

Private Investment and Digital Entrepreneurship (PRIDE) Project

Bangladesh Economic Zones Authority (BEZA)



Resettlement Policy Framework (RPF)

February 2020



EXECUTIVE SUMMARY

This Resettlement Policy Framework (RPF) is to resolve any anticipated environmental and social risks and impacts that may arise during implementation of the Bangladesh Private Investment & Digital Entrepreneurship Project (PRIDE) Project. Another purpose of this framework is to plan ahead the environmental and social development concerns that the project could address within its scope of works.

PRIDE aims to promote private investment and job creation in economic zones and digital entrepreneurship in hi-tech parks in an environmentally sustainable manner. The project aims at leveraging Bangladesh's rapid economic progress, supply of huge working age population, the need to attract private and foreign investment and the concept of Digital Bangladesh by providing technical assistance in policy formulation, human development and building resilient infrastructure and support services. The project has four components and several sub-components. Component 1 aims at creating an enabling environment for private investment and job creation at Bangabandhu Sheikh Mujib Shilpa Nagar. Component 2 plans to support phased development of the BSMSN Green Industrial City. Component 3 aims at creating a dynamic private market for serviced industrial land while Component 4 plans to strengthen the digital entrepreneurship and innovation ecosystem. The first three components will be implemented by Bangladesh Economic Zone Authority (BEZA) and the fourth component will be implemented by Bangladesh High Tech Park Authority (BHTPA). Under the umbrella of BSMSN at Mirsarai supported by PSDSP, the PRIDE project will strengthen Bangladesh Economic Zones Authority's (BEZA) core competence through development of policies and implementation capacity, building a PPP Special Operations Unit; supporting phased development based on the recently approved Master Plan for BSMSN through financing works, goods and technical assistance for three areas—BSMSN-2A (380 ha), BSMSN-2B (192 ha) and BSMSN-IMD (100-200 ha) including construction of road, power, sewer service and other utility service network, effluent treatment plant, desalination plant, solar network, landfill and biogas plants.

As planned, 500 acres of land may be required for the IMD zone. Moreover, some private land acquisition may take place for the bus stand and security zone where economic displacement (loss of crops, trees, etc.) may take place. Such impacts will be finally determined after identifying the IMD area. In case of land acquisition and displacement, land acquisition and resettlement plan will be prepared following acquisition and requisition of immovable property act 2017 and the World Bank ESF.

The provisions of this RPF are proposed in view of the World Bank's ESF and ESSs that requires the Implementing Agency (BEZA) to assess potential environmental and social risks and impacts in project preparation and to adopt and implement appropriate measures to mitigate them, in compliance with the Bank ESS5. In this regard, since the locations and the nature and scale of the risks and impacts are remaining to be assessed, the issues and impacts addressed in the RPF are largely based on project technical studies and past experience with other projects in the vicinity of BSMSN. Once the location of project area is planned, the proposed RPF will provide the basis to select the exact site, assess the risks and impacts, and prepare the necessary plans to mitigate any projected adverse impacts. BEZA is responsible for overall implementation of the Project. The RPF is prepared following the World Bank ESS5 and GoB's ARIPA 2017.

As far as the Grievance Redress Mechanism (GRM) is concerned, the IA will ensure that the public, particularly those directly affected by the project components will have the chance to express their legitimate grievance or to file a complaint about the project by setting up a mechanism to address the issues raised. A two-tier bottom up GRC system will be established in this Project. First, there will be

GRCs at the local level, hereafter called Local GRC (union/municipality level); and second, GRC at the project level to give room for grievances to be fairly reviewed. The APs will be informed through public consultation that they have a right to have their grievances redressed by the local committees as well as by the project management. To provide a more structured local level GRM, project-level grievance redress mechanism, a grievance redress committee (GRC) will be formed as soon as the funding of the project becomes effective and will continue until project completion. The PD will act as the convener and members of the GRC will be representative from the NGO, chair of the union where the project is located, a witness for the AP, and a representative from a local group (i.e. religious, teacher, etc.).

A set of professionals including Resettlement Specialist have been working in the BEZA. The institutional arrangement of BEZA is aligned as per this framework. BEZA will appoint Consulting Firm/NGO as a RAP implementing agency for preparation and or implementation of the land acquisition and RAP. BEZA will supervise and monitor the activities of the RAP Implementing Agency (IA). In the institutional arrangement procedure, Project Director, and Team Leader/Deputy Team Leader will be directly involved. The PD and DPD would be supported by Environmental and Social Specialists. Under PMU, there will be relevant officials and consultants to support the PD.

RESETTLEMENT POLICY FRAMEWORK

BEZA, PRIDE PROJECT

INTRODUCTION

The aim of PRIDE is to promote private investment and job creation in economic zones and digital entrepreneurship in hi-tech parks in an environmentally sustainable manner. The project aims at leveraging Bangladesh's rapid economic progress, supply of huge working age population, the need to attract private and foreign investment and the concept of Digital Bangladesh by providing technical assistance in policy formulation, human development and building resilient infrastructure and support services. This Resettlement Policy Framework (RPF) is to resolve any anticipated environmental and social risks and impacts that may arise during implementation of the Bangladesh Private Investment & Digital Entrepreneurship Project (PRIDE) Project.

OBJECTIVES

The World Bank's ESS5 on Land Acquisition, Involuntary Resettlement and Restrictions on Land Use outlines the following objectives, which have been adopted in the preparation of this document and will govern the project implementation:

To avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives; to avoid forced eviction; to mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by: (a) providing timely compensation for loss of assets at replacement cost and (b) assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher; to improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure; to ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

STUDY APPROACH AND METHODOLOGY

The RPF was written by detailed study of ARIPA 2017, past PSDSP Project's resettlement documents, a number of ES instruments prepared for the PRIDE project (EIA, ESMF etc), the Constitution of Bangladesh; numerous relevant State laws, regulations, decrees, acts, policies and guidelines, World Bank ES Policies and other relevant documents. In addition, consultation with stakeholders, NGOs and selected communities that will be affected and benefitted from the project were consulted.

Various gaps of policies between ARIPA 2017 and the ESS 5 were identified and entitlement matrix were prepared addressing both ESS5 and the ARIPA 2017. A detailed GRM was also worked out and appended for anyone that wants redress of his/her grievances.

