

**A STUDY ON INVOLUNTARY RESETTLEMENT PLAN
PRACTICES IN DIFFERENT INFRASTRUCTURE
DEVELOPMENT PROJECTS IN BANGLADESH**

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ABSTRACT

Development projects usually involve displacement of people from their inherent settlements. Bangladesh is one of the most densely populated country in the world, this is often resulted by acquisition of land by government. Thousands of people are displacing annually in Bangladesh by both public and private sector development projects due to land acquisition. Resettlement plan practices in Bangladesh after eighties imposed by multilateral donor organization under their policy guidelines. Jamuna multipurpose bridge project was the first development project which considered the resettlement plan with the main project for the involuntarily displaced. Later other project funded by development partners followed this.

Every year millions of people evicted from their well-known surroundings for the infrastructure development project and could not restore their life in the previous state. So, this kind of development induced poverty to the directly affected population. Bangladesh already practiced of the resettlements project for some of big development partner funded infrastructure project though it has not yet formulated any guidelines for involuntary resettlement policies for Bangladesh. This study made an attempt to make a review in the involuntary resettlement practices in development project in Bangladesh for giving some guidelines to help to formulate the national policy on involuntary resettlement. After reviewed the different planning components of the plan the study make a critical analysis in terms of strength and weaknesses, policy limitation, achievement and experiences of those project implementation. Discussion with local resettlement specialist about their experiences in resettlement project implementation also consider for an important input. Two case studies were selected for the primary survey for understanding the present situation of the resettlers. The survey output was analysed for understanding the gap between plan and implementation status of the planned featured. Finally a planning standard and policy recommendation for the involuntary resettlement was developed.

ABBREVIATIONS

APs	Affected Persons
BBCP	Bhairab Bridge Construction Project
BDT	Bangladeshi Taka (1 BDT = = about 0.0124 USD)
BR	Bangladesh Railways
BWDB	Bangladesh Water Development Board
CBOs	Community-Based Organizations
CCL	Cash Compensation under Law
CECP	Community Engagement and Consultation Plan
CPR	Common Property Resources
DC	Deputy Commissioner
EA	Executing Agency
EPs	Eligible/Entitled Persons
GOB	Government of Bangladesh
GRC	Grievances Redressal Committee
ID	Identity Card
IRP	Income Restoration Plan
JMBP	Jamuna Multipurpose Bridge Project
JMBA	Jamuna Multipurpose Bridge Authority
JBRLP	Jamuna Bridge Rail Link Project
LAP	Land Acquisition Plan
LGED	Local Government Engineering Department
MDG	Millennium Development Goals
MOL	Ministry of Land
NGOs	Non-Government Organizations
NHA	National Housing Authority
NPRR	National Policy on Resettlement and Rehabilitation
NTFP	Non-Timber Forest Produce
PAPs	Project Affected Persons
PIC	Public Information Cell
PMU	Project Management Unit
PPP	Public-Private Participation
PWD	Public Works Department
RP	Resettlement Plan
RHD	Roads and Highways Department
RoW	Right-of-Way
SRNDP	Southwest Road Network Development Project
SRU	Social and Resettlement Unit

Chapter One: Introduction

1.1 Background

Resettlement occurs without the informed consent of the displaced persons, or if they give their consent without having the power to refuse resettlement (IFC and World Bank, 2002). Development projects usually involve displacement of population from their inherent settlements and have typical adverse impacts due to land acquisition. Infrastructure development projects displace a large number of populations from their homes and communities (Ahsan, 2009). Involuntary Resettlement involves people of all ages and gender, some of whom may be evicted against their desires. Many of these people may be risk-averse and may lack the dynamism, initiative, and wherewithal to move and re-establish in a new location and undertake new avocations. (ADB, 1995).

Bangladesh is one of the densely (843 persons per sq. km), populated country of the world (BBS 2001 Census). As a result, any physical development project displaces a large number of population and destroy their inherent social, economic and environmental territories. Thousands of people are displacing annually in Bangladesh by both public and private sector development projects due to land acquisition. This is causing impoverishment of those affected and displaced (Ahsan, 2009). Before nineteen nineties, any development projects either government or non-government has acquired project's land following the Acquisition and Requisition of Immovable Property Ordinance II (1982) in Bangladesh. Now, most of the development project funded by multi-lateral donor organizations has followed the prescribe policies of those donors and it is now mandatory for all development projects to has its own resettlement and land acquisition policy. Whereas, the government owned project till only follow the same ordinance for land acquisition task.

In Bangladesh, after eighties, the development partners, for instance, World Bank, Asian Development Bank (ADB), Department for International Development (DFID), etc, of Bangladesh government have realized that involuntary resettlement may have posed serious hardship and impoverishment risk such as landless, homeless, lack of employment and access to livelihood sources increasing existing gender disparities and disruption of social and cultural network. After close observation of the

development projects in the developing countries the development partners have realized that project develops sometimes bear the heavy responsibility of managing involuntary resettlement in order to implement their projects.

Resettlement plan practice has been formally started in Bangladesh at early nineties for the Jamuna Multipurpose Bridge (JMB). During the construction period of JMB separate project for resettlement for the uprooted population due to construction of the bridge was taken. The project named “Resettlement Action Plan, 1993” executed by JMBA (Jamuna Multi-purpose Bridge Authority, presently Bangladesh Bridge Authority). It was the first resettlement project ever in Bangladesh that acquired total 2862.14 ha land and resettle about 16,000 households (105,000 persons) (JMBA, 1993).

Afterward, Bangladesh have implemented different development projects (Land Ministry, 2007) in which resettlement plan has been considered as an individual action components such as Jamuna Bridge Railway Link Project (Bangladesh Railway, 1997), Bhairab Bridge Construction Project (RHD, 1999), Southwest Road Network Development Project executed by Roads and Highway Department (RHD), (RHD, 2001). River Bank Protection Project, 1996 (Land Ministry, 2007), Jamuna Meghna River Erosion Mitigation Project, (Land Ministry, 2007). Another two projects named “Rural Transport Improvement Project (Phase –I), 2003” and “Padma Multipurpose Bridge Project, 2006” are still ongoing which considered the resettlement plan as an important components.

In 2006, ADB found that the Evaluation of Resettlement Experience in some selected projects indicate, major problems in land acquisition and resettlement management including (i) long delays in payment of compensation and resettlement assistance; (ii) lack of adequate consultation with affected persons (APs) at sufficiently early stage to affect decision making process and project design; (iii) weak income restoration program; and (iv) weak coordination and monitoring of resettlement activities (ADB, 2006). ADB’s Special Evaluation Study on the Impact of Involuntary Resettlement found that the ability to implement a resettlement plan efficiently and effectively depends both on the clear policy guidelines and legal framework, as well as the knowledge, skills, and experience of the staff of project implementation agencies.

To take all those circumstances in mind, this study has been tried to identify the possible caring measurements for the development project in future by reviewing the past practiced project, which may occurring the impoverishment risk or illustrated many of the successful examples for future plan. With a view to identify the best practice and policy guidelines for future resettlement plan in a development project, which follow the basic rules of development, may not causing the situation like “Development induced impoverishment risk” rather than “Development induced development” for the displayed people. Bangladesh is a poorer country with in huge population and scarce resources. So, we have to identify the suitable and sustainable resettlement plan procedure as well as the National Resettlement Policy, which is really fit for our Bangladesh and maybe other third world country like Bangladesh.

1.2 Objectives

The research has been conducted to fulfill the following objectives:

1. To make a review among different resettlement projects practices in Bangladesh for infrastructure development projects,
2. To identify the strength and weakness of those implemented resettlement projects in Bangladesh.
3. To ascertain involuntary resettlement project planning standard and implementation procedure.

1.3 Methodology

This study had been conducted by both secondary source materials and primary data sources through questionnaire survey. To achieve the broad objective of the study following methodology had been considered -

1.3.1 Selections of the project

This study deals with the infrastructure development project that performed involuntary resettlement projects in Bangladesh. Last two decades, there are several involuntary settlement plan executed for different development projects in Bangladesh. Most of to the projects have relation with the infrastructure development activities and some projects are still going on. In this study those infrastructure

development projects were selected, which has already been implemented. The following projects have resettlement components and also directly related to the development purpose in nature: (i) Jamuna Multipurpose Bridge Project, (ii) Southwest Road Network Development Project, (iii) Jamuna Bridge Railway Link Project, and (iv) Bhairab Bridge Construction Project and already these projects have been implemented. All of these projects were selected for the study as those have their significant outcomes in both terms of success and failure examined by the different sources as well as by the donors.

1.3.2 Review of Literature:

For clear concepts about the study, previous experiences of involuntary resettlement practices have been reviewed. The World Bank was the first multilateral lending agency to adopt a policy for Resettlement and Rehabilitation (R&R). The Bank's present policy is contained in the document "Involuntary Resettlement," Operational Directive (OD) 4.30, adopted in June 1990. In 2002, World Bank has developed Handbook for Preparing a Resettlement Action Plan by IFC based on this OD. ADB adopted its own Involuntary Resettlement (IR) policy in 1995. In 2007, Land Ministry of Bangladesh Government has formulated final draft of "National Policy on Involuntary Resettlement and Rehabilitation" which has been also reviewed for this study.

1.3.3 Data sources and data collection:

This study has been dealt with secondary source materials such as projects reports, survey reports, Publications (land law related legislation) of Government of Bangladesh (GoB), articles, research papers, internet publication materials, World Bank (WB) & ADB policy documents, consultants review reports, manual documents, web sites source documents, etc. For understanding the present consequences of the projects the study selected two resettlement sites for the questionnaire survey. The research designed a survey of five percent resettlers households at east and west Jamuna bridge resettlement sites and ten percent SMEs of relocation market in Ashuganj for primary data collection. However, the study had had a discussion with the projects consultants and resettlement expertise for their opinions about implemented projects success and shortcomings.

1.3.4 Data Illustration and Comparison:

In general, involuntary resettlement plans are always specific in nature along with its pioneer project. So, reviewing of different involuntary resettlement plan related to infrastructure development project has been given a comprehensive overview about resettlement action plan preparation and implementation scenario of Bangladesh. At first, projects documents have been reviewed carefully to observe - what types of standard or parameters are being considered in those plans for Bangladesh. ADB, World Bank Policy documents and other project example have also analyzed to understand projects standards. Post project monitoring and evaluation of the project done by different development partners (project donor, WB, ADB, DFID, etc) were then reviewed to find out the actual implementation of the project plan. The surveyed database had been analysed through the statistical package for social sciences (SPSS) software and prepared tabular and graphical format analysis results for the report and well analysed all the information with logical support. Expert opinion and consultant's overview had been considered in this stage to make a recommendation for future involuntary resettlements planning standard and policy for Bangladesh. It had been observed that, many important results, facts, observations and suggestions came out through this study of involuntary resettlement plan practiced in Bangladesh.

1.3.5 Report Preparation and Presentation:

After completion of the above tasks, final research paper had been prepared for presentation. The output has been shown in tabular, graphical and descriptive format. Some information's have displayed by mapping technology. Finally this research document had been prepared for the presentation of overall involuntary resettlements scenario involved in development projects in Bangladesh as well as the future policy guidelines involve in resettlement plan preparation.

1.4 Scope and Limitations of the Study

It was expected that this study had carried out the factors considered for involuntary resettlement planning projects in Bangladesh. This study had been suggested some parameters for resettlement plan considering the shortcoming and weaknesses and make a detail overview for resettlement plan preparation, implementation, success and constrains in Bangladesh. It had also made a detail guideline for future resettlement plan in infrastructure development projects in Bangladesh.

Involuntary Resettlement Plan is now an important issue for any kind of development project in the world. This study had been extended the concept of resettlement plan practices in Bangladesh or abroad. This study had made a detail overview of resettlement plan practices, shortcomings and constrains for Bangladesh. It is not expected that any kind of development activities will be increased the impoverishment risk of the project affected persons. This study will help to improve those risk parameters in future planning. Presently, there is no national level guideline regarding this issue. This study will help to formulate a national level guideline for involuntary resettlement plan practices in Bangladesh.

The study needed visits of all resettlement project area as well as present status of the project, however, due to resource constraint it was not possible particularly SRNDP¹ and Jamuna Railway Link Project. Moreover, it was very difficult to locate the original project affected persons. Another important issue has been found that government till not maintained any specific document regarding this issue. So, lack of the secondary information has been really the big limitation for conducting this type of study.

This study has been specifically deals with those infrastructure development projects which involved a specific resettlement plan for the implementation of the pioneer project and which has already implemented and also have significant evaluation outputs.

1.5 Outline of the Thesis

This study had been especially designed to present an overview of the involuntary resettlement plan practices in different infrastructure development projects in Bangladesh. To serve the purpose of the study, this reported is divided in following Seven chapters. In the first chapter the study had tried to describe the importance, purpose, aims and working procedures of the study. Documents of resettlement project implemented by multilateral organization both home and abroad are reviewed in the second chapter. The third chapter has been specially designed for the overview description of resettlement plans involved to this study. Chapter four analysed strength and weakness of the implemented project made by a critical analysis of those project in terms of strength and weakness, limitation of policy implication,

¹ Southwest Road Network Development Project

achievements and experiences of those implemented projects and this chapter also included the present status from the results obtained for the primary surveys of two case studied database. Chapter five has made some guidelines and recommendations for the policy formulation regarding involuntary resettlement issues of Bangladesh. And finally, the conclusion chapter has given some concluding remarks for future resettlement plan.

Chapter Two: Literature Review

Review of Literature is an integral part of any study. This study is not an exception. This study was involved a numerous review materials related to the involuntary resettlement issues. National, international and multilateral organization's all having their policy and practice of resettlement. In this study some of those documents were reviewed as well as the role of those institutes in resettlement practice.

2.1 Multilateral Organizations

2.1.1 World Bank

The World Bank was the first multilateral lending agency to adopt a policy for Resettlement and Rehabilitation (R&R). The Bank's present policy is contained in the document "Involuntary Resettlement," Operational Directive (OD) 4.30, adopted in June 1990. In 2002, World Bank has developed Handbook for Preparing a Resettlement Action Plan by IFC based on this OD.

All IFC investments involving involuntary resettlement are currently processed with reference to this OD. The Resettlement handbook explains how and under what circumstances OD 4.30 applies and what actions IFC expects project sponsors to take to manage involuntary resettlement. Thus the handbook provides an outline of the rights, roles, and responsibilities of all parties involved in involuntary resettlement. At the time of the publication of this handbook, all the environmental and social policies applicable to IFC's investments were undergoing review. However, regardless of the outcome of the review, OD suggested following basic principle for addressing the adverse effects of involuntary resettlement associated with its investment projects.

- Involuntary resettlement should be avoided.
- All people affected by it should be compensated fully and fairly for lost assets when involuntary resettlement is unavoidable.
- Involuntary resettlement should be conceived as an opportunity for improving the livelihoods of the affected people and undertaken accordingly.
- All people affected by involuntary resettlement should be consulted and involved in resettlement planning to ensure that the mitigation of adverse effects as well as the benefits of resettlement is appropriate and sustainable.

It also encourages project sponsors to plan and execute involuntary resettlement as a development initiative to ensure that the livelihoods and living standards of affected people prevailing before their displacement are improved. A Resettlement Action Plan (RAP) is a document drafted by the sponsor or other parties responsible for resettlement (such as government agencies), specifying the procedures it will follow and the actions it will take to properly resettle and compensate affected people and communities. The RAP is the sponsor's commitment to IFC and to the affected people that it will meet its obligations arising from involuntary resettlement.

According to the Handbook, Resettlement is involuntary when it occurs without the informed consent of the displaced persons or, if they give their consent, without having the power to refuse resettlement. A typical example of such displacement is a government agency's expropriation of land for a capital development project by eminent domain. People occupying or otherwise dependent on that land for their livelihoods may be offered fair compensation for their losses. However, they have little recourse to oppose the government's expropriation regardless of their desire to continue occupying or using the affected land.

Displacement may be either physical or economic. Physical displacement is the actual physical relocation of people resulting in a loss of shelter, productive assets or access to productive assets (such as land, water, and forests). Economic displacement results from an action that interrupts or eliminates people's access to productive assets without physically relocating the people themselves.

The involuntary resettlement policy applies under all conditions of potential physical or economic displacement resulting from the acquisition or use of land for a project regardless of the total number of people affected or the significance/severity of anticipated impact.

The resettlement hand book also provided a framework for preparing a RAP. They suggested that every RAP should contain:

- Identification of project impacts and affected populations;
- A legal framework for land acquisition and compensation;
- A compensation framework;

- A description of resettlement assistance and restoration of livelihood activities;
- A detailed budget for implementation;
- An implementation schedule;
- A description of organizational responsibilities;
- A framework for public consultation, participation, and development planning;
- A description of provisions for redress of grievances; and
- A framework for monitoring, evaluation, and reporting.

World Bank also developed technical paper (Paper No. 80) for involuntary resettlement in development projects in 1988, which basically deals with policy guidelines in World Bank-Financed projects. This paper addressed policy issues and operational implications of development projects that cause involuntary resettlement. The general principles for resettlement as planned change were discussed, with emphasis on government responsibility, involvement of resettlers“ in the choice among available resettlement options, and prevention of adverse impact on host populations and environment.

It was also emphasized that involuntary resettlement dismantle a previous production system and way of life, all involuntary resettlement programs must be development programs as well. The backbone of any resettlement plan must be a development package consisting of a set of project funded provisions aimed at reconstructing the production base of those relocated and at reestablishing them as self-sustaining producers or wage earners. Policy aspects and operational implications were discussed in the following sequence: types of projects causing involuntary resettlement and ways of minimizing resettlement; the social nature of involuntary resettlement processes and lessons from past project experiences; general principles in approaching resettlement; policy objectives; resettlement plans; reconstruction of the resettlers“ production base; habitat and social organization; environmental implications and environmental management; and procedures for treating resettlement in each stage of the project cycle: identification; preparation; appraisal; supervision and monitoring.

2.1.2 Asian Development Bank (ADB)

Following World Bank, the Asian Development Bank (ADB) formally adopted a policy on involuntary resettlement in 1995. They followed the World Bank policy in broader term however they also emphasize supporting the existing social and cultural institutions of resettlers“ and their host and integrating the resettler both economically and socially into the host community to the greatest extent. Also it mentioned that the absence of formal legal title to the land should not be a barrier for compensation to the affected community.

The key elements of ABD’s IR Policy are (i) Compensation for lost assets, loss of livelihoods and income, (ii) Assistance for relocation, including provision for relocation sites with amenities, and (iii) Assistance for rehabilitation to achieve at least the same level of well-being with the project as without it.

2.1.3 DFID/DAC-(OECD)

DFID does not have a specific policy on development-induced displacement. However, its policy on humanitarian support (DFID, 2011) sets out four ways the UK will work in humanitarian emergencies:

1. “Provide aid according to need and need alone, in line with the humanitarian principles of humanity, impartiality, neutrality and independence.
2. Follow Good Humanitarian Donor-ship principles and best practice, and encourage others to do likewise.
3. Work multilaterally and with other partners to expand the donor base for humanitarian action and greater burden sharing.
4. Strengthen our commitments to be transparent and accountable to beneficiaries, and encourage our partners to do likewise” (Kangas, A., 2011).

OECD/DAC,^s Guidelines for Aid Agencies on Involuntary Displacement and Resettlement (1992) stated that “alternatives to displacement and resettlement should be fully considered before decisions on displacement and resettlement are taken. Involuntary displacement and resettlement should be treated as an integral part of project design from the earliest stages of project preparation” (OECD/DAC, 1992). Where displacement and resettlement is deemed necessary, the guidelines set out the following safeguards:

- Land acquisition has been minimized to extend it's possible in the project and will be carried out in a way that it will minimize the adverse impact on the PAPs. This will be done in consultation with the people to be affected.
- The „non-action alternative“ should be seriously considered.
- In the decision-making process due weight must be given to people,s needs and environmental protection. Meaningful consultation must also take place with the displaced community, ensuring the involvement of vulnerable groups.
- The possibility of involuntary resettlement should be determined as early as possible and project identification work should search and document technical alternatives to avoid or minimize displacement
- “Displaced persons should be i) enabled to reconstruct a land-based or employment-based productive existence; ii) compensated for their losses at replacement cost; iii) assisted with the move and during the transition period at the relocation site; and iv) assisted in their efforts to improve their former living standards, income earning capacity, and production levels, or at least to restore them” (Kangas, A., 2011)
- “Resettlement components should be supervised throughout implementation and continue after the arrival of the resettled population at the new site” (Kangas, A., 2011).
- PAPs losing land has to be extend it's possible, receive replacement land for farming and livelihoods. If land is not available, cash compensation will be paid at the market value of the land. Likewise, loss of standing crops and productive trees will be compensated at market price.
- Owners of residential/commercial structures have been compensated at replacement costs. RHD will be ensured access of SMEs, particularly the godown owners to river front and roadside space along the new ferry ghat to re-establish their businesses.
- Renters/lease holders affected by loss of living quarters will be received compensation due to indirect impact of the Project.
- Additional compensation in the form of income restoration will be provided to ensure no loss of income during the period of relocation and resettlement.

- The needs of women and other vulnerable groups will be identified and provisions made for social support, employment, and means of subsistence to maintain their role as contributing members of their households.
- Affected community infrastructures or common property resources, including tube-wells will be re-built or replaced at project costs.

2.1.4 United Nations (UN)

Prohibition of Forced Evictions 2003/17, Article one states that “the practice of forced eviction constitutes a gross violation of a broad range of human rights, in particular the right to adequate housing, the right to remain, the right to freedom of movement, the right to privacy, the right to property, the right to an adequate standard of living, the right to security of the home, the right to security of the person, the right to security of tenure and the right to equality of treatment”. It urges governments to eliminate the practice of forced evictions by, inter alia, repealing existing plans involving forced evictions as well as any legislation allowing for forced evictions (Kangas, A., 2011).

It recommends:

- Governments to provide immediate restitution, compensation and/or appropriate and sufficient alternative accommodation or land to persons and communities that have been forcibly evicted, following mutually satisfactory negotiations with the affected persons or groups (Article 4).
- That evictions deemed lawful do not breach the human rights of those displaced (Article 5).

2.2 International Experience on Resettlement

It is estimated that each year approximately half of the population of Australia is displaced by development projects around the world - that is, around 10 million people each year. This means, that over the last decade some 90-100 million people have been forced to move from their homes, 40-80 million of which have been displaced by large dams (Cernea 2000; Cernea and McDowell 2000; WCD 2000).

China, India, Brazil and Indonesia displace the largest number of people (Bhattari, 2001). Since 1949, 18.5-20 million people were displaced in India by development

projects and an enormous 45.1 million people were displaced in China (Fruggle et al, 2000). Owing to its magnitude, the incidence of involuntary resettlement clearly warrants close attention.

There are significant examples of the population displacement around the world, may vary from only several hundred people in one project to tens of thousands of people in others. The Aswan Dam project in Egypt, for instance, had to resettle over 100,000 people (World Bank, 1988). Narmanda Sardar Sarovar Dam in Gujarat, some 70,000 people will be displaced; the Yacyreta reservoir at the border area between Argentina and Paraguay will submerge towns and villages inhabited by some 45,000 people; about 60,000 urban and rural people were displaced by the Sobradinho Dam in Brazil; the recently completed Nangbeto hydropower dam in Togo has displaced some 10,000 rural people, many of whom are shifting cultivators; the Shuikou dam on the Min river in China, whose construction started In 1987, will cause the relocation of about 62,500 people living in villages and townships; the largest involuntary relocation in dam projects known so far was caused by the Danjiangkou dam, completed in China in mid '70s, where same 383,000 people were resettled; and a drinking water reservoir and supply system under construction now in Dhaka, Bangladesh will cause the relocation of some 20,000 people, etc (World Bank, 1988).

In each and every case, the task of involuntarily relocation is a daunting one, and it would be a mistake to underestimate the disruptive effects of dislocation even in projects where the size of affected population is relatively small. In Guatemala, for instance, the mishandling of the relatively limited relocation entailed by the Chlxoy dam caused such discontent for what a national emergency was declared.

The complexity of dislocation results not from numbers alone, but from the severity of the consequences to the affected people and to project success. From the following case study it can be conclude that process of involuntary resettlement can substantially affect the overall economic and social impacts of projects.

2.2.1 Gujarat, India

In the case of Gujarat India, the book “Land Acquisition, Displacement and Resettlement in Gujarat: 1947-2004” has made a detailed analysis of the land acquired for development projects and their impact on the displaced and project-affected

people of Gujarat, from 1947 to 2004. It provides a comprehensive account of land acquired for water resources, industries, mines, HRD, transportation/communication, and urban development projects and focuses on the people displaced and affected by them. Additionally it pays special attention to the legislative hurdles in rehabilitation and compensation procedures which follow displacement, analyzing the behavior of officials towards people, the role of village leaders and the impact on people, especially tribals, dalits, the „backward“ castes, women and children.

This study has been showed that nearly 2.5 million persons, 5 percent of the population of the Gujarat state, have lost their land and/or habitat, and fell in the category of displaced in the post-independence Gujarat. Eighty percent of the displaced were powerless and belong to the lower strata of society. The Gujarat model of development in India relies heavily on the use of non-renewable energies, increased urbanization at the cost of rural life, and caused environmental damage and destruction. This Gujarat development models helps a few to gain at the cost of the pain and misery of many. At the end of the day, a large number of people faced the risk of losing their knowledge just as they lost their lands, resources, languages and lives.

This study has been also made their effort to explore how the problems caused by development could be tackled in a just way for making the current model of development less painful to the affected. They addressed the issue of public policies related to land acquisition, resettlement and rehabilitation through the involvement of concerned scholars, academician and social activists. Finally the government of India has been published its new rehabilitation policy, launched in 2006, which has come into existence after struggle of concerned social activist for over 25 years.

2.2.2 Daitari (Tomka) - Keonjhar new railway line, Orissa, India, 2002

The Tomka-Keonjhar project line stretches over 96 km into two districts (Keonjhar and Jajpur). The project acquired a total of 1177 ha of land. Land acquisition and payments of compensation, including relocation of the displaced households was carried out from 1984 to 2001. The objectives of the Remedial Resettlement Action Plan (RRAP) were to (i) provide a framework to pay compensation to outstanding cases; (ii) mitigation of community wide impacts such as loss of natural irrigation,

severance, access to social services, and access to common property resources; and (iii) livelihood program for affected communities particularly Scheduled Tribes and vulnerable groups. The land acquisition affected some 4,592 households of which only 48 households required relocation. The compensation and relocation assistance provided for the affected households was in accordance with the legal requirements set by the Land Acquisition Act of 1894. The list of displaced persons (DPs) and Project Affected people (PAPs) were compiled in LAO office, which included the total number of families in each village, a list of names of the affected families, land acquired, compensation paid/ received. The entire list was available in a separate volume. This RRAP has been prepared by following of all involuntary resettlement plan components develop by ADB in 1995.

2.2.3 Numata Dam project, Japan

The Numata Dam, planned for the Tone River basin of Gunma Prefecture, was the largest dam construction project ever considered in Japan. This dam construction project, however, did not materialize. The proposal for the Numata Dam was first launched in 1959, at a time when the Tokyo Metropolitan area was mushrooming, both in population and industrial activity. The Numata Dam was supposed to be a prioritized dam construction project to alleviate then anticipated water shortage in the Tokyo Metropolitan area. The Numata Dam plan experienced fierce opposition from those who would have been obliged to resettle, whereas those in Tokyo and the surrounding metropolitan area welcomed the plan. The major concern of the planned Numata Dam was the number of resettlers, which was then estimated to be around 3000 families. The resettlement plan developed for the Numata Dam included some innovative concepts, which may be applicable even today, for dam construction projects in the developing world. The plan included such ideas as (a) having resettlers share existing farmland with the present owners provided improvements were made to increase productivity, (b) paying „rent“ to resettlers, and (c) establishing the Tone River Development Agency. After more than a decade of debate, both at national and local levels, the Numata Dam project was finally discarded through a decision of the Prime Minister in 1972. The resettlement schemes elaborated for the Numata Dam still appear to be innovative. Such schemes may be applied to projects in the developing world, in particular, in nations that are about to „take off“ with economic development.

2.2.4 Ilisu Dam, Turkey

The Ilisu dam project plan originates from the 1950s, but it was only in 1997 that the government thought the State Hydraulic Works (DSI); the government agency responsible for the construction of this dams. Ilisu was the largest hydroelectric power project on the Tigris River (135 meters high or 526 meters ground elevation with 10 million m³ capacity). The planned location of the dam was 65km upstream from the border with Iraq and Syria, at the village of Ilisu on the Tigris River, between Mardin and Sirnak {Export Credit Guarantee Department, London (ECGD, 1999)}. The impact area of the Ilisu dam falls within five provinces; Diyarbakir, Mardin, Batman, Siirt and Sirnak. These provinces have a total population of 3 million, of which 90 percent were ethnically Kurdish and 10 percent were Arabs and Turks. Development planners and bureaucrats of DSI have not shied away from their commitment to the objectives of the dam despite its substantial potential impact on the local area and local communities. DSI data and the Resettlement Action Plan (RAP) survey estimated that 184 villages will be affected. Of these around 85 were supposedly empty, the people already displaced as a result of security conflicts. The dam involves the flooding of large areas, including the historic town of Hasankeyf, and the displacement of an estimated 61,000 people. This is likely to be an under-estimate of all local people eligible for displacement compensation because of inadequate demographic data on the „empty“ villages and is an unreliable basis for measuring the scale of resettlement. This project has been failed to observe internationally agreed guidelines for „best practice“ that are aimed at minimizing both the scale of resettlement and the extent of its negative impacts, as promoted by the World Bank and other agencies (OECD, 1992; World Commission on Dams, 2000a; World Bank, 1990).

The Ilisu Resettlement Action Plan undertook a household survey questionnaire which determined that 78 percent of households would opt for self-resettlement (cash compensation). Ilisu planners have not actively encouraged more people to opt for government-assisted resettlement. Resettlement planning that focuses on cash compensation packages and measures aimed. The reconstructing livelihoods cannot respond to the social and economic forces that shape inequality and underpin poverty, ethnic exclusion and violations of human rights; which have been required to the

national development policy shifts and a political commitment to inclusive development.

2.3 History of Resettlement plan practices in Bangladesh

An estimated one million people are displaced annually in Bangladesh by natural disasters-floods, riverbank erosion, coastal cyclones, and tornadoes. In recent years, in addition to displacements arising from these natural phenomena and often in an attempt to stem their impact, tens of thousands of people have been displaced from their homes and land by infrastructural development projects. While development of hydropower, irrigation, flood control, roads and highways, and urban areas are planned for their beneficial impact and are commonly viewed as tidy solutions to the many problems of underdevelopment, these large projects also force people from their homes and communities and subject them to economic and social hardship. Thus, the material benefits of urban regeneration, a power plant, or new highways also carry tremendous adverse social effects. As mentioned earlier resettlement plan practice has been started in Bangladesh by the Jamuna Multipurpose Bridge project in 1993 (Ahsan, 2007). For the implementation of this plan the project authority has been established a resettlement unit and conceived this resettlement implementation work as a separate project. This project was co-financed by ADB, World Bank, OECF and the Government of Bangladesh. A detailed socio-economic survey has been conducted through the stakeholders groups and developed a compensation entitlement measures for different stakeholders group by the consultants. The Jamuna Multipurpose Bridge Project (Land Acquisition) Act 1995 was enacted on 9 July 1995 was applied in the project with subsequent Jamuna Multipurpose Bridge Project (Land Acquisition – Compensation Refusal) Rules 1995 to avoid fraudulent claims. The deputy commissioner on behalf of the government acquired land for the project. It was the first and successful resettlement project ever in Bangladesh. Total 2862.14 ha of land have required for this project and which need to resettle about 16,000 households (105,000 persons).

After the successful resettlement project of Jamuna Bridge project, Bangladesh have implemented different development project with prior resettlement projects such as River Bank Protection Project, Southwest Road Network Development Project, Jamuna Bridge Railway Link Project, Bhairab Bridge Construction Project, Jamuna

Meghna River Erosion Mitigation Project, Padma Multipurpose Bridge Project and Rural Transport Improvement Project (Phase -I) have individual and separate resettlement action plan project. Between those project already six projects have been executed and implemented and have post implementation reports by the donor/development partners organization. One of the major observations is that those entire projects have been implemented by the GoB with development partners or loan oriented project. But in case of the GoB owned project (for example, different development agencies like RAJUK, CDA, RDA and KDA) have not yet done any resettlement plan for their development project. For the result of the development project resettlement consequences the Bangladesh Government have realized (or by the force of the development partners) that Bangladesh need a resettlement policy for the implementation of development project. As the resultants of the, the ministry of land formulate a draft National Policy on Involuntary Resettlement and Rehabilitation, November 2007, which is not finalize yet.

