts of the town covering approximately 300 m of the transmission and distribution pipeline network. A sample survey was conducted by categorising the road stretches into high, medium, low-density roads and zero commercial density roads.<sup>18</sup> A census and socio-economic survey will be conducted after the finalisation of the detailed design and DMS, the RTMRESCP will be updated accordingly. The updated RTMRESCP will be submitted to ADB for approval before the award of the contract.

66. The monthly income of the road-side shop owners ranges from a minimum of BDT 3000/- to a maximum of BDT 130000/-. The average monthly income of affected persons works out to be BDT 34380/-. The daily income is BDT 1322/- considering 26 days in a month. Summary profile of likely affected persons is provided in Table 17 below.

**Table 17: Type of Business of Likely Affected Vendors**

Sl. No.	Type of Business	Vendors Affected (No.)
1	Rice seller	1
2	Tea stall/Eateries	3
3	Grocery shops	4
4	Miscellaneous items	1
5	Barber shop	1

<sup>17</sup> Socio-economic profile of landowners of OHT land and booster pumping station will be included into the updated RTMRESCP.

<sup>18</sup> Road stretches with maximum number of commercial entities are considered high density roads; road stretches lesser number of commercial entities are considered as medium density roads; and road stretches where there are very few commercial entities are considered as low density roads and road stretches where there no commercial entities are considered as zero (vendor/road-side shop) density roads.

Sl. No.	Type of Business	Vendors Affected (No.)
6	Meat shop	1
7	Vegetable vendor	17
8	Vegetables and grocery shop	1
	<b>Total</b>	<b>29</b>

Source: Sample socio-economic survey Marchand April 2022, DPHE Project

67. The summary profile of temporary affected persons and land owners is provided in **Table 18** and the socio-economic profile of each temporarily affected person including SEC is provided in **Appendix 9**. Among the three affected landowners who are permanently (but not significantly) affected, two are in service (employed) and one of the landowners is an agriculturist. Two households have secondary sources of income.

**Table 18: Summary Profile of Affected Persons**

Sl. No.	Description	Profile	Remarks
<b>A. Temporarily Affected Persons</b>			
1.1	Road-side shop/business owners (temporarily affected)	29	The affected business owners are likely to suffer temporary loss of income for a period of 7 days each.
1.2	No. of family members of affected business owners	143	The average family size is 4.93
1.3	Employees in the temporarily affected shop/business	Nil	-
2	Number of women affected persons	14 (48%)	
3	Number and percentage of literate affected persons (%)	17 (57%)	
4	Type of businesses	Sale of vegetables, agricultural produce, eatables, groceries, miscellaneous items, pig meat, barber, etc.	
5	Impact on structures	No structure loss is anticipated.	
6	Nature of loss	Potential temporary income loss to road-side shop owners	
7	Assessed impact duration	Temporary; estimated at 7 days for each stretch and for each affected person.	
8.1	Stated overall average income/day	BDT 1322	Considering 26 working days
8.2	Stated average income per month	BDT 34,380	
9	No. of affected shops/businesses owners having income from any other source	Five affected persons (5 business owners) reported to have income from other sources.	
10	Vulnerable affected households	24 affected households	21 SEC road-side shop/business owners and three BPL shop/business owners.

Sl. No.	Description	Profile	Remarks
11	Multiple vulnerabilities	13 households	3 households are SEC+elderly+women-headed 10 households are SEC+woman-headed
<b>B. Permanently Affected Landowners</b>			
1	Total affected persons	3 land-owners, with 17 family members.	Out of the three affected land owners, the SEC land owner is Graduate, one land owner has primary level of education and the other is illiterate.
2	Nature of loss	Insignificant, permanent loss of unproductive land	Less than 10% of the total landholding of each landowner will be lost.
3	Primary Occupation	Service (2 landowners including 1 SEC landowner), Agriculture (1 landowner)	
4	Secondary Income Source	2 land-owners have a secondary source of income.	
5	Average Monthly Income	55,000 BDT	
6	Small Ethnic Community	One landowner with 5 family members	The household belongs to SEC (vulnerable) category.

Source: Sample socio-economic survey Marchand April 2022, DPHE Project

Note: Socioeconomic profile of each temporarily affected person is in Appendix 9.

68. The summary of profile of SEC affected persons is discussed below.

**Table 19: Socio-economic Profile of Affected Small Ethnic Community Population**

	Parameter	No./ Percent	Remarks
<b>A. Temporarily Affected SEC Business Owners</b>			
1.	No. of affected business owners who belong to small ethnic communities	21 (72%)	The Affected persons are likely to face temporary loss of income.
2.	No. of family members of affected business owners who belong to small ethnic communities	100	The average family size is 4.76
3.	Affected SEC business owners with multiple vulnerabilities	13	3 households are SEC+elderly+women-headed 10 households are SEC+woman-headed
4.	Literacy among temporarily affected SEC business owners	5 (24%)	Class II-2; Class V- 2 – Literate 1
5.	Average income of SEC business owners per month (BDT)	BDT 24,048	The monthly income of affected SEC households from the affected business ranges between BDT 3,000 to BDT 1,25,000. Five affected SEC business

	Parameter	No./ Percent	Remarks
			owners have reported income from other sources. The vegetable vendors, mostly SEC have incomes ranging from BDT 3000-6000.
<b>B.</b>	<b>C. Permanently Affected SEC Landowner</b>		
1.	No. of SEC landowners	One landowner and 5 family members	
2.	Vulnerable Household	One household	One SEC landowner and 5 family members
3.	Literacy among affected SEC landowner household members	3 (100%)	BA-1, Class V – 1, Literate – 1. The remaining family members are too young to go to school.
4.	Stated total income of small ethnic landowner per month (BDT)	BDT 85,000	The monthly income of affected SEC household comprises income of the husband and wife and adds up to BDT 85,000.
5.	House ownership among affected SEC landowner	One household	The landowner household has own residence (on land which is not affected by the project).

Source: Population and Housing Census-2011

Note: Socioeconomic profile of each permanently affected person is in Appendix 09

#### IV. CONSULTATION PARTICIPATION AND INFORMATION DISCLOSURE

69. Information disclosure, public consultation and participation are an integral part of social assessment process. Stakeholder's participation and consultation in project planning promotes transparency, sustainability, and prevents possible delays through amicable conflict management. Involvement of communities having interest in the project is vital in project planning and design so that grievances and conflicts can be minimized. The concern of communities about the potential adverse impacts (loss of property, loss of income and social kinship) can be addressed through the process of consultation. The following sections describe the details of consultations carried out with stakeholders at different stages of the project preparation.

##### A. Public Consultations

70. Consultations were held during the project preparation by way of individual meetings and group consultations. Consultations were conducted with DPHE and *Pourashava* Officials, ward councillors, potential affected persons and beneficiaries, small ethnic minority communities, women, vulnerable people, business establishments, community leaders, etc in line with the ADB's requirements. The consultations were conducted at the Inception report stage, socio-economic survey as part of the situation analysis report, feasibility stage and stakeholders' consultation workshop. The key objectives of conducting consultations with different stakeholders were to inform about the proposed project, understand their issues and concerns, take note of their perception on the present condition, and suggestion regarding the proposed project. Consultations provided meaningful contributions with regard to water supply and sanitation



services and expectations from the proposed project. Consultation meetings were attended by many participants that included both males and females.

71. Consultations with local communities informed that water supply service coverage is available in a very small area, not covering all the wards. Even within the same wards, many households are not covered by water supply system. Local communities informed that the quality of supply water is not good for drinking purpose and therefore people prefer to have alter source of water supply. Community members also complained about irregularity of water supply timing, insufficient quantity of water supply on a regular basis. The expressed interest in the proposed project and enquired about the likely timing of the project implementation and completion. The participants also expressed hope that the cost of water of supply will be reasonable.

72. A multi-stakeholders consultation workshop was held at Cox's Bazar on 8 November, 2021 which provided brief description of the proposed development interventions, likely involuntary resettlement impacts (requirement of land and other impacts), land acquisition act and process followed for land acquisition and compensation, ADB's Safeguard Policy Statement, likely adverse impacts, potential benefits of project implementation, role of the different agencies/officials, grievance redressal mechanism, institutional arrangement for RTMRESCP implementation and monitoring, etc. The feedback received from different stakeholders, and observations of the survey team at the stakeholders' consultation workshop were suitably incorporated in the project design and preparation of RTMRESCP. Some of the photographs of consultations are provided in **Appendix 10**. The attendance sheet of stakeholders' workshop is provided in **Appendix 11**.

73. Summary of consultations is provided in **Table 20** below:

**Table 20: Summary of the Consultations**

Consultation Dates and Venue	Type of consultation	No. of Participants	Key Discussion Issues and Output	Project Response
Stakeholders workshop at Cox's Bazar (8 November, 2021)	Policy and Decision maker level meeting with the stakeholders of 3 hill municipalities of Rangmati, Bandarban and Lama, PMU and Consultant team	31 (M-29 F-2)	<ul style="list-style-type: none"> <li>i) Share designing project work update with presentation on Engineering assessment, Environment and socio economic study findings, safeguard assessment findings, piped network assessment.</li> <li>ii) Share proposed infrastructures, future bidding process, land acquisition process.</li> <li>iii) Coordination issues and required support of municipalities.</li> <li>iv) Three hill municipalities were very much interested to upcoming project.</li> </ul>	<p>Shared proposed locations including quantity of land and proposed infrastructures.</p> <p>Discussion on safeguard policy requirements of ADB on involuntary resettlement and land acquisition; establishment of GRM and complaint redress process</p>
<p>Meeting 1 Choudhury para 28 November, 2020</p> <p>Meeting 2 29 October, 2020 at TandT para</p> <p><b>Meeting 3:</b> 30 November, 2020 at Chynga</p> <p><b>Meeting 4</b> 28 October 2021 at Khuholang</p>	4 community consultation meetings	<p><b>Meeting 1</b> Female 7, Male 8 Total 15</p> <p><b>Meeting 2</b> Male=5 Female=7 Total=12</p> <p><b>Meeting 3</b> Female=12  Male 5 Total=17</p> <p><b>Meeting 4</b> Male 10, Female 5 Total 15</p>	<p><b>Issues discussed:</b></p> <p>(i) Opinion of the participants about impact of the project</p> <p>(ii) Impact on livelihood based activities due to project intervention</p> <p>Findings of Consultations: Consultation meetings were held in a cordial atmosphere and each participant took part in discussion spontaneously.</p> <p>The people said, compensation for lost properties must be paid to the genuine owner and also they alerted the concerned authorities about intrusion of dishonest middlemen and broker during compensation payment.</p> <p>They discussed about if they have any complaint on compensation or payment related grievance where to approach for solution. However, they were positive towards project.</p>	<p>The Project Authority will take necessary mitigation measures to compensate the lost assets in accordance with ADB's social safeguard policy. All technical and administrative support will be provided to get compensation from the Deputy Commissioners office as well as to get resettlement benefits from DPHE.</p> <p>As per guidelines of ADB, DPHE prepared the Resettlement Plan to restore livelihood and income of affected persons. To avoid involuntary resettlement DPHE identified and selected government lands and vacant lands for the project. But if any household affected, will be compensated for their lost properties at replacement cost. The project will bring more income and employment opportunities. Affected persons will get priority to get employment in project</p>

Consultation Dates and Venue	Type of consultation	No. of Participants	Key Discussion Issues and Output	Project Response
<b>Meeting 5</b> 28 October 2021 at Bandarban Paurashava		<b>Meeting 5</b> Male 7, Female 3 Total 10		construction works based on qualification and skill.  Regarding GRM it was suggested that the aggrieved persons can lodge their complaint with the project contractor, and to the other members of GRC as well.
Meeting 1 05 April, 2022 Uzanipara area 5 no. ward Bandarban  Meeting 2 05 April, 2022 7 no. ward Shere Bangla road Bandarban	1 community consultation meeting	<b>Meeting 1</b> Male - 03, Female - 05 Total - 08	<b>Issues discussed:</b> (i) Information of the Slum Development Committee (SDC) activities and problem of the areas  <b>Findings of Consultations:</b> Consultation meetings were held in a cordial atmosphere and each participant took part in discussion spontaneously.  Total member in the committee is about 25 (women 11-men 14). The meeting minutes are documented in the register book. The agenda was water problem, COVID 19 awareness. One female member said, there are many problems like sanitation, water crisis, electricity and livelihood. The slum areas have a stand post of water point. They use the community latrine for 5 families. Paurashava had provided a latrine. But the water crisis is a big issue for them. They buy water BDT 100 per day when pipe water is not available. They collect water in drums in the Rainy season. The discussion was held with Rokhana (president) and Ungsang Marma (member) of SDC.	The Project Authority will take necessary mitigation measures to install community and HH latrine according to project probation. The community needs to have awareness programs and campaigns.
Meeting 2 05 April, 2022 7 no. ward Shere Bangla road Bandarban	1 community consultation meeting	<b>Meeting 2</b> Male - 3 Female - 7 Total -10	Total member in the committee is about 15 (women 04-men 10). They document their meeting minutes in the register. The agendas were water problem, COVID 19 awareness, drain, and road. One female member said, there are many problems like sanitation, water crisis, water logging, electricity and livelihood. They remain for 7-8 days under the water, at least 1 floor of their house	

Consultation Dates and Venue	Type of consultation	No. of Participants	Key Discussion Issues and Output	Project Response
			<p>remains submerged. Water rises about 9-10 ft. At that time they lived outside. For water logging, they had submitted a letter to the community. The poor areas have no water supply at household level. They depend on pond water which belongs to the upazila parishad. The authority of Upazila parishad wanted to fill up the pond for developing a market. But community people disagreed to fill up without any other water option. Open defecation is polluting the water and environment. People in those areas have been facing terrible situations. They do not live in the house when the smell comes. Because most of the latrine is going to open drain. We talked with Shefaly and other persons (president) of SDC</p>	

## B. Continued Consultations

74. It is important that government officials, communities, and project staff interacts regularly and purposefully at all stages of the project works implementation. Aiming at promotion of public understanding and fruitful solutions to address the local needs of the communities and issues pertaining to resettlement, various sections of affected persons, community members and other stakeholders were consulted through focus group discussions (FGD), meetings and individual interviews. The opinions of the stakeholders and their perceptions would be obtained during these consultations. The approach adopted for the preparation of RTMRESCP would be continued during the implementation phase. The consultations to be carried out during implementation would include the following:

- (i) Local communities and beneficiaries including the poor, women, SEC and other vulnerable persons, local traders, street vendors (in congested areas, market places, narrow lanes etc.);
- (ii) DPHE and Pourashava officials, Bandarban Hill District Council, elected representatives of people, community members, religious leaders, eminent citizens etc.;
- (iii) Officials of the Deputy Commissioner Office, Forest Department, Horticulture Department, NGOs working in the area including SEC.

75. Continued involvement of those affected by project components is necessary in the RTMRESCP and project preparation, implementation and monitoring process. The PIU will ensure that affected SEC persons and other stakeholders are informed and consulted about the project, its impact, their entitlements and options, and allowed to participate actively in the development of the project. This will be done particularly in the case of vulnerable affected persons, who will be encouraged to choose options that entail the lowest risk. This exercise will be conducted throughout the project—during preparation, implementation, and monitoring of project results and impacts. *Pourashava* level PIU through monitoring support will ensure that stakeholder consultation, participation and information disclosure activities are carried out in project area through the project cycle.

76. PIU will conduct consultations with affected persons, local community and other stakeholders at regular intervals. It will be ensured that local communities including SEC and other stakeholders are provided updated information on the works being implemented, consulted, and allowed to participate actively in the implementation process. It will be ensured that women members in general and SEC in particular participate in the consultation process and raise their issues and concerns in free and fair manner regarding the work activities and their interest in the project. Social safeguard officer, PIU will be responsible for conducting/ arranging participatory consultation and disclosure meetings in such a manner that the affected persons and the stakeholders at community level will feel free to express their views without coercion, fear or hesitation. If there is any change in project design in sites or alignment depending on inputs of the consultation process these will be made known to the affected persons. The consultation will continue throughout during the project implementation. The information will be disseminated to local communities and other key stakeholders by suitable ways and means. The project related information would be prepared in Bengali and explained to participants during consultation meetings.

77. The consultation process will include different techniques viz., individual meetings, key informant interviews, in-depth interviews, public consultation meetings, focus group discussions etc. The consultations will be held with special emphasis on poor, women and other vulnerable

groups. The key informants during the RTMRESCP implementation will include the following but not limited to:

- (i) Local communities in general and SEC in particular,
- (ii) Civil Society Organisations, CBOs and NGOs,
- (iii) Government officials from concerned departments, and
- (iv) Organisations and agencies directly and indirectly associated in project works, and
- (v) Community and religious leaders, trader's association, etc.

78. Issues and concerns raised by local communities during RTMRESCP implementation will be discussed with PIU and the contractor for implementation within the technical and financial limitations. The PIU and PMU will ensure that local communities and other stakeholders are informed about the progress of construction works at regular intervals. Also, the RTMRESCP will be updated in case of change in design resulting in involuntary impacts if any during the implementation.

79. The consultation process will be meticulously documented (with minutes of meetings, recordings with the permission of participants, photographs and signature sheets) and ensure that views of participants particularly the poor, women and other vulnerable persons are recorded and addressed as in appropriate manner. The PIU will monitor the consultations being carried out with groups and individuals and others. The local communities will be informed about the outcome of the decision-making process and confirm how their views were incorporated. Consultations will be carried out in a manner that is commensurate with the local culture and beliefs of the local communities.

80. During consultations, participants will also be informed about the grievance redressal mechanism, eligibility criteria, entitlements, institutional arrangement for RTMRESCP implementation etc. The successful implementation of the project components requires consultations with stakeholders throughout the implementation period.

- (i) The PIU will organize public meetings and will appraise the communities about the progress of construction works, eligibility of different categories of entitled persons and entitlements to be paid in case of adverse impacts.
- (ii) Monthly update of the progress of RTMRESCP implementation and construction works will be displayed at PIU, DPHE Office, Bandarban Pourashva office, Deputy Commissioner Office, and concerned Upazila and Union Parishad offices for public viewing.
- (iii) The PIU will conduct information dissemination by organising public meetings along with Pourashava to solicit the help all stakeholders (local, religious, ward councillors, etc) and encourage the participation of people.
- (iv) Summary of MPR shall also be disclosed at various offices.
- (v) Key features of RTMRESCP, GRM, entitlement matrix, institutional arrangement will be summarized in a booklet/leaflet and distributed among participants during the consultation meetings for better understanding and further participation.
- (vi) Efforts will be made so that vulnerable people are able to take advantage of the development intervention.

### **C. Information Disclosure**

81. Information will be disseminated to local communities, affected persons, SECs other stakeholders at regular intervals during project implementation works. For the benefit of the

affected persons, SECs and community, a summary of the RTMRESCP in Bengali will be disclosed at PIU, DPHE office. Key features of the RTMRESCP, particularly the entitlements, institutional arrangement, grievance redressal mechanism, etc. will be summarized and also shared with stakeholders including affected persons and SECs prior to the impact. A copy of the draft, updated and final RTMRESCP and executive summary of RTMRESCP (in Bengali) will also be disclosed on DPHE's and ADB's website. Also, the executive summary of RTMRESCP will be made available for public viewing at following offices:

- (i) Deputy Commissioner Office, Bandarban;
- (ii) Bandarban *Pourashava* Office;
- (iii) Bandarban Hill District Council Office; and
- (iv) Concerned Upazila and Union Parishad Offices.

82. In addition, a workshop shall be conducted for the disclosure of RTMRESCP with participation from key stakeholders including NGOs, CSOs, CBOs, academic institutions, government officials, and others. The purpose of the stakeholder workshop would be to present and discuss the RTMRESCP and obtain feedback, if any to be incorporated in the document as far as possible, following which the final RTMRESCP will be re-disclosed on the websites of DPHE and ADB.

83. DPHE will disclose all relevant information related to entitlements, compensation, relocation, duration of civil construction work, grievance redress mechanism, as specified in the RTMRESCP in a timely manner, in an accessible place and in a form and language understandable to the local communities and other stakeholders. The report on the disclosure giving detail of date, location will be shared with ADB. The details on consultation including the responsible agency are described in Table 21.

**Table 21: Summary of Consultation and Disclosure Activities**

Project Phase	Activities	Details	Responsible Agency
Project Initiation Phase	Mapping of the project area	project area to be mapped, clearly showing survey numbers of titleholders of land/property proposed for acquisition	Project implementation unit (PIU) in co-ordination with local land revenue office, under the overall supervision of the Project management unit (PMU).
	Stakeholder identification	Cross section of stakeholders to be identified in order to facilitate their participation in the project.	PIUs, under the overall supervision of the PMU
	Project information dissemination; Disclosure of proposed land acquisition and project details	Leaflets containing information on project to be prepared. Public notice will mention the names and survey nos. of titleholders of land/property proposed for acquisition along with project details. Notice will be issued in local newspapers. Web disclosure on website also proposed.	PIUs in coordination with local land revenue office will be involved in information dissemination, under the overall supervision of the PMU. PIUs will be assisted by consultants for leaflet preparation. Notice will be issued from the Deputy Commissioner's office. Executing agency to post notice on its website.
	Stakeholder Meetings	Meetings at community/household level with	PIUs with officials from Deputy Commissioner's/

Project Phase	Activities	Details	Responsible Agency
		titleholders of affected land/property and their family members during project scoping.	Land Acquisition office/ <i>pourashva</i> officials will facilitate meetings to disclose the information to each affected person.
RTMRESCP Preparation Phase	Disclosure of cut-off-date	For land acquisition, Section 4 Notice under ARIPA, 2017 and for nontitle holders (NTHs) start date of DMS and census survey is cut-off-date.	Section 4 notice under ARIPA, 2017 will be published by Deputy Commissioner's Office. PIU with the support of DDC social safeguard specialist will inform the NTHs.
	Social impact assessment surveys	Resettlement framework will be made available in Deputy Commissioner/ Land Acquisition office and PMU office/ PIU office at <i>pourashva</i> level, to be translated in local language, Bengali	PMU/RPMU/PIU will ensure the availability of resettlement framework.
	Formulating compensation measures and rehabilitation measures	Conducting discussions/ meetings/workshops with all affected persons and other stakeholders	PIUs under overall supervision of PMU will conduct all required discussions/ meetings/ workshops and will invite all primary and secondary stakeholders.
	Disclosure of final entitlements and rehabilitation packages	Web disclosure of the resettlement plans. Circulating Copies of resettlement plans to all stakeholders including affected persons, translating summary resettlement plan in local language before conducting final disclosure meeting. Conducting public meetings for resettlement plan approval by affected persons.	PIU will undertake all activities related to circulation of resettlement plan. PIU will arrange public meeting of all stakeholders with affected persons for resettlement plan approval. The PIU and RPMU safeguard personnel will document all the comments and suggestions made by affected persons and will send it to the PMU along with the resettlement plan.
RTMRESCP Implementation Stage	Disclosing final RTMRESCP approved by ADB to all important stakeholders	Final RTMRESCP reviewed and approved by ADB, to be updated/disclosed on the implementing agency/ executing agency's website. The final plan will be disclosed to affected persons and other stakeholders. Ensuring the availability of copy of the approved resettlement plan and ADB involuntary resettlement policy at PMU, PIU,	Executing agency/PMU/RPMU and PIUs



Project Phase	Activities	Details	Responsible Agency
		<i>pourashava</i> and Deputy Commissioner's office.	
	Consultation with Affected persons during RTMRESCP implementation	Meetings/discussions will be arranged with affected persons. Affected households to be identified those who will require rehabilitation assistance.	PIUs will arrange required meetings/ discussions. Social safeguard personnel from PMU, RPMU and PIUs will participate, while PMSC social safeguard consultant will monitor the consultation activities.

## V. POLICY AND LEGAL FRAMEWORK

84. The following sections describe the legal framework for land acquisition and resettlement and rehabilitation principles and entitlements for affected/displaced persons. The legal framework for the project is based on applicable legal and policy frameworks of the Government of Bangladesh, namely The Acquisition and Requisition of Immovable Property Act, 2017 (ARIPA) and ADB's Safeguards Policy Statement (SPS), 2009. The policy and legal framework recognizes the need to support restoration of livelihoods of affected/displaced persons and lays down norms for rehabilitating the affected/displaced persons.

85. An entitlement matrix has been developed based on The Acquisition and Requisition of Immovable Property Act, 2017 (ARIPA) and ADB's Safeguards Policy Statement (SPS), 2009.

### D. The Acquisition and Requisition of Immovable Property Act, 2017 (ARIPA)

86. The Act governing the land acquisition in Bangladesh is "The Acquisition and Requisition of Immovable Property Act, 2017 (Act No. of 2017)" dated 10th July, 2017. Private properties (land, building, and other immovable properties) if any required for the project shall be acquired as per the provisions of this Act.

87. The shortcomings of the Act of 2017 are the following: (i) it does not cover affected/displaced persons without legal rights such as encroachers, informal settlers/squatters, occupiers, informal tenants, lease holders without legal documents, etc. (ii) it does not provide for replacement cost of the property acquired and has no provision for rehabilitation assistance for restoration of livelihoods of displaced persons, and (iii) also the vulnerability of the affected/displaced persons is not acknowledged by the Act.

88. Section 9 of the Act, 2017 (Matters to be considered in determining compensation) lays down the process for determining the amount of compensation to be awarded for any property to be acquired. Under the law, the owners affected by the acquisition will be eligible to receive compensation for (i) land permanently acquired (including standing crops, trees, houses); and (ii) any other impact and damages caused by such acquisition. In accordance with the land acquisition Act, the legal process is initiated by an application by the requiring agency or department to the Deputy Commissioner (DC) of the concerned District/Zila with a detailed map of the proposed area.

- (i) in determining the amount of compensation to be awarded for any property to be acquired under this Part, the Deputy Commissioner shall take into consideration-

- (a) the market value of the property at the date of publication of the notice under section 4:  
*Provided that in determining such market value, the Deputy Commissioner shall take into account the average value, to be calculated in the prescribed manner, of the properties of similar description and with similar advantages in the vicinity during the twelve months preceding the date of publication of the notice under section 4;*
  - (b) the damage that may be sustained by the person interested, by reason of the taking of any standing crops or trees which may be on the property at the time of the making of the joint list;
  - (c) the damage that may be sustained by the person interested by reason of severing such property from his other property;
  - (d) the damage that may be sustained by the person interested by reason of the acquisition injuriously affecting his other properties, movable or immovable, in any other manner, or his earnings; and
  - (e) if in consequence of the acquisition of the property, the person interested is likely to be compelled to change his residence or place of business, the reasonable expenses, if any, incidental to such change.
  - (f) if in consequence of the acquisition of the property, the person interested is likely to be compelled to change his residence or place of business, the reasonable expenses, if any, incidental to such change.
- (ii) While the government is acquiring land, it shall provide the persons interested with compensation of 200 per centum of the market price as defined in sub-section 1(a): Provided that if the government acquires the land for any non-government person then the amount of compensation shall be 300 per centum.
  - (iii) In cases of injuries made under sub-section 1(b), (c), (d) and (e), additional 100 per centum compensation shall be provided.
  - (iv) Notwithstanding any compensation provided under this section, necessary steps may be taken to rehabilitate evicted persons due to acquisition in the prescribed form.