LEGAL/INSTITUTIONAL FRAMEWORK FOR LAND ACQUISITION AND INV. RESETTLEMENT

The government's policy through ARIPA does not cover project-affected persons without titles or ownership record, such as informal settler/squatters, occupiers, and informal tenants and lease- holders (without document) and does not ensure replacement value of the property acquired. The ARIPA has no provision of resettlement assistance for restoration of livelihoods of affected persons except for the legal compensation. Gaps between national law and WB policy are identified and bridging measures are

included in the entitlement matrix for the project, described below. A project specific entitlement matrix is prepared. WB will not finance the project if it does not comply with its ESS 5 nor will it finance the project if it does not comply with its host country's social and environmental laws. Where there are inconsistencies between the WB and government policies, WB's policy will prevail for safeguarding the PAP's right. The project will recognize three types of displaced persons including (i) persons with formal legal rights to land lost in its entirety or in part; (ii) persons who lost the land they occupy in its entirety or in part who have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national laws, such as share croppers and lessees; and (iii) persons who lost other assets including structures on GOB land, trees, business, wage, tenancy rights, etc. due to the project interventions.. Various involuntary resettlement requirements apply to all three types of displaced persons.

Table. Gaps between WB policies and GOB ARIPA 2017

No	WB Policy	Legal Framework of Bangladesh (ARIPA 2017)	Degree of compliance or gaps and proposed action to address gaps
1.	Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks.	Deputy Commissioner conducts a joint verification with BEZA and categorizes land by types and any assets thereon and identifies owners of physical assets prior to issue of section 4(1) notice.	<i>Partially complied.</i> BEZA & consultants will conduct an independent assessment & prepare an Inventory of Losses and identify resettlement issues.
2.	Carry out meaningful consultations with affected persons, host communities, and concerned NGOs	Affected persons are allowed to raise objections under and section 4(7) of ARIPA if they disagree with joint verification assessment and under section 5(1) of ARIPA against land acquisition. Deputy Commissioner hears the complaints and grievances under section 4(9) of ARIPA.	<i>Partially complied.</i> BEZA will initiate a comprehensive process of consultation with affected persons and others during resettlement action plan preparation and implementation.
3.	Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns.	Affected persons are allowed to raise objections under section 4(7) if they disagree with joint verification assessment and under section 5(1) against land acquisition. Deputy Commissioner hears the complaints and grievances under section 4(9).	<i>Partially complied.</i> BEZA will establish a project based GRM through resettlement plan to address grievances.

4.	Provide cash compensation at replacement value.	DC enhances the compensation by 200% premium on top of current mouza rate (market value) of the land and another 100% premium to address other resettlement impacts (ARIPA).	<i>Partially complied.</i> BEZA will appoint a Property Assessment and Valuation Committee (PAVC) to recommend replacement value and pay additional compensation directly to the affected persons, if they are entitled through the entitlement matrix and if the CCL paid by Deputy Commissioner is lower than the replacement value.
5.	Improve or at least restore, the livelihoods of all displaced persons.	Deputy Commissioner will consider the impact of land acquisition on livelihoods and incomes of affected persons during the valuation under sections 8(1) & 9(1).	<i>Partially complied.</i> BEZA through the Entitlement Matrix of the resettlement plan will provide additional compensation for loss of trees and crops, transitional allowances, shifting costs, reconstruction assistance, livelihood training, access to credit & grants, special assistance to women headed households and vulnerable groups and other assistance
6	Pay compensation and provide other resettlement entitlements before physical or Economic displacement.	Deputy Commissioner awards the compensation to entitled parties within 60 days of receiving the deposit from the requiring agency under section 11(1). However, this applies only for the titleholders. Deputy Commissioner can get the nontitle holders evicted at any time as they are not entitled to compensation.	<i>Partially complied.</i> BEZA will provide compensation to the nontitle holders following the entitlement matrix and ensure that they are paid compensation prior to displacement. BEZA and the External Monitor will monitor the compensation payment procedure.
7	Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.	When the property acquired contains standing crops cultivated by bargadar (shareholders), such portion of the compensation will be determined by the Deputy Commissioner and will be paid to the bargadar in cash under section 12. No provision of compensation for Bargdar who cultivate on government land.	<i>Partially complied.</i> BEZA will include provisions in the Entitlement Matrix of the resettlement plan to pay compensation to the non-titleholders (informal and non-registered) and to provide other benefits.

POLICY PRINCIPLES

BEZA will undertake land acquisition process ahead of the award of civil works contracts to facilitate DCs to complete land acquisition for respective substations before the start of civil works construction. BEZA will prepare land acquisition plans (LAPs) for the same and submit to concerned DC office for processing with prior consultation with the affected people. In case of delay of land acquisition, an informal agreement is supposed to be documented with the potential land owners and other affected persons (as per ARIPA 2017 and WB ESS5) that civil works construction will continue pending

compensation payment but compensation will be paid to all affected people without dispute on titles within sixmonths of signing the agreement. Compensation funds will be placed with the DCs for payment to titled owners and the payment process will be coordinated to ensure timely disbursement to the land owners. Non-titled PAPs will be paid monetary assistance and other benefits as per WB ESS5 by the BEZA prior to award of civil contract. Crops and trees owners will be eligible for compensation and benefits for the affected trees and crops as per ARIPA 2017.

In addition to the above, BEZA will use the following principles to minimize adverse impacts on affected persons and their community:

- Avoid or minimize acquisition of private lands and use as much public land as possible;
- Avoid or minimize displacement of people from homesteads, land valued higher in terms of productivity and uses, buildings/structures that are used for permanent business and/or commercial activities, dislocation of squatters/encroachers; and impacts on community facilities, such as educational institutions, places of worship, cemeteries, etc., and buildings/structures that are socially and historically important.
- Where the portion of a plot remaining after acquisition for substations becomes economically unviable, the landowner will have the option to offer the entire plot for acquisition.

Impact Mitigation Principles

Where adverse impacts are found unavoidable, BEZA will plan to mitigate them in accordance with the following principles:

1. Compensation for acquired land will be paid at replacement cost ahead of civil construction is started.
2. Compensation and other benefits for the affected trees and crops will be assessed at current market price and paid directly by BEZA with assistance from RAP Implementing Agency.
3. The absence of legal titles in cases of public land users will not be considered a bar to resettlement and rehabilitation assistance.
4. Vulnerability, in terms of socio-economic characteristics of the PAPs/ households, will be identified and mitigated according to the provisions in the RAP.
5. Crops owners will be allowed to harvest the crops if it is near or at harvesting stage.
6. Trees owners will be allowed to fell and take away the trees free of cost.
7. BEZA will undertake the following measures in consultation with the concerned communities and design supervision consultant:
 - Plan and implement the construction works in a manner to avoid/minimize inconvenience and disruption to the embankment/road users, and to business/trading activities where applicable.
 - Ensure payment of benefits to the sharecroppers and or lessees of land for their category of loss if they are even socially recognized
8. Where the project activities cause community-wide impacts affecting community facilities, access to common property resources, etc., BEZA will rebuild them with project finance or provide alternatives in consultation with the user communities.