Nowadays there are some development projects are ongoing with its separate Resettlement Action Plan (RAP). Between those Rural Transport Improvement Project (Phase -II) and Padma Multipurpose Bridge Project are significantly important in the concern of resettlement and rehabilitation issues. Recently Padma Bridge project has started the land acquisition and compensation process according it own Land Acquisition Plan (LAP) and Environment Management Plan (EMP). Rural Transport Improvement Project (Phase -II) has planned its resettlement plan after the evaluation of its phase-I RAP.

2.3.1 Legal framework involves in Resettlement and Land Acquisition process in Bangladesh

The very first known legislation related to land acquisition is the Land Acquisition Act of 1870 which was followed by the Land Acquisition (Mines) Act, 1885 (being a part of the former). With the promulgation of the more broad-based Land Acquisition Act, 1894 (Act I of 1894), the former Act of 1870 was repealed.

In the Act of 1894, the Collector (now Deputy Commissioner) was entitled to take possession of land to be acquired after the award had been made. However, in case of urgency, the Collector was entitled to take possession of the property even before making the award. The compensation would be determined on the basis of the average

value of properties of similar description and similar advantages in the vicinity during the preceding 24 months (based on the amendment provided in ordinance XII of 1963).

Land acquisition in Dhaka Metropolitan Area was governed by the Town Improvement Act, 1953 (Act XII of 1953). Under the provisions of this Act, the Board of Trustees of the Dhaka Improvement Trust (now RAJUK) was authorized to acquire land under the condition of prior approval of the Government with the provisions laid down in the Land Acquisition Act of 1894. Separate legislation was also applied in respect of land acquisition in Chittagong and Khulna. For Chittagong, there was a Chittagong Development Authority Ordinance (Ordinance II of 1959) and for Khulna, Development Authority Ordinance (Ordinance II of 1961). In both the Ordinances land acquisition would follow the provision of the East Bengal Emergency Requisition of Property Act of 1948.

In the 1982 Ordinance it is stated that whenever it appears to the Deputy Commissioner that any property in any locality is likely to be needed for a public purpose or in public interest, he shall cause a notice to be published at convenient places in or near the property to be acquired (Sec. 3). Any person having interest in such property may object to the proposed acquisition to the Deputy Commissioner in writing within 15 days (Sec. 4.1). The DC will prepare a report and refer the case to higher authorities for decision (Sec. 4.2). If the property exceeds ten standard bighas of land, the final decision will be made by the government. In case of property up to 10 bighas, the final decision will be made by the Divisional Commissioner. However, if no objections are raised within the 15 days time-limit the final decision may be made by the DC in case of properties of up to 10 standard bighas of land, otherwise the Commissioner (Sec. 4.3 and Sec. 5) will take the decision in case of dispute.

Property (Emergency) Acquisition Act, 1989, in the wake of the devastating floods in 1987 and 1988, the government decided to promulgate a new Land Acquisition Act entitled „Property Emergency Acquisition Act (Act IX of 1989)“. The Act was formulated with a view to expedite acquisition of land on an emergency basis „to control inundation, flood and upsurge caused by natural calamity and to prevent river erosion“. The Act will remain in force for five years (Sec. 1). This means that the 1989 Act is not replacing the 1982 Ordinance but rather complementing it for special

circumstances. So far it has only been applied as covered by or study in respect of land acquisition for the Jamuna Bridge construction and the construction of the Greater Dhaka Flood Control Embankment.

2.3.2 Land tenure, acquisition and transfer process in Bangladesh

Following the period of British rule in Bengal land ownership was restricted to landlords (Zaminders) with the bulk of the rural population becoming tenants. The objective of this system was the simplification of the collection of Land Revenues. Subsequently, following independence from British rule, the State Acquisition and Tenancy Act 1950 established three classes of land owners - freeholders (Malik), leaseholders and non-agricultural tenants.

The administration of land in Bangladesh is undertaken by the Ministry of Land, which was known as the Ministry of Revenue prior to partition and renamed the Ministry of Land Administration and Land Reform, under the Ministry of Law and Land Reform upon the creation of the state of Bangladesh. Thereafter it was established as the Ministry of Land Administration and Land Reforms, which in 1987/88 was shortened to the Ministry of Land.

Land Transfer systems have discussed here in two ways, private land transfer and acquired land transfer process. The case of private land transfer, on the basis of willing seller/willing buyer a person may acquire land by agreeing a price with the seller and then registering the purchase at the Land Registration Office of the district/municipality where the land is located. Having registered the sale the buyer then confirms that he/she is responsible for the payment of the land tax. On the other hand Acquired land transfer, requires interaction between the Requiring Body (RB) and the Acquiring Body (AB).

2.4 Development of Research Concepts & Operational Definitions

In Bangladesh, after eighties, the development partners (like World Bank, ADB, DFID², etc) of Bangladesh government have realized that involuntary resettlement³ may have posed serious hardship and impoverishment risk such as landless, homeless,

² Department for International Development, UK

³ Involuntary resettlement involves people of all ages and gender; most of them are evicted against their desires.

lack of employment and access to livelihood sources increasing existing gender disparities and disruption of social and cultural network. After close observation of development projects in the developing countries the development partners have realized that project develop work sometimes bear the heavy responsibility of managing involuntary resettlement in order to implement those projects. After publishing the Operational Directive (OD) for involuntary resettlement in June 1990 by World Bank, however, it is the first operational manual to assist all project stakeholders in approaching resettlement as an opportunity to promote sustainable development through improvements of the economic and social well-being of affected people.

Nowadays, the development partners have several policy documents related to involuntary resettlements for different developments projects such as Handbook for Preparing a Resettlement Action Plan by IFC and World Bank, Guidelines on Monitoring & Evaluation of Resettlement by ADB, which tried to make conceptual change shifting from the traditional bureaucracy driven land acquisition mechanism to development mechanism. But sometimes the resettlement action plan seems to be a longer process of loan approval, not for the implementation of resettlement works as a satisfactory level of sustainable development.

In 2006 ADB published a document named, “Special Evaluation Study on Involuntary Resettlement Safeguards”. The document find the Evaluation of Resettlement Experience in some selected projects indicate, major problems in land acquisition and resettlement management including (i) long delays in payment of compensation and resettlement assistance; (ii) lack of adequate consultation with APs at sufficiently early stage to affect decision making process and project design; (iii) weak income restoration program; and (iv) weak coordination and monitoring of resettlement activities. ADB’s Special Evaluation Study on the Impact of Involuntary Resettlement found that the ability to implement a resettlement plan efficiently and effectively depends both on the clear policy guidelines and legal framework, as well as the knowledge, skills, and experiences of the staff of project implementation agencies.

According to ADB, 1995 Involuntary Resettlement involves people of all ages and gender, some of whom may be evicted against their desires. Many of these people

may be risk-averse and may lack the dynamism, initiative, and wherewithal to move and re-establish in a new location.

IFC & World Bank, 2002 defines Resettlement occurs without the informed consent of the displaced persons, or if they give their consent without having power to refuse resettlement.

In 1995, ADB indicates Development project as the construction of dams, large bridge, highways, railways, airports, transmission lines, and irrigation canal networks construction, rehabilitation, or expansion of ports and towns, construction or improvement of urban infrastructure, establishment of protected nature parks, biodiversity and conservation areas, forestry development including reforestation, industrial tree plantations, clearing/harvesting of forests, and closure of forest areas, etc.

Studying of all those secondary materials it was concluding that, this study has been specifically dealt with those infrastructure development projects which has its own separate resettlement plan along with the pioneer project and that pioneer project has already been implemented with its significant evaluation outputs.

Chapter Three: Review of different resettlement projects practices in Bangladesh for infrastructure development projects

Resettlements plans are always project specific in nature. So, there are differences in plans based on its location, socio-economic conditions, project objectives, attaining goals and also by the implementing agencies and for developing countries like Bangladesh donor organizations. This chapter provides an overview of the studied resettlement plans with its resettlement planning components and how those components had synchronized with the planning context.

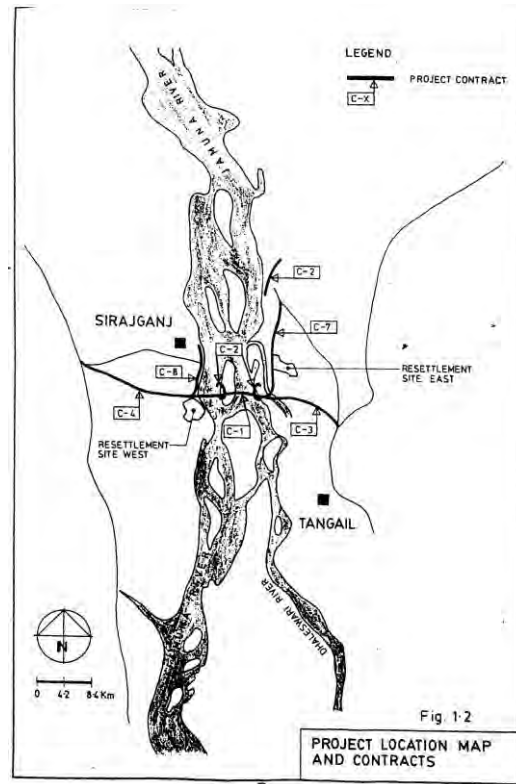
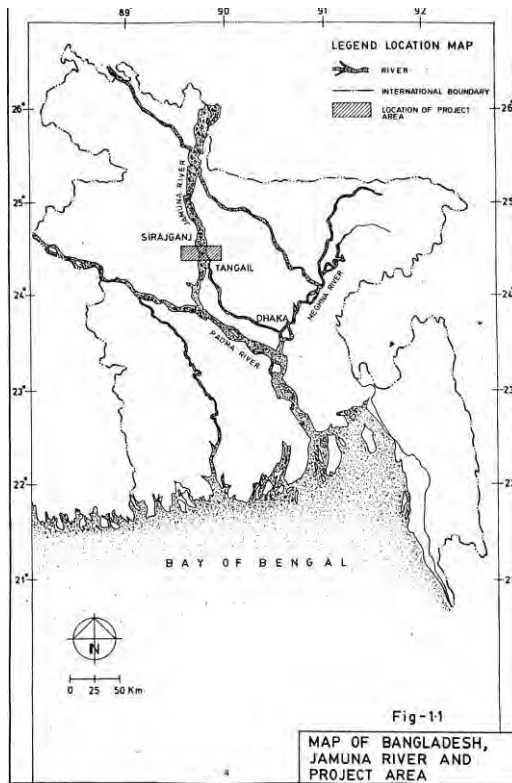
3.1 Description of the Projects and Resettlement Plans

After eighties the development partners like World Bank, ADB, DFID observed that all kind of development projects had posed serious hardship and impoverishment risk such as landless, homeless, lack of employment and also other disruption of social and cultural network. So, these development projects must bear the heavy responsibility of managing involuntary resettlement in order to implement those project. After publishing the Operational Directive (OD) for involuntary resettlement it was mandatory for all kind of development project had also prepared a resettlement plan for the stakeholders as an opportunity to promote sustainable development.

3.1.1 Resettlement Action Plan, 1993 of Jamuna Multipurpose Bridge Project (JMBP)

A Resettlement Action Plan (RAP) for the Jamuna Multipurpose Bridge Project (JMBP) was completed by the Jamuna Multipurpose Bridge Authority (JMBA) in June 1993. And which was the first resettlement project ever in Bangladesh. The total affected area by this JMBP is 2,724 ha and total directly affected population (PAPs) is 41,200 for the whole project, including the additional land area to be acquired for the East Bridge End. For Phase I East Bridge End the affected area is approximately 955 ha and the affected population is 16,692 (JMBA, 1993). Most comments of this plan are related to possible inconsistencies of the RAP with the Operational Directives (OD) 4.30 of the World Bank. The much more detailed information and entitlement packages were developed and made operational and also more details required in terms of institutional arrangements, logistics and costs. The aim was to ensure that at

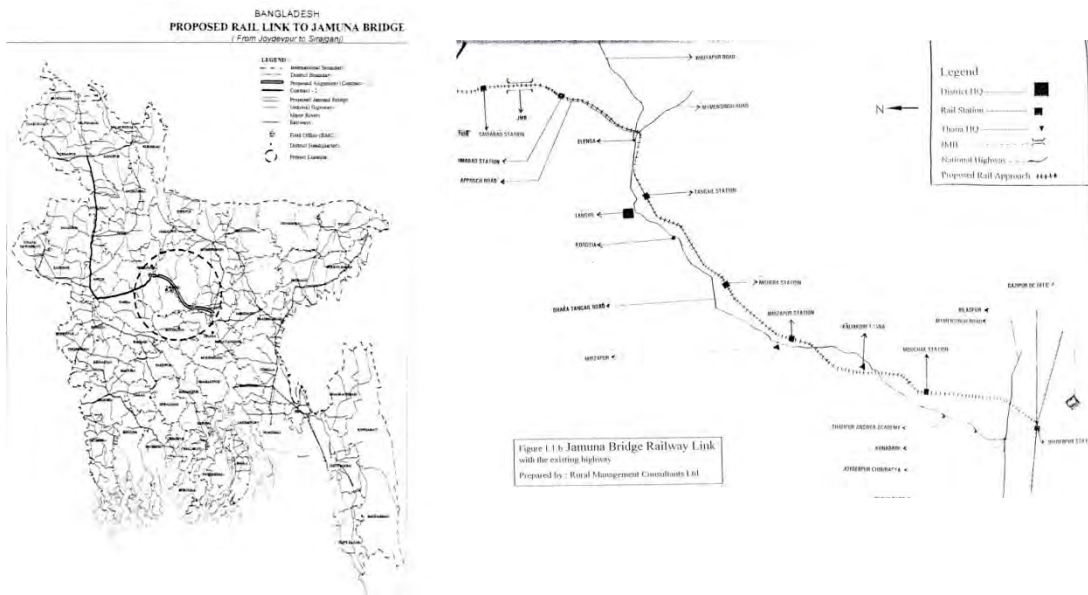
least 95% of the population should be taken care of adequately. The poor may benefit more than before and relatively more than the others.



Map-1&2: Location and detailed features of the Jamuna Multipurpose Bridge Project in Bangladesh

3.1.2 Land Acquisition and Resettlement Plan, 1997 of Jamuna Bridge Railway Link Project (JBRLP)

A Land Acquisition and Resettlement Plan (LARP) was prepared for resettlement and rehabilitation of the persons affected for the acquisition of land for the Jamuna Bridge Railway Link Project. This plan draws upon a preliminary socio-economic survey of the project area conducted by the Rural Management Consultants Limited. It incorporates comments and suggestions made by BR, JMBA-RU, and representative of the Asian Development Bank, Social Development Specialist. Pertinent documents such as TOR of ADB, ADBs draft policy paper on Involuntary Resettlement (November, 1 995), final report on JBRLP technical and socio-economic studies, the Revised Resettlement Action Plan of Jamuna Multipurpose Bridge Project and Resettlement Action Plan of RRMP-II have been consulted in preparing this document.



Map-3&4: Location of JBRLP and Contract features of the main project

3.1.3 Social Action Plan (SAP-I), 1999 of Bhairab Bridge Construction Project (Considered as the Resettlement plan)

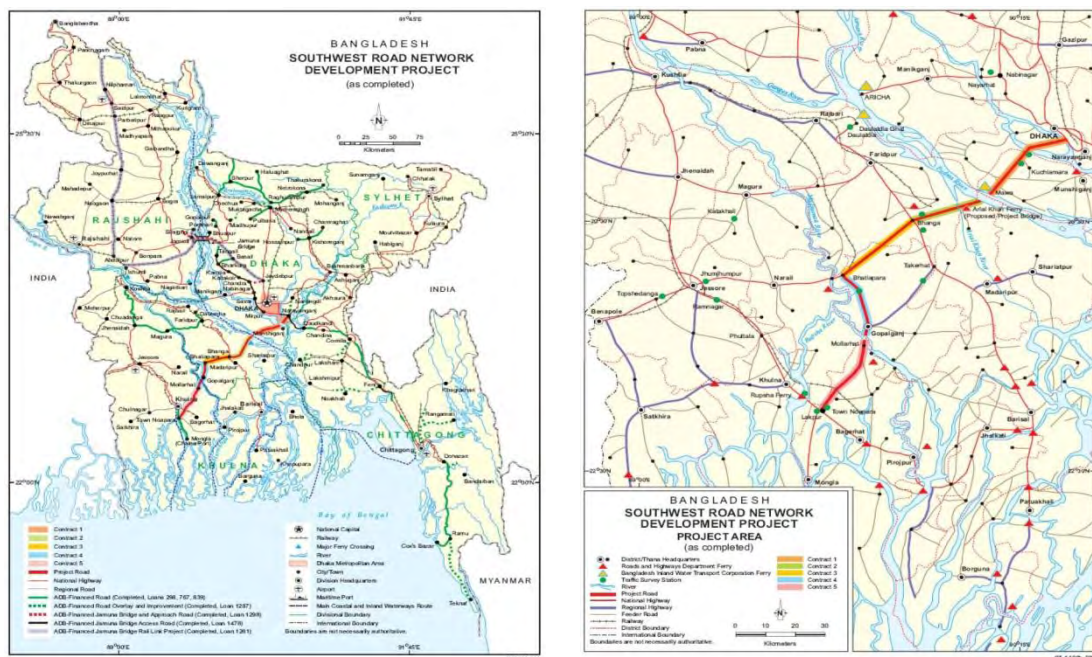
The Bhairab Bridge Construction Project (BBCP) had acquired about 116 acres of land (47 ha) from both banks of the river for the construction of the bridge, approach roads and other facilities, including river training and bank protection work. Based on the Appraisal Study Report (1997), a draft Social Action Plan (SAP) highlighting the general impact of the Project was prepared in November 1998. In January-February 1999, a comprehensive socio-economic survey was carried out (i) to identify the project affected persons, and (ii) to assess the adverse impacts of the Project in terms of loss of land, assets and livelihoods.

For the construction and social benefit assessment by Bhairab Bridge project a Social Action Plan (SAP) had been carried out in June 1999 by Halcrow Group, which is treated as SAP-I in further. The tasks had been included in SAP-I was (i) identification of entitled persons (based on socio-economic survey data) for ID cards; (ii) disclosure and information campaign concerning SAP Guidelines; (iii) transfer of right-of-way land for the construction of the Bridge; (iv) payments of compensation for lost assets and other eligible entitlements; (v) relocation of small and medium enterprises (SMEs) affected by the project; (vi) employment in project construction site; (vii) formation of implementation committees for local consultation, participation

and grievances resolution; and (vii) monitoring of SAP implementation. SAP Phase II (SAP-II) was envisaged in the SAP-I prepared to mitigate the adverse impacts of the Bhairab Bridge Project.

3.1.4 Land Acquisition and Resettlement Plan, 2001 of Southwest Road Network Development Project (SRNDP)

The project had been primarily used the existing RoW, an estimated 2,46,909 ha of land (agricultural, homesteads, commercial and other plots included) had been acquired for construction of bypasses and improvement of the existing roads. The Project RoW had lead to dislocation of 1,222 households (HHs) and 2,054 commercial/business enterprises (CBEs) and 100 community resource properties (CRPs), which had been required relocation and other assistance. The total affected population was 8528, which included 7,274 HHs, 203 CBEs owners and 1,051 employees of CBEs had experienced impact due to temporary loss of homesteads and businesses. The Southwest Road Network Development Project (SRNDP) involved rehabilitation, construction and improvements of 162.33 km of road networks in the southwestern region of Bangladesh.



Map-5&6: Location of SRND project and contracts features of the main project

A census survey of households and CBEs on the RoW had been conducted by a well-experienced research organization/survey consultant in 1999 as part of the Detailed Design Team to (i) assess the overall project impact, and (ii) collect baseline data on

land acquisition, loss of assets, and livelihoods on RoW. There were also an in-depth socio-economic survey (SES) of 20 percent affected households was conducted for additional data for resettlement planning purpose. Further, all residential and commercial structures on the RoW were video-filmed with identification numbers to control any fraudulent claims during Land Acquisition and Resettlement Plan (LARP) implementation. The Census/SES established baseline data for all types of impacts and losses, and identified various categories of people who would be affected directly and indirectly by the Project.

3.2 Resettlement Policy, Objectives and Legal Framework

Involuntary Resettlement Plans were formulated under certain policy developed by the government or donor organization or both. Those policy were achieved by fulfilling of some major objectives. Legal frameworks were also constructed for supporting the policy and objectives for attaining the overall goals of the plan and also the development project.

3.2.1 Resettlement Action Plan (RAP) of JMBP

Resettlement policy for JMBP, it seemed that the land acquisition laws of 1982 and 1989 ensured only a statutory cash compensation to legal owners of the properties under acquisition, but did not guarantee neither replacement of the acquired properties nor restoration of the standard of living of those affected by the acquisition. Furthermore, the acquisition laws had no provisions for compensating people who were not property owners, but nevertheless stand to lose from the acquisition (tenant farmers, share croppers, farm labors and other customary or illegal occupants of lands under acquisition). JMBA adopted a Resettlement Policy that would compensate for these weaknesses of the land acquisition laws and at the same time would ensure proper resettlement and rehabilitation of the project affected persons. The primary objective of JMBP Resettlement Policy was to enable all project affected persons to at least regain their pre acquisition standard of living and preferably to improve upon it.

The attainment policy objectives of the RAP were i) exploring all viable alternative project designs that involuntary resettlement should be minimized where feasible, ii) resettlement plans should be developed in such way that all project affected person's (PAPs) will be properly benefited in terms of all the aspect of their personal, social

and economic issues, iii) using every means for the ensuring all kind of peoples participation in every stage of the project implementation, iv) resettlers“ should be integrated socially and economically into host communities in such a way that host communities also benefit from the project, and v) All kind of human development program and social infrastructure support initiated which should be minimize the adverse effect of the PAPs as well as the host communities and legal bindings should be resolved in terms of land compensation issues.

Taking all objectives into account and the project pre-condition has to bear in the mind the RAP developed a framework of operationalization of the objectives such as, all types of losses involved with the bridge construction had been taken into accounts and all land acquisition boundaries were redefined to meet field resettlement constrains, the surplus land will be distributed among PAPs after completion of the project, the resettlement plan included a Resettlement Action Plan (RAP). This document or Revised Resettlement Action Plan (RRAP) was an improvement on the RAP to meet the OD 4.30 requirements. A detailed socio-economic survey was executed and it was updated for the project affected area. People participation and a future post resettlement monitoring/evaluation survey was planned to investigate to determine further remedial action.

The Legal frameworks contained a detailed review of the legal, administrative and regulatory framework governing acquisition and requisition of property for development purposes in Bangladesh. It began with a brief historical background (see section 2.3.1), continues with a more detailed assessment of the current legislation and regulatory framework and concluded with comments and tentative suggestions/recommendation for improvements. The core components of the JMBP resettlement were:

- i) People who were losing farm/homestead lands will be given a grant in addition to the compensation under the law to cover the difference between the compensation and the actual replacement cost of those properties. In addition, they would also be provided with institutional assistance and liberal credit facilities to purchase replacement lands from the open market.

- ii) People who did not own a homestead but were displaced from their place of residence will be given a house plot at the resettlement site or a cash grant to purchase a similar plot elsewhere.
- iii) People losing their residential and other Structures will be given transfer and reconstruction grants.
- iv) Assistance in the form of maintenance grant, vocational training and subsequent credit facilities to those who were affected by loss of sharecropped land and/or wage employment.

3.2.2 Land Acquisition and Resettlement Plan (LARP) of JBRLP

The main policy in JBRLP was to avoid involuntary resettlement where feasible and where population displacement is unavoidable, it should be minimized by exploring all viable project options. Considering this,

The objectives of LARP were:

- i) Involuntary displacement should be kept at minimum level;
- ii) A resettlement plan must be developed with the development program;
- iii) All EPs must be compensated for their losses for instance full replacement cost, assist them with relocation and provide support during the transition period and assist in their efforts to improve their former living standards, income earning capacity and which production levels or at least to restore them. Those who did not have formal legal title to land but derived an income from the land or live on the land that will be affected by the project will also be considered as the Project Affected Persons (PAPs) and be compensated.
- iv) Community participation should be encouraged by planning and implementation of resettlement plan and integrated resettlers socially and economically with the host communities. Benefit to host area will go to the community and not to any individual.

JBRLP Land acquired by the Government of Bangladesh as per the Acquisition and Requisition of Immovable Property Ordinance, 1982, including amendments in 1993-1995. The Jamuna Multipurpose Bridge Project (Land Acquisition) Act- July 1995, which set parameters for compensation eligibility in regards to bona fide and mala

vide structures, had also been applicable for JBRLP land acquisition. As per requirement of the (approved) revised option B1-2 acquisition of 512 ha of land had been proposed. Land acquisition proposals for 483 ha in Gazipur and Tangail had been submitted in March and May of 1996 and for 29 ha in Sirajgonj in January 1997.

3.2.3 Social Action Plan (SAP-I) of BBCP

Land acquisition and resettlement policies for BBCP were derived from the first set that included “The Acquisition and Requisition of Immovable Property Ordinance (Ordinance II of 1982) and its subsequent amendments in 1993 and 1994 (Annex A)” (see section 2.3.1).

In the second set of policy, the project was also governed by the DAC-OECD resettlement policy, which requires that the displaced persons should be:

- enabled to reconstruct a land-based or employment-based productive existence;
- compensated for their losses at replacement cost;
- assisted with the move and during the transition period at the relocation site; and
- assisted in their efforts to improve their former level of living standards, income earning capacity, and productive levels, or at least to restore them.

The primary objective of the SAP was to provide guidelines for compensation payments for lost assets and resettlement of the project-affected persons (PAPs). Land acquisition and resettlement of the PAPs has been carried out accordance with GoB Acquisition and Requisition of Immovable Property Ordinance II (1982). Land acquisition and resettlement of PAPs had been carried out in accordance with DFID/DAC-OECD guidelines for Aid Agencies on Involuntary Displacement and Resettlement in Development Projects (see chapter 2.1.3)

3.2.4 Land Acquisition and Resettlement Plan (LARP) of SRNDP

The GoB land laws for development project was also the same as like all other development project’s resettlement policy, which was formulated from the Acquisition and requisition of Immovable property Ordinance (Ordinance II of 1992)

and its subsequent amendments in 1993 (see section 2.3.1). Land acquisition and resettlement of the affected persons and commercial/business enterprises had also been conducted in accordance with the Bank's Policy on Involuntary Resettlement, November 1995 (see section 2.1.2).

The main objectives of the LARP of SRNDP were as follows:

- Wherever possible, displacement had been reduced or avoided altogether by appropriate design modification or alternative alignment.
- Where negative impacts were unavoidable, those displaced had been assisted in efforts to improve, or at least restore to pre-project levels, their income and standard of living. Particular attention had been given to the needs of vulnerable groups to be resettled.
- EPs had been compensated at replacement costs for assets lost. Adequate social and physical facilities (such as, community services, civic amenities) had been provided, if necessary. For the LARP, in addition to Cash Compensation under the Law (CCL), the focus had been relocation of EPs/APs and CBEs with shifting and business restoration allowances.
- APs and host communities had been encouraged to participate in the design and implementation of the LARP.

Land acquisition and resettlement of the affected persons and commercial/business enterprises had been conducted in accordance with the ADB's Policy on Involuntary Resettlement, November 1995 (see section 2.1.2).

3.3 Management of Information in Resettlement Project

One of the vital step of any resettlement plan is to develop a socio-economic database of the project affected persons (PAPs). Government or non-government agency could develop this database through a comprehensive data gathering process.

3.3.1 RAP of JMBP

For JMBP, BRAC conducted a survey which contains the information on PAP . The database includes i) administrative units described by the project affected land and people in thana, union as well as mouza wise; ii) demographic composition of population of the affected area illustrates in different ways, such as population

density, household size, religious and ethnic distribution, income distribution, occupation, marital status, age distribution, education, etc; iii) movable and immovable assets can be described by number of sleeping/living room, kitchen, cattle shed, deuri/sitting for outsiders, poultry/other birds, shops (tea stall. stationary etc), looms/other small industries, dheki/paddy husking, etc; iv) tenurial arrangements has identified six tenure categories in the project affected areas, percentages of affected households, such as self-cultivators, rented-in cultivators and rented-out cultivators; v) economic activities has been described by person's involved in labour oriented profession by household, occupation categories, land mortgage scenario, etc.

3.3.2 LARP of JBRLP

The Socio-economic Survey identified structure losing households and institutions, APs, physical establishments, homestead land and/or structures and trees, household dwellers, lost trees and orchards, etc. The JBRLP had also been affected institutions/establishment/community facilities in the three districts. Religious diversity, marital status, educational distribution, occupation, affected HH and commercial structure, domestic animals and also NGOs activities in the affected areas were taken into account in the time of socio-economic survey. There were also the choices for the affected households had opted to resettle on their own or households preferred to relocate within the same village.

A sample survey of the land losing EPs indicated that about 7100 EPs were going affected due to acquisition of agricultural land. The joint verification teams were listing up the awardees and a plot by plot survey of all agriculture land losers have been carried out to get the exact number of EPs in the affected agricultural lands with the quantity of losses.

3.3.3 SAP-I of BBCP

The principle indicator had been setup earlier for the socio-economic survey (SES) was carried out in January-February 1999 was (i) to assess the overall project impact and (ii) to identify affected households and businesses. The SES Team used several techniques in data collection to assess the impact. These included, several sets of questionnaire for collected the information from about households on the Rights of Way (RoW) land, owners/operators of commercial and other business establishments, and households/businesses owners lived adjacent to the RoW and likely to experience

secondary or indirect impact, video-tapping used for identification of the legal residential/commercial structures to avoid fraudulent claims, Community meetings and informal discussions with affected households on RoW and secondary impact area (SIA) - within a 0.5 km band from the RoW central point.

The SES collected a wide range of data regarding demography, age/sex distribution, education, occupation, income, landholdings, tenure/ownership, types of structures, other assets like trees, relocation preference and choices, and attitudes to the bridge project. The database provided a detailed picture of the social and economic impacts the people had to sustain due to the Project.

Bhairab and Ashuganj shared a thriving local economy characterized by rail and river transport businesses and new industrialization, particularly in Ashuganj. In Ashuganj (urban population: 37,000), the major local industries were the fertilizer plant, grain silo, rice milling and par boiling. The wholesale rice market played a key role in the rice and grain distribution in the country. Generally, both Bhairab and Ashuganj were considered as national life-lines for storage and distribution of rice, fertilizer, molasses, cement, stones and other industrial products. Large numbers of porters were employed as casual labours for loading and unloading to and from boats, rail, and trucks. Numerous trucks and boat booking agencies existed on both sides of the river. Vehicles queuing for the ferry caused major bottlenecks on both ferry ghats (landing area), and a sizeable commercial sector developed to serve the needs of waiting passengers and drivers. This ranges from restaurants, fruit wholesalers, and mobile vendors to children selling water were travelling passengers.

The SES team had also found positive attitude of the people towards the construction of the project. The social and economic benefit of the bridge including reduced travel time, improved transportation, opportunities for employment during the construction of the bridge and impact on local development. There were in the report incorporate at frame work describing type of losses, risks and mitigation measures of various risks against the nature of losses and recommended measures to mitigate the adverse impact. These measures helped to develop policies for payments of compensation for lost assets and restoration of income.

3.3.4 LARP of SRNDP

The resettlement databank of SRNDP had been prepared through the review and analysis of census or Socio-Economic Survey (SES) data. The southwestern region of Bangladesh consists of floodplain and deltaic deposit. So the lands are usually flat and little variation of relief. The project road section run through six districts Dhaka, munshiganj, Faridpur, Madaripur, Gopalganj and Bagerhat, which was covered 13 thana area of those districts. The population density varied along the road section from about 755 to 2000 persons per sq. km. The construction of this bridge had been a significant economic benefit to the project zone of influence and also the whole regional impact.

