Government of The People’s Republic of Bangladesh
Ministry of Shipping

Bangladesh Trade and Transport Studies RETF NLTA Project
(P148881)
Bangladesh Regional Connectivity Project 1
(P154580)
World Bank-Assisted

Small Ethnic and Disadvantaged Communities Development Framework (SEDCDF)
Final Report

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# Table of Contents

Acronyms and Abbreviations .............................................................................................................. 6
Executive Summary ............................................................................................................................... 8
1. Introduction ....................................................................................................................................... 12
  1.1 Background ................................................................................................................................. 12
  1.2 Purpose of The Studies ............................................................................................................... 12
  1.3 SEDCDF Study Methodology ................................................................................................. 13
2. Policy and Regulatory Framework ................................................................................................. 14
  2.1 Introduction ................................................................................................................................. 14
  2.2 Social Policies, Laws and Regulations of GoB ........................................................................... 14
    2.2.1 Constitutional Provisions .................................................................................................... 14
    2.2.2 The Acquisition and Requisition of Immovable Property Ordinance, 1982 .......................... 15
    2.2.3 Other Relevant Acts ............................................................................................................. 16
      2.2.3.1 National Land-use Policy, 2001 ....................................................................................... 16
      2.2.3.2 The East Bengal State Acquisition and Tenancy Act 1950 (Act XV of 1951) ......... 16
      2.2.3.3 Bangladesh Labor Act, 2006 ......................................................................................... 17
      2.2.3.4 Regulation Related to Children ..................................................................................... 18
      2.2.3.5 Regulation Related to Women ...................................................................................... 20
  2.3 Operational Policies and Directives of The World Bank ............................................................. 20
    2.3.1 Applicable World Bank Policies to Component 2 investments ........................................ 21
    2.3.2 Involuntary Resettlement (OP/BP 4.12) ............................................................................ 23
    2.3.3 Public Consultation and Disclosure Requirements by The World Bank ...................... 23
      2.3.3.1 Consultations .................................................................................................................. 23
      2.3.3.2 Disclosure ..................................................................................................................... 24
  3. Project Description ......................................................................................................................... 25
  3.1 Project Development Objective ................................................................................................. 25
  3.2 Project Description ....................................................................................................................... 25
    3.2.1 Project Components ............................................................................................................. 25
      3.2.1.1 Component 1: Investments in infrastructure, systems and procedures to modernize and improve key land ports essential for trade with India and Bhutan (US$75 million) (BLPA-managed Component) .................................................. 25
      3.2.1.2 Component 2: Enhance trade sector coordination and productive capacity (managed by Ministry of Commerce, WTO Cell) ................................................................................................................................. 25
      3.2.1.3 Component 3: National Single Window Implementation and Strengthening Customs Modernization (US$67 million) ......................................................................................................................... 26
    3.2.2 Proposed Developments in Land Ports .................................................................................. 27
    3.2.3 Proposed Developments in Bhomra Land Port ..................................................................... 27
      3.2.3.1 Existing Facilities ........................................................................................................... 27
      3.2.3.2 Proposed Facilities ........................................................................................................ 28
    3.2.4 Development of new Sheola Land Port .............................................................................. 30
      3.2.4.1 Existing Facilities .......................................................................................................... 30
3.2.4.2 Proposed Facilities.................................................................30
3.3 Implementing Agency and other Agencies Present at the Border ........32
3.4 Implementation Schedule............................................................33
3.5 Land Ports – General and Common Principles ................................33
3.5.1 Operational Options.................................................................33
3.5.2 Procedures..................................................................................34
3.6 Land Ports – Infrastructure Requirements – Land Requirement ..........34
4. Socio-Economic Baseline.....................................................................36
  4.1 Introduction....................................................................................36
  4.1.1 Economy..................................................................................36
  4.1.2 Rivers......................................................................................37
  4.1.3 Climate....................................................................................37
  4.1.4 Agriculture ..............................................................................37
  4.1.5 Industry..................................................................................37
  4.2 Information on Sub-Project Locations ............................................38
  4.2.1 Bomra Land Port .......................................................................38
  4.2.1.1 Position ................................................................................38
  4.2.1.2 Traffic ..................................................................................39
  4.2.1.3 Present Features ....................................................................40
  4.2.1.4 Current Development Plans ..................................................40
  4.2.2 Sheola Land Port .......................................................................41
    4.2.2.1 Location ..............................................................................41
    4.2.2.2 Traffic ................................................................................42
  4.3 Gender Issues................................................................................38
  4.4 Consultations..................................................................................43
  4.4.1 Objectives of Consultations .......................................................45
  4.5 Project Impacts...............................................................................45
    4.5.1 Proposed Management Measures ..........................................46
5. Small Ethnic and Disadvantaged Communities Development Framework (SEDCDF) .............................................................................47
  5.1 Introduction ...................................................................................47
    5.1.1 Small Ethnic Communities Consultation and Participation ..........47
    5.1.1.1 Negative Attributes ...............................................................48
    5.1.2 Implementation Strategy............................................................49
      5.1.2.1 Baseline Survey ..................................................................49
      5.1.2.2 SE Communities .................................................................49
      5.1.2.3 Community Infrastructure Works .........................................49
      5.1.2.4 Social Assistance .................................................................50
    5.1.3 Linkages and Leverages ..............................................................51
    5.1.4 Institutional Arrangements.........................................................51
    5.1.5 Monitoring and Evaluation .......................................................51
List of Tables

Table 1: Operational Policy and Directives of World Bank .......................................................... 21
Table 2: Details of Proposed Facilities at Bhomra Land Port .......................................................... 29
Table 3: Details of Proposed Facilities at Sheola ............................................................................. 31
Table 4: Implementation Schedule of the Project ............................................................................ 33
Table 5: Amount of Exports and Imports at Bhomra Land Port (July 2014 to June 2015) .......... 40
Table 6: Amount of Exports and Imports at Sheola Land Customs Station ............................... 42
Table 7: Summary of FGDs at Ramgarh and Thegamukh .............................................................. 43

List of Figures

Figure 1: Existing Bhomra Land Port and Proposed Areas for Development .............................. 29
Figure 2: Layout of Proposed Sheola Land Port ............................................................................ 31
Figure 3: Locations of Bhomra Land Port ................................................................................... 39
Figure 4: Location of the Proposed Sheola Land Port ................................................................. 42
Acronyms and Abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>AD</td>
<td>Alluvion-Diluvion</td>
</tr>
<tr>
<td>ARtribalO</td>
<td>Acquisition and Requisition of Immovable Property Ordinance</td>
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<tr>
<td>BBS</td>
<td>Bangladesh Bureau of Statistics</td>
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<td>BLPA</td>
<td>Bangladesh Land Ports Authority</td>
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<tr>
<td>BP</td>
<td>Bank Policy</td>
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<td>CCL</td>
<td>Cash Compensation under Law</td>
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<td>CENA</td>
<td>Capacity Enhancement Needs Assessment</td>
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<tr>
<td>CHTs</td>
<td>Chittagong Hill Tracts</td>
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<td>CLAC</td>
<td>Central Land Allocation Committee</td>
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<td>CMP</td>
<td>Current Market Price</td>
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<td>DC</td>
<td>Deputy Commissioner</td>
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<td>EA</td>
<td>Environmental Assessment</td>
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<td>EC</td>
<td>Entitlement Category</td>
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<td>EHS</td>
<td>Environmental, Health, and Safety</td>
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<td>EIA</td>
<td>Environmental Impact Assessment</td>
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<td>EMF</td>
<td>Environmental Management Framework</td>
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<td>EMIS</td>
<td>Environmental management Information System</td>
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<td>EP</td>
<td>Entitled Person</td>
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<tr>
<td>ESIA</td>
<td>Environmental and Social Impact Assessment</td>
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<tr>
<td>ESMP</td>
<td>Environmental and Social Management Plan</td>
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<tr>
<td>FGD</td>
<td>Focus Group Discussions</td>
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<td>FPIC</td>
<td>Free Prior Informed Consultation (and Consent)</td>
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<td>GMP</td>
<td>Gender Mainstreaming Plan</td>
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<td>GoB</td>
<td>Government of Bangladesh</td>
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<td>GP</td>
<td>Gram Parishad</td>
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<td>GRM</td>
<td>Grievance Redress Mechanism</td>
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<td>Gram Sabha</td>
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<td>House Construction Grant</td>
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<td>Homestead Development Allowance</td>
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<td>International Development Association</td>
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<td>International Labour Organization</td>
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<td>INGO</td>
<td>Implementation NGO</td>
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<td>KII</td>
<td>Key Informants Interview</td>
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<td>Land Acquisition</td>
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<td>LAP</td>
<td>Land Acquisition Proposal</td>
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<td>MEAL</td>
<td>Monitoring Evaluation Audit Learning</td>
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<td>MoL</td>
<td>Ministry of Land</td>
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<td>MoS</td>
<td>Ministry of Shipping</td>
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<td>NGOs</td>
<td>Non-governmental Organizations</td>
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<td>PAPs</td>
<td>Project Affected Persons</td>
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Executive Summary

Introduction

The proposed ‘Bangladesh Regional Connectivity Project 1’ aims to develop land ports in Bangladesh. The Project Development Objective is to lower time and costs associated with trade and improve infrastructure and conditions for trade along strategically important regional transport corridors. The key components of this project are the following:

Component 1: Investments in infrastructure, systems and procedures to modernize and improve connectivity of key land ports essential for trade with India and Bhutan (BLPA-managed Component): This component consists of a) Component 1a: Land Ports Infrastructure, b) Component 1b: Land Port Modernization and Process/Efficiency Improvement, c) Component 1c: Preparation Studies and Activities to Enhance Connectivity of Land Ports and Project Implementation Support.

Component 2: Support coordination for trade, and economic empowerment opportunities for women (IDA US$7 million managed by Ministry of Commerce, WTO Cell). This component consists of a) Component 2a: Support the (Inter-ministerial) National Trade and Transport Facilitation Committee and b) Component 2b: Develop (pilot) programs to support female traders and entrepreneurs.

Component 3: National Single Window Implementation and Strengthening Customs Modernization.

Social Impact Assessment

For Component 1 on investment in infrastructure, systems and procedures to modernize and improve key land ports essential for trade with India and Bhutan (BLPA managed component), a detailed Environmental and Social Impact Assessment (ESIA) has been prepared and subsequently a Resettlement Action Plan is prepared for Sheola land port. The present Resettlement Policy Framework (RPF) is developed to (i) ensure all relevant social issues are mainstreamed into the design and implementation of the proposed subcomponents or subprojects. This details the guidelines to be followed for the major activities to be carried out for SIA (including RAP) of specific subprojects. The preparation of RPF has used a time tested methodology of review, data collection, analysis, consultation and framework preparation. This RPF is applicable for the whole project covering all 3 components.

Policy and Regulatory Framework

In Bangladesh Land acquisition is governed by the Acquisition and Requisition of Immovable Property Ordinance, 1982 (Ordinance II of 1982). There is no national policy in Bangladesh governing social effects of infrastructure development projects on the project area communities. However, the Constitution of Bangladesh provides some rights to the affected persons, communities and groups those are not upheld in the Ordinance II of 1982. The other relevant acts are National Land use Policy, 2001, Bangladesh Labour Act 2006, etc.
Among the World Bank Safeguards, from a social perspective, the Involuntary Resettlement (OP/BP 4.12) is triggered. This policy includes safeguards to address and mitigate the impoverishment risks due to involuntary resettlement. From the social safeguards perspective, the other triggered polices are, public consultation and disclosure requirements of The World Bank, which needs to be met with.

Overall Project and Components

The land port facilities to be built include Parking lots, (If necessary) Trans-loading bays, (If necessary), additional trans-loading area allowing back-to-back trans-shipping without using the docking area - e.g., in the case of refrigerated cargo, Inspection area, Temporary storage space (i.e., warehouses) for whatever goods cannot be cleared immediately, or are seized by Customs - with a specific area secured in the warehouse for the latter, Detailed inspection sheds for trucks and other vehicles subjected to a secondary check (which should not exceed five percent of all traffic), A small refrigerated facility for perishable goods, (If necessary) Specific and protected storage for hazardous material, Buffer space to avoid queues building-up before reaching a control position and A sensible through-traffic arrangement, with by-pass capacity, to avoid one vehicle blocking all the others upstream. All the above infrastructure would require land.

The facilities shall specifically incorporate the needs of women users (such as toilet facilities for women, women-only waiting rooms) and differently abled users, and address safety-related issues for all users. All terminals will be provided with separate women counters, waiting rooms and toilets for women passengers, and ramps for movement of differently abled people. All the land ports will be provided with drinking water facilities.

Socio-Economic Baseline

Bangladesh’s geographical Location is at Latitude between 20°34' and 26°38' North and Longitude between 88°01' and 92°41' East. Bangladesh has an area of 147,570 sq. km. (land: 133,910 sq km, water: 10,090 sq km). It has a coastline of 580 km. Bangladesh has 7 Divisions; Dhaka, Chittagong, Khulna, Sylhet, Rajshahi, Barisal and Rangpur, 64 Districts and 487 Sub districts/Upazilas. The project area passes through 10 Districts covering 17 Upazilas (Sub-district) including Dhaka.

Bangladesh has a population of 150 million (2011 Census Report by BBS). The present Population Growth Rate of Bangladesh is 1.59%. The present literacy rate is about 50% among which the male literacy is 50% and female literacy is 46%. Bangladesh is predominantly a Muslim populace (86.6%) followed by Hindus (12.1%), Buddhists (0.6%), Christians (0.4%) and others (0.3%). The sex ratio is 99.68%. The predominant ethnic group is Bengalis (98%) followed by other tribal minority (2%) including Chakmas, Marmas, Santals, Garos, Manipuri, Tripura, and Tanchangya. The GDP is $1,044 (per capita in 2013). The poverty level is at 25% (People living with $2 per day).

The principal rivers are Padma, Meghna, Jamuna, Surma, Brahmaputra, Most parts of Bangladesh are less than 12 m (39.4 ft) above sea level, and it is estimated that about 10% of the land would be flooded if the sea level were to rise by 1 m (3.28 ft). The temperature ranges are in winter 11° C - 20° C (October - February) and in summer 21° C - 38° C (March -
September). The rain fall range is 1,100 mm to 3,400 mm (June - August). The Humidity is highest 99% (July) and lowest 36% (December & January).

The principal crops are Rice, Jute, Tea, Wheat, Sugarcane, Pulses, Mustard, Potato, Vegetables. The Principal Industries are Garments & Textiles (2nd largest in the world), Tea, Ceramics, Cement, Leather, Jute (largest producer in the world), Chemical, Fertilizer, Shrimp Processing, Sugar, Paper, Electric and Electronics, Medicine, Fishing.

Similar to other regions of this lower middle income country, in the project area too, the efforts of women in socio-economic development and well-being of their family and surroundings is rather unrecognized. The study findings indicate that the project sites offer minimal opportunities to women. In addition to that, the study also reveals that decision making role of women in the household is negligible with only very few households being headed by women. On the contrary, better trade, communication and transport facility may create more choices for their economic pursuit. Majority of the participants believed that the project will bring more employment opportunities to women in addition to education, which will play a role in gender balance and enhance their role in business. Other than that, some respondents also highlighted that with better trade, transport and communication facility, women will be able to receive better medical facility and overall situation for women will be developed.