Eligibility of Cut-Off Dates

Eligibility to receive compensation and resettlement assistance will be limited by cut-off date (COD). The cut-off date for Compensation Under Law (CUL) is considered for those identified on the project location/ right of way land proposed for acquisition at the time of service of notice under section 4 or joint verification by DCs whichever is earlier (legal COD).

The commencement date of the census and IOL survey will be considered as “cut-off” date for eligibility for any non-titled persons such as squatters/encroachers or other informal settlers living in the project right of way or similar designated date by BEZA (social COD).

Any persons moving into the project area after the cut-off dates will not be entitled to have compensation by DCs or any assistance from BEZA. However, any displaced persons (PAPs) not covered in the enumerations before the CODs can be enlisted with sufficient proof and approval from the GRCs. In case, land acquisition and RAP implementation delays more than a year, BEZA will adopt revised CODs for the applicable substations.

Eligibility for Compensation and Assistance

Regardless of their tenure status to the lands used for an EZ and its off-site support infrastructures, the affected persons/households will be eligible for compensation and assistance. Pending further investigations on any other impacts and impacted persons for individual EZs and off-site works, BEZA will mitigate impacts on the following:

- Private Landowners. Persons who have legal rights to the acquired lands and other assets, such as houses/structures, trees, etc., built and grown on them.
- All Non-titled Persons. Socioeconomically vulnerable persons/households who do not have legal rights to the affected lands, but use them for residential, commercial and livelihood purposes.
- Owners of Displaced Businesses. Compensation for income loss from businesses that are (a) displaced from private lands and khas/public lands; and (b) required to temporarily close down during construction period. In both cases, compensation / assistance will apply to the actual owners of the affected businesses. In addition, the affected businesses will be compensated for significant loss of business due to reduced accessibility, even if the business does not formally close down.
- Employees of Affected Businesses -- who are employed in the above two types of affected businesses for at least six months up to the cut-off dates on which censuses are taken. *(If such an employee quits before the business is required to move or stop operation, he/she will no more be eligible for compensation/assistance.)*
- Rental Income Earners, from built premises situated on private lands. *(Those who earn rental income by erecting buildings/structures on khas and other public lands will not be eligible for compensation/assistance.)*
- Vested and Non-resident Property Owners/Users. Current users of the acquired lands and other properties designated 'vested and non-resident properties' during acquisition for the individual EZs.
- Leaseholders. Owners of affected business, agricultural, fisheries and other activities on formally leased-in khas or other public lands, where leases stipulate compensatory conditions if the lands are taken back or acquired before lease expiration.
- Community and Groups. Where local communities and groups are likely to lose income earning opportunities or access to crucial common property resources used for livelihood purposes.

Compensation Principles and Standards

BEZA will use the following principles and standards to determine compensation and assistance for persons / households in different loss/impact categories.

Acquired Lands and Other Assets

- Replacement costs for an equal amount of land of same use and quality, including the registration costs and stamp duties.
- Replacement costs of houses/structures and other immovable built items (e.g., sanitation, drainage, etc.) at the current market prices of same building materials, plus the current costs of labour to build them.
- Current market prices of trees and other assets which are irreplaceable.

- If the acquired lands are agricultural and amount to 20% or more of the total productive area, a transition allowance at three times the value of the crops produced in one year in the acquired portion of land.

Compensation payments should be made in the names of both spouses or single heads of households as relevant following the tenure system of Bangladesh, and other resettlement assistance, such as skills training, access to credit, and job opportunities, should be equally available to women and adapted to their needs.

Homestead Loss

- Relocation assistance for households displaced from private homesteads either in lands they can personally arrange to buy, or in those arranged by BEZA.
- Relocation assistance for socioeconomically vulnerable households displaced from the khas and other public lands, in public lands arranged by BEZA.
- Provision of pre-acquisition level basic utilities, such as water supply, sanitation, electricity, etc.

Loss of Business, Employment and Rental Income

Temporarily Closed Businesses: Where business activities come to a complete closure during construction, the owners will be paid for income loss at rates based on average daily net income for a period needed to re-open the individual businesses, or for the duration of the civil works.

Partially Affected Businesses: Where business premises are partially dismantled and the remainders are structurally safe and useable, compensation, calculated as above, for smaller of the number of days needed to repair and reopen the individual businesses, or complete the civil works. Businesses Completely Displaced from Private or Public land :

- Relocation in Khash or any public lands (where feasible), *plus* compensation, calculated as above, for a period of 30 days; or
- Compensation, calculated as above, for the number of days the business owners need to find alternative locations themselves, for a maximum of 90 days.

Loss of Employment Income from Displaced & Temporarily Closed Businesses: Persons who have been continuously employed by the displaced and temporarily closed businesses for at least six months up to the day of PAP census (*cut-off date*), will be compensated for the period until their employers restart their operations, or for a maximum of 30 days. The daily rates will be based on their monthly salary paid by the employers.

Loss of Income from Rented-out Private Premises: Six months' rent at the current rates for loss of rental income from premises affected on private lands.

Loss of Tenancy Rights: Tenants of residential and commercial premises on private or government land will be given the amount equivalent to six months' rent.

Vested and Non-Resident Properties

Lands and other properties that have not been declared 'vested and non-resident' (previously 'enemy properties' under the *Enemy Properties Act of 1965*)⁶ through 1984, and are found to be 'vested and

non-resident' during acquisition for any EZ and its off-site support infrastructures under PSDSP, the following guidelines will apply:

- *Agricultural lands*: Present users/owners will qualify for compensation two times the value of all crops grown on the acquired portion in a year.
- *Acquired business premises*: For *temporarily closed* and *partially affected* businesses, the same measures as proposed for such impacts in the preceding paragraph will apply.
- For premises that are to be dismantled completely: Relocation in public land in the same general area ensuring that his standard of living will be better off, plus compensation based on daily net income for a period needed to reopen the individual businesses, for a maximum of 30 days, or
- Compensation, calculated as above, for the number of days the business owners need to find alternative locations themselves, for a maximum of 90 days

Loss of Income from Rented-out Premises: Three months' rent at the current rates for loss of rental income from premises affected on VNR lands.