Land-use and settlement patterns of the project area consisted of agricultural, commercial and residential uses. There were also found a number of fish and shrimp culture ponds. Nearly 70 percent of the population were found directly or indirectly involved with agriculture. The project also affected a number of small markets and township, approximately 30 percent of the households and CBEs on the RoW had no cultivable land but the own homesteads.

The study processed of the LARP survey team conducted three types of surveys; (i) a complete census of all affected households and CBEs, and CRPs, (ii) a 20 percent SES for in-depth data, and (iii) a land market survey (based on open market land sale price and a study of land transaction records available with local Land Registrar's offices) in the Project area. The Census/SES was intended (a) to assess the overall project impact, and (b) to identify affected households and businesses. The team used several techniques in data collection to assess the impact, which described elaborately in the report. A wide range of comprehensive resettlement management database obtained from the census survey report and on socio-economic report with video filming of households and establishment on the RoW. Finally, the final data sets of SRNDP had been prepared.

There were total 8628 persons had been directly and around 24 thousand people had indirectly affected by the Project. The socio-economic survey was captured all most all types of data like other projects, such as, religion, ethnic minorities (There were no ethnic minorities in the project area were found), HH compositions, structure authorization, rental status, occupation types, educational level, employment

categories, agriculture and crop production, growth of huts, bazars and growth centres, markets, transport sector development, particularly the non-motorized transport sector, human resource development and mobility of labour in the locality, etc.

3.4 Resettlement and Compensation

This part of any involuntary resettlement plan discussed about the detail functional procedures of the PAPs relocation, valuation and compensation of their lost assets; offers about the choice of resettlement options; official procedure regarding land tenure, acquisition and transfer; access to training, employment and credit facility; and also details about the design and facilities add to the resettlement sites. This section of the plan sometime also discussed about environmental protection and management issues.

3.4.1 RAP of JMBP

The whole JMB project is split into some 8 contracts. The resettlement impact was discussed per contract. Contract 2 involved river training issues which need to resettle people, so a resettlement issue had been incorporated with this contract. Contract 3 & 4 also involved land acquisition and resettlement issues. Contract 7 had fortunately few resettlement problems arose. Some PAPs raised the issue of employing local labour which was resolved afterwards. And finally Contract 8 acquired land as well as resettlement issue involved with this contract. It had been found a restrict development in the former east resettlement site, to a smaller area of 8 ha. Any resettlement occurring there had been considered as part of the safety net /homestead failures provision. A detailed plan was to be developed including a mini market/service area at this location along the embankment road between Bhuapur and the Bridge End East. Alternative plans had been developed together with the host community in terms of rearranging land, provision of facilities benefiting both the host and settler communities.

RAP developed a detailed analysis of the lost assets and those valuation with the compensation issues. General losses compensated under law (Act of 1982 with amendments up to 1994) included all kind of losses of agricultural, homestead and

commercial land, living quarters and other physical structures, economic viable trees and loss of standing crops (see Table 1.2.1.1 of Appendix-I). Loss of public services such as health, education and community facilities such as mosques, markets will be made up by enlarging existing facilities in host villages and establishing additional facilities where needed and as desired by host communities. Costs will be borne from resettlement site budget savings. In the small resettlement sites, common facilities like roads, water supply, sanitation, markets, ponds, etc will be established before habitation takes place. Others losses and those compensation under the additional measured of World Bank OD 4.30 - Involuntary Resettlement (see Table 1.2.2.1 of Appendix-I).

The plan also had a detailed discussion about the land tenurial systems, land acquisition and its transfer process. Land tenurial systems as the act or right of holding landed property in Bangladesh include the land owners who inherit land from parent or predecessor through law of inheritance or by virtue of a will or become owner by purchasing land from others through proper registration with the Government Land Registration offices and the tenant farmers having temporary possession of land on rental basis or as sharecroppers and the leaseholders. The history of Land tenure, acquisition and transfer in Bangladesh had been discussed in review chapter (see 2.3.2). RAP also had a discussion about access to training, employment and credit facilities for the PAPs (see 1.4 of Appendix-I). For providing of shelter, infrastructure and social services for the PAPs the RAP had a details discussion about the resettlement site, east bridge end facilities, social service, host community facilities and providing temporary commercial land (see 1.5 of Appendix-I). Major environmental issues related to the JMBP were dealt with under a separate environmental program. The RAP focused only on secondary environmental issues related to resettlement (see 1.6 of Appendix-I).

3.4.2 LARP of JBRLP

The conducted baseline socio-economic survey indicated that a large number of household suffered different kinds of losses in the process of land acquisition and relocation. The compensation policy had been prepared by linking the entitlements the types of losses rather than to the category of PAP. A resettlement policy matrix had been prepared that describes all the type of loss or disturbance, entitled person and

his/her entitlements, implementation issues and actors. The entitlement package had briefly discussed below.

- i) **Loss of all type of land:** The legal owner was entitled to full replacement value, including refund of stamp duty payable to GOB for all land transactions.
- ii) **Loss of living quarters and other physical structures including perennials:** Other than the CCL or removal cost payable by the DCs, EPs had been paid transfer grant and house construction grant for structures and had been allowed to cut the trees and take all salvageable materials free of cost within a specified time.
- iii) **Structures on Government and private lands (uthulis, relatives and squatters):** Owner of structure had been paid CCL for structure. Cash grant including stamp duty to purchase 2.5 decimal homestead land from the open market and transfer and house construction grants for structure had been provided to the EP so that the EP can purchase homestead land and built a structure on it.
- iv) **Share-cropping, mortgaging or leasing in agricultural land and loss of wage income:** Cash grant had been provided to all EPs, free training with maintenance allowance for suitable PAPs, and subsequent credit facility on income generating activities. The qualified PAPs had been recommended for employment with the contractors of the project.
- v) **Adverse impacts on host population:** Entitlements based on need for the host community as a whole had been provided. Host benefits assessed properly and compensated on community basis and not to any individual host. PAP and host community areas implemented the plantation program by the side of rail tracks.

3.4.3 SAP-I of BBCP

There were a number of households (47) and SMEs (27) in Bhairab, and 145 households and 378 SMEs in Ashuganj had been affected by the RoW. These households experienced indirect impact due to RoW displacement. These indirectly affected households required alternative housing. In Ashuganj, the SMEs were requiring relocation consist of varieties of shops (transport agents, tea shops/restaurants, retail businesses, cement/fertilizer dealers, etc.), godowns, and rice

mills. Most of these businesses were on RHD and BR land, often without any formal lease or agreement. Ashuganj had the most households and SMEs to be relocated.

At the time of Socio-Economic Survey, the affected households mentioned their preferences in favour of “self-relocation” largely within the vicinity of their present residences for access to businesses and to maintain their existing economic, social and kinship ties. Acquisition of additional land for SME relocation along the dense riverfront meant secondary displacement involving more businesses and shops. To avoid additional displacement of SMEs, there were some strategies had been taken for relocation and other assistance to mitigate the adverse impact of the project.

Households, SMEs, and rice mill workers requiring relocation may suffered due to loss of business opportunities and lost incomes caused by dislocation. Income Restoration Assistance (IRA) in the form of grant paid to eligible PAPs. There were also provided some other benefit to special groups such as cash assistance to support lost income, assistance to re-establish SME businesses, and social development fund.

The construction of the bridge and other facilities required an estimated 200 unskilled labours daily for a period of two and half a year. This had been provided opportunities for PAPs, including women worker on the construction site and associated activities and will help them to restore their income. The social infrastructures like the temple, community library in Bhairab and a mosque in Ashuganj had been re-built by the project. Construction of the facilities must completed prior to commencement of work on RoW.

It was identified by the project impact there were a variety of losses by the affected households and SMEs. These losses may be either temporary or permanent in nature, largely from loss of assets and businesses. Therefore, for operational purposes, the part of that plan established important definition and clarifies the key concepts and issues associated with project impact and resettlement benefits. These were included Project Affected Persons (PAPs), Household, Entitled Person, Structures - Houses and Commercial Enterprises, Relocation / Resettlement, Entitlement to Replacement Land, Renters and Roadside structures, etc.

The Entitlement Matrix for the PAPs was presented in the plan in tabular form, which outlined the various losses, methods for identifying the Effected Persons EPs, compensation benefits and the results of actions in terms of restoration of income and

livelihood of the affected people by the Project. The Matrix was based on the Project Entitlement Policy.

RHD paid compensation for BR land and structures to Bangladesh Railway directly. Bangladesh Railway was responsible to reconstruct the house of its staff from existing staff colonies to be affected by the RoW. Payments of compensation for privately acquired land and/or properties paid by respective DC offices. Additional assistance for income restoration and other benefits paid to the eligible PAPs by RHD through an implementing NGO. In this regard a compensation payment was figure out of that plan identified by land ownership type, losses of eligible for compensation and the responsible agencies.

3.4.4 LARP of SRNDP

The SRNDP displaced 1,222 households, 2,054 commercial / business units and 100 common resources. So, relocation of this displaced were necessarily important issues for this project. The PAPs were given their relocation choice which was incorporated in this plan. Heads of affected households and CBEs also mentioned needs for assistance during relocation and in post-relocation period. Relocation Options and Strategies formulated by the given stated preferences of the APs / CBEs for relocation and the need to minimize or reduced disruptions of economic activities and social ties, this LARP provided several options for relocation and resettlement of the affected persons. The plan had also set for the strategies and options for the self-relocation, small group relocation and relocation of commercial/business enterprises issues.

Income Restoration Assistance (IRA) provided the affected households and CBEs requiring relocation may suffer temporarily due to loss of workdays/income and lost businesses caused by dislocation. IRA in the form of grant paid to eligible APs. The primary objective of this additional assistance had to allow displaced APs and owners of CBEs to settle in their new place of residence and businesses, respectively. This assistance was in the form of cash assistance to support lost income, assistance to re-establish CBEs, employment in construction, and roadside plantation and social forestry.

The community resources/utilities (mosque / temple, passenger shades at bus stops, school, tube wells) on the RoW affected by the project rebuilt / re-establishing by the

project in consultation with the local people and the community. Construction of the community facilities must be completed prior to commencement of work on RoW. The project RoW was likely to affect utilities such as power poles, passenger shades, telephone lines, drinking water sources and drainage, particularly in areas close to markets, and major urban centres.

The Project Compensation Policy of SRNDP contained the following packages, which were designed to cover compensation for lost assets and restore or enhance the livelihoods of all categories (direct, indirect, title holders, and non-title holders) of affected people. The EPs had not only been received replacement land or cash for land and other assets at the market price; but also many additional measures and supports had been taken - for example, transfer / shifting or moving allowance, assistance to CBEs to re-establish businesses, income restoration allowance, and assistance to female-headed households to help the project-affected persons regain or improve their lives in at least post-resettlement period, if not better-off. A detailed illustration of the compensation packages and identified beneficiaries according to the plan is discussed in a table of the LARP of SRNDP (see Table 4.1.1 of Appendix-I).

3.5 Gender Planning and Consideration of the Vulnerable Group

Women involvement in every stage of the planning and implementation of the resettlement plan is a very much effective process to encourage stakeholder participation. Gender planning ensures this female participation to the planning process. Considering the vulnerable groups such as female-headed household, ethnic groups are always at risk to restore their livelihood system. That's way this group must be considered as a special feature of the plan and need to take separate action to protect them.

3.5.1 RAP of JMBP

RAP did not consider any gender planning for ensuring the participation of the women stakeholders in the planning and implementation process but they considered and well addressed the vulnerable group as a special component of the planning.

Vulnerable groups such as „indigenous people“ (small tribal groups) were not found in the project affected area. There was a very small ethnic monitoring of Hindus. However, „occupational minorities“ such as weavers and cobblers (cobblers are

usually Hindus) did not easily merge into other groups. Weavers were concentrated in small pockets and would be encouraged and assisted to resettle in groups. In case they choose to move to a resettlement site, a separate section earmarked for them. Hindus as a community also liked to settle in compact area for social reasons. They encouraged to move in groups to host villages of their choice. Female headed households would be resettled close to their kinsfolk. They were also included in the programmers for vulnerable group development project, Grameen Bank operation and special skill training programmes such as poultry raising, cattle rearing, cottage crafts, food processing etc.

For the case of vocational training, the group that needed most urgently was those who had no source of income prior to or as a result of the project, and were in the income earning age group. Sensitive groups, such as women headed households require special attention.

3.5.2 LARP of JBRLP

The LARP consider the vulnerable group for instance women headed household and those who failed to buy replacement homestead land gave special assistance. PAPs without definite means of livelihood had eligible for vocational training and subsequent credit for self-employment. That program had more specifically aimed at those individuals and households who were landless, dependant on wage labour or tenant farming/share cropping, but might not continue with the same activity after relocation. Special focus groups formed for women, educated youth and traditional artisans. But this plan not considered any gender planning as an special features with the planning components.

3.5.3 SAP-I of BBCP

SAP-I had a special provisions for the project affected women to meet their needs and means of subsistence: (i) income restoration assistance for rice mill workers, and (ii) additional shifting allowance for female-headed households. Further, households with secondary income earners and others experiencing loss of income due to secondary/indirect impact will also be eligible for compensation for lost income. A Social Development Fund established to assist vulnerable groups, including women, for alternative income sources. Employment opportunities provided for the PAPs in

the construction site and associated activities, including women worker, which helped them to restore their income. Information disclosure and public consultation had also involved the vulnerable groups like women workers in rice mills. SAP-II of BBCP were involved to (i) provide additional assistance to poor women and other vulnerable groups, and (ii) devise an institutional mechanism for capacity building interventions such as group formation, awareness, and training for leadership and advocacy so that the poor and vulnerable could establish themselves as a community to further their own development.

3.5.4 LARP of SRNDP

The gender planning in Resettlement, the LARP of SRNDP had special provisions for the project affected women to meet their needs and means of subsistence: for example, (i) provision for additional shifting allowance for female-headed households; (ii) income restoration allowance for loss of income or employment; and (iii) roadside tree plantation as an alternative income generating program.

The policy framework of LARP gave a particular attention to the needs of vulnerable groups to be resettled. As a resettlement guidelines, for the purpose of land acquisition, the needs of women and other vulnerable groups identified and provisions made for social support, employment, and means of subsistence to improve their status/livelihood.

3.6 Institutional Arrangement

For the implementation of the resettlement plan, the plan must had a outlined organizational responsibilities about the authority and the personal to carry out the tasks. Those tasks, responsible persons and their hierarchy had been written in the resettlement plan under the terms of institutional arrangement or organizational framework or straight, planning features and name of the organizations had those responsibilities.

3.6.1 RAP of JMBP

Main features of the organizational responsibilities of JMB Resettlement Action Plan included Organizational Framework, task and features of JMBA Resettlement Unit, Responsibilities of the Deputy Commissioner's Office & additional tasks of Special

Land Acquisition Officer, involvement of the Non-Government Organizations (NGO), responsibilities of the other financial institutions, and other bindings of the plan to make it successful.

The JMBA, as the designated agency of the borrower (GOB) is responsible for the resettlement of the people affected by JMBA. For efficient implementation and management of the resettlement activities, a Resettlement Unit headed by Project Director (Resettlement) created within JMBA. The RU would be responsible for the overall implementation, management and monitoring of the RAP after its formal approval by GOB. Though the limited availability of personnel with relevant expertise within the JMBA, it was very complex to handle the nature of the resettlement operation, had been therefore decided to delegate specific areas of work to specialized agencies such as experienced NGOs and similar other organization. In addition, JMBA would seek cooperation and participation of other government agencies such as District Administration, Forest Department as well as public lending institutions in the implementation of the resettlement program. In this context the main organizational arrangement found in a diagram tree and the responsibilities of the JMBA Executive director stated in the main plan.

Others task were related this organizational responsibilities such as Banks involvement, auditor responsibilities, legal adviser's duties, land market surveying procedures and land value determination, setup in a Management Information System (MIS) in RU, the urgency of the revised resettlement site, master training issue and the necessity of the Technical Assistance to RU.

3.6.2 LARP of JBRLP

The JBRLP Resettlement Unit (RU) carried out the task of implementing the resettlement plan under the overall responsibility of the Project Director, JBRLP. The RU consisted of one field and one HQ Deputy Directors who implemented the plan. The RU manpower trained after recruitment. Job description for each officer and staff explaining functions and powers prepared for efficient implementation of the program.

Project Director, JBRLP ensured the land acquisition with the assistance of district administrations, Deputy Director (Land and Resettlement) and Assistant Director

(Land and Resettlement). An Implementing Agency/NGO contracted to assist JBRLP-RU in the implementation of direct resettlement tasks. The Agency recruited, trained and supervised Resettlement Assistants and other staff; carried out information campaign in PAP and host areas; identified EPs and issued ID cards; motivated, mobilized and assisted EPs in getting entitlements; implemented the payment of entitlement and grants to EPs; participate in GRCs; provided technical services like DC data computerization; helped in relocation of PAPs; and provided overall supervision and management services for the above works.

A Computerized Management Information System (CMIS) developed to provide the project management with an efficient tool for better planning and control over different project tasks and proper decision making on resettlement issues including delivery of benefits to PAPs. NGO(s) contracted to impart vocational training to PAPs and provided credit for self-employment/income generating activities. Fund for the credit scheme provided by JBRLP-RU. NGOs that had no formal links with JBRLP but could be served the PAPs identified and requested to extend their services to the PAP areas. The RU also needed advisory assistance. So, one international and three national experts gave advice to RU.

3.6.3 SAP-I of BBCP

In 1998, RHD established an Environment and Resettlement Unit (ERU) headed by a Superintendent Engineer as Director. Two other engineers (Executive Engineer and Sub-Divisional Engineer) were available to assist the Director-ERU. This setup had very little experience to deal with such a large resettlement project with any relevant experience. So, the ERU involved in NGOs and RHD Field Offices for Resettlement Implementation program.

The implementing NGO formed resettlement advisory committees in Bhairab and Ashuganj to involve the local communities and PAPs in the implementation process. The advisory committees consisted of respective RHD field official as chair, with representations from various stakeholders in the area. The committee provided local inputs to the implementation process and assisted the implementing NGO in all matters related to the implementation of the SAP. Thus, the advisory committee ensured local participation in the implementation of SAP.

A Grievances Redress Committees (GRCs) formed in Bhairab and Ashuganj for any grievances involving resettlement benefits, relocation, and other assistance. GRCs included officials (RHD officer as chair), PAPs representatives, community/local government representatives, and implementing NGO. GRC procedures would be publicized locally through community meetings and pamphlets so that PAPs were aware of their rights and procedures for grievances redressal.

3.6.4 LARP of SRNDP

The Project Director of SRNDP supervised and coordinated all resettlement activities through RHD officials and field staff. A full time RHD official at the level of Superintending (SE) and Executive Engineer (EE / XEN) deputed as Chief Resettlement Officer (CRO) and Project Manager respectively in charge of the resettlement operation in the Project. Each field office of LARP had a full-time Assistant Engineer as Resettlement Officer (RO). Land acquisition, payments of compensation to EPs and CBEs were the concern task of the Deputy Commissioner's office with closely helping by the RO. The RO also helped to form of local Resettlement Advisory Committees (RACs) and Grievances Redress Committees (GRCs) for carrying out some specific task.

3.7 Community Participation and Project Implementation

For successful implementation of any project requires stakeholders participation as well as community participation as a whole. Resettlement plan must involved with the effective participation of PAPs in every stages of planning and implementation of the project. So, implementation strategies must involved the procedure to have the active community participation for implementation of all the component of the resettlement plan.

3.7.1 RAP of JMBP

Community participation is an integral aspect of any successful plan and its implementation stages. So, made the resettlement successful the JMBP RAP integrated seven special tasks to ensure the community participation, which were Village Resettlement Workers (VRWs); in order to achieve a proper communication

link between affected communities and the JMBARU, VRWs recruited from the PAP areas; Information Campaigns PAP areas; the village level information campaigns PAPs would be given the opportunity to comment upon the resettlement system, the entitlements etc. This Campaign made by group and individual sessions. Information Campaigns to Host Communities; through a one week tour of the DC with JMBA and a NGO, village leaders had been called to strategic district centres asked for the information campaign through the host community about the project land requirement and told the community to sell their land and also about the host community benefit issue. Integration in Host Communities; major mechanisms to facilitate integration into the host communities were the incentive driven host side willingness to absorb PAPs and the freedom of PAPs and hosts negotiated themselves on terms of absorption in the host community.

Implementation strategy described the procedure of entitlement data management system, information campaign procedures, land value fixation, payment procedure, land transaction, evacuation and relocation etc. Redressing grievances issue address by the description of the preliminary verification of the situation and by the formation of land purchase committee. Vocational training strategies developed through the identification of the target groups, development of the broad training module, upgradation of existing skills, supplementary income generating activities and skills aimed at improving general quality of life.

The RAP distinguished three levels of implementation scheduling, monitoring and evaluation. At the macro level links were made between the physical progress of the construction works and the resettlement progress. At the medium level the phasing of main resettlement actions were given relative to one another per contract. At the micro level details were given for the planning of the East Bridge End resettlement programme.

3.7.2 LARP of JBRLP

LARP set one objective for encouraging the community participation in planning and implementing of resettlement plan and integrate resettlers“ socially and economically with the host communities. Benefit to host area would go to the community and not to any individual. PAPs and host people participation in the overall resettlement program encouraged to create a sense of belongingness, and congenial development

atmosphere. PAPs committees had been formed, group meetings and village consultation meetings had been held, and participatory community development and host-guest integration had been inspired.

An administrative manual prepared which had detailed the procedures for payment of different types of entitlements and rendering assistance to PAPs. Information from the DC's Office and socio-economic survey data on losses had been computerized and Entitled Person's File (EP files) and Entitlement Card (EC) for each entitled person had been prepared. Payment of compensation and entitlements based on the EP files, ECs and the administrative manual.

An information brochure prepared and distributed among PAPs and host population during the information campaign. The brochure explained the entitlement policy, procedure and the program in Bangla. Information campaign carried out by Resettlement Assistants (RAs) and RU staff in the affected villages and host areas to explain the policy and plan to PAPs and host people. Grievance Redressal Committees (GRCs) formed which assisted the PAPs in resolving the grievances and disputes regarding receiving compensation and entitlements, and other problems they might face.

A land market survey carried out to determine the replacement value of different types of land in the vicinity of the Project area. The survey identified replacement value of agricultural and homestead lands and generated a list of willing sellers. Host people encouraged through information campaign to sell lands to PAPs and informed about the host community benefits they might avail from the resettlement program by accepting the PAPs.

PAPs without definite means of livelihood had been eligible for vocational training and subsequent credit for self-employment. That program had more specifically aimed at those individuals and households who were landless, dependant on wage labour or tenant farming/share cropping, but might not continued with the same activity after relocation. Special focused groups formed for women, educated youth and traditional artisans.

Two levels of implementation schedule were developed. At the macro level, linked had been made between the physical progress of the project construction works and the resettlement progress, the phasing of major resettlement actions were shown

relative to one another. The relocation of PAPs and subsequent relocation activities carried out as per the schedule of handing over land to the contractor.

3.7.3 SAP-I of BBCP

For ensuring successful community participation SAP organized the following activities such as Information Disclosure and Public Consultation, social impact specialists and consultants, held a series of meetings with primary and secondary stakeholders in Bhairab and Ashuganj to discuss project impacts and to collect detailed baseline data on land and other assets to be affected by the Project; Stakeholders Meetings, the consultants conducted meetings with primary stakeholders and shared available information about various aspects of the project, particularly related to land acquisition, compensation payment and relocation of affected households and SMEs;

Project Director of the project by the helped with the implementation agency/NGO, published brochure and leaflets explaining the impact of the project, compensation policies for PAPs, resettlement options /strategies for households and SMEs, and tentative implementation schedule of the project. Further steps had been taken (i) to keep the affected people informed about land acquisition plan, compensation policy and payments, and (ii) to ensure that PAPs involved in making decisions concerning relocation plan and implementation of SAP. RHD/implementing NGO was provided information displays in Bangla in project sites and in affected areas, which were readily accessible to local populations. Resettlement Advisory Committees formed by the involved with PAPs and also Grievance Redress Committees to review and resolved any dispute concerning compensation and other resettlement benefits.

The ERU involved with NGOs and RHD Field Offices for Resettlement Implementation program. RHD had firstly initiated the process regarding land acquisition for the project. Investigations carried out by surveyors for marking RoW boundaries on both sides. A figure was identified in terms of various steps of the land acquisition activities and the implementation schedule in this plan with the status of time schedule and responsible agencies.

The implementing NGO formed resettlement advisory committees in Bhairab and Ashuganj to involve the local communities and PAPs in the implementation process. The advisory committees consisted of respective RHD field official as chair, with

representations from various stakeholders in the area. For unresolved dispute resettlement related cases, Grievances Redress Committees (GRCs) formed in Bhairab and Ashuganj for any grievances involving resettlement benefits, relocation, and other assistance. GRC procedures would be publicized locally through community meetings and pamphlets so that PAPs were aware of their rights and procedures for grievances redressal. The implementing NGO had setup a resettlement data bank including land acquisition and all resettlement data in a computerized system.

The SAP figured out a time-bound implementation schedule in accordance with the bridge construction schedule. The overall schedule of implementation was based on the principle that (i) all PAPs were paid their due resettlement benefits, including income restoration assistance, and (ii) relocation of SMEs in Bhairab and Ashuganj synchronized to achieve these objectives.

3.7.4 LARP of SRNDP

According to the resettlement guideline of LARP, the Executing Authority EA involved all stakeholders in the decision-making process concerning relocation and resettlement. The survey teams found many positive responses from the community to the project. The main concerns voiced by the people were related to proper compensation payments for their assets. The community responses founded by the environmental impact assessment (EIA) team in April 1999 was presented in LARP report. The respondents highlighted the social and economic benefits from the project. The implementation of the project improved the socio-economic conditions in those area. Some respondents mentioned disadvantages, which included increased land prices, reduced fishing, higher pollution, loss of agricultural land and trees.

The implementation of the LARP carried out by RHD through an implementing agency/NGO. The Project Director of SRNDP was the highest responsible authority to supervise and coordination of the resettlement implementation activities with the help of officials and field staff. RHD opened four field offices for five Contracts (1 Dhaka-Mawa; 2 Mawa-Bhanga; 3 & 4 Bhanga-Bhatiapara and Bhatiapara- Mollahat and 5 Mollahat-Town Noapara) for project construction and supervision activities. There were a full-time Assistant Engineer as Resettlement Officer (RO) in each field office. The RO worked closely with the concerned Deputy Commissioner's office to

expedite the approval of the Land Acquisition Plan, payments of compensation to EPs and CBEs, and monitored and supervised the implementation of RP by the implementing agency/NGO. The RO was also responsible for forming local Resettlement Advisory Committees (RACs) and Grievances Redress Committees (GRCs) to encourage local participation, transparency, and to safeguard the rights of the most vulnerable peoples affected by the Project.

3.8 Project Monitoring and Evaluation

Monitoring and evaluation systems provided the opportunity to have a continuous improvement of all planning features of the project. Involuntary resettlement is always spatial and specific contexts in nature. So, implementation of planned features had always faced challenges and need to have continuous revision. So, this monitoring and evaluation of the project scope us to review the planning features and implement those for the most benefit of the PAPs. Computerised Management Information Systems (MIS) of a project could give use that option to monitor and evaluation of the project in a transparent way and implement those decision at the root level as quick as possible.

3.8.1 RAP of JMBP

Monitoring provided both a warning system for the JMBA-RU management and a system for the PAPs and hosts to make known their needs and their reactions to resettlement execution. A resettlement specialist was added to the overall project management consultancy TA team. This team had an overall Project Management scope and was different from the small TA team to assist the RU. He communicated direct with the Director RU, but had his own independent sub-budget, logistics, etc under the TA contract. During the preparation of this RAP the preparation of a Management Information System (MIS) was initiated. The LAO, LPC and NGO received a standard reporting format to be prepared as part of the MIS preparations. These standard formats were submitted on a bi-weekly basis with a covering letter highlighting the main constraints, if any, and suggestions how to overcome the constraints.

The Director RU prepared monthly reports to the JMBA management for the monthly management team meetings. He prepared joint quarterly reports with the resettlement

expert in the TA Project Management Team. At the village level, the villagers were stimulated by the VRWs to select a representative who communicated on their behalf with the LPC during routine joint field visits of the LPC. It was recommended that LPC actively inquires in the field. Through the village representatives they might be informed about individual or communal issues arising. This was in addition to the VRWs living in the villages who can report through the implementing NGO.

Management Information System of RU, success of overall project depended on the adequate implementation of the resettlement plan. Proper implementation depended on the right kind of data/information reaching the desk of the decision makers on time. Only a Computerized Management Information System (CMIS) could ensure such timely information on the desk of the managers. The main objectives of the computerized management information system was to provide the management of the project with an efficient tool for better planning and control of different project tasks and proper decision making on resettlement issues including delivery of benefits to the PAPs.

3.8.2 LARP of JBRLP

The resettlement experts monitored and evaluated the progress and quality of resettlement works, and advised RU in taking further actions. The Implementing Agency prepared monthly and quarterly monitoring reports. JBRLP-RU regularly monitored and evaluated the resettlement the program. Bi-weekly meetings at the field level and monthly meetings at the head quarter hold to discuss progress and problems regarding policy issues and implementation aspects, and actions taken, when required.

The resettlement expert and PD, JBRLP cooperated with and assisted the GOB and Bank resettlement evaluation missions that fielded at regular intervals. Monthly action logs prepared by the Resettlement Expert which reflected the actions to be taken, actors and the time frame. The CMIS provided the management with an efficient tool for better planning and control of different project tasks and proper decision making.

3.8.3 SAP-I of BBCP

Monitoring and evaluation (M&E) were the critical activity in resettlement operations. Resettlement monitoring was a continuous process of data collection, analysis and reporting about the progress of work against set objectives or

expectations. The implementation of the SAP monitored both internally and externally to provide feedback to the EA and to assess the effectiveness of resettlement policy and implementation.

The *internal monitoring* by the EA dealt with all aspects of land acquisition and resettlement at the project as well as field levels. The project management, particularly the Project Director, assisted by the RHD field officers, had responsible to monitor the progress of resettlement activities at the Project level, which included, Information campaign and consultation with the PAPs, status of land acquisition, land compensation payments, compensation for lost structures and assets, relocation of PAPs and SMEs, and payments of income restoration assistance. The *external monitoring* conducted by an international resettlement specialist on an intermittent basis during the implementation of the project. External monitoring involved to review of resettlement implementation, verification of the results of internal monitoring in the field, and consultation with PAPs, officials and community leaders for preparing review reports.

External monitoring and supervision of the SAP implementation continued through the implementation of the project to 2003. The following considered as the basis for indicators in monitoring and evaluation of the resettlement project: socio-economics of the affected households (desegregated by gender) and SMEs, payments of compensation and various entitlements as per the SAP, changes in housing and income level as an impact of the project, rehabilitation of the SMEs, assistance to vulnerable groups such as women and children, consultation, grievance redress, levels of satisfaction of the PAPs in the post-relocated period, and the overall effectiveness of the resettlement operations. A post-resettlement impact evaluation carried out by DFID to assess whether adverse impacts of the project mitigated adequately and PAPs had been able to restore their income levels and benefit from the project.

3.8.4 LARP of SRNDP

Resettlement plan implementation monitored both internally and externally. RHD was the responsible for internal monitoring through their field level offices and prepared quarterly reports on the progress of resettlement implementation. Resettlement Specialists of Construction Supervision Consultant (CSC) monitored the implementation during the LARP implementation stage and reported to RHD and the

Bank on the progress of all aspects of land acquisition and resettlement activities. The present Resettlement Consultant continued monitoring the land acquisition, land schedule, compensation, relocation, site clearance and hand over and LARP implementing agency/NGC) activities keeping close liaison with RHD and DC. A post-resettlement impact evaluation carried out by the Bank to assess whether the resettlement objectives met and lessons learned for future policy formulation and planning.

Chapter Four: Strength and Weakness Implemented Resettlement projects in Bangladesh

An attempt has made to analyze the four studied resettlements projects on the basis of the post project monitoring and evaluation reports provided by the concern project funding organization such as ADB, World Bank, DFID etc in. The post monitoring and evaluation has been a mandatory part of a resettlement plan, which was clearly defined by the project donor organization's resettlement policy papers. After studying the post monitoring and evaluation reports, a comprehensive analysis of those resettlement plans in terms of project implementation experiences such as the institutional capacity and limitation/weaknesses of the project, strength of policy application, limitation of the policy application, achievement by the project and experience earned by the project for future project was made. Thus by making the critical analysis of the resettlement plans in Bangladesh, this chapter provides a clear picture on the shortcomings of those plans.