89. The first step in acquiring land is an application to the Ministry of Land, Govt. of Bangladesh through the concerned ministry requesting acquisition/requisition and transfer of the land and property in question. A detailed statement specifying whether the land mentioned in the application is needed for public or private purpose, the area of the land, a sketch-map, purpose for which it could be used, etc. shall be submitted. The Ministry of Land, Govt. of Bangladesh examines the application and sends it to the concerned Deputy Commissioner for necessary action.

90. The Deputy Commissioner then authorizes the Additional Deputy Commissioner related to land (ADC Revenue) to prepare and execute a plan of action for acquisition/requisition. The Deputy Commissioner in turn issues a public notice regarding the acquisition with a view to settling matters relating to payment of compensation to the owner or owners of the property or any other person or persons entitled to compensation, and any other related issues.

#### **E. The Chittagong Hill Tracts (CHT) Development Board Act, 2014**

91. This Act, consisting of 25 sections, establishes the Chittagong Hill Tracts Development Board. It establishes the composition, duties and responsibilities of the above-mentioned Board

as a statutory body which shall have the power to acquire, possess, and transfer both movable and immovable property.

92. Section 15 of the Act deals with land acquisition, if any land is needed for the purpose of performing the functions of the Board. It shall be deemed necessary for public interest and the Board shall accept the approval of the concerned district council for the acquisition of that land. Then the Government may acquire the land in under the provisions of Acquisition and Requisition of Immovable Property Ordinance, 1982, which is replaced by Acquisition and Requisition of Immovable Property Act, 2017 (ARIPA, 2017).<sup>19</sup>

#### **F. Chittagong Hill-tracts (Land Acquisition) Regulation 1958 and Chittagong Hill Tracts (Land Acquisition) Regulation (Amendment) Act, 2019**

93. As per the Act, when any land held on valid title, which is not resumable under the Chittagong Hill-tracts Regulation, 1900, or the rules made thereunder, is required for any public purpose, the Deputy Commissioner may acquire such land by an order in writing under Section 3 (1) of the Act and the Deputy Commissioner shall serve a copy of such order on the person or persons interested (Section 3 subsection 2). Section 4 of the Act outlines the compensation for the land acquisition which includes market value of the land on the date of acquisition; compensation to any structures, bamboos, trees or standing crops attached to the land during the time Deputy Commissioner is taking possession of the land; if any damage is sustained by the person interested at the time of the Deputy Commissioner's taking possession of the land by reason of severing such land from his other land; if any damage is sustained by the person interested at the time of the Deputy Commissioner's taking possession of the land, by reason of the acquisition injuriously affecting his other property, movable or immovable, in any other manner, or his earnings; if in consequence of the acquisition of the land by the Deputy Commissioner the person interested is compelled to change his residence or place of business, the reasonable expenses, if any, incidental to such change; and the damage, if any, *bona fide* resulting from diminution of the profits of the land between the time of the service of a copy of the order or publication of the notice under sub-section (2) of section 3 and the time of the Deputy Commissioner's taking possession of the land.

94. The Subsection 2 of Section 4 of Chittagong Hill-tracts (Land Acquisition) Regulation 1958 is substituted by section 2 of Chittagong Hill Tracts (Land Acquisition) Regulation (Amendment) Act, 2019. Section 2 of the Amendment Act 2019 is aligned with ARIPA, 2017. The Section 2 outlines that in addition to the market value of the land, as provided above, the Deputy Commissioner shall, in every case, award a sum of 200 (two hundred) per centum for public purpose and 300 (three hundred) per centum for private purpose on such market value, in consideration of the compulsory nature of the acquisition.

#### **G. Government of Bangladesh Policy for Small Ethnic Community**

95. The Constitution of Bangladesh ensures affirmative action for small ethnic community peoples and prohibits discrimination inter alia on grounds of race, religion or place of birth, Article 23A of which provides, "the State shall take steps to protect and develop the unique local culture and tradition of the tribes, minor races, ethnic sects and communities". It also spells out in Article 28 (4), "nothing in this Article shall prevent the State from making special provision in favor of women or children or for the advancement of any backward section of citizens".

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<sup>19</sup>In the CHT Development Board Act, 2014, the Act is mentioned.

96. Many of the government laws that are related to the ownership of land and acquisition for the plain land are also applicable to SEC, ethnic minority (EM) and non-ethnic minority people. The laws include the (i) Code of Civil Procedure, 1908; (ii) the East Bengal State Acquisition and Tenancy Act, 1950; and (iii) ARIPA, 2017. However, these laws do not apply in Chittagong Hill Tracts (CHT), where a large proportion of indigenous people (IP) live. The CHT Regulation, 1900 is the single most important law for the CHT. The CHT Regulation, 1900 functions in the nature of a constitutional legal instrument and vets the application of other laws that apply to CHT, among others, by specifying the nature and extent of application of those laws. In addition to CHT Regulation, 1900 the other special laws that apply to the CHT include: (i) CHT Land Acquisition Regulation, 1958; (ii) Hill District Councils Acts, 1989; (iii) CHT Regional Council Act of 1998, (iv) CHT Land Disputes Resolution Commission Act of 2001 and (v) Chittagong Hill Tracts (Land Acquisition) (Amendment) Ordinance, 2018.

#### **H. ADB's Safeguard Policy Statement (2009)**

97. ADB's SPS, 2009 applies to all ADB-financed and/or ADB-administered sovereign projects and their components, regardless of the source of financing, including investment projects funded by a loan, a grant, or other means.

98. The objectives of ADB's Safeguard Policy Statement (SPS) 2009 with regard to involuntary resettlement are: (i) to avoid involuntary resettlement wherever possible; (ii) to minimize involuntary resettlement by exploring project and design alternatives; to enhance, or at least restore, the livelihoods of all displaced persons in real terms relating to pre-project levels; and (iii) to improve the standards of living of the displaced poor and other vulnerable groups.

99. ADB's Safeguard Policy Statements covers physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. It covers them whether such losses and involuntary restrictions are full or partial, permanent or temporary.

100. For any ADB financed projects requiring involuntary resettlement, resettlement planning is an integral part of project design, to be dealt with from the earliest stages of the project cycle, taking into account the following basic principles:

- (i) Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
- (ii) Carry out meaningful consultations with local communities, concerned non-government organizations and other relevant stakeholders. Inform all displaced and affected persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Small ethnic communities, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns. Support the social and cultural institutions of displaced persons and their host population.

- (iii) Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
- (iv) Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- (v) Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards.
- (vi) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
- (vii) Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
- (viii) Prepare a resettlement plan with resettlement impacts elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
- (ix) Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.
- (x) Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
- (xi) Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
- (xii) Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

## **I. Comparison between Bangladesh Laws on Land Acquisition and ADB SPS, 2009 (Safeguards Requirements 2)**

101. Comparative analysis of difference between the national legislation governing land acquisition and principles laid down in ADB SPS, 2009 and measures to bridge the gaps between them are discussed in Table 22.

**Table 22: Comparative analysis between Government of Bangladesh Laws on Land Acquisition and ADB Safeguard Policies  
ADB's SPS 2009 and Land Acquisition Laws of Government of Bangladesh**

Sl. No.	ADB's SPS (2009)	ARIPA, 2017	CHT Development Board Act, 2014 and Chittagong Hill-tracts (Land Acquisition) Regulation 1958 and Chittagong Hill Tracts (Land Acquisition) Regulation (Amendment) Act, 2019	Gap between ADB's SPS and Bangladesh Laws on Land Acquisition	Gap filling measures
1	Involuntary resettlement should be avoided wherever possible.	<b>Section 4 of the Act mentions:</b> Publication of preliminary notice of acquisition of immovable property:(1) Whenever it appears to the Deputy Commissioner that any property in any locality is needed or is likely to be needed for any public purpose or in the public interest, he shall cause a notice to be published at convenient places on or near the property in the prescribed form and manner stating that the property is proposed to be acquired.	Both the CHT Acts, has no direct reference that involuntary resettlement should be avoided.	The Act has no direct statement that involuntary Resettlement should be avoided.	The Implementing Agency (DPHE) will follow ADB's SPS to avoid involuntary resettlement where feasible, if involuntary resettlement impacts cannot be avoided mitigation measures will be taken as per policy.
2	Regarding the compensation issue, ADB safeguards policy 2009 spells out the following points: The borrower/client will provide adequate and appropriate replacement land and structures or cash compensation at full replacement cost for lost land and structures, adequate	<b>Land Acquisition Acts does not clearly mention regarding the 'full replacement cost'</b> . The Section-9 of the ARIPA, 2017 point outs the following: <b>Matters to be considered in determining compensation:</b> (1) In determining the amount of compensation to be awarded for any property to be acquired under this Part, the Deputy Commissioner shall take into consideration- (a) the market value of the property at the date of Publication of the notice under section 4: Provided that in determining such market value, the Deputy Commissioner shall take into account the average value, to be calculated in the prescribed	Section 15 of <b>CHT Development Board Act, 2014</b> deals with land acquisition, if any land is needed for the purpose of performing the functions of the Board. It shall be deemed necessary for public interest and the Board shall accept the approval of the concerned district council for the acquisition of that land. Then the Government may acquire the land in accordance with the provisions of the relevant Act (ARIPA, 2017).  Section 4 of <b>Chittagong Hill-tracts (Land Acquisition) Regulation 1958</b> outlines the compensation for the land acquisition which includes market value of the land on the date of acquisition; compensation to all structures, other assets, trees, standing crops attached to	The ARIPA, 2017 and both the CHT Acts related to land acquisition does not mention about 'full replacement cost' for lost assets.  Payment of compensation at "market value" for the properties acquired for development projects.  The Acts does not mention about the non-titled land users.	The Implementing Agency will ensure the full replacement cost dealing with ADB safeguards policy, and will address the gaps between the government and ADB policy. The project recognises both titleholders and non-titleholders.

SI. No.	ADB's SPS (2009)	ARIPA, 2017	CHT Development Board Act, 2014 and Chittagong Hill-tracts (Land Acquisition) Regulation 1958 and Chittagong Hill Tracts (Land Acquisition) Regulation (Amendment) Act, 2019	Gap between ADB's SPS and Bangladesh Laws on Land Acquisition	Gap filling measures
	<p>compensation for partially damaged structures, and relocation assistance, if applicable, to those persons (i) with formal legal rights to land lost in its entirety or in part; (ii) persons who lost the land they occupy in its entirety or in part; and (iii) who have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national laws.</p>	<p>manner, of the properties of similar description and with similar advantages in the vicinity in twelve months preceding the date of publication of the notice under section 4; (b) the damage that may be sustained by the person interested, by reason of the taking of any standing crops or trees which may be on the property at the time of the making of the joint list; (c) the damage that may be sustained by the person interested by reason of severing such property from his other property; (d) the damage that may be sustained by the person interested by reason of the acquisition injuriously affecting his other properties, movable or immovable, in any other manner, or his earnings; and (e) if in consequence of the acquisition of the property, the person interested is likely to be compelled to change his residence or place of business, the reasonable expenses, if any, incidental to such change. (2) While the government is acquiring land, it shall provide the persons interested with compensation of 200 per centum of the market price as defined in sub-section 1(a): Provided that if the government acquires the land for any non-</p>	<p>the land; compensation for the damage caused for severing such land from the other land due to acquisition; compensation for injuriously affecting the land owners other property, movable or immovable, in any other manner, or his earnings; compensation for change in residence or place of business, the reasonable expenses, if any, incidental to such change.</p> <p>Section 2 of <b>Chittagong Hill Tracts (Land Acquisition) Regulation (Amendment) Act, 2019</b> outlines that in addition to the market value of the land, as provided above, the Deputy Commissioner shall, in every case, award a sum of 200 (two hundred) per centum for public purpose and 300 (three hundred) per centum for private purpose on such market value, in consideration of the compulsory nature of the acquisition.</p>		

Sl. No.	ADB's SPS (2009)	ARIPA, 2017	CHT Development Board Act, 2014 and Chittagong Hill-tracts (Land Acquisition) Regulation 1958 and Chittagong Hill Tracts (Land Acquisition) Regulation (Amendment) Act, 2019	Gap between ADB's SPS and Bangladesh Laws on Land Acquisition	Gap filling measures
		government person then the amount of compensation shall be 300 per centum. (3) In cases of injuries made under sub-section 1(b), (c), (d) and (e), additional 100 per centum compensation shall be provided. (4) Notwithstanding any compensation provided under this section, necessary steps may be taken to rehabilitate evicted persons due to acquisition in the prescribed form.			
3	For those persons described in para. 7(iii), the borrower/client will compensate them for the loss of assets other than land, such as dwellings, and also for other improvements to the land, at full replacement cost. The entitlements of those under para 7(iii) is given only if they occupied the land or structures in the project area prior to the cut-off date for eligibility for			The Act does not mention cut-off date. The Act is applicable to land owners only.	The Implementing Agency will ensure payment of compensation to both title holders and non-title holders for lost assets.



SI. No.	ADB's SPS (2009)	ARIPA, 2017	CHT Development Board Act, 2014 and Chittagong Hill-tracts (Land Acquisition) Regulation 1958 and Chittagong Hill Tracts (Land Acquisition) Regulation (Amendment) Act, 2019	Gap between ADB's SPS and Bangladesh Laws on Land Acquisition	Gap filling measures
	resettlement assistance.				
4	As per ADB safeguards policy, displaced persons in a project area could be of three types: (i) persons with formal legal rights to land lost in its entirety or in part; (ii) persons who lost the land they occupy in its entirety or in part who have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national laws; and (iii) persons who lost the land they occupy in its entirety or in part who have neither formal legal rights nor recognized or recognizable claims to such land. The involuntary resettlement requirements apply to all three types of displaced persons.	<b>ARIPA, 2017 of the GOB does not allow to be compensated to the persons who do not have legal title of the lands/ assets to be acquired.</b> It recognizes only the entitlements of the legal titleholders who are capable of establishing their ownership rights. The only exception is for sharecroppers who have cultivated standing crops under a legally constituted written agreement; they are entitled to a part of the compensation money as provided for in the written agreement. <b>12. Payment of compensation to bargadar:</b> (sharecropper) Notwithstanding anything contained in this Act, when the property acquired under this Part contains standing crops cultivated by <i>bargadar</i> , such portion of the compensation as may be determined by the Deputy Commissioner for the crops shall be paid to the <i>bargadar</i> . <b>23.</b> Payment of compensation: (1) On section 22, the Deputy Commissioner's the compensation awarded by him to the thereto according to the award, and shall prevented by any of the contingencies (2).	Both the CHT Acts, has no reference to persons who do not have formal legal rights to the land.	Gap between ADB SPS and Bangladesh Laws on land acquisition  Act is not applicable to non-titleholders.	Non-titleholders are considered eligible to receive compensation as per ADB safeguards policy and is recognised by the project.

Sl. No.	ADB's SPS (2009)	ARIPA, 2017	CHT Development Board Act, 2014 and Chittagong Hill-tracts (Land Acquisition) Regulation 1958 and Chittagong Hill Tracts (Land Acquisition) Regulation (Amendment) Act, 2019	Gap between ADB's SPS and Bangladesh Laws on Land Acquisition	Gap filling measures
5	Preference will be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based	The law indicate cash compensation for properties to be acquired.	The <b>Chittagong Hill-tracts (Land Acquisition) Regulation 1958</b> indicate cash compensation for properties to be acquired.	Gap between ADB SPS and Bangladesh Laws on land acquisition.	The Project may consider land for land for vulnerable affected persons on case to case basis
6	The rate of compensation acquired housing, land and to assets will be calculated at replacement costs. The calculation of full replacement cost will be based on following elements: (i) fair market value; (ii) transaction costs; interest accrued, (iv)transition and restoration costs; and other applicable payments,	Section-9 of the Land Acquisition is mentioned: 9. Matters to be considered in determining compensation: (1) In determining the amount of compensation to be awarded for any property to be acquired under this Part, the Deputy Commissioner shall take into consideration- (a) the market value of the property at the date of publication of the notice under section 4; Provided that in determining such market value, the Deputy Commissioner shall take into account the average value, to be calculated in the prescribed manner, of the properties of similar description and with similar advantages in the vicinity during the twelve months preceding the date of publication of the notice under section 4; (b) the damage that may be sustained by the person interested, by reason of the taking of any standing crops or trees which may be on the property at the time of the making of the joint	Section 4 of <b>Chittagong Hill-tracts (Land Acquisition) Regulation 1958</b> outline on the compensation of land and other asset, trees, crops attached to the land, compensation for remaining portion of the land on basis of viability, compensation for remaining other property, movable or immovable, in any other manner, or his earnings, compensation for if the person interested is compelled to change his residence or place of business, the reasonable expenses, if any, incidental to such change.	Partial alignment of Bangladesh Laws on land acquisition with ADB SPS.	ADB safeguards policy is consistent with the Govt. acts at large in case of considering market price/value, however, it is not consistent with the 'Replacement Cost' which needs to be addressed by the Executive Agency in the resettlement and small ethnic community plan.

Sl. No.	ADB's SPS (2009)	ARIPA, 2017	CHT Development Board Act, 2014 and Chittagong Hill-tracts (Land Acquisition) Regulation 1958 and Chittagong Hill Tracts (Land Acquisition) Regulation (Amendment) Act, 2019	Gap between ADB's SPS and Bangladesh Laws on Land Acquisition	Gap filling measures
		list; (c) the damage that may be sustained by the person interested by reason of severing such property from his other property; (d) the damage that may be sustained by the person interested by reason of the acquisition injuriously affecting his other properties, movable or immovable, in any other manner, or his earnings; and € if in consequence of the acquisition of the property, the person interested is likely to be compelled to change his residence or place of business, the reasonable expenses, if any, incidental to such change.			
7	Establishment of Grievance Redress Mechanism/ Committee for resolving the Grievances of the affected persons	<p><b>Land Acquisition Laws does not have any provision of forming GRM/GRC.</b></p> <p>The affected persons may appeal in dealing with the following section of the land acquisition acts:</p> <p><b>Objections against acquisition:</b></p> <p>(1) Any person concerned may file an objection against the acquisition proceeding to the Deputy Commissioner within 15 working days. (2) The Deputy Commissioner shall, speedily hear the objection filed under subsection 1 in the presence of the appellant or an agent, after hearing all such objections and after making such further inquiry, if any,</p>	Under Section 5 of <b>Chittagong Hill-tracts (Land Acquisition) Regulation 1958</b> , an appeal against an order made by the Deputy Commissioner determining the compensation under section 4 shall, if presented within thirty days of the date of service of the notice of such determination, lie to the [Government].	There is no provision of GRM.	As per ADB Safeguards Policy 2009, project specific GRM/ GRC will be established to redress the grievances of the project affected persons and appraise them on the same.

Sl. No.	ADB's SPS (2009)	ARIPA, 2017	CHT Development Board Act, 2014 and Chittagong Hill-tracts (Land Acquisition) Regulation 1958 and Chittagong Hill Tracts (Land Acquisition) Regulation (Amendment) Act, 2019	Gap between ADB's SPS and Bangladesh Laws on Land Acquisition	Gap filling measures
		as he thinks necessary, prepare a report within thirty working days, and in case of a nationally important project within 15 working days, following the expiry of the period specified under sub-section (1) containing his opinion on the objections.			
8	Meaningful consultations with affected persons, project affected communities, and concerned nongovernment organizations, and establish a grievance redress mechanism that would receive and facilitate resolution of the concerns of the affected persons.	<b>No provisions for stakeholder consultations or to establish a grievance redress mechanism.</b> Affected persons may raise objections to land acquisition only after section 5 Notice is issued, while disputes over land acquisition have to be settled through an arbitrator or the courts of law. The Section-4 spells out: <b>4. Publication of preliminary notice of acquisition of immovable property:</b> 1) Whenever it appears to the Deputy Commissioner that any property in any locality is needed or is likely to be needed for any public purpose or in the public interest, he shall cause a notice to be published at convenient places on or near the property in the prescribed form and manner stating that the property is proposed to be acquired.	The CHT Acts have no reference to meaningful stakeholder consultation.  Under Section 5 of <b>Chittagong Hill-tracts (Land Acquisition) Regulation 1958</b> , an appeal against an order made by the Deputy Commissioner determining the compensation under section 4 to the Government.	Gap between ADB SPS and Bangladesh Laws on land acquisition.	Stakeholder consultation and disclosure meetings with the project affected persons are required before starting the starting the acquisition process by the Government. Any grievances will have to be addressed as per established/agreed GRC of the project.
9	Need to conduct census for the Displace Persons	<b>Govt. laws does not have any provision for conducting census/ socio-economic survey</b>	The CHT Acts do not have any provision for conducting census/ socio-economic	Gap between ADB SPS and Bangladesh Laws on land acquisition.	As per ADB safeguards policy census survey for the

Sl. No.	ADB's SPS (2009)	ARIPA, 2017	CHT Development Board Act, 2014 and Chittagong Hill-tracts (Land Acquisition) Regulation 1958 and Chittagong Hill Tracts (Land Acquisition) Regulation (Amendment) Act, 2019	Gap between ADB's SPS and Bangladesh Laws on Land Acquisition	Gap filling measures
	(DPs) for resettlement plan	<p><b>for those who will be displaced due to land acquisition.</b></p> <p>The laws spell out: <b>40. Power to enter and inspect: (1)</b> With a view to acquiring or requisitioning any property or determining the compensation payable in respect thereof or securing compliance with an order made under this Act, the Deputy Commissioner or any officer, generally or specially authorized by the Deputy Commissioner in this behalf, and any of the assistants and workmen may- (a) enter upon and survey and take levels of any property; (b) inspect any property or anything therein; (c) measure and set out the boundaries and prepare a plan of any property and the intended line of the work, if any, proposed to be made thereon; (d) mark such levels, boundaries and line by placing marks and cutting trenches, and, where otherwise the survey cannot be completed and the levels taken and the boundaries and line marked, cut down and clear away any part of any standing crop, tree or jungle:</p> <p><b>41. Power to obtain information:</b> With a view to acquiring or requisitioning any property or determining the compensation payable in respect thereof, the Deputy Commissioner may, by</p>	survey for those who will be displaced due to land acquisition.		<p>affected households for the assessment of the affected properties required, and the findings will be incorporated in the resettlement and small ethnic community plan (RTMRESCP).</p> <p>As the project is implemented in <i>pourashava</i> towns under Chittagong Hill Tracts, resettlement and small ethnic community plan (RTMRESCP) will be prepared.</p>

SI. No.	ADB's SPS (2009)	ARIPA, 2017	CHT Development Board Act, 2014 and Chittagong Hill-tracts (Land Acquisition) Regulation 1958 and Chittagong Hill Tracts (Land Acquisition) Regulation (Amendment) Act, 2019	Gap between ADB's SPS and Bangladesh Laws on Land Acquisition	Gap filling measures
		order in writing, require any person to furnish to such officer or authority, as may be specified in the order, such information in his possession as may be specified relating to any property which is acquired or requisitioned, or intended to be acquired or requisitioned, under this Act.			
10	A comprehensive income and livelihood rehabilitation program, supported by an adequate budget, is in place to help displaced persons improve, or at least restore, their incomes and livelihoods	Govt. laws does not have any provision for providing livelihoods support for those who will be displaced due to land acquisition.	The CHT Acts do not any provision for providing livelihoods support for those who will be displaced due to land acquisition.	Gap between ADB SPS and Bangladesh Laws on land acquisition.	Livelihood restoration/ support program and budget will be included in the RTMRESCP document.

## **J. Comparison Between Government of Bangladesh Policy on Small Ethnic Communities and ADB SPS, 2009 (safeguards requirement 3)**

102. **Government of Bangladesh Policy.** The Constitution of Bangladesh ensures affirmative action for small ethnic community peoples and prohibits discrimination inter alia on grounds of race, religion or place of birth, Article 23A of which provides, "the State shall take steps to protect and develop the unique local culture and tradition of the tribes, minor races, ethnic sects and communities". It also spells out in Article 28 (4), "nothing in this Article shall prevent the State from making special provision in favour of women or children or for the advancement of any backward section of citizens".

103. Many of the government laws that are related to the ownership of land and acquisition for the plain land are also applicable to SEC, ethnic minority (EM) and non-ethnic minority people. The laws include the (i) Code of Civil Procedure, 1908; (ii) the East Bengal State Acquisition and Tenancy Act, 1950; and (iii) ARIPA, 2017. According to the Gazette of Bangladesh Cultural Ministry, dated March 23, 2019, 50 types of small ethnic communities live in Bangladesh.

104. **ADB SPS on indigenous peoples safeguards.** Over more than a decade, ADB (as well as other development partners) has developed rigorous procedures to assess the likely impact of its projects or programs on indigenous peoples, and then to incorporate appropriate measures through indigenous peoples' plans (IPPs). These are articulated in the 2009 Safeguards Policy Statement (particularly Safeguards Requirement 3 on indigenous peoples).

105. ADB SPS provides details of the process to be followed for the assessment and mitigation of indigenous peoples impacts, while Government of Bangladesh defines who such peoples are, and the specific terminology to be used for such community groups in Bangladesh. The broad outlines of ADB's operational procedures are provided below, with a particular focus on the safeguards for indigenous peoples. It may be mentioned that there are no such procedures or requirements of Government of Bangladesh, for projects/projects involving impacts to SEC.

106. As per ADB policy, at the project identification stage, project screening and categorization are undertaken to determine the significance of potential impacts or risks that the project might present with respect to indigenous peoples, to identify the level of assessment and institutional resources required to address safeguard issues, and to determine the information disclosure and consultation requirements. The project team uses screening checklists to this effect. A proposed project is then assigned to different categories, depending on the significance of the potential impacts on indigenous peoples. It is classified as Category A, if the impacts are likely to be significant: an Indigenous Peoples Plan (IPP), including assessment of social impacts, is required. It is Category B, if considered likely to have limited impacts on indigenous peoples, and an IPP is also required. A proposed project is Category C if not expected to have impacts on indigenous peoples, and no further action is required. An initial poverty and social analysis is prepared for every project as early as possible in the project cycle.