- *Acquired homesteads* (including houses/structures): BEZA will make alternative arrangements in consultation with the present users/owners.
- *Where acquisitions partially affect lands and other properties, the present owners/users will be allowed to use the remainders.*

Unforeseen Impacts

BEZA will adopt and implement policies, in consultation with the affected persons/ stakeholders and the Bank, to mitigate any adverse impacts that are unique to a particular EZ and may have so far remained unknown.

VALUATION METHOD AND COMPENSATION PAYMENT

In cases of acquisition, a part of the compensation for lands and other affected assets built or grown thereon will be assessed and paid to the title holding PAPs by the Deputy. These properties have been left behind by the people of minority communities who migrated to India and other countries since the independence and partition of India in 1947. An investigation through 1984 designated some of such properties as 'vested and non-resident (VNR)'. There still remains an unknown amount of such properties, which are used by people claiming to be legal heirs of the original owners. If the legal documents possessed by the present users are found unsatisfactory during acquisition for PSDSP, DCs would declare them VNR and disqualify them for the compensation-under-the-law. The law is known to be controversial and has been widely abused by the influential people. BEZA will however implement the proposed mitigation measures on the ground that until the EZ takes over possession is without the EZs the current users will be eligible to use these properties.

Commissioners (DCs), the heads of the Acquiring Bodies. If this payment, 'compensation- under-law' (CUL), is found smaller than their replacement costs and/or market prices, BEZA will directly pay the difference or 'top-up' to make up for the shortfall.

With or without acquisition compensations/assistance due to all other PAPs, such as non-titled persons, business owners and employees and those, who are not covered by the acquisition ordinance, but eligible according to this RSMF, will also be directly paid by BEZA.

Top-up Determination and Payment: Where an owner loses lands and other assets in more than one mouza or land administration unit, the person will be counted once, and his/her top-up will be paid together. The amount of top-up due to the affected person will be determined by comparing the *total amount of CUL* paid by the DCs for lands and other assets acquired in all mouzas with the *total replacement costs and/or market prices thereof*.

Compensation/entitlement due to the PAPs, including those who are not covered by the acquisition ordinance, but eligible according to this RSMF, will be paid in full before they are evicted from the acquired private and khas/other public lands.

Based on the principles proposed for impact mitigation, the following matrix defines the specific entitlements for different types of losses, entitled persons, and the institutional responsibility to implement them

ENTITLEMENT MATRIX

LOSS OF LANDS (AGRICULTURAL, HOMESTEAD, COMMERCIAL & OTHERS)

Ownership Type	Entitled Person	Entitlement	Responsibility
Private	Legal Owners, as determined by DCs, or by courts in cases of legal disputes	<ul style="list-style-type: none"> • Compensation-under-law (CUL) or replacement costs, whichever is greater. • If applicable (subject to paragraph 18) • Top-up equal to the difference between CUL and replacement costs. • Transition allowance (TA) for income loss (see Loss Category 5 below). • If the RAP implementation is delayed for more than one year from the date of assessing replacement cost, yearly inflation will be considered and valuation survey will again be carried out for updating land price 	CUL paid by DC Top-up & TA paid by Project
Khas & Other Public Lands Under Lease.	Leaseholders	Contractual obligations with the public agencies, as determined by DCs, and / or Contractual obligations with other GOB agencies.	Paid by DC and/or Project
Vested Non-Resident	Current Owners/Users	Transition allowance for income loss (see Loss Category 5).	Paid by Project

LOSS OF HOMESTEAD LANDS

Location	Entitled Person	Entitlement	Responsibility
Homesteads on Private Lands	Legal Owners, as determined by DC, or by courts in cases of legal disputes	<p>In addition to CUL & applicable top-up (as for Loss of Lands above):</p> <ul style="list-style-type: none"> • Assistance to move and rebuild the houses in the same homesteads, in cases of partial acquisitions • Relocation assistance, including land development, where PAPs choose to relocate on their own, <u>or</u> developed plots if they choose to relocate in public lands to be arranged by BEZA, where acquisitions require relocation elsewhere. 	By Project

Location	Entitled Person	Entitlement	Responsibility
		<ul style="list-style-type: none"> Provision of at least acquisition level basic utilities (water supply, sanitation, electricity, etc.). 	
Homesteads on Khas & Other Public Lands	Vulnerable Non-titled persons	<ul style="list-style-type: none"> Relocation assistance, including developed plots in their own or other public lands, to be arranged by BEZA. Provision of water supply & sanitation facilities. 	By Project
Homesteads on VNR Lands	Present Owners/Users	<ul style="list-style-type: none"> Assistance to move and rebuild the houses in the same homestead, in cases of partial acquisitions. Assistance to settle in developed plots arranged by BEZA, or six months' rent for comparable living accommodations, where acquisition requires relocation elsewhere. Provision of water supply and sanitation facilities. 	By Project

LOSS OF HOUSES/STRUCTURES USED FOR LIVING, BUSINESS & OTHER ACTIVITIES

Type & Location	Entitled Person	Entitlement	Responsibility
All Houses/ Structures on Acquired Private Lands	Legal owners, as determined by DCs, or by courts in cases of legal disputes.	Compensation-under-law (CUL) or replacement cost, whichever is greater.	CUL paid by DC
		<ul style="list-style-type: none"> Transfer Grant (TG) to cover the carrying costs of household goods, at one-eighth of the replacement costs of the affected structures. Allowed to keep the salvageable materials 	TG paid by Project
Shiftable & Non-shiftable Structures on Khas & Other Public Lands	Vulnerable Non-titled persons	<ul style="list-style-type: none"> Shiftable structures: House Transfer Grant (HTG) and House Construction Grant (HCG), @ Tk 50 per sft of floor area, with a minimum of Tk. 3500 and maximum of Tk. 5000. Non-shiftable structures: HCG @ Tk 70 per sft of floor area with a minimum of Tk. 4000 and maximum of Tk 6000. Allowed to keep the salvageable materials. 	HTG & HCG paid by Project
Houses/ Structures on VNR Lands	Current Owners/Users	<ul style="list-style-type: none"> HTG @ BDT 15 per sft and HCG @ BDT 10 per sft to the current owners/users of the structures on private and public lands. . 	HTG & HCG paid by

Type & Location	Entitled Person	Entitlement	Responsibility
		<ul style="list-style-type: none"> Allowed to keep the salvageable materials. 	Project

LOSS OF TREES ON ACQUIRED PRIVATE & PUBLIC LANDS

Location	Entitled Person	Entitlement	Responsibility
<i>On private Lands</i>	<i>Legal owners as determined by DCs, or by courts in cases of legal disputes</i>	<ul style="list-style-type: none"> Current market value of trees, based on species, size and maturity. Current harvest prices of fruits on trees, if they are felled before harvest. Owners are allowed to fell the trees and keep them. 	By BEZA (included in the CUL) and/or By Project (included in the top-up)
<i>On Khas & Other Public Lands</i>	<ul style="list-style-type: none"> Non-titled persons, encroachers Private groups, NGOs, etc.* 	As those stipulated above for trees and fruits on trees, on private lands.	By Project
<i>On VNR Lands</i>	<i>Present Owner/User</i>	As those stipulated above for trees and fruits on trees, on private lands	By Project

* Public lands, especially along the roads, are sometimes leased out to private groups and NGOs for tree plantation under income generation programs.