Consultations

Field surveys, consultations with different stake holders and a national consultation workshop were carried out to develop a comprehensive Resettlement Policy Framework (RPF) for the Project. All the stakeholders and community representatives appreciated the project. The concerns of the consultation participants were mainly focused on providing income generating support to the affected persons, employment opportunities for the local people. A National Level Public Consultation Workshop was held at Dhaka on 10th August 2016, where the RPF was discussed and amended.

Impacts

The land ports require land to be acquired. The affected person include titleholders and non-titleholders such as encroachers, squatters and tenants; using the land for agriculture, commerce and residential purposes. This will lead to loss of livelihoods. It is possible that at some locations common property resources may get affected as well; though limited. Further access infrastructure such as roads will cause impacts as the present roads are narrow and they need to be widened for optimizing the capacity of the facilities built.

The key social impacts due to project interventions are Land acquisition and subsequent resettlement, Loss of Livelihoods, Inconvenience and nuisance during construction, Loss of access to CPRs and Likely increase in trade and transport related costs and procedures. For Shoela land port an RAP is prepared. The following social management measures are proposed in this Resettlement Policy Framework:
• Development and adopting a Resettlement Policy Framework (RPF) to be used for all sub-projects under this project. This RPF should serve as a guide for further SIA studies and for preparation of RAPs/ARAPs under this project.
• Integrate the rehabilitation of livelihoods into design of land ports and other infrastructure facilities. Designs to consider the following:
  • Livelihoods: such as integrating shops and vendors
  • Facilities for women such as: separate counters, waiting areas, sanitation, seating arrangements
  • Facilities for disabled
  • Arrangements to continue cultural practices
  • Design and general arrangement to be ready for impact identification and resettlement plan preparation
• Alternate temporary transit arrangements before resettlement
• Resettlement Policy Framework with clear entitlements
• Small Ethnic and Disadvantaged Communities Development Framework
• Grievance Redressal Mechanism
• Community Engagement in planning and implementation
• Gender Mainstreaming Plan
• Disclosure: disclosure of resettlement plans

Small Ethnic and Disadvantaged Communities Development Framework

This SEDCDF is prepared considering a) The ethnic and demographic characteristics of the affected population, b) The prevailing intuitions as family, religion, language and education and other indigenous variables and social stigma, c) This Plan will accommodate the local traditional leadership (as headman, karbari), gender issues, and civil and NGOs in their implementation plan, d) The land ownership pattern and availability of required land for taking up agriculture related livelihoods interventions, e) The positive and negative impacts on the prevailing institutions; both formal and informal and f) To ensure adequate and appropriate consultation and communication, and their participation and approval of their implementation of project inputs and mitigation plan.

The SEDCDF will be prepared for each village where the small ethnic minority population constitutes more than 5% of the village population. The objectives of the SEDCDF are a) to evolve a development process which fosters full respect for dignity, human rights and cultural integrity of SECs, b) to ensure that they do not suffer adverse effects during the development process and c) to take up economic benefit programs which are culturally and socially compatible.

Similar to the RPF as a whole, the guidelines provided in this section of the document are to ensure that adequate plans will be prepared for the sub-components of the project as necessary. These would correspond to the Indigenous Peoples Planning Framework under OP 4.10.
1. Introduction

1.1 Background

Bangladesh has embarked on an ambitious program for the construction or rehabilitation of its border stations ("land ports"). This ranges from "greenfield" projects, where there is practically no existing infrastructure, to the rehabilitation/extension of existing facilities (e.g., Sheola and Bhomra and other ports) or the provision of advice on design in the case of privately-operated border facilities.

In order to improve key multi-modal transport corridors and networks that would address current transport bottlenecks for trade and help boost national, regional and international trade for Bangladesh, the World Bank is providing a Recipient-Executed grant to the Government of Bangladesh (GoB) to finance economic, financial, technical, environmental and social safeguards studies and technical assistance for: (i) dredging of priority inland waterways; (ii) provision of vessels, navigational aids, and safety equipment and improvement of selected river ports along priority waterways; (iii) construction of a new container terminal and improving operational efficiency at Chittagong Port; (iv) investments in selected equipment and improving operational efficiency at Mongla Port; (v) addressing missing links for road and inland waterways to establish transport connectivity between Chittagong Port, Chittagong Hill Tracts Districts, and NE India; and (vi) improving selected key priority border posts. These interventions are expected to facilitate domestic trade, international trade with third countries, as well as regional trade with neighbouring countries including India, Nepal and Myanmar.

1.2 Purpose of The Studies

These studies are to conduct detailed feasibility and design studies for land ports in Bangladesh that border India including: Bhomra and Sheola. The studies include: (i) an evaluation of expected traffic (by traffic type) and evolution, for the initial operation of the border station, after one year, and with an extrapolation for the next five years; (ii) an evaluation of space requirements after drafting the staffing matrix showing the number of positions, hours of duty, accommodation needs in terms of office space, control positions, specialized facilities and housing and staff amenities; (iii) a flow chart for the handling of the different categories of traffic, roles of Customs and other border agencies; (iv) a (block) diagram showing traffic flows and location of the different functions and their position. Space requirements will be calculated according to traffic estimates, with a capacity for expansion should the need arise; (v) detailed design & estimation of different infrastructures and bid documents for the land ports; (vi) take into account the possibility of co-located, juxtaposed and other models of enhanced collaboration for bilateral border management; (vii) Drafting Initial Environmental Evaluations (IEEs), Environmental Impact Assessments (EIAs), and Environmental Management Plans.
(EMPs) for the proposed land ports; and (viii) Draft Social Impact Assessments (SIAs), Resettlement Policy Framework (RPF), Resettlement Action Plans (RAPs), and where necessary, Tribal People's Development Plans for the land ports. The studies expects to conduct consultations with broad stakeholders on the proposed works and their environmental and social impacts and management measures, as well as validate the draft designs with key stakeholders, before finalizing the studies.

1.3 SEDCDF Study Methodology

This SEDCDF has been prepared by Bangladesh Land Ports Authority under the guidance of Ministry of Shipping\textsuperscript{1}, Government of Bangladesh. The methodology followed in preparing the SEDCDF consists of the following steps:

- Review of the project details and meeting/discussions with various stakeholders including local communities
- Review of the policy and regulatory requirements
- Reconnaissance field visit and initial scoping and screening of the identified proposed investment sites to determine the key social parameters and aspects that are likely to be impacted by the project activities
- Collecting and analysis of baseline social data with the help of secondary literature review
- Consultations with the stakeholders including beneficiary/affected communities and developing the consultation process
- An initial assessment of the potential and likely impacts of the project activities
- Prepare an outline Social Management Plan
- Compilation of the present SEDCDF.

\textsuperscript{1}The MoS has appointed Dr. Bokepalli Kanaka Durga Raja, an individual International Social Consultant to help prepare the RPF.
2. Policy and Regulatory Framework

2.1 Introduction

This chapter deals with the laws, regulations and policies, of Government of Bangladesh, and the World Bank, related to social issues. Only the laws, regulations and policies relevant to the project are discussed here. This sections needs to be updated as when new laws, regulations and policies are made and enforced or the existing ones are revised.

2.2 Social Policies, Laws and Regulations of GoB

Infrastructure development projects using lands in Bangladesh are designed and implemented under the legislative and regulatory framework to compensate the affected persons due to land acquisition using the power of eminent domain. Whenever it appears to the Government that any property in any locality is needed or is likely to be needed for any public purpose or in the public interest, the property is acquired using existing laws and regulations. Land acquisition is governed by the Acquisition and Requisition of Immovable Property Ordinance, 1982 (Ordinance II of 1982). This ordinance supersedes earlier laws including the Land Acquisition Law of 1894 and others that have been in force between 1947 and 1982. In the case of CHTs, in addition to the ARtribalO, 1982, this will take into account the region’s legal context; the key pieces being the Chittagong Hill Tracts Regulation Act, 1900 and CHT (Land Acquisition) Regulation, 1958. The first formalizes the region’s administrative framework, revenue collection, land administration, and power and authority of the traditional institutions (e.g. Circle Chief and Headmen) while the second, specifically adopted to clarify the government’s authority for acquisition of land on the eve of the Kaptai dam construction in the early 1960s, still remains as the most important legal instrument for land acquisition in the region.

There is no national policy in Bangladesh governing social effects of infrastructure development projects on the project area communities. However the Constitution of Bangladesh provides some rights to the affected persons, communities and groups those are not upheld in the Ordinance II of 1982 which is the instrument followed for land acquisition. The active instruments under the legislative and regulatory framework in Bangladesh are discussed below:

2.2.1 Constitutional Provisions

The fundamental rights under the Constitution indicate the general guidelines for a policy on resettlement/rehabilitation of citizens adversely affected (whatever be the mechanism) due to any activity of the State. Article 40 of the constitution states categorically that every citizen has the right to practice any lawful occupation which implies that anything impeding such right (a) should not be done or (b) there should be
supplementary measures to make good the losses incurred by the citizen. Resettlement and rehabilitation of adversely affected people due to infrastructure projects very clearly falls within this requirement for supplementary measures. However, as per Article 42, sub-clause 2, no law with provision of compensation for acquisition of land can be challenged in a court on the ground that such compensation has been inadequate. However, under World Bank OP 4.12 Involuntary Resettlement, every affected person will have access to a project specific Grievance Redress Mechanism for dispute resolution before the matter is moved to the courts. Complaints, the resolution process and the outcome will be reviewed by the project proponents as well as the Bank. Until the dispute is resolved the funds for the disputed asset must be held in an escrow account (top-up payments due from the project agency can be held until the project closes; the amount placed with the DC may be held for 10 years or more if necessary).

2.2.2 The Acquisition and Requisition of Immovable Property Ordinance, 1982

The principal legal instrument governing land acquisition in Bangladesh is the Acquisition and Requisition of Immovable Property Ordinance, 1982 (Ordinance II of 1982 with amendments up to 1994) and other land laws and administrative manuals relevant to land administration in Bangladesh. According to the Ordinance, whenever it appears to the Government of Bangladesh that any property in any locality is needed or is likely to be needed for any public purpose or in the public interest, the Government can acquire the land provided that no property used by the public for the purpose of religious worship, graveyard and cremation ground. The 1982 Ordinance requires that compensation be paid for (i) land and assets permanently acquired (including standing crops, trees, houses); and (ii) any other damages caused by such acquisition. The Deputy Commissioner (DC) determines (a) market value of acquired assets on the date of notice of acquisition (based on the registered value of similar property bought and/or sold in the area over the preceding 12 months), and (b) 50% premium on the assessed value (other than crops) due to compulsory acquisition. The 1994 amendment made provisions for payment of crop compensation to tenant cultivators. The law specifies methods for calculation of market value of property based on recorded prices obtained from relevant Government departments such as Registrar (land), Public Works Department (structures), Department of Forest (trees), Department of Agriculture (crops) and Department of Fisheries (fish stock). Given that people devalue land during title transfer to minimize tax payment, compensation for land paid by DC including premium largely remains less than the actual market price.

The Ministry of Land (MOL) is authorized to deal with land acquisition. The MOL delegates some of its authority to the Commissioner at Divisional level and to the Deputy Commissioner at the District level. The Deputy Commissioners (DCs) are empowered by the MOL to process land acquisition under the Ordinance and pay compensation to the legal owners of the acquired property. Khas (government owned land) lands should be acquired first when a project requires both khas and private land. If a project requires
only khas land, the land will be transferred through an inter-ministerial meeting following the acquisition proposal submitted to DC or MOL as the case may be. The DC is empowered to acquire a maximum of 50 standard bigha (6.75 ha) of land without any litigation where the Divisional Commissioner is involved for approval. Acquisition of land more than 50 standard bigha is approved from the central land allocation committee (CLAC) headed by the chief executive of the Government of Bangladesh proposed by the MOL.

The land owner needs to establish ownership by producing record-of-rights in order to be eligible for compensation under the law. The record of rights prepared under 143 or 144 of the State Acquisition and Tenancy Act 1950 (revised 1994) are not always updated and as a result legal land owners have faced difficulties trying to “prove” ownership. The affected person has also to produce rent receipt or receipt of land development tax, but this does not assist in some situations as a person is exempted from payment of rent if the area of land is less than 25 bighas (3.37 ha).

2.2.3 Other Relevant Acts

2.2.3.1 National Land-use Policy, 2001

The Government of Bangladesh has adopted national Land use Policy, 2001. The salient features of the policy objectives relevant to the proposed areas follows:

➢ To prevent the current tendency of gradual and consistent decrease of cultivable land for the production of food to meet the demand of expanding population;
➢ To ensure that land use is in harmony with natural environment;
➢ To use land resources in the best possible way and to play supplementary role in controlling the consistent increase in the number of land less people towards the elimination of poverty and the increase of employment;
➢ To protect natural forest areas, prevent river erosion and destruction of hills;
➢ To prevent land pollution; and
➢ To ensure the minimal use of land for construction of both government and non-government buildings.

2.2.3.2 The East Bengal State Acquisition and Tenancy Act 1950 (Act XV of 1951)

The East Bengal State Acquisition and Tenancy Act 1950 (Act XV of 1951) provides the ownership of diluvion land (eroded into river) and alluvion land (accreted in situ). According to sections 86, 87, 88 and 89 of the act, the “original” owner(s) of private land eroded into rivers can claim the land if it reappears in a natural process within 30 years from the date of erosion provided, the total land holding of the original owner(s) does not exceed 60 standard bighas (8 ha). If land is developed artificially and not naturally, the government will enjoy absolute ownership of the land and no case can be filed at the court of alluvion land after 12 months of public notice by collector regarding possession
of the land. If a land emerges from the river or sea and that was never owned by any
private people, the government will possess the land. The line that demarcates the
diluvion land into the river is referred to as alluvion-diluvion line (AD line) to be
established and declared by the concerned Deputy Commissioner in a given year. Land
on the riverside of the AD line is public land and that on the country side is governed by
recorded ownership.

2.2.3.3 Bangladesh Labor Act, 2006

This Act pertains to the occupational rights and safety of factory workers and the
provision of a comfortable work environment and reasonable working conditions. In
the chapter VI of this law safety precaution regarding explosive or inflammable dust/gas,
protection of eyes, protection against fire, works with cranes and other lifting
machinery, lifting of excessive weights are described. And in the Chapter VIII provision
safety measure like as appliances of first aid, maintenance of safety record book, rooms
for children, housing facilities, medical care, group insurance etc. are illustrated.

For CHT

- CHT Regulations 1900 (popularly called, the CHT Manual)
  This is the key legal reference till date and defines the region’s administrative framework,
  land administration, revenue collection, power and authority of the traditional
  institutions (e.g. Circle Chief and Headmen) and justice system including ‘tribal justice’
  system. The Act has been amended a number of times since its adoption but still remains
  a key reference.

- Forest Act, 1927 (as amended in 2003)
  It is the key law on the administration of Forests in the country. It replaced the older
  (adopted in 1876) law and has been recently amended in 2003. For CHT, the law has a
  major impact, given 25% of the region is Reserve and Protected Forests, and with the
  Unclassed State Forests (USF), this percentage can be more than 60% of the region!