107. The SPS articulates the role and responsibilities of the ADB on the one hand, and borrowers or clients on the other. The implementation of the provisions of the safeguard policies is the responsibility of the latter. They are required to undertake social and environmental assessments, to carry out consultations with the affected people and communities, prepare and implement safeguard plans (including the IPPs), and prepare and submit monitoring reports. ADB's role is to explain policy requirements to borrowers and clients, help them meet these requirements during project processing and implementation through capacity-building programmes, ensure due diligence and review, and provide monitoring and supervision.

108. ADB SPS outlines the main points of social impact assessment that should be covered by an IPP. It should, in summary: review the legal and institutional framework applicable to indigenous peoples in the project context; provide baseline information on the demographic, social, cultural and political characteristics of the affected indigenous peoples communities; identify key project stakeholders, and elaborate a culturally appropriate and gender-sensitive process for meaningful consultation, at each stage of preparation and implementation; assess the potential adverse and positive effects of the project; assess the perceptions of affected indigenous peoples about the project and its impact; and recommend measures to avoid adverse effects (or at least minimize, mitigate and compensate for such effects), and ensure that indigenous peoples receive culturally appropriate benefits under the project.

109. ADB has special procedures for financing modalities such as sector lending. For any sector investment project that classified as A or B for indigenous peoples, the project team works with the borrower/client to prepare an “Indigenous Peoples Planning Framework” (IPPF). This will guide the selection, screening and categorization of any projects; social and environmental assessment; and the preparation and implementation of the safeguard plans of projects. Among other things, the IPPF should assess the adequacy of the borrower/client’s capacity to implement national laws and ADB requirements; specify implementation procedures, including the budget, institutional arrangements, and capacity development requirements; specify monitoring and reporting requirements; and describe the responsibilities of the borrower/clients in relation to the preparation, implementation and progress review of safeguard documents of projects.

110. As mentioned above, there is a difference in the terminology and processes used by ADB and Government of Bangladesh. In the context of CHT- IRUWSSP , the Government of Bangladesh’s official term “small ethnic community/communities” is adopted, while referring to small ethnic/indigenous peoples groups. The above processes recommended under ADB SPS are contextualized for CHT- IRUWSSP and a Small Ethnic Communities Planning Framework is prepared in lieu of an IPPF, to guide project preparation involving SEC impacts if any, after loan approval. Likewise, for projects involving impacts to SEC, standalone small ethnic communities plan (SECP) or combined resettlement and small ethnic communities’ plans (RTMRESCP) and/or due diligence reports including specific action plans for inclusion of the SEC in project benefits and maximization of such benefits to the SEC, are proposed under CHT- IRUWSSP , to ensure that process gaps are bridged, while the government’s recommended terminology is followed.

111. Gap analysis on the National Policies (Government of Bangladesh) on Small Ethnic Community and ADB SPS 2009 is presented in Table 23.

**Table 23: Gap Analysis on National Policies (Government of Bangladesh) on Small Ethnic Community and ADB SPS 2009**

ADB Indigenous Peoples Policy Principles	Government of Bangladesh (GOB) Policies	Gap Analysis and Measures to Bridge the Gaps
<p><b>Policy Principle 1:</b> Screen early on to determine (i) whether Indigenous Peoples are present in, or have collective attachment to, the project area; and (ii) whether project impacts on Indigenous Peoples are likely.</p>	<p><b>Constitution of Bangladesh</b> ensures affirmative action for small ethnic community peoples and prohibits discrimination inter alia on grounds of race, religion or place of birth, <b>Article 23A</b> of which provides, “the State shall take steps to protect and develop the unique local culture and tradition of the tribes, minor</p>	<p>The Constitution of Bangladesh does not specify on early screening of projects for indigenous people, termed as ‘small ethnic community’ (SECs) by the Constitution.</p>



ADB Indigenous Peoples Policy Principles	Government of Bangladesh (GOB) Policies	Gap Analysis and Measures to Bridge the Gaps
	races, ethnic sects and communities”.	The Project shall screen the subprojects early to determine the presence of SECs.
<p><b>Policy Principle 2:</b> Undertake a culturally appropriate and gender-sensitive social impact assessment or use similar methods to assess potential project impacts, both positive and adverse, on Indigenous Peoples. Give full consideration to options the affected Indigenous Peoples prefer in relation to the provision of project benefits and the design of mitigation measures. Identify social and economic benefits for affected Indigenous Peoples that are culturally appropriate and gender and intergenerationally inclusive and develop measures to avoid, minimize, and/or mitigate adverse impacts on Indigenous Peoples.</p>	<p><b>Article 28 (4) of the Constitution of Bangladesh</b> mentions, "nothing in this Article shall prevent the State from making special provision in favor of women or children or for the advancement of any backward section of citizens"</p> <p><b>Bangladesh Environment Conservation Act (BECA), 1995</b>, mandates obtaining environmental clearance from the Director General, Department of Environment for which detailed rules on, inter alia, Environmental Impact Assessment (EIA) is specified in the <b>Environment Conservation Rule, 1997</b>. The EIA requires to carry out baseline data generation and impact assessment including the social receptors; this helps in generating socio-economic profile of the area and it assists the project developers in identifying priority areas for their socioeconomic development programmes.</p>	<p>Although the Constitution of Bangladesh mentions about making special provisions for women, children and any backward section of citizens, it or any Act, under GOB does not speak about conducting social impact assessment.</p> <p>Partial equivalence is noted in conducting social impact assessment, which is included in the EIA and mitigation plans prepared accordingly.</p> <p>The project will conduct social impact assessment in a culturally appropriate and gender-sensitive manner. The SIA will capture both positive and adverse impacts due to the project on SECs and will include measures to avoid, minimize and/or mitigate any adverse impacts to SECs.</p>
<p><b>Policy Principle 3:</b> Undertake meaningful consultations with affected Indigenous Peoples communities and concerned Indigenous Peoples organizations to solicit their participation (i) in designing, implementing, and monitoring measures to avoid adverse impacts or, when avoidance is not possible, to minimize, mitigate, or compensate for such effects; and (ii) in tailoring project benefits for affected Indigenous Peoples communities in a culturally</p>	<p><b>Acquisition and Requisition of Immovable Property Act 2017</b> states that affected persons may raise objections to land acquisition only after section 5 Notice is issued, while disputes over land acquisition have to be settled through an arbitrator or the courts of law.</p>	<p>No provisions for consultations with SECs or to establish a grievance redress mechanism to facilitate resolution of grievances received from SEC. There is no specific mention of SECs in ARIPA 2017.</p> <p>The project will undertake meaningful consultation with the</p>

ADB Indigenous Peoples Policy Principles	Government of Bangladesh (GOB) Policies	Gap Analysis and Measures to Bridge the Gaps
<p>appropriate manner. To enhance Indigenous Peoples' active participation, projects affecting them will provide for culturally appropriate and gender inclusive capacity development. Establish a culturally appropriate and gender inclusive grievance mechanism to receive and facilitate resolution of the Indigenous Peoples' concerns.</p>		<p>small ethnic community people, in a culturally appropriate manner at a location suitable for the SEC community to attend the meetings. The meetings will be conducted in a language understandable to the SEC community. The grievance redress committee at the PMU level (3<sup>rd</sup> level grievance) will have a representative from small ethnic community.</p>
<p><b>Policy Principle 4:</b> Ascertain the consent of affected Indigenous Peoples communities to the following project activities: (i) commercial development of the cultural resources and knowledge of Indigenous Peoples; (ii) physical displacement from traditional or customary lands; and (iii) commercial development of natural resources within customary lands under use that would impact the livelihoods or the cultural, ceremonial, or spiritual uses that define the identity and community of Indigenous Peoples. For the purposes of policy application, the consent of affected Indigenous Peoples communities refers to a collective expression by the affected Indigenous Peoples communities, through individuals and/or their recognized representatives, of broad community support for such project activities. Broad community support may exist even if some individuals or groups object to the project activities.</p>	<p>Many of the government laws that are related to the ownership of land and acquisition for the plain land are also applicable to SEC, ethnic minority (EM) and non-ethnic minority people; these include the (i) <b>Code of Civil Procedure, 1908</b>; (ii) the <b>East Bengal State Acquisition and Tenancy Act, 1950</b>; and (iii) <b>ARIPA, 2017</b>. These laws do not apply in Chittagong Hill Tracts (CHT), where a large proportion of indigenous people (IP) live. The <b>CHT Regulation, 1900</b> is the single most important law. CHT Regulation, 1900 the other special laws that apply to the CHT include: (i) <b>CHT Land Acquisition Regulation, 1958</b>; (ii) <b>Hill District Councils Acts, 1989</b>; (iii) <b>CHT Regional Council Act of 1998</b>, (iv) <b>CHT Land Disputes Resolution Commission Act of 2001</b> and (v) <b>Chittagong Hill Tracts (Land Acquisition) (Amendment) Ordinance, 2018</b>. SEC customary use of land in the CHT is not recognized by the government and is considered as unclassified forest, village common forest, and government (<i>khas</i>) lands, although different groups of SEC of the CHT have been using such lands from immemorial times as common</p>	<p>There is no provision to take consent of affected SECs or broad community support for any project activities under the law. Clearance for a project is given by Department of Environment based on environment and social impact assessment.</p> <p>For subprojects that involve commercial development of cultural resources and knowledge of SEC/IPs, or physical displacement from traditional or customary lands, or commercial development of natural resources within customary lands, the project will seek broad community support of SEC communities and will be appropriately documented.</p>
<p><b>Policy Principle 5:</b> Avoid, to the maximum extent possible, any restricted access to and physical displacement from protected areas and natural resources. Where</p>		<p>Restricted access and physical displacement from customary land and natural resources will be avoided to the</p>

<b>ADB Indigenous Peoples Policy Principles</b>	<b>Government of Bangladesh (GOB) Policies</b>	<b>Gap Analysis and Measures to Bridge the Gaps</b>
avoidance is not possible, ensure that the affected Indigenous Peoples communities participate in the design, implementation, and monitoring and evaluation of management arrangements for such areas and natural resources and that their benefits are equitably shared.	land or ancestry land of common use.	maximum extent possible. Where unavoidable, affected SECs/ communities will actively participate in the design, implementation and monitoring and evaluation of management arrangements. Benefits from the subproject will be equitably shared.
<b>Policy Principle 6:</b> Prepare an Indigenous Peoples plan (IPP) that is based on the social impact assessment with the assistance of qualified and experienced experts and that draw on indigenous knowledge and participation by the affected Indigenous Peoples communities. The IPP includes a framework for continued consultation with the affected Indigenous Peoples communities during project implementation; specifies measures to ensure that Indigenous Peoples receive culturally appropriate benefits; identifies measures to avoid, minimize, mitigate, or compensate for any adverse project impacts; and includes culturally appropriate grievance procedures, monitoring and evaluation arrangements, and a budget and time-bound actions for implementing the planned measures.	-	Provision for preparation of IPP is not specified under the law. The project authority will prepare Small Ethnic Community Plan (SECP) or Resettlement and Small Ethnic Community Plan (RTMRESCP) for subprojects where indigenous peoples' safeguards are triggered based on the guidelines outlined in the Small Ethnic Community Planning Framework (SECPF).
<b>Policy Principle 7:</b> Disclose a draft IPP, including documentation of the consultation process and the results of the social impact assessment in a timely manner, before project appraisal, in an accessible place and in a form and language(s) understandable to affected Indigenous Peoples communities and other stakeholders. The final IPP and its updates will also be disclosed to the affected Indigenous Peoples communities and other stakeholders.	Under <b>ARIPA 2017, Section 4</b> , the Deputy Commissioner, whenever it appears to him that any property in any locality is needed or is likely to be needed for any public purpose or in public interest, will cause a notice, to be published at convenient places on or near the property in the prescribed form and manner stating that the property is proposed to be acquired.	There is no provision for preparation or disclosure of IPP under the law.  Both draft and final SECP/RTMRESCPs will be disclosed in the communities and on the Project and ADB websites.
<b>Policy Principle 8:</b> Prepare an action plan for legal recognition of customary rights to lands and		Although SEC are recognized, there is no mention of ancestral

<b>ADB Indigenous Peoples Policy Principles</b>	<b>Government of Bangladesh (GOB) Policies</b>	<b>Gap Analysis and Measures to Bridge the Gaps</b>
<p>territories or ancestral domains when the project involves (i) activities that are contingent on establishing legally recognized rights to lands and territories that Indigenous Peoples have traditionally owned or customarily used or occupied, or (ii) involuntary acquisition of such lands.</p>		<p>domains or customary lands or territories of SECs in the national laws. SEC customary use of land in the CHT is not recognized by the government and is considered as unclassified forest, village common forest, and government (<i>khas</i>) lands, although different groups of SEC of the CHT have been using such lands from immemorial times as common land or ancestry land of common use.</p> <p>A SEC Specific Action Plan will be prepared for legal recognition of customary rights to lands and territories or ancestral domains when the project involves (i) activities that are contingent on establishing legally recognized rights to lands and territories that Indigenous Peoples/SECs have traditionally owned or customarily used or occupied; or (ii) involuntary acquisition of such lands is involved.</p>
<p><b>Policy Principle 9:</b> Monitor implementation of the IPP using qualified and experienced experts; adopt a participatory monitoring approach, wherever possible; and assess whether the IPP's objective and desired outcome have been achieved, taking into account the baseline conditions and the results of IPP monitoring. Disclose monitoring reports.</p>	-	<p>There is no such provision for monitoring under the law, as there is no requirement for SEC preparation and implementation.</p> <p>Implementation of SECPs/RTMRESCPs will be covered by regular internal monitoring activities, as</p>

ADB Indigenous Peoples Policy Principles	Government of Bangladesh (GOB) Policies	Gap Analysis and Measures to Bridge the Gaps
		described further in 'Program for Monitoring and Evaluation' Chapter in SECPF. Monitoring indicators will be included in semi-annual social monitoring reports, which will be disclosed.

### K. Policy Principles for the Project CHT-IRUWSSP

112. In case of discrepancy between the policies of ADB and the national legislation, gap-filling measures will be adopted to bridge the discrepancies. Based on these, the core involuntary resettlement principles applicable are: (i) land acquisition, and other involuntary resettlement impacts will be avoided or minimized exploring all viable alternative project designs; (ii) where unavoidable, time-bound RTMRESCP will be prepared and affected persons will be assisted in improving or at least regaining their pre-program standard of living; (iii) consultation with affected persons on compensation, disclosure of resettlement information to affected persons, and participation of affected persons in planning and implementing projects will be ensured; (iv) vulnerable groups will be provided special assistance; (v) payment of compensation to affected persons including non-titled persons (e.g., informal dwellers/squatters, and encroachers) for acquired assets at replacement rates; (vi) payment of compensation and resettlement assistance prior to the contractor taking physical acquisition of the land and prior to the commencement of any construction activities; (vii) provision of income restoration and rehabilitation; and (viii) establishment of appropriate grievance redress mechanisms.

113. This RTMRESCP including the entitlement matrix, GRM, institutional arrangement, etc is a uniform document mutually agreed upon by both the Government of Bangladesh and ADB to ensure compliance with applicable legal provisions and policies.

114. For any ADB financed projects requiring involuntary resettlement, resettlement planning is an integral part of project design, to be dealt with from the earliest stages of the project cycle, taking into account the following basic principles:

- (i) Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
- (ii) Carry out meaningful consultations with affected persons, host communities, concerned nongovernment organizations and other relevant stakeholders. Inform all displaced and affected persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons'

concerns. Support the social and cultural institutions of displaced persons and their host population.

- (iii) Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
- (iv) Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- (v) Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards.
- (vi) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
- (vii) Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
- (viii) Prepare a resettlement plan for all packages with resettlement impacts elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
- (ix) Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.
- (x) Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
- (xi) Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
- (xii) Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

115. The following Indigenous Peoples safeguard policy principles are applied in ADB financed projects:

- (i) Screen early on to determine (i) whether Indigenous Peoples are present in, or have collective attachment to, the project area; and (ii) whether project impacts on Indigenous Peoples are likely;
- (ii) Undertake a culturally appropriate and gender-sensitive social impact assessment or use similar methods to assess potential project impacts, both positive and adverse, on Indigenous Peoples. Give full consideration to options the affected Indigenous Peoples prefer in relation to the provision of project benefits and the design of mitigation measures. Identify social and economic benefits for affected Indigenous Peoples that are culturally appropriate and gender and inter-generationally inclusive and develop measures to avoid, minimize, and/or mitigate adverse impacts on Indigenous Peoples;
- (iii) Undertake meaningful consultations with affected Indigenous Peoples communities and concerned Indigenous Peoples organizations to solicit their participation (i) in designing, implementing, and monitoring measures to avoid adverse impacts or, when avoidance is not possible, to minimize, mitigate, or compensate for such effects; and (ii) in tailoring project benefits for affected Indigenous Peoples communities in a culturally appropriate manner. To enhance Indigenous Peoples active participation, projects affecting them will provide for culturally appropriate and gender inclusive capacity development. Establish a culturally-appropriate and gender-inclusive grievance mechanism to receive and facilitate resolution of the Indigenous Peoples' concerns;
- (iv) Ascertain the consent of affected Indigenous Peoples communities to the following project activities: (i) commercial development of the cultural resources and knowledge of Indigenous Peoples; (ii) physical displacement from traditional or customary lands; and (iii) commercial development of natural resources within customary lands under use that would impact the livelihoods or the cultural, ceremonial, or spiritual uses that define the identity and community of Indigenous Peoples. For the purposes of policy application, the consent of affected Indigenous Peoples communities refers to a collective expression by the affected Indigenous Peoples communities, through individuals and/or their recognized representatives, of broad community support for such project activities. Broad community support may exist even if some individuals or groups object to the project activities;
- (v) Avoid, to the maximum extent possible, any restricted access to and physical displacement from protected areas and natural resources. Where avoidance is not possible, ensure that the affected Indigenous Peoples' communities participate in the design, implementation, and monitoring and evaluation of management arrangements for such areas and natural resources and that their benefits are equitably shared;
- (vi) Prepare an Indigenous Peoples' plan (IPP) that is based on the social impact assessment with the assistance of qualified and experienced experts and that draw on indigenous knowledge and participation by the affected Indigenous Peoples communities. The IPP includes a framework for continued consultation with the affected Indigenous Peoples communities during project implementation; specifies measures to ensure that Indigenous Peoples receive culturally appropriate benefits; identifies measures to avoid, minimize, mitigate, or compensate for any adverse project impacts; and includes culturally appropriate grievance procedures,

- monitoring and evaluation arrangements, and a budget and time-bound actions for implementing the planned measures;
- (vii) Disclose a draft IPP, including documentation of the consultation process and the results of the social impact assessment in a timely manner, before project appraisal, in an accessible place and in a form and language(s) understandable to affected Indigenous People's communities and other stakeholders. The final IPP and its updates will also be disclosed to the affected Indigenous Peoples communities and other stakeholders;
  - (viii) Prepare an action plan for legal recognition of customary rights to lands and territories or ancestral domains when the project involves (i) activities that are contingent on establishing legally recognized rights to lands and territories that Indigenous Peoples have traditionally owned or customarily used or occupied, or (ii) involuntary acquisition of such lands; and
  - (ix) Monitor implementation of the IPP using qualified and experienced experts; adopt a participatory monitoring approach, wherever possible; and assess whether the IPP's objective and desired outcome have been achieved, considering the baseline conditions and the results of IPP monitoring. Disclose monitoring reports.

## **VI. ENTITLEMENT MATRIX**

116. The project entitlement policy addresses the direct and indirect impacts of construction works and operation on affected households and communities. As per the entitlement matrix prepared for the DPHE project all affected households (irrespective of their legal status, i.e. both titleholder and non-titleholder) 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 vulnerability of the displaced persons, and measures to support livelihood restoration if livelihood impacts are envisaged.

117. Compensation eligibility is limited by a cut-off date. The project entitlement matrix identifies and lists the various types of losses resulting out of the project and specific compensation and resettlement packages for each category. The section of the Entitlement Matrix relevant to this component is given in **Table 21**.

### **A. Types of Losses by Impact Category**

118. Type of losses and affected persons: Acquisition of private land is required for the construction of water supply component in Bandarban town. Approximately, 7.41 acres of private land is required for the construction of a new SWTP, booster station, and OHT respectively. Involuntary resettlement is not likely due to rehabilitation and upgradation of existing SWTPs, CWRs, booster stations, intake structure, and PTWs. However, temporary involuntary impacts have been identified due to the laying of the water supply pipelines (transmission and distribution pipelines) in congested areas across the town.

### **B. Eligibility**

119. As per ADB SPS II Para 7,<sup>20</sup> all affected persons working or living within the project footprint likely to be impacted due to the construction activities and land acquisition, irrespective of the

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<sup>20</sup> ADB SPS SR II para 7 specifies that displaced persons in a project area could be of three type: (i) persons with formal legal rights to land lost in its entirety or in part; (ii) persons who lost the land they occupy in its entirety or in



type/category to which they belong will be eligible to receive compensation and assistance. Shop owners/vendors and employees of shop owners are likely to face involuntary resettlement impacts (temporary income loss) due to the laying of water supply pipelines in Bandarban town.

120. According to ADB SPS 2009 in the context of economic impacts due to involuntary resettlement vis-à-vis, affected persons are those who are economically displaced (loss of productive land, structures, assets, access to assets, income sources, or means of livelihood). The absence of formal legal title to land does not bar the affected person from receipt of compensation and resettlement assistance from the project. Vulnerable affected persons are eligible for additional compensation and assistance and are to be accorded priority in employment in project related construction activities.

121. The entitlement matrix (**Table 21**) summarizes the types of possible losses and corresponding entitlements in accordance with ADB and government policies, based on the principle of replacement cost. In addition to the estimated impacts, the entitlement matrix safeguards unforeseen impacts.

### **C. Cut-Off-Date**

122. The cut-off date for land owners (persons with legal rights) will be the date on which the preliminary notice of acquisition of immovable property under section 4 of the **Acquisition and Requisition of Immovable Property Act, 2017** is published whereas the cut-off date for persons without legal rights (informal settlers - encroachers, squatters, occupiers, etc) shall be the date on which the census survey starts/begins during detailed measurement survey after finalization of design.

123. All affected persons who are identified within the Project footprint on the cut-off date will be entitled to receive compensation for their affected assets, and rehabilitation measures (as outlined in the entitlement matrix below) sufficient to assist them to improve or at least maintain their pre-project living standards, income-earning capacity and production levels. Compensation eligibility is limited by a cut-off date. The DPHE will inform the affected persons and other stakeholders about the cut-off date. The written notices will be provided to the affected persons detailing information about the cut-off; eligibility for compensation, and process of paying compensation.

### **D. Relocation**

124. The project activities will not result in any physical or economic displacement of people. However, temporary disruption in access to shops, kiosks and work sheds resulting in loss of business/income during the network pipeline laying activities shall be reassessed and based on the findings the report will be updated and submitted to ADB for clearance before the start of construction works.

### **E. Assessment of Compensation of the Affected Properties**

125. **Land:** All lands proposed to be acquired under this project will be compensated according to both Government and ADB policies. The design consultants have prepared the site plan overlaying on the cadastral map to define the area that to be acquired.

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part who have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national laws; and (iii) persons who lost the land they occupy in its entirety or in part who have neither formal legal rights nor recognized or recognizable claims to such land.

126. The process of the land acquisition is dealt with the approval of the Administrative Ministry (Ministry of Local Government) and concerned Deputy Commissioner. In determining the amount of compensation for the proposed land parcels, the Deputy Commissioner shall take into consideration the market value of the property at the date of publication of the notice under section 4. The market value is determined, taking into account the average value of similar properties in the immediate vicinity during the twelve months preceding from the date of publication of the notice under section 4. The affected land owners will also be eligible under the law to receive compensation for trees, crops, or any other movable or immovable asset attached to the affected land. The affected land owners will be eligible to receive twice the market price of the land if government is acquiring the land and additional 100 per centum for any assets attached to the land. Under ARIPA, cash compensation under law (CCL) is calculated considering 2 times of the market price of land (as compensation against land loss) plus one time market price of land for compensation against structures and assets attached to the land. Property Valuation Advisory Committee (PVAC) will be formed through a gazette notification, who will review the CCL against the market price (replacement cost) of the land and properties affected by the project, and recommend if any top-up is required, to meet the replacement cost requirement.<sup>21</sup> DPHE will ensure that the replacement cost of land as assessed by the Property Valuation Advisory Committee and the differential if any, between cash compensation under law and the market price identified by PVAC, is paid to the affected landowners. With the enhanced compensation under ARIPA 2017, DPHE assesses that such top-up will not be required. In the event that no differential is observed, PVAC will certify the same.

#### **F. Compensation Mechanism**

127. Compensation for immovable properties acquired for the project shall be compensated in accordance with the provisions of the Acquisition and Requisition of Immovable Property Act, 2017. The Deputy Commissioner shall make an award of the compensation for the property acquired and that will be final. Matters to be considered in determining compensation include the following:

- (i) Market value of the property at the date of publication of the notice U/s 4,
- (ii) The average value of the properties of similar description and with similar advantages in the vicinity during the 12 months preceding the date of publication of the notice U/s 4,<sup>22</sup>
- (iii) Damage that may be sustained (trees, crops, etc) by the persons interested,
- (iv) Severing of property from other property,
- (v) Injurious affecting his other properties (movable or immovable) or his earnings,
- (vi) Compelled to change his residence or place of business.

128. The compensation shall be 200 per centum of the market price determined and the payment of compensation within 60 days from the date of deposit by the Requiring Body.

129. Compensation to all affected families will be paid on the basis of Entitlement Matrix prepared in accordance with GOB and ADB SPS, 2009 policies. Appropriate compensations for all types

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<sup>21</sup> The entitlement matrix considers replacement cost for land compensation. The RTMRESCP budget includes 10% contingency on the overall cost including the land compensation. The contingency will cover the top-up to meet replacement cost requirement, if any, that will be assessed by the Property Valuation Advisory Committee (PVAC).

<sup>22</sup> Any delay in actual implementation will be considered by PVAC while ascertaining the top-up to meet replacement cost requirement.

of impact as identified during socio-economic survey and consultation with the affected persons has been included in the Entitlement Matrix, presented in Table 24.

