Program Implementation Document

Project Number: 55307-001
Loan: LXXXX
May 2023

People's Republic of Bangladesh: Improving Urban Governance and Infrastructure Program

CONTENTS

		Page
I.	PROGRAM DESCRIPTION	1
II.	RESULTS AND DISBURSEMENT	5
	A. The Results-Based Lending Program's Overall Results	5
	B. Disbursement-Linked Indicators	11
	C. Disbursement-Linked Indicator Verification Protocols	17
	D. Disbursement Allocation and Status	27
III.	EXPENDITURE FRAMEWORK AND FINANCING	32
	A. Expenditure Framework	32
	B. Program Financing	32
IV.	PROGRAM SYSTEMS AND IMPLEMENTATION ARRANGEMENTS	33
	A. Monitoring and Evaluation System	33
	B. Fiduciary Systems	35
	C. Satisfying Procurement Member Country Eligibility Restrictions	44
	D. Safeguard Systems	44
	E. Gender and Social Dimensions	47
	F. Communication and Information Disclosure Arrangements	48
	G. Development Coordination	48
V.	INTEGRATED RISKS AND MITIGATING MEASURES	49
	A. Key Risks and Mitigating Measures	49
VI.	PROGRAM ACTION PLAN	52
	A. Status of Program Action Plan	52
VII.	TECHNICAL ASSISTANCE	57
	A. Summary	57
	B. Consulting Service Requirement	60
VIII.	MONITORING OF KEY PROGRAM COVENANTS	60
IX.	SUMMARY OF KEY OUTSTANDING ISSUES	62
X.	ACCOUNTABILITY MECHANISM	62
XI.	CHANGES IN PROGRAM SCOPE AND IMPLEMENTATION ARRANGEMENTS	62
XII.	PROGRAM ORGANIZATIONAL STRUCTURE AND FOCAL STAFF	63
	A. Organizational Structure	64
	B. Program Officers and Focal Persons	65

APPENDIXES

1. List of Pourashavas
2. Financial Information to be included in the Semiannual Progress Reports
3. Template for Program Financial Statements
4. Guidelines to Prevent or Mitigate Fraud, Corruption, and other Prohibited Activities in Results-based Lending for Program
5. Environmental and Social Management Framework
6. Citizen Perception Survey

PURPOSE OF THE PROGRAM IMPLEMENTATION DOCUMENT

The developing member country is wholly responsible for implementing the program supported by results-based lending. Asian Development Bank staff support the results-based lending program design and implementation.

The program administration document consolidates the essential program implementation information. It is a management tool that supports effective program implementation, monitoring, and reporting. It is developed throughout program processing and should be discussed with the developing member country at loan negotiations. It is a living document that should be refined and kept up-to-date during program implementation.

ABBREVIATIONS

ADB	=	Asian Development Bank
ADP	=	Annual Development Plan
AFD	=	Agence Française de Développement,
DMC	=	developing member country
DLI	=	disbursement-linked indicator
ESMF	=	environmental and social management framework
FY	=	fiscal year
GESI	=	gender equality and social inclusion
IVA	=	independent verification agency
LGD	=	Local Government Division
LGED	=	Local Government Engineering Department
LINIC	=	low-income neighborhood improvement committees
M&E	=	monitoring and evaluation
O&M	=	operation and maintenance
PAP	=	program action plan
PSSA	=	program safeguards system assessment
PID	=	program implementation document
PIU	=	program implementation unit
QPR	=	quarterly progress report
RBL	=	results-based lending
RRP	=	report and recommendation of the President
SOP	=	standard operating procedure
TLCC	=	town level coordination committee
TMRES	=	Tribes, Minor Races and Ethnic Sects
UGIAP	=	urban governance improvement action plan

I. PROGRAM DESCRIPTION

1. The Asian Development Bank (ADB) and Agence Française de Développement (AFD) will finance the results-based lending (RBL) program with the government to improve urban governance and services in 88 *pourashavas* of Bangladesh from fiscal year (FY) 2024 to FY2028, benefiting 7.6 million people.[1] The list of 88 pourashavas is in Appendix 1. The program will (i) strengthen institutional capacity for inclusive municipal governance; and (ii) improve municipal infrastructure in terms of quality, access, resilience, and gender responsiveness. The program will support the Government of Bangladesh in achieving integrated and sustainable urban development to improve the livability of *pourashavas*.