4.1 weaknesses in Terms of Institutional Capacity

4.1.1 Jamuna Multipurpose Bridge Project (JMBP)

The JMBP Resettlement Action Plan (RAP) was conceived as a separate project. The strength of JMBA to plan, implement, coordinate and monitor the implementation of RAP was the full fledged resettlement unit (RU), which was headed by a Project Director with his headquarters at Dhaka. The Deputy Commissioners on behalf of the GOB acquired land for the Project. In addition, there were legally constituted Grievance Redress Committees (GRCs) to settle the disputes outside the purview of the law. Beside the strengthen in-house capacity of the RU, an NGO (BRAC⁴) was hired for RAP implementation engaging about 150 staffs through five field offices in the affected areas. The NGO developed automated systems and instruments that helped the RU extensively. After the withdrawal of the NGO in December 2000 RU continued payment of entitlements up to 2003. BRAC was engaged to identify and compensate EFAPs. RRAP implementation was widely viewed as a successful exercise. Still, there were some weaknesses identified by the post evaluation reports were as follows:

⁴ Bangladesh Rural Advancement Committee

- Involuntary resettlement being a new concept in the case of Bangladesh, the organizations involved were learning by doing to participate of the project implementation processes and getting experience,
- Lack of updated land ownership records and coordination between Land Acquisition Offices and the RU delayed the resettlement exercises,
- RU suffered shortage as well as transfer of manpower as only 29 staff were deployed out of 69 planned,
- Special courts established by GOB, but the Grievance Redressing committee resolve all the objections occurred. So, it has not been effective as no cases were produced there.

4.1.2 Jamuna Bridge Railway Link Project (JBRLP)

The JMRLP setup a Project Management Unit (PMU) with Bangladesh Railway was established at Dhaka to execute the Project, which was headed by a General Manager (Project Director), two Deputy Directors, two Assistant Directors, and other technical and general support staff. The Deputy Commissioners of Gazipur, Tangail and Sirajganj districts assisted BR by acquiring land. The RU implemented the resettlement program as per LARP with assistance from an implementing agency (IA) at the field level.

As far as payment of cash benefits to the eligible persons as per LARP, the RU attempted their best. In the second contract, BR prorated the implementation charge for the IA on tasks and payments instead time input of IA staff and logistics. This induced payment in a positive way and Entitled Persons (EPs) were motivated to collect their entitlement as much as possible. But there were still found about 2000 EPs though identified could not be provided their entitlements as the entitlements were nominal.

The affected common property resources could not be properly restored although this was a special function of the Resettlement Unit. Not all the community facilities were reconstructed by the Project due to some unavoidable problem created in the field. The tendering process was disrupted due to the meddling of the local hoodlums. Only one mosque in Mirzapur could be constructed. Other amenities like tube-well and

sanitary latrines could not be provided to the PAPs on the same ground. However, afforestation program was successful through engaging an NGO.

4.1.3 Bhairab Bridge Construction Project (BBCP)

The implementation of Social Action Plan (SAP) has definitely enhanced RHD's capacity in resettlement management. The Project management staff and RHD engineers were directly involved in the implementation phase. Today, there is a greater awareness about social and resettlement issues within RHD in general. As a result, there is more transparency and understanding of the social dimensions in infrastructure projects.

Resettlement organization for the Bhairab Bridge Project was headed by a Project Director of the level of Superintending Engineer with coordination from an Environmental and Resettlement Unit (ERU). The new set up of ERU had very limited experience in managing involuntary resettlement. So, an experienced NGO was engaged to assist the ERU with technical and staff support at the field level. Two Deputy Commissioners were involved in two districts Brahmanbaria and Kishoreganj. SAP ensured participation of the project-affected persons in every stage of the project in a number of ways ensured by the peoples and community participation process. The limitation of the ERU expertise, there were one international and two local resettlement specialists provided support to the RHD ERU in supervision, monitoring, evaluation and guidance for implementation of the SAP.

4.1.4 Southwest Road Network Development Project (SRNDP)

The SRNDP has been setup an Environment and Resettlement Unit (ERU) was established within RHD to plan, implement, coordinate and monitor the implementation of LARP, which was headed by two Superintendent Engineers (SEs) as Additional Project Directors (APDs) under the Project Director. A new Social and Environmental Circle (SEC) was established for more focus on resettlement issues. The Deputy Commissioner in respective districts on behalf of the GOB acquired land for the Project. RHD hired an experienced NGO to implement the resettlement plan. The NGO worked in close cooperation with Deputy Commissioner (DCs), Construction Supervision Consultants and RHD officers in delivery of all land, structure and crop related compensations. The NGO facilitated function of the resettlement advisory committee and grievance redress committees in all four sections

of the project road to foster the activities of resettlement and grievance resolution involving stakeholders.

4.2 Strength and Weaknesses/ Limitations of Policy Application/Implementation

4.2.1 JMBP

The intended of the RAP was to facilitate “land for land” by the families losing land to the Project through additional grant to cover replacement price and refund of stamp duty for registration, which was almost achieved by this project through provided the resettlement sites to the PAPs. Replacement price of land and its enhancement at revised situation in two years was effective to resettle the affected persons. As well as providing the cash assistance for dismantling, transfer and reconstruction of structures and salvageable materials free of cost was effective to vacate land timely.

Refusal of compensation for structure built with ulterior motives was a just policy that did not affected the actual structure losers. Because of the land acquisition in Bangladesh has traditionally been associated with some degree of fraudulent claims. The generous compensation policy for JMBP led to loopholes for any subsequent acquisition after disclosure of the policy. According to SRO 218 of 1995 district authority has the right to exercise their discretion for preventing fraudulent claims.

Information dissemination and consultation with affected persons helped resettlement operation in a positive way. And the provision of house plots for persons without titles in developed resettlement sites was proved effectively.

There were some limitations of the policy application of JMBP, RAP such as, The bank loan facilitating timely purchase of replacement land could not be continued only after few disbursements due to inconvenient modality for banks, Bindings on registration of land purchase in particular sub-registry offices and limiting time for entertaining land purchase hindered entertainment of additional grant for replacement land purchase and reimbursement of stamp duty, Female headed EFAPs were supposed to get house plots in resettlement sites but that was not entertained, households received construction grant could not be entertained with house plots in resettlement sites even if they applied, not all the wage losers were entitled for one time cash grant rather only one member from a family was entertained, fifteen

decimal plot as an alternative to training and people having less than 15 decimal land was not entertained, surplus land after construction was not leased out to potential affected persons, institutional support did not work as was expected to facilitate affected persons purchasing replacement land, Due to lack of employment opportunity nearby, west resettlement site was not attractive to the squatters. As a result, some of the resettled families sold off the plots and left the resettlement site, income and livelihood restoration by the vulnerable affected persons could not be achieved. However, their economic position was stabilized with time, and finally the affected person left the area before the start of RRAP implementation could not be notified adequately due to lack of resources.

4.2.2 JBRLP

The affected land owners were encouraged to purchase replacement land and in case of practical impossibility, they were provided with replacement price from the second year of implementation. Though, the cash assistance for transfer and reconstruction of structures and salvageable materials free of cost, as a result there was maintained effective time schedule to vacate land.

Resettlement budget was rescheduled within heads adjusting outstanding requirements on certain heads from surplus heads. This helped achieving targets for resettlement of affected persons. In some cases, raised land/homestead land were categorized as low land following CS and SA record maintained in DC office that consequent lower compensation.

Under the customary practice of joint survey team formed with representative of DC and BR were not aware enough to record the present character/nature/category of affected land and properties irrespective of CS/SA record. The GRC should be empowered with the legal authority to address this issue of under valuation/pricing of land along with other types of complaints lodged by the affected people.

The program of skill training, group formation, operation of micro-credit and income restoration did not take place successfully as expected. And also the land purchase was not a condition for grant to purchase 2.5 decimal homestead by squatters. As result, 69 percent of the squatters did not purchase land but received the grant. Households losing access to acquired parental homestead might be a reason.

4.2.3 BBCP

The intension of the SAP was to assist replacement of assets by the owners and reconstitute the level of livelihood opportunities at the pre-project status. A considerable number of SMEs and mobile vendors affected by the project were supported for rehabilitation with a unique approach of relocation market site for persons having a stake to the affected market place and commercial site for affected hawkers.

SAP implementation was carried out in a very consultative manner by involving members of the Resettlement Advisory Committee (RAC) and Grievances Redress Committees (GRCs). Affected persons, including women and vulnerable groups were also represented in those committees.

The objectives behind allotment of plots to affected women and affected hawkers due to opening of the bridge, were not fully achieved as many of the allottees could not hold of the possession due to lack of their experience, skill and capital support. Finally, the market sites for the hawkers were still to get full occupation by affected traders. A good number of allottees were using their plots in different way than what was agreed in the lease agreement.

4.2.4 SRNDP

The SRNDP's resettlement policies have some strengthen applications, such as it was prepared to facilitate the affected persons replace their lost assets and relocated in the same vicinity, the implementing NGO facilitated to form Labour Contracting Societies (LCSs) to provide employment of women in the civil works construction, cash assistance for dismantling, transfer and reconstruction of structures and salvageable materials free of cost was effective to vacate land timely, information dissemination and consultation with affected persons helped resettlement operation in a positive way, the NGO and executing agency had regular performance monitoring meetings every month that reviewed the progress and constraints, and devised mitigation measures, both titleholders and non-titled persons were covered by payment of compensation, whatever may be the rate of compensation, for enabling the EPs to restore livelihood, and some project affected persons were engaged in project Civil Works.

On the other hand, it has also some limitation regarding the policy application, for instance, gender issues were not adequately addressed in the LARP, though it has ample scope to do so. Since it was not addressed, it was natural that in implementation it remained neglected as well, Roadside Plantation and Social Forestry to add certain activities to augment the income and employment generation of the APs was not done although it was planned, Other than a lump sum amount of Tk. 2400 (inadequate) for supporting lost workdays of affected persons during relocation, no income restoration program was conceived in the LARP. Additional assistance of Tk. 500/- for female headed household was inadequate.

Moreover, business restoration grants of Tk.500 /unit if owner and Tk.2500/- if not owner to reestablish business in new locations irrespective of size of the shop or without consideration of capital invested by the business losers was not equitable, grant of Tk. 2500/- (flat rate) for transfer of structures irrespective of number, size and categories of structures is not fair and just, Coconut and betel - nut are two cash-crops in the project areas specially in contract No. 5. No compensation for loss of fruits was contemplated in the LARP, and also finally the abandoning distribution of tube well on the plea of arsenic contents instead of sinking of deep tube-well for settlers and host community was not the way of solving problem.

4.3 Achievements of Those Projects

4.3.1 JMBP

For the first time in Bangladesh a Social Impact Assessment was conducted for the directly affected population in the study area. The project was strengthening due to effective public participation through information dissemination. Special care had been taken in the project to help the most vulnerable group of the society. Moreover to ensure replacement value, market survey was conducted twice during implementation period. The project had a comprehensive resettlement plan by providing basic amenities in all relocation site and providing entitlement to all APs. There was strong collaboration among resettler, government and NGO in implementing resettlement plan. The project was regularly monitored and supervised from the top by MIS and in the bottom by AP.

There most important feature of the project was the de-acquisition of 317 acres of excess land in the east bank side of the river Jamuna; 177 acre from East Resettlement Site and 140 acres from East Hard Point area.

4.3.2 JBRLP

The JBRLP resettlement program had successfully implemented through a nicely organized information campaign during the planning phase. A land market survey was conducted during the planning phase which was considered for determination of compensation under law by at least one DC and there was an independent body was included for the joint verification team with DC and BR for the purpose of the effectively identification of the project affected persons. The policy was insisting the APs to spend their compensation and entitlement cash for productive purposes. The replacement land purchase was de-linked from additional grant payment to cover the replaced land value. The squatters and landless households were provided with cash assistance to purchase 2.5 decimal for homestead uses. And there was an effective participatory monitoring was done through focus group of eligible persons.

4.3.3 BBCP

Bhairab Bridge resettlement experience provides several “good practiced” examples in resettlement management in infrastructure projects. These are some achievements, which can be considered in the formulation of future resettlement policy for Bangladesh, such as community consultation and participation of the EPs and other stakeholders was adequate in SAP implementation. There was an additional grant for female-headed households and preference to women and the poor were designed to assist the vulnerable groups affected by the project. The GRCs played a critical role in keeping the implementation process open and transparent.

4.3.4 SRNDP

The resettlement program of the SRNDP has followed by some successful projects such as the Jamuna Bridge Project and Jamuna Rail Link Project. A detailed socio-economic and census survey was carried out for this project, which also involved consultation at the planning stage. The disclosure and the public consultation have been continued during the implementation period. There were several alternative options have been taken for minimizing resettlement effects as well a developing a comprehensive resettlement plan. A special attention is to be addressed for women

and other vulnerable groups. It seems that there was a strong and innovative resettlement organization worked in the implementation of plan collaboration with the NGOs. It has been established an effective supervision and monitoring system by the effective participation of the APs.

4.4 Experience for Future Project

4.4.1 JMBP

The practical experience in JMBP resettlement provided some vital lessons in developing future resettlement plans as well as policy revisions for the government and the donors. These relate mostly to land laws and procedures for compensation payments. For instance, the old land administration and clumsy land recording system delays payment of compensation and sometimes the present owners of land cannot get full compensation for land as a result the JMBP RAP has formulated its own entitlement matrix and compensation policy, piece-meal acquisition tempted APs to abuse the policy and some were also suffering repeatedly, so RAP give up this strategy for land acquisition.

People losing negligible amounts of land (1 or 2 decimals or a fraction of it) created problem of dealing with unnecessarily huge number of people with nominal entitlements. Many people did not appear to receive their small entitlements. Award book for payment of compensation under law was a vital instrument for implementation of RAP. But it was difficult and time consuming a task to collect authenticated copy of the award books.

Resettlement site plots in many cases were inadequate to accommodate the relocated families. Large families with more than one married sons are facing difficulty in accommodating them. In a land scarce country like Bangladesh, many people could not buy replacement land and they were eventually deprived of the assistance for replacement price of land. They were in a position to invest in viable ventures when land purchase was becoming impossible.

Erection of fake structures and refusal of compensation took huge attention and input from the executing agency. Cut-off date for recognizing physical assets should be practical so that no one can defraud government. Host community incentives have been encouraged pulling in affected persons instead of pushing them. And finally,

advance information to the affected persons could avoid many problems of the affected persons.

4.4.2 JBRLP

Experience in JBRLP resettlement pointed out some lessons for future resettlement endeavor such as Bangladesh Railway effectively used the automated management information system (MIS) in the field as well as in the headquarters. This could be more effective if acquisition data from DC offices could be streamlined to the MIS.

The Implementing Agency engaged for assisting BR for implementation of the resettlement program was limited to provide cash assistance and support for relocation. It discontinued upon expiry of its contract. The income generation program (IGP) attempted through engaging separate agencies was not effective.

The IGP implementing agencies identified needs and provided training on human resource development and skill development. But credit support could not be organized even there was budget allocation for credit. BR was not in a position to release credit fund to the IGP implementing agencies without collateral which was impossible by them. The procurement process could not anticipate the impracticability.

Delay in payment of CL was most important issue. The office of the Deputy Commissioner was not guided by the Project need, rather by the traditional practice and convention backed by laws.

4.4.3 BBCP

The implementation of the SAP in Bhairab Bridge Project was definitely a challenging task. Unlike the Jamuna Bridge Project, which crossed through a rural setting, the Bhairab Bridge connected two important urban and commercial hubs affecting many commercial and business structures - mainly illegally built on public land. Important lessons from the R&R exercise, for example, the timely relocation and resettlement of the SMEs permanently at the Resettlement Market are the main hallmarks experience.

Some weaknesses in the planning and implementation should also be noted as “lessons” for future projects. These include:

- (i) inadequate assessment of the project impact for SAP planning (due to absence of clear demarcation of the ROW);
- (ii) delays in implementation due to time lost in between NGO contract renewals;
- (iii) frequent transfer and absence of the RHD field staff affected local decision-making and the implementation schedule; and
- (iv) delays in implementation resulted in “missed” cases of indirectly affected EPs, who left the project site for work and livelihood elsewhere.

4.4.4 SRNDP

The practical experience in SRNDP resettlement provided some vital experiences in developing future resettlement plans as well as policy revisions for the government and the donors such as the piece-meal land acquisition created problem in resettling the project affected people in a befitting manner, land record and administration system are manual and not updated to feed data in automated resettlement management system, people losing negligible amounts of land did not appear for receiving compensation or resettlement benefits due to the fact that cost of compensation collection could have been more than the compensation itself, full reimbursement registration cost was an encouraging policy but time bar was an impediment to get the opportunity, additional transfer grant for female headed households was inadequate to provide them any real support, withdrawal of ID cards from the field made it difficult to monitor any further after conclusion of implementation, a crash program for updating of land record by the Deputy Commissioner as soon as the process for acquisition of land starts to ensure expeditious disbursement of CL, where people lose income and livelihood, the plan needs to provide Income Restoration Program with objective to improve, or at least restoring, the productive base of the APs, and finally the Policy need to make provision for awarding compensation for loss of fruits considered as cash crop.

4.5 Present status of the Resettler

This chapter of the research paper prepared by a detailed questionnaire survey conducted by the researcher for understanding the present situation of the involuntary resettler. A field survey was conducted in March 2010 at both east and west resettlement site of Jamuna Bridge and also the SMEs at Ashuganj relocation site of Bhairab Bridge.

4.5.1 East and West Resettlement Sites of JMBP

According to Polli Unnayan Andolon (RDM), 2001 a total of 4,156 households required relocation out of 16,000 affected by the project in both banks of the river Jamuna. Among those affected households 75% opted for “self-relocation” and resettled permanently in some 45 existing villages along side of the river. As of December 2000, a total of 1,122 household (25%) were resettled in the government sponsored resettlement sites (RDM, 2001). So, this study conducted five percent of the final resettlers for questionnaire survey, which is 56 households, 22 households from west resettlement site and 34 households for east resettlement site. The current research surveyed 12.5 percent female headed households and 87.5 percent male headed household and 56 total households survey.

4.5.1.1 Professional and Monthly Income changes occurred

The resettlement of JMBP had significant effects on professional and monthly income of the resettlers. The post and pre professional status of the HH of the resettlers found in the survey illustrated in table 4.5.1.

Table 4.5.1: Professional changes occurred by Resettlement project of JMBP

Profession	Previous Profession	Percent	Present Profession	Percent	Change (-/+)	Percent
Agriculture	22	39.3	3	5.4	-19	-86
Employment at fishing boat	5	8.9	1	1.8	-4	-80
Daily labour	6	10.7	12	21.4	6	100
Rickshaw/ Van Puller	0	0.0	15	26.8	15	
Small Business	7	12.5	12	21.4	5	71
Fishing	7	12.5			-7	
Weaving	2	3.6			-2	

Household Work	3	5.4	5	8.9	2	67
Cloth Making	2	3.6	5	8.9	3	150
Govt. Worker	1	1.8	1	1.8	0	0
CNG/Tempo Driver	1	1.8	1	1.8	0	0
Work at train station	0	0.0	1	1.8	1	
Total	56	100.0	56	100.0		

Field survey March, 2010

The above table shows the highest 39.3 percent previous profession of the HH head of agriculture changes to only 5.4 percent at present, which is the highest negative changes; -86 percent professional changes. Some previous professions not found in survey as well as there were also some new professions chosen by the resettlers. The highest 150 percent positive professional changes occurred in cloth making.

Table 4.5.2: Average monthly family income of the resettlers changed

Occupation of the Household head	Previous average monthly family income	Present average monthly family income	Change (-/+)	Increase or decrease in Percent
Agriculture	6909.09	4833.33	-2075.76	-30
Employment at fishing boat	5500.00	6500.00	1000.00	18
Daily labour	3166.67	3958.33	791.66	25
Rickshaw/ Van Puller	-	4480.00		
Small Business	5857.14	9891.67	4034.53	69
Fishing	4714.29	-		
Weaving	3250.00	-		
Household Work	4500.00	3500.00	-1000.00	-22
Cloth Making	3250.00	4700.00	1450.00	45
Govt. Worker	9000.00	5000.00	-4000.00	-44
CNG/Tempo Driver	5500.00	9000.00	3500.00	64
Work at train station	-	3500.00		

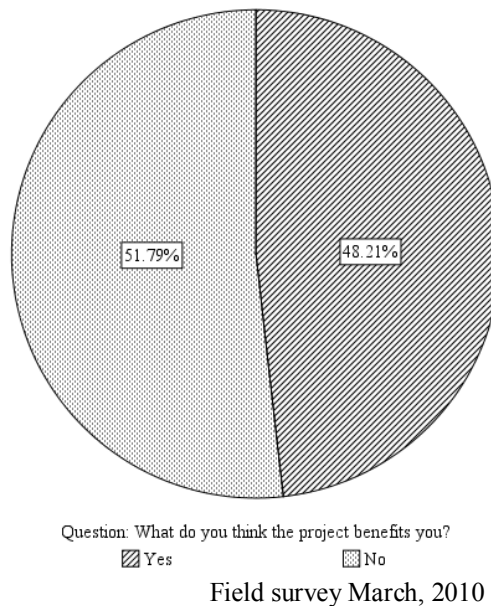
Field survey March, 2010

The above table (4.5.2) shows the highest monthly family income negatively changed by the resettlers for the government negative 44 percent. Normally, if we think about this the statement, we will get puzzled because government salary could not be get downward. But the real fact was that the person who got better salary may resettled him in another place or he was not in surveyed and the surveyed team found another government service holder with lower income. The second negatively changed occurred in agriculture, which was negative 30 percent support the statement because the persons in agri-profession already lost much of their land reasons the lower family

income. The 69 percent family income increased positively by the small business professions, which was very logical for the reasons of better business facilities at surroundings.

4.5.1.2 Personal Benefit occurred through JMBP

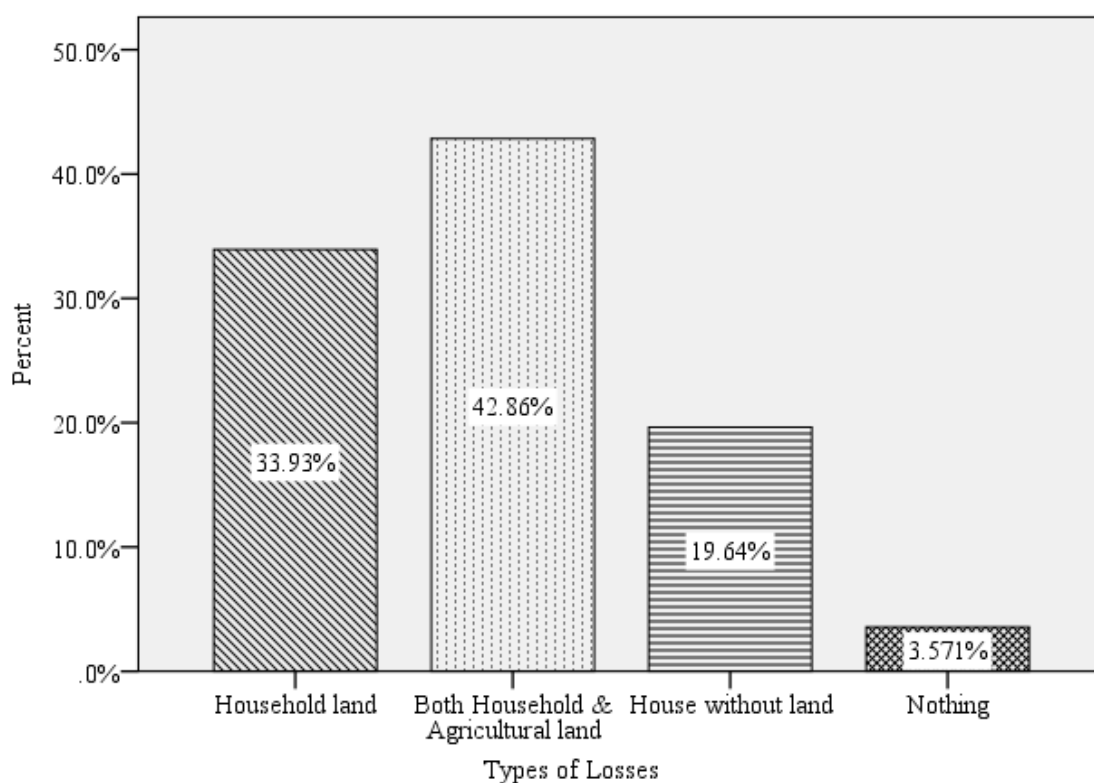
The respond about the personal benefit through Jamuna bridge development project, about 52 percent of respondents thought that this development project really not benefitted to them personally.



4.5.1.3 Lost Assets and Compensation

The JMB project acquired both household and agricultural land. Figure 4.5.1 illustrates that 42.86 percent of the house hold both lost their HH and agri-land by the project. Only 3.6 percent HH found land less and resettle in the resettlement site.

Figure 4.5.1: Type of assets lost by JMBP



Field survey March, 2010

According to the survey respondents, about 77 percent of the resettlers got household land at the resettlement site as compensation. The land compensation value provided by the resettlement authority, majority of the respondents about 63 percent were not satisfied. The reasons for not satisfied with the land value and other benefits shows in the table 4.5.3, where 60 percent told that land value was higher than the actually compensated and 20 percent said that the RS authority define some categories for land value compensation which was not realistic in that situation.

Table 4.5.3: Reasons for not satisfied with the land value and other benefits

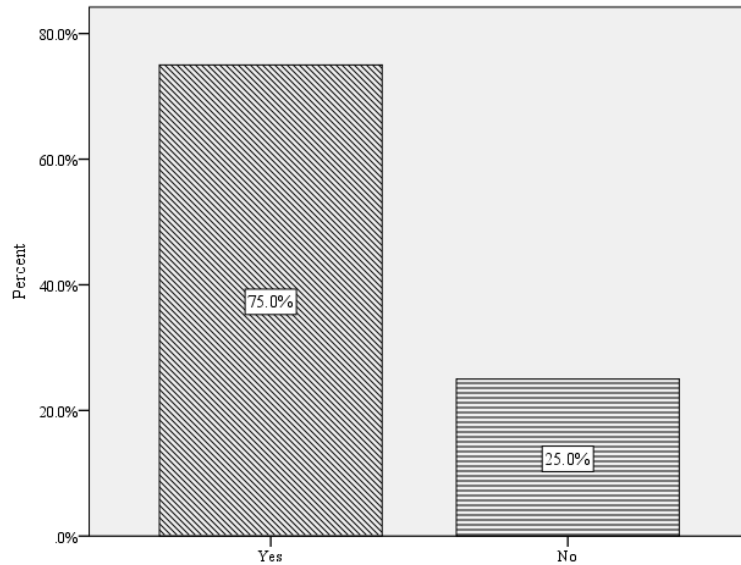
Reason of satisfaction	Frequency	Percent
Define some categories of land value	5	20
Got only HH land but not Agri-land	4	16
Got only money but not HH land	1	4
Land value was higher	15	60
Total	25	100

Field survey March, 2010

Monetary compensation received from the RS authority found 73 percent and most of them about 97 percent collected their compensation from DC office and other from the resettlement office. About 74 percent responds said that the authority timely paid

their compensation. Stamp duty and other cost of land transfer 75 percent of respondents got the compensation (see figure 4.5.2).

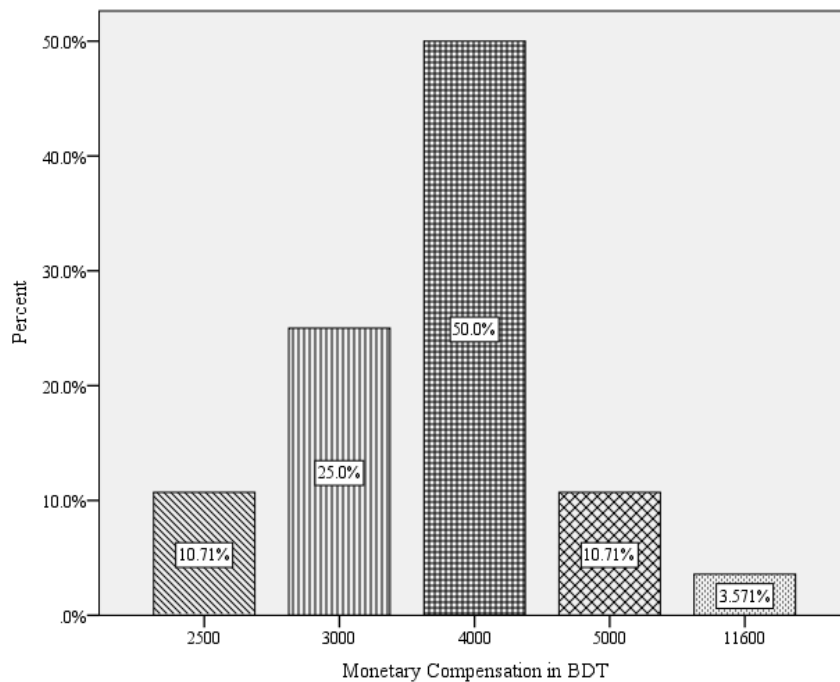
Figure 4.5.2: Respondents got any stamp duty and other cost for land transfer



Field survey March, 2010

Most of the respondents (about 58 percent) got compensation for transferring the assets from their old home to other resettled place and among them 82 percent got money as for transferring compensation and other got transport support. The average monetary compensation got for transferring their assets is 3968 take per respondents.

Figure 4.5.3: Monetary compensation got by the resettlers for land transfer



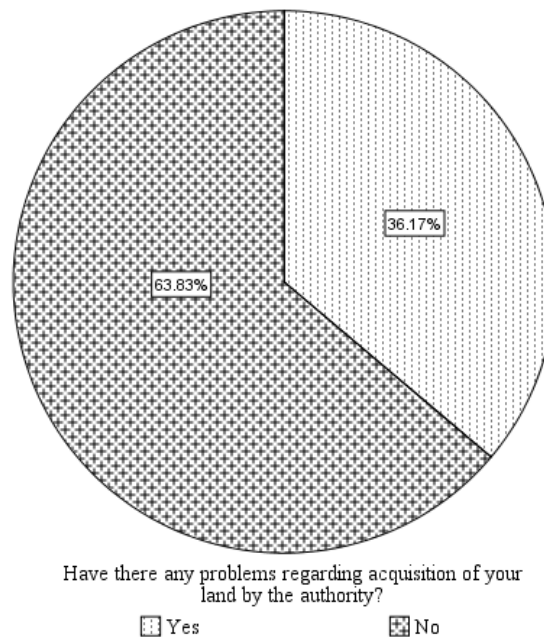
Field survey March, 2010

The figure 4.5.3 shows about 50 percent of resettler HH got 400 BDT as the compensation for transfer their assets. Normally this transfer amount was between 2500 BDT to 5000 BDT but 3.6 percent HH got little more of that money because they got that money together with shifting and land development of the resettled place.

4.5.1.4 Problem of Land Acquisition and Solution

The following figure 4.5.4 illustrates the problem occurred during the acquisition of land by the RS authority.

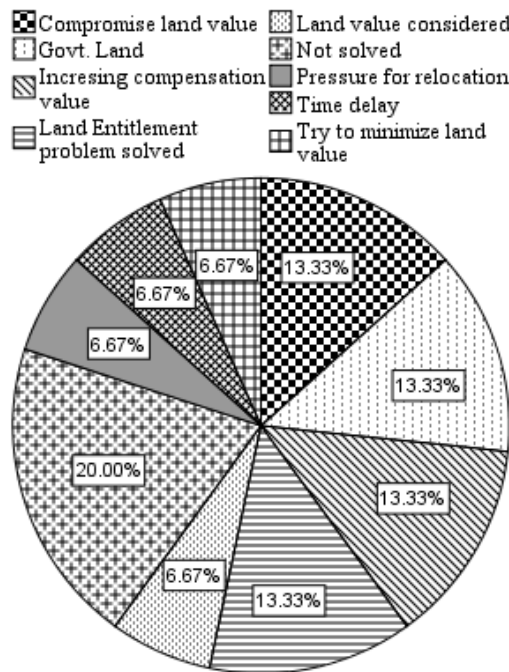
Figure 4.5.4: Responds about arising problems during land acquisition



Field survey March, 2010

Above figure shows about 64 percent of respondents said they had no issues for land acquisition problem with the authority. And for the case of other 36 percent; 59 percent cases solved by grievance redress committees, 18 percent by local leader and rest 23 percent in the registration office. Figure 4.5.5 illustrates the solution had been taken for resolving the land acquisition problems and found 20 percent cases still unsolved, 13.33 percent found the government land, increasing the compensation value and land entitlement cases solved both are 13.33 percent.