Table 24: Entitlement Matrix

Sl. No.	Type of Loss	Application (Present use)	Entitled Persons (EPs)	Entitlements	Implementation issues	Responsibility
<b>A. Loss of Land</b>						
A.1	Loss of Private land	Agricultural, homestead, vacant land	Land owner (s) with legal title  Four land owners.	<p>(i) Replacement land of equal or more productive capacity if alternative land is available in the same Mouza or any other place that is acceptable to entitled person(s) <b>Or</b></p> <p>(ii) Cash compensation under land (CCL) as per ARIPA, 2017 or replacement cost for land whichever is higher. If the replacement cost is more than the CCL, the difference is to be paid by the project in the form of assistance</p> <ul style="list-style-type: none"> <li>• All fees, taxes, or other charges, as applicable under relevant laws are to be borne by the project.</li> <li>• Option to be compensated for entire land parcel (if the remaining fragmented plot remains unviable for use), if remaining land is no longer viable</li> <li>• Subsistence allowance for income loss from the affected</li> </ul>	<ul style="list-style-type: none"> <li>• If replacement land is offered then title of land will be in joint name of EP and his/her spouse. Replacement cost of land shall be determined as per the provisions mentioned U/s 9 of Act No. of 2017.</li> <li>• CCL for land and assets attached to the land will be paid through the office of the Deputy Commissioner.</li> <li>• The difference between the replacement cost and the cash compensation under the law will be paid by the Executing Agency as a top up to the cash compensation paid under law to the affected land owners.</li> <li>• The displaced households will be allowed to take all salvage materials of structures, trees and crops free of cost.</li> <li>• One-time Subsistence allowance will be paid to those affected</li> </ul>	Deputy Commissioner, PIU and PMU

Sl. No.	Type of Loss	Application (Present use)	Entitled Persons (EPs)	Entitlements	Implementation issues	Responsibility
				plot for a period of 6 months; • Additional compensation for vulnerable household, as specified in row # F	landowners who have land-based income from the affected plot, to be assessed by project authority and considered under resettlement and rehabilitation cost; • Vulnerable households to be identified during DMS as part of resettlement plan update	
<b>B. Loss of Trees and Crops</b>						
B.1	Loss of standing crops and trees	Standing crops and trees on Affected Lands	Legal titleholder/ tenant/ leaseholder/ sharecropper/ non-titled affected person  3 landowners, if 60 days' advance notice is not provided.	(i) Provision of 60 days' notice to harvest standing seasonal crops. (ii) If harvest is not possible, cash compensation equal to prevailing market price.	The crop value shall be assessed based on the average production per unit of land. The data on average production of crop may be obtained from District Agriculture Department.	PIU and PMU in consultation with the Agriculture Department
<b>C. Loss of Income</b>						
C.1	Loss of Income	Temporary business losses or income loss along the RoW/ proposed	Traders, shop owners and their employees  1211 roadside	(i) Cash compensation equivalent to net income from the affected business for the period of disruption on producing relevant income or income tax return documents; in absence	Determination of income loss during detail census and socio-economic survey conducted and	PIU and PMU

Sl. No.	Type of Loss	Application (Present use)	Entitled Persons (EPs)	Entitlements	Implementation issues	Responsibility
		land for the project	business owners and vendors	of proper income documents, the income will be calculated by the Joint Verification Committee.	part of final resettlement plan preparation. <sup>23</sup>	
<b>D. Vulnerability Assistance</b>						
D.1.	Impact on vulnerable households <sup>24</sup>	Affected due to land acquisition, involuntary resettlement etc.	All affected households identified under vulnerable category. <sup>25</sup>  One affected SEC landowner.	(i) Provide preferential employment in the project construction (ii) Provision of skill training for alternate livelihood for the affected person or any member of the household.  (iii) Vulnerable affected person will receive one-time cash compensation of BDT 10,000 as vulnerability assistance.	(i) Vulnerable households to be identified during DMS as part of resettlement plan update. (ii) The extent of impact will be assessed based on socio-economic survey and assistance for the vulnerable households will be accordingly determined. (iii) Construction contracts will require contractors to employ specific numbers of vulnerable affected persons in their	PIU and PMU

<sup>23</sup> Bangladesh government does not have any directive on minimum wage rate except for readymade garments employees. Minimum wage rate for them is BDT 8000 per month. This Resettlement Plan considers the minimum daily wage rate for the affected employees at current market rate for wage labour, BDT 400.

<sup>24</sup>Vulnerable households / families comprise woman-headed households, households having a person with disability, small ethnic community (SEC) households, elderly-headed households, children including orphans, child workers, Below Poverty Line households, landless households and those without legal title.

<sup>25</sup> Vulnerable households comprise below poverty line households, female-headed households, households with out of school/working children, disabled person-headed household, elderly-headed household or elder, landless household, household with no legal title / tenure security, and Small Ethnic Communities/indigenous people.

Sl. No.	Type of Loss	Application (Present use)	Entitled Persons (EPs)	Entitlements	Implementation issues	Responsibility
			Temporarily affected vulnerable households (temporary income loss)  920 affected road-side business owners and vendors.	Vulnerable affected persons facing temporary impact (temporary loss of income) will receive additional cash compensation of BDT 10000 as vulnerability assistance	construction workforces. (iv) Representation from vulnerable affected persons will be a requirement of all committees and consultation forums for DPHE.	
<b>E. Other Impacts</b>						
.1	Un-anticipated losses	Any other loss not identified in the matrix	Any affected person or affected entity	Unanticipated involuntary impacts will be documented and mitigated based on principles and policies of ARIPA, 2017 and ADB SPS, 2009.	The social safeguard personnel from PMU/PIU will ascertain the nature and extent of impact and loss and finalize the entitlements as per the resettlement policies of government and ADB and update the same into the respective resettlement plan	PIU and PMU

**Note:** \*Vulnerable displaced persons will include the following: persons falling below national poverty line (upper poverty line and lower poverty line), persons with disabilities, landless or without title to land, female-headed households, elderly, children including child labour and orphans, and small ethnic communities. The eligibility for elderly will follow the definition of the Department of Social Service of Ministry of Social Welfare, Government of Bangladesh that uses 65 years age for men and 62 years age for women to define elderly people.

## G. Institutional arrangements and responsibilities for livelihood restoration.

130. **Temporary income loss** will be assessed for traders and their employees, as well as for hawkers and vendors. The SSO PMU, assisted by project consultants will be responsible to ensure compensation against temporary income loss for the actual period of disruption to each affected person facing such loss, per entitlement matrix provisions.

## H. Vendor Assistance

- (i) Compensation and assistance to affected persons must be provided prior to start of civil works. Affected persons will be provided 60 days advance notice, followed by a reminder one week before start of construction, and again, one day before start of construction to ensure no or minimal disruption to livelihood.
- (ii) For construction activities involving disruption for a period of more than a month, provision of alternative sites for hawkers and vendors for continued economic activities. If not possible, allowance based on the net income of the affected business or minimum wage rate for the affected households up to 3 month or the actual period of disruption whichever is more.
- (iii) Mobile hawkers and vendors will be assisted by contractor in moving to alternative locations or on other side of the road during the period of construction. Hawkers and street vendors can shift back to their original location after the construction is complete. To help in continuing the commercial activities of the hawkers and vendors, the adjacent lanes and by lanes that are not covered under the project may be considered. Construction during the night time and traffic diversion for part road will be considered. Signage designating spot for parking will be put up and other vacant space will be allowed for the affected vendors to conduct their business. The civil works will be conducted phase wise on sections of each of the road length which will allow the hawkers and street vendors to move to the opposite side of the road and before and after the construction zone. Contractors will ensure leaving spaces for access between mounds of soil, providing walkways and metal sheets to maintain access across trenches for people and vehicles where required, increased workforces to finish work in areas with impacts on access, timing of works to reduce disruption during business hours.
- (iv) Area will also be designated by DPHE for the hawkers to shift during the construction based on the contractor's schedule after finalization. Notice displayed will contain the road signage and dates for commencement of the civil works. Details will also be shared with the Hawkers Union to enable hawkers to inform their regular customers of the new location during period of construction. Civil works are also proposed to be carried out during 11:00PM to 4:00AM which will have less disruption of livelihood activities.

131. In case of affected persons facing temporary income loss, the RTMRESCP envisages the following steps:

- (i) **Step 1:** Conduct public awareness and information dissemination prior to the impact and prior to construction works by Community Mobilisers.
- (ii) **Step 2:** PMU, Project Consultants and the contractor(s) to jointly confirm exact alignments/mark the extent of excavation on each road section, and the traffic diversion plan.
- (iii) **Step3:** The DPHE Social Safeguards Officer with the close monitoring of the Project Consultants, Social Safeguard Specialist will (a) conduct a transect walk



jointly with the environment and social safeguard unit of PMU and contractor; to determine the extent / nature of impacts. Such walks will establish the need for Detailed Measurement Surveys on each road stretch; (b) conduct a detailed measurement and inventory of losses survey; to establish the number of affected persons/businesses along each proposed feeder pipe alignment/road stretch/sites and potential impacts and enable an inventory of losses., (c) update the RTMRESCP (identifying potential losses), and (d) send the updated RTMRESCP to PMU and ADB for review and approval after detailed designs and surveys are complete.

- (iv) **Step 4:** The PMU with the support of PIU and Project Consultant will distribute identity cards to the affected persons: those facing income losses and those requiring assistance, and vulnerable affected persons. The Community Mobilisers will collect details of bank accounts of affected persons and assist those without bank accounts to open the same.
- (v) **Step 5:** Affected persons can then access the compensation/assistance/allowances provided from the project.
- (vi) **Step 6:** PMU to pay compensation/assistance/allowances prior to displacement in sections ready for construction (as required). The SSO and Project Consultants to closely monitor compensation payment, which can be through account payee cheques.
- (vii) **Step 7:** PMU to give formal clearance to the contractor to proceed with civil works, through a certification. After receiving due clearance contractor will proceed.
- (viii) **Step 8:** PMU to keep accounts, record of affected persons, amounts paid, and receipts record for accounting purposes and submit copies of records in the Semi-annual Social Safeguard Monitoring Report.

132. Details of compensation payments against temporary impacts will be reported in the SSMRs. In case any of the assessed temporary impacts are possible to avoid during civil works, no compensation needs to be paid. Any such avoided impacts will be carefully documented with photographic evidence during construction and consultations with persons assessed as affected in this RTMRESCP, to confirm impact avoidance. Details of any impact avoidance will be presented in the SSMRs.

### **I. Assistance to Affected Vulnerable Households**

133. The following categories of displaced persons are recognized as vulnerable groups in this section: female-headed, elderly-headed, households headed by persons with disability, BPL households,<sup>26</sup> small ethnic community/ indigenous people, landless and non-title holders. In addition to the entitlements specified in the matrix for loss of land, structure, income, the vulnerable affected persons will be entitled to receive one-time vulnerability assistance of BDT 10,000 per affected family. Vulnerable persons will be given priority in work opportunities under the project depending on their skill and willingness to work. Access to financial grants and/or microcredit for livelihood investment as well as organization and logistical support will be provided to set up alternative income generation activity.

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<sup>26</sup>This entitlement matrix calculates the upper poverty line for urban area from the 2016 upper poverty line determined by the Bangladesh Bureau of Statistics (BBS), with added inflation rate 5.4 (*Source: Economic trends Bangladesh Bank, December 2019, Published by Research Department of Bangladesh Bank*). The upper poverty line for the year 2016 for urban area is BDT 2,929 [source: *Report on Household Income and Expenditure Survey 2016, published on October 2017 (latest publication) by Statistics and Information Division, BBS*]. Thus, BPL definition for urban metropolitan is BDT 3087.16 per capita/month in 2019. As such the per capita average monthly household income under BPL stands at BDT 17,905 {3087.16×5.8 (HH size) =17,905}.

## VII. RESETTLEMENT BUDGET AND FINANCING PLAN

134. The resettlement cost estimates include compensation for temporary income loss to shop owners and vendors, vulnerability assistance, consultation, grievance redress and awareness generation cost, contingency cost, etc. The Government of Bangladesh will bear all RTMRESCP costs related to compensation and mitigation and will be responsible for releasing the funds for resettlement and the activities related to the specific action plan for SEC in a timely manner. Water connection to all SEC and other households will be included in the contract provision, therefore, is not included in the budget.

135. The estimated total land acquisition and resettlement cost for the water supply component in Lama is **BDT 27,92,71,128** (US\$ 3.24 million). Of the total budget, the land acquisition cost including 10% contingency is BDT 25,48,87,875 (US\$ 2.96 million), and the resettlement cost including 10% contingency is BDT 2,43,83,253 (US\$ 283,526.20). The land acquisition cost will be disbursed through the concerned Deputy Commissioner's office and the resettlement costs including top-up, if any, will be disbursed by DPHE.

### A. Resettlement Budget

136. A total of 1214<sup>27</sup> persons will be affected comprising 1211 temporary affected persons (facing income loss for an estimated maximum period of 7 days) and 3 permanent affected persons losing land due to acquisition.

137. As per socio-economic survey, out of 32 affected households (29 households affected by temporary income loss and three affected land owners), 25 affected persons are identified to be vulnerable (including one landowner). Out of the total vulnerable affected persons, 13 are SEC and female headed households, 8 are SEC households, 3 are below poverty line households and one SEC affected land owner.

138. Per day income loss – as per socio-economic survey the average income of affected persons is BDT 1322. Additional assistance of BDT 10000 lumpsum for vulnerable affected person is provided for in the budget, in line with the entitlement matrix. Item wise resettlement budget is given in Table 25.

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<sup>27</sup>Estimated for Bandarban town based on sample survey

Table 25: Resettlement Budget

Sr. No.	Item	Unit	Quantity	Rate (BDT)	Rate/ Acre (BDT)	Days/ Factor	Amount (BDT)	Remarks
<b>A</b>	<b>Land owners</b>							
A.1	Acquisition of private land for SWTP and Intake and one OHT (SWTP and Intake – 7.025 acres; OHT – 0.1 acres)	Acre	7.125	-	1,00,00,000	3	21,37,50,000	While the government is acquiring land, it shall provide the persons interested (affected land owners) with compensation of 200 per centum of the market price as defined in sub-section 1(a). Further 100 per centum compensation shall be provided as per section 9 (3).
A.2.	Acquisition of private land for Booster pumping Station (private land yet to be finalised)	Acres	0.06	-	1,00,00,000	3	18,00,000	
	Total Land Cost (1+2)						21,55,50,000	
A.3	Lumpsum cost for all fees, taxes, or other charges, as applicable under relevant laws @ 7.5%. <sup>28</sup> of total land cost						1,61,66,250	
	<b>Estimated Land Acquisition Cost A (1+2+3)</b>						<b>23,17,16,250</b>	Land acquisition cost will be provided by the Office of Deputy Commissioner
<b>B</b>	<b>Additional Compensation for SEC Landowner</b>							
B.1	Additional compensation for SEC affected landowner (considered vulnerable as per the RTMRESCP policy), as specified in row # D.1 of entitlement matrix	No.	1	10000				

10,000

<sup>28</sup> Registration fee for land includes, 1 percent of the property price as registration fee, 1.5 percent as stamp duty, 3 percent as VAT and 2 percent as local government tax

Vulnerability Assistance will be paid by DPHE to the affected SEC land owner							
	<b>Sub-Total of B</b>						<b>10,000</b>
<b>C.</b>	<b>Costs related to Resettlement and Specific Action Plan for SEC - Temporary shop owners/Vendors</b>						
C.1	Assistance for temporary loss of income	No.	1211	1322	-	7	1,12,06,594
C.2	Assistance for the temporary disruption of livelihood to vulnerable households	No.	920	10000		-	92,00,000
	<b>Sub-Total of C</b>						<b>2,04,16,594</b>
<b>D.</b>	<b>Implementation Cost</b>						
D.1	Consultation and to grievance redress (lumpsum)						4,50,000
D.2	Awareness generation and training activities						5,50,000
D.3	Monitoring surveys (100% affected persons and sample of 250 SEC households) - lumpsum						7,50,000
	<b>Sub-total of D</b>						<b>17,50,000</b>
	<b>Total (A+ +B+C+D)</b>						<b>25,38,82,844</b>
<b>E</b>	<b>Contingency (10% of Land Acquisition cost and Resettlement and Rehabilitation cost)#</b>						<b>25,388,284.40</b>
<b>F</b>	<b>Grand Total (A+ B+C+D+E)</b>						<b>27,92,71,128</b>
	US\$ (1 US\$ = 86 BDT)						<b>32,47,338.70</b>

# # (i) Top-up to meet replacement cost requirement, if any, will be assessed by the Property Valuation Committee and will be met from the contingency provision (ii) Crop compensation is not included in the above table, with the assumption that adequate (60 days) advance notice will be provided to the affected landowners. If the 60 days advance notice to harvest crops is not provided to the affected landowners, crop compensation will be paid in line with the entitlement matrix provisions, over and above the compensation to titleholders indicated in the table above. The contingency provision will be used for such compensation, if required. (iii) Based on the socioeconomic survey of OHT land owner, any additional resettlement assistances and allowances as per entitlement matrix will be met from contingency provisions.

## VIII. GRIEVANCE REDRESSAL MECHANISM

### A. Common Grievance Redress Mechanism

139. 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. Public awareness campaign will be conducted to ensure that awareness on the project and its grievance redress procedures is generated and shared with affected persons and other stakeholders. The campaign will ensure that the poor, SEC, vulnerable and others are made aware of the need for and process in availing the GRM.

140. **Common GRM.** A common GRM will be in place for social, environmental, or any other grievances related to the project; the RTMRESCPs and IEEs will follow the GRM described below, which is developed in consultation with key stakeholders. The GRM will provide an accessible and trusted platform for receiving and facilitating resolution of affected persons' grievances related to the project. The multi-tier GRM for the project is outlined below, each tier having time-bound schedules and with responsible persons identified to address grievances and seek appropriate persons' advice at each stage, as required.

141. Across *Pourashava* public awareness campaigns will ensure that awareness on grievance redress procedures is generated through the campaign. The project implementation unit (PIU) under the guidance of Assistant Director RPMU will conduct *pourashava*-wide awareness campaigns to ensure that poor and vulnerable households are made aware of grievance redress procedures and entitlements and will work with the PIU safeguards assistant to help affected persons will have the flexibility of conveying grievances/suggestions by dropping grievance redress/suggestion forms in complaints/suggestion boxes that will be installed by project *pourashavas* or through telephone hotlines at accessible locations, by e-mail, by post, WhatsApp or by writing in a complaints register that will be kept in *pourashava* offices. **Appendix 12** has the sample grievance registration form. Careful documentation of the name of the complainant, date of receipt of the complaint, address/contact details of the person, location of the problem area, and how the problem was resolved will be undertaken. The Assistant Directors from project management unit (PMU), PMU and Project Implementation Unit (PIU) will have the overall responsibility for timely grievance redressal on environmental and social safeguards issues and for registration of grievances, related disclosure, and communication with the aggrieved party ensuring that their grievances are addressed.

142. **Grievance redress process.** In case of grievances that are immediate and urgent in the perception of the complainant, the Social Coordinator, Contractor and Social Safeguard and Environment Specialist from the Project Management Construction Supervision and Design Review consultants (PMCSDRC) on-site will provide the most easily accessible or first level of contact for quick resolution of grievances. Contact phone numbers and names of the concerned PIU safeguards assistant, contractors, PMU safeguards officer, PMCSDRC environmental and social safeguards specialists will be posted at all construction sites at visible locations.

143. **Who can file a complaint:** A complaint may be registered by stakeholders who may be, directly or indirectly affected by the project. A representative can register a complaint on behalf of the affected person or group, provided that the representative is identified by the affected person

or group and submits evidence of the authority to act on their behalf. Sample formats for lodging grievances/complaints are given in **Appendix 12**.

**144. What type of grievance/complaint:** Any comments, complaints, queries and suggestions pertaining to safeguard compliance - environment, involuntary resettlement, and small ethnic communities, design related issues, compensation, service delivery or any other issues or concerns related to the project can be registered. The complaint must indicate the name, date, address/contact details of the complainant, location of the problem area, along with the problem.

**145. Where and how to file a complaint:** The contractor's site office will be the primary point for receiving and lodging any complaint. Apart from that, grievances/suggestions/queries from affected persons can be dropped into suggestion boxes or conveyed through phone or e-mails. Affected persons or any complainant will also be able to register grievances on social, environmental or other related issues, personally to the Complaint Cell at PIU level.

**146. Process and Timeframe:** The grievance redress process and timeframe involved in the GRM.<sup>29</sup> is described below:

- (i) **1st Level grievance redress (Field/site Level).** In case of grievances that are immediate and urgent in the perception of the complainant, concerned officer of PIU will direct the contractor to resolve the complaint and ensure that it is resolved. The Contractor in discussion with the Assistant Engineer, DPHE, representative from Hill District Council (HDC), as nominated, will make efforts to resolve the complaint at the site level. Efforts will be made to resolve all grievances within three(3) days from the date of receipt of a complaint / grievance. If the grievance is not under the contractor's scope, then it will be escalated to second level. The first level grievance redress team will comprise of the following members:
  - a) Chief Executive Officer or in his absence *Pourashava* Secretary
  - b) Executive Engineer, *Pourashava* (Safeguard and Gender Focal person)
  - c) Administrative Officer, *Pourashava*
  - d) Representative of HDC
  - e) Assistant Engineer, DPHE
  - f) Municipal Ward Councillor (designated)
  - g) EHS Supervisor, Contractor
  
- (ii) **2nd Level grievance (PIU Level).** Grievances that cannot be redressed at first level within three days will be brought to the notice of PIU. The head of the respective PIU will try to resolve the grievance/ complaint within a timeframe of seven (7) days of receiving the complaint from the first level with the support of Social and Environment Safeguard Officers, PIU; Municipal ward members where the project will be implemented can be consulted as and when required. Any unresolved complaint at the second level will be taken up to the third level. The composition of 2nd level grievance redress team will be as follows:
  - a) Deputy Project Director
  - b) Head of PIU
  - c) Social and Environmental Officer

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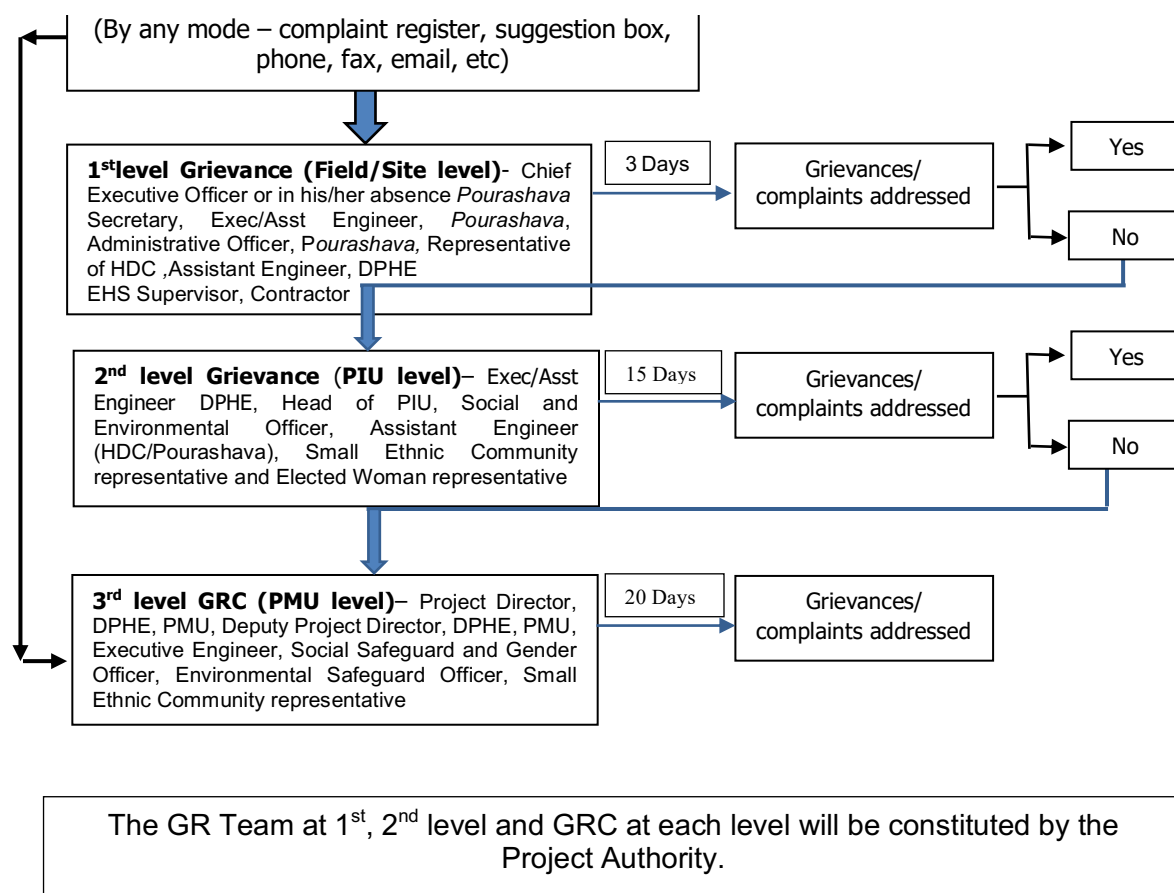
<sup>29</sup>The existing grievance redress mechanism at the level will be integrated to the project GRM. Any project-related complaints received through the government's help lines will be routed through the project GRM.

- d) Assistant Engineer (HDC/Pourashava)
  - e) Small Ethnic Community representative
- (iii) **3rd Level Grievance, PMU Level.** All grievances that cannot be redressed within 7 days at PIU level will be brought up to the PMU level. The PMU safeguards team will refer any unresolved or major issues to the PMU level grievance redress team, that will be headed by the Project Director and will have Deputy Project Director, social safeguard, environment safeguards and gender Assistant Directors and PMCSDRC, who will resolve the complaints/grievances within 20 days. The PMU level grievance team will comprise of:
- a. Project Director, DPHE, PMU
  - b. Deputy Project Director, DPHE, PMU
  - c. Executive Engineer
  - d. Social Safeguard and Gender Officer
  - e. Environmental Safeguard Officer
  - f. Small Ethnic Community representative

147. At the 3rd level grievance redress team, a leader of the SEC community (to ensure that traditional grievance redress systems are integrated) or a member of the Bandarban Hill District Council or an NGO/CSO working with SEC will be a special member, who will help address any complaints from SECs in the project areas.

148. The process of the project GRM is given in **Figure 9**.

**Figure 9: Grievance Redressal Mechanism - (DPHE)**



GR=grievance redress; GRC=grievance redress committee; PIU=project implementation unit; PMU=project management unit

149. The timeframes within which to resolve the issues may be adjusted (to a maximum of 7 additional days at each level) accordingly during extraordinary circumstances, such as lockdowns or travel restrictions imposed by local or national governments due to the ongoing COVID-19 pandemic. The adjustment will depend on the period of interruption during these events and will be decided upon by the PMU.