2. The RBL program will support a slice of the government program by improving urban governance and services for 88 *pourashavas* at estimated cost of $689.29 million aligning with the government plan and polices. It contributes to pillar 1 (boost competitiveness, employment, and private sector development), pillar 2 (promote green growth and climate resilience) and crosscutting themes (accelerate equality and social inclusion, strengthen governance and institutional capacity) of ADB's Country Partnership Strategy, 2021–2025 for Bangladesh.[2] The RBL program is aligned with ADB's Strategy 2030 and supports its five operational priorities: (i) addressing remaining poverty and reducing inequalities; (ii) accelerating progress in gender equality; (iii) tackling climate change, building climate and disaster resilience, and enhancing environmental sustainability; (iv) making cities more livable; and (v) strengthening governance and institutional capacity.[3] It will directly contribute to the government's international commitments.[4]

3. **Lending modality** ADB's due diligence confirmed that the program meets the requirements for the RBL modality:[5] (i) the government has demonstrated satisfactory leadership, commitments, and high-level support for its municipal development plan to improve urban governance and infrastructure; (ii) the Local Government Engineering Department (LGED) has demonstrated satisfactory institutional capacity and gained adequate experience working with ADB and other development partners; (iii) the LGED has prior experience implementing a World Bank project;[6] (iv) the RBL modality lowers the government's transaction costs in implementing small-value contracts (as compared to inputs in a sector loan), and helps ADB rely on and strengthen the government's practices, systems, and institutional capacity; (v) the program creates incentives for delivering results, given that ADB, the AFD, and central government disbursements will be based on the achievement of the RBL program results as measured by disbursement-linked indicators (DLIs); and (vi) given the Eighth Five-Year Plan directives to diversify urban sector funding sources, the RBL modality will leverage contributions by other development partners to the common framework. The AFD will provide $200 million in cofinancing, and ADB and the AFD have coordinated their due diligence assessments and have

---

[1] *Pourashavas* are the local government institutions established in secondary towns as per the Local Government (*Pourashava)* Act 2009.

[2] ADB. 2021. *Country Partnership Strategy: Bangladesh, 2021–2025*. Manila.

[3] ADB. 2018. *Strategy 2030: Achieving a Prosperous, Inclusive, Resilient and Sustainable Asia and the Pacific*. Manila.

[4] Sustainable Development Goal 1 (*Poverty Targeting*), Goal 5 (*Gender Mainstreaming*), Goal 11 (*Making cities and human settlements inclusive, safe, resilient and sustainable*), Goal 13 (*Climate Action*), Goal 16 (*Strong Institutions*), Goal 17 (Partnership for Sustainable Development) and the New Urban Agenda adopted at the 2016 United Nations Conference on Housing and Sustainable Urban Development in Quito, Ecuador.

[5] ADB. 2021. *Result-Based Lending for Programs. Operations Manual. OM section D18*. Manila.

[6] World Bank Group. 2018. *Operation for Supporting for Rural Bridges Project*. Washington, DC.

harmonized key DLIs.

4. Table 1 summarizes the scope of the broader government program and the RBL program.

Table 1: Program Scope

Item	Broader Government Program	Results-Based Lending Program
Outcome	Urban poverty reduced and living conditions improved through planned, inclusive, and sustainable urbanization, better city governance, and improved infrastructure and services	Municipal services and governance in target *pourashavas* improved.
Key outputs	(i) Improved governance (ii) Improved infrastructure and service provisions	(i) Institutional capacity strengthened for inclusive municipal governance (ii) Municipal infrastructure improved in quality, access, resilience, and gender responsiveness.
Activity types	Improve urban governance, basic urban infrastructure and services, transportation, disaster management, climate resilience, and implementation of urban poverty reduction program.	Prepare UGIAP, develop a web-based revenue management system, prepare central government fund transfers, construct municipal and low-income neighborhood infrastructure civil works, undertake capacity development activities, and prepare GESIAP preparation and budgeting
Expenditure size	$18.0 billion	$689.29 million
Main financiers and their respective total amounts	Government: $16.44 billion; ADB: $0.83 billion; [b] AFD: $0.20 billion; AIIB: $0.30 billion; IDB: $0.10 billion; JICA: $0.20 billion; World Bank: $0.30 billion[c]	Government: $189.29 million ADB: $300.0 million AFD: $200.0 million
Geographic coverage	Nationwide (329 *pourashavas*)	88 *pourashavas*[c]
Implementation period	2022–2037	2023–2028 (5 years)