Figure 4.5.5: The way considered to resolve the land acquisition problems

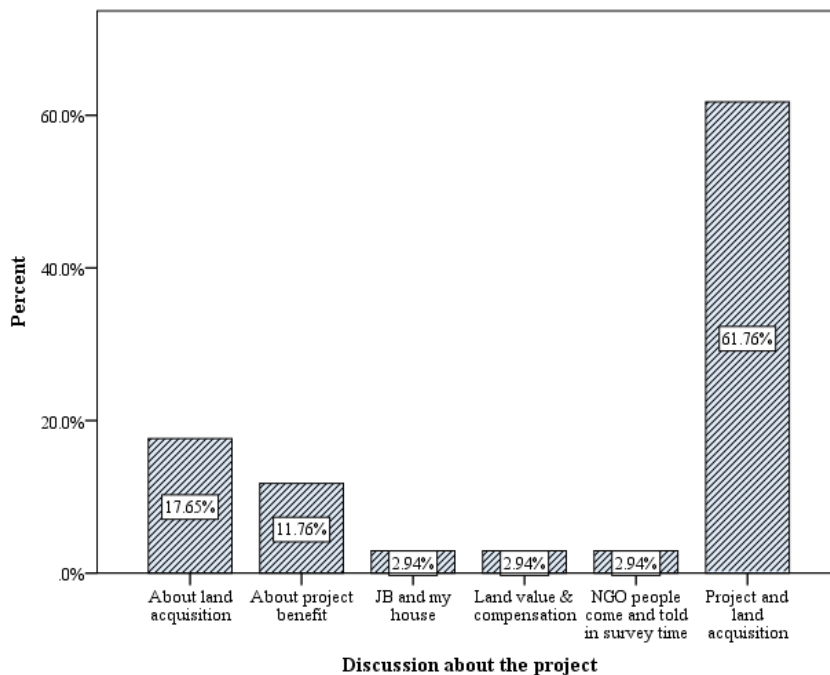


Field survey March, 2010

4.5.1.5 Consultation and Discussion about the project

The RS authority had a consultation and discussion about the project with the resettlers. About 61 percent of the respondents said that the authority had a consultation with them about the project but 39 percent denied that. Figure 4.5.6 illustrates the type of discussion by the RS authority.

Figure 4.5.6: Types of discussion about the project with the resettlers



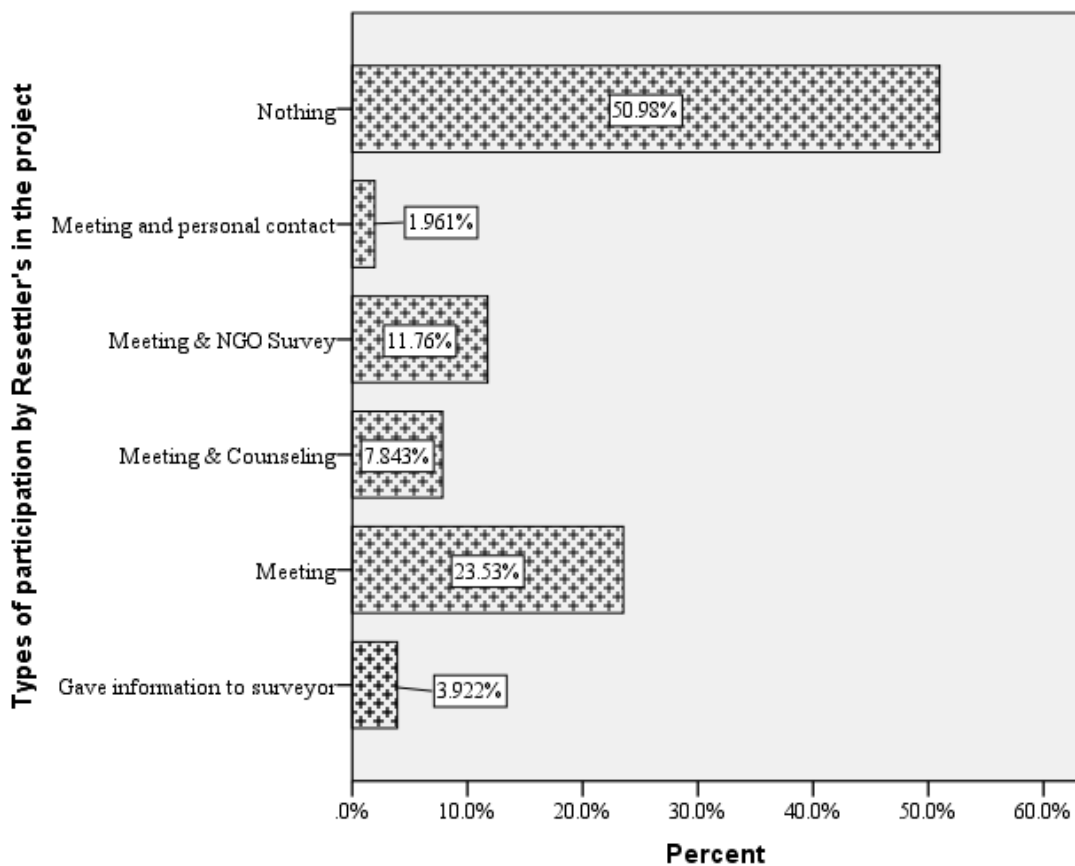
Field survey March, 2010

Above figure shows 62 percent of respondents said the authority discussed with them about project and land acquisition and other discussion topics were about project benefits, land value and compensation and project and about HH land.

4.5.1.6 Project Participation

Participation of the project by the resettlers, about 51 percent responded that they did not take part any event by the project authority. But other 49 percent participated in different information dissemination event of the project shows in figure 4.5.7, most of the responds came for meeting, meeting and counselling and NGO survey.

Figure 4.5.7: Types of participation involved by the resettlers with the project



Field survey March, 2010

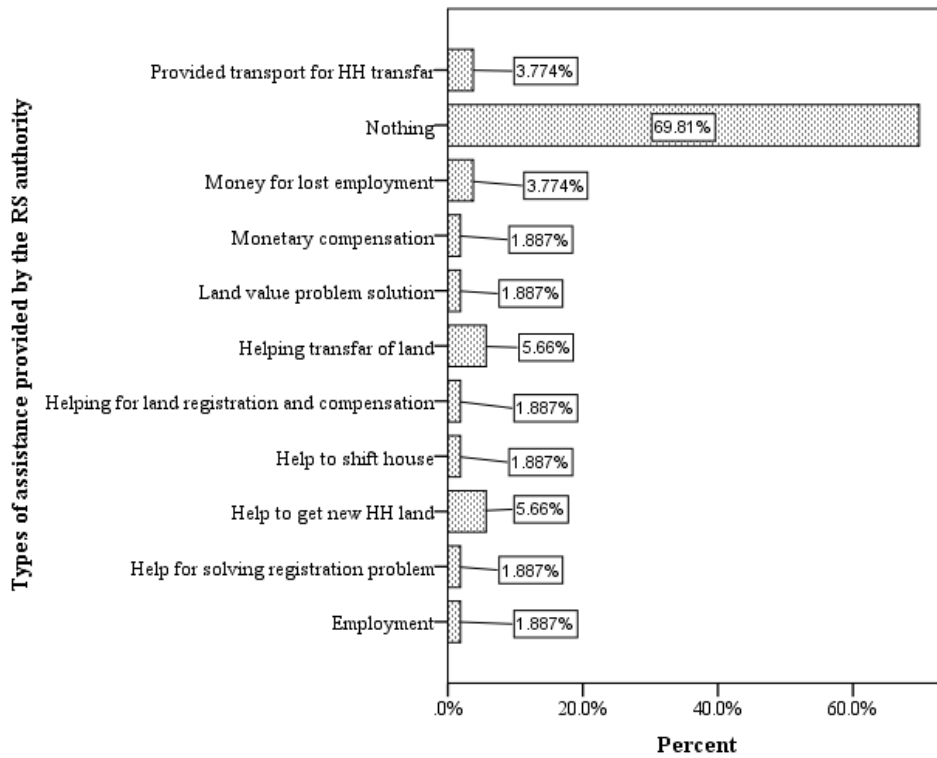
Responds about the questions of the participation process, about 29 percent did not know and about 38 percent said participation was transparent and other said not transparent.

4.5.1.7 Assurances Provided to the Resettlers

Different types of assistance provided by the RS authority to the resettlers for helping to their resettlement process the following figure 4.5.8 shows most of the resettlers about 70 percent got nothing as assistance for resettlement. Others 30 percent got

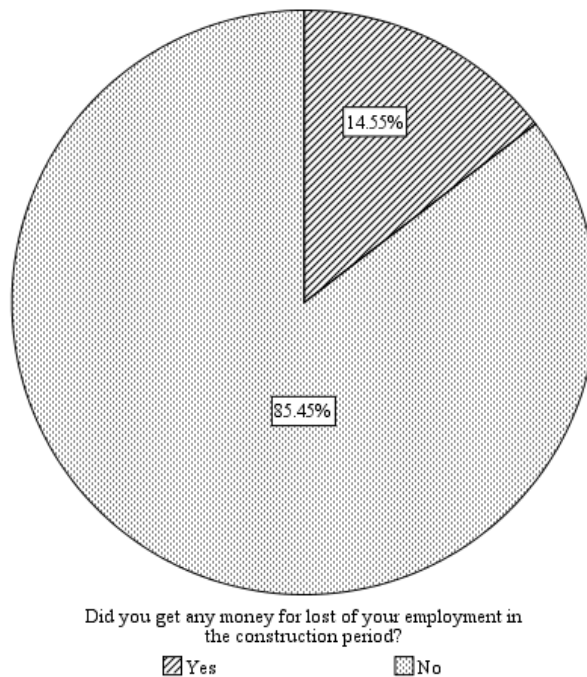
different types of assistance such as provided transport for HH transfer, money for lost employment, helping transfer of land, employment etc.

Figure 4.5.8: Types of assistance got by the resettlers from the RS authority



Field survey March, 2010

Figure 4.5.9: Respondents about monetary compensation for of lost employment at construction period



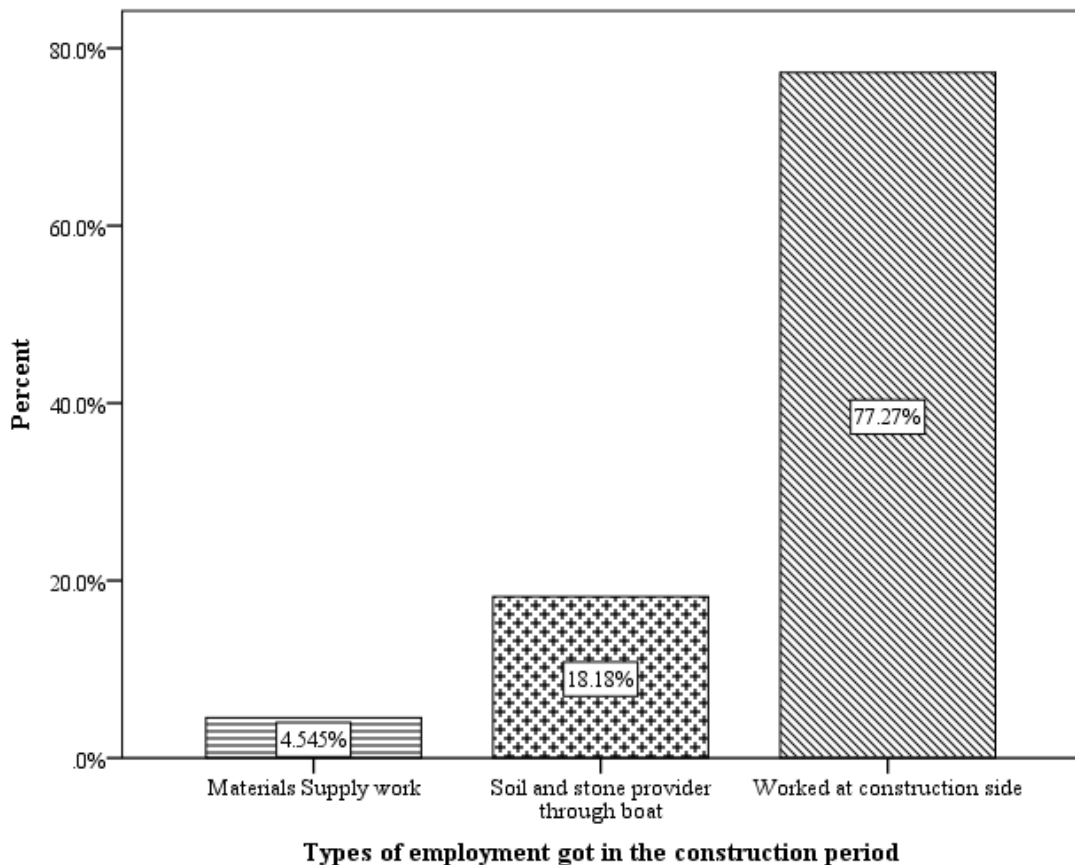
Field survey March, 2010

Above figure 4.5.9 shows that only 15 percent respondents got monetary compensation for loose of employment during the construction period. The average compensation was 3950 BDT. Respondents got 3000 BDT to 5000 BDT at once. Among those respondents 37.5 percent got 3000 BDT and same percent got 5000 BDT.

4.5.1.8 Employment and Bank Loan Received

Only about 39 percent respondents got employment at the construction period, other 61 percent did not get any options for employment. The following figure 4.5.10 illustrates that among those 77 percent got the chance for working at the construction site and other 18 percent and 5 percent got the chance respectively for supplying soil and stone through boat and materials supply work.

Figure 4.5.10: Types of employment got the respondents at construction period



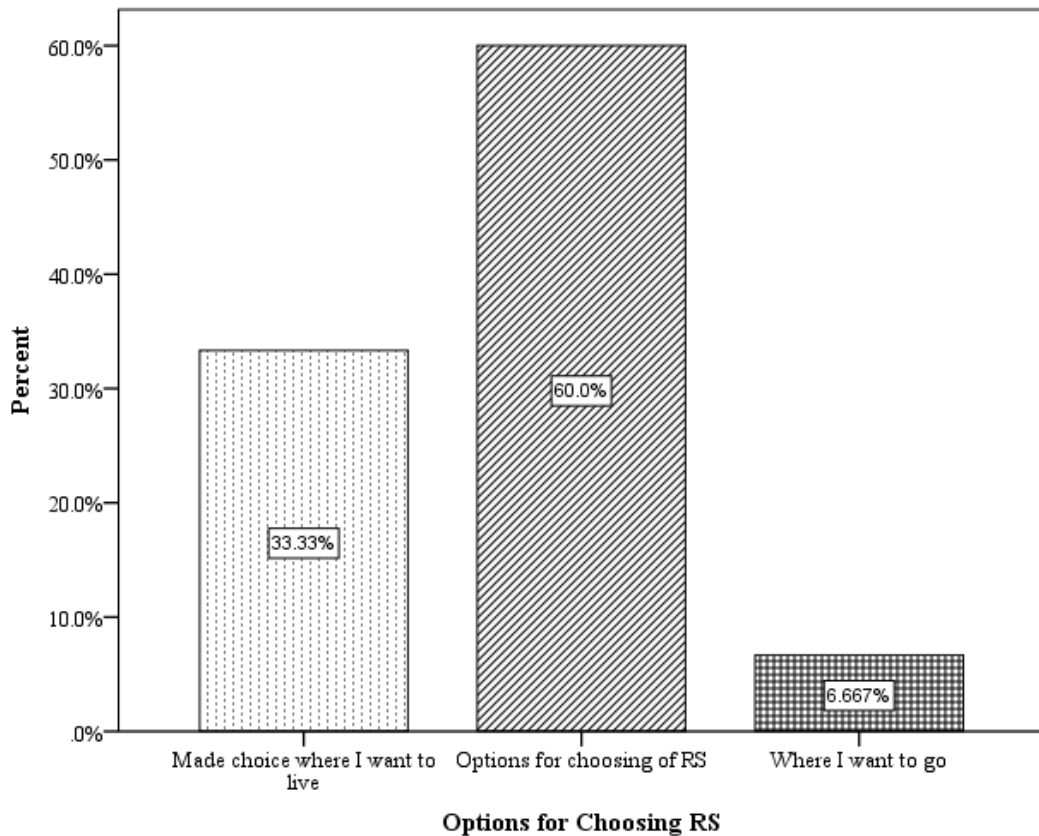
Field survey March, 2010

Most of the respondents (about 95 percent) did not receive any kind of bank loan for the income restorations of any other income generating activities. Very few percent (only 5 percent) accessed to the bank loan.

4.5.1.9 Options for Choosing the Resettlement site

The question asked by the researcher to the resettlers that did the RS authority gave them any choice for selecting the resettlement sites and more the 68 percent responds negative that they did not get any options to choose. The other 32 percent got different options for choosing shows in the following figure 4.5.11.

Figure 4.5.11: Types of options got by the respondents as an option for selecting RS



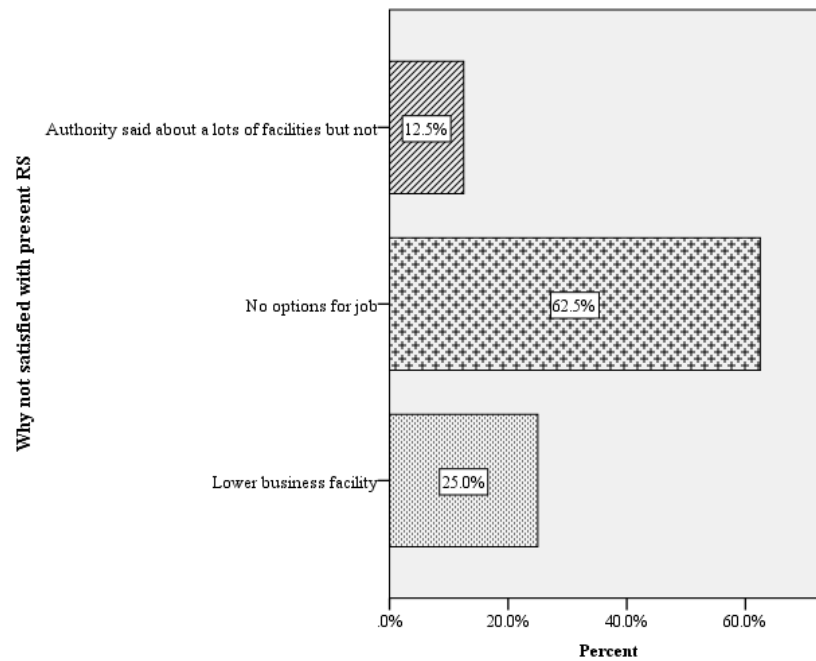
Field survey March, 2010

Above figure shows that most of the respondents about 60 percent got the options for choosing RS sites, other 33 percent made choice where they want to live and about 7 percent have options where they want to go.

4.5.1.10 Assessment about the Present Resettlement Site

Most of the respondents about 86 percent had been satisfied with the environment of the present resettlement site. The respondents told some reasons why they were not satisfied with their present resettlement site (RS) illustrates in the following figure 4.5.12.

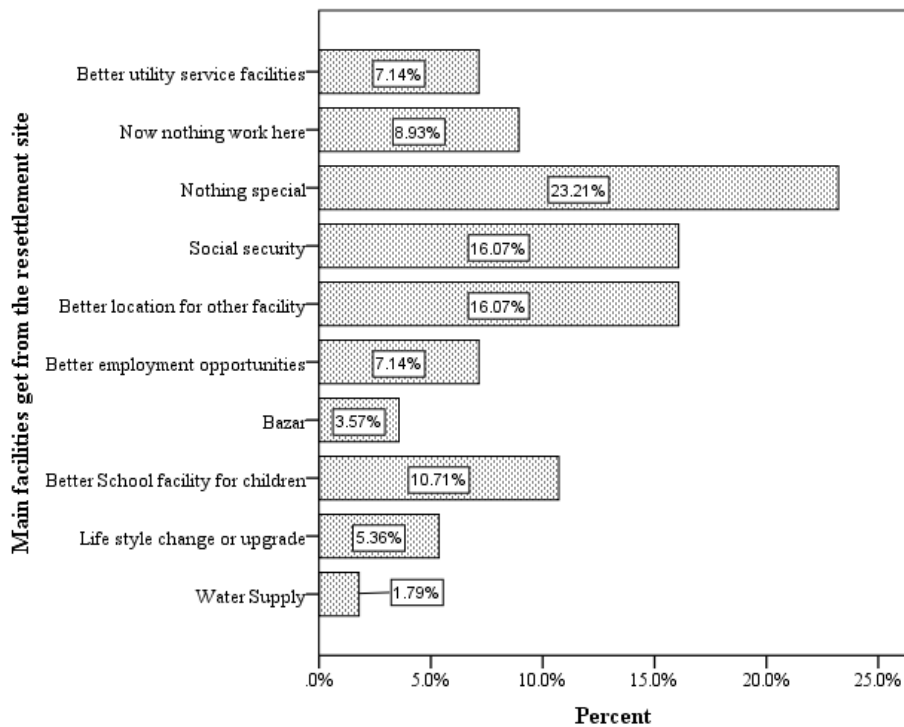
Figure 4.5.12 Reasons for not satisfied with the present RS by the respondents



Field survey March, 2010

Most of the respondents (62.5 percent) said that the RS had no option of job or employment, 25 percent told that they had lower business facility and rest criticized that authority told them about lots of facilities but in reality there was nothing for survive.

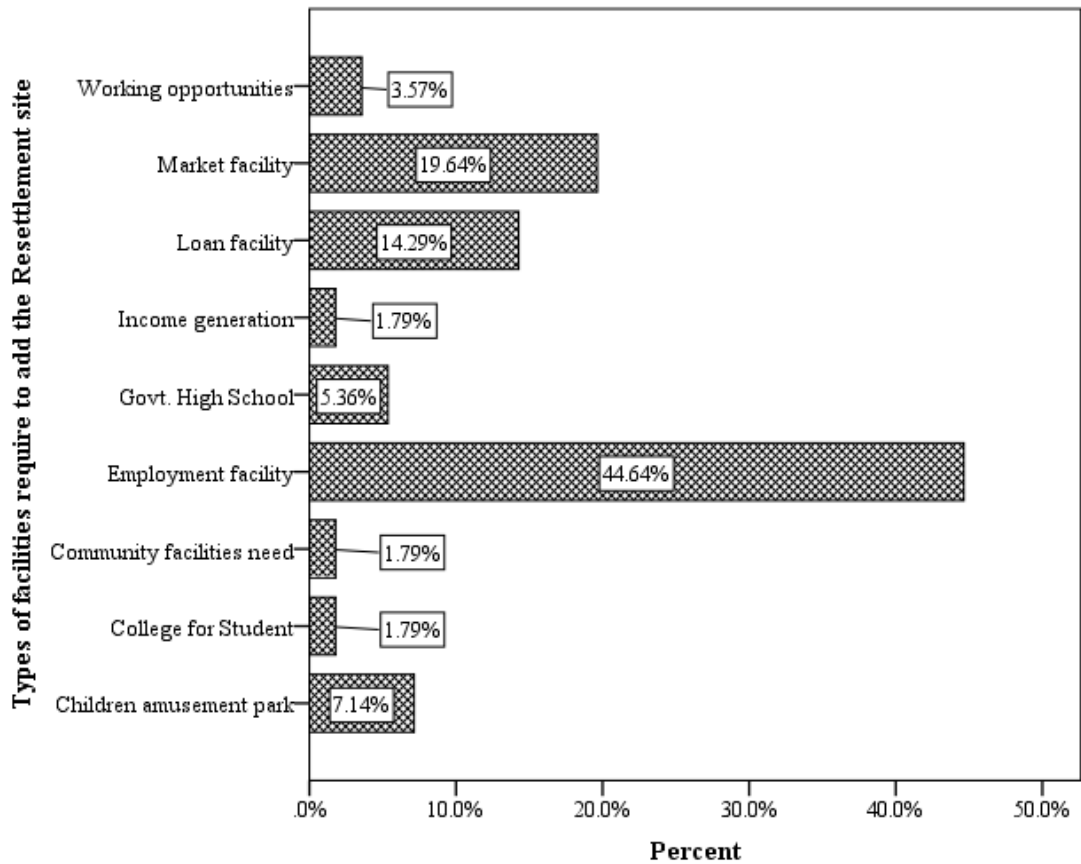
Figure 4.5.13: Main facilities respondents get from the present resettlement site



Field survey March, 2010

The above figure 4.5.13 illustrates that the respondents enjoyed some basic facilities from their present resettlement sites. But over 23 percent respondents said that they really not enjoyed any special facilities from here. Other 77 percent gave the positive answer that they enjoyed some facilities such as social security (16 percent), better location for other facilities (16 percent), better school facility for children (11 percent), etc.

Figure 4.5.14: Types facilities recommended by the respondents to add in the RS



Field survey March, 2010

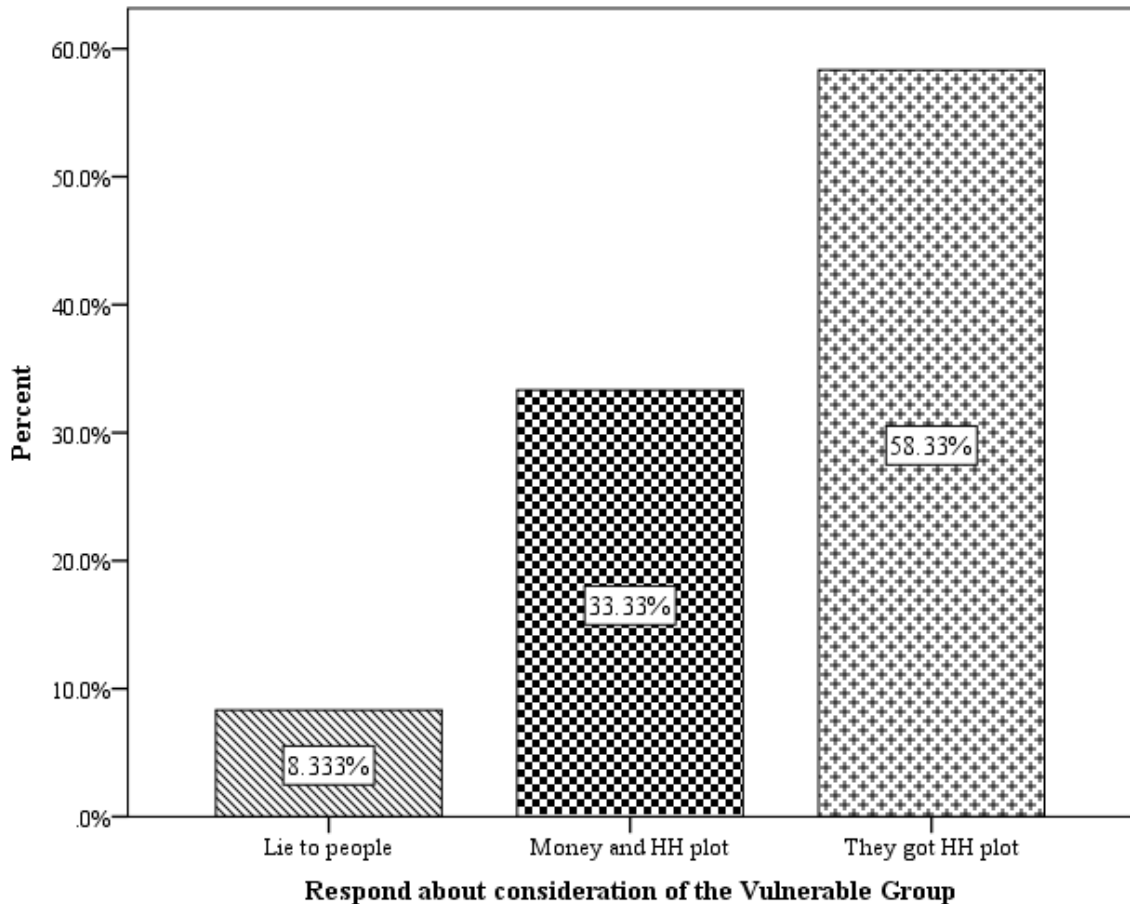
The above figure 4.5.14 suggested by the respondents that some important facilities must required to add to the present resettlement site. Most of them said (about 45 percent) for employment facility, another 20 percent told about market facility and other over 14 percent desired about loan facility.

4.5.1.11 Consideration of the Vulnerable Group

Vulnerable group define by the poor people or land less people or the female headed household or the ethnic groups. All kinds of resettlement plans had a special consideration for this vulnerable group. Among the respondents from the questionnaire survey most of the people (over 57 percent) did not know anything

about this group. Other 20 percent told that authority had special consideration for this group and 23 percent not agreed with the statements.

Figure 4.5.15: The way of considering the vulnerable groups



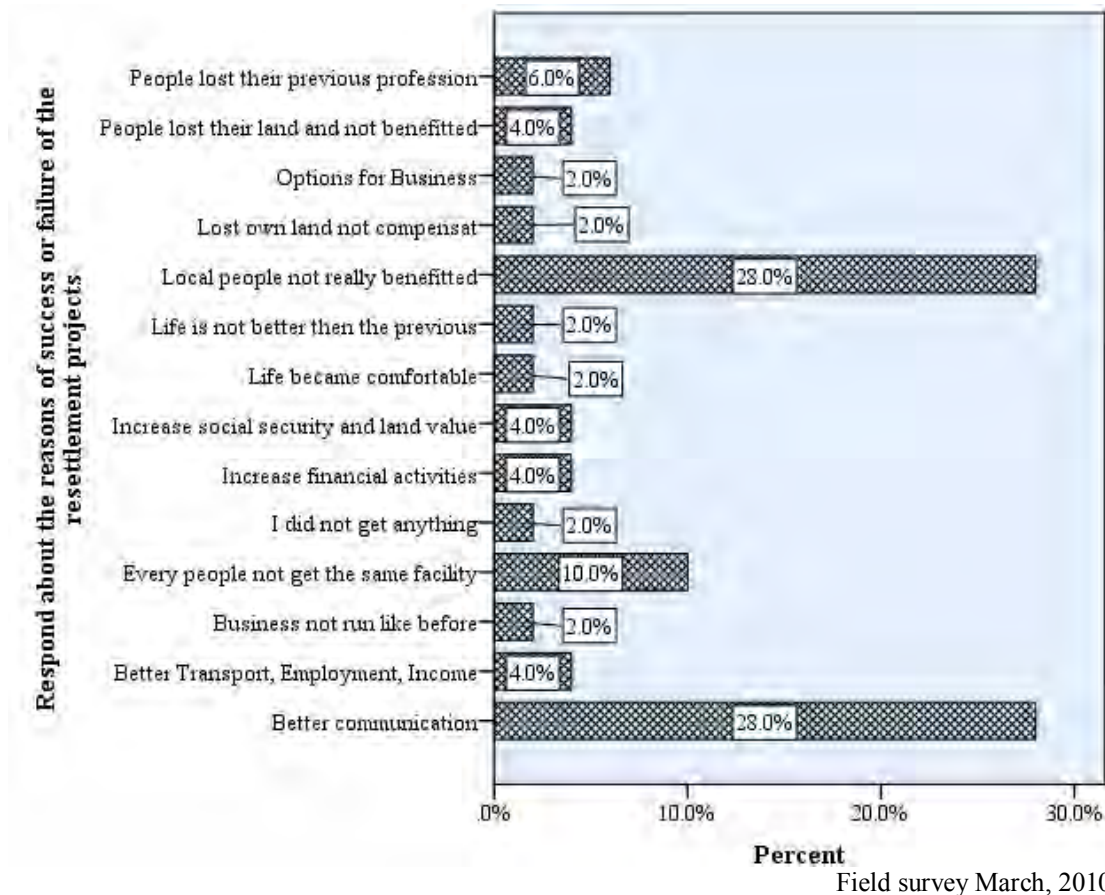
Field survey March, 2010

The above figure 4.5.15 shows most of the respondents (over 59 percent) said that the vulnerable group got HH plot though they did not lost any land to the project, more than 33 percent respondents told that vulnerable group had a special consideration by providing money and HH plot both, but 8 percent said that the RS authority told lie to people about vulnerable group special consideration.