150. Despite the project GRM, an aggrieved person shall have access to the country's legal system at any stage and accessing the country's legal system can run parallel to accessing the GRM and is not dependent on the negative outcome of the GRM.

151. ADB Accountability Mechanism. If the established GRM is not able to resolve the issue, the affected person can use the ADB Accountability Mechanism<sup>30</sup> through directly contacting (in writing) the Complaint Receiving Officer (CRO) at ADB headquarters. Before submitting a complaint to the Accountability Mechanism, it is recommended that affected people make effort in good faith effort to resolve their problems by working with the concerned ADB operations

<sup>30</sup> Accountability Mechanism. <http://www.adb.org/Accountability-Mechanism/default.asp>.



department (in this case, the Bangladesh Resident Mission (BRM)). Only after doing that, and if they are still dissatisfied, they could approach the Accountability Mechanism. The ADB Accountability Mechanism information will be included in the project-relevant information to be distributed to the affected communities, as part of the project GRM.

**152. Information Dissemination Methods about GRM.** Periodic community meetings will be held by PIUs, and Project consultants with affected communities to understand their concerns and help them through the process of grievance redress (including translation from local dialect/language, recording, and registering grievances of non-literate affected persons and explaining the process of grievance redress) if required. The above Grievance Redress Process will be discussed with the different stakeholders during stakeholder consultation meetings. These meetings will be held with affected persons and community members (beneficiaries) and the concerned local government representatives where civil works are proposed. The process and timelines for grievance redress and contact details of the persons responsible for grievance redress will be shared in the stakeholder meetings. Action taken in respect of all complaints will be communicated to the complainant by letter, over phone or e-mail or text messaging.

**153. Consultation Arrangements for GRM.** This will include group meetings and discussions with affected persons, to be announced in advance and conducted at the time of day agreed on with affected persons and conducted to address general/common grievances; and if required with the Environment/Social Specialist of PMU/PIU for one-on-one consultations. Non-literate affected persons/vulnerable affected persons will be assisted to understand the grievance redress process, at the site office of the contractor and at PIU level, the official appointed to receive grievances will assist the non-literate affected persons to register complaints and follow-up with actions at different stages in the process.

**154. Record Keeping.** Records of all grievances received, including contact details of complainant, date of receiving complaint/grievance, nature of grievance, agreed actions and measures, the date these were affected, and outcome will be kept by PIU. The number of grievances recorded and resolved, and the outcomes will be displayed/disclosed in the PIU office, and on the website of PMU, as well as reported in the semi-annual social and environmental monitoring reports to be submitted to ADB. The Environmental Officer and the Social Safeguard Officer will be responsible for maintaining the grievance record.

**155. Periodic Review and Documentation of Lessons Learned.** The PMU, and PIUs, supported by the Project consultants specialist will periodically review the functioning of the GRM and record information on the effectiveness of the mechanism, especially on the PIU's ability to prevent and address grievances.

**156. Costs.** All costs involved in resolving the complaints (meetings, consultations, communication, and reporting/information dissemination) will be borne by the PMU. Cost estimates for grievance redress are included in resettlement cost estimates.

## IX. INSTITUTIONAL ARRANGEMENTS AND RESPONSIBILITIES

### A. Institutional Arrangements

157. Department of Public Health and Engineering (DPHE) is the Executing Agency (EA) of this project. DPHE as the executing agency shall be responsible for compliance with ADB Safeguard Policy Statement (SPS) 2009. DPHE would be responsible for overall implementation of the project and would contact various agencies, support their functioning and coordinate with concerned Project Implementation Units (PIUs) under overall guidance of the Local Government Division (LGD). A project management unit (PMU) will be established along with project implementation units (PIUs) at the field level to implement the project. Based on the project components to be implemented, four (4) PIUs are proposed under different HDCs and Poursavas as explained in Table 26 below for smooth implementation of the project.

**Table 26: Project Implementation Units in Rangamati, Bandarban and Lama**

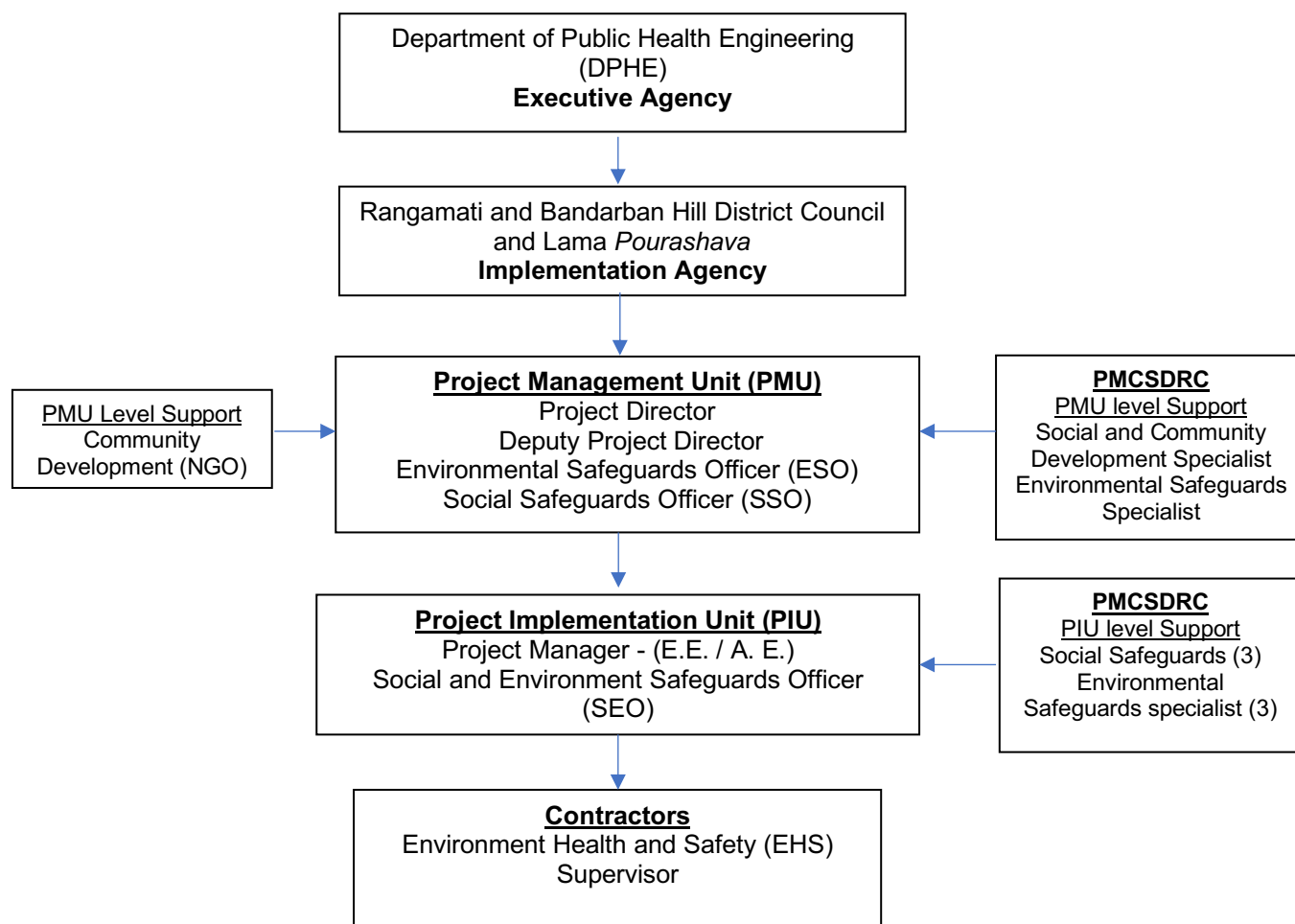
Project Component	Project Implementation Unit (PIU)
Water Supply	Rangamati Hill District Council (HDC)
Water Supply	Bandarban Hill District Council (HDC)
Sanitation services management	Bandarban Pourashava
Water Supply and Sanitation services management	Lama Pourashava

158. **Project Management Unit (PMU).** A project management unit (PMU) will be established to implement the project. PMU will be staffed with two safeguard officers: (i) Environment Safeguard Officer (ESO) and (ii) Social Safeguard Officer (SSO), who will be responsible for compliance with the environmental, social safeguards and community related issues in program implementation respectively. Environment Safeguard Officer and Social Safeguard Officer will have overall responsibility of safeguard implementation in compliance with ADB SPS 2009. PMU SSO will also be supported by a NGO for community development and outreach related activities. At individual project level, Environment Safeguard Officer and Social Safeguard Officer will ensure that environmental assessment and social impact assessment is conducted, and IEE reports and corresponding Environmental Management Plan EMPs and Social Management Plan (SMP) and Resettlement and Tribes, Minor Races, and Ethnic Sects Communities Plan (RTMRESC)S, due diligence reports (DDRs) are prepared and implemented, and the compliance, and corrective actions, are undertaken.

159. Environmental Safeguard Specialist and Social and Community Development Specialist of the Project management, construction, supervision, and design review consultants (PMCSDR) will have primary responsibility of preparing the safeguard documents and supervising the EMP and Resettlement and Tribes, Minor Races, and Ethnic Sects Communities Plan (RTMRESC) implementation, while the Safeguards Officers at PMU will review, approve and oversee the compliance. At each PIU, a Safeguard/Environment Officer of Assistant Engineer rank, AE (SEO), will be responsible for safeguard implementation. AE(SEO) will oversee the safeguards implementation at PIU level and will be responsible for reporting to Environment Safeguard Officer and Social Safeguard Officer at PMU. The AE(SEO) will coordinate public consultation, information disclosure, regulatory clearances and approvals, EMP and Resettlement and Tribes,

Minor Races, and Ethnic Sects Communities Plan (RTMRESC) implementation and grievance redress. In all the three towns of Rangamati, Bandarban and Lama, one Environmental Safeguard officer and Social Safeguards Officer of the Project management, construction, supervision, and design review consultants (PMCSDRC) team will be placed to support the PIUs. Contractor will appoint an Environment, Health and Safety (EHS) supervisor to implement EMP; EHS supervisor of Civil works / DBO Contractor will have responsibilities related to environmental and social safeguards compliance and grievance redress and management at field level.

**Figure 10: Safeguards Implementation Arrangements**



EA = Executive Agency, IA = Implementation Agency, PMU = Project Management Unit, PIU = Project Implementation Unit, C.E. = Chief Engineer, DPHE = Department of Public Health and Engineering, LGD = Local Government Department, S.E. = Superintending Engineer, E.E. = Executive Engineer, A.E.E.= Assistant Executive Engineer, PMCSDRC = Project Management Construction Supervision and Design Review Consultant

## **B. Social Safeguards Roles and Responsibilities**

**160. Project Management Unit (PMU).** Detailed tasks and responsibilities pertaining to social safeguards at the PMU level are as follows. The following tasks will primarily be the responsibility of the Social Safeguards Officer at PMU, who will support the Project Director in accomplishing these tasks:

- (i) ensure projects conform to the agreed project selection criteria for the project;
- (ii) review and finalize project involuntary resettlement and SEC category;
- (iii) oversee preparation of RTMRESCPs including specific action plans for SEC if / as required; confirm existing RTMRESCPs are updated based on detailed designs, and that new project RTMRESCPs are prepared in accordance with the resettlement framework and SEC planning framework prepared in compliance with ADB SPS 2009 and policies, regulations of GOB for the project;
- (iv) be part of consultation activities with affected persons, SEC and other relevant stakeholders from time to time organized by PIUs to ensure free, fair and meaningful consultation are conducted and meeting minutes with signatures of all attendees, photographs of the consultations are maintained;
- (v) responsible for issuing public notice(s) to acquire any particular land/property (if applicable) along with project information/details as well as to declare the project cut-off-date;
- (vi) ensure that RTMRESCPs are included in bidding documents and civil works contracts;
- (vii) provide oversight on social safeguard management aspects of projects and ensure RTMRESCPs/specific action plans for small ethnic communities and impact avoidance measures outlined in the resettlement framework/environmental management plan/ RTMRESCPs are implemented by PIUs and contractors;
- (viii) ensure and monitor the provision in the contract to include the vulnerable affected persons and groups during the project construction work as semi-skilled or unskilled workers;
- (ix) facilitate and ensure compliance with all government rules and regulations and ADB SPS requirements regarding No Objection Certificates, third party certificates for negotiated settlement or donation, land ownership and transfer details, sale or gift deeds etc. for each site, as relevant;
- (x) supervise and guide the PIUs to properly carry out the social safeguard monitoring of RTMRESCPs .
- (xi) review, monitor, and evaluate the effectiveness with which the RTMRESCPs provisions are implemented, and recommend corrective actions to be taken as necessary;
- (xii) consolidate monthly social safeguard monitoring reports from PIUs and with the support of PMCSDRC submit quarterly progress reports (QPR) and semi-annual social safeguard monitoring reports (SSMR) to ADB;
- (xiii) ensure timely disclosure of final RTMRESCPs in locations and form accessible to the public and affected persons;
- (xiv) address any grievances brought about through the GRM in a timely manner;
- (xv) oversee training needs assessment of affected persons and vulnerable persons by PIUs, coordinate training activities with the support of PMCSDRC;
- (xvi) ensure that induction course for the training of contractors is conducted regularly. Prepare contractors (with consultants' support) on Resettlement and Tribes, Minor Races, and Ethnic Sects Communities Plans implementation, social safeguard monitoring requirements related to mitigation measures, health and safety and on taking immediate action to remedy unexpected adverse impacts or ineffective mitigation measures found during the course of implementation;
- (xvii) identify training needs and coordinate training activities for the PIUs/ PMCSDRC/contractors for capacity building to implement the Resettlement and Tribes, Minor Races, and Ethnic Sects Communities Plans, and GRM;

- (xviii) Coordinate orientation on implementation, monitoring and reporting requirements of GESI action plan activities including need for collecting, collating and reporting sex disaggregated for all human related parameters.

**161. Project Implementation Units.** The key social safeguard roles and tasks of the PIUs are listed below. These tasks will be the primary responsibility of the Safeguard/Environment Officer at PIU:

- (i) Provide field data to fill up involuntary resettlement/SEC impact checklist and classify the project;
- (ii) Ensure compliance with government and ADB requirements on social safeguards;
- (iii) Conduct regular site visits, including spot checks, to ensure compliance with social safeguards (involuntary resettlement and SEC safeguards) requirements of the project;
- (iv) Oversee and conduct census and socio-economic surveys, detailed measurement surveys, and verification surveys of affected persons together with PMCSDRC during detailed design, conduct consultations with affected persons, prepare list of affected persons and inventory of loss, and ensure all data required to prepare/update RTMRESCPs including specific action plans for Small Ethnic Communities if / as required, with the assistance of Social, and Community Engagement Specialist of PMCSDRC. Ensure updated information is submitted to PMU for preparation/updating of documents with PMCSDRC and contractor's support;
- (v) Inform affected persons about tentative schedule of land acquisition/occupation, entitlement matrix and compensation packages against different categories of loss, and cut-off date;
- (vi) Coordinate valuation of assets, such as land, trees of various species, etc. based on proper due diligence and assessment, prepare compensation packages;
- (vii) Coordinate, supervise and monitor disbursement of compensation;
- (viii) Obtain no objection certificates (NOCs), land documents, third party certifications (as required) for the project;
- (ix) Support to PMU in preparing/updating RTMRESCPs;
- (x) Oversee day-to-day implementation of impact avoidance and mitigation measures in RTMRESCPs and EMPs by contractors, including compliance with all government rules and regulations particularly health and safety;
- (xi) Oversee maintenance of data for monitoring, by consultants and contractors;
- (xii) Implement corrective actions when necessary to ensure no adverse social impacts;
- (xiii) Submit monthly social monitoring and GESI action plan reports to PMU;
- (xiv) Conduct continuous public consultation and awareness with the support of PMCSDRC safeguard specialists;
- (xv) Set up GRM at field/site/PIU level and ensure it is fully functional prior to start of civil works. Address any grievances brought about through the grievance redress mechanism in a timely manner;
- (xvi) Ensure that contractors are aware about Resettlement and Tribes, Minor Races, and Ethnic Sects Communities Plans implementation, social safeguards monitoring requirements, as well as requirements related to mitigation measures, health and safety and on taking immediate action to remedy unexpected adverse impacts or ineffective mitigation measures found if any, during the course of implementation;

- (xvii) Liaise with the district/sub-district administration and line departments as and when required;
- (xviii) Supervise the work of all consultants at town (PIU) level;
- (xix) Oversee day-to-day implementation and monitoring of final Resettlement and Tribes, Minor Races, and Ethnic Sects Communities Plans/specific action plans for SEC/impact avoidance and mitigation measures in social safeguards documents, if any;
- (xx) Provide field level information required to prepare periodic safeguard monitoring reports in a format acceptable to ADB provided in PAM;
- (xxi) Extend support in carrying out awareness campaigns in project towns.

**162. Project Management Construction Supervision and Design Review Consultant (PMCSDR).** The PMU and PIUs will be supported by Project Management Construction Supervision and Design Review Consultant (PMCSDR) in project management and implementation. The Social and Community Development Specialist of PMCSDR will assist PMU and PIUs in implementing Resettlement and Tribes, Minor Races, and Ethnic Sects Communities Plans, ensure social safeguard compliance at all project locations, including review and updating of all RTMRESCPs. PMCSDR Social and Community Development Specialist (SGCDS) will oversee project implementation, support on policy reform related issues and compliance of all the reporting requirements of GOB, other statutory regulatory bodies and ADB SPS, 2009.

163. The specific tasks of Social and Community Development Specialist of PMCSDR will include the following:

- (i) Assist the PMU/PIUs to screen and categorize project components and ensure adherence to site and project selection criteria.
- (ii) Carry out (a) social baseline data collection, (b) assessment of social risks, and (c) meaningful consultations with affected persons;
- (iii) Ensure the contractors comply with the agreed social safeguards frameworks, Resettlement and Tribes, Minor Races, and Ethnic Sects Communities Plans on social safeguards for the project;
- (iv) Prepare any additional draft RTMRESCPs, update the existing RTMRESCPs (based on revalidation and DMS, before start of construction work), and prepare any new safeguard documents as and when required;
- (v) Assist the PIUs in the implementation of final RTMRESCPs and GESI action plan activities;
- (vi) Assisting with any capacity building activities for stakeholders including PMU, PIUs, contractors;
- (vii) Prepare semi-annual social safeguard monitoring reports, quarterly progress report checklists on social safeguards in format provided in PAM;
- (viii) Collect relevant data on implementation of GESI action plan and design gender sensitive communication strategy and IEC materials illustrating key social and behavior change messages related to hygiene, sanitation and health jointly with the communication specialist and in accordance with the gender action plan;
- (ix) Extend assistance to PMU in carrying out awareness campaigns focused on title rights, operation and maintenance of the residential units and common areas, access to basic civic facilities, health and education facilities, etc.

**164. Civil Works / Design Build and Operate (DBO) Contractors.** The Resettlement and Tribes, Minor Races, and Ethnic Sects Communities Plans will be included in bidding and contract

documents and verified by the PIUs and PMU. All contractors will be required to designate an Environment Health and Safety (EHS) Supervisor to ensure social safeguard compliance / EMP during civil works and operation and maintenance, who will also have the responsibility for communication with the public under the guidance of PMU/PIUs and grievance registration. Contractors are to carry out all compliances as mentioned in their contract.

165. The Civil Works / DBO Contractor shall comply with: (i) all applicable labor laws and core labor standards on (a) prohibition of child labor as defined in national legislation for construction and maintenance activities;(b) equal pay for equal work of equal value regardless of gender, ethnicity, or caste; and (c) elimination of forced labor; and with (ii) the requirement to disseminate information on, COVID-19 safety protocols.<sup>31</sup>(see **Appendix-12**) sexually transmitted diseases, including HIV/AIDS, to employees and local communities surrounding the project sites. The key responsibilities of social safeguard supervisor on social compliance are as follows:

- (i) Work in close coordination with the PIU, design engineers and social safeguards personnel to finalize detailed design keeping the safeguard principles adopted for the project in view.
- (ii) Ensure that all design-related measures (e.g., assessment of alternatives, special considerations for the vulnerable related to facility locations or design, mitigation measures for affected persons) are integrated into project designs before approval.
- (iii) Conduct joint walk-throughs with PIU, design engineers and social safeguards personnel from PMCSDRC at sites/sections ready for implementation; identify the need for DMS and conduct DMS to arrive at the final inventory of loss.
- (iv) Ensure strict adherence to ADB and government policy on social safeguards and the agreed entitlement matrix during implementation.
- (v) Review the RTMRESCPs including the entitlement matrix, category and the EMP, and conduct site visits to understand the environmental and social sensitivity of the project sites.
- (vi) Make sure that that induction course for the training of contractors is conducted regularly. Prepare contractors (with consultants' support) on RTMRESCPs/GESI implementation, social safeguard monitoring requirements related to mitigation measures, health and safety and on taking immediate action to remedy unexpected adverse impacts or ineffective mitigation measures found during the course of implementation;
- (vii) Assist with grievance redress and ensure recording, reporting and follow-up for resolution of all grievances received.
- (viii) Understand the regulatory compliance requirements related to labor welfare, environmental and social safeguards, and occupational health and safety.
- (ix) Ensure that all imported laborers are screened for HIV/AIDS and other infectious and transmissible diseases before being deployed at work sites. Besides, the Contractor must conduct an orientation on the health, occupational safety, movement, and citizenship laws of the country before the work can start and from time to time to avert any issues resulting in conflict with local law and law keepers.
- (x) Assist PIU in disclosing relevant information on construction timelines, GRM to beneficiaries and affected persons including the vulnerable groups.
- (xi) Ensure COVID-19 safety protocols are regularly monitored and followed at each of the construction site.

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<sup>31</sup>World Health Organization. <https://www.adb.org/sites/default/files/publication/715416/covid-19-water-asia-pacific-guidance-note.pdf>

166. The NGO for community development and outreach related activities will support PMU and PIU on awareness generation on smart water use, health and hygiene, water borne disease, water conservation, how to pay user charge for community people including SEC.

### **C. Summary of Social Safeguards Implementation Responsibilities**

167. The PIUs will be responsible for implementation of the Resettlement and Tribes, Minor Races, and Ethnic Sects Communities Plan (RTMRESC)s/specific action plans for indigenous peoples/impact avoidance and mitigation measures in the Resettlement and Tribes, Minor Races, and Ethnic Sects Communities Plan (RTMRESC)s and DDRs, and the PMU for monitoring of the Resettlement and Tribes, Minor Races, and Ethnic Sects Communities Plan (RTMRESC)s. The PIU will undertake surveys and record observations throughout the construction period to ensure that safeguards and mitigation measures are provided as intended. The PMU through the PIUs will arrange for disbursement of compensation to affected persons, implementation and monitoring of safeguards compliance activities, stakeholder consultation and public awareness activities, and ensure activities. PMU will also arrange to obtain no objection certificates and transfers from government agencies and/or other entities, if/as required. It will also coordinate to obtain ROW clearances with related state and national agencies. The PMCSDR Social and Community Development Specialist and Safeguard and Safeguard/Environment Officer of PIUs will supervise data collection for Resettlement and Tribes, Minor Races, and Ethnic Sects Communities Plan (RTMRESC) / due diligence report updating, preparation and implementation and prepare progress reports with respect to Resettlement and Tribes, Minor Races, and Ethnic Sects Communities Plan (RTMRESC) implementation. They will record social impacts at field level during implementation, need to update Resettlement and Tribes, Minor Races, and Ethnic Sects Communities Plan (RTMRESC)s/DDRs and need to prepare Resettlement and Tribes, Minor Races, and Ethnic Sects Communities Plan (RTMRESC)s where no impacts were envisaged and only DDRs prepared.

168. The PIU/PMCSDR will finalize the micro-plans on entitlements for each affected person, disclose the micro-plans to affected persons, and will receive approval from PMU. The PIU along with PMCSDR will ensure disbursement of compensation to affected persons prior to displacement and prior to the impact, and before start of construction.

169. The PIU will assist the PMU in implementing and monitoring the Resettlement and Tribes, Minor Races, and Ethnic Sects Communities Plan (RTMRESC)s/specific action plans for indigenous peoples (duly approved by ADB prior to implementation). PMU and PIU staff capacity needs to be built to ensure that they are fully conversant with public awareness generation activities, consultations and field surveys and an understanding of data entry and quality control.

170. The institutional roles and responsibilities are given in Table 27.

**Table 27: Institutional Roles and Responsibilities**

<b>Activities</b>	<b>Agency Responsible</b>
<b>Project Initiation Stage</b>	
Finalization of sites/alignments for project (on ground)	PMU/PIUs/Contractors
Meetings at community/household level with affected persons and beneficiaries	PMU/PIUs/PMCSDR
Resettlement and Tribes, Minor Races, and Ethnic Sects Communities Plan (RTMRESC) Preparation/ Updating Stage	



Conducting DMS and Survey/Census of all affected persons	PIUs/PMCSDR/Contractor
Conducting FGDs/meetings/workshops during census surveys	PIUs/PMCSDR/Contractor
Verification of survey results, vulnerable households	PMU/PIU/PMCSDR
Computation of compensation	PMU/ PIU assisted by PMCSDR
Conducting discussions/FGD/meetings/workshops with all affected persons and other stakeholders	PIUs/PMCSDR
Finalizing entitlements	PMU/PIUs with support of PMCSDR
Disclosure of final entitlements and compensation packages	PIUs/PMCSDR
Approval of Resettlement and Tribes, Minor Races, and Ethnic Sects Communities Plan (RTMRESCP)/SEC specific action plan budget	JSV and SEC
Approval of Resettlement and Tribes, Minor Races, and Ethnic Sects Communities Plan (RTMRESCP)	ADB
Resettlement and Tribes, Minor Races, and Ethnic Sects Communities Plan (RTMRESCP)/Specific Action Plan Implementation Stage	
Payment of compensation	PMU/ PIUs
Consultations with affected persons during rehabilitation activities Consultations with SEC to enhance their participation and ensure benefits	PIUs/PMCSDR
Implement, monitor and report on all tasks required in the Specific Action Plans for Small Ethnic Communities	
Grievances Redressal	PMU/PIUs/PMCSDR/ Contractor
Internal Monitoring	PMU/PIU

DMS= detail measurement survey; FGD= focus group discussion; GRC = Grievance Redress Committee; MOF= Ministry of Finance; PMU = project management unit; PMCSDR= project design management and supervision consultant; PIU= project implementation unit; SEC=state-level empowered committee.