ADB = Asian Development Bank, AFD = Agence Française de Dèveloppement, AIIB = Asian Infrastructure Investment Bank; IDB = Islamic Development Bank; GESIAP = gender equality and social inclusion action plan, JICA = Japan International Cooperation Agency, UGIAP = urban governance improvement action plan.

[a] Government of Bangladesh, Local Government Division. 2022. Municipal (*Pourashava*s) Development Plan (2022–2037). Dhaka.

[b] Includes ADB-financed projects: ADB. Bangladesh: Coastal Towns Climate Resilience Project($0.25 billion); ADB. Bangladesh: Second City Region Development Project $0.15 billion; the proposed results-based loan (: $0.30 billion); and the proposed ADB. Bangladesh: Chattogram Hill Tracts Inclusive and Resilient Urban Water Supply and Sanitation Project ($0.13 billion).

[c] Sector Assessment (Summary): Water and Other Urban Infrastructure and Services (accessible from the list of linked documents in Appendix 2 of the report and recommendation of the President).

[d] The selection criteria used for *pourashavas* include: (i) inadequate investment with no major projects by development partners and no government transfers, (ii) strong willingness and agreement on abiding with performance criteria, (iii) initiatives undertaken for public financial management improvement, and (iv) located in areas identified in future strategic growth in national government policy and plans as being for future strategic growth.

Source: Asian Development Bank.

5. The RBL program's impact will be urban poverty reduced and living conditions improved.[7] The outcome will be municipal services and governance in target *pourashavas* improved.

[7] Bangladesh Planning Commission. 2020. *Making Vision 2041 a Reality: Perspective Plan of Bangladesh 2021-2041*. Dhaka.

Selected DLIs, identified under each output (described below), will create incentives to achieve the program's outcome indicator.

6. **Output 1: Institutional capacity for inclusive municipal governance strengthened.** The RBL program will improve the livability and holding tax collection efficiency of target *pourashavas* by supporting the LGD, the LGED, and selected *pourashavas* to achieve inclusive municipal governance by (i) institutionalizing the criteria-based government development budget transfer to *pourashavas* (DLI 2); (ii) implementing urban governance improvement action plans (UGIAPs) in 88 *pourashavas* (DLI 3);[8] (iii) computerizing (web-based) revenue management systems in 88 *pourashavas* (DLI 3); (iv) establishing a gender and climate-responsive operation and maintenance (O&M) management system in 88 *pourashava* (DLI 6);[9] (v) training 1,550 staff (including 90% of eligible women staff and female councilors of *pourashavas*, the LGED, and the LGD) on urban governance, tax management, citizen participation, and climate-resilient urban planning (DLI 3 and DLI 5); (vi) earmarking at least 1% of the municipal revenue budget for implementation of *pourashava*-specific Gender Equality and Social Inclusion (GESI) action plans by 88 *pourashavas* (DLI 7); (vii) training at least 5,100 residents (including 50% women) of low-income neighborhoods on resilient livelihood skills (DLI 7); (viii) forming 252 atleast low-income neighborhood improvement committees with at least 50% women members (DLI 7); (ix) approving 63 climate and disaster risk-informed master plans by respective *pourashava* councils (DLI 5); (x) completing at least 300 resilient and gender-responsive municipal infrastructure component detailed designs (DLI 4); and (xi) adopting climate-resilient and socially inclusive public open space guidelines (DLI 5).