4.5.1.12 Response about the project

The respondents got an open question about the JMB project success and 39 percent responded for the success, 34 percent told JMB was in unsuccessful project, 9 percent did not give any answer and other 18 percent made a comment that this project might be successful for other person but not for local people. The reason for successful or failure of JMBP illustrates is the following figure 4.5.16.

Figure 4.5.16: Reasons for success or failure of JMBP (an open question)

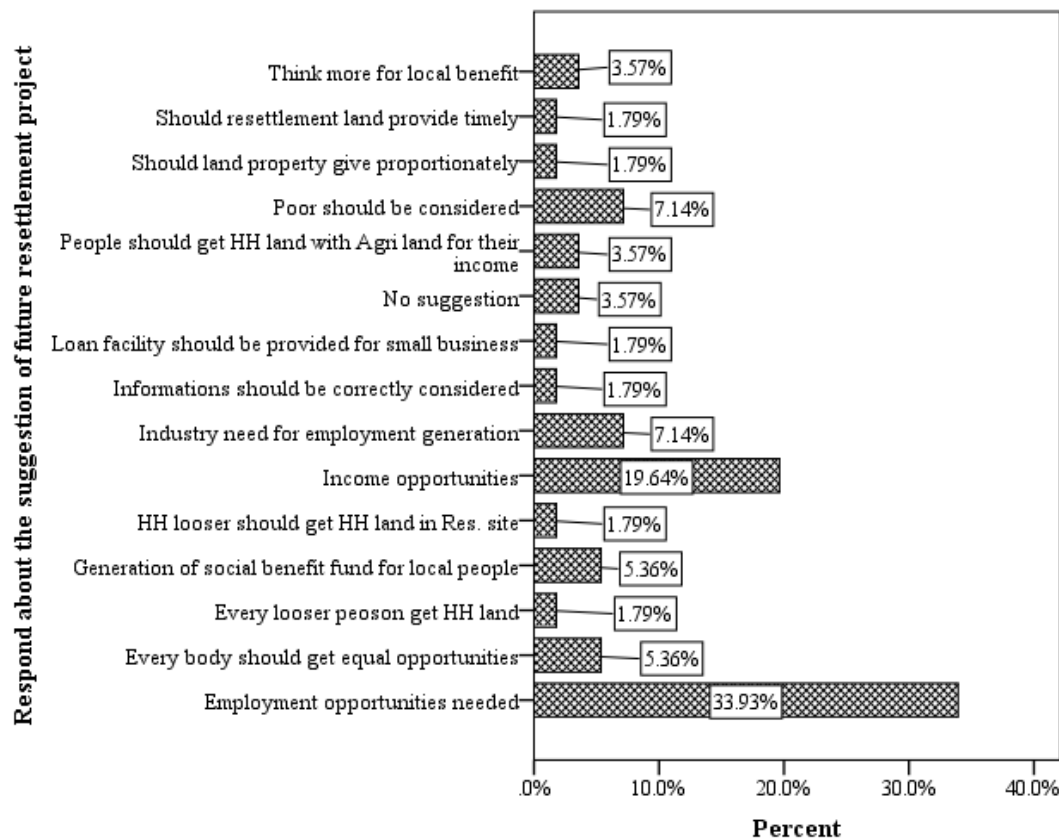


Above figure shows 28 percent respondents think the project was successful because of better communication facility but in opposite side also 28 percent thought that the local people really not benefitted from the project. They gave also some points why this project was not successful such as people lost their previous profession and could not restore, people lost their land and not benefitted, lost own land but not well compensated, etc. In the other hand, the reasons for project success were better options for business, life become comfortable, better transport, employment and income, increase social security, etc. Resettlement authority also told them that people would get training facility for lost of their employment and could have chance to get other employment and among the all respondents none of them got any kind of training facilities. The resettlement authority also told that they would also get concern about the project after implementation but 91 percent of the respondents said the project authority did not get any concern after the project implementation.

4.5.1.13 Suggestion for the future resettlement project

The research also had an open question to the respondents about their suggestions for future resettlement project and the results illustrates figure 4.5.17.

Figure 4.5.17: Suggestion of the future resettlement project by the respondents



Field survey March, 2010

Most of the suggestion came for the employment opportunity needed for the new designed resettlement site, which was about 34 percent among the respondents. About 20 percent desired the income generating opportunities near to the future resettlement sites. Among other suggestions were industry need for employment generation 7 percent, every should get equally benefited 5.4 percent, poor should be considered over 7 percent, etc.

4.5.2 Ashuganj SMEs Relocation site of BBCP

Bhairab Bridge Project right of way affected 378 SMEs/ Mobile Vendors (MVs) in Bhairab and 27 SMEs/MVs in Ashuganj side. Two designated areas developed by the EA as resettlement market sites in Ashuganj area. In Phase I, 167 plots had been handed over to the affected SMEs in Ashuganj (RDM, 2001). This study surveyed 10% of those plot owners SMEs in Ashuganj market site. Among those 167 plots 28 plots had been allotted to women for establishing businesses and this study found two SMEs women owners at the time of questionnaire surveys of total 17 SMEs. Among those surveyed SMEs about 12 percent ownership found for the female owner and other 88 percent found male owner.

4.5.2.1 Professional and Monthly Income changes occurred

The Social Action Plan SAP of BBCP had significant effects on professional and monthly income of the owner of the SMEs. The post and pre professional status of the owner of the resettled SMEs found in the survey illustrated in table 4.5.3.

Table 4.5.4: Professional changes occurred by Resettlement project of JMBP

Profession	Previous Profession	Percent	Present Profession	Percent	Change (-/+)	Percent
Restaurant business	3	17.6	3	17.6	0	0
Mobile Phone business	3	17.6	2	11.8	-1	-33
Sand suppliers	3	17.6	1	5.9	-2	-67
Cloth Business	1	5.9	1	5.9	0	0
Small Business (Tin)	1	5.9	3	17.6	2	+200
Fish whole seller	2	11.8	1	5.9	-1	-50
Truck Suppliers	1	5.9	2	11.8	1	+100
Feri Ghat leasing business	1	5.9				0
Technical service business	1	5.9	2	11.8	1	+100
Daily labour	1	5.9				
Owner Mobile Calling shop			1	5.9		
Courier Service			1	5.9		

Source: Field Survey March, 2010

The above table shows the height 17.6 percent previous profession of the owner of SMEs sand supplier changes to only 5.9 percent at present, which was the highest negative changes; - 67 percent professional changes. Some previous professions not found at the survey as well as there were some new professions also chosen by the SMEs resettlers. The highest 200 percent positive professional changes occurred in Small Business (Tin).

Table 4.5.5: Average monthly SMEs income changed by the relocation of SMEs

Business activity	Previous average monthly income	Present average monthly income	Change +/-	Increase or decrease in Percent
Restaurant business	17666.67	10000.00	-7666.67	-43
Mobile Phone business	8000.00	5000.00	-3000.00	-38
Sand suppliers	16666.67	20000.00	3333.33	20
Cloth Business	8000.00	9000.00	1000.00	13
Small Business (Tin)	15000.00	12333.33	-2666.67	-18
Fish whole seller	20000.00	30000.00	10000.00	50
Truck Suppliers	20000.00	20000.00	0.00	0
Feri Ghat leasing business	25000.00			
Technical service business	7000.00	15000.00	8000.00	114
Daily labour	5000.00			
Owner Mobile Calling shop		6000.00		
Courier Service		15000.00		

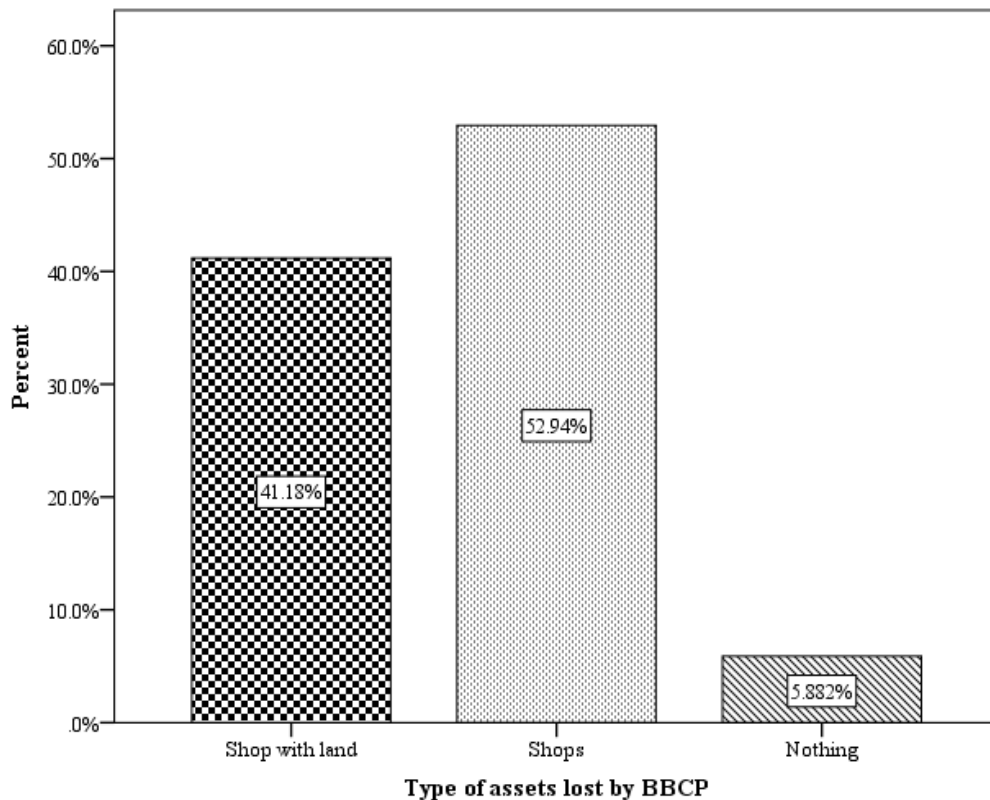
Source: Field Survey March, 2010

The above table (4.5.5) shows the highest average monthly income of SMEs negatively changed for the restaurant business negative 43 percent. The reasons behind that was the fari ghat the mass people moved and restaurant was in full of people. The second negatively changed occurred in mobile phone business, which was negative 38 percent also support the same statement of crowded fari ghat. The 50 percent income increased positively by the fish whole seller business professions, which was very logical for the reasons of better communication facilities after construction of the bridge.

4.5.2.2 Personal Benefit and type of Assets Lost by BBCP

The respond about the personal benefit through Bhairab Bridge Construction Project (BBCP), about 59 percent of the respondents thought that this development project really not benefitted to them personally. But they personally lost a lots of things during and after construction of the bridge. Type of assets lost by the respondents illustrates in the following figure 4.5.18.

Figure 4.5.18: Type of assets lost by BBCP



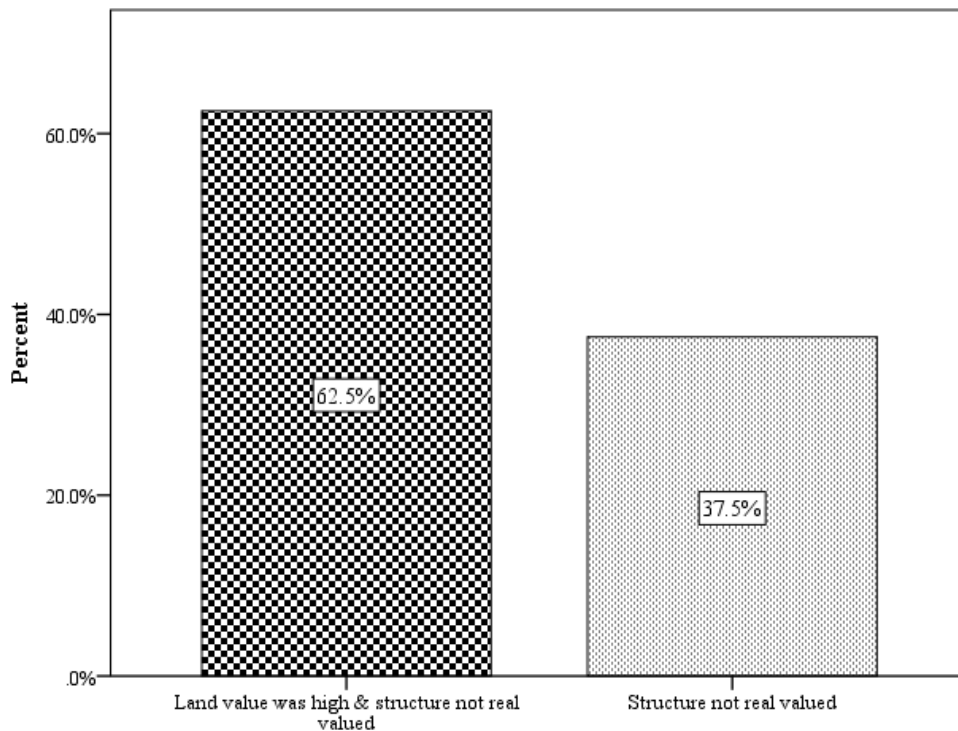
Source: Field Survey March, 2010

The above figure shows over 41 percent of the SME owner lost both of shop and land to the project. Mostly about 53 percent SME owners lost only shops. Only 6 percent SMEs found that they did not lose any shop or land.

4.5.2.3 Compensation for the Lost Assets

The survey found that most of the SMEs over 94 percent got monetary compensation for their lost assets. Only 6 percent claim that they did not get any compensation. The average compensation got the SME owner was about 92,500 BDT. They got their compensation from 2,500 BDT to 195,000 BDT according to the valuation of their lost assets. Half of them were satisfied with their monetary compensation. The respondents who were not satisfied with their compensation, they also mentioned the reasons why they were not satisfied with the compensation. The following figure 4.5.19 illustrates the reasons for not satisfied with the compensation.

Figure 4.5.19: Reasons for not satisfied with the monetary compensation



Reasons for not satisfied with the compensation

Source: Field Survey March, 2010

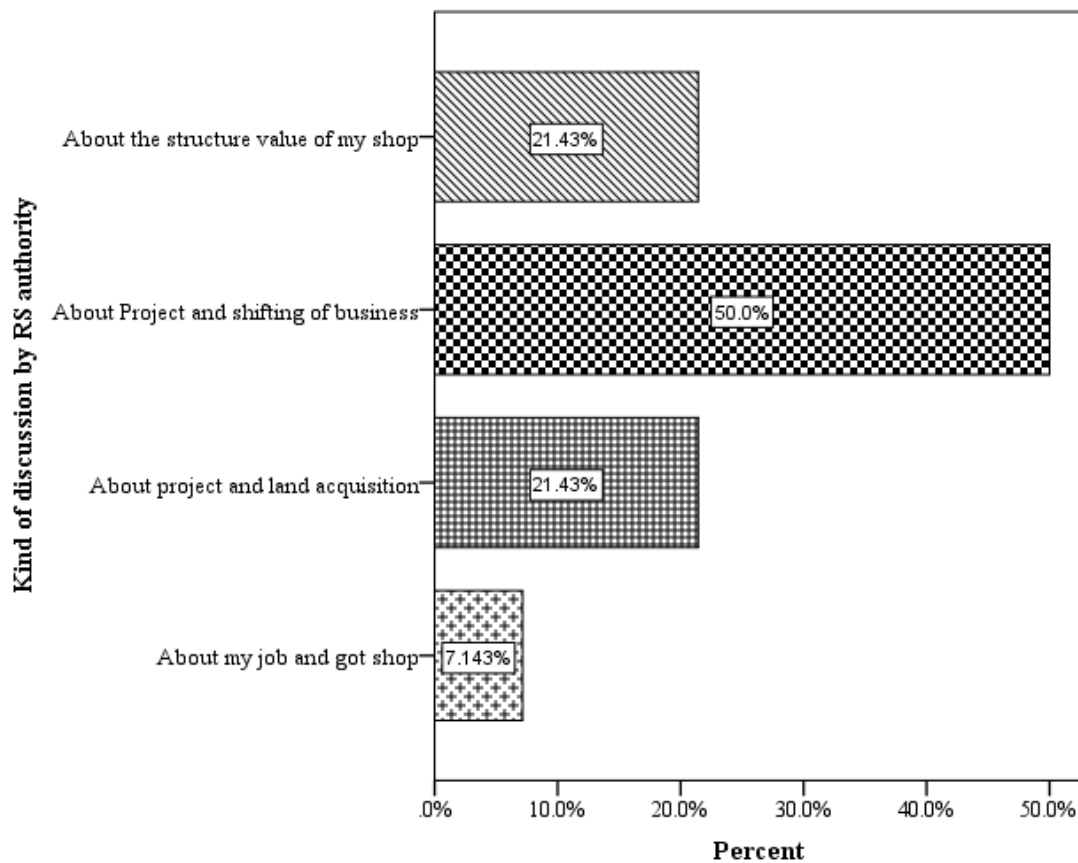
Above table shows that over 62 percent respondents were not satisfied with the monetary compensation as because the land value was high and structure not real valued to compensate. Other 37 percent told the reasons only structure not real valued. All the SME owners got monetary compensation for their lost structure or land. Over 38 percent in both cases SME owners got their monetary compensation from either resettlement office or DC office and NGO. Other 25 percent respondents

got their compensation from both RS office and NGO. About timely payment question 75 percent of the respondents said that they got it timely. Everyone got the five years lease agreement from the resettlement authority.

4.5.2.4 Consultation and Discussion about the Project

The resettlement authority had a consultation and discussion about the project with the SME owners. Over 82 percent of the respondents said that the authority had consultation with them about the project and benefit but about 18 percent denied that statement. Figure 4.5.20 illustrates the kinds of discussion with the SME owners by the resettlement authority.

Figure 4.5.20: Kinds of discussion by the resettlement authority with SME owners



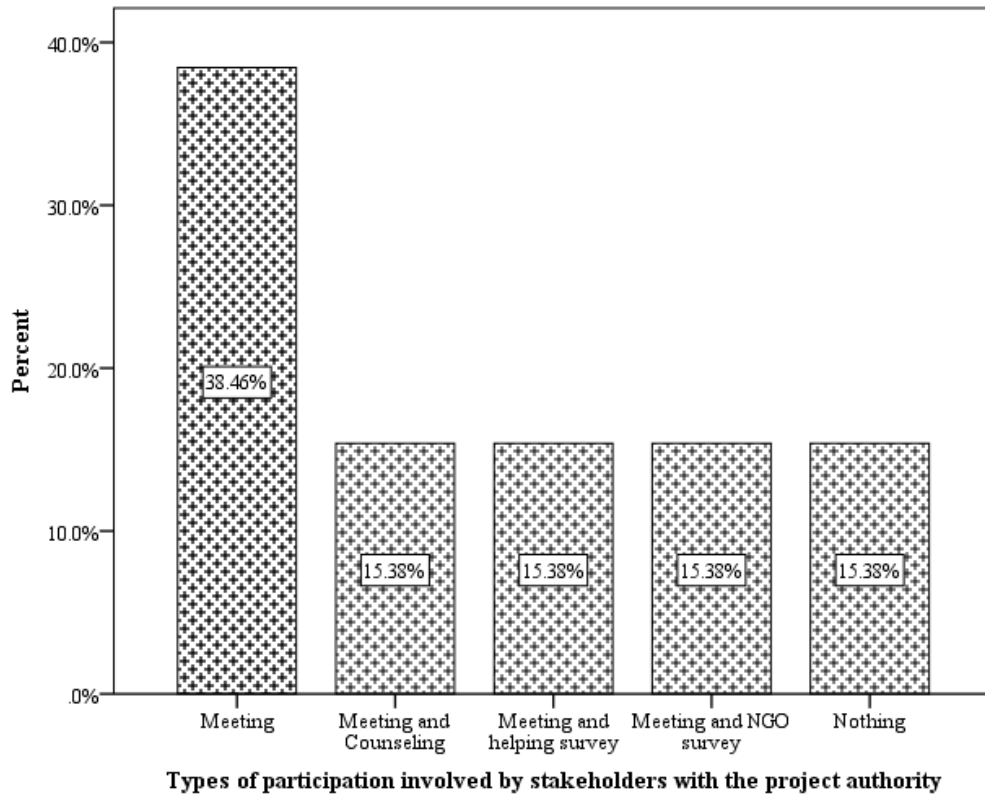
Source: Field Survey March, 2010

Above figure shows 50 percent of respondents said the authority discussed with them about project and shifting of business, more than 21 percent said they had discussion about the structure value of their shop and other discussion topics were about project and land acquisition, and also their employment and getting shop as a compensation.

4.5.2.5 Project Participation

Participation in the project by the stakeholders groups was always vital for project design and implementation. Overall about 59 percent respondents participated in different types of event. The following figure 4.5.21 illustrates the types of participation involved by the SME stakeholders in the project.

Figure 4.5.21: Types of participation involved by the stakeholders in the project



Source: Field Survey March, 2010

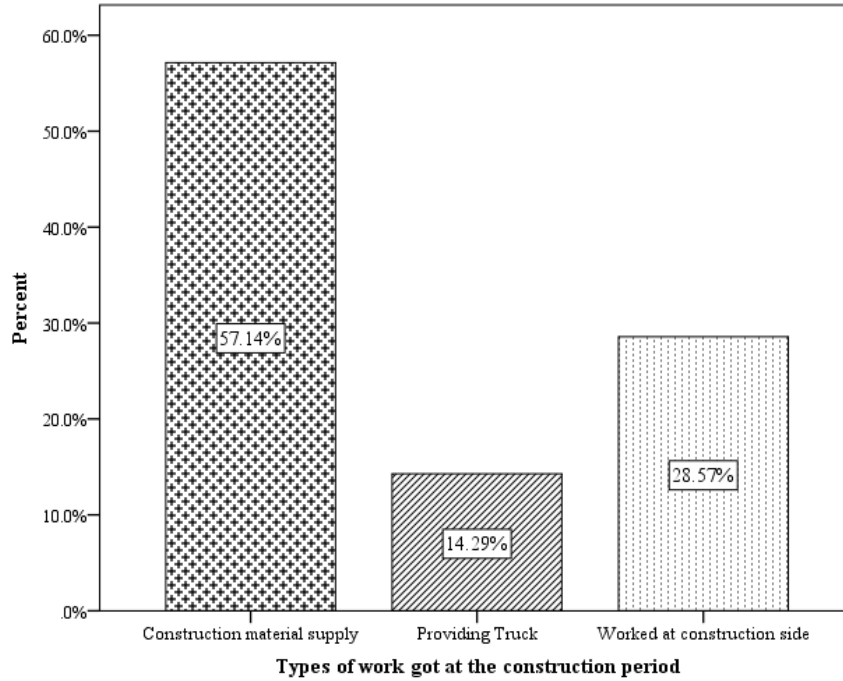
Above figure shows that most of the stakeholders participate in project meeting, which was little over 38 percent. Other participation types were meeting and counselling, meeting and helping survey, meeting and NGO survey, also found some stakeholders had not participate to any event. The participation percent for last all four types had 15.4 percent. About the question of transparent participation, about 59 percent respondents said that it was transparent, 23 percent said it was not transparent and other about 18 percent said they really did not know about this issue.

4.5.2.6 Assistances Provided during the Construction Period.

Only about 24 percent stakeholders got assistance in terms of compensation for lost of their employment/business in the construction period. They got one time compensation money from 15,000 BDT to 40,000 BDT, in average about 24,000 BDT

and 50 percent got 20,000 BDT. About 59 percent stakeholders did not get any employment opportunities to the project and other 41 percent got the following types of work opportunities at the construction period illustrates in figure 4.5.22.

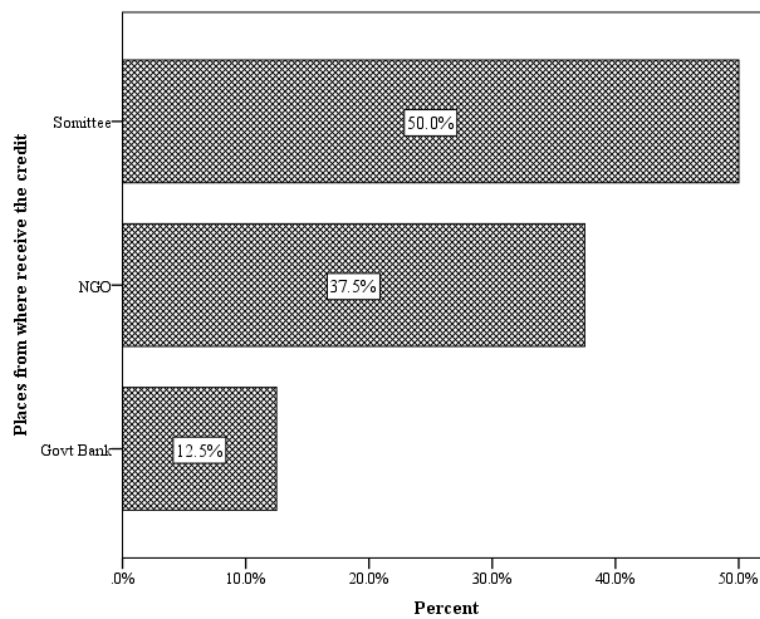
Figure 4.5.22: Types of work got by the stakeholder at construction period



Source: Field Survey March, 2010

Above figure shows more than 57 percent stakeholders got the opportunities to supply of construction materials, other about 29 percent worked at construction site and rest 14 percent providing truck to the construction period.

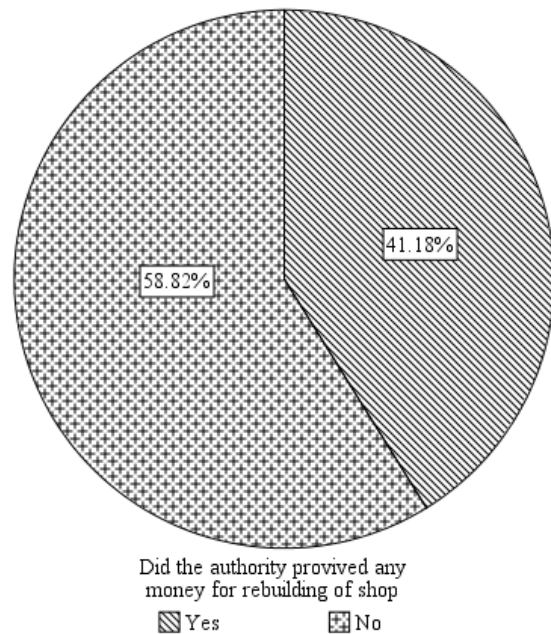
Figure 4.5.23: Places from where the stakeholders got the bank loan



Source: Field Survey March, 2010

The SME owners/employee got the credit or bank loan for the income restoration. According to the respondents less than fifty percent (47 percent) stakeholders got the credit facility and other 53 percent did not get any Bank loan or credit facility. The figure 4.5.23 illustrates the places from where the stakeholders groups received their bank loan or credit. Majority 50 percent of the got the loan facility from the somittee, 37 percent from NGO and about 13 percent from government bank.

Figure 4.5.24: Monetary compensation for rebuilt of shop



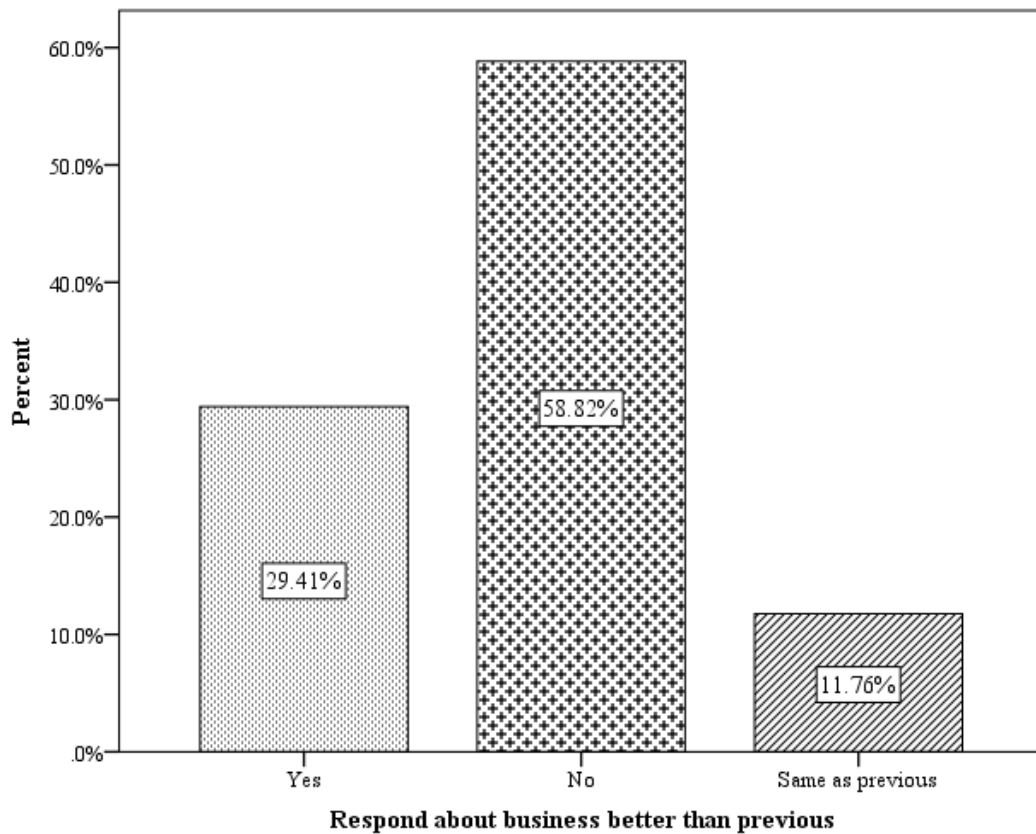
Source: Field Survey March, 2010

Figure 4.5.24 shows only 41 percent stakeholders received money for rebuilding of their shop. The amount they got from the authority in one time from 4,000 BDT to 15,000 BDT, where the average getting amount was about 7,500 BDT.

4.5.2.7 Assessment about the Present Relocation Market Site

The responds found about the satisfaction of the environment of the present relocation market and most of the respondents about 65 percent said they were satisfied and other 35 percent gave negative feedback. The reasons behind their not satisfied found hundred percent for the reasons of few customers. About the question business better than previous, the result illustrates in figure 4.5.25.

Figure 4.5.25: Responds about business better than previous



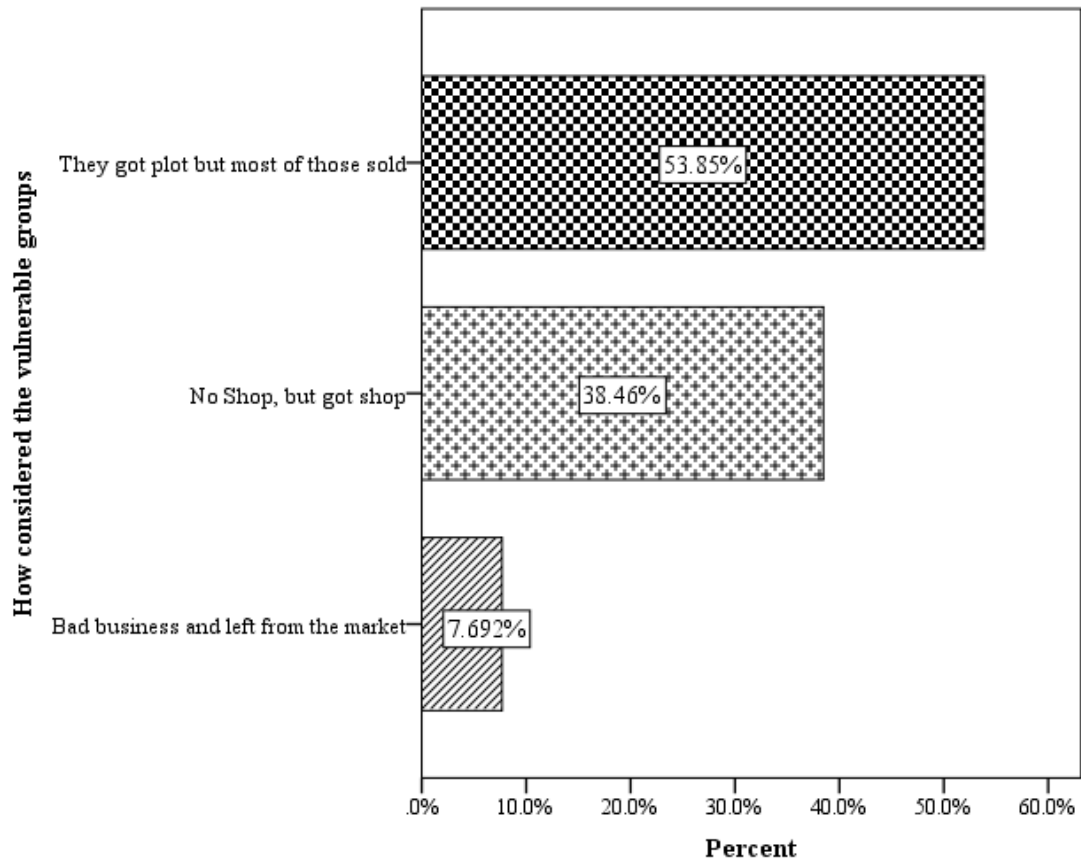
Source: Field Survey March, 2010

Above figure shows about 59 percent did not agree with the statement “business better than previous”. But over 29 percent agreed with the statement and other about 12 percent told it was similar like previous.