171. The above institutional arrangement will ensure that:

- (i) Social safeguard issues are addressed.
- (ii) Resettlement framework and Small Ethnic Communities Planning Framework is followed in all resettlement and small ethnic communities' issues.
- (iii) Approved Resettlement and Tribes, Minor Races, and Ethnic Sects Communities Plan and impact avoidance and mitigation measures in RTMRESCP are implemented.
- (iv) Implementation of Resettlement and Tribes, Minor Races, and Ethnic Sects Communities Plans and impact avoidance and mitigation measures is monitored.
- (v) Periodic monitoring reports are prepared in a timely manner and submitted to Project Director, PMU for onward submission to ADB for approval.
- (vi) Database on Resettlement and Tribes, Minor Races, and Ethnic Sects Communities Plans and small ethnic communities specific action plan monitoring and due diligence is updated and maintained.
- (vii) Project grievance redress mechanism established and functional.

#### **D. Safeguards Capacity Building – Social Safeguards**

172. Capacity to handle involuntary resettlement / small ethnic communities' impacts, gender and vulnerability issues, needs to be built in the Project. Training of PMU / PIU staff on aspects such as Resettlement and Tribes, Minor Races, and Ethnic Sects Communities Plan

implementation, social protection, inclusion and gender, including the specific recording, reporting, and disclosure requirements therefore need to be planned separately.

173. For the capacity building of designated safeguard officers and engineers, PMU will organize training programs on social safeguards. The PMCSDRC Social and Community Development Specialist will be responsible for training the PMU's safeguards officers, and PIU's engineers and other staff.

174. Owing to the complexity of Projects spread across a large area, there is a need to specially focus on capacity building on social (distinct social, economic and cultural traits and traditions of SEC and the importance of preserving these, including indigenous knowledge systems, etc.), legal (traditional rights over land and land tenure issues) and technical aspects in such Projects with an adequate budgetary provision. Training on provisions of resettlement framework and SEC planning framework including periodic refresher training will be undertaken.

175. The specific capacity development program will include but will not be limited to:

- (i) sensitization on ADB's policies and guidelines on social and SEC safeguards (ADB's Safeguard Requirement 2 and 3: Involuntary Resettlement and SEC) including meaningful consultation, GRM and accountability mechanism;
- (ii) Orientation on project GESI action plan activities, its implementation, monitoring and reporting requirements.
- (iii) introduction to the assessment of involuntary resettlement and SEC impacts and mitigation measures, including best practices, in the design, construction, operation and maintenance of water supply, sewerage, roads, and drainage projects;
- (iv) preparation and review of RTMRESCPs based on preliminary design, and updating of the documents based on the final design;
- (v) Effective communication with stakeholders including elected representatives, media and general masses;
- (vi) improved coordination within nodal departments;
- (vii) disbursement of compensation, consultation; and
- (viii) monitoring and reporting requirements.

## **E. Implementation Schedule**

176. The proposed construction works shall be implemented over a period of two years. The standard conditions of civil contracts require the availability of encumbrance free land for executing the civil construction works. Further, the involuntary resettlement principles require payment of compensation and resettlement assistance to affected persons prior to the impact.

177. No civil construction works, for a particular component of the water supply system in Bandarban town wherein resettlement is involved will begin until the affected persons are paid their due entitlements. The implementation schedule for the RTMRESCP is given in Table 28. Affected persons will be given the notice to vacate the place/site before civil works begin.

Table 28: Schedule of RTMRESCP Implementation

Activity	Months																							
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Establishment of PMU and PIUs																								
Appointment of social safeguards personnel, at PMU and nominating Safeguard/Environment Officer at PIU (Asst. Engineer rank)																								
Appointment of PMCSDRG for PMU and PIU level support																								
Appointment of NGO for community development and outreach																								
Setting up od project level GRM																								
Census and socio-economic surveys																								
Consultations and disclosure																								
Confirmation of government land to be used and transfer from other departments																								
Preparation of draft RTMRESCP																								
Review and approval of draft RTMRESCP by PMU and ADB																								
Finalization of design, detailed measurement survey and updating of draft resettlement plan																								
Issue notice to affected persons																								
Compensation and resettlement assistance																								
Skills training (if required for SECs)																								
Awareness generation on smart water use, health and hygiene, water borne disease, water conservation, how to pay user charge for community people including SEC.																								
Capacity building of DPHE staff, PIU, Contractors																								
Takeover possession of acquired property																								
Internal monitoring																								
Handover land to contractors																								
Start of civil works																								
Rehabilitation of temporarily occupied lands																								Immediately after construction work

## **X. MONITORING AND REPORTING**

### **A. Internal Monitoring**

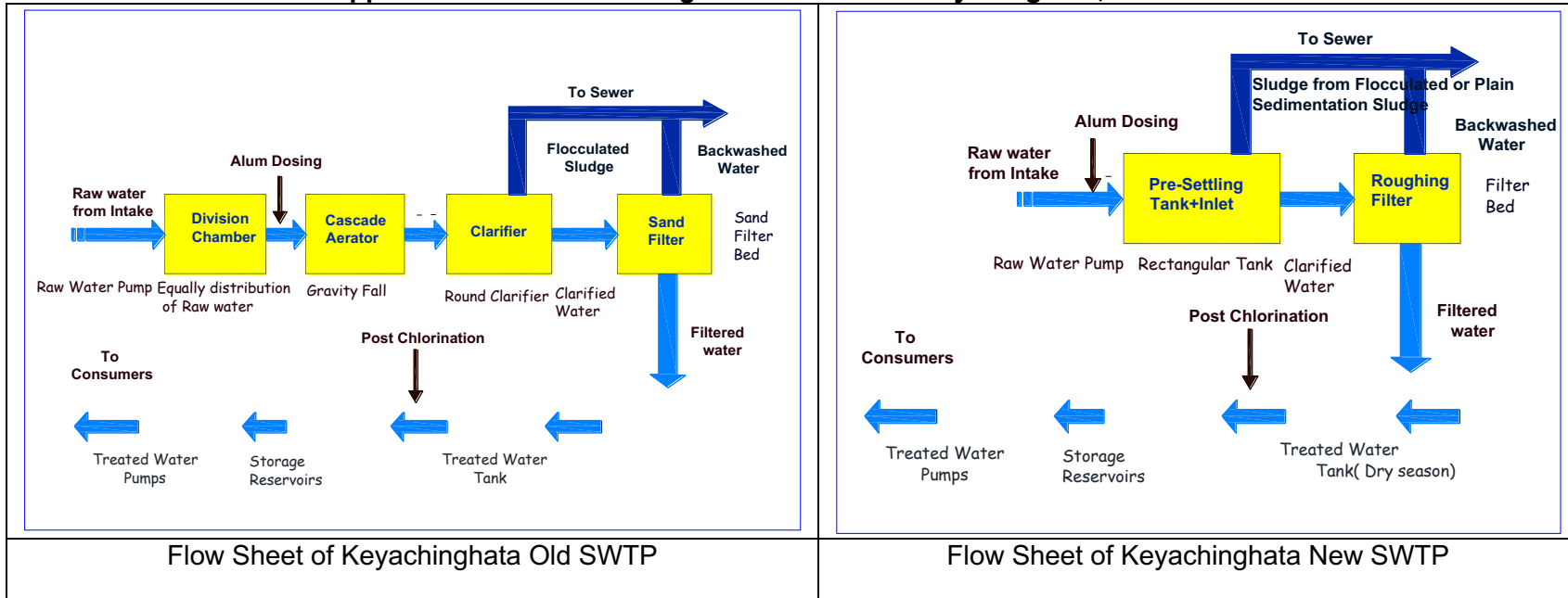
178. Resettlement and small ethnic community plan implementation, including the specific action plan for small ethnic communities will be closely monitored to provide the PMU with an effective basis for assessing RTMRESCP progress and identifying potential difficulties and problems. Internal monitoring will be undertaken by the PIU Social and Environment Safeguards Officer with support from the PMU SSO. The socio-economic status of the affected persons will be monitored to ensure that their living standards are restored to pre project level or improved. Monthly progress reports will be prepared and submitted to the PMU. PMU will consolidate the same and will submit semi-annual monitoring reports to the ADB, within 30 days after the end of the monitoring period, for review and disclosure. The sample monitoring template is available in Appendix 13.

## XI. FOLLOW-UP ACTION FOR RTMRESCP UPDATING AND IMPLEMENTATION

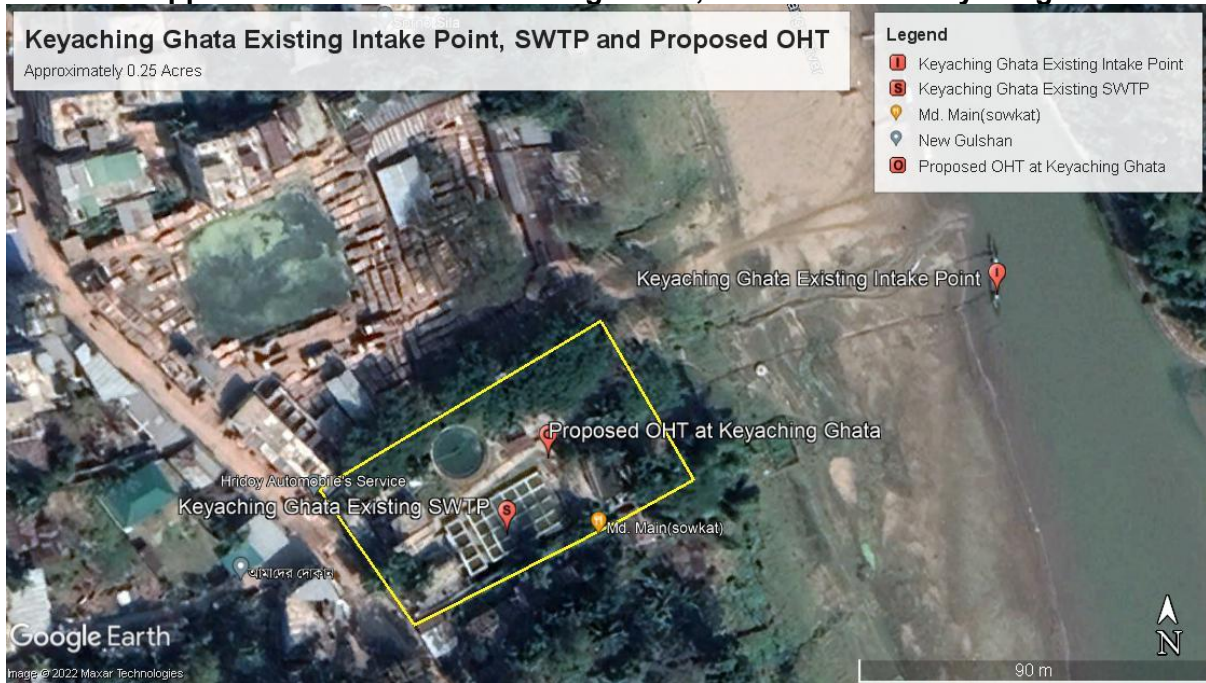
179. The following steps will be undertaken:

- (i) DPHE will provide a self-declaration of ownership of the land that is under the possession of the DPHE and also state that all water supply components will be constructed within the DPHE land.
- (ii) DPHE will obtain a 'no objection certificate' (NOC) from Bangladesh Army for the construction of OGR and it will be appended in the resettlement plan.
- (iii) The DPHE through the PIU will obtain NOCs from respective agencies, Bandarban *Pourashava*, Roads and Highways Department, and LGED) before the start of the construction works.
- (iv) After obtaining the clearance from the ADB, draft and updated RTMRESCP will be disclosed on the DPHE website.
- (v) The draft RTMRESCP will also be disclosed to affected persons, SEC affected persons local communities and other stakeholders in Bandarban *Pourashava*.
- (vi) Based on the finalisation of detailed design, the detailed measurement and census survey (DMS) covering the entire pipeline network and various facilities will be carried out and the report will be accordingly updated.
- (vii) The land records for all private land parcels (including private land parcel for booster pumping station) and details of the affected land owners including photographs of the landowners will be updated.
- (viii) The updated RTMRESCP will be submitted to ADB for review and observations and obtaining approval from the ADB, the report will be once again disclosed on the DPHE website, local communities and other stakeholders.
- (ix) The draft RTMRESCP will be updated with relevant details of trenchless activities proposed for laying of water supply pipe lines which will include, maps, google earth maps with geo-coordinates of pit locations.
- (x) Involuntary Resettlement Impact will be reassessed for construction of OHT in privately owned plot. The OHT land is owned by one private land owner (5 family members). Socio-economic profile of the affected land owner will be updated to the RTMRESCP report. Details of private land to be acquired for the booster pumping station will be updated to the RTMRESCP on identification.
- (xi) Minutes of Meeting, Photographs and attendance sheet for public consultations programmes will be included in updated resettlement plan. The RTMRESCP will be updated at the detailed design stage, prior to award of contract.
- (xii) The project will obtain no objection or approval for extraction of water from the concern Department of Water Resource, under Ministry of Water Resource prior to contract award.

**Appendix 1: Schematic Diagrams of SWTP at Keychinghata, Bandarban**



### Appendix 2: Location of Existing SWTP, Intake Point at Keychinghata





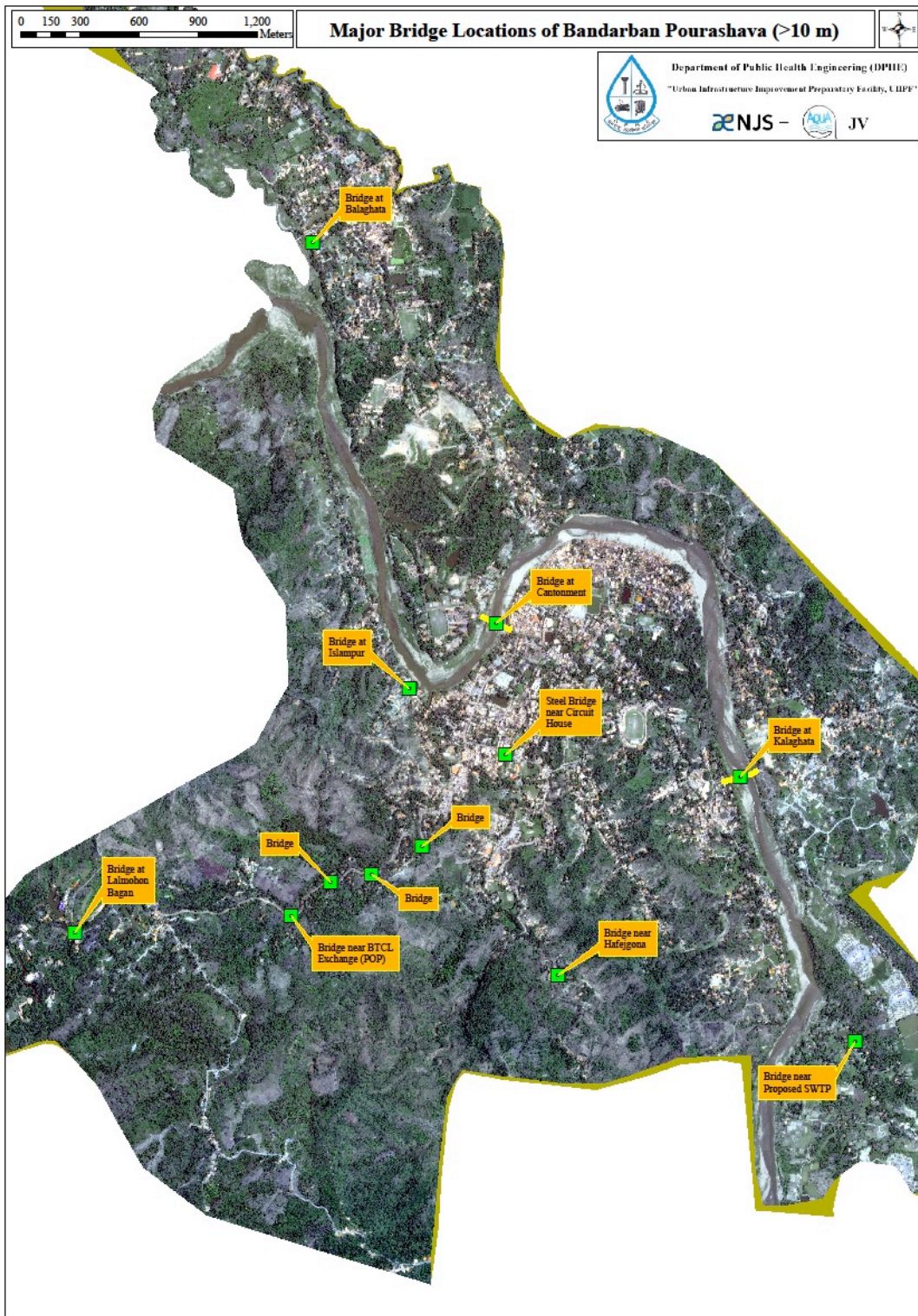
## Appendix 3: Location of Alternative Sites for New SWTP

### Outline of Bandarban SWTP Alternative Sites





### Appendix 4: Major Bridge Locations in Bandarban Pourashava



**Appendix 5: Involuntary Resettlement and SEC Checklists**  
**Involuntary Resettlement Checklist**

Project Data		
<b>Country/ Project No./ Project Title</b>	a)	Bangladesh/...../ Chattogram Hill Tracts – Inclusive and Resilient Urban Water Supply and Sanitation Project (CHT-IRUWSSP)
<b>Project title</b>	b)	Replacement and Upgradation of the Water Supply System in Bandarban Town.
<b>Project Executing Agency</b>	c)	Department of Public Health and Engineering, Govt. of Bangladesh
<b>Project Implementing Agency</b>	d)	Department of Public Health and Engineering, Govt. of Bangladesh
<b>Modality</b>	e)	Project Loan
<input checked="" type="checkbox"/> Project Loan <input type="checkbox"/> Program Loan <input type="checkbox"/> Financial Intermediary <input type="checkbox"/> General Corporate Finance <input type="checkbox"/> Sector Loan [MFF <input type="checkbox"/> Emergency Assistance <input type="checkbox"/> Grant <input type="checkbox"/> Other financing modalities:		
<b>IR Impact categorization</b> <input type="checkbox"/> New <input type="checkbox"/> Recategorization — Previous Category <input type="checkbox"/>		
<input type="checkbox"/>	<b>Category A:</b> Significant IR impact	(200+ persons (not households!) are physically displaced from residence or lose more than 10% of productive (income generating) assets
<input checked="" type="checkbox"/>	<b>Category B:</b> Non-significant IR impact	
<input type="checkbox"/>	<b>Category C:</b> No IR impact	
<b>Prepared by:</b>		
Social Development Specialist (Name, title, signature): Ms. Laboni Shabnam and Niraj Kumar Singh Date: NA		
For Project Implementing Agency (Name, title, signature): Md. Shafiqul Hassan, Project Director Date:		
For Project Executing Agency (Name, title, signature): Md. Shafiqul Hassan, Project Director Date:		

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
<b>Involuntary Acquisition of Land</b>				
1. Will there be land acquisition?	Yes			
2. Is the site for land acquisition known?	Yes			One site for a booster pumping station is not known (under identification). All other sites are known.
3. Is the ownership status and current usage of land to be acquired known?	Yes			Same as above.

<b>Probable Involuntary Resettlement Effects</b>	<b>Yes</b>	<b>No</b>	<b>Not Known</b>	<b>Remarks</b>
4. Will easement be utilized within an existing Right of Way (ROW)?		No		
5. Will there be loss of shelter and residential land due to land acquisition?		No		
6. Will there be loss of agricultural and other productive assets due to land acquisition?		No		
7. Will there be losses of crops, trees, and fixed assets due to land acquisition?		No		
8. Will there be loss of businesses or enterprises due to land acquisition?		No		There will be no loss of income due to land acquisition. Temporary loss of income to 1211 roadside hawkers and vendors is anticipated, but not due to land acquisition.
9. Will there be loss of income sources and means of livelihoods due to land acquisition?		No		
<b>Involuntary restrictions on land use or on access to legally designated parks and protected areas</b>				
10. Will people lose access to natural resources, communal facilities and services?		No		
11. If land use is changed, will it have an adverse impact on social and economic activities?		No		
12. Will access to land and resources owned communally or by the state be restricted?		No		
<b>Information on Displaced Persons:</b>				
<p><b>Any estimate of the likely number of persons that will be displaced by the Project?</b> <input type="checkbox"/> No <input type="checkbox"/> Yes            If yes, approximately how many?            Three land owners (17 family members) will lose land due to land acquisition. Approximately 1211 road-side shop owners and vendors will incur temporary loss of income during implementation for seven days each).</p>				
<p><b>Are any of them poor, female-heads of households, or vulnerable to poverty risks?</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes            Yes            The project will temporarily affect 920 vulnerable households (including 877 SEC households temporarily losing income and one SEC affected land owner) comprising 4784 affected persons.</p>				
<p><b>Are any displaced persons from indigenous or ethnic minority groups?</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes            Out of 920 temporarily affected vulnerable households, 877 are SEC households comprising 4560 affected persons will face temporary income loss, one SEC landowner having 5 family members will be permanently affected due to land loss.</p>				

### Small Ethnic Communities Impact Checklist

<b>Project Data</b>	
<b>Country/Project Title</b>	f) Bangladesh/...../ Chattogram Hill Tracts – Inclusive and Resilient Urban Water Supply and Sanitation Project (CHT-IRUWSSP)
<b>Project title</b>	g) Replacement and Upgradation of the Water Supply System in Bandarban Town.
<b>Project Executing Agency</b>	h) Department of Public Health and Engineering, Govt. of Bangladesh
<b>Project Implementing Agency</b>	i) Department of Public Health and Engineering, Govt. of Bangladesh
<b>Modality</b>	j)
<input checked="" type="checkbox"/> Project Loan <input type="checkbox"/> Program Loan <input type="checkbox"/> Financial Intermediary <input type="checkbox"/> General Corporate Finance <input type="checkbox"/> Sector Loan <input type="checkbox"/> MFF <input type="checkbox"/> Emergency Assistance <input type="checkbox"/> Grant <input type="checkbox"/> Other financing modalities:	
<b>IP Impact categorization</b> <input type="checkbox"/> New <input type="checkbox"/> Recategorization — Previous Category <input type="checkbox"/>	
<b>Category A:</b> Significant IP impact	
<b>Category B:</b> Non-significant IP impact <input checked="" type="checkbox"/>	
<b>Category C:</b> No IP impact	
<b>Project requires the broad community support of affected Small Ethnic Communities/Indigenous Peoples communities</b> <span style="float: right;"><input checked="" type="checkbox"/> Yes   <input type="checkbox"/> No</span>	
<b>Prepared by:</b>	
Social Development Specialist (Name, title, signature): Ms. Laboni Shabnam and Niraj Kumar Singh Date: <b>NA</b>	
For Project Implementing Agency (Name, title, signature): Md. Shafiqul Hassan, Project Director Date:	
For Project Executing Agency (Name, title, signature): Md. Shafiqul Hassan, Project Director Date:	

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
<b>A. Small Ethnic Communities/ Indigenous Peoples Identification</b>				

<b>KEY CONCERNS</b> (Please provide elaborations on the Remarks column)	<b>YES</b>	<b>NO</b>	<b>NOT KNOWN</b>	<b>Remarks</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?	√			The project is categorised as CAT B for SEC impacts in project areas. The project will temporarily affect 4560 SEC persons. One SEC affected person will face permanent loss of land. Otherwise the project will have an overall beneficial impact on SEC population of Bandarban. No direct or indirect impact to the dignity, human rights, livelihood systems or territories or natural or cultural resources that are used, owned, occupied or claimed as ancestral domain by small ethnic communities is anticipated. Beneficial impacts to SEC groups including those living in project areas, will be ensured.
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?	√			The affected SEC landowner faces loss of private land, not traditional land of SEC.

<b>KEY CONCERNS</b> (Please provide elaborations on the Remarks column)	<b>YES</b>	<b>NO</b>	<b>NOT KNOWN</b>	<b>Remarks</b>
5. Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture?	√			
6. Do such groups speak a distinct language or dialect?	√			
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 SEC/Indigenous Peoples?	√		-	The proposed project will have overall beneficial impact on SEC population.
10. Will the project directly or indirectly affect SEC/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 SEC/Indigenous Peoples? (e.g., food production system, natural resource management, crafts and trade, employment status)		√		There will be temporary loss of income of 877 road side shop owners and vendors (4560 family members) belonging to small ethnic communities.
12. Will the project be in an area (land or territory) occupied, owned, or used by SEC/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 SEC/Indigenous Peoples?		√		
14. Physical displacement from traditional or customary lands?		√		
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 SEC/Indigenous Peoples?		√		
16. Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied or claimed by SEC/indigenous peoples?				Not Applicable


<b>KEY CONCERNS</b> (Please provide elaborations on the Remarks column)	<b>YES</b>	<b>NO</b>	<b>NOT KNOWN</b>	<b>Remarks</b>
17.Acquisition of lands that are traditionally owned or customarily used, occupied or claimed by SEC/indigenous peoples?		√		No land belonging to the small ethnic community will be acquired.

#### Anticipated project impacts on Small Ethnic Communities/Indigenous Peoples

<b>Project component/activity/ output</b>	<b>Anticipated positive effect</b>	<b>Anticipated negative effect</b>
The proposed project components that include: (i) Rehabilitation of old and new SWTP; (ii) Construction of a new SWTP and all treatment units (CWR, intake, pre-settling tanks, sludge drying bed, etc); (iii) Construction of OGR; (iv) Booster Stations; (v) Construction of OHT; (vi) Laying of water supply pipelines network (transmission pipelines – 11.10 km and distribution pipelines 103.50 km); and (vii) House connections.	8610 SEC population of Bandarban <i>pourashava</i> , as per Census 2011 will benefit from improved water supply system.	877 SEC road-side shops and vendors (4560 family members) will face temporary income loss during implementation.  One SEC land owner (5 family members) will be face insignificant (<10%), permanent land acquisition impact.