- Bazar Fund Rules, 1936
  The Rules were adopted by the British (and still in enforcement) regarding the
  management/administration of the markets (hat and bazaar). By doing so, these also
  frame out the land management in market areas.

- CHT (Land Acquisition) Regulation, 1958
  The Regulation replaces certain sections of the CHT 1900 Act but it was specifically
  adopted to clarify the government’s authority for acquisition of land on the eve of the
  Kaptai dam construction. In the process, it remains as the most important legal
  instrument for the government with regard to land acquisition in the region.
The HDCs (Bandarban, Rangamati and Khagrachari) Act, 1998 (along with the Schedule – 1)

A major piece of legislation for the decentralized governance of the CHT, Section 64 of the HDCs Act states;

Notwithstanding anything contained in any law for the time being in force, no land within the boundaries of Rangamati (and Khagrachari and Bandarban) Hill District shall be given in settlement without the prior approval of the Council and such land cannot be transferred to a person who is not a domicile of the said district without such approval.

Provided that, this provision shall not be applicable in case of areas within the Protected and Reserve Forests, Kaptai Hydroelectricity Project, Betbunia Earth Satellite Station, land transferred or settled in Government and Public interest, land and forest required for state purposes.

This is a very broad authority which in practice the HDCs have seldom exercised till date. Their weak institutional capacity and subservience to the ruling party may be the main explanation.

• CHT Accord 1997

The Accord does not have a ‘formal’ legal status but because of the key role it played in ‘formally’ ending the conflicts in the CHT, it might be considered as a de facto legal document and contains specific measures (e.g. CHT Land Dispute Resolution Commission, see below) for settling land disputes in the region.

• CHT Land Commission Act, 2001

The Act is one of the most important instruments coming out of the Peace Accord for resolution of land related disputes. The Commission, however, still remain non-functional and there is major disagreement between the Government and CHT Regional Council on a number of sections of the legal text. However, as of now there seems to be an understanding on an amended text which has been recently approved by the Cabinet for further scrutiny by the Parliament and for its eventual enactment.

• CHT Regional Council Act, 1998

The RC is a key authority for the region’s decentralized governance, hence potentially having major bearing on the land governance in the region. However, the institution remains hobbled by weak institutional capacity with overall pace of devolution of power from the central government in Dhaka to the CHT institutions (including CHTRC) remaining exceedingly slow.

2.2.3.4 Regulation Related to Children

The Employment of Children Act 1938

This act allowed for children aged 15 or up to work in the railway industry and in transporting goods in port jobs. It also allowed for children aged 15–17 to work night shifts that may last until the morning under certain stipulations such as resting for 13
consecutive hours, working under someone that is 18 years or older, or serving an apprenticeship. It prohibited children under 12 from working in hazardous industries but did not mention protection for children between the ages 12–18.

**The Factories Act 1965**
This act prohibited children under 14 to work in or be present in factories. Factories was defined as any place with more than 10 people employed. It also listed various protections for children from hazardous machines and operations. It prohibited any work duration of longer than 5 hours between 7pm to 7am. It also states the weight lifting limits for types of workers (male, female, child).

**Shops and Establishment Act 1965**
This act defined a shop or establishment as a place that employs 5 or more people. This act prohibited children under the age of 12 from working in any establishment. It allowed children aged 12–18 to work in establishments but limited the number of work hours to a maximum of 7 hours a day.

**The Constitution Of People's Republic of Bangladesh**
The Constitution of Bangladesh while guaranteeing the fundamental rights for the people prohibits all forms of forced labor under Article 34. Article 34 lays down that 'all forms of forced labor are prohibited and any contravention of this provision shall be an offense punishable in accordance with law'.

**National Child Labour Elimination Policy 2010**
The main objective of this policy is to make meaningful changes in the lives of the children by withdrawing them from all forms of child labour including the hazardous work and worst forms of child labour.

**The Children Act 2013**
The Children Act 2013 repealed the previous Children Act 1974 which was inconsistent with international standards particularly with the UN Convention on the Rights of the Child 1989. Section 4 of this Act provides that notwithstanding anything contained in any other law for the time being in force every person shall be deemed to be a child who is below the age of 18 years. Though there is no specific provision prohibiting child labor it proscribes and punishes some serious offenses against children including exploitation of children(section 80).

2.2.3.5 Regulation Related to Women
A number of existing laws has been amended and new legislations made to prevent woman and female child abuse in Bangladesh. Notables among these legislations are: dowry prevention act, prevention of marriage of minor girls, women and children repression prevention, etc.

**Women and Children Repression Prevention Act, 2000**
Under this act, Women Abuse Prevention Cell and rehabilitation centers for abused women have been established to give legal assistance and counseling for prevention of women and children abuse. Over and above, the District and Sessions Judge has fund to defray the cost as legal fee and other costs.

**Domestic Violence (Prevention and Protection) Act, 2010**
This act was passed for establishing equal rights of women and children as prescribed in the constitution of Bangladesh for ensuring protection of women and children from family violence. Domestic Violence Prevention and Protection Rules, 2013 were framed for implementing this act.

**Citizenship Act (amended), 2009**
The provision for giving citizenship by mother to child was made by the national parliament by amending the citizenship act in 2009.

**Mobile Court Act, 2009**
The executive magistrate was given power to take steps by linking Section 509 of the Bangladesh Penal Code in the schedule of Mobile Court Act to resist and prevent eve teasing and sexual harassment of the girls and women.

There are other acts such as Women and Children Violence Protection Law, 2000, Child Marriage Control Act, 2013 (Draft), Domestic Violence Act, 2010, etc.

Bangladesh is also a signatory state to the UN Charter on Prevention of All Forms of Discrimination to Women, 1979 and the Child Rights Charter 1989.

### 2.3 Operational Policies and Directives of The World Bank

The World Bank has developed a number of Safeguard Policies to ensure that all possible impacts are considered and mitigation measures are spelled out prior to the implementation of any proposed project. These policies ensure that the quality of operations is uniform across different settings worldwide. If the decision is taken that a Safeguard Policy should be applied, mitigation measures and plans must be developed and in place before the implementation of a proposed project.
The Bank requires screening and classification for all investment projects proposed for Bank financing, to help ensure that they are environmentally and socially sound and sustainable. Screening and classification take into account the environment and social aspects; including especially involuntary resettlement and presence of Tribal Peoples; cultural property; and trans-boundary and global environmental aspects. The relevant and applicable safeguards policies of the World Bank are also reviewed. The below table describes the relevant safe guard policies of the World Bank and discusses their applicability to the project.

2.3.1 Applicable World Bank Policies to Component 2 investments

The applicable World Bank policies for subprojects under Component 2 of the Project are given in Table 1.

Table 1: Operational Policy and Directives of World Bank

<table>
<thead>
<tr>
<th>Directive</th>
<th>Policy</th>
<th>Applicability for Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental Assessment</td>
<td>OP/BP 4.01</td>
<td>Triggered.</td>
</tr>
<tr>
<td>Natural Habitats</td>
<td>OP/BP 4.04</td>
<td>Triggered.</td>
</tr>
<tr>
<td>Indigenous Peoples</td>
<td>OP/BP 4.10</td>
<td>Triggered. Based on the field visits, there are tribal people in the project area. For this reason an Small Ethnic Disadvantaged Communities Development Plan (SEDCF) is prepared and included in this RFP for implementation.</td>
</tr>
<tr>
<td>Physical Cultural Resources</td>
<td>OP 4.11</td>
<td>OP 4.11</td>
</tr>
<tr>
<td>Involuntary Resettlement</td>
<td>OP/BP 4.12</td>
<td>Triggered. Land is required for project infrastructure facilities. First option would be to reduce land requirement and the next would be to go for government land. In case of private land acquisition the affected people will be compensated at replacement cost. Those who lose their livelihoods will be rehabilitated with their living standards restored or increased (in case of below poverty line people) as per the RPF. Affected people, women and other vulnerables will be engaged fully in the project activities as per RPF.</td>
</tr>
<tr>
<td>Forests</td>
<td>OP/BP 4.36</td>
<td>Not triggered.</td>
</tr>
<tr>
<td>Pest Management</td>
<td>OP 4.09</td>
<td>Not triggered.</td>
</tr>
<tr>
<td>Projects in International Waterways</td>
<td>OP/BP/GP 7.50</td>
<td>Not Triggered.</td>
</tr>
<tr>
<td>Projects in Disputed Areas</td>
<td>OP/BP 7.60</td>
<td>Not triggered.</td>
</tr>
<tr>
<td>Access to Information</td>
<td></td>
<td>The RPF will be disclosed in country (on BLPA website and in hard copy in locally accessible locations in the project area, including BLPA offices at all the existing and proposed terminals, shelters and landing stations) and also sent to WB InfoShop. All these instruments will be translated into Bangla</td>
</tr>
</tbody>
</table>
(local language) prior to disclosure and disclosed through above channels.
2.3.2 Involuntary Resettlement (OP/BP 4.12)

The World Bank’s experience indicates that involuntary resettlement under development projects, if unmitigated, often gives rise to severe economic, social, and environmental risks: production systems are dismantled; people face impoverishment when their productive assets or income sources are lost; people are relocated to environments where their productive skills may be less applicable and the competition for resources greater; community institutions and social networks are weakened; kin groups are dispersed; and cultural identity, traditional authority, and the potential for mutual help are diminished or lost. This policy includes safeguards to address and mitigate these impoverishment risks.2

The overall objectives of the Policy are given below.

- Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.
- Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.
- Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

2.3.3 Public Consultation and Disclosure Requirements by The World Bank

The Bank reaffirms its recognition and endorsement of the fundamental importance of transparency and accountability to the development process. Accordingly, it is Bank’s policy to be open about its activities and to welcome and seek out opportunities to explain its work to the widest possible audience.

2.3.3.1 Consultations

The present project is categorized as Category B project. For all Category A and B projects the borrower should consult all the stakeholders including the project-affected groups and local non-governmental organizations (NGOs) about the project’s environmental and social aspects and takes their views into account. The borrower should initiate such consultations as early as possible. For Category A projects, the borrower should consult these groups at least twice: (a) shortly after environmental and social screening and

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before the terms of reference for the ESIA are finalized; and (b) once a draft ESIA report is prepared. In addition, the borrower should consult with such groups throughout project implementation as necessary to address ESIA-related issues that affect them.

2.3.3.2 Disclosure

For the overall project and all sub-projects, the borrower should provide relevant information on project interventions in a timely manner prior to consultation and in a form and language that are understandable and accessible to the groups being consulted. The borrower made available a summary of the proposed project’s objectives, description, and potential impacts for the initial consultation. In addition, the borrower made the draft ESIA reports available at a website accessible to project-affected groups and local NGOs. The borrower also ensured that ESIA reports for all subprojects were made available in a public place accessible to affected groups and local NGOs. Apart from the present RPF, both the Executive Summaries of ESIA and RAP/ARAP for all sub-projects will be translated into Bangla. In the case of CHTs, additional measures will have to be taken to translate/interpret these documents in local languages as Bangla is not mother tongue to the region’s tribal communities. All these documents, both in Bangla and English, will be made available to interested public through BLPA website and in hard copies at all project offices. Public availability of the ESIA, RAP/ARAP report in the borrowing country and official receipt by the Bank are prerequisites to Bank appraisal of these sub projects. The Executive summary of the RAP/ARAP is translated in Bangla and together with the full RAP/ARAP in English, both versions will be disclosed on the client’s website.

Public consultations were held while preparing sub-projects, i.e., while doing ESIA, DPR preparation and RAPs. Several Community level Consultations and Focus Group Discussions and meetings were also held at Bhomra and Sheola Land ports. Public Consultation, with Free Prior Informed Consent, will be held when ESIAs are conducted for the planned sub-projects, to disclose and get feedback on ESIAs and RAPs, and these documents will be updated progressively based on feedback received.

The RPF and EMF will be disclosed in country (on BLPA website and in hard copy in locally accessible locations in the project area and in the case of CHTs, with the representative institutions (MoCHTA, RC, HDCs, Circle Chiefs, Headmen Association, DC, etc), including BLPA offices at the existing terminals) and also sent to WB InfoShop.
3. Project Description

3.1 Project Development Objective

The Project Development Objective is to lower time and costs associated with trade and improve infrastructure and conditions for trade along strategically important regional transport corridors.

3.2 Project Description

3.2.1 Project Components

Bangladesh Regional Connectivity Project 1 (the Project) will finance interventions aimed to facilitate connectivity, trade and transport for national and regional trade. The Project consists of three components as follows:

3.2.1.1 Component 1: Investments in infrastructure, systems and procedures to modernize and improve key land ports essential for trade with India and Bhutan (US$75 million) (BLPA-managed Component)

This component will finance development of three land ports: Bhomra, Sheola, and one more land port to be determined. Although Bhomra is a relatively new land port facility commissioned in 2013, trade volumes at Bhomra have already exceeded those at Benapole. The feasibility study indicates that projected trade volumes are soon to exceed Bhomra’s current capacity. As such, the Project proposes to fund the first phase expansion of the Bhomra land port facility. Sheola is a key border crossing between Bangladesh and Sutarkandi of Assam state in Northeast India. There are currently rudimentary facilities and BLPA plans to develop this facility into a formal land port facility. Given that feasibility studies as well as discussions with Government of India, are ongoing for several land ports to be developed, the third land port to be developed under the Project will be determined during Project implementation. In addition, at Benapole, security infrastructure will be improved including the construction of a perimeter fence, and the installation of a gate pass system and CCTVs.

3.2.1.2 Component 2: Enhance trade sector coordination and productive capacity (managed by Ministry of Commerce, WTO Cell)

- Component 2a: Develop (pilot) programs to support female traders and entrepreneurs (US$5.0 million). This sub-component will address regulatory, capacity building, skills development, networking and other issues faced by the women traders and entrepreneurs in Bangladesh. The activities will be piloted by the Ministry of Commerce (MoC) through WTO Cell.
- **Component 2a: Support the (Inter-ministerial) National Trade and Transport Facilitation Committee (US$ 1.0 million).** The Bangladesh Trade Portal (BTP) was launched in March 2016. This component will support further enhancements to the BTP further expanding the coverage of export related goods and ensuring that content is kept up to date. The component will finance operational costs for the BTP for the first 3 years of the Project and MoC will thereafter finance operational and maintenance costs from GoB own resources. This component will also set up the National Enquiry Point for Trade, which will help Bangladesh to meet a requirement of WTO Trade Facilitation Agreement.

- **Component 2c: Improvements to Bangladesh Trade Portal and setting up a National Enquiry Point for Trade (US$1.0 million).** The Bangladesh Trade Portal (BTP) was launched in March 2016. This component will support further enhancements to the BTP further expanding the coverage of export related goods and ensuring that content is kept up to date. The component will finance operational costs for the BTP for the first three years of the Project and MoC will thereafter finance operational and maintenance costs from GoB own resources. This component will also set up the National Enquiry Point for Trade, which will help Bangladesh to meet a requirement of WTO Trade Facilitation Agreement.

### 3.2.1.3 Component 3: National Single Window Implementation and Strengthening Customs Modernization (US$67 million)

The lead implementation agency for this component is the Customs Department in National Board of Revenue.