4.5.2.8 Consideration of the Vulnerable Group

Vulnerable group define by the poor employee or floating mobile vendors/small business holders or the female SME owner. All kinds of resettlement plans had a special consideration for this vulnerable group. From the respondents of the questionnaire survey most of the respondents (over 76 percent) said vulnerable groups had a special consideration in the project. About 18 percent said they did not know anything about this facility. Other said there was no such special consideration for the vulnerable groups.

Figure 4.5.26: The way of considering the vulnerable groups



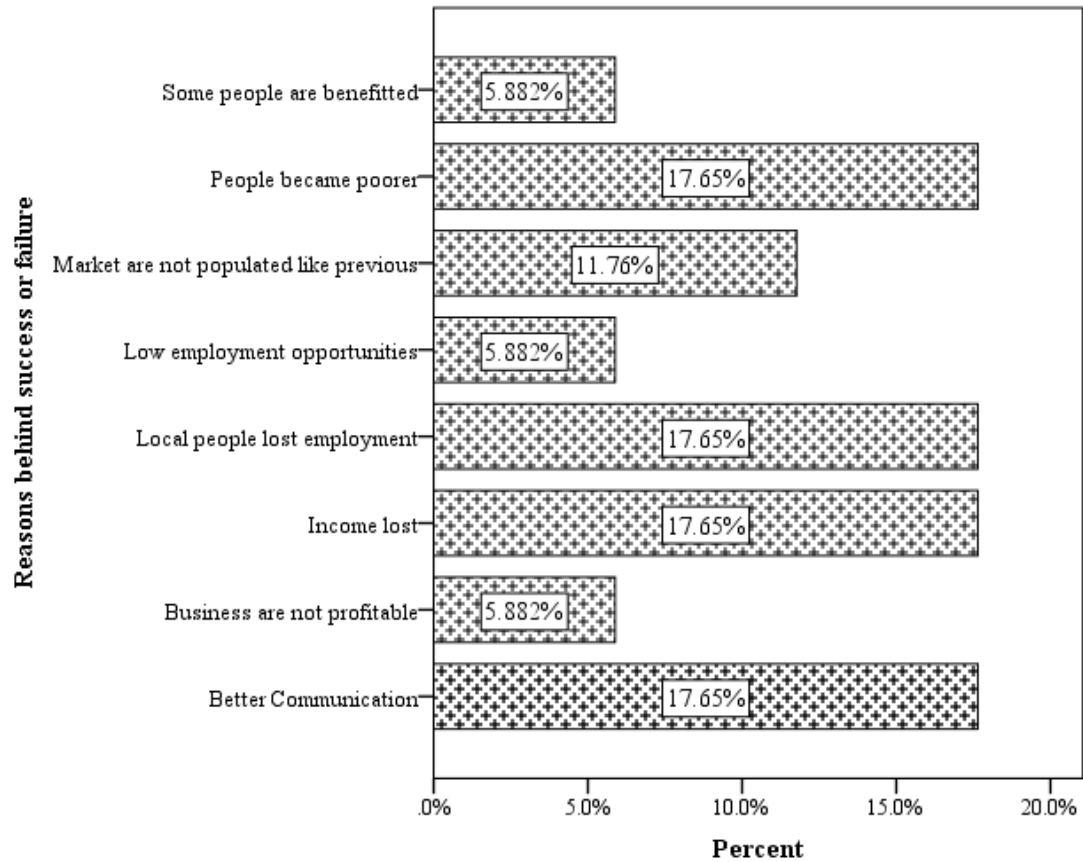
Field survey March, 2010

According to the figure 4.5.26, most of the respondents about 54 percent said vulnerable group considered by giving plots but most of those sold by its owners. Over 31 percent said they did not had any shop in previous market but they got shop here.

4.5.2.9 Responds about the Project

The respondents gave their comment about success and failure of Bhairab Bridge Construction Project and found most of them about 53 percent said it was not a successful project, other 29 percent told that the project was successful and about 18 percent thought that the project was successful for other people but not for local people. Reasons behind success and failure illustrates in the following figure 4.5.27.

Figure 4.5.27: Reasons for success or failure of JMBP (an open question)



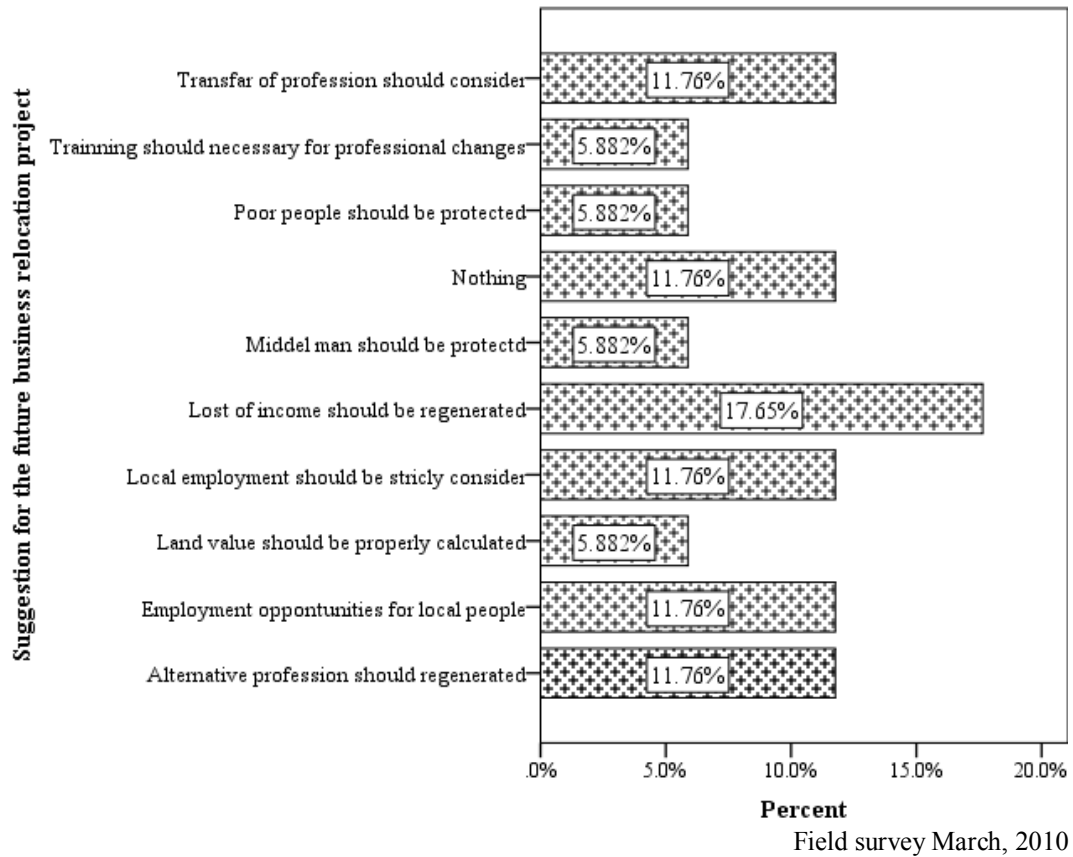
Field survey March, 2010

Above figure shows that the reasons for the failure of the project that were some portion of the people were benefitted (about 6 percent), people became poorer (about 18 percent), market were no populated like previous (about 12 percent), lower employment opportunities (about 6 percent) etc. There was only reasons people mentioned for the success is the better communication facilities and which was added positive value to all other negative facilities. According to the resettlement plan guidelines, the project implementation authority must had a concern after project implementation and responds found about 77 percent gave positive feedback.

4.5.2.10 Suggestion for the Future Resettlement Project

The research also had an open question to the respondents about their suggestions for future SME business relocation project and the results illustrates figure 4.5.28.

Figure 4.5.28: Suggestion of the future SME relocation project from the respondents



Most of the suggestion came for lost of income should be regenerated at the new designed relocation site, which was about 18 percent among the all recommendation. About 18 percent recommendation came for several suggestions such as transfer of profession should consider, employment opportunities for local people, local employment should strictly consider and alternative profession should regenerated. About 12 percent responds did not provide any suggestion and 6 percent responds came for other few suggestions were land value should properly calculated, middle man should be protected, poor people should be protected and training should be necessary for professional changes.

4.6 Resettlements Specialist and their Comments about the Resettlement Plan in Bangladesh:

For the purpose for this research the researcher have made a number of detail discussions with famous national resettlement specialist about the resettlement plan, implementation process of those plans, shortcomings, policy issues involved and the way for being a successful resettlement plan preparation in future. There were a number of comments carried out by those fruitful discussions, which are point below:

1. Though Bangladesh have passed about forty years of its independent but till there have no national policies regarding resettlement and rehabilitation issues and government project should not allow any resettlement plan for its project. But when grant basis project have been implemented then there were must be consider the resettlement issue for the sanction of loan provide by the multilateral organization. Because, those multilateral organization have already formulated their resettlement policy for loan approval. So, it will very essential task to formulate a national resettlement policy for Bangladesh as early as possible.
2. The land tenure system of Bangladesh is still very difficult. There is no simple way to identify the authentic entitled person for a small piece of land. The British colonial land administration system has need to improve for the purpose of land acquisition system in easily. The government yet not established its controlled over government property such as Khas land. Most of the times those land are found in occupied by the illegal person. The government land leasing and tenure system are not running in a systematic manner. So, the digital land administration system will be required in Bangladesh for better planning and implementation of the development projects as well as the proper resettlement planning in future.
3. The resettlement plan are always consider as a means of loan approval procedures from the multi-lateral organizations, whereas there is always a shortages of resettlement expertise, lack of experiences of the implementing agencies, lack of resources being initiated a successful plan. That's why,

there is always a tries to consider this plan in a flexible manner and doing the practice in a trial and error basis.

4. The national population and other economic database of Bangladesh are not as strong as we need for planning this type of resettlement plan. So, there has always involved a detailed socio-economic survey for every resettlement project. If we had a strong national socio-economic database then we will make this thing very easily and more efficiently.
5. Bangladesh is a densely populated country. So, before doing any kind of development project which evicted the large number of population form their inherent settlement have to consider the resettlement rather than a project bounded job or making that plan within a part of the big development project. Resettlement plan must have to consider a separated one and independent project. In that case, It was suggested that, the implementation authority will not be the same of the mega-project authority. Elsewhere another authority will be needed to setup, who is responsible for the planning and implementation of the resettlement projects. By this way, the resettlement plan will really be more effective and efficient for the third world country like Bangladesh.
6. It is always difficult task to identify the original project affected persons according to the resettlement policies involved with the multi-lateral organizations. There is always confusing that up to which level we have considered the project affected persons. For instance, the original owner of a land may be a person who is already dead, so children are now the legal owner. But he/she not live in that place. May be some one rent that land or illegally live in there and setup his establishment. There should be been another two person working, whose income also affected by the development project. So, it is really a difficult task to find out the authentic project affected person in the case of Bangladesh.
7. At this moment, there are no institutional arrangements regarding the consideration of a resettlement plan for the government owned projects. So,

there have to be some guidelines for preparation and implementation of the government owned project with the provision of the resettlement plan. For example, Rajdhani Unnayan Kartipakha (RAJUK) already has established a number of land development projects without considering any resettlement plan for those mega-projects.

8. There are no institutions or academic curriculum addressing the resettlement issues which may develop such kind of research to enrich our knowledge regarding resettlement practice in Bangladesh. However, this opportunity will help us to develop our own expert or specialized for this field. As well, the professional regarding the resettlement plan preparation and implementation jobs. So, government should need to take initiative to study and research the resettlement issues in public university or elsewhere.

Chapter Five: Development of Planning Standard and Policy Recommendations

After detailed reviewed of the resettlement plans, comprehensive discussion with resettlements specialist and analysis of the present status of the resettlers, this research tried to formulate involuntary resettlement project planning standard and implementation procedure for future recommendations. As, the national policy for Resettlement and Rehabilitation of Bangladesh have not yet formulated it was hope that the standards and guidelines suggested in this chapter will help to prepare the national involuntary resettlement policy and provide guidelines for the future plan preparation and implementation procedures.

5.1 Planning standard for resettlement plan preparation

Every resettlement plan has some important aspect, which need to plan in the light of some basic components as well as the project locations and the socio-economic condition of the project area. In that context this research has tried to draw some standard for involuntary resettlement plan in respect of Bangladesh, which is stated below in planning components wise-

5.1.1 Plan preparation procedure

An involuntary resettlement plan should be planned in such way which should follow the following steps properly and ensured the planning standard of the plan. Those are:

5.1.1.1 Step 1: Initial Social Assessment and Community Consultation

An initial social assessment will be carried out as the key preparatory step to identify the affected households/persons. This assessment will identify the key aspects such as adverse impact on assets, resettlement needs, poverty and vulnerable groups such as indigenous people, risky women group and also identify key institutions that need to be involved in the process. For instance, if we look through all of reviewed RP for this research has been conducted an initial social assessment for pre-project planning knowledge about the project area and also about the community. Community consultation with the various stakeholders will assess the needs, demands and perspectives assessment and integrated into the project planning. The necessary project alternatives and options must be accessed through community consultation and in the light of ISA. For example, in the case of JMBP, RAP has consider the

successful plan for its successful participation of stakeholders groups in every steps of planning and implementation of the project but in the case study we found that more than 50 percent respondents not participate the project and most participation was in meeting. SMEs participation was about 59 percent and both cases project participation was not so successful.

5.1.1.2 Step 2: Social Impact Analysis and Risk Assessment

After completing the ISA, a comprehensive social impact assessment (SIA) should be carried out by using multiple tools and techniques as required, which assess project risks, benefits and opportunities. SIA will require census of all affected households covering their socio-economic status. This census will provide an inventory of lost assets of all types (directly and indirectly affected households/businesses) and will be used for cost estimates. The census will be carried out in association with local and host communities as well as with local representatives and community groups. The development projects must have introduced video filmed of the project area to control erection of new structures for any fraudulent claim in the future. Every single structure in the project area will be marked with number for photo ID at a later time. The timing of the census/surveys and video filming will be coordinated with the Deputy Commissioner's (DC) office. For example, JMBP, RAP and BBCP has also involved in the distribution of ID card to the PAPs and EPs, and those are the successful example of resettlement project in Bangladesh.

5.1.1.3 Step 3: Preparation of Resettlement Plan

The principal objectives of a Resettlement Plan preparation will be minimized all projects entailing adverse involuntary resettlement impacts on the people. The RP will be prepared by the EA based on the census and in consultation with the project affected families and vulnerable groups in the project area. The RP will be prepared with development perspective which enables those affected to improve their socio-economic status. If the project areas have found any indigenous people, there should be carried out another separate Indigenous People Development Plan (IPDP) beside this Resettlement Plan. Which will be assessed the impact on Indigenous people by tangibly threatening their social, cultural and economic survival will require an IPDP. The IPDP will detail the adverse effects of the project on the Indigenous people and will include specific measures and approaches that shall be undertaken to minimize

and/or address impacts on the community. According to the reviewed project, all RP has followed all most the similar procedures to follow up the guidelines either World Bank OD or DIFD or ADB's prescribed manual and also which follow the same steps to RP preparation but difference may creates with in pioneer project and according to the study area. According to the case study of the present research RAP considered vulnerable group replied 43 percent and SAP considered 76 percent and both cases the group get HH plots and shop at relocation market.

5.1.1.4 Step 4: Disclosure of the Project and other Documents

The project components and other documents prepared (for example- LAP, RP, CECP and IPDP) shall be disclosed to the affected people and communities by means of Public Disclosure Workshops in the affected area. The RP and IPDP will also be made available in the EA office, EA website, PMU office, local government offices etc. A summary of the RP particularly enumerating the entitlements for each category of loss will be distributed in Bangla in the form of pamphlets, booklets, posters etc to the affected households.

5.1.2 Land acquisition procedures

There are several mechanisms introduced for the land acquired or procured for a development project, such as (i) acquisition through eminent domain; (ii) direct purchase on a willing-buyer and willing-seller basis; and (iii) voluntary donation for community-based public purpose facilities only. Acquisition through eminent domain will be used for the case of large (i.e., 50 acres or more) public sector projects. In all other cases, direct purchase through negotiation on a willing-buyer and willing-seller basis will be encouraged. Though the open market purchases can pose risks to people with no information and experience on negotiated price, a committee consisting of representatives from the EA/project proponent, concerned ministry (if applicable), district administration, local union chairman, local experts and NGOs shall be formed to assist in the land purchase in a transparent and manner acceptable to the buyer as well as sellers.

In addition, opportunities for benefit-sharing will be explored as a mechanism for restoration of incomes and livelihoods of those PAPs. For the case of extractive industries such as mining, the Government may acquire land through the use of eminent domain only under a joint venture agreement with the government of

Bangladesh. In such cases, all operational aspects/procedures for development-induced displacement will apply. Furthermore, the private investors and/or corporations have to ensure compliance with internationally established norms concerning resettlement of affected persons. In the case of option three, voluntary donation of land will be considered only in the case of community-based public purpose projects. Voluntary donation refers to a voluntary initiative by a land owner to donate his or her land without any pressure or coercion for public use. The JMB RS case study found that 59 percent problem regarding land acquisition solved by grievance redress committees.

5.1.3 Means of a public consultation and disclosure

Consultations of relevant information including project timeline, entitlements and resettlement measures and provisions shall be disclosed to all APs by means of a Public Disclosure of the Resettlement Plan. The consultation and participation processes to be followed in the projects entailing resettlement will comprise of the following stages:

5.1.3.1 Identification of stakeholders

The RP executing agency will identify all primary and secondary groups/stakeholders with either an interest in the Project or are affected by the Project at the time of project identification. The primary stakeholders will include affected people, project beneficiaries, host population and the project executing agency. The secondary stakeholders will include other individual or groups such as local/national government, policy makers, advocacy groups, NGOs etc.

5.1.3.2 Dissemination of information

The initial basic information such as disclosure of project alternatives and/or options assessed, project design, etc. will thereafter be shared with the primary as well as secondary stakeholders by the EA/proponent. If appropriate, benefit-sharing aspects of the project will be included in the dissemination of information. A Public Information Cell (PIC) shall be set up by the concerned EA/proponent, ensuring easy access to all affected households, at the early stages, for dissemination of project related information. The Executing Authority (EA) will inform all key stakeholders, including women and vulnerable groups, of the project objectives, scope, likely impacts, schedules and compensation rates, resettlement and rehabilitation measures.

5.1.3.3 Gathering of impact information

The stakeholders will be consulted during the course of the census survey when information is being gathered from the affected households on the category and extent of losses for preparation of RP. At this stage, the consultations with the project affected families shall focus on taking the view of affected people and communities on resettlement options and mitigative measures, thereby making resettlement planning more realistic and effective. Case study of JMB RS survey results presented 61 percent responds came for the positive discussion about the project by stakeholders and the RS authority. But SMEs responds 82 percent that project authority had discussion with stakeholders.

5.1.4 Procedures for verification of assets

For the purposes of land acquisition process, representatives of concerned Deputy Commissioners (DC), EA staff, RP implementing NGO, PWD, Forest officials and representatives from affected communities will carry out joint verification of the inventory of the affected persons and assets acquired (land, crops structures, trees and others) to finalize the list for implementation purposes, particularly for payments to be made by DC office. This process will be carried out carefully and in consultation with the affected persons and communities to avoid grievances during implementation.

5.1.5 Fixation of assets valuation and compensation

The valuation of the asset losses by the development project will be fixed or compensated at full market value which is equivalent to the replacement value of the acquired asset. Valuation of structures, trees, crops and others will be determined (by a legally constituted committee headed by the DC with members of civil society and NGO representatives) using existing rates of Public Works Department (PWD), Department of Forests, and Agricultural Marketing Directorate, respectively. The DC, following the 1982 Ordinance, will use the average value of acquired lands, and provide a sum which is four times of the assessed value as cash compensation under law (CCL) in consideration of the compulsory nature of the acquisition and loss of productive assets. The compensation for acquired structures in all types of projects will be paid at replacement value as determined by PWD rates. In case of any depreciation cost deducted from affected structures in CCL by DC, the same shall be

paid as additional construction grant to resettlers by EA/proponent through the implementing NGO.

5.1.6 Procedures for payment of compensation

The acquired assets compensation will be paid directly to the title owners of that asset and paid by the concern DC prior to the transfer of land/assets and dislocation of PAPs. In the case of the illegally occupied land owners, the DC shall still pay for structures/trees based on user and/or possession rights. In the case of partially affected land / structure, compensation will be paid for the entire property. APs shall be allowed to take away the salvageable materials, at no costs, from their houses and shops acquired by the project. Similarly, displaced persons receiving compensation for trees/crops shall be allowed to take away felled trees and standing crops for their own domestic use.

Shifting cost, business/income restoration allowance shall be made available in terms of resettlement benefit and assistance to all APs irrespective of title, and also special assistance measures will be made available to the affected poor female-headed households, families with physically challenged member(s) and vulnerable groups. Such assistance package shall be prepared and processed by GO/NGOs on behalf of the EA/proponent.

Since, 1982 ordinance have not prescribed the illegal title holder or any other informal settlers for any kind of compensation but the poor and vulnerable (i.e., those under the poverty line) informal settlers will be considered case-by-case for compensation for their lost assets and assistance for resettlement. The road-side structure and its owner who are above the poverty line will not be eligible for any assistance except of the affected structure. Compensation for common property resources (CPR) or community facilities, which need to acquire for the project, shall be provided to enable re-construction of the same at new places, through concerned local communities, in accordance with the modalities determined in consultation with such communities and EA. Typical land rights of the Indigenous people shall be considered for compensation and resettlement assistance. Overall, the implementing NGO shall assist the eligible persons (EPs)/community groups in various ways such as, information about eligibility, awareness about payment modality, procurement of necessary legal papers, etc.

5.1.7 Resettlement and relocation of the PAPs

The displaced persons of a development projects will be given multiple options for their resettlement. These options can be (i) self-relocation with all eligible resettlement benefits and assistance; (ii) relocation to resettlement site(s); and (iii) relocation of businesses to newly build market/shopping complex(s). Compensation funds will be set against the provision of new lands and housing sites. Resettlement sites, to be developed by the project, shall provide all civic amenities like drinking water, internal and link roads, drainage, electricity, and other services like schools, mosques/prayer places, and community centers as necessary. Any common properties resources (e.g., school, community centre, etc.) that are affected by the project will be re-established by the project at the project's cost to the same or better standard at the resettlement site in consultation with the affected community and local governments such as DC and Upazila administration.

Public consultation with the resettlers and host communities will help to select the resettlement sites and various amenities to be developed. One of the key considerations for site selection would be access to jobs and income generation sources. Women/vulnerable groups will be particularly consulted prior to selection of sites and development of various services. The project will also provide for new/additional civic amenities in the host communities to enhance carrying capacity caused by the new resettlers.

The project will determine title holder for a subsidized payment based plots for house/shops at the new resettlement sites. For the case of the vulnerable groups/non-title holders, the allotment of plots will be made following receipt of a nominal contribution by the non-title holders for their house/shops and this plot will be registered in the joint name of husband and wife. The cost of registration and any similar fees will be borne by the project. JMB RS survey shows only 32 percent respondents got the choice for choosing resettlement site.

5.1.8 Supplementary plan for income/livelihood restoration process

There are always a vital part of any resettlement plan will be the income/livelihood restoration program, which will be an integral part of rehabilitation assistance. The Income Restoration Plan (IRP) will be time-bound with clear targets/goals that can be measured to assess the pre- and post-project well being. The affected households shall

be provided necessary and appropriate trainings for development of life skills, income generation schemes, entrepreneurship skills so that these APs can take up self-employment projects. Linkages with savings and credit schemes to the affected households will also be provided under the Project. Special attention and priority in any income restoration program shall be provided to vulnerable groups and women. Preferential employment should be considering in the project to the affected persons at the locally prevalent wage rates, for at least one member from an affected household. Affected poor women-headed households shall be given preference in these employments. JMB RS survey results told that different types of assistance such as provided transport for HH transfer, money for lost employment, helping transfer of land, employment, employment at the construction period and monetary compensation of employment lost during construction period etc.

5.1.9 Institutional arrangements

The executing agency will be the responsible for the planning and implementation of the Involuntary Resettlement and Land Acquisition Plan in coordination with the Deputy Commissioner (DC) of the concerned district. All major infrastructure agencies such as RHD, BWDB, JMBA, BR, Petrobangla and LGED will establish a Social and Resettlement Unit (SRU) at the corporate level with dedicated staff for planning, supervision and implementation of land acquisition and resettlement. At the project level a Project Management Unit (PMU) will be responsible for the implementation of RP.

The EA will hire NGOs/CBOs or local experts as and when required to assist in project planning and implementation. If NGOs are not required to be engaged due to size and nature of the project, then the PMU will hire sociologist(s) to assist in planning and implementation. There will also form a Grievance Redress Committee (GRC) comprising representatives of all key stakeholder groups shall be constituted at the project implementation stage. Representation of women/vulnerable groups will be mandatory in the GRC. The GRC shall have the mandate to consider and dispose of all complaints relating to land acquisition, resettlement and rehabilitation, compensation and livelihood assistance. The committee may issue such directives as it may deem proper for the redressal of such grievances. The GRC effort shall be

made to ensure functions efficiently and independently to assure proper implementation of the Resettlement Plan.

5.1.10 Capacity building

Proper resources allocation will be ensured by the EA for capacity building at EA level, SRU/PMU level, DC/local government levels for the up gradation of skills and knowledge for effective resettlement planning and management. The EA will extend needed technical assistance for staff training, and also the training to DC/LA office to expedite the land acquisition processes and duly complete payment of compensation prior to project implementation. GOB will undertake a long term strategy to update all land records and titles including computerization for efficient land management system.

5.1.11 Independent monitoring system

The Executing Agencies for the project will hire external and independent monitor at the early stage of the project implementation. The external/independent monitor can be an individual expert or an agency such as a consulting firm, university department, or development NGO, depending on the scope of the project monitoring tasks. The independent monitoring will be carried out annually.

5.2 Policy Recommendations and Guidelines for Involuntary Resettlements

In Bangladesh, people have many experiences of involuntary displacement from their homes and livelihood sources due to a variety of factors such as natural disasters and development of large infrastructure projects such as roads/highways, bridges, ports, power/gas, irrigation/flood control and urban areas - are planned for their beneficial impacts and are commonly viewed as “engines” of economic growth, these large projects also carry risks associated with loss of land, homes, properties and livelihoods. The current land laws and regulations, including the Acquisition and Requisition of Immovable Property Ordinance II (1982), have failed to adequately address the needs of those affected and displaced. So, there have been emergency needs for a national policy regarding involuntary resettlement for achieving the overall socio-economic development and imperative to safeguard the interest of those affected who cannot absorb the risks and costs of modern development.

The involuntary resettlement policy should be incorporated the following recommendation for ensuring the sustainable development by an infrastructure development project in Bangladesh.

- All development projects, which induced involuntarily displacement of people must be resettled and rehabilitated in a productive and sustainable manner in accordance with their socio-economic condition will far better than the pre-project conditions.
- The project affected persons (PAPs) must be able (either their own effort or with the support as required) to restore or improve upon their level of living within a reasonable period after receiving their entitlements.
- Not only the case compensation and resettlement provided for the APs but also the project benefit sharing will be consider for the development projects. Cash compensation shall be paid at replacement value to those displaced for land and other assets acquired or lost for which those displaced can establish prior ownership and/or user right.
- The compensation right for loss of assets of the APs shall not lapse with the completion of the project implementation process; it will remain an obligation of the Executing Authority of the project until fulfilled of the restoration of resettlement components in a desire level.
- Special consideration for vulnerable groups such as landless, indigenous people, poor women headed households, physically challenged people, elderly and those falling below the nationally defined poverty line (by the government) are entitled to additional benefits and assistance packages in addition to the normal entitlements above to an extent and in a manner that addresses their specific needs related to socio-economic vulnerability. Similarly, affected persons and/or businesses on government leased land will be eligible for compensation for loss of access to land and sites.
- Values of the socio-cultural environment and customary right of the PAPs are to be protected, particularly those for the indigenous people and the ethnic minorities.

- Gender equity must be ensured in every stage for the resettlement plan preparation, resettlement and rehabilitation procedures and implementation stages shall be fully respected.
- Adverse impacts of land acquisition and displacement are to be avoided or minimized and mitigated throughout the planning and implementation by searching all kind of alternatives available for this development project.
- The project Executing Authorities (EA) will be identified the potential project affected persons (PAPs) through census survey, irrespective of titles, including non-title holders such as squatters, slum dwellers, informal/bastee settlers and shall be provided with compensation and assistance as per the entitlement matrix for relocation and rehabilitation.
- The EA of a development project will undertake formal disclosure of impacts including design of the project which causing displacement. EAs will provide entitlements/resettlement plans to all affected persons and communities irrespective of causes of displacement. All entitlements will be delivered prior to dispossession of assets.
- Consultations with PAPs will be conducted in a transparent and participatory manner that is to provide easy access to information concerning impacts and mitigation.
- The development project executing authority (EA) must be provided more than one options for their resettlement choice by which to restore their livelihoods, including providing the relocation site with all civic amenities, where appropriate or necessary. Livelihoods restoration and/or improvement will be implemented through appropriate local income generation initiatives under the project. Livelihood restoration measures will be time-bound and subject to measurement in terms of pre and post-resettlement improvements.
- The EAs will be established appropriate legal and institutional arrangements for effective planning and management of resettlement accordance with the aims and objectives of involuntary resettlement policy.
- At the stage of the project implementation, an independent grievance redress mechanism will be established in all resettlement and rehabilitation programs

with representation of various stakeholders including APs and women. This grievance redress mechanism will form an integral part of resettlement management.

- There will be a provision of an annual third party or independent monitoring system for review of resettlement implementation will be mandatory in all resettlement and rehabilitation programs. The TOR for such independent monitoring will be prepared by the EA/project authority.
- The land tenure systems of Bangladesh should be made easy for identifying the project affected entitled persons for give the complexity regarding this time being issue. Digital land management system or using the Remote Sensing imagery used for identifying the potential affected persons and relieve from the fraud.
- If it may be possible to setup an independent body for preparing resettlement plan as well as its implementing authority, these will help the pioneer development authority for a huge stress to set up a RU with the vicinity of them. The expertise will be will experienced and more professional and dedicated for successful implementation of the resettlement plan.

Chapter Six: Conclusion

Resettlements plans are always project specified in nature. Every year there were millions of peoples evicted from their well-known surroundings by the cause of the so called infrastructure development project. Many for them have fallen in the impoverishment risk as should not restore their life in the previous state. So, this kind of development induced poverty significantly rather than the development. This scenario will be much more complicated for those densely populated country like Bangladesh, where about thirty percent of people live in under poverty line. For example thirty percent of less monthly family income earned by agricultural profession after the construction of the Jamuna bridge. So, if we should fail to resettle those involuntarily evicted people by a proper resettlement plan, then it will be caused of increasing poverty of a country rather than the development. There are many country have already introduced their national resettlement and rehabilitation policy for the purpose of the mega-project's resettlement and rehabilitation issues. Though the resettlement plan practice started in Bangladesh at 1993 by the Jamuna Bridge project, and after that there have a number of infrastructure development project induced the separate resettlement plan for the development project. All those projects have been formulated under the guidelines of the donors and loan approval agencies. The main purpose of those resettlement projects were the loan sanction and loan approval from the concern authority. So, it will not always serve the real purpose for the planning of an involuntary resettlement plan.