LOSS OF AGRICULTURAL, BUSINESS, EMPLOYMENT & RENTAL INCOME

Impact Type	Entitled Person	Entitlement	Responsibility
Agricultural Income: <ul style="list-style-type: none"> If acquisition amounts to 20% or more of the total productive area If acquired VNR lands are agricultural 	<i>Legal Owners, as determined by DCs, or by courts in cases of legal disputes.</i>	Transition allowance equal to three times the harvest prices of one year's crops produced in the acquired parts of the lands.	By Project
	<i>Present Owners/Users</i>	Transition allowance equal to three times the harvest prices of one year's crops produced in the acquired parts of the lands.	By Project
Business Income: <ul style="list-style-type: none"> Temporary closure of businesses in existing premises Partially affected businesses Businesses requiring removal from the 	<i>Business Owners (premise / land owners & tenants)</i>	Compensation, based on 30 days' average daily net income, for the actual number of days the businesses remain closed <u>or</u> complete the civil works.	By Project
	<i>Business Owners (premise/land owners & tenants)</i>	Compensation, calculated as above, for <u>smaller</u> of the number of days needed to repair and reopen the individual business premises or maximum three months	By Project

Impact Type	Entitled Person	Entitlement	Responsibility
existing premises and spots	<i>Business Owners</i> (premise/land owners & tenants)	<ul style="list-style-type: none"> Relocation in khas/public lands, plus compensation, calculated as above, for a period of 30 days; or Compensation, calculated as above, for the number of days the business owners need to find alternative locations themselves, but for a maximum period of 90 days. 	By Project
<i>Loss of employment income</i>	<i>Business Employees</i>	Compensation at current daily wage rates for the period needed to reopen the businesses, or for a maximum of 30 days.	By Project
<i>Loss of income from rented-out premises on private & VNR lands</i>	<i>Legal Owners and Current Owners/Users of VNR lands</i>	<ul style="list-style-type: none"> Six months' rent at the current rates to the owners of the premises on private lands. Three months' rent at the current rates to the owners/users of premises on VNR lands. 	By Project

UNFORESEEN LOSSES

Impact Type	Entitled Person	Entitlement	Responsibility
As may be identified during subproject preparation & implementation	As Identified	As determined in consultation with World Bank and the stakeholders.	By Project

BASELINE SOCIO-ECONOMIC DATA/CENSUS:

Baseline socio-economic data will be collected when specific sites and localities will be identified at a later stage.

PREPARATION OF IMPACT MITIGATION INSTRUMENTS

Availability of khas and other public lands for EZ itself and any required off-site support infrastructures will basically determine the location of an EZ. Once a decision is finalized about the EZ site and land requirements for off-site infrastructures -- in view of the basic principles and guidelines stipulated to minimize adverse impacts -- the major preparation tasks will consist of,

- Preparing the land acquisition proposals (LAPs).** Where lands from private and public ownerships are to be acquired, LAPs will be prepared as per the Acquisition and Requisition of Immovable Property Act 2017. In case of temporary land requirement, the relevant authority can submit proposal to the DC office for requisition of land or the land can be taken from the people by negotiated settlement for a particular time. In that case a written agreement between the land owners and contractor should be signed. It is to be ensured in both cases that the land will be given back to the original owners with its actual condition.

- Land acquisition and RAP implementation cost will be paid by the GOB or Development Partner following the clause of the loan covenant.
- **Taking the PAP censuses and fixing the cut-off dates.** To prepare RPs and ARPs, censuses will assess details of the impacts and impacted persons/households with respect, but not limited, to the impact categories and compensation/assistance eligibility criteria proposed in this RSMF. The dates on which censuses are taken will constitute the cut-off dates for non-titled persons, and the dates on which the acquisition notice under Section 3 of the acquisition ordinance (Notice-3) is served will be the cut-off dates for private landowners. (Private landowners are not allowed to alter appearance of the lands by erecting new structures or otherwise, after the Notice-3 is served.)
- In case of sub-project specific RAP is required, the BEZA will ensure preparation of the RAP by a competent consulting firm following the ESS-5 and this RPF. Social Specialists of BEZA will review the RAP and the BEZA will approve it.
- **Identifying and developing the relocation sites for homestead losers.** The relocation sites will be selected well in advance and will be as close as possible to the EZs, wherein they currently live and know all about the income and livelihood sources around them.
- **Conducting the market price surveys.** To determine the replacement costs of lands, houses/structures and other replaceable, and market prices of irreplaceable affected assets, which are all required to prepare the land acquisition and resettlement budget.

CONSULTATION, PARTICIPATION AND DISCLOSURE

BEZA will conduct meaningful consultation with displaced persons/affected persons, their host communities, and civil society for every project and subproject identified as having involuntary resettlement impacts. Meaningful consultation is a process that: (i) begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues. Consultation will be carried out in a manner commensurate with the impacts on affected communities. The IA will pay particular attention to the need of disadvantaged or vulnerable groups, especially those below the poverty line, the landless, the elderly, female headed households, women and children, Indigenous Peoples, and those without legal title to land. BEZA will submit the following documents to WB for disclosure on WB's website: *a draft resettlement plan and/or resettlement framework endorsed by the BEZA before project appraisal; the final resettlement action plan endorsed by the BEZA after the census of affected persons has been completed; a new resettlement plan or an updated resettlement action plan, and a corrective action plan prepared during project implementation, if any; and the resettlement monitoring reports.*

BEZA will provide relevant resettlement information, including information from the above mentioned documents in a timely manner, in an accessible place and in a form and language understandable to affected persons and other stakeholders. In case there is no impact and no RAP, BEZA will make disclosure of the same informing the main villages, habitations, market places along the corridor that no land or structure, irrespective of their title will be affected by any activities of this project. The report of this disclosure giving detail of date, location will be shared with WB. The details on consultation process and

disclosure at various phases of project development including the responsible agency are described in the following table.