## Appendix 6: Consent of land owners for acquisition




## বান্দরবান পৌরসভা

### Bandarban Pourashava

বান্দরবান পার্বত্য জেলা

ফোন : ০৩৬১-৬২৫৮৮ (অফিস), ০৩৬১-৬২৫৭৩ (বাসা, যুটোফোন: ০১৭১০৯৩৯৩৩৩)



শেখ হাদিদার মল্লিক  
এম শহরের উন্নয়ন

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সূত্র : স্ব: প্র: (২০২২) ১৫২ তারিখ : ২৩/০৩/২০২২

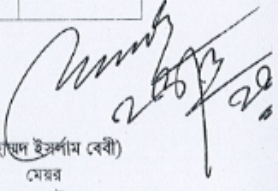
**বিষয়:** জনস্বাস্থ্য প্রকৌশল অধিদপ্তরের আওতায় বাস্তবায়নধীন এশীয় উন্নয়ন ব্যাংকের (এডিবি) আর্থিক সহায়তায় শহর অবকাঠামো উন্নয়ন প্রকল্প প্রণয়ন (ডিপিএইচই অংশ) শীর্ষক প্রকল্পের আওতায় বান্দরবান পৌরসভায় পানির উৎস ইনটেক ও শোধনাগার নির্মাণের জন্য ভূমি অধিগ্রহণের উদ্দেশ্যে মালিকদের নিকট হতে প্রাপ্ত স্ব-ঘোষণা পত্র প্রেরণ প্রসঙ্গে।

**সূত্র:** প্রকল্প পরিচালকের কার্যালয়ের স্মারক নং- ৪৬.০৩.২৬০০.৫৪০/৩৫৮, তাং- ২০/০৩/২০২২ খ্রিঃ।

উপর্যুক্ত বিষয় ও সূত্রের প্রেক্ষিতে মহোদয়ের সদয় অবগতির জন্য জানানো যাচ্ছে যে, জনস্বাস্থ্য প্রকৌশল অধিদপ্তরের আওতায় বাস্তবায়নধীন এশীয় উন্নয়ন ব্যাংক (এডিবি) এর আর্থিক সহায়তায় "শহর অবকাঠামো উন্নয়ন প্রকল্প প্রণয়ন (ডিপিএইচই অংশ) শীর্ষক" প্রকল্পের আওতায় বান্দরবান পৌরসভায় পানির উৎস ইনটেক ও শোধনাগার নির্মাণের লক্ষ্যে ভূমি অধিগ্রহণের জন্য নিম্নলিখিত জমির মালিকদের নিকট হতে প্রাপ্ত স্ব-ঘোষণা পত্র পরবর্তী প্রয়োজনীয় ব্যবস্থা গ্রহণের জন্য এতদসঙ্গে সংযুক্ত করে প্রেরণ করা হলো।

ক্র. নং	জমির মালিকের নাম	জমির পরিমাণ	মন্তব্য
১.	য়ই সাচিং মার্মা	৫.১০ একর	
২.	আব্দুল জলিল	০.৯২৫ শতক	
৩.	মোঃ আনোয়ার হোসেন	১.০০ একর	
সর্বমোট =		৭.২৫ একর	

সংযুক্তি: স্ব-ঘোষণাপত্র- ০৩ ফর্দ।



(মোহাম্মদ ইসলাম বেবী)  
মেয়র  
বান্দরবান পৌরসভা।

**প্রাপক:** প্রকল্প পরিচালক,  
শহর অবকাঠামো উন্নয়ন প্রকল্প প্রণয়ন (ডিপিএইচই অংশ),  
জনস্বাস্থ্য প্রকৌশল অধিদপ্তর,  
প্রধান কার্যালয়, কাকরাইল, ঢাকা।

1. Forwarding

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স্ব-ঘোষণা পত্র

আমি/আমরা নিম্নবর্ণিত ব্যক্তি ৩৪০ নং তারাছা মৌজায় হোল্ডিং নং- ৯৬, খতিয়ান নং- ২৫, দাগ নং-৬৪৯, ৬৫০, ৬৫১, ৬৫৩, ৬৫৪ জমির পরিমাণ ৫.১০ একর। নিজ জমিতে জনস্বাস্থ্য প্রকৌশল অধিদপ্তরের আওতায় বাস্তবায়নধীন "শহর অবকাঠামো উন্নয়ন প্রকল্প প্রণয়ন (ডিপিএইচই অংশ) প্রকল্প" কর্তৃক এশীয়ান উন্নয়ন ব্যাংকের অর্থায়নে পানির উৎস ইনটেক ও শোধনাগার নির্মাণের জন্য সরকার নির্ধারিত অধিগ্রহণ মূল্যে বিক্রয় করিতে ইচ্ছুক।

নির্ধারিত জমির জন্য সরকার নির্ধারিত উপযুক্ত মূল্যে ঐ জমিতে পানির উৎস ইনটেক ও শোধনাগার নির্মাণের জন্য ক্ষতিপূরণ প্রদান করিলে আমি অধিগ্রহণের ক্ষেত্রে কোন আপত্তি করিবো না মর্মে অঙ্গীকার করিলাম।

পরবর্তী কালে ঐ জমিতে আমি বা আমাদের কোন স্থলাভিষিক্ত ওয়ারিশ উক্ত তফসিলে বর্ণিত জমি দাবি করিতে পারিবে না। দাবি করিলেও তাহা বাতিল বলিয়া গণ্য হইবে।

আমার উপস্থিতিতে  
স্বাক্ষর করা হয়।

২০.০.১১  
মোহাম্মদ হুসেইন  
সকিব  
বাসসরবান পৌরসভা।

ইতি বিনীত

মোহাম্মদ হুসেইন

মোহাম্মদ হুসেইন দেবী  
মেম্বর  
বাসসরবান পৌরসভা।



Asian Development Bank under the “Urban Infrastructure Improvement Preparatory Facility Project” to be implemented by the Department of Public Health Engineering (DPHE).

I hereby mention that if I receive compensation as per the land acquisition laws, I will have no objection to the land acquisition process for the above-mentioned land parcel for construction of intake and SWTP structures under the project.

Yourself  
Yui Saching Marma



স্ব-ঘোষণা পত্র

আমি/আমরা নিম্নবর্ণিত ব্যক্তি ৩৪০ নং তারাছা মৌজায় হেক্টিং নং- ১৭১, খতিয়ান নং- ৩৭, জমির পরিমাণ ০.৯২৫ একর। নিজ জমিতে জনস্বাস্থ্য প্রকৌশল অধিদপ্তরের আওতায় বাস্তবায়নধীন "শহর অবকাঠামো উন্নয়ন প্রকল্প প্রণয়ন (ডিপিএইচই অংশ) প্রকল্প" কর্তৃক এশীয়ান উন্নয়ন ব্যাংকের অর্থায়নে পানির উৎস ইনটেক ও শোখানাগার নির্মাণের জন্য সরকার নিধারিত অধিগ্রহণ মূল্যে বিক্রয় করিতে ইচ্ছুক।

নিধারিত জমির জন্য সরকার নিধারিত উপযুক্ত মূল্যে ঐ জমিতে পানির উৎস ইনটেক ও শোখানাগার নির্মাণের জন্য ক্ষতিপূরণ প্রদান করিলে আমি অধিগ্রহণের ক্ষেত্রে কোন আপত্তি করিবো না মর্মে অঙ্গীকার করিলাম।

পরবর্তী কালে ঐ জমিতে আমি বা আমাদের কোন স্থলাভিষিক্ত ওয়ারিশ উক্ত তফসিলে বণিত জমি দাবি করিতে পারিবো না। দাবি করিলেও তাহা বাতিল বলিয়া গণ্য হইবে।

আমার উপস্থিতি মন্ত্রিপাণ্ড  
প্রত্যক্ষ করা হয়।

২০১৩.১১

মোহাম্মদ ইসলাম  
সচিব  
বাংলাদেশ পৌরসভা।

ইতি বিনীত

১। মোহাম্মদ হুসেইন

মোহাম্মদ ইসলাম খেয়ী  
মেয়র  
বাংলাদেশ পৌরসভা।



### LAND OWNER'S CONSENT – SUMMARY ENGLISH VERSION

I/We, the below mentioned person, Abdul Zailil, of address Bandarban, Chynga, 340 Taracha Mauza, Holding Number: 171, *Khatian* Number:37, *Daag* (plot) Number: land area measuring 0.925 acre, is my land. I am willing to give my land for construction of Intake and Surface Water Treatment Plant (SWTP) funded by the Asian Development

Bank under the “Urban Infrastructure Improvement Preparatory Facility Project” to be implemented by the Department of Public Health Engineering (DPHE).

I hereby mention that if I receive compensation as per the land acquisition laws, I will have no objection to the land acquisition process for the above-mentioned land parcel for construction of intake and SWTP structures under the project.

Yourself  
Abdul Zaliil



স্ব-ঘোষণা পত্র

আমি/আমরা নিম্নবর্ণিত ব্যক্তি ৩৪০ নং তারাস্থা মৌজায় হোল্ডিং নং- ৩১৮, জমির পরিমাণ ১.০০ একর। নিজ জমিতে জনস্বাস্থ্য প্রকৌশল অধিদপ্তরের আওতায় বাস্তবায়নধীন "শহর অবকাঠামো উন্নয়ন প্রকল্প প্রণয়ন (ডিপিএইচই অংশ) প্রকল্প" কর্তৃক এশীয়ান উন্নয়ন ব্যাংকের অর্থায়নে পানির উৎস ইনটেক ও শোধনাগার নির্মাণের জন্য সরকার নির্ধারিত অধিগ্রহণ মূল্যে বিক্রয় করিতে ইচ্ছুক।

নির্ধারিত জমির জন্য সরকার নির্ধারিত উপযুক্ত মূল্যে ঐ জমিতে পানির উৎস ইনটেক ও শোধনাগার নির্মাণের জন্য ক্ষতিপূরণ প্রদান করিলে আমি অধিগ্রহণের ক্ষেত্রে কোন আপত্তি করিবো না মর্মে অঙ্গীকার করিলাম।

পরবর্তী কালে ঐ জমিতে আমি বা আমাদের কোন স্থলাভিষিক্ত ওয়ারিশ উক্ত তফসিলে বর্ণিত জমি দাবি করিতে পারিবো না। দাবি করিলেও তাহা বাতিল বলিয়া গণ্য হইবে।

আমার উপস্থিতিতে স্বাক্ষরিত  
করা হয়।

১৬.৩.২১  
মোহাম্মদ ইসলাহ  
স্বাক্ষর  
স্বাক্ষরকারী পৌরসভা।

হতি বিনীত

১। মোম্বার দিগী  
মো: মোম্বার হোসেন ডি  
মস্তা. জামহুল হোসেন

মোহাম্মদ ইসলাহ খেলী  
মোম্বার  
স্বাক্ষরকারী পৌরসভা।






*Daag* (plot) Number: land area measuring 1.00 acre, is my land. I am willing to give my land for construction of Intake and Surface Water Treatment Plant (SWTP) funded by the Asian Development Bank under the “Urban Infrastructure Improvement Preparatory Facility Project” to be implemented by the Department of Public Health Engineering (DPHE).

I hereby mention that if I receive compensation as per the land acquisition laws, I will have no objection to the land acquisition process for the above-mentioned land parcel for construction of intake and SWTP structures under the project.

Yoursel  
Shahidul Islam

**Appendix 7: SEC Households and Population in Bandarban Pourashava – Certified by Mayor**



## বান্দরবান পৌরসভা

### Bandarban Pourashava

বান্দরবান পার্বত্য জেলা

ফোন : ০৩৬১-৬২৫৮৮ (অফিস), ০৩৬১-৬২৫৭৩ (বাসা), ফ্যাক্স: ০১৭১০৯৩৯৩৩৩

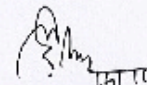
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তারিখ : ১৬/১১/২০২১

সূত্র : ৭৭০/২০২১

এই মর্মে প্রত্যয়ন করা যাচ্ছে যে, ২৯শে অক্টোবর ২০২১ইং তারিখ থেকে ০২ নভেম্বর ২০২১ইং তারিখ পর্যন্ত শহর অবকাঠামো উন্নয়ন প্রকল্প প্রণয়ন ('উপিএইচ ই অংশ'), জনসংখ্যা প্রকৌশল অধিদপ্তর মাধ্যমে বান্দরবান পৌরসভার ৯টি ওয়ার্ডে জরীপ কার্য সম্পাদন করে, পৌর এলাকার ক্ষুদ্র জাতিসাটীর এর বসবাসের তথ্য নিম্নরূপঃ

ওয়ার্ড নম্বর	খানা সংখ্যা	জনসংখ্যা		
		নারী	পুরুষ	মোট
ওয়ার্ড নম্বর-১	২১৫	৪৫৫	৪০০	৮৫৫
ওয়ার্ড নম্বর-২	৯৪	২১৫	১৯৮	৪১৩
ওয়ার্ড নম্বর-৩	২৪৯	৫০২	৫৬২	১০৬৪
ওয়ার্ড নম্বর-৪	১১৮	২৯৩	২২৬	৫১৯
ওয়ার্ড নম্বর-৫	৩৭২	৯৩০	৭৯৭	১৬২৭
ওয়ার্ড নম্বর-৬	১৫০	৩৩৮	৩০৬	৬৪৪
ওয়ার্ড নম্বর-৭	৩	৫	৫	১০
ওয়ার্ড নম্বর-৮	২৫	৫৭	৬৪	১২১
ওয়ার্ড নম্বর-৯	১৩৬	২৮০	২৩৪	৫১৪
মোট	১৩৪৩	৩১৬২	২৭৯৪	৫৯৫৬



(সৌম্য দাস)  
মেয়র(ভাণ্ডার)  
বান্দরবান পৌরসভা।

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web : www.bdbps.org

## Appendix 8: Specific Action Plan for Small Ethnic Communities

**Specific Action Plan for Indigenous Peoples:** Further, to address any potential safeguards issues and ensure inclusion, a specific action plan for indigenous peoples/small ethnic communities is proposed for this project. The action plan will carry out the following specific activities: (i) a baseline survey<sup>32</sup> will be conducted for identification and inclusion of indigenous peoples/small ethnic communities households within the project coverage area; (ii) proposed benefits (e.g. Water services) to indigenous peoples//small ethnic communities households will be shared and monitored; (iii) IEC materials, information sharing, consultations and other outreach activities will be culturally sensitive and appropriate when implemented in the project area; (iv) in case of any indigenous peoples/small ethnic communities impacts in project, ethnic community leaders or elected representatives and/or an NGO working with indigenous peoples/small ethnic communities will be members of GRC. The GRC will also ensure that grievance redress established is gender inclusive in receiving and facilitating resolution of the IPs'/SEC's concerns; (v) consultations with IP/SEC households will be conducted in all project stages which shall help in identifying any culture-specific requirements and traditions like avoidance of any specific festival days, and/or other activities with cultural significance to the IP/SEC communities during civil work; and any other IP/SEC related issues and concerns that may be of importance to the community. A monitoring survey will be conducted to document the views of IP/SEC households about project benefits. Such survey is in line with project internal monitoring. The proposed action plan with activities, timelines and responsibilities is below in matrix form. This action plan will be used for project monitoring to ensure that IP/SEC activities are undertaken on a timely basis and reported semi-annually and to determine whether project objectives have been achieved.

### Small Ethnic Communities Specific Action Plan Reporting Template

This Small Ethnic Communities Action Plan implementation report shall be prepared on a quarterly basis for the project for which RTMRESCP is prepared. This report will be part of the quarterly progress reports/semi-annual monitoring report and will be submitted by PMU to ADB.

**Name of Project: Chattogram Hill Tract – Inclusive and Resilient Urban Water Supply and Sanitation Project – Urban Infrastructure Improvement Preparatory Facility – DPHE Component**

S. No.	Specific Activities	Means Verification	of Responsibility	Timeline	Status/ Remarks
1.	Identify and include SEC households and localities in coverage area	Baseline data generated from the house service connection survey and secondary data analysis*	Contractor/ Project Consultants/ PMU/PIU	Year 1	
2.	Proposed benefits to SEC households. 1. House service connections	Project documents	Contractor/ Project Consultants/ PMU/PIU	1. Year 2 onwards 2. Year 1 onwards; Throughout	

<sup>32</sup>Contractors will conduct connection campaigns across the project coverage area and will be responsible to ensure that IP households and localities are identified and included in the campaign. Data on exact number of scheduled tribe households can be generated from the house service connection survey to be conducted by the project contractor. Cost for such activity will be included in the contract document for the project.

S. No.	Specific Activities	Means Verification	of Responsibility	Timeline	Status/ Remarks
	(water supply) 2. Participation of SEC in awareness campaigns 3. Participation of eligible/targeted SEC in training programs conducted by NGO			project duration 3. Year 1-3	
3.	Type of consultations planned with SEC <sup>33</sup> households (stage of project cycle) 1. Pre-Construction 2. Construction 3. Post Construction 4. Other	Detailed report on consultation in MPR/QPR (as submitted by the project consultants)/ Semi-annual social monitoring reports with photographs	Project Consultants/ PMU/PIU	Year 1 onwards	
4.	Grievance Redress Mechanism established at different levels	Government order/notice/little specifying inclusion SEC representation in GRC as described in the project GRM Report related to project grievance reflected in the monitoring reports of the Project	PMU/PIU	Year 1	
<b>Monitoring – Project completion stage</b>					
5.	Monitoring Survey including assessment of coverage and satisfaction levels of SEC households with project work completed/ project intended benefits vs actual benefits to the SEC community.	End-line survey report and project completion report (PCR)	Project Consultants/ PMU/PIU	Year 3	

<sup>33</sup> Consultation with SECs will consider their cultural and religious preference and culturally appropriate ways of extending benefits through the project.

NOTE: \*Census 2011 may not be the sole source. Other reliable sources may be explored from Hill Development Council, Pourashava, and Zila Administration as applicable, the information provided in the table should be supported by detailed explanatory report, receipts, consultation, photographs and other details.




ADB = Asian Development Bank, GRC = Grievance Redress Committee, IP/SEC= Indigenous peoples/Small Ethnic Communities, MPR = Monthly Progress Report, PIU = Project Implementation Unit, PMU = Project Management Unit, QPR = Quarterly Progress Report.

**Appendix 9: Socio-economic Profile of Affected Persons (Land owners)****Socio-economic Profile of Affected Persons (Land owners) – Bandarban**

Sr. No	Proposed Plant	Name of affected person	Sex	Age	Holding #	Location	Name of father/mother (as in valid ID)	Education of Qualification of AP	Daag Nos.	Khatian No.	Total Area of Land Parcel (Acres)	Area of land to be Acquired for Project Component (Acres)	Other Land Size (Acres) and classification	Total land area owned (Acres)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
1	SWTP	Yui Saching Marma	F	54	96	Chynga, 340 Taracha Mauza	Uyaching Marma	BA	549, 560, 561, 562, 563, 564	25	5.1	5.1	48	53.1
2	SWTP	Abdul Zalil	M	81	171	Chynga, 340 Taracha Mauza	Shamshul Alam	Illiterate	Nil	37	0.925	0.925	9	9.925
3	SWTP	Md. Anwar Hossain	M	47	318	Chynga, 340 Taracha Mauza	Amir Hamja	Class V	649, 650, 651, 65, 654	25	1	1	12	13

**Socio-economic Profile of Affected Persons (Land owners) – Bandarban (continued)**

Sr. No	% of land area to be acquired	HH Size	Primary occupation (mention occupation type)	Secondary occupation (mention occupation type)	Income from Primary Source/ month (BDT)	Income from Secondary Source/ month (BDT)	Total HH income per month (BDT)	Per head income/ month (BDT)	Whether vulnerable/If yes, type of vulnerability	Current land use of the parcel	Type of Affected Structure
(1)	(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)	(24)	(25)	(26)
1	9.6	5	Service	Service	50000	35000	85000	12143	SEC	Agriculture	Nil
2	9.31	7	Service	Agriculture	40000	10000	50000	7143	Elderly person	Agriculture	Nil
3	8.0	5	Agriculture	Nil	30000	Nil	30000	6000	Nil	Agriculture	Nil

Sr. No	Whether any livelihood impact anticipated for the land owners due to LA	Photograph of Land Owner
(1)	(27)	(28)
1	Nil	
2	Nil	
3	Nil	

### Socio-Economic Profile of Temporarily Affected Road-side Shops and Vendors

Sr. No	Name of Business Owners, Hawker/ street Vendor	Sex	Age	RHS / LHS	Area's Density (H/M/L)*	Area Location &	Caste /ethnic community	Education	Type of Structure	Nature of business	Net monthly income from the business (BDT)	Income from other sources (BDT)	Total monthly income (BDT)	Monthly income / person (BDT)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
1	Md. Kobir	M	35	RHS	M	Member Para	Muslim	HSC	Katcha	Food shop	1,10,000	Nil	1,10,000	22,000
2	Md. Harun Rashad	M	32	RHS	M	Member Para	Muslim	VIII	Katcha	Grocery Shop	1,30,000	Nil	1,30,000	21,667
3	Anitul Hossan	M	50	RHS	M	Member Para	Muslim	VIII	Katcha	Food shop	24,000	Nil	24,000	3000 (BPL)
4	Sukamol Barua	M	32	RHS	M	Moddampara	SEC	Lliterate	Katcha	Grocery Shop	1,25,000	Nil	1,25,000	25000
5	Moddan Kumar Tanchanga	M	55	LHS	M	Moddampara	SEC	Class V	Katcha	Vegetable seller	25,000	Nil	25,000	5000
6	Md. Munaf	M	30	LHS	M	Moddampara	Muslim	Literate	Katcha	Grocery Shop	37,000	Nil	37,000	7400
7	Rana Shope Barua	M	33	LHS	M	Moddampara	SEC	SSC	Katcha	Vegetable seller	85,000	Nil	85,000	10625
8	Pintu Gus	M	40	LHS	M	Moddampara	Hindu	Class VIII	Katcha	Vegetable and Grocery	1,15,000	Nil	1,15,000	16429
9	Shapon Barua	M	60	RHS	M	Moddampara	SEC	Class II	Katcha	Napi	85,000	Nil	85,000	14167
10	Uchin Marma	M	35	RHS	M	Moddampara	SEC	Class V	Katcha	Napi	45,000	Nil	45,000	5000
11	Satwai Ong Mama	M	30	LHS	M	Moddampara	SEC	Class II	Katcha	Pigs Sellar	50,000	Nil	50,000	7143
12	Kamal Howalder	M	60	RHS	M	Member Para	Muslim	Class IV	Katcha	Food items	55,000	Nil	55,000	9167
13	Lao Marma	F	70	RHS	H	Balaghat Bazar	SEC	Illiterate	Kutchas	Vegetables	3,000	6000	9000	4500
14	Ranjeeta Tongchonga	F	40	RHS	H	Balaghat Bazar	SEC	Illiterate	Kutchas	Vegetables	6,000	1667	7667	1095
15	Minu Ching Marma	F	40	RHS	H	Balaghat Bazar	SEC	Illiterate	Kutchas	Vegetables	8,000	Nil	8000	1600




Sr. No	Name of Business Owners, Hawker/ street Vendor	Sex	Age	RHS / LHS	Area's Density (H/M/L)*	Area Location &	Caste /ethnic community	Education	Type of Structure	Nature of business	Net monthly income from the business (BDT)	Income from other sources (BDT)	Total monthly income (BDT)	Monthly income / person (BDT)
16	Minu Marma	F	60	RHS	H	Balaghat Bazar	SEC	Illiterate	Kutcha	Vegetables	3,000	Nil	3,000	3000
17	Muishathui Marma	F	55	RHS	H	Balaghat Bazar	SEC	Illiterate	Kutcha	Pan	7,000	Nil	7,000	1167
18	Ukora Marma	F	45	RHS	H	Balaghat Bazar	SEC	Illiterate	Kutcha	Grocery Shop	10,000	Nil	10,000	2500
19	Uyenu Marma	F	50	RHS	H	Balaghat Bazar	SEC	Illiterate	Kutcha	Vegetables	7,000	Nil	7,000	1750
20	Megoyai Marma	F	70	RHS	H	Balaghat Bazar	SEC	Illiterate	Kutcha	Vegetables	3,000	Nil	3,000	1000
21	Md. Abul Kalam	M	42	RHS	H	Balaghat Bazar	Muslim	Illiterate	Kutcha	Mixed products	12,000	Nil	12,000	3000 (BPL)
22	Oshipru Marma	M	52	RHS	H	Balaghat Bazar	SEC	Illiterate	Kutcha	Grocery items	15,000	Nil	15,000	2500
23	Bipu Marma	M	30	RHS	H	Balaghat Bazar	SEC	Illiterate	Kutcha	Vegetables	6,000	Nil	6,000	1200
24	Thuishama Marma	F	60	LHS	H	Balaghat Bazar	SEC	Illiterate	Kutcha	Vegetables	3,000	1500	4,500	750
25	Uimenu Marma	F	47	LHS	H	Balaghat Bazar	SEC	Illiterate	Kutcha	Vegetables	6,000	10000	16,000	3200
26	Gorma Marma	F	60	LHS	H	Balaghat Bazar	SEC	Illiterate	Kutcha	Vegetables	6,000	8000	14,000	7000
27	Midu Marma	F	60	LHS	H	Balaghat Bazar	SEC	Illiterate	Kutcha	Vegetables	3,000	Nil	3,000	1500
28	Tuma Khai Marma	F	75	LHS	H	Balaghat Bazar	SEC	Illiterate	Kutcha	Vegetables	4,000	Nil	4,000	2000
29	Abdul Motaleb	M	65	LHS	H	Balaghat Bazar	Muslim	Illiterate	Kutcha	Agri. Product	4,000	Nil	4,000	2000 (BPL)

**Note:** \*H – High; M-Medium, and L- Low

Vulnerable: SEC= 21 affected households; BPL = 3 affected households

Sr. No	No. of Dependents in the family	Any Vulnerability	No. of Employees (if any)	Wages paid to employees	Assessment of Loss 1. Temporary shifting required 2. Temporary income loss 3. Any other loss, specify	Photograph	Road 's Photo
(1)	(16)	(17)	(18)	(19)	(20)	(21)	(22)

1	5	Nil	Nil	Nil	2	Provided separately below as per Sr. No.	
2	6	Nil	Nil	Nil	2	Same as above	
3	8	Nil	Nil	Nil	2	Same as above	
4	5	SEC	Nil	Nil	2	Same as above	
5	5	SEC	Nil	Nil	2	Same as above	
6	5	Nil	Nil	Nil	2	Same as above	
7	8	SEC	Nil	Nil	2	Same as above	
8	7	Nil	Nil	Nil	2	Same as above	
9	6	SEC	Nil	Nil	2	Same as above	
10	9	SEC	Nil	Nil	2	Same as above	
11	7	SEC	Nil	Nil	2	Same as above	
12	6	Nil	Nil	Nil	2	Same as above	
13	2	SEC	Nil	Nil	2	Same as above	
14	7	SEC	Nil	Nil	2	Same as above	
15	5	SEC	Nil	Nil	2	Same as above	
16	1	SEC	Nil	Nil	2	Same as above	
17	6	SEC	Nil	Nil	2	Same as above	
18	4	SEC	Nil	Nil	2	Same as above	
19	4	SEC	Nil	Nil	2	Same as above	
20	3	SEC	Nil	Nil	2	Same as above	
21	4	Nil	Nil	Nil	2	Same as above	
22	6	SEC	Nil	Nil	2	Same as above	
23	5	SEC	Nil	Nil	2	Same as above	
24	6	SEC	Nil	Nil	2	Same as above	
25	5	SEC	Nil	Nil	2	Same as above	
26	2	SEC	Nil	Nil	2	Same as above	
27	2	SEC	Nil	Nil	2	Same as above	
28	2	SEC	Nil	Nil	2	Same as above	
29	2	Nil	Nil	Nil	2	Same as above	

**Photographs of Affected Persons (Temporary shops and vendors) - Bandarban (continued)**

Sl. No.	Photo	Sl. No.	Photo	Sl. No.	Photo	Sl. No.	Photo	Sl. No.	Photo
1		7		13	Nil	19		25	Nil
2		8		14		20	Nil	26	
3		9		15		21		27	
4		10		16		22	Nil	28	
5		11		17		23		29	
6		12		18		24	Nil		

### Photograph of Road Sections

	
<p>Balaghat Bazar</p>	<p>Consultation with shopkeeper of Maddypara</p>
	
<p>Balaghat Bazar</p>	<p>Consultation with woman conciliar</p>
	
<p>Maddypara bazar</p>	<p>Member para bazar</p>
	
<p>Intake areas shopkeeper</p>	<p>Consultation with SDC</p>



**Appendix 10: Photographs of Consultations**



Stakeholders Workshop at Cox's Bazar – 8<sup>th</sup> Nov 2021



Consultations with Chairman and CEO of Bandarban Hill District Council on 22 September, 2020

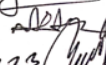

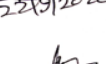
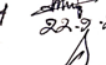

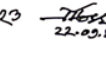

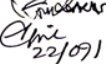
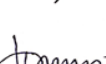
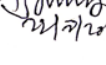


Consultation with Mayor – 22 Sept 2020

### Appendix 11: Attendance Sheet of Consultation held with Bandarban Municipality and Stakeholders' Workshop

Bandarban Municipality

Date: 22/09/2020

<u>Name</u>	<u>Designation</u>	<u>Mobile</u>	<u>Signature</u>
01. Nasima Akter	Social Safeguard Specialist	01715038835	
02. Md. Ismail Begby	Mayor, Bandarban	01770939333	
03. Sohrab Hossain	EE, DPHE, Bandarban	01556770044	
04. DILIP KUMAR BARUA	Panel Mayor, IB/Dan Pongkhora	01550601501	
05. Touhidul Islam	Secretary, Bandarban Pongkhora	01550605520	
06. Md. Monjel Hossain	SAE DPHE Bandarban Sadar	01553517323	
07. Mung She Khatun	KEN Bandarban Pongkhora	01550604913	
08. Md. Akter - uz - zaman	FE, UIIPF	01723837166	
09. Md. Ajmal Hossain Gazi	FE, UIIPF	01918808123	
10. Md. Khorshud Alam	AE, DPHE	01813733041	
11.			
12.			