7. **Output 2: Municipal infrastructure improved in quality, access, resilience, and gender responsiveness.** The RBL program will support the development of priority municipal infrastructure and essential services for improving livability in 63 target *pourashavas*, by (i) rehabilitating and reconstructing of stormwater drainage including natural drainage, to reduce climate and disaster risk (DLI 8); (ii) rehabilitating or reconstructing roads with stormwater drainage, bridges, and culverts for improved connectivity and access to municipal services (DLI 9); (iii) improving other infrastructures including market facilities and climate resilient and socially inclusive public open spaces (DLI 10); and (iv) implementing income neighborhood improvement programs, including the construction of elderly (old age), women, children-friendly sanitation facilities for poor households.

8. The program includes 10 DLI areas agreed upon with the government. The DLIs include an appropriate mix of the outcome, output, and institutional indicators. All output DLIs contribute to achieving the program outcome (non-DLI and DLI).[10] The DLIs are sufficiently ambitious as they ensure a gradual and sustained scale-up of results, implementation of criteria-based fund transfer, governance and infrastructure development, equity and inclusiveness, O&M sustainability, and use of information and communication and technology. Financing of prior result DLIs include adapting the Municipal (*Pourashavas*) Development Plan by the government as the *pourashava* development framework and program. The program action plan (PAP) includes key actions required for achieving the targets in the DLI framework and the results framework. The

[8] UGIAP is under implementation in 26 *pourashavas*. UGIAP covers (i) citizen's awareness and participation; (ii) urban planning; (iii) equity and inclusiveness of women and urban poor; (iv) enhancement of local resource mobilization; (v) financial management, accountability, and sustainability; (vi) gender-responsive O&M and management systems; (vii) condition surveys and preparation of infrastructure assets inventory; (viii) administrative transparency; and (xi) maintenance of essential *pourashava* services.

[9] Includes O&M of waste management system in 26 *pourashavas*. This will reduce about 2,400 tons per annum of carbon dioxide emissions.

[10] Outcome level non-DLI is at least 80% of citizen report improved livability.

DLIs and disbursement allocations are summarized in Section II.

Table 2: Disbursement-Linked Indicators

Indicator	Disbursement Allocated ($ million)	Share of Total ADB Financing (%)
Outcome		
1. Holding Tax collection efficiency increased to at least 80% by 88 *pourashavas*.[a]	20.00	6.70
Outputs		
Output 1: Institutional capacity for inclusive municipal governance strengthened.		
2. Criteria-based development fund transfer to *pourashavas* institutionalized.	34.00	11.30
3. 88 *pourashavas'* governance and planning improved.	27.00	9.00
4. At least 300 detailed designs of resilient and gender responsive municipal infrastructure subproject completed.	6.00	2.00
5. Financial management and resilient and inclusive planning capacity of LGED improved.	30.00	10.00
6. Gender and climate responsive operation and maintenance management systems established in 88 *pourashavas*.	12.00	4.00
7. Equity and inclusiveness of women and the poor in at least 88 *pourashavas* ensured	21.00	7.00
Output 2: Municipal infrastructure improved in quality, access, resilience, and gender responsiveness.		
8. At least 900 km of drains rehabilitated or reconstructed.	95.59	31.90
9. At least 1,500 km of roads rehabilitated or reconstructed.	33.25	11.10
10. At least seven climate resilience and socially inclusive public facilities and community centers developed or remodeled.	6.0	2.00
Financial charges during implementation	**15.16**	**5.00**
Total	**300.0**	**100.00**

ADB = Asian Development Bank, km = kilometer, LGED = Local Government Engineering Department.
[a] 2022 average baseline tax collection efficiency is 50%.

Source: Asian Development Bank.

9. A rigorous verification protocol was developed (Table 6), and the LGED's office of the Chief Engineer will engage a competent and credible independent verification agency, a private entity, to verify and confirm the achievement of targets against the protocol. An indicative timeline for DLI achievement has been set, and partial disbursement is allowed for selected DLIs (Table 4). The government has institutionalized mechanism to listen to people voices and beneficiary feedback in each *pourashava* for their activities particularly in tax collection, budget execution, and implementation of the *pourashava* development plan.[11] The Town Level Coordination Committee (TLCC), ward committee, and low-income neighborhood improvement committee of target *pourashavas* represent the beneficiaries and will provide feedback on the RBL results. ADB and AFD will undertake at least two review missions annually to (i) review the achievement of DLIs, financial management reports and audit reports, (ii) review annual work plans and budgets; and (iii) conduct sample spot checks of verifications.