Table : Consultation and Disclosure Roles and Responsibilities

Project Phase	Activities	Details	Responsible Agency
Project Initiation Stage	Subproject information dissemination of various components; Disclosure of preliminary plans for proposed land acquisition; Preliminary Information sharing about the tentative alignment/sites with the Aps in case of temporary impact on business, income and livelihood.	-Leaflets posted or distributed containing information on the project. -Public notice issued in public places including newspapers and direct consultation with APs.	BEZA
RAP Preparation Phase	Stakeholder consultations.	-Further consultations with APs and households, titled and non-titled. -Summary RPF made available to all APs at the convenient place which is easily accessible and should be in local language.	BEZA
	Disclosure of final entitlements and rehabilitation packages and disclosure of draft RAP.	RAPs disclosed to all APs in local language	BEZA
	Finalization of RAP.	-Review and approval of RAP by BEZA. -Review and clearance of RAP by World Bank (prior to award of contract). Web disclosure of the RAP. Disclosure of the Final RAP to APs	BEZA
RAP Implementation Stage	Ongoing consultation with APs during RAP implementation.	-Continued discussions and information disclosure to APs; -Payment of entitlements (all compensation must be paid before displacement occurs). -Grievance Redress Mechanism activated. -Written notification from BEZA to WB that all compensation paid before displacement occurs. Construction can begin on sections where compensation is paid and community notified of start date of civil works. - APs with unresolved grievances or disputes over land ownership, compensation amounts, etc. are notified of any compensation payments set aside by EA/IA in separate escrow accounts to be paid when disputes are resolved.	BEZA

GRIEVANCE REDRESS MECHANISM (GRM)

BEZA will ensure that the public, particularly those directly affected by the project components will have the chance to express their legitimate grievance or to file a complaint about the project by setting up a mechanism to address the issues raised. A two-tier bottom up GRC system will be established in this Project. First, there will be GRCs at the local level, hereafter called Local GRC (union/municipality level); and second, GRC at the project level to give room for grievances to be fairly reviewed. The APs will be informed through public consultation that they have a right to have their grievances redressed by the local committees as well as by the project management.

To provide a more structured local level GRM, project-level grievance redress mechanism, a grievance redress committee (GRC) will be formed as soon as the funding of the project becomes effective and will continue until project completion. The PD will act as the convener and members of the GRC will be representative from the NGO, chair of the union where the project is located, a witness for the AP, and a representative from a local group (i.e. religious, teacher, etc.). There will be two entry points in filing a complaint(s) as follows:

First level – affected persons (APs) will be informed in writing or by phone call/sms/email to the conveyor of local level GRC of their losses and entitlements. If APs agree with the conditions of entitlements, they can claim for the payments from the EA as per entitlement policy of the RAP. GRCs at the union/municipality level (community level) will be formed with representatives from Project site manager (BEZA), local elected representatives from the Local Government Institutions (LGI), representatives of the affected persons (preferably women representative in case of women AP's), and RAP implementing NGO. There will be one GRC at local (union/municipality) level by the project to make it accessible to affected people both in terms of distance and time.

Second level – if the APs disagree, he/she can be approached to PMU for clarifications. The PMU will respond to queries within two weeks. Grievances raised will be documented providing details on the person, concern(s) raised, and the action taken by the PMU. If the AP(s) is satisfied, the compensation and benefits will be paid as per policy of the RAP. . The Project-Level GRC will review all unresolved cases forwarded to by Local GRCs. It will be headed by the Project Director (PD). The Project-level GRC with representation of senior elected official and civil society member will make decision by further investigation, where required, and establish fairness and transparency in the resolution of disputes or grievances. In specific cases, Project-level GRC may seek legal advice from the Legal Advisor, if required.

The GRC will meet once a month to deliberate on the complaint(s), if any and will keep a record of the grievances. The record will include the contact details of the complainant, date the complaint was received and the nature of the complaint, agreement on corrective actions and the date it was enforced, and the final outcome. Complaints received, with appropriate documentation, will become part of the environmental and social monitoring reports submitted to WB.

PMU will ensure that the grievance redress mechanism maintains a transparent process that is gender and special needs-responsive, culturally-appropriate and easily accessible to all project affected people at no costs and without retribution. The proposed mechanism does not impede access to the country's judicial or administrative remedies.

IMPLEMENTATION ARRANGEMENT

BEZA has developed this Resettlement Policy Framework to guide the land acquisition and resettlement activities under the PRIDE project. A set of professionals including Resettlement Specialist have been working in the BEZA. The institutional arrangement of BEZA is aligned as per this

framework. BEZA will appoint Consulting Firm/NGO as a RAP implementing agency (IA) for preparation and or implementation of the land acquisition and RAP. BEZA will supervise and monitor the activities of the RAP IA.

In the institutional arrangement procedure, Project Director, and Team Leader/Deputy Team Leader will be directly involved. The PD and DPD would be supported by Environmental and Social Specialists. Under PMU, there will be relevant officials and consultants to support the PD.

The E&S unit and PMU will submit monthly and quarterly progress reports on Environmental and Social Compliances to GM (P&D). After reviewing it will be sent to World Bank. Institutional setting and implementation arrangement of BEZA for environmental and social issues is shown in Error! Reference source not found.1.