Urban Infrastructure Improvement Preparatory Facility (DPHE Component)  
TA Consultant for Feasibility Study, Detailed Design and Procurement Services  
Project Office: DPHE Bhabon, 14 Shaheed Captain Monsur Ali Sarani, Kakrail, Dhaka-1000



Stakeholders' Consultation workshop on "Secondary Towns Inclusive Water Supply and Sanitation Project"

ATTENDANCE REGISTRATION

SL No.	Date	Name	Designation	Organization	Mobile No.	E-mail	Signature
1	8-11-21	Fun gscripte Chy	Chairman RHD C		015567773		
	8-11-21	Md. Mezanur Rahaman	Field Engineer DPHE, UIIPF	DPHE	01922205495	mezurite@gmail.com	
	0	Ayam Saiful Jum			0171620557		
	4	Pernanda cayan	SAE, DPHE RANGAMATI	DPHE RANGAMATI	01632692779		
	6	Ms. Rajpal Islam	Urban Dev Specialist (Consultant)	KIDB	01713046776		
	10	Ripul TRIPURK	Member of Hill Resident Council		01732803773		
	7	Anupam Dey	XEN, DPHE Rangamati	DPHE	01974316502		

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TA Consultant for Feasibility Study, Detailed Design and Procurement Services  
Project Office: DPHE Bhabon, 14 Shaheed Captain Monsur Ali Sarani, Kakrail, Dhaka-1000



Stakeholders' Consultation workshop on "Secondary Towns Inclusive Water Supply and Sanitation Project"

ATTENDANCE REGISTRATION

SL No.	Date	Name	Designation	Organization	Mobile No.	E-mail	Signature
1	08.11.2021	Sarmintha Aekasire	ErEM	DPHE Bandarban	01972784620	akhasire@dphe.gov.bd	
2	08.11.2021	Md. Monjel Hossin	AE	DPHE Bandarban	01553517323	monjel.dphe@gmail.com	
3	08.11.2021	Tanvavithson	Director	TA Hub, DMGT	01713036090	tanvavithson@gmail.com	
4	08.11.2021	Touhidul Islam	Secretary	Bandarban Parishava	01550601520	touhidul.islam@dphe.gov.bd	
5	08.11.2021	Norsima Akter	Social Safeguard Specialist	DPHE UIIPF	01715038835	akter.norsima@gmail.com	
6	08.11.2021	Sarmintha fircical	Environmental Safeguard Specialist	DPHE UIIPF	+91 974097 8471	sarmintha@climatesd.co.in	
7	08.11.2021	Abbas Hossain etg	Mayor	Rangamati	017466357 33		

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Project Office: DPHE Bhabon, 14 Shaheed Captain Monsur Ali Sarani, Kakrail, Dhaka-1000



Stakeholders' Consultation workshop on "Secondary Towns Inclusive Water Supply and Sanitation Project"

ATTENDANCE REGISTRATION

SL No.	Date	Name	Designation	Organization	Mobile No.	E-mail	Signature
8.	08.11.2021	Purnander Chakma	SAE	DPHE, RANGAMATI	01602642779		
9.	08.11.2021	John Shipp	Team leader	NJS	013	johnp203@yector.com	
10.	08.11.2021	David Khan	WSNS	NJS	01713202763	devide@esolveint.com	
11.	08.11.2021	Tajmilur Rahman	DTL	NJS, AQUA	01745663180	tajmilurrahman@yector.com	
12.	08.11.2021	A.T.M. KAWSAR +1055aein	CEO BHDC	BHDC	01711312402	wtclod@gmail.com	
13.	08.11.2021	Kyan Shwe Hla	Chairman	BHDC	0177759993		
14	08.11.2021	Dr. Abdur Hic Muyeel	COO/NJS FISHCOM	DPHE	01738095588	-	

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Stakeholders' Consultation workshop on "Secondary Towns Inclusive Water Supply and Sanitation Project"

ATTENDANCE REGISTRATION

SL No.	Date	Name	Designation	Organization	Mobile No.	E-mail	Signature
	08.11.2021	MD. ASHRAFUL ISLAM.	CEO	Rangamati H-4 District Council	01873-77 2826	ashraful15921@gmail.com	
	08.11.2021	MD. Zahidul Solim	Nayon	Lama Municipality	01743-6972 69	LamaPawush MA-119@gmail.com	
	08.11.2021	Tulkar Nazim Manik	SAE	"	0836241802	Zulker nazim@gmail.com	
	08.11.2021	NOOR Mohammed	ASSESSOR	"	01814998658		
	08.11.2021	Mohammad Khorshed Alam Prodan	Assistant Engineer	DPHE, Lama	01813-733041	wikimprodan@gmail.com	
	08.11.2021	Suresh pr	MA/DA Acting	Danduraban Pouraskava	01558422573		

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Stakeholders' Consultation workshop on "Secondary Towns Inclusive Water Supply and Sanitation Project"

**ATTENDANCE REGISTRATION**

SL No.	Date	Name	Designation	Organization	Mobile No.	E-mail	Signature
	8.11.21	Md. Abdul Ahal	Office Manager	AQUA	0182886482		
	11	Md. Saifullah	Admin Officer	U	01913-512310		
	8.11.21	Md. Akter uz Zaman	Office Manager	AQUA	01723837166		
	08.11.2021	Md. Shafiqul Hassan	Project Director	UIIPF (DPHE Component project)	01756404946		

## Appendix 12: Sample Grievance/Complaint Register Template

### SAMPLE GRIEVANCE REGISTRATION FORM AND MONITORING FORMAT

(To be available in Local Languages and English)

#### GRIEVANCE REGISTRATION FORM

The \_\_\_\_\_ Project welcomes complaints, suggestions, queries and comments regarding project implementation. We encourage persons with grievance to provide their name and contact information to enable us to get in touch with you for clarification and feedback. Should you choose to include your personal details but want that information to remain confidential, please inform us by writing/typing \*(CONFIDENTIAL)\* above your name. Thank you.

<b>Date</b>		<b>Place of Registration</b>				
<b>Contact Information/ Personal Details</b>						
<b>Name</b>			<b>Gender</b>	• Men • Women	<b>Age</b>	
<b>Home Address</b>						
<b>Place</b>						
<b>Phone no.</b>						
<b>Email</b>						
<b>Complaint/Suggestion/Comment/Question:</b> Please provide the details (who, what, where and how) of your grievance below:						
If included as attachment/note/letter, please tick here:						
<b>How do you want us to reach you for feedback or update on your comment/grievance?</b>						

#### FOR OFFICIAL USE ONLY

<b>Registered by:</b> (Name of Official registering grievance)	
<b>Mode of communication:</b> Note/Letter Email Verbal/Telephone	
<b>Reviewed by:</b> (Names/Positions of Official(s) reviewing grievance)	
<b>Action Taken:</b>	
<b>Whether Action Taken Disclosed:</b>	Yes No
<b>Means of Disclosure:</b>	



**অভিযোগ নিবন্ধন ফর্ম ও পরিবীক্ষণ ফর্মমাটি/ ছক**

**অভিযোগ নিবন্ধন ফর্ম**

অভিযোগ/পরামর্শ প্রদানকারী কর্তৃক পূরণীয়:

অফিস	নিবন্ধনের স্থান			
যোগাযোগের কথা/ ব্যক্তিগত কথা/নি				
নাম	জিলা	+ পুরুষ + নারী	বয়স	
ব্যক্তির ঠিকানা				
স্থান				
ফোন নং				
ই-মেইল				
অভিযোগ/ পরামর্শ/ মতামত/ প্রশ্ন অনুরোধ করে বিস্তারিত জানান (কে, কি, কোথায় ও কিভাবে)				
যদি কোন সংযুক্তি নেই/ টিপি পরামর্শ এখানে টিক (✓) দিন। সংযুক্তি আছে <input type="checkbox"/>				
আপনি আপনার অভিযোগ / পরামর্শ মতামত নিয়ে কিভাবে আমাদের কাছে আসতে চান?				

**শুধুমাত্র অফিসের ব্যবহারের জন্য**

যার দ্বারা নিবন্ধিত/ যে কর্মকর্তা/ কর্মচারী নিবন্ধন করেছেন তার নাম/১০৪	
যোগাযোগের মাধ্যম নেট/ টিপি ই-মেইল সরাসরি উপস্থিত হয়ে মৌখিক টেলিফোন	
যিনি অভিযোগ পর্যালোচনা করেছেন (কর্মকর্তা/ কর্মচারীর নাম / পদবী)১০৪	
পদক্ষেপ/ ব্যবস্থা নেয়া হয়েছে	
যে পদক্ষেপ/ ব্যবস্থা নেয়া হয়েছে তা সংশ্লিষ্ট ব্যক্তি/ ব্যক্তিদের সাথে আলোচিত হয়েছে	হ্যাঁ না
প্রকল্পের মাধ্যম	





**Appendix 13: Standard Operating Procedure for COVID-19  
Proposed Chattogram Hill Tracts – Inclusive and Resilient Urban Water Supply and  
Sanitation Project (CHT-IRUWSSP)  
Socio-Economic Surveys  
SURVEY SAFETY PROTOCOL ON COVID-19<sup>34</sup>**

**A. Introduction**

1. The Department of Public Health Engineering (DPHE), Government of Bangladesh (GOB) has undertaken “Chattogram Hill Tracts – Inclusive and Resilient Urban Water Supply and Sanitation Project (CHT-IRUWSSP)” of the Urban Infrastructure Improvement Preparatory Facility (UIIPF) which aims to provide sustainable, inclusive, and climate-resilient safely managed drinking water supply, sanitation, and solid waste management (SWM) services to the three hill towns of Chittagong Hill Tracts (CHTs): Lama, Bandarban, and Rangamati with loan assistance from Asian Development Bank (ADB). The project will also build the capacity of DPHE, Pourashavas and Hill District Councils to ensure sustainable management and quality service delivery of water supply, sanitation and SWM, and will include reform agenda in the covered towns to improve governance and citizen’s participation. The project is consistent with the vision of Bangladesh’s Eighth Five-Year Plan of the Government of Bangladesh (GoB) which recognizes the need to manage urbanization transition efficiently to sustain economic growth and address poverty, with CHT as one of the priority regions, and in line with 6.1 and 6.2 of the ADB’s Sustainable Development Goals (SDG). As a part of the social safeguard documents (resettlement plans), and detail measurement surveys, socio-economic survey will require to be conducted for the project locations. As the COVID-19 situation is prevailing, safety protocol for survey work has been developed addressing COVID-19.

**B. About the Corona Virus Disease**

2. Coronavirus disease (COVID-19) is an infectious disease caused by a newly discovered coronavirus. Most people infected with the COVID-19 virus will experience mild to moderate respiratory illness and recover without requiring special treatment. Older people and those with underlying medical problems like cardiovascular disease, diabetes, chronic respiratory disease, and cancer are more likely to develop serious illness. The COVID-19 virus spreads primarily through droplets of saliva or discharge from the nose when an infected person coughs or sneezes. At this time, there are no specific vaccines or treatments for COVID-19.<sup>35</sup> However, precautions can be implemented to prevent and slow down the transmission of the virus.

**C. Common Symptoms of Corona Virus Disease<sup>36</sup>**

3. COVID-19 affects different people in different ways. Most infected people will develop mild to moderate illness and recover without hospitalization.

Most common symptoms:

- fever;
- dry cough;
- tiredness.

<sup>34</sup> The project will follow the COVID-19 health and safety protocols issued by the Government of Bangladesh. ADB has also shared the guidance notes on COVID-19 with its executing and implementing agencies in the DMCs (<https://www.adb.org/sites/default/files/publication/715416/covid-19-water-asia-pacific-guidance-note.pdf>)

<sup>35</sup>World Health Organization. [https://www.who.int/health-topics/coronavirus#tab=tab\\_1](https://www.who.int/health-topics/coronavirus#tab=tab_1)

<sup>36</sup>World Health Organization. [https://www.who.int/health-topics/coronavirus#tab=tab\\_1](https://www.who.int/health-topics/coronavirus#tab=tab_1)

Less common symptoms:

- aches and pains;
- sore throat;
- diarrhea;
- conjunctivitis;
- headache;
- loss of taste or smell;
- a rash on the skin, or fingers or toes become pale.

Serious symptoms:

- difficulty breathing or shortness of breath;
- chest pain or pressure;
- loss of speech or movement.

#### **D. Personal Protective Equipment that should be worn by survey team of STIWSSP**

4. While in the field, all the members of the survey team shall use or wear proper personal protective equipment (PPE) at all times. These PPEs may be removed on certain circumstances only, such as, but not limited to, eating, drinking, and any other task or activity that the PPE may inhibit the action. However, during these times, strict observance of social distancing is required.

5. The most common type of PPEs that should be worn by the field surveyors and enumerators are the following:

- **Reusable mask or surgical mask.** Reusable masks should be maintained clean per the manufacturer's instruction. Surgical masks should not be reused.
- **Face shield.** This PPE is especially useful for the field workers especially when talking to various people in a relatively confined space or indoors.
- **Gloves.** This is especially useful in situations in the field where items are being passed around from one hand to another, and no available hand sanitizers, or water and soap for handwashing after the activity.

#### **E. Safety Protocol for Survey Work**

##### **1. The survey team of UIUDP should ensure the following:**

- Before undertaking the survey, ensure that the respective urban local body (ULB) has been informed by UIUDP about the survey.
- Never carry out survey activities in containment zone, if any, and undertake surveys in such areas after restrictions are lifted and necessary approvals are obtained for survey work.
- Maintain adequate stock of masks and sanitiser for survey team; and single-use surgical mask for respondents.
- The team should have handheld contactless temperature scanner and pulse oximeter (minimum 3-sets).
  - a) To test all members of the survey team every morning before starting of survey to ensure no persons are having a fever (above 100 F or 38 C) and oxygen saturation level (should be above 95).
  - b) Once in the field, the head of the team should test the temperature of every respondent before assigning a team member to a particular respondent.



- The temperature of the respondent should be below above 100 F or 38 C.
  - If the temperature is high, then advise such respondents to take a rest and consult a doctor.
6. FGDs should be held only if allowed by District administration and situation permits. Otherwise, avoid FGDs.
- a) If FGDs are conducted, ensure it is held in the open, ensuring that participants are seated at least 1-meter apart.
  - b) Ensure there is no handshaking or any physical contact between participants and provide surgical mask to all participants.
  - c) Participants with fever, if any, should be asked to stay at home and not join the FGD.
7. Check daily the latest information on areas where COVID-19 is spreading and ensure no survey work is undertaken in any area declared as a containment zone.
8. Ensure no member of the survey team is in the high-risk category, those with medical conditions such as diabetes, heart, lung disease, etc. If any, counsel them and exclude them from the survey activity.
9. Ensure that no respondent with fever, cough, and cold is included in the enumeration, and collect information from some other member of the family who is in good health. If all members of the family are unwell, skip enumerating such families.
10. Mobile phones of the survey team, laptop, etc. need to be wiped with disinfectant daily on return from the field.
11. The safety protocol will be implied for the entire survey team of STIWSSP.
- 1. Every enumerator/Interviewer of the survey team should strictly adhere to the following safety measures**
12. STIWSSP will provide an adequate number of branded N95 masks (single use only). At the end of each day, upon reaching home/place of stay, cut the mask into 2-pieces (to prevent recycling) and safely dispose of it in a separate wrapper as per Municipal Corporation guidelines.
13. The enumerator/ interviewer should have a shoulder bag for carrying the hand sanitiser, single-use surgical masks, hand towel, survey tablet, identity card, water bottle, etc.
14. He should use N95 mask before setting out of his place to survey location and should use it throughout the day, till he completes the day's survey work and returns to his place.
- a) Before putting on the mask, clean hands with alcohol-based hand sanitise or soap and water.
  - b) Cover mouth and nose with mask and make sure there are no gaps between the face and the mask.
  - c) Avoid touching the mask while using it; if it is touched, clean hands with alcohol-based hand sanitise immediately after touching the mask.

- d) To remove the mask: remove it from behind (do not touch the front of the mask); clean hands with alcohol-based hand rub or soap and water; and wash the mask with washing soap and dry it in sunlight.
15. Before and after every household survey, clean hands thoroughly with an alcohol-based hand sanitiser, which will be provided by STIWSSP.
- a) Avoid touching eyes, mouth, and nose immediately after using the hand sanitiser, as it can cause irritation.
  - b) Under no circumstance, drink or let children at home or survey-place, swallow the hand sanitizer. It can be poisonous.
  - c) Hand sanitizers recommended to protect against COVID-19 are alcohol-based and therefore can be flammable, be careful.
16. Wash hands with soap and water or using alcohol-based hand sanitiser before having tea and lunch.
17. Carry a freshly washed hand towel every day to dry your hands after washing.
18. Maintain at least 2 metre (6 feet) distance between yourself and the respondent and others during the enumeration.
- a) Since the place of the respondent to be surveyed, may be congested and it may be difficult to maintain the minimum 6-feet distance, ensure that the respondent wears a mask throughout the enumeration.
  - b) Collect and keep some single-use surgical masks from your supervisor for giving to respondents.
  - c) Request respondents to avoid crowding of other family members when the enumeration is in progress.
19. After collecting and handing over the identity cards for taking photographs, ensure that hands are cleaned using alcohol-based hand sanitiser.
20. Avoid going to crowded places during and after enumeration.
21. Avoid touching eyes, nose, and mouth until reaching home and have taken a bath.
- a) Use shampoo and wash hair thoroughly.
  - b) Wash clothes and dry them in sunlight.
  - c) All gadgets and materials used during survey should be disinfected, put in one bag and keep away from any family member, to ensure no virus is brought into the households of enumerators/surveyors.
  - d) Dispose off used face masks properly as described above. Face shields should be properly washed or disinfected as well.
22. Consume only cooked hot food and avoid consuming any packaged food.
- a) Carry drinking water and keep the body hydrated.
  - b) Drink hot water, wherever possible
23. Avoid public transport for local travel and use vehicle/motorcycle of STIWSSP (if possible) to reach survey places (settlements).

- a) If auto-rickshaw is used ensure only 2-persons travel and in taxi, 3-persons. As much as possible, avoid auto and taxi, and use motorcycle or cycle instead.

24. If someone has any minor symptoms such as cough, headache, mild fever, inform UIUDP, and stay at home. Do not come for the survey work.

- a) At home, be isolated from others.
- b) call the nearest government COVID-19 health care contact person and give details of your symptoms and places that is visited for survey work.

#### **F. Important**

25. STIWSSP will facilitate testing of the members for COVID-19, once they reach the destination town and the supervisors should be in self-quarantine till results come. Only after the result is known and is Negative, the survey activities should commence. If anyone tests Positive, then such a person should immediately contact the hospital and take treatment as recommended.

## **Appendix 14: Outline of Social Safeguards Monitoring Report**

Following requirements of the ADB Safeguard Policy Statement (2009) and the *Operations Manual* section on safeguard policy (OM F1), borrowers/clients are required to establish and maintain procedures to monitor the status of implementation of safeguard plans and ensure progress is made toward the desired outcomes. For projects categorized as A or B in Involuntary Resettlement and/or Indigenous People, the Borrowers/clients are required to submit biannual monitoring reports for ADB review. The level of detail and comprehensiveness of a monitoring report is commensurate with the complexity and significance of social safeguards impacts (IR and IP). A safeguard monitoring report may include the following elements:

- **Executive Summary**

This section provides a concise statement of project scope and impacts, key findings and recommended actions.

- **Background of the Report and Project Description**

This section provides a general description of the project, including:

- Background/context of the monitoring report which includes the information on the project, project components, safeguards categorizations, and institutional requirements
- Information on physical progress of project activities, scope of monitoring report and requirements, reporting period, including frequency of submission and changes in project scope and adjusted safeguard measures, if applicable
- Summary table of identified impacts and the mitigation actions.

- **Scope of Impacts**

This section outlines the detail scale and scopes of the project's safeguards impacts, vulnerability status of the affected people/communities, entitlements matrix and other rehabilitation measures, as applicable, as described in the approved final Resettlement Plan(s) /IPP(s).

- **Compensation and Rehabilitation**

This section describes the process and progress of the implementation of the safeguards plan and other required activities as determined in the plan. This includes payment of the affected assets compensation, allowances, loss of incomes, etc. to the entitled persons; provisions of other types of entitlement as described in the matrix and implementation of livelihood rehabilitation activities as determined in the plan. Quantitative as well as qualitative results of the monitoring parameters, as agreed in the plan, should be provided.

- **Project disclosure, public participation and consultation**

This section describes project disclosure mechanism, public participation and consultations activities during the project implementation as agreed in the plan. This includes, numbers of activities conducted, issues raised during consultation and responses provided by the project team, implementing NGOs, project supervision consultants, contractors, etc.

- **Grievance Redress Mechanism (GRM)**

This section described the implementation of project GRM as design in the approved Resettlement Plan/IPP. This includes evaluations of its effectiveness, procedures, complaints receive, timeliness to resolve issues/ complaints and resources provided to solve the complaints. Special attentions should be given if there are complaints received from the affected people or communities.

- **Institutional Arrangement**

1. This section describes the actual implementation, or any adjustment made to the institutional arrangement for managing the social safeguards issues in the projects. This includes the establishment of safeguards unit/ team and appointment of staff in the executing or implementing agencies; implementation of the GRM and its committee; supervision and coordination between institutions involved in the management and monitoring of safeguards issues, the roles of NGO and women's groups in the monitoring and implementation of the plan, if any.

- **Monitoring Results-Findings**

This section describes the summary and key findings of the monitoring activities. The results are compared against previously established benchmarks and compliance status (e.g., adequacy of IR compensation rates and timeliness of payments, adequacy and timeliness of IR rehabilitation measures including serviced housing sites, house reconstruction, livelihood support measures, and training; budget for implementing EMP, resettlement plan, or IPP, timeliness and adequacy of capacity building, etc.). It also compared against the objectives of safeguards or desired outcomes documented (e.g. involuntary resettlement impacts avoided or minimized; livelihood restored or enhanced; IP's identity, human right, livelihood systems and cultural uniqueness fully respected; indigenous people not suffer adverse impacts, environmental impacts avoided or minimized, etc.). For FI projects this includes the effectiveness of the Environmental and Social Management System (ESMS) managed by the FI and its participating institutions. If noncompliance or any major gaps identified, include the recommendation of corrective action plan.

- **Follow up Actions, Recommendation and Disclosure**

This section describes recommendations and further actions or items to focus on for the remaining monitoring period. It also includes lesson learned for improvement for future safeguards monitoring activities. Disclosure dates of the monitoring report to the affected communities should also be included. A time-bound summary table for required actions should be included.

#### **Appendix 1**

- List of Affected Persons and Entitlements
- Summary of Resettlement Plan/IPP with entitlement matrix

#### **Appendix 2**

- Copies of affected persons' certification of payment (signed by the affected persons)
  - Summary of minutes of meetings during public consultations
- Summary of complaints received and solution status.

### Appendix 15: Sample Project Information Disclosure Leaflet

Project Information	Description
1) Name of the project, project, EA/IA and city	
2) Proposed project technical details and project benefits	
3) Summary of project impacts	
4) Compensation and entitlements	
5) Resettlement and Small Ethnic Community Plan (RTMRESCP) budget	
6) RP implementation schedule	
7) Consultation and disclosure requirements	
8) Implementation structure and GRM Information	
9) Contact numbers of Contractor, PIU, PMU	

**Note:** Attach list of affected persons and Entitlement Matrix to this leaflet. This leaflet will be disseminated both in local language (Bengali) and English.