- **National Single Window Implementation.** To improve its international trading performance, Bangladesh has committed to implement a National Single Window. The Bangladesh National Single Window (BD-NSW), through the introduction of an electronic, online solution, will facilitate faster and more transparent international trade procedures, reduce transaction costs borne by traders and provide consistency and certainty to the total process, from the start of the regulatory requirements to the processing and clearance of goods. The BD-NSW will deliver a user-friendly, electronic system that streamlines and automates procedures for registered private sector stakeholders and Government Agencies to facilitate the application, processing and issue of various international trade related permits, licenses, certificates and their integration with Customs declaration processing, clearance and payment of fees and taxes.

- **Strengthening Customs Modernization in line with international standards through:** (i) procurement and implementation of a sophisticated automated risk management system/module that will interface with the BD-NSW system to support the more effective targeting of high risk cargo by Customs and other
border management agencies; and, (ii) Implementation of a valuation (price reference) database module to assist in better assessing the value of imported goods in line with international commitments associated with the WTO Valuation Agreement as well as its full integration into the National Single Window system. The required system implementation and operationalization support to be financed by the Project will build upon and further strengthen initiatives currently underway supported by WBG’s Trade and Competitiveness Practice under a parallel technical assistance project.

3.2.2 Proposed Developments in Land Ports

Details of existing facilities and the proposed facilities to be built in the Bhomra and Sheola land ports are given in the following subsections. Typical facilities to be built at BLPA land ports include:

- **Port facilities**: administrative building, ware houses, transshipment Sheds, open stack yards, and Bangladesh and India truck terminals;
- **Service Areas**: barrack, dormitory, restaurant, substation/generator and fuel house, and mosque;
- **Infrastructure**: fencing/boundary wall, road network, drains, footpath, parking, and landscaping;
- **Electrification Works**: area lighting, boundary wall lighting, footpath lighting, road lighting, substation equipment and diesel generator, and solar power;
- **Water Supply and Sanitation Works**: water supply and sanitation facilities including water treatment and sewage treatment facilities
- **Safety and Security**: fire protection and detection, CCTV system, intruder alarm system, car park management, access control system, physical security, and watch towers

In addition, a fencing wall also be constructed around the existing Benapole land port facility for security along with installation of a gate pass system, and CCTVs.

3.2.3 Proposed Developments in Bhomra Land Port

3.2.3.1 Existing Facilities

Bhomra land port is an existing facility located in Sadar Upazila of Sathkhira district, 15 km from Satkhira town, 75 km from Khulna, and 85 km from Jessore. Located about 355 km from Dhaka. The land port on Indian side is Ghojadanga in Chabbish Paragarans district of West Bengal. The land port in Bhomra was established in 2013 in a 15.72 acres of land. Average annual imports are 1.8 million tonnes (mainly building chips, rice, wheat, fruits, onions, garlic, ginger, etc.). Average annual exports are: 0.06 million tonnes (jute, fish, cotton waste, etc.).
The current facilities are: warehouses-2, transshipment shed-1, open stack yard-2, transshipment yard-1, weighbridge-1, and an administrative building. The transshipment yard is operated manually and about 2,000 laborers work daily in this port. Two toilet complexes are built for workers and truck drivers’ use.

3.2.3.2 Proposed Facilities

The proposed facilities at Bhomra land port are development of additional storage facilities (open stockyard and warehouse) and parking facilities for trucks; and water supply, toilets, internal roads, and administrative buildings. The estimated land acquisition requirement for the full proposed expansion is about 100 acres in which 7.8 acres are currently under agriculture use and remaining area is in commercial or residential use. The expansion will be implemented in three phases, the first phase will include expansion of the port facilities (truck terminals for both Bangladesh and India) in the 7.8 acres of agricultural land and strengthening of existing facilities including water supply, drainage, pavements and dust control measures. Phase 2 development will include building of accommodation quarters, administrative building, passenger terminal, local road network and border check post. Phase 3 development will mainly include building of open stack yards and warehouse and other supporting facilities. It is not yet determined whether the Project may support only phase 1, or phases 1 and 2, or phases 1, 2 and 3 of the proposed expansion. Location of the existing port and proposed areas for development in various phases are given in Figure 1 and facilities to be built in various phases are given in Table 3.1. These are based on a feasibility study carried out by BLPA, which will be revisited during detailed design stage.
Figure 1: Existing Bhomra Land Port and Proposed Areas for Development

Table 2: Details of Proposed Facilities at Bhomra Land Port

<table>
<thead>
<tr>
<th>Facility</th>
<th>Phase 1</th>
<th>Phase 2</th>
<th>Phase 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strengthening of existing facilities, including water supply, sanitation, pavement of transshipment yards, etc.</td>
<td>Inside the existing facilities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Drainage</td>
<td>3 km</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administration Building</td>
<td></td>
<td>4,800 m²</td>
<td></td>
</tr>
<tr>
<td>Passenger Terminal</td>
<td></td>
<td>3,766 m²</td>
<td></td>
</tr>
<tr>
<td>Inspection Building</td>
<td>600 m²</td>
<td>600 m²</td>
<td></td>
</tr>
<tr>
<td>Transhipment yard</td>
<td>1,675 m²</td>
<td>6,655 m²</td>
<td></td>
</tr>
<tr>
<td>Chassis Stack yard</td>
<td></td>
<td></td>
<td>40,245 m²</td>
</tr>
<tr>
<td>Heavy stack yard</td>
<td>20,580 m²</td>
<td>10,835 m²</td>
<td>42,000 m²</td>
</tr>
<tr>
<td>Cold storage</td>
<td></td>
<td></td>
<td>1,850 m²</td>
</tr>
<tr>
<td>Warehouse</td>
<td></td>
<td></td>
<td>5,400 m²</td>
</tr>
<tr>
<td>Quarantine</td>
<td></td>
<td></td>
<td>2,200 m²</td>
</tr>
<tr>
<td>Indian truck terminal</td>
<td>3,770 m²</td>
<td>64,285 m²</td>
<td></td>
</tr>
<tr>
<td>Bangladesh truck terminal</td>
<td>3,180 m²</td>
<td>38,850 m²</td>
<td></td>
</tr>
<tr>
<td>Labour shed</td>
<td></td>
<td></td>
<td>200 m²</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------------------</td>
<td>-------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Guest house</td>
<td>4,000 m²</td>
<td></td>
<td></td>
</tr>
<tr>
<td>driver's dorm</td>
<td>1,000 m²</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dormitory for staff</td>
<td>2,000 m²</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source: Feasibility study of Bhomra land port

### 3.2.4 Development of new Sheola Land Port

#### 3.2.4.1 Existing Facilities

The proposed Sheola land port will be developed around an existing land custom station, which is functioning since 1948. Located 13 km from Biyanibazar, the sub-district headquarter, 45 km from Sylhet, and 290 km from Dhaka. The land port on Indian side is Sutarkandi (in the state of Assam), located about 15 km from Karimganj, 241 km from Shillong and 341 km from Guwahati. Major imports are coal, stone and perishable food items. Major exports are packaged food items.

The current facilities are: The existing facilities include an immigration building in 1.3 acre land and a rented building for customs office. This station is connected to Sylhet through a 5.5 m wide asphalt road.

#### 3.2.4.2 Proposed Facilities

About 20 acres of land will need to be acquired for the development of the land port. The proposed facilities include a transshipment yard, administration offices, truck terminals, open stack yard, barrack, internal roads and drainage facilities, drinking water and sanitation facilities, and facilities for women (waiting rooms) and disabled people (ramps). Since coal will be a major import, coal stack yards will be developed with appropriate containment, dust control, and drainage system including an equalization tank followed by multi-grade filter for water purification prior to discharge from the site. Details of the proposed facilities to be developed are given in Table 3.2 and Figure 3.3.
Figure 2: Layout of Proposed Sheola Land Port

Table 3: Details of Proposed Facilities at Sheola

<table>
<thead>
<tr>
<th>Proposed Development</th>
<th>Approximate Quantities</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A. Land Development</strong></td>
<td></td>
</tr>
<tr>
<td>Land Development</td>
<td>20 acres</td>
</tr>
<tr>
<td>Boundary Wall</td>
<td>2,508 m long &amp; 1.50 m height</td>
</tr>
<tr>
<td>Internal Road Network</td>
<td>1,100 m long</td>
</tr>
<tr>
<td>Footpath</td>
<td>1.5 m wide ~ 2,100.0 m long</td>
</tr>
<tr>
<td>Landscaping</td>
<td>Plantation, Greenery, soft &amp; hard landscaping</td>
</tr>
<tr>
<td><strong>B. Building and Other Infrastructure</strong></td>
<td></td>
</tr>
<tr>
<td>Port Facilities</td>
<td></td>
</tr>
<tr>
<td>Administrative Building (4-Storied)</td>
<td>8,250.00 m²</td>
</tr>
<tr>
<td>Ware house 1 no’s</td>
<td>2,040.00 m²</td>
</tr>
<tr>
<td>Transshipment Yard Shed 2 no’s</td>
<td>4,080.00 m²</td>
</tr>
<tr>
<td>Open Stack yard</td>
<td>6,000.00 m²</td>
</tr>
<tr>
<td>Bangladesh &amp; India Truck terminal</td>
<td>10,631.00 m²</td>
</tr>
<tr>
<td>Inspection Building 1 &amp; 2</td>
<td>500.00 m²</td>
</tr>
<tr>
<td><strong>Service Area</strong></td>
<td></td>
</tr>
<tr>
<td>Barrack (Border)</td>
<td>905.05 m²</td>
</tr>
<tr>
<td>Dormitory-2 Storied</td>
<td>1,000.00 m²</td>
</tr>
<tr>
<td>Proposed Development</td>
<td>Approximate Quantities</td>
</tr>
<tr>
<td>------------------------------</td>
<td>--------------------------------</td>
</tr>
<tr>
<td>Hotel &amp; Restaurant</td>
<td>400.00 m²</td>
</tr>
<tr>
<td>Pump House</td>
<td>390.00 m²</td>
</tr>
<tr>
<td>Substation Building</td>
<td>450.00 m²</td>
</tr>
<tr>
<td>Mosque</td>
<td>100.00 m²</td>
</tr>
<tr>
<td><strong>C. Basic Services</strong></td>
<td></td>
</tr>
<tr>
<td>Area Lighting</td>
<td>80,172.0 m²</td>
</tr>
<tr>
<td>Boundary wall lighting</td>
<td>2,508.0 m</td>
</tr>
<tr>
<td>Footpath lighting</td>
<td>3,200.0 m</td>
</tr>
<tr>
<td>Road Lighting</td>
<td>1,095.0 m</td>
</tr>
<tr>
<td>Substation Equipment &amp; Diesel Generator</td>
<td>1,600 KVA -2 no’s, Sub-station, 650 KVA-1no, Diesel generator 110 KVA – 1 no’s, Double Generator (Server)</td>
</tr>
<tr>
<td>Solar Power</td>
<td>25 KW</td>
</tr>
<tr>
<td>Water Reservoir</td>
<td>100 m³</td>
</tr>
<tr>
<td>External Drainage</td>
<td>2,000 m</td>
</tr>
<tr>
<td>Deep tube-well 1 nos.</td>
<td>150 mm dia 230 m deep</td>
</tr>
<tr>
<td><strong>D. Equipment and Plants</strong></td>
<td></td>
</tr>
<tr>
<td>Water Treatment Plant</td>
<td>25 m³</td>
</tr>
<tr>
<td>Weighing Bridge</td>
<td>100 metric ton capacity 2 no’s</td>
</tr>
<tr>
<td>IT Solution</td>
<td>Networking &amp; Cabling, Server, Internet Uplink</td>
</tr>
<tr>
<td>Equalization tank and filter media (for treatment of coal runoff water</td>
<td>270 m³</td>
</tr>
<tr>
<td><strong>E. Safety &amp; Security</strong></td>
<td></td>
</tr>
<tr>
<td>Fire Protection, Fire detection</td>
<td></td>
</tr>
<tr>
<td>CCTV System, Alarm, PA, BMS, Watch Tower, Gate etc.</td>
<td></td>
</tr>
</tbody>
</table>

Source: Detailed engineering design of Sheola Land Port

### 3.3 Implementing Agency and other Agencies Present at the Border

BLPA is the implementing agency of the Project and also responsible for operation of the land port facilities. In addition to BLPA, Customs and Immigration are the two major institutions that have permanent presence at these land ports. However, other administrative bodies may also operate at border crossings. These include:

- Police and other security forces, unless Customs and Immigration have the resources to ensure security within the facility.
- Border troops and security forces – these are not usually housed in the facility.
- Other agencies (e.g., agriculture, food safety, phyto-sanitary, veterinary, consumer protection agencies, etc.) which may elect to be present at the border station. This is usually the preferred solution, as the presence on site of these departments accelerates clearance and release.
- A bank branch, available to receive payments of duties.
• Clearing agents for handling imports and transit shipments.

It is important to determine the staff numbers of each administration and their needs in terms of control positions, office space, and possibly (in the case of Customs and Immigration) housing on site. Representatives of other agencies on rotation to the border may also need temporary accommodation. Basic catering and other staff amenities (including toilet facilities) should be provided.

3.4 Implementation Schedule

Development of each land port is expected to take about 3 years. The engineering designs and EIA studies for the Sheola land port are in progress and its construction is expected to start in 2017. BLPA will procure consulting firms for preparation of detailed engineering designs of other land ports during the first year of project implementation and overall implantation period of the Project is about 5 years. The proposed implementation schedule of the Project is given in Table 3.3.

Table 4: Implementation Schedule of the Project

<table>
<thead>
<tr>
<th>Component</th>
<th>Subprojects</th>
<th>Timeline</th>
</tr>
</thead>
<tbody>
<tr>
<td>Component 1: Investments in infrastructure, systems and procedures to modernize key selected land ports essential for trade with India and Bhutan</td>
<td>Construction of Sheola Land Port</td>
<td>2017-2019</td>
</tr>
<tr>
<td></td>
<td>Detailed designs of Bhomra and the third land port, which is yet to be identified</td>
<td>2017-2018</td>
</tr>
<tr>
<td></td>
<td>Construction of upgrading works of Bhomra land port and the third land port</td>
<td>2018-2020</td>
</tr>
<tr>
<td></td>
<td>Construction of security perimeter fence at Benapole land port facility</td>
<td>2018-2020</td>
</tr>
<tr>
<td>Component 2a: Develop (pilot) programs to support female traders and entrepreneurs.</td>
<td>2018-2021</td>
<td></td>
</tr>
<tr>
<td>Component 2b: Capacity Development Support for the National Trade and Transport Facilitation Committee</td>
<td>2018-2021</td>
<td></td>
</tr>
<tr>
<td>Component 3: National Single Window Implementation and Strengthening Customs Modernization</td>
<td>2018-2021</td>
<td></td>
</tr>
</tbody>
</table>

3.5 Land Ports – General and Common Principles

3.5.1 Operational Options

The design of a border station depends very much on the types of control and administrative measures in place at the border. There are cases where goods are cleared
on the spot, and others where goods are transited to an inland destination where they will be cleared. The requirements in terms of space, loading and unloading area, temporary storage of goods under clearance, and parking lots are therefore vastly different.