[11] Town-level coordination committee (TLCC) and ward coordination committee are established by the *pourashava* as per Articles 15 and 14 of the Local Government (*Pourashava)* Act, 2009. TLCC can have a maximum of 50 members who represent citizens from different interest groups, and the ward coordination committee can have maximum 10 members from the respective ward with at least 40% female members. Low-income neighborhood improvement committee is formed by the *pourashava* with representation from lower-income neighborhoods to undertake the society improvement packages under the RBL program.

10. **Program financing.** The government has requested a concessional loan of $300.0 million from ADB's concessional ordinary capital resources to help finance the program and an attached TA grant of $2.0 million. The loan will have a 25-year term, including a grace period of 5 years; an interest rate of 2.0% per year during the grace period and thereafter; and such other terms and conditions set forth in the draft loan agreements. The AFD will provide a loan cofinancing the equivalent of $200.0 million, to be partially administered by ADB.

11. The summary program financing plan is in Table 3.

Table 3: Program Financing Plan

Source	Amount ($ million)	Share of Total (%)
Government	189.29	27.46
Development partners		
ADB ordinary capital resources (concessional loan)	300.0	43.52
AFD (loan)	200.0	29.024
Total	**689.29**	**100.00**

ADB = Asian Development Bank, AFD = Agençe Francaise de Dèveloppement.
Sources: Asian Development Bank and Agençe Francaise de Dèveloppemen

12. Attached Technical Assistance. The TA is estimated to cost $2,000,000, of which (i) $1,000,000 will be financed on a grant basis by ADB's Technical Assistance Special Fund (TASF-7); and (ii) $1,000,000 will be financed on a grant basis from the Japan Fund for Prosperous and Resilient Asia and the Pacific to be administered by ADB. The government will provide counterpart support in the form of counterpart staff, office space, office supplies, secretarial assistance, and other in-kind contributions. The TA will support the implementation of the RBL program by (i) strengthening sector guidance, including institutionalizing criteria-based development fund transfers to *pourashavas* and results management; and (ii) improving RBL program management capacity.[12] The recently established ADB Capacity Development Resource Center in Bangladesh will also coordinate with the National Institute for Local Government to strengthen LGD, LGED, and *pourashavas*.

II. RESULTS AND DISBURSEMENT

A. The Results-Based Lending Program's Overall Results

1. Program Results Framework

[12] Attached Technical Assistance Report (accessible from the list of linked documents in Appendix 2 of Report and Recommendation of the President to the Board of Directors, People's Republic of Bangladesh; Improving Urban Governance and Infrastructure Program).

Table 4: Results-Based Lending Program Results Framework

(as of 25 May 2023)

Results Indicators	DLI (Yes/No)	Baseline Value	Baseline Year	Target Values of Results Indicators					
				2023	2024	2025	2026	2027	2028
Outcome: Municipal services and governance in target *pourashavas* improved									
1. 80% of citizens report improved livability[a] (OP 4.1)	No Non -DLI	30%	2022	50%	55%	60%	65%	70%	80%
2. 80% holding tax collection efficiency achieved in RBL program *pourashavas* (OP 4.2.2)	Yes/ DLI 1	50%	2022		60%	65%	70%	80%	80%
Output 1: Institutional capacity for inclusive municipal governance strengthened.									
3. Criteria-based development fund transfer to *pourashavas* institutionalized[b] (OP 4.2.2)	Yes/ DLI 2	Adhoc development fund transfer. Minimum criteria used for transferring revenue budget	2022	SOP Development Fund transfer approved by LGD and notified to *pourashavas*	60 *pourashavas* Received development fund following the SOP	100 *pourashavas* Received development fund following the SOP	250 *pourashavas* Received development fund following the SOP	329 *pourashavas* Received development fund following the SOP	329 (non-DLI) continue to receive development funds following SOP
4. Urban governance improvement action plan approved and implemented in 88 (cumulative) *pourashavas*. [c] (OP6.2)	Yes/ DLI3 (i)	Poor governance 26 *pourashavas* have approved UGIAP	2022		UGIAP approved for 63 *pourashavas*	40 UGIAP