The study has been carried out the factors considered for involuntary resettlement planning projects in Bangladesh and suggested some parameters for resettlement plan by considering the shortcoming and weaknesses and made a detail overview for resettlement plan preparation, implementation, constrains and success in Bangladesh. This study has been extended the concept of resettlement plan practices in Bangladesh or abroad. It has made a detail overview of resettlement plan practices, shortcomings and constrains for Bangladesh. For assessment of the present situation of the resettlement sites the study has conducted a primary survey and presented the result for verification of the real development of the resettlers. By the helped of this study we could improve those risk parameters for future planning. Besides that, the policies guidelines of those multilateral organizations are not always state the ideal condition

of resettlement plan for Bangladesh. So, it is an emergency task for GOB to take initiative for the formulation and finalization of the national involuntary resettlement policy by starting our own policy and guidelines for resettlement plan and save people from the impoverishment risk. When we have our own policies and guidelines for the involuntary resettlements plan preparation then we have formulate our plan in a comprehensive way that it will definitely states the development induced development not the development induced impoverishment risk.

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GLOSSARY AND ACRONYMS

Affected Persons (APs): Persons affected *directly* or *indirectly* by project and non-project induced changes in use of land, water, or other natural resources. In other words, a person who as a consequence of the changes sustains (a) damages by reason of severing land, or (b) loss of immovable property in any manner, or (c) experience loss of income and livelihood. Such impacts may be temporary or permanent in nature and most often occurs through land expropriation using eminent domain or other events such river erosion and forced eviction in urban areas.

Indirectly affected people are likely those losing subsistence or income due to project intervention without loss of any physical assets. A clear definition of indirectly affected people must be based on a careful review and assessment of indirect impacts of the project.

Adibasis or Indigenous People: Distinct groups of people – for example, Chakmas and other groups in the Chittagong Hills, Garos in Madhupur Forest, Khasis in Sylhet, Rakhains in Coxsbazar/Patuakhali and Santhals in Rajshahi/Dinajpur and other smaller adibasi communities in the country – who might suffer disproportionately from displacement and resettlement effects.

Agricultural family: A family whose primary means of livelihood is agriculture. It includes owners as well as tenants of agricultural land, sharecroppers, agricultural laborers, occupiers of forest lands and collectors of minor forest produces.

Agricultural laborer: A person who earns his/her livelihood mainly from manual labor engaged in agriculture practices. The non-agricultural laborer includes artisans and other occupational groups such as unskilled labor, masons, potters, barbers etc

Bastee: Settlements both in rural/urban context who have occupied government land for settlement and livelihood.

Compensation: Payment in cash or kind (for example land-for-land) to which the APs are entitled in order to replace the lost assets, resources and income or livelihood sources due to acquisition of land/assets.

Census Survey: A survey covering 100% households getting affected by the project, irrespective of their ownership status.

Cut off Dates: Date of notification under section 3 of 1982 Ordinance is the cut off date for title owners. The census will be considered cut off date for all others including non-title holders for resettlement benefits.

Community Participation and Consultation: The active process of sharing ideas about the project, seeking community-wide inputs, and integrating those in the project design as well as project mitigation measures.

Displacement: Refers to physical displacement in terms of physical dislocation as well as economic displacement due to loss of land, access to land as well as forest and forest resources, commercial establishments and any other impacts such as severance that adversely affects lives and livelihood sources.

Displaced Persons: A person who is compelled to change or relocate his/her place of residence and/or work or place of business, due to project construction or as a result of river-bank erosion or informal settlers on government land becoming victim of eviction.

Entitlements: Range of measures comprising of compensation benefits, including shifting allowance, subsistence, and relocation which an AP is entitled to, depending on the nature of losses, to restore and/or improve the living standards.

Erosion Displacement: Refers to people who are involuntarily displaced due to river bank erosion leading to loss of land, houses and other assets.

Family/Household: A “family” means a person, his or her spouse, minor sons, unmarried daughters, minor brothers or unmarried sisters, father, mother and other members residing with him/her and dependent on him/her for their livelihood. Married son(s)/brother(s) living in extended/joint family, divorced/widowed/destitute women will be considered as separate units for the purpose of resettlement assistance/benefits.

Gender Equity: Equal recognition of both genders in the provision of entitlements, treatment and other measures under the Resettlement Plan.

Head of the Household: One who makes major decisions within the family structure and generally lead the family as the principal provider.

Host population: Community residing in or near the area to which affected people are to be relocated. Host communities should also be project beneficiaries for better host-resettlers integration.

Independent Third Party: Refers to person(s) and/or agency without having any prior association and interest in the concerned project.

Marginal Farmer: A farm or farm household having less than 2 acres of productive cultivable land. This however could vary by region and productively of land, including technology used in cultivation.

Person(s) with usufruct rights: The right to use and profit from land belonging to others – for example, lease from government department or agency or individuals.

Poor Women–headed household: Poor households where a woman decides on the access to and the use of the resources of the family. In resettlement context, women-headed households and/or widows also suffer from lack of labour for relocation purposes.

Public Disclosure: Process of disclosing and sharing project impact with affected people and disseminating amongst them information on their entitlements, compensation, R&R measures and project timeline etc.

Private Sector/PPP: While private sector refers to investments by individuals or companies (other than government and/or bi-multilateral sources), public-private partnership or PPP involves private investments under agreements with government, particularly for public purpose projects.

Project Affected Area: An area under the project, declared by the Government, where land is being acquired under Acquisition & Requisition of Immovable Property Ordinance – II of 1982 or any other Act in force or an area that is immediately affected by the project and its related activities.

Project and Non-Project Induced Displacement: Project-induced displacement refers to impacts caused by development projects while non-project induced displacement refers to river erosion and eviction displacees.

Project Proponent/Executing Agency (EA): Ministry, Department, Body or a Private Sector Company or both undertaking public works and responsible for the planning and implementation of the Project.

Resettlement Plan (RP): A time-bound action plan with budget setting out resettlement strategy, objectives, entitlement, actions, implementation responsibilities, monitoring and evaluation.

Resettlement and Rehabilitation (R&R): Resettlement refers to rebuilding housing, assets, including productive land and public infrastructure in another location while rehabilitation means restoration of income, livelihoods, and socio-cultural system.

Replacement value: The amount needed to replace an affected asset (a) agricultural land, forest produces and fishponds based on location and productive value; (b) residential and commercial land based on replacement market value (for assets with similar location attributes); (c) houses and other related immovable structures based on current replacement prices of building material and labor, without depreciation and deductions for salvaged building materials. In addition to above, transaction costs

such as administrative charges, registration and titling/mutation costs in case land are included..

Right-of-Way: Demarcated land proposed for project development.

Squatter/Informal Settlers: A person who has settled on public (and private) land without legitimacy and/or has been occupying publicly owned building/asset without authority.

Slum Dwellers: People/community living on land on a rental basis with the owner without having basic civic amenities for living. In this sense, slums are different than *bastees*.

Vulnerable Person: The vulnerable group/persons may include (i) persons below nationally defined poverty line; (ii) indigenous people or *adibasis*; (iii) poor women-headed households; (iv) landless and marginal farmers; (v) people with disability (vi) elderly and (vii) any other groups or persons found to be disproportionately affected by project impacts.

Appendix- I

1. RAP of JMBP

1.1 Alternative sites and selection

At the time of the project was conceived the exact location of the bridge was unknown. So, several locations were investigated for the feasibility study, including the environment and resettlement consideration. When the bridge location was determined a second feasibility study was executed and actual design criteria were set. A significant issue in the JMBP is the braiding nature of this tremendous river. Several technical options were envisaged. One option was the location of the bridge ends on secure land. i.e. land that is not endangered by river erosion. This would have doubled the length of the actual bridge and would have taken a substantial chunk out of secure agricultural land with at least as many inhabitants. The preferred option under the second feasibility phase resulted in the situation faced now, being construction of substantial river training works within the outer confinements of the braiding river. These works were intended to keep the river under the bridge and to reduce the bridge length. The whole JMB project is split into some 8 contracts. The resettlement impact is discussed per contract. Contract 2 has involved river training issues which need to resettle people, so a resettlement issue has been incorporated with this contact. Contract 3 & 4 has also involved land acquisition and resettlement issues. Contract 7 has fortunately few resettlement problems arose. Some PAPs raised the issue of employing local labour which was resolved afterwards. And finally Contract 8 has been acquired land as well as resettlement issue involved here.

Resettlement Sites, No contract was given out for the resettlement sites development on the East and West side since they would cause substantial secondary resettlement. It has been found a restrict development in the former east resettlement site, to a smaller area of 8 ha. Any resettlement occurring there has been considered as part of the safety net /homestead failures provision. A detailed plan is to be developed including a mini market/service area at this location along the embankment road between Bhuapur and the Bridge End East. Alternative plans have been developed together with the host community in terms of rearranging land, provision of facilities benefiting both the host and settler communities.

1.2 Valuation and compensation for lost assets

The section of resettlement plan have made a detailed analysis of the lost assets and those valuation as well as the compensation issues, those were as follows:

1.2.1 General Losses

The concept of resettlement based on project managed replacement of homesteads and agricultural land for all PAPs is not a feasible option in Bangladesh. In many countries there are vacant tracts of land that can be used to locate involuntary settlers, but in Bangladesh there are no such vacant lands. Acquisition of large tracts of land for resettlement purpose will lead to forced secondary displacement. The strategy chosen here is to give the PAPs the means to find land elsewhere and disperse over a wide area. Land acquired in such a way is released voluntarily by the owners and allows PAPs to settle in an area of their personal choice.

Table 1.2.1.1: Compensation under Law (Act of 1982 with amendments up to 1994)

Types of losses	Compensation under law
1. Loss of agricultural, homestead and commercial land	Compensation under law (CL) comprising of assessed market price of land as per law and a premium of 50% of the market price. ⁵
2. Loss of living quarters and other physical structures	Compensation under law (CL) comprising of assessed market price of structure as per law and a premium of 50% of the market price.
3. Loss of economically valuable perennial to owner of trees	Compensation under law (CL) comprising of assessed market price of perennial as per law and a premium of 50% of the market price.
4. Loss of standing crops by owner or de facto cultivator	Compensation under law comprising only assessed market price as per law.

Loss of public services such as health, education and community facilities such as mosques, markets will be made up by enlarging existing facilities in host villages and establishing additional facilities where needed and as desired by host communities. Costs will be borne from resettlement site budget savings. In the small resettlement sites, common facilities like roads, water supply, sanitation, markets, ponds, etc will be established before habitation takes place.

1.2.2 Other Losses

The losses of fishing on the flood plains, seasonal in nature, will occur due to closure of Dhaloswari River and construction of roads and flood embankments. The borrow pits along the flood embankments and approach roads, covering at least one hundred acres will provide new fishing area and will allow fishing for a much longer period than is possible on flood plains.

Table 1.2.2.1: Additional Measures (World Bank OD 4.30 - Involuntary Resettlement)

Loss or disturbances	Ad-hoc measures above legal compensation (Entitlements)
1. Loss of agriculture land by legal owners	<ol style="list-style-type: none"> 1. Additional grant (AG) to cover maximum allowable replacement value of agricultural land determined by JMBA provided the land loser purchases replacement land up to a minimum of 80% of lost land. 2. Reimbursement of stamp duty for purchase of replacement land prorated up to replacement value of land. 3. One time cash grant to owner cultivators evicted before purchase of replacement land 4. Provision of bank loan up to 50% of compensation under law including premium for replacement land purchase. 5. Provision for allocation of surplus land to land losers especially to those completely dependent on farm land. 6. Institutional help to identify and purchase of replacement land.
2. Loss of homestead land by legal owners	<ol style="list-style-type: none"> 1. Additional grant (AG) to cover maximum allowable replacement value of homestead land determined by JMBA provided the land loser purchases equivalent amount of replacement land not less than 2.5 decimal. 2. Homestead plot of sizes 2.5 decimal to 7.5 decimal at developed resettlement site. The maximum plots size was later agreed to 15.0 decimal. 3. Reimbursement of stamp duty for purchase of replacement land prorated up to replacement value of land. 4. Bank loan up to 75% of compensation under including premium for replacement land purchase.

	5. Institutional help to identify And purchase of replacement land.
3. Loss of living quarters and other physical structures (except commercial or industrial structure) by legal owners	<ol style="list-style-type: none"> 1. Transfer grant to facilitate relocation subject to family size paid before or immediately after relocation. 2. House construction grant after reconstruction at new site subject quantity of structure or a lump-sum in absence of database. 3. Salvaged materials allowed to be taken away by the affected person on their own within specified time. 4. JMBA deserved the right to reject the entitlement if the structure was proved to be built with ulterior motives.
4. Loss of economically valuable perennial	<ol style="list-style-type: none"> 1. Free saplings to affected tree owners at their new sites 2. Salvaged trees were allowed to take away by the affected tree owners.
5. Loss of occupied homestead (illegally or with permission of owners) land	<ol style="list-style-type: none"> 1. Financial assistance to purchase homestead up to a maximum of 2.5 decimal or 2. On failure of that a 2.5 decimal plot in the resettlement site 3. Combined transfer grant and construction grant in two equal installments; transfer grant after purchase or allotment of plot at resettlement site. 4. Reimbursement of stamp duty for purchase of 2.5 decimal home-stead or more within allowable replacement price. 5. Institutional assistance in finding out and purchase of homestead. 6. Training for income generation activity.
6. Loss of tenant contract farming	<ol style="list-style-type: none"> 1. One-time cash grant to cover the loss of access to farm land by farmers leasing in or share cropping land acquired for the project. 2. Free training under subsistence allowance to suitable candidates on income generating activities and credit support, if necessary. 3 Priority to get allocation of surplus land. 4. Employment in civil works construction.
7. Loss of wage income	<ol style="list-style-type: none"> 1. One time cash grant to persons engaged in wage labour in agriculture or non- agriculture sectors in the affected areas whose means of livelihood has been affected. 2. Free training under subsistence allowance to suitable

	<p>candidates on income generating activities and credit support, if necessary.</p> <p>3. Priority to get allocation of surplus land.</p> <p>4. Employment in civil works construction.</p>
8. Loss of commercial plots	<p>1. A cash grant to cover the replacement price determined by JMBA through independent agency provided the AP purchases replacement commercial land. or</p> <p>2. Equivalent plot at commercial areas to be developed a part of the project.</p> <p>3. Reimbursement of stamp duty for replacement land purchase within allowable replacement value.</p> <p>4. Credit up to 50% of compensation under law including premium to facilitate purchase of commercial plots.</p>
9. Loss of structures used for commercial or industrial activity	<p>1. Cash grant for dismantling and removal of structures at the rate of 15% of the compensation under law including premium.</p> <p>2. Additional reconstruction grant to facilitate reconstruction at new site at the rate of Tk. 25/- per sft of floor area based on land acquisition record.</p> <p>3. Salvaged materials free of cost within specified time set by JMBA.</p>
10. Displacement from rented/occupied commercial premises.	<p>1. One time cash grant to supplement dislocation from business to any businessman or artisan operating on the premises at the time of baseline survey or land acquisition notification whichever is later.</p> <p>2. Free training under subsistence allowance to suitable candidates on income generating activities and credit support, if necessary.</p> <p>3. Priority to get lease allocation of surplus land, if any.</p> <p>4. Employment in civil works construction.</p>
11. Loss of standing crops to cultivators	No additional ad-hoc measures
12. Persons who have already parted with the properties and have relocated elsewhere	The RRAP required to find out the parted persons and provided them with ad-hoc financial supports as per loss recognized in RRAP.
13. Adverse impact on host population due to	1. Assistance for improvement of education, health and other community services to accommodate relocated

relocation of APs and development of resettlement sites	households in host villages. 2. Afforesting program in host areas
14. People adversely affected by bridge, i.e. change in water levels upstream or downstream, or in unforeseeable ways.	Assistance to mitigate impacts proposed under the manual for compensating EFAPs due to the construction of the bridge.
15. Loss of structures and displacement from occupied homestead	1. Cash assistance for transfer and reconstruction of structure as per rate mentioned above. 2. Grant to cover premium on the assessed price of structure by DC. 3. Free saplings. 4. Salvaged materials free of cost within specified time set by JMBA.

1.2.3 Vulnerable Groups

Vulnerable groups such as „indigenous people“ (small tribal groups) were not found in the project affected area. There was a very small ethnic monitoring of Hindus. However, „occupational minorities“ such as weavers and cobblers (cobblers are usually Hindus) do not easily merge into other groups. Weavers are concentrated in small pockets and would be encouraged and assisted to resettle in groups. In case they choose to move to a resettlement site, a separate section has been earmarked for them. Hindus as a community also like to settle in compact area for social reasons. They have been encouraged to move in groups to host villages of their choice. Female headed households would be resettled close to their kinsfolk. They were also included in the programmers for vulnerable group development project, Grameen Bank operation and special skill training programmers such as poultry raising, cattle rearing, cottage crafts, food processing etc.

1.3 Land tenure, acquisition and transfer

A detailed discussion has been made for the land tenurial systems, land acquisition and its transfer process. Land tenurial systems as the act or right of holding landed property in Bangladesh include the land owners who inherit land from parent or predecessor through law of inheritance or by virtue of a will or become owner by

purchasing land from others through proper registration with the Government Land Registration offices and the tenant farmers having temporary possession of land on rental basis or as sharecroppers and the leaseholders. The history of Land tenure, acquisition and transfer in Bangladesh has been discussed in review chapter (see 2.3.2)

In case of JMB, the RB is the Jamuna Multipurpose Bridge Authority (JMBA) and AB is the Ministry of Land which delegates some of its authority to the Deputy Commissioner at the district level. After payment of compensation, the ownership of land to be formally transferred to the Requiring Body by mutation of the Requiring Body's name in the revenue records of the Government maintained in the Thana Land Office/Tahsil Office. The transfer is also to be published in Government Gazette.

1.4 Access to training, employment and credit

Training, Two categories of training were identified for this project:

1. Strengthening Resettlement Unit

- Management + MIS
- Resettlement issues/RAP
- Implementing NGO (Resettlement)
- Audit

2. Vocational Training for PAPs.

The overall management capability of JMBA-RU staff will be strengthened through (a) a management training and (b) resettlement implementation training. The resettlement Project Director, Deputy Directors and Assistant Directors will participate in both training programmes. The management training will be of 5 days duration and is aimed at improving general managerial skills such as planning, programme implementation and monitoring. It will be provided by the consultant firm engaged by JMBA to prepare MIS system. Audit would be an integral part of the MIS System. NGOs participating in the implementation of RAP have been also invited to participate in the training.

The demand estimates for vocational training are based on the principle that it should be meaningful to those who need it most. It is impossible to mobilize any meaningful vocational training for all PAPs. The group that needs vocational training most

urgently was those who have no source of income prior to or as a result of the project, and are in the income earning age group. Sensitive groups, such as women headed households require special attention.

Employment, there were some jobs opportunities may arise as a result of the project. Those were the immediate opportunities of participating in the construction works, or benefiting from immediate spin of in terms of shops and services catering for the project. The development of a temporary commercial site linked to the contractor's work site could create immediate employment opportunities. It is recommended that this is looked at again from the angle of PAP job opportunities. Long term new employment could be generated by extension of the above medium term employment and by activities initiated under the regional development plan.

Credit, PAPs can receive credit for:

- (a) Viable economic schemes confirmed by NGO and JMBA.
- (b) 50% and 75% of legal cash compensation if compensation money has already been consumed, for the purchase of agricultural and homestead land respectively.

All such credit has been channeled through the JMBA appointed banks who have agreed to open branches in the project area. Credits will be subject to normal commercial loan conditions. Credit was only available for those that have successfully completed the vocational training. Credit for land can be based on the land as collateral. This should allow for sufficient repayment discipline. Credit for commercial loans to set up a business can be partially based on the value of property and equipment purchased as collateral. In addition, JMBA is prepared to provide collateral.

1.5 Shelter, infrastructure and social services

This part of the RAP illustrated the following components, which are as follows:

1.5.1 Resettlement Site

Resettlement sites were developed for the PAPs on both the east and west side of the river. Designs, specifications, etc were prepared including infrastructure and social facilities. Those plans supported community or self-built houses. Resettlement Sites in the JMBP are basically homestead areas. No agricultural land is included in the

resettlement site because of the possible large scale secondary displacement and consequent aggravation and resettlement problems. The earlier concept was based on transforming low density agricultural land into high density homestead land. One of the reasons to select this land was the small number of existing homesteads. There was no intention to make this resettlement site too attractive so that it distracts PAPs from getting homestead land elsewhere.

PAPs were required to construct their own homesteads and have been advised to put in the necessary private sanitary facilities on their plots. Material for such sanitary facilities and assistance during construction will be provided by JMBA, including trained PAPs to install such facilities. The JMBA will provide public sanitary facilities in sufficient quantities and located in such away that there is privacy for men/women but also for certain minorities. Lined tube-wells and educational and religious facilities will be provided. Space will be allocated for PAP shop owners to set up a market. Allowance should be made for parking space clear of the embankment road.

1.5.2 East Bridge End (Facilities)

At the earlier time, when a Draft Bridge End Planning Integration Study was presented. Due to the changed and unknown bridge location of the East Guide Bund, there was needed for a redesign of the East Bridge End Facilities. This included a revision of the layout plan. As part of the envisaged township, detailed designs should be made for the commercial area and the housing area, allowing for plots for PAPs. Support should be given to PAPs with adequate education and vocational training to acquire commercial and housing plots with credits.

1.5.3 Temporary Commercial Land

There were many major construction projects, people will be attracted to the project and will start small shops, restaurants, etc in the vicinity of the contractor's camp. They may acquire the land legally or illegally as close as possible to the worker's site. This process should be controlled. Local by-laws can be activated to protect those currently owning/occupying this land from illegal land acquisition and squatting. Building there should be banned or at least controlled. There is a need for such commercial services and it is better to plan for it. The planned market at the Resettlement Site East is some kilometers away. It was recommended that the JMBA

discusses with the contractor which area within the contractor's site can be used for this purpose. A proper lay out and sanitary facilities were to be provided and electricity supply can be negotiated with the contractor. Only PAP's should be allowed to set up shops at this site.

1.5.4 Social Services

In the project area there were only a limited amount of social amenities like mosques and schools. The total numbers of structures was 30 on the East Bank. Compensation for schools is paid to the owners, the Ministry of Education. Compensation for other facilities is hard to determine. First, these facilities are community owned. Secondly, communities are likely to disperse under this resettlement strategy and may use facilities in the host communities. Development of social services may be included by the host communities in their incentive packages. The JMBA will develop a mosque, school and cemetery at the Resettlement Site.

1.5.5 Host Community Facilities

According to the concept of PAPs integration within the host community, the host community will receive an incentive for sale of land to PAPs. This incentive is meant for the whole host community. The community itself can negotiate with the JMBA the type and scale of the incentive. The JMBA should not apply too many restrictions. The only restrictions are:

- it should serve the community as a whole and not a few individuals.
- it should serve the community for a period of at least five years.

The funds can be used for improvement of an existing facility or for creation of a new facility. Examples of acceptable community facilities are improvement of accessibility, purchase and installation of hand pump, painting the school, public sanitation facilities. The proposal should not necessarily be in physical terms. Somebody may for instance be sent to get primary medical training or any other vocational training that may benefit the community.

1.6 Environmental protection and management

Major environmental issues related to the JMBP were dealt with under a separate environmental program. This RAP will only focus on secondary environmental issues

related to resettlement. The original resettlement site was substantially reduced to minimize secondary resettlement.

Main secondary environmental problems are those related to sanitary conditions at the resettlement site. Storm water drainage and low-cost sanitation facilities will be provided. All plots are provided with basic human waste facilities linked to individual leaching pits. This could be mixed with other household waste water. During Construction of the site adequate care should be taken to avoid pollution of tube-wells. Other household waste is expected to be marginal. At community level it is likely that any waste will be collected as animal feed and inorganic material will be recycled. Otherwise simple waste collection and disposal can be conceived.

2. LARP of JBRLP

2.1 Resettlement and Compensation Policy

The conducted baseline socio-economic survey indicated that a large number of household suffered different kinds of losses in the process of land acquisition and relocation. The compensation policy has been prepared by linking the entitlements the types of losses rather than to the category of PAP. A resettlement policy matrix been has been prepared that describes all the type of loss or disturbance, entitled person and his/her entitlements, implementation issues and actors. The entitlement package has been briefly discussed below.

- vi) **Loss of all type of land:** The legal owner was entitled to full replacement value, including refund of stamp duty payable to GOB for all land transactions.
- vii) **Loss of living quarters and other physical structures including perennials:** Other than the CCL or removal cost payable by the DCs, EPs have been paid transfer grant and house construction grant for structures and have been allowed to cut the trees and take all salvageable materials free of cost within a specified time.
- viii) **Structures on Government and private lands (uthulis, relatives and squatters):** Owner of structure has been paid CCL for structure. Cash grant including stamp duty to purchase 2.5 decimal homestead land from the open market and transfer and house construction grants for structure has been

provided to the EP so that the EP can purchase homestead land and build a structure on it.

ix) **Share-cropping, mortgaging or leasing in agricultural land and loss of wage income:** Cash grant have been provided to all EPs, free training with maintenance allowance for suitable PAPs, and subsequent credit facility on income generating activities. The qualified PAPs have been recommended for employment with the contractors of the project.

x) **Adverse impacts on host population:** Entitlements based on need for the host community as a whole have been provided. Host benefits has been properly assessed and compensated on community basis and not to any individual host. Plantation program by the side of rail tracks; PAP and host community areas have been implemented.

3. SAP-I of BBCP

3.1 Identification of PAPs, Losses and Entitled Persons

It was identified by the project impact there were a variety of losses by the affected households and SMEs. These losses may be either temporary or permanent in nature, largely from loss of assets and businesses. Therefore, for operational purposes, the part of that plan has established important definition and clarifies the key concepts and issues associated with project impact and resettlement benefits. These were included Project Affected Persons (PAPs), Household, Entitled Person, Structures - Houses and Commercial Enterprises, Relocation / Resettlement, Entitlement to Replacement Land, Renters and Roadside structures, etc.

3.1.1 Entitlement Matrix

The Entitlement Matrix for the PAPs was presented in the plan in tabular form, which has outlined the various losses, methods for identifying the Effected Persons EPs, compensation benefits and the results of actions in terms of restoration of income and livelihood of the affected people by the Project. The Matrix is based on the Project Entitlement Policy.

3.1.2 Payments of Compensation

For paying the compensation, RHD paid compensation for BR land and structures to Bangladesh Railway directly. Bangladesh Railway was responsible to reconstruct the

house of its staff from existing staff colonies to be affected by the RoW. Payments of compensation for privately acquired land and/or properties have been paid by respective DC offices. Additional assistance for income restoration and other benefits have been paid to the eligible PAPs by RHD through an implementing NGO. In this regard a compensation payment was figure out of that plan identified by land ownership type, losses of eligible for compensation and the responsible agencies.

3.1.3 LA Implementation Schedule

RHD has firstly initiated the process regarding land acquisition for the project. Investigations have been carried out by surveyors for marking RoW boundaries on both sides. A figure was identified in terms of various steps of the land acquisition activities and the implementation schedule in this plan with the status of time schedule and responsible agencies.

4. LARP of SRNDP

4.1 Project Compensation Policy and Entitlements

The Project Compensation Policy contained the following packages, which were designed to cover compensation for lost assets and restore or enhance the livelihoods of all categories (direct, indirect, title holders, and non-title holders) of affected people. The EPs have not only been received replacement land or cash for land and other assets at the market price; but also many additional measures and supports have been taken - for example, transfer / shifting or moving allowance, assistance to CBEs to re-establish businesses, income restoration allowance, and assistance to female-headed households to help the project-affected persons regain or improved their lives in at least post-resettlement period, if not better-off. The following table illustrates the compensation packages and identified beneficiaries according to the plan.

Table 4.1.1: Projects Compensation Package and Beneficiaries

SL	Compensation Packages	Beneficiaries
1	Replacement agricultural land / cash value titled owners by DC office Additional cash grant based on MARV to match market value of	<ul style="list-style-type: none"> Households affected by loss of agricultural land

	the land	
2	Cash grant @ Tk 100/- per deci. for loss of access to land by tenant/ sharecroppers	<ul style="list-style-type: none"> • Tenant/sharecroppers affected by land acquisition for ROW
3	Compensation for crops, tree and perennial as CCL by DC.	<ul style="list-style-type: none"> • Households affected by loss of crops/trees/pond-fish • Tenant farmers to receive 50% of the compensation for crop loss, if applicable
4	Replacement house plots/cash for homestead land (by owners) et market value	<ul style="list-style-type: none"> • All homestead/house plot owners affected by the Project
5	One-time cash grant for alternative housing to APs without titles to homestead land / structure	<ul style="list-style-type: none"> • Uthuli (Settlers on others' land), squatters (settlers on Govt. land) affected by the Project
6	Cash compensation for residential/commercial structures at replacement cost Cash compensation to renters/non-titled CBEs for loss of commercial premise by CBEs	<ul style="list-style-type: none"> • Households/CBEs (owners only) affected by the Project • One-time cash grant to CBEs to re-establish business
7	Transfer/shifting cost for relocation Additional assistance to female headed households	<ul style="list-style-type: none"> • All APs (rented, squatters and Uthuli included) to assist in the relocation • Female headed households to hire hands for relocation
8	Cash assistance for income restoration Roadside plantation and Social Forestry Programs	<ul style="list-style-type: none"> • All affected households/CBE employees and indirectly affected persons for loss of work, income, and business • Vulnerable groups such as Women Headed Households and landless people for alternative income generation programs
9	Reconstruction of community facilities or resources affected by the project	<ul style="list-style-type: none"> • All partially and fully affected community facilities will be reconstructed in consultation with affected communities/ host communities

10	Civic amenities in host areas to increase carrying capacity of the host villages	• Relocated areas/villages where APs will move in small groups
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A time-bound implementation schedule for the LARP has been prepared in accordance with the project construction schedule. The overall implementation schedule was based on the principle that all EPs/APs were paid their due resettlement benefits, including income restoration assistance, prior to relocation.

Appendix - II

Survey Questionnaire for Involuntary Resettlement (Present Status)

JMBP (HH East side/ HH West side)

Or

BBCP (Person of a HH/ SMEs / MVs)

1.	Name:	Age:
2.	Present Address:	Previous Address:
3.	Previous Profession:	Present Profession:
4.	Present Income :	Previous Income :
5.	What do you think about the project benefits you?	Y N
6.	Type of assets lost by JMBP/BBCP:	
7.	Have you got any land compensation?	Y N
8.	Have you satisfied the land value given by the authority?	If not, Why?
9.	How much land have you got compared with you land?	
10.	Have there any problems regarding acquisition of your land by the authority?	Who solved that and How?
11.	How did you get your compensation? Y N	From where/whom?
12.	Was the authority timely paid you compensation?	Y N
13.	Have the authority given you the stamp duty and other cost for land transfer?	Y N
14.	Did the authority give any compensation for transferring your assets? Y N	What/How much?
15.	Did people consult about the project: Y N	What about?
16.	What types of participation did you involved by the project authority:	Was it transparent?
17.	What types of assistance provided by the authority?	
18.	Did you get any money for lost of your employment in the construction period?	How much?
19.	Did you have any employment opportunities to the project? Y N	What was that?
20.	Did you receive any credit or Bank loan?	Y N
21.	Do you feel your life is better then previous?	Y N

22	Have you got any plot for your resettlement? Y N	HH plot/ Shops :
23	Did the authority give you any choice for your desire resettlement site? Y N	How?
24	Was the authority timely provided the resettlement site?	
25	Do you satisfied about the environment of the resettlement site?	If no then what is the problem?
26	Facilities you get from the resettlement site? Y N	
27	What types of facilities you feel to add here?	
28	Did you give any extra money for take the procession of your land? Y	How much:
29	Is there any problem that the original plot allottees have not got the plot for money and other problems?	Y N
30	Do you use your plot according to your agreement? Y	Why?
31	How venerable groups (Poor people/ female headed HH) were considered here? Y	How?
32	What do you think about the success about the project? Y	Why?
33	Did you get any training facility by the authority? Y	If yes, what?
34	Did the project authority have any concern after implementation of the project?	Y N
35	Do you have any suggestion for future resettlement plan?	