3.5.2 Procedures

These play a major role in defining the organisation, plan, and layout of the facility. For example, processing areas are totally different if most traffic is in transit or is cleared locally. As a rule, local cross-border trade is treated in a different way from commercial clearance. Whether vehicles will be allowed into the adjoining country or need to be transloaded is another issue. Under current rules, all foreign trucks have to transload at the border into a vehicle registered in the country of entry. However, Bangladesh and India have indicated willingness to collaborate on cross-border transit and border management. This needs to be clarified in as far as it affects operations. Last, Immigration procedures depend on the nationality of travellers, and there are streamlined checks for local residents (and there are possibilities of free movement across the border for such residents, although any limitations to such movement should be clarified).

3.6 Land Ports – Infrastructure Requirements – Land Requirement

Based on the operations required to be performed, a broad evaluation of space requirements will show the organisation and general aspects of the required facility; it is important to define the different functions that will be established, and the space and type of infrastructure they will need.

These include:

- Parking lots
- (If necessary) Trans-loading bays
- (If necessary) Additional trans-loading area allowing back-to-back trans-shipping without using the docking area – e.g., in the case of refrigerated cargo
- Inspection area
- Temporary storage space (i.e., warehouses) for whatever goods cannot be cleared immediately, or are seized by Customs – with a specific area secured in the warehouse for the latter
- Detailed inspection sheds for trucks and other vehicles subjected to a secondary check (which should not exceed five percent of all traffic)
- A small refrigerated facility for perishable goods
- (If necessary) Specific and protected storage for hazardous material
- Buffer space to avoid queues building-up before reaching a control position
- A sensible through-traffic arrangement, with by-pass capacity, to avoid one vehicle blocking all the others upstream
All the above infrastructure would require land require land.
4. Socio-Economic Baseline

4.1 Introduction

Bangladesh is located in the north-eastern part of South Asia. The majestic Himalayas stand some distance to the north, while in the south lays the Bay of Bengal. West Bengal borders on the west and in the east lies the hilly and forested regions of Tripura, Mizoram (India) and Myanmar. These picturesque geographical boundaries frame a low lying plain of about 1,47,570 sq. km., crisscrossed by innumerable rivers and streams. Mighty rivers are Padma (Ganges), Brahmaputra (Jamuna), Meghna and Karnafuli.

Bangladesh’s geographical Location is at Latitude between 20°34’ and 26°38’ North and Longitude between 88°01’ and 92°41’ East. Bangladesh has an area of 147,570 sq. km. (land: 133,910 sq km, water: 10,090 sq km). Bangladesh is bounded by North - India (West Bengal and Meghalaya), West - India (West Bengal), East - India (Tripura and Assam) and Myanmar and South-Bay of Bengal. It has total of 4,246 km border (border countries: Burma 193 km, India 4,053 km). It has a coastline of 580 km. Bangladesh terrain is mostly flat alluvial plain and hilly in southeast.

Bangladesh has 7 Divisions; Dhaka, Chittagong, Khulna, Sylhet, Rajshahi, Barisal and Rangpur, 64 Districts and 487 Subdistricts/Upazillas.

Bangladesh has a population of 150 million (2011 Census Report by BBS). The present Population Growth Rate of Bangladesh is 1.59%. The present literacy rate is about 50% among which the male literacy is 50% and female literacy is 46%. Bangladesh is predominantly a Muslim populate (86.6%) followed by Hindus (12.1%), Buddhists (0.6%), Christians (0.4%) and Others (0.3%). The sex ratio is 99.68%.

The predominant ethnic group is Bengalis (98%) followed by other tribal minority (2%) including Chakmas, Marmas, Santals, Garos, Manipuri, Tripura, and Tanchangya.

4.1.1 Economy

Bangladesh is one of the members of the Developing 8 and considered as the Next Eleven Economy of the world in 20 coined by Goldman Sachs. The GDP is $1,044 (per capita in 2013). The poverty level is at 25% (People living with $2 per day).
4.1.2 Rivers

The principal rivers are Padma, Meghna, Jamuna, Surma, Brahmaputra, Karnaphuli, Teesta, Sitalakhya, Rupsha, Madhumati, Gorai, Mahananda etc. Bangladesh is dominated by the low-lying Ganges Delta, but has highlands in the north and southeast. The Ganges delta is formed by the confluence of the Ganges (local name Padma or Pôdda), Brahmaputra (Jamuna or Jomuna), and Meghna rivers and their respective tributaries. The Ganges unites with the Jamuna (main channel of the Brahmaputra) and later joins the Meghna, finally flowing into the Bay of Bengal. The alluvial soil deposited by the rivers when they overflow their banks has created some of the most fertile plains in the world. Bangladesh has 57 trans-boundary rivers, making water issues politically complicated to resolve - in most cases as the lower riparian state to India. Most parts of Bangladesh are less than 12 m (39.4 ft) above sea level, and it is estimated that about 10% of the land would be flooded if the sea level were to rise by 1 m (3.28 ft).

4.1.3 Climate

The temperature ranges are in winter 11° C - 20° C (October - February) and in summer 21° C - 38° C (March - September). The rain fall range is 1,100 mm to 3,400 mm (June - August). The Humidity is highest 99% (July) and lowest 36% (December & January).

4.1.4 Agriculture

The principal crops are Rice, Jute, Tea, Wheat, Sugarcane, Pulses, Mustard, Potato, Vegetables.

4.1.5 Industry

The Principal Industries are Garments and Textiles (2nd largest in the world), Tea, Ceramics, Cement, Leather, Jute (largest producer in the world), Chemical, Fertilizer, Shrimp Processing, Sugar, Paper, Electric and Electronics, Medicine, Fishing. The principal exports are Garments, Knitwear, Frozen Shrimps, Tea, Leather and Leather products, Jute and Jute products, Ceramics, IT Outsourcing, etc. The principal Imports: Wheat, Fertilizer, Petroleum goods, Cotton, Edible Oil etc. The principal Minerals: Natural gas, Oil, Coal, White clay, Glass sand, etc.
4.2 Information on Sub-Project Locations

4.2.1 Bomra Land Port

Bhomra land port is considered by the Government of Bangladesh as a potentially major crossing point with India. It would also relieve some of the pressure on the Benapole border station, which is currently Bangladesh's most important point of entry for trade through land routes.

4.2.1.1 Position

Bhomra land port is located 75 from Khulna opposite the town of Ghojadanga in India, approximately 100 km from Kolkata. Once the Padma Bridge is completed, it will be on the shortest route from Kolkata to Dhaka. The land port is operated by BLPA and was opened in May 2013. The satellite map of the Bomra port and its surrounding areas are shown in Figure below. Generally, topography of the area is plain with some low lying lands at some locations. A stream (Khumra Khal) is located along the border, about 600 m away from the land port. A flood embankment was also constructed along the stream on Bangladesh side. Since the stream is located on a slightly higher elevation than the port area, there is no natural drainage is available and water stagnation was noticed in some areas in the port. Ichamati River is located about 3 km south-western side of the port. Photographs of the port and its surrounding areas are shown in Annex 2. The port surrounding areas are located with commercial areas, road side shops and agricultural areas. All these areas are modified habitats and no natural habits are located. The port and surrounding areas are highly polluted by the road dust. Unpaved sidewalks and transhipment yards are the major sources of dust. The access roads near the border area also not paved.
4.2.1.2 Traffic

Between 500 and 600 Indian trucks cross into Bangladesh every day, and 20 to 25 Bangladesh trucks enter India. Indian trucks trans-load onto Bangladesh vehicles in Bhomra, and Bangladesh trucks trans-load in Ghojadanga. The major commodities exported from Bangladesh are garments and knitted fabric, coconut products, food products, chocolate, cotton oil, yarn, and fruit juice. Other potential exports, such as batteries, jute and fish are not currently allowed into India due to the local organisation of clearance on the Indian side. Only 35 items can be imported into Bangladesh, but the National Bureau of Revenue (NBR) is currently working on lifting these restrictions.

There are about 300 foot passengers both ways daily. Travellers are allowed to bring in up to 65 kg of goods, and are cleared by Customs and Immigration at the border line checkpoint. The annual traffic data and value of imports/exports are given in Table below.
4.2.1.3 Present Features

A large new and well-designed building was recently erected, with 22 rooms providing ample accommodation for Customs, Immigration, and the Land Port Administration. All SPS checks currently take place at the physical border or further inland, but would be relocated in the terminal building when it is commissioned (expected within one month).

The yard is largely unpaved, with no clear signage, and no physical separation between Indian and Bangladeshi trucks. There is a modern weighbridge, operated by the Land Port Authority, which has an electronic display, so that drivers cannot be given a wrong weight certificate.

4.2.1.4 Current Development Plans

The present land port occupies one third of the total planned facility, which, given traffic projections, should take up 45 acres of land (subject to land acquisition procedures). The plans are to provide also an Indian lorry service area (with showers, toilets, and overnighting capacity), a workshop for Bangladesh trucks, extended parking area, including a buffer capacity, car parks for imported private vehicles, and a parking lot for heavy-duty vehicles. There will also be space for four warehouses, and a residential area for border guards. When the new building is commissioned, the existing old building will be reconstructed to house additional services (bank, etc.). A passenger control shed (Customs and Immigration) is planned, as part of the new development, at the zero-point.

The present land port occupies 15 acres of land – which is one third of the total planned facility, which, given traffic projections, should take up 45 acres of land (subject to land
acquisition procedures). The plans are to provide also an Indian lorry service area (with showers, toilets, and overnighting capacity), a workshop for Bangladesh trucks, extended parking area, including a buffer capacity, car parks for imported private vehicles, and a parking lot for heavy-duty vehicles. There will also be space for four warehouses, and a residential area for border guards. When the new building is commissioned, the existing old building will be reconstructed to house additional services (bank, etc.)

4.2.2 Sheola Land Port

The proposed Sheola Land Port will be developed around the existing Sheola Land Customs (LC) Station at Borogram. The Sheola LC station at this location is functional from 1996. Prior to this location, the Sheola LC was located about 3 km north of this location near the Khushiara river, where the export and import activities were conducted through the Kushiara river route.

4.2.2.1 Location

The distance of Sheola Land Customs station from Biyanibazar Upazila Parishad is 13km and 45km from Shylet district Headquarter. The Indian part of it is called Sutarkandi, which is situated under Karimgang district of Assam State. A 16 km pavement road exists from Sheola to Karimganj district. The distance from Sheola(Sutarkandi) to Guwahati, capital of Assam is 341 km. Some part of proposed port site is located in a flood plain. Satellite map of the port area is shown in Figure below. The site is flooded with water during rainy season and during dry season it was used to park the trucks and temporary storage area for the imported coal. A small rainwater drain (stream) is located adjacent to the port site. The Kusharia river is located about 3 km north of the site; and Muriha Haor (an inland drainage basin) is located 3 km south of Sheola.
4.2.2.2 Traffic

The haours are generally good habitats of fish. There is also an immigration check post here. The road from Sylhet to Sheola L.C Station is constructed by the LGED and Paved. But the road connectivity needs to be strengthened and widened for heavy vehicles. Details and imports and exports of the Sheola custom station is given in Table 4.2. The current annual amount of exports at this station is 131 tonnes and imports is 43 tonnes. The current traffic levels are about 20 trucks per day. The generally imported goods are coal, stone, orange, ginger, Satkara, onion, apple, mango and cement clinker; and the exported goods are Chips, lollipop, ice pop, milk candy chocolate, catchup, energy drinks, mango drinks, power drinks, cement, plastic products, cotton, vermicelli, mobile pop, litchi drinks, melamine products, ceramic products, brick breaking machine, tissue paper, caustic soda, soap, tube well casing pipes, and fish.

Table 6: Amount of Exports and Imports at Sheola Land Customs Station

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Amount (Crore Taka )</th>
</tr>
</thead>
<tbody>
<tr>
<td>Exported Goods</td>
<td></td>
</tr>
<tr>
<td>2011-12</td>
<td>72.15</td>
</tr>
<tr>
<td>2012-13</td>
<td>65.16</td>
</tr>
<tr>
<td>2013-14</td>
<td>80.50</td>
</tr>
<tr>
<td>2014-15(up to April)</td>
<td>65.73</td>
</tr>
<tr>
<td>Imported Goods</td>
<td></td>
</tr>
<tr>
<td>2011-12</td>
<td>14.19</td>
</tr>
</tbody>
</table>
2012-13 | 21.50  
2013-14 | 22.16  
2014-15 (up to April) | 17.98

### 4.3 Gender Issues

Similar to many other regions of this lower middle income country, in the project area too, the efforts of women in socio-economic development and well-being of their family and surroundings is rather unrecognized. The field interactions indicate that the project sites offer minimal opportunities to women. In addition to that, it also reveals that decision making role of women in the household is negligible. On the contrary, better communication and transport facility may create more choices for their economic pursuit. Majority of the participants in the discussions believed that the project will bring more employment opportunities to women in addition to education, which will play a role in gender balance and enhance their role in business. Other than that, some respondents also highlighted that with better trade, transport and communication facility, women will be able to receive better medical facility and overall situation for women will be developed. The baseline information in the study area indicates that the project site lacks higher education as well as proper health service facilities. Special focus should be paid on sanitation facilities. In addition to that, men and boys are enjoying the most of the recreational facilities compared to women, girls and children. Again, women’s movement is mostly induced by household work and socialization (ceremonies in community centers).

### 4.4 Consultations

Field visits, consultations and one National Public Consultation, with Free Prior Informed Consent, with different stakeholders and meetings were carried out to develop a comprehensive Resettlement Policy Framework (RPF) for this Project. Consultation meetings were held during the field visits to identify issues and problems to enable the institution to corrective measures and to identify lessons and opportunities to enhance Project implementation mechanism. As regards the CHTs where majority of the inhabitants belong to various tribal groups, at screening stage several FGDs were carried out both in Ramgar (khagrachari) and Thegamuk (Rangamati).

Table 7: **Summary of FGDs at Ramgarh and Thegamukh**

<table>
<thead>
<tr>
<th>Date of Meeting</th>
<th>20 Oct 2015</th>
<th>21 Oct 2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Place of Meeting</td>
<td>Mohamoni, Ramgarh</td>
<td>Thegamukh</td>
</tr>
<tr>
<td>Type of meeting</td>
<td>FGD cum Consultation</td>
<td>FGD cum Consultation</td>
</tr>
<tr>
<td>Number persons attended</td>
<td>30</td>
<td>25</td>
</tr>
<tr>
<td>Objective</td>
<td>To discuss the land requirement for the proposed Land port at Ramgarh.</td>
<td>To discuss the land requirement for the proposed Land port at Thegamukh</td>
</tr>
<tr>
<td>Land requirement</td>
<td>About 23.04 acres of land will be required (13.81 as originally estimated, 5.73 as</td>
<td>About 10.01 acres of land is required for the facilities; but more land may be</td>
</tr>
</tbody>
</table>
recently added and 3.5 for proposed road and bridge). The land is on the banks of Feri river. The land required is mainly agricultural land. Presently the farmers cultivate several crops ranging from paddy to mangoes.

required for river bank protection, road, bridge, etc. which is yet to be estimated. The land required is mainly residential and commercial land. The land is at the confluence of Karnapuli and Thega rivers.

Stakeholders
 Interest

People were aware of the proposed project and the consultation meeting. Some of the required land is with Boarder Guard Bangladesh (BGB). The land owners are willing to give their land if market rate is given to them. No one will become landless after this acquisition.

People were aware of the proposed project and the consultation meeting. The persons to be affected are willing to give the land provided they are resettled and rehabilitated properly.

Issues

A total of about 30 families will be affected along with a shop keeper. Some of the land owners would like to have land for land option. About 10 tribal families will be among the land losers.

A total of about 100 families might be impacted; survey should be conducted to get exact details. All the families to be affected are tribals.

Concerns

Proposed rates for acquired land. Rehabilitation of Poor and Tribal PAFs. Lack of documents in certain cases.

Rehabilitation and resettlement of affected families. PAFs participation in the process. Lack of documents in certain cases.

Subsequently, a regional level consultation following the methodology of ‘free, prior and informed consultations’ was organized in Rangamati on 13 June 2016 which was attended by all the important stakeholders, including the CHT Regional Council, Rangamati Hill District Council and representative of the Chakma Circle Chief. In addition, the BLPA consultants’ team held separate consultation meeting with Mr. Jyotirindra Bodhipriya Larma, Chairman, CHT Regional Council on 12 June, prior to the regional consultation. Finally a National Level Public Consultation Workshop was held on 10th August 2016 at Dhaka, where the RPF was discussed and subsequently amended. The workshop proceedings are annexed to this RPF.

Finally, there was a further consultation held on the proposed Ramgar land port in Khagrachari on 2 January with the institutional stakeholders. This was a preliminary consultation to seek initial opinions of the stakeholders on the proposed land port and it was stressed in the consultation that further consultations with all the relevant stakeholders will be held when the social impact assessment on the project will be carried out and subsequently, during the implementation of the project.

In total 35 participants attended the consultation which included, government officials, local government representatives, NGOs, civil society, representatives of the CHT Regional Council, Khagrachari Hill District Council and Chakma Circle Chief, and as well as traditional elders (headmen and karbaris) from the tribal groups. All the participants agreed to the proposed Ramgar land port. The detailed report of the consultation is provided in the Annex.
4.4.1 Objectives of Consultations

The GoB as well as international donors (e.g. the World Bank) place great importance on involving primary and secondary stakeholders for determining the environmental and social impacts associated with project implementation. In order to gather local knowledge for baseline conditions, understand perceptions of the community regarding impact significance, and propose meaningful mitigation measures, participation of stakeholders is an integral part of the environmental and social assessment process. During the preparation of the present RPF, initial consultations with the key stakeholders have been carried out to obtain their views on the Project interventions. The consultation process has been conceived, planned, and initiated with the following key objectives:

- To provide key project information and create awareness among various stakeholders about project intervention;
- To have interaction for primary and secondary data collection with project beneficiaries, affected persons and other stakeholders;
- To identify environmental and social issues such as displacement, safety hazards, employment, and disadvantaged persons;
- To begin establishing communication and an evolving mechanism for the resolution of social and environmental problems at local and project level;
- To involve project stakeholders in an inclusive manner; and
- To receive feedback from primary stakeholders on mitigation and enhancement measures to address the environmental and social impacts of the project.

4.5 Project Impacts

Most of the land ports proposed are on private land. The affected person include titleholders and non-titleholders such as encroachers, squatters and tenants; using the land for agriculture, commerce and residential purposes. This will lead to loss of livelihoods. It is possible that at some locations common property resources may get affected as well; though limited. Further access infrastructure such as roads will cause impacts as the present roads are narrow and they need to be widened for optimizing the capacity of the facilities built. There are Persons without title to the land on the BLPA land with shops and residences. An additional issue as regards the CHTs is the contentions land ownership among the inhabitants, particularly exacerbated by the practice of communal/customary ownership by the region’s ethnic minority inhabitants and their lack of government recognized ownership documents of their land. The key social impacts due to project interventions are Land acquisition and subsequent resettlement, Loss of Livelihoods, Inconvenience and nuisance during construction, Loss of access to CPRs and Likely increase in trade and transport related costs and procedures. For Shoela land port an RAP is prepared. The following are the key social impacts due to project interventions:
1. Land acquisition and subsequent resettlement
2. Loss of Livelihoods
3. Inconvenience and nuisance during construction
4. Loss of access to CPRs
5. Likely increase in transport costs
6. Likely increase in border trade cost

For each of these sub-projects an RAP will be prepared, where required during the planning and design stage.

4.5.1 Proposed Management Measures

The following social management measures are proposed in this Resettlement Policy Framework:

- Development and adopting a Resettlement Policy Framework (RPF) to be used for all sub-projects under this project. This RPF should serve as a guide for further RSIA studies and for preparation of RAP/ARAPs under this project.
- The design will consider minimization of land acquisition and related impacts; and provides for access to CPRs and other such traditional and cultural locations.
- Integrate the rehabilitation of livelihoods into design of terminals and other infrastructure facilities. Designs to consider the following:
  - Livelihoods: such as integrating shops and vendors
  - Facilities for women such as: separate counters, waiting areas, sanitation, seating arrangements
  - Facilities for disabled
  - Arrangements to continue cultural practices
  - Design and general arrangement to be ready for impact identification and resettlement plan preparation
- Alternate temporary transit arrangements before resettlement
- Resettlement Policy Framework with clear entitlements
- Small Ethnic Disadvantaged Communities Development Plan
- Grievance Redressal Mechanism
- Community Engagement in planning and implementation
- Gender Mainstreaming Plan
- Disclosure: disclosure of resettlement plans
5. Small Ethnic and Disadvantaged Communities Development Framework (SEDCDF)

5.1 Introduction

This SEDCDF will consider:
- The ethnic and demographic characteristics of the affected population
- The prevailing intuitions as family, religion, language and education and other indigenous variables and social stigma
- This Plan will accommodate the local traditional leadership (as headman, karbari), gender issues, and civil and NGOs in their implementation plan
- The land ownership pattern and availability of required land for taking up agriculture related livelihoods interventions
- The positive and negative impacts on the prevailing institutions; both formal and informal
- To ensure adequate and appropriate consultation and communication, and their participation and approval of their implementation of project inputs and mitigation plan.

The SEDCDF will be prepared for each village where the small ethnic minority population constitutes more than 5% of the village population. The objectives of the SEDCDF are:

- To evolve a development process which fosters full respect for dignity, human rights and cultural integrity of SECs
- To ensure that they do not suffer adverse effects during the development process
- To take up economic benefit programs which are culturally and socially compatible

Similar to the RPF as a whole, the guidelines provided in this section of the document are to ensure that adequate plans will be prepared for the sub-components of the project as necessary. These would correspond to the Indigenous Peoples Planning Framework under OP 4.10.

In view of these objectives, BLPA will undertake a number of suggested tasks, as below, during sub-project cycle.

5.1.1 Small Ethnic Communities Consultation and Participation

In absence of any well-recognized policy by the Government of Bangladesh on the Small Ethnic communities (i.e. “Tribal Peoples”), following the World Bank’s policy OP 4.10
on Indigenous Peoples, the ethnic minority communities and their relevant representatives stakeholders will be fully engaged in the project activities. Consultations based on the principle of ‘Free, Prior and Informed Consultations (and Consent)’ (FPIC) will be key tool in engaging the SECs.

This SEDCDF, thus, aims at building strong self-reliant and self-managing institutions of SEC, and through these institutions enable the SEC to access economic and social opportunities to overcome poverty and raise their living standards. Consultations revealed that SEC are cohesive and have come together as strong groups to implement programs of relevance to their communities like construction of school buildings, community buildings, link roads, small irrigation, drainage structures, etc.

The SEC Development Plan will foster and strengthen self-managed institutions of SEC. All development interventions under the project will be undertaken with the complete involvement of the SEC. The SEDCDF undertaken by SEC will identify opportunities and possible interventions. The development plan will take into consideration the locational variations like tribes living in remote areas, tribes living in relatively developed areas and tribes living in rural areas along with non-SEC. All BLPA field staff working in the SEC areas would be oriented towards SEC culture and development Issues to enable them to appreciate the importance of SEC culture while working among them. With this participatory strategy, there would not be any potential adverse Impacts on the SEC, as they are completely involved in each and every stage of the intervention process.

5.1.1.1 Negative Attributes

BLPA will not undertake any interventions which will adversely affect SECs with long-term negative consequences in the following manner:

- Threaten their cultural tradition and way of life
- May severely restrict access to common property resources and livelihood activities
- May affect places/objects of cultural and religious significance (places of worship, ancestral burial grounds, etc.)
- That will (anywhere in the country, including areas inhabited by SECs), Require involuntary land donation, “contribution against compensation” and purchases that are not offered on “willing buyer-seller” basis
- Acquire Lands
- Affect private homesteads
- Render households using public lands homeless or impact livelihood activities ongoing there
- Significantly restrict access to common property resources and livelihood activities of groups and communities
Cause adverse impacts on physical cultural resources like buildings and objects that bear cultural and historical significance (ref: World Bank’s OP 4.11 on Physical Cultural Resources).

5.1.2 Implementation Strategy

The institutional arrangements for Implementation of SEDCDF would be similar to the arrangements in other areas. Since the SEC groups are different from the mainstream population regarding ethnic origins, cultural heritage, religious traditions, dialects, festivals, an in-depth understanding of the socio-cultural, economic, political and religious life of the SEC will be imparted to all the project functionaries, NGOs and supervision and monitoring institutions right from the district level to the village level. BLPA and its agencies, who will be facilitating community action plans and social assistance programs would be encouraged to recruit local educated youth from SEC, to assist all the groups in their activities.

5.1.2.1 Baseline Survey

A baseline survey would be conducted by BLPA appointed agency to provide data for subsequent Impact evaluation.

There are villages exclusively inhabited by SEC and villages which have both SEC and non-SECs. Therefore, to address the needs of SEC in these different situations distinct strategies would be adopted. Likely processes are described below, and the actual implementation will be participatory and situation specific.

5.1.2.2 SE Communities

The BLPA appointed agency would consult SEC leaders, both men and women on the kind of groups that would be formed from among the SEC. A Community Level Committee (CLC) including representatives from all SEC will be formed. This was also the opinion expressed by the SEC during the consultation process. The SEC opines that group members of the CLC shall belong to the same SEC group as they have close relations with each other and they trust each other. They can be motivated to work together. All such CLCs in a community would form into a sub-Project Level Committee (sPLC), since the different SECs traditionally extend mutual co-operation in times of need.

5.1.2.3 Community Infrastructure Works

As with other disadvantaged groups, the BLPA appointed agency will facilitate formation of CLC and sPLC, and assist them in developing a community action plan (CAP), the CAP will identify the resources available- natural and human, and the
opportunities and risks in each of the existing livelihoods, infrastructure needs, capacity building requirements, etc. This would be done through a participatory process and there would be several rounds of discussions. The focus naturally would be on the traditional livelihoods sources and infrastructure needs of the tribes such as skill development, access to seed capital and credit, land, livestock and forests. The community would identify the leakages and gaps and opportunities for consolidation and expansion in their present livelihoods. They would analyze the causes of leakages and gaps in their livelihoods and the alternative approaches that can be adopted for their development and select appropriate plans for intervention. To operationalise these plans the communities would develop the sub-projects, to be financed by the existing government programs.

The SEC through their institutions would not only develop CAP, but would be responsible for Implementation and monitoring of the plans thus prepared. In order to bridge their knowledge gap SEC youth would be trained as volunteers and provided necessary inputs in managing that sector interventions. The SEC institutions would receive capacity building inputs from the project staff and functionaries for the evolution and management of sub-projects. The capacity building inputs for the SEC would include visits to successful interventions. The sPLC would discuss the CAP and sub-projects in a meeting before submission to the BLPA to ensure that the entire community is informed and gets a chance to give their advice and suggestions. The subproject proposals would be submitted by the sPLC to BLPA for funding.

5.1.2.4 Social Assistance

One of the key Issues identified in the consultation process is the extreme vulnerability of the SEC. BLPA would also implement a social assistance program for increasing social and economic opportunities for SEC and other disadvantaged groups. BLPA will identify various government programs being implemented in the region and will coordinate with the relevant departments/ agencies to bring these program to the project area. The objectives of the social assistance program are to increase the capacity of SEC groups to participate in mainstream development activities through:

- Increased access to information and knowledge about health and nutrition, including women's health, immunization services, personal hygiene, water and sanitation issues; literacy and leadership program; and human and legal rights, including child rights;
- Motivation towards increased participation, 'voice' and empowerment in working with local government bodies for local level planning, decision making and monitoring, thereby decreasing social exclusion and improving local governance; and
- increased economic opportunities for skill development and access to income creating assets.
Activities eligible for financing under this program will include five types:

- advocacy programs
- occupation skills training
- support for pregnant women and risk pooling pilot initiatives
- legal aid support
- grants for the graduated trainees and worst affected natural hazard victims

5.1.3 Linkages and Leverages

In order to ensure effective services in the SEC areas, BLPA, its appointed agencies and other relevant institutions will ensure convergence and synergy with important line departments like health, education, child welfare and nutrition, agriculture, horticulture, fisheries development. BLPA will facilitate linkages with other poverty reduction programs, such as micro-finance, disadvantaged groups development, legal literacy and human rights programs.

5.1.4 Institutional Arrangements

The SEDCDF is part of the overall BTTF Project. The management of this project at the national level is vested on MoS and activities at the sub-project level will be implemented by agencies appointed by BLPA. This will, as and where relevant, also involved institutions representing the SECs and in the case of CHTs, the traditional leaderships and the institutions under the region’s decentralized governance.

5.1.5 Monitoring and Evaluation

Monitoring forms are an integral part of the Project Management System, as they provide a continuous appraisal of performance of the Project and enables the Project Management to take up corrective measures, if any, required in implementation. The existing M&E System adopted in the ongoing projects of MoS/BLPA viz; a) input and output monitoring b) process monitoring and c) impact evaluation would ensure effective implementation of SEDCDF, which forms part of BTTF Project.

For the purpose of monitoring and evaluation of SEDCDF, basic data relating to community wise information on SEC population, infrastructure facilities, land utilization, cropping pattern, livelihoods, etc. would be recorded by BLPA appointed agency in the baseline. The project interventions planned in the community as part of the CAP and the project interventions actually implemented will also be captured in the MIS. The data collection would be the responsibility of the agency appointed by BLPA, in association with the CLC.

The community would be involved in process monitoring through Focus Group Discussions (FGD) and Participatory Rural Appraisal (PRA) techniques, wherever
required in order to know the quality of project Implementation and inputs provided under the project.

The community participation, grievance redress mechanism, implementation arrangements, budget, etc. as given in the RPF are applicable.
Annex 1: Consultation Report on Ramgar Land Port held on 2 January 2017 in Khagrachari

Report of Stakeholders Consultation on the Proposed Ramgar Land Port

2 January 2017

DC Office,
Khagrachari Sadar,
Khagachari Hill District
Background notes
The Bangladesh Regional Connectivity Project 1 includes several components and one of the components support to construction of land ports along the border with India. Bangladesh Land Port Authority (BLPA) will implement the component under the Ministry of Shipping.

The project’s component includes construction of 3 land ports; at Sheola (in Beanibazar, Sylhet) and Bhomra (in Satkhira), with the third land port yet to be decided but likely to be in Ramgarh, Khagrachari Chittagong Hill District in the region of Chittagong Hill Tracts. The region has unique administrative and governance setup different from the rest of Bangladesh and majority of its inhabitants belong to as many as 11 ethnic minority groups, who would be recognized as ‘indigenous’ or ‘tribal’ peoples as per World Bank’s OP/BP 4.10. The region has been until recently mired in low intensity conflicts which formally ended with the signing of a peace accord in December 1997, although the legacy of the insurgency continues to affect the region and its people till today.