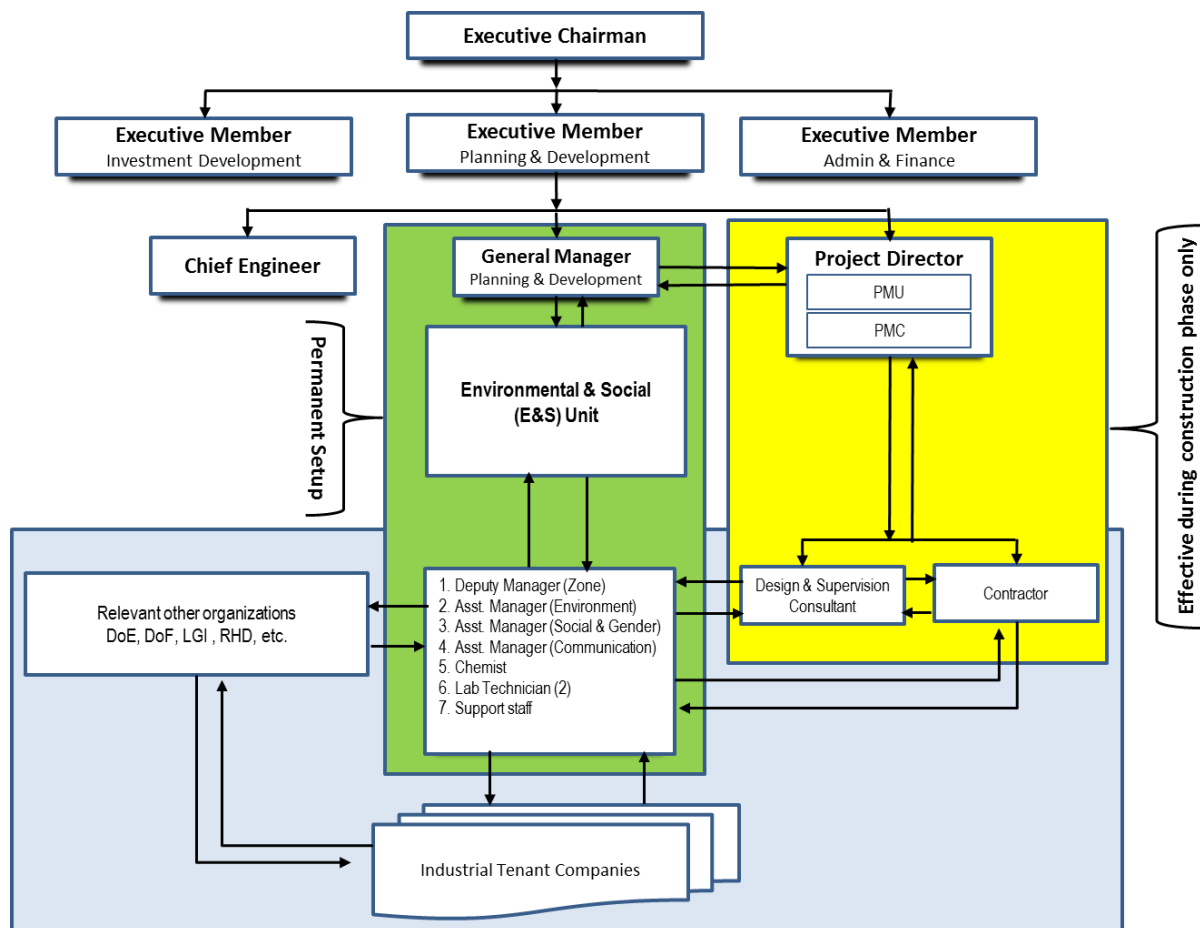


Figure 1: Institutional Arrangement

BUDGET AND FINANCING

Detailed budget estimates for land acquisition and involuntary resettlement will be prepared for RAP, by BEZA with the help from PMU which will be included in the overall project estimate. The budget will include (i) detailed costs of land acquisition, assistance, relocation, and livelihood, income restoration and administrative cost, (ii) source of funding, (iii) arrangements for approval, and (iv) the flow of funds and contingency arrangements. All land acquisition funds will be provided by the IA. All land acquisition,

compensation, assistance, relocation and rehabilitation of income and livelihood will be considered as an integral component of project costs. An indicative budget for land acquisition and resettlement has been estimated in BDT by taking into account of the potential private land acquisition, compensation for crops, trees, resettlement benefits such as transition allowances, tenancy right, vulnerability and livelihood development program implementation cost.

Impact	Allowances	Rate (BDT)	Unit (Acre/ No.)	Budget (BDT)	Budget in USD (1 USD=84.76)
Loss of private land, trees, crops (Estimated that 50 Acre private land will be acquired)	Replacement cost for land	10,000,000	50	500,000,000	5,899,009
	Standing Crops	45,000	50	2,250,000	26,546
	Transition allowance for a maximum of one year	60,000	50	3,000,000	35,394
	Tree loss	5,000	500	2,500,000	29,495
Impact on Income sources	Resettlement binifit for sharecroppers	22,500	10	225,000	2,655
	Poor, women headed and vulnerable HHs	15,000	200	3,000,000	35,394
Implementatio n of Livelihood Restoration Program	Training and seed money to Poor, women and vulnerable HHs	40,000	200	8,000,000	94,384
Total				518,975,000	6,122,876

The IA will deposit the money to the concerned department for the disbursement of compensation to the affected people for land acquisition and resettlement. However, in the case of assistance and other rehabilitation measures, the IA through their PMU will directly pay the money or any other assistance as stated in the resettlement plan to affected persons by means of a cheque payment into their individual accounts. The IA will keep provisional money out of its annual plan including contingency for the resettlement cost and this provisional amount will be planned at the early stage of their annual plan so that the resettlement process won't get delayed.

MONITORING AND REPORTING

Monitoring will be the responsibility of the BEZA. The implementation of RAP will be closely monitored. Regular monitoring activities will be carried out internally by PMU to provide WB with an effective basis for assessing resettlement progress and identifying potential difficulties and problems. The extent of monitoring activities, including their scope and periodicity, will be commensurate with the project's risks and impacts. Monitoring will involve (i) administrative monitoring to ensure that implementation is on schedule and problems are dealt with on a timely basis; (ii) socio-economic monitoring during and after

any resettlement impact utilizing baseline information established through the socio-economic survey undertaken during project sub- preparation; and (iii) overall monitoring to assess status of affected persons. The IA is required to implement measures as provided in the ESCP, and to submit semiannual monitoring reports on their implementation performance. BEZA through its PMU will (i) monitor the progress of implementation of mitigation plans, (ii) verify the compliance with measures and their progress toward intended outcomes, (iii) document and disclose monitoring results and identify necessary corrective and preventive actions in the periodic monitoring reports, (iv) follow up on these actions to ensure progress toward the desired outcomes, and (v) submit semiannual monitoring reports on safeguard measures as agreed with WB.

Monitoring will include daily planning, implementation, feedback and troubleshooting, individual affected person file maintenance, community relationships, dates for consultations, number of appeals placed and progress reports. BEZA through its PMU will be responsible for managing and maintaining affected person databases, documenting the results of the affected person census. Monitoring reports documenting progress on resettlement implementation and resettlement plan completion reports will be provided by BEZA through its PMU to WB for review.