The location of the proposed land port is in Ramgarh, an upazila (sub-district) in Khagrachari to the north-eastern corners of the district and shares common border with Sabrum sub-division of the state of Tripura (India) and Fatikchari upazila of Chittagong district. Three ethnic minority groups live in Ramgarh, indeed in the entire Khagrachari district; Chakma, Marma and Tripura.

Objectives
Although some very initial level consultations were held with the grassroots communities at Ramgarh by a team of BLPA consultants in late 2015 and subsequently, was briefly discussed in a larger regional level consultation in Rangamati in June 2016 on the proposed Thegamukh land port, no specific consultation with the institutional stakeholders in Ramgarh and Khagrachari including the ethnic minority representatives and the relevant regional and national level stakeholders, was previously held by BLPA.

The present consultation was held to seek preliminary opinions of the institutional stakeholders in the Chittagong Hill Tracts including representatives of the region’s ethnic minorities and local government institutions on the proposed Ramgarh Land Port. Prior to the consultation, the participants were informed by phone and subsequently advance notice was served to them by writing. Further, newspaper advertisements were published on two well-known dailies; Daily Financial Express and Daily Amader Shomoy respectively on 23 December 2016 and 22 December 2016 to inform the larger public about the consultation. The copy of the newspaper advertisement is attached as Annex 5 to this report.

During the consultation it was also made clear that this was a very initial level of consultation and further consultations will take place when the works on the land port starts based on the decision made in the present consultation.
The Consultation
The consultation was held on 2 January 2017 in the Conference Room of the Khagrachari DC Office, and was organized by Bangladesh Land Port Authority (BLPA). It was represented by its Chairman Mr. Tapan Kumar Chakravarty and Executive Engineer Mr. Hassan Ali. In addition, Dr. Nurul Islam, Environmental Safeguards Consultant and Kirti Nishan Chakma, Social Safeguard Consultant, attended the consultation as observers from World Bank.

Prior to the consultation, the Bangla and English versions of the project’s Executive Summary of Environmental Management Framework (EMF), Resettlement Policy Framework (RPF) and Small Ethnic and Disadvantaged Community Development Framework (SEDCDF) were disclosed on the BLPA website (www.bsbk.gov.bd) and the participants were informed of the disclosure of the 3 documents beforehand.

The Consultation was presided over by the Khagrachari Deputy Commissioner (DC) and the BLPA Chairman Mr. Tapan Kumar Chakravarty as Chief Guest. Mr. Hassan Ali of BLPA made a PowerPoint presentation on the proposed Regional Connectivity Project and relevant sections of the above-mentioned 3 safeguards documents. The copy of the presentation is attached to this report as Annex 4.

In total 35 participants attended the Consultation. This includes traditional leaders from the ethnic minority communities (Circle Chief, Headmen and Karbari), representatives of the local institutions (MoCHTA, CHTRC, HDC, CHTDB, Upazila, Union Parishad) Government Departments/Agencies (DC, SP, Agriculture Office), NGOs, Local Women Leaders from both Bengali and ethnic minority communities and local media.

The list of the participants with copy of the attendance sheets are attached in Annex 2 and 3.

The Consultation was recorded in video and copy of it is kept by BLPA and also at the Bank office. It engendered a lively discussion by the participants. All of them unanimously expressed their support to the construction of the land port. Alongside, a lively discussion was followed where they also raised many issues and concerns. The participants in the discussion are

1. Mr. Mathura Tripura, Executive Director, Zabarang (local NGO)
2. Shahidul Islam Bhuiyan, Ramgar Upazilla Chairman
3. Sudarshan Datta, Local Entrepreneur and member, Khagrachari Chamber of Commerce & Industries
4. Mongsui Prue Chowdhury, Member, Khagrachari Hill District Council
5. Arun Kanti Chakma, Executive Director, ALO (local NGO)
6. Kanan Acharya, Mashranga Television
7. Abu Taher Mohammad, Khagrachari correspondent, NTV
8. Dhiman Khisha, Local entrepreneur
9. Dr. Sudhin Kumar Chakma, ex-Principal, Khagrachari Government College
The issues and concerns raised in the discussion are provided below, along with responses from BLPA:

<table>
<thead>
<tr>
<th>Observation/comment raised</th>
<th>BLPA response</th>
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<tbody>
<tr>
<td>• All the participants requested for further consultation with the stakeholders including the grassroots communities and the institutions as the project goes ahead.</td>
<td>The present consultation is a very preliminary level consultation and only with the institutional stakeholders. More consultations including with the grassroots communities, affected persons and the area’s ethnic minority inhabitants will be held as part of the social and environmental assessment of the proposed land port when the project activity starts.</td>
</tr>
<tr>
<td>• The participants emphasized the importance to BLPA to work closely with the local institutions (HDC, CHTRC, Upazila Parishad, etc.) during the implementation of the project and during its subsequent operation.</td>
<td>It is the intention of BLPA to work closely with all the relevant stakeholders of the project. BLPA considers it important to ensure that the project’s benefits reach equally to all the stakeholders and it is also aware of the specific context of the CHT region.</td>
</tr>
<tr>
<td>• The project should include specific plan for the disadvantaged and tribal communities. The plan should include proper compensation to them and as well as support for livelihood restoration.</td>
<td>BLPA will prepare such a plan as part of the project social and environmental impact assessment which will detail the mitigation measures for any potential negative impacts, compensation plan/mechanisms to the affected persons and as well as specific plan for the ethnic minority and disadvantaged communities so that they can benefit in equal measures from the project’s interventions.</td>
</tr>
<tr>
<td>• The participants made it a point that in order to ensure maximum impacts/benefits of the project there should be specific measures for the PAPs in particular but also the larger development of the Khagrachari District. Many reminded of examples from the recent history where the region saw little benefits for large development project. They mentioned the example of the Kaptai Dam which submerged one third of the region whereas, vast areas of the region still have not got electricity, and more recently, the development of the Semutang gas field (in Manickchari upazila, Khagrachari) from which hardly anyone in the Khagrachari/CHT region and its recent history. For this purpose, the project will be carefully designed to minimize the negative impacts, if any, and to maximize the potential benefits for all. The social and environmental impact assessment of the proposed land port will explore in-depth the various issues in this regard and will lay down the specific recommendations for this purpose.</td>
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benefited. Many said that the region is left with the long term devastating consequences of these interventions and emphatically told that “similar history must not repeat once more”.

<table>
<thead>
<tr>
<th>• The participants all raised demands for job reservation for the local people and more specifically, the PAPs (Project Affected Persons).</th>
<th>BLPA is sympathetic to this proposal and indeed, in a number of other land ports, it has followed similar measures and made provisions for jobs in relevant positions to the affected persons.</th>
</tr>
</thead>
<tbody>
<tr>
<td>• The participants also raised the need of a detailed socio-economic study about the impact of the land port. They said that although the land port will be located in Ramgarh, its impacts will be much wider in the region. The assessment should spell out in detail so that appropriate measures could be taken by the government/project.</td>
<td>BLPA is aware of the larger impacts that the proposed land port might impact in the CHT region. The social and environment impact assessment will ensure this issues and including the necessary measures for it to adopt.</td>
</tr>
<tr>
<td>• Many participants raised the issue of tourism and said that, while, in general, tourism should be welcome the socio-economic assessment should include the issue to understand its long-term impacts and in particular for the disadvantaged communities. They also asked to put more emphasis on eco-tourism.</td>
<td>BLPA understands that tourism has great potential in the CHT region. However, it is also aware of the potential negative impacts that tourism could produce if it grows in unplanned and unchecked manner. BLPA is not involved in tourism promotion but it is aware that the proposed land port can boost greater mobility of the people including tourism. The social and assessment will look into the matters.</td>
</tr>
<tr>
<td>• The participants raised the concerns that while the proposed land port will surely generate economic opportunities, jobs and incomes, special measures should be included to promote/support the local businesses so that not only the Dhaka and Chittagong big business houses monopolize all the available opportunities.</td>
<td>BLPA understands the demands of the participants and will encourage the stakeholders to raise these demands to the government.</td>
</tr>
<tr>
<td>• Many participants raised the issue of the connecting road and the need for expansion of the current road from Ramgarh to Baraiyarhat. They also raised the importance of developing a second connecting road through Nazirhat/Fatikchari and also to explore extension of rail link which currently extends upto Nazirhat, some 30/40 kilometers from Ramgarh at Nazirhat in Chittagong.</td>
<td>BLPA expects a somewhat low volume of trades through the proposed land port at the initial stage. However, it agrees that the current connecting road might face increased traffic including heavy trucks from the construction of the land port. However, BLPA is also confident that the government will take appropriate measures in this regard based on the project’s feasibility studies.</td>
</tr>
<tr>
<td>• What will be the rate/measures of compensation for land acquisition?</td>
<td>BLPA will follow the government approved laws in this regard. Further where applicable, it will also comply with Work Bank safeguards policies.</td>
</tr>
</tbody>
</table>
**The funding by World Bank, is it grant or loan? What are the conditions? What are objectives of World Bank for financing the project?**

The Government of Bangladesh is seeking the funding from World Bank for the proposed land port. It'll be low interest loan, as all the World Bank funding to Bangladesh usually are. However, there is, at this stage, still no commitment by the World Bank to finance the proposed Ramgarh Land Port. The project will enhance greater connectivity with India which will be in turn generate more economic activity and employment in the CHT region and Bangladesh.

**How will the co-location of the land ports between India and Bangladesh work?**

This is a very new concept both to Bangladesh and India. As such there is still no definite answer at present about how it will function. But if the modality works smoothly, it will create a milestone in regional cooperation.

**The land under acquisition are prime agricultural land in Ramgarh. The land port should have proper drainage system so that it does not create waterlogging or dirty water from the land port does not flood the nearby agricultural land. There is also a risk of bank erosion by the Feni river if it is located nearby.**

BLPA is aware of these potential issues and will specifically ask the feasibility study to look into these concerns.

**There are 3 graveyards (Muslim, Christian and Buddhist) on the riverside and crossing the road, Muhamoni Church just opposite to Indian establishment for Land Port.**

The Chairman of BLPA said that BLPA would try to avoid all these kinds of religious sensitive locations.

**Even if BLPA provides appropriate compensation to the affected persons and communities, it should be mindful that these people are poor and many not have the skill and capacity to handle the sudden amount of compensation cash effectively. BLPA should think about implementing a skill development program to the affected communities and in the wider Khagrachari district.**

The feasibility study and the social and environmental assessment will look in-depth to these concerns. Based on the recommendations of these studies, BLPA will consider appropriate measures and seek necessary funding from the government, World Bank or other development partners.

**CHT region is one of the poorest areas in Bangladesh. The revenue/taxes generated from the port activity should be shared with the region’s local government institutions such as the Upazilla and District Council.**

The government has specific policy in this regard. BLPA will encourage the stakeholders to raise their concerns to the government.

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**Concluding Observations**

The participants very clearly expressed their support to the proposed land port at Ramgar. The opinions of the participants may guide the future steps for BLPA as it works on preparing the project document.
### List of Participants

<table>
<thead>
<tr>
<th>SL</th>
<th>Name</th>
<th>Designation</th>
<th>Name of the Institution</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Raktotpal Tripura</td>
<td>Member</td>
<td>CHT Regional Council</td>
</tr>
<tr>
<td>2</td>
<td>Mong Sui Pru Chowdhury</td>
<td>Member</td>
<td>Hill District Council, Khagrachari</td>
</tr>
<tr>
<td>3</td>
<td>Md. Shahidul Islam Bhuiyan</td>
<td>Chairman</td>
<td>Ramgar Upazilla</td>
</tr>
<tr>
<td>4</td>
<td>Md. Lutfur Rahman</td>
<td>Deputy Secretary</td>
<td>Ministry of CHT Affairs</td>
</tr>
<tr>
<td>5</td>
<td>Mohshih Hossain Talukdar</td>
<td>District Information Officer</td>
<td>Khagrachari district</td>
</tr>
<tr>
<td>6</td>
<td>Ms. Khadiza Akhter</td>
<td>Women Vice Chairman</td>
<td>Ramgar Upazilla</td>
</tr>
<tr>
<td>7</td>
<td>Md. Moinuddin Khan</td>
<td>Officer-in-Charge</td>
<td>Ramgar Thana</td>
</tr>
<tr>
<td>8</td>
<td>Nurul Alam</td>
<td>President</td>
<td>Khagrachari Journalist Union</td>
</tr>
<tr>
<td>9</td>
<td>Prantar Chakma</td>
<td>Headman and Representative</td>
<td>Chakma Circle Chief</td>
</tr>
<tr>
<td>10</td>
<td>Jugantar Tripura</td>
<td>Coordinator</td>
<td>KMKS</td>
</tr>
<tr>
<td>11</td>
<td>Md. Shah Alam</td>
<td>Chairman</td>
<td>Ramgar Union Parishad</td>
</tr>
<tr>
<td>12</td>
<td>Md. Al-Mamum Mia</td>
<td>Upazilla Rirbahi Officer</td>
<td>Ramgar Upazilla</td>
</tr>
<tr>
<td>13</td>
<td>Md. Muntasir Hassan</td>
<td>Assistant Commissioner</td>
<td>DC Office</td>
</tr>
<tr>
<td>14</td>
<td>Dr. Sudhin Kumar Chakma</td>
<td>Retired Principal</td>
<td>Khagrachari Government College</td>
</tr>
<tr>
<td>15</td>
<td>Sudardhan Dutta</td>
<td>Local entrepreneur</td>
<td>Khagrachari Chamber of Commerce</td>
</tr>
<tr>
<td>16</td>
<td>Mathura Bikash Tripura</td>
<td>Executive Director</td>
<td>Zabarang</td>
</tr>
<tr>
<td>17</td>
<td>Arun Kanti Chakma</td>
<td>Executive Director</td>
<td>ALO</td>
</tr>
<tr>
<td>18</td>
<td>Dhiman Khisa</td>
<td>Local Entrepreneur</td>
<td>Civil Society</td>
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<tr>
<td>19</td>
<td>Ranik Tripura</td>
<td>President</td>
<td>Khagrachari Karbari Association</td>
</tr>
<tr>
<td>20</td>
<td>Khetra Mohan Roaza</td>
<td>President</td>
<td>Khagrachari Headmen Association</td>
</tr>
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<td>21</td>
<td>ATM Kawser Hossain</td>
<td>ADC, Revenue</td>
<td>DC Office</td>
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<tr>
<td>22</td>
<td>Md. Abul Kalam Bhuiyan</td>
<td>Field Officer</td>
<td>NSI</td>
</tr>
<tr>
<td>23</td>
<td>Ms. Jayanti Dewan</td>
<td>Journalist</td>
<td>Daily Prothom Alo</td>
</tr>
<tr>
<td>24</td>
<td>Kanan Acharya</td>
<td>Journalist</td>
<td>Mashranga Television</td>
</tr>
<tr>
<td>25</td>
<td>H M Pfaffulla</td>
<td>Journalist</td>
<td>BanglaVision TV</td>
</tr>
<tr>
<td>26</td>
<td>Saikat Dewan</td>
<td>Journalist</td>
<td>DBC News</td>
</tr>
<tr>
<td>27</td>
<td>Abu Taher Mohammad</td>
<td>Journalist</td>
<td>NTV</td>
</tr>
<tr>
<td>28</td>
<td>Biplob Talukdar</td>
<td>Journalist</td>
<td>Ekattor TV</td>
</tr>
<tr>
<td>29</td>
<td>Md. Moin Uddin</td>
<td>Journalist</td>
<td>Daily Aranya Barta</td>
</tr>
<tr>
<td>30</td>
<td>Md. Nurul Alam Chowdhury</td>
<td>Member, Planning</td>
<td>CHT Development Board</td>
</tr>
<tr>
<td>31</td>
<td>Hassan Ali</td>
<td>Executive Engineer</td>
<td>BLPA</td>
</tr>
<tr>
<td>32</td>
<td>Kirti Nishan Chakma</td>
<td>Social Safeguard Consultant</td>
<td>World Bank</td>
</tr>
<tr>
<td>33</td>
<td>Dr. Nurul Islam</td>
<td>Environment Consultant</td>
<td>World Bank</td>
</tr>
<tr>
<td>34</td>
<td>Md. Wahiduzzaman</td>
<td>Deputy Commissioner</td>
<td>Khagrachari</td>
</tr>
<tr>
<td>35</td>
<td>Tapan Kumar Chakravarty</td>
<td>Chairman</td>
<td>BLPA</td>
</tr>
</tbody>
</table>
Annex – 2: Attendance Sheet

<table>
<thead>
<tr>
<th>জন্ম নং</th>
<th>নাম ও পদবী</th>
<th>অভিযোগকারীর নাম</th>
<th>মোবাইল নং</th>
<th>ই-মেইল</th>
<th>যোগ্যতার নিবন্ধন</th>
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<tr>
<td>১</td>
<td>জেচিয়া অরুণা</td>
<td>সবের নাম নির্দেশনা</td>
<td>০১৬৫৫৫৭৮৫৫৫</td>
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<td>Mr. Md. Nurul Islam, Eng, Consultant, Environment Safeguards, World Bank</td>
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| ৩৬    | শেখ পরিয়েত হামিদুল ইসলাম (প্রতিষ্ঠান) | খামিয়া খানবিদী | ০১৭১৯-৯৭২১৫৯৬ | mac577@ymail.com | নেটিভ 
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Annex -3: Presentation of the Consultation by BLPA

Welcome
to
Stakeholder Consultation Meeting
On
Development of Ramgar Land Port
Under
Bangladesh Regional Connectivity Project 1
Organized by:
Bangladesh Land Port Authority
Ministry of Shipping

Overview of BLPA

➢ Bangladesh Land Port Authority (BLPA) was established in 2001 under Bangladesh Sthala Bandar Kartipaksha Act, 2001 (Act 20 of 2001)

➢ BLPA is under the control of the Ministry of Shipping.

➢ Presently BLPA has 23 Land Ports with neighboring countries

Vision & Mission

Vision:
Facilitating export-import through land route.

Mission:
Infrastructure development, efficient cargo handling, improvement of storage facilities, fostering public-private partnership for effective and better service delivery.
Objectives of the Consultation

- To inform the stakeholders about the possible interventions and activities at Ramgarh under the proposed Bangladesh Regional Connectivity Project 1 by BLPA

- To seek preliminary opinions about the proposed land port, including environmental and social aspects
- And potential impacts on ‘ethnic minority’ communities in Ramgarh

Consultation Process

A. Initial screening-stage consultation:
- An initial screening-stage consultation was already held at Ramgarh in October 2015, attended by about 30 local people;

B. Preliminary level discussion:
This consultation is a very preliminary level discussion about the possible development of Ramgarh land port;

C. Detailed Consultation:
More consultations with all the relevant stakeholders, including with the grassroots communities, women and ethnic minority communities will be held during the preparation of feasibility study and detailed design (if Ramgarh selected as a site);

D. Decision about World Bank funding depends on the opinions of the Stakeholders.
Proposed Bangladesh Regional Connectivity Project 1

Objective: Improve conditions for trade through improving connectivity, reducing logistics bottlenecks and supporting the adoption of modern approaches to border management and trade facilitation.

Component 1: Investments in infrastructure, systems and procedures to modernize and improve connectivity of key land ports essential for trade with India and Bhutan (BLPA-managed Component). This will include:

a. Development of Sheola land port
b. Expansion and upgrading of Bhomra land port
c. Improvements to security systems at Benapole land port
d. Development of Ramgarh land port (if agreed)

Proposed Bangladesh Regional Connectivity Project 1

Component 2: Support coordination for trade, and economic empowerment opportunities for women (Ministry of Commerce, WTO Cell – managed component)

- Support to strengthen (inter-ministerial) National Trade and Transport Facilitation Committee
- Capacity development programs for female traders and entrepreneurs (through Ministry of Commerce)

Component 3: National Single Window Implementation and Strengthening Customs Modernization. (Customs Department in NBR - managed component)

- Technical support to improve trading performance, customs modernization and ICT Infrastructure for selected land ports

Component 1a: Land Port Infrastructure

- Typical facilities to be built:
  - Port facilities: administrative building, warehouses, transshipment sheds, open stack yards, truck terminals;
  - Service Areas: barrack, dormitory, restaurant, substation/generator and fuel house, and mosque;
  - Infrastructure: fencing/boundary wall, internal roads, drains, footpath, parking, and landscaping
  - Electrification Works;
  - Water Supply and Sanitation Works
  - Safety and Security: fire protection and detection, CCTV system, alarm and access control systems
- Potentially a co-located land port, i.e. both Bangladesh and India to jointly share a common space for Customs and other clearance functions
- Expected to boost bilateral trade and cross-border visits/tourism
- Land acquisition expected: 10 acres (for Ramgarh)
Location of Ramgar land port
(District of Khagrachhari, Ramgar Municipal Area, at Fenikul)

Primary Site Selection

Possible location of Ramgarh Land Port

Original proposed location: adjacent to Mahamuni Border Guard, Bangladesh (BG) Camp, on Eastern side of the existing road

Alternative proposed location: on the Western (Far) bank side of the existing road, directly across from proposed bridge
Early preparation in support of the Regional Connectivity Project 1

- 3 key safeguards documents prepared for the project, as per national and World Bank standards:
  1. Resettlement Policy Framework (RPF)
  2. Small Ethnic and Vulnerable Community Development Framework (SEVCDF)
  3. Environment Management Framework (EMF)
- All the 3 documents are currently publicly disclosed along with Bangla translations on BLPA website (www.bsbk.gov.bd)

Proposed Institutional Setup for E&S management of Land Ports

- **BLPA Project Implementation Unit (PIU):** Environmental and Social Cell within PIU with environmental and social specialists
- **Construction Supervision Consultants:** Environmental and social consultants to supervise implementation of EMPs, RAPs, SEVCDP as required
- **Contractors:** Environmental Health and Safety Specialists to implement EMPs
- **Port Offices:** BLPA Environmental Health and Safety Officer to be permanently at ports during Operation Stage.

Main Highlights of the RPF
**Potential Project impacts**
- Likely reductions in transports costs
- Likely reductions in border trade costs
- Better connectivity
- Better transportation
- More trade
- Higher income generation
- Overall, improved livelihood
- Land Acquisition and subsequent resettlement
- Loss of Livelihood of the affected persons
- Inconvenience and nuisance during construction

**Mitigation Measures**
- The design will consider minimization of land acquisition and related impacts
- Integrate the rehabilitation of livelihoods into design of terminals
  - Livelihoods: such as integrating shops and vendors
  - Facilities for women such as: separate counters, waiting areas, sanitation, seating arrangements
  - Facilities for disabled people
  - Arrangements to continue cultural practices
  - Design and general arrangement to be ready for impact identification and resettlement plan preparation

**Mitigation Measures (2)**
- Alternate temporary transit arrangements before resettlement
- Resettlement Policy Framework and Plans with clear entitlements and public disclosure
- Small Ethnic Vulnerable Communities Development Plan
- Grievance Redressal Mechanism
- Community Engagement in planning and implementation
- Gender Mainstreaming Plans
**RPF Principles 1**

- 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;
- Minimize 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 becomes economically unviable, the landowner will have the option to offer the entire plot for acquisition;
- The policy principles adopted are inclusive and cover both titled and non-titled persons. The affected persons without title will also be entitled for resettlement benefits.

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**RPF Principles 2**

- Resettlement of project-affected persons will be planned and developed as an integral part of the project design;
- Absence of legal titles in cases of public land users will not be considered a bar to resettlement and rehabilitation assistance, especially for the socio-economically vulnerable groups;
- Homestead-losers, including the poor and vulnerable households squatting on public lands, will be compensated for their physical assets and provided relocation assistance.

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**RPF Principles 3**

- Assets like equipment, machinery or parts that can be dismantled and moved intact will not be eligible for compensation, but the owners will be paid the actual costs of dismantling and moving them;
- Where the project activities cause community-wide impacts affecting community facilities BUPA will rebuild or provide alternatives in consultation with user communities.
**Compensation Norms**

- Replacement costs based on current market price to be collected from different cross-sections for an equal amount of land of same use/quality.
- Replacement costs of houses/structures and other immovable built items (e.g. water supply, sanitation, drainage, etc.), at current market prices of the same building materials plus the current costs of labor to build them.
- Compensation price of fruit trees will be determined considering the maturity and harvest price of fruits.
- If the lands are acquired before harvest, current market prices of crops in the field or on trees will be used to determine compensation.
- If the acquired land is agricultural and amounts to 10% or more of the total productive land owned by the affected household, a transition allowance at three times the value of the crops produced in a year on the acquired land.

**Main Highlights of the SECVDF**

**Key legal provisions for the SEVCDF**

- Constitution of Bangladesh
- Acquisition and Requisition of Immovable Property Ordinance, 1982
- National Land Use Policy, 2001
- East Bengal State Acquisition and Tenancy Act, 1950
- Bangladesh Labour Act, 2006
Key legal provisions for SEVCDF (cont.)

- For CHT only
  1. CHT Regulations 1900
  2. Forest Act, 1927 (as amended in 2003)
  3. Bazor Fund Rules, 1936
  4. CHT (Land Acquisition) Regulation, 1958
  5. HDCs (Bandarban, Rangamati and Khagrachari) Act, 1998 (along with the Schedule – 1)
  6. CHT Accord 1997
  7. CHT Regional Council Act, 1998
  8. CHT Land Commission Act, 2001 (as amended 2016)

Key legal provisions for SEVCDF (cont.)

- Other Laws and policies
  1. The Employment of Children Act 1938
  2. The Factories Act 1965
  3. Shops and Establishment Act 1965
  4. National Child Labour Elimination Policy 2010
  5. The Children Act 2013
  8. Citizenship Act (amended), 2009
  9. Mobile Court Act, 2009

World Bank Operational Policy/Process

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<td>The RFF will be disclosed on BLPA and World Bank website and in hard copy in the project area, including BLPA offices at all the existing and proposed terminals, shelters and landing stations. All these documents will be translated into Bangla and disclosed through above channels.</td>
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Key measures in the SEVCDF

- Facilitate a development process with full respect for dignity, human rights and cultural integrity of SECs, minimizes adverse impacts, and supports culturally and socially compatible economic development programs
- Ensure consultation and participation, and information disclosure
- Recognize SEC’s traditional institutions
- Institutionalize grievance redress (also through the traditional tribal justice system and/or alternative dispute resolution mechanisms)

* A SEVCDF will be prepared for each village where the small ethnic minority population constitutes more than 5% of the village population

Minimizing negative impacts

BLPA will minimize impacts that:

- Threaten cultural tradition and way of life for SECs
- May severely restrict access to common property resources and livelihood activities
- May affect places/objects of cultural and religious significance (places of worship, ancestral burial grounds, etc.)
- That will require involuntary land donation, “contribution against compensation” and purchases that are not offered on “willing buyer-seller” basis
- Affect private homesteads
- Render households using public lands homeless or impact livelihood activities ongoing there
- Significantly restrict access to common property resources and livelihood activities of groups and communities
- Cause adverse impacts on physical cultural resources like buildings and objects that bear cultural and historical significance
Main Highlights of the EMF

Environmental Management Framework (EMF)

Lays out requirements, processes and institutional arrangements for proper Environmental Assessment of the land port developments, including:

- Environmental Screening
- Identification of key environmental issues to be considered during project planning, design and implementation
- Requirements for Environmental Impact Assessments (EIAs) for the proposed ports in compliance with national and World Bank requirements

EIA Process

- Environmental screening – including initial public consultation
- Assessment of potential impacts and mitigation measures
- Mainstreaming environmental and social issues in the Project design
- Development of Environmental Management Plan (EMP)
- Public Consultation and Disclosure of draft EIA
- Finalizing the EIA based on feedback received
**Key potential environmental impacts and mitigations at Ramgarh Land Port (1)**

- **Drainage:** Storm water drains will be required to prevent water logging and to ensure runoff does not pollute Feni river. The port site will be developed above the 100-year flood level and will consider the climate change impacts.

- **Protection of cultural heritage:** An ashram (hermitage), a culturally important area is located near the original proposed port area. To minimize dust and noise pollution on this area, adequate control measures such as developing buffer zones around the port facilities will be considered during the design of the port.

- **Control of dust:** Measures will be required such as concrete pavement of transshipment yard, pavement of internal roads and sidewalks, covering storage areas and spraying of water, etc.

**Key potential environmental impacts and mitigations at Ramgarh Land Port (2)**

- **Control of noise:** Tree plantation/buffer areas around the port facilities to minimize dust and noise will be proposed.

- **Solid waste:** Waste collection and disposal facilities may need to be developed for the port.

- **Facilities for women:** Separate facilities for women travellers/traders may be needed at the port. At Ramgarh, this might include a footbridge for pedestrian traders who are largely women.

- **Water and Sanitation:** Safe drinking water and sanitation facilities for workers and truck drivers need to be established and maintained.

**Next steps for potential Ramgarh Land Port Development**

- Stakeholder consultations based on the principles of “free, prior and informed consultations”, which will inform:
  - Feasibility and design studies
  - Environmental Impact Assessment (EIA), incl EMP
  - IEE (for environmental clearance by Dept of Environment)
  - Social Impact Assessment (SIA)
  - Resettlement Action Plan (RAP)
  - Small Ethnic & Vulnerable Community Development Plan (SEVDCP)

- Disclosure of draft safeguards documents (also in Bangla) for public review and comments

- Approval of studies by World Bank, and of IEE/EIA by Government of Bangladesh

- Land acquisition and resettlement must be carried out before construction can begin
Timeline

- **End-February, 2017:** The Regional Connectivity Project will be considered for financing by the World Bank.
- **Studies for Ramgar land port, including safeguards studies and additional consultations, may get underway by early 2018.**
- **Timeline is subject to delay, depending on formal decision with Government of India on whether to develop a co-located facility.**

Thank You
Annex – 4: Copy of News Paper advertisements on the consultations

**Daily Financial Express (Published on 23 December 2016)**

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[Image of the newspaper advertisement]
Daily Amader Shomoy (Published on 22 December 2016)
Photos of the proposed land port site