Annex A. INVOLUNTARY RESETTLEMENT IMPACT CATEGORIZATION CHECKLIST (To be filled up by BEZA)

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
Involuntary Acquisition of Land				
1. Will there be land acquisition?				
2. Is the site for land acquisition known?				
3. Is the ownership status and current usage of land to be acquired known?				
4. Will easement be utilized within an existing Right of Way (ROW)?				
5. Will there be loss of shelter and residential land due to land acquisition?				
6. Will there be loss of agricultural and other productive assets due to land acquisition?				
7. Will there be losses of crops, trees, and fixed assets due to land acquisition?				
8. Will there be loss of businesses or enterprises due to land acquisition?				
9. Will there be loss of income sources and means of livelihoods due to land acquisition?				
Involuntary restrictions on land use or on access to legally designated parks and protected areas				
10. Will people lose access to natural resources, communal facilities and services?				
11. If land use is changed, will it have an adverse impact on social and economic activities?				
12. Will access to land and resources owned communally or by the state be restricted?				
Information on Displaced Persons:				
Any estimate of the likely number of persons that will be displaced by the Project?				<input type="checkbox"/> No <input type="checkbox"/> Yes If
yes, approximately how many?				
Are any of them poor, female-heads of households, or vulnerable to poverty risks?				
Are any displaced persons from indigenous or ethnic minority groups?				

Note: The project team may attach additional information on the project, as necessary.

Annex 2: OUTLINE OF RESETTLEMENT ACTION PLAN

The comprehensiveness of a resettlement plan would be according to the potential involuntary resettlement impacts/ risks and size of the project. The resettlement plan must adequately address all involuntary resettlement issues pertaining to the project, describes specific mitigation measures that will be taken to address the issues and outlines institutional requirement and resources required to implementation of the RAP. The following outline of RAP is suggested for the present project.

Executive Summary

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

Project Description

This section provides a general description of the project, discusses project components that result in land acquisition, involuntary resettlement, or both and identify the project area. It also describes the alternatives considered to avoid or minimize resettlement. Include a table with quantified data and provide a rationale for the final decision.

Scope of Land Acquisition and Resettlement

This section:

discusses the project's potential impacts, and includes maps of the areas or zone of impact of project components or activities; describes the scope of land acquisition (provide maps) and explains why it is necessary for the main investment project; summarizes the key effects in terms of assets acquired and displaced persons; and provides details of any common property resources that will be acquired.

Methodology for Impact Assessment

This section outlines the methodology and tools adopted for resettlement screening; land acquisition planning; socioeconomic survey; census survey or inventory of assets and livelihood loss; consultation with stakeholders.

Socioeconomic Information and Profile

This section outlines the results of the social impact assessment, the census survey, and other studies, with information and/or data disaggregated by gender, vulnerability, and other social groupings, including define, identify, and enumerate the people and communities to be affected; describe the likely impacts of land and asset acquisition on the people and communities affected taking social, cultural, and economic parameters into account; discuss the project's impacts on the poor, indigenous and/or ethnic minorities, and other vulnerable groups; and identify gender and resettlement impacts, and the socioeconomic situation, impacts, needs, and priorities of women.

Stakeholders Consultation and Participation

This section:

identifies project stakeholders, especially primary stakeholders; describes the consultation and participation mechanisms to be used during the different stages of the project cycle; summarizes the results of consultations with affected persons (including host communities), and discusses how concerns raised and recommendations made were addressed in the resettlement plan; and describes the process for consultation with affected persons during project implementation.

Legal Framework

This section:

describes national and local laws and regulations that apply to the project and identify gaps between local laws and WB's policy requirements; and discuss how any gaps will be addressed; describes the legal and policy commitments from the executing agency for all types of displaced persons; outlines the principles and methodologies used for determining valuations and compensation rates at replacement cost for assets, incomes, and livelihoods; and set out the compensation and assistance eligibility criteria and how and when

compensation and assistance will be provided; describes the land acquisition process and prepare a schedule for meeting key procedural requirements.

Entitlements, Assistance and Benefits

This section:

defines displaced persons' entitlements and eligibility, and describes all resettlement assistance measures (includes an entitlement matrix); specifies all assistance to vulnerable groups, including women, and other special groups; and outlines opportunities for affected persons to derive appropriate development benefits from the project.

Relocation

This section:

describes options for relocating housing and other structures, including replacement housing, replacement cash compensation, and/or self-selection (ensure that gender concerns and support to vulnerable groups are identified); describes alternative relocation sites considered; community consultations conducted; and justification for selected sites, including details about location, resettlement plan of sites, and development needs; provides timetables for site preparation and transfer; describes the legal arrangements to regularize tenure and transfer titles to resettled persons; outlines measures to assist displaced persons with their transfer and establishment at new sites; describes plans to provide civic infrastructure; and explains how integration with host populations will be carried out.

Income Restoration and Rehabilitation

This section:

identifies livelihood risks and prepare disaggregated tables based on demographic data and livelihood sources; describes income restoration programs, including multiple options for restoring all types of livelihoods (examples include project benefit sharing, revenue sharing arrangements, joint stock for equity contributions such as land, discuss sustainability and safety nets); outlines measures to provide social safety net through social insurance and/or project special funds; describes special measures to support vulnerable groups; explains gender considerations; and describes training programs.

Resettlement Budget and Financing Plan

This section:

provides an itemized budget for all resettlement activities, including for the resettlement unit, staff training, monitoring and evaluation, and preparation of resettlement plans during loan implementation; describes the flow of funds (the annual resettlement budget should show the budget- scheduled expenditure for key items); includes a justification for all assumptions made in calculating compensation rates and other cost estimates (taking into account both physical and cost contingencies), plus replacement costs; includes information about the source of funding for the resettlement plan budget.

Information Disclosure

This section:

describes the activities undertaken to disseminate project and resettlement information during project design and preparation for engaging stakeholders; confirms disclosure of the draft resettlement plan to affected persons and includes arrangements to disclose any subsequent plans; and describes the planned information disclosure measures (including the type of information to be disseminated and the method of dissemination) during project implementation.

Grievance Redress Mechanism This section describes mechanisms to receive and facilitate the resolution of affected persons' concerns and grievances. It explains how the procedures are accessible to affected persons and gender sensitive.

Institutional Arrangements

This section:

describes institutional arrangement responsibilities and mechanisms for carrying out the measures of the resettlement plan; includes institutional capacity building program, including technical assistance, if required; describes role of NGOs, if involved, and organizations of affected persons in resettlement planning and management; and describes how women's groups will be involved in resettlement planning and management,

Implementation Schedule

This section includes a detailed, time bound, implementation schedule for all key resettlement and rehabilitation activities. The implementation schedule should cover all aspects of resettlement activities synchronized with the project schedule of civil works construction, and provide land acquisition process and timeline.

Monitoring and Reporting

This section describes the mechanisms and benchmarks appropriate to the project for monitoring and evaluating the implementation of the resettlement plan. It specifies arrangements for participation of affected persons in the monitoring process. This section will also describe reporting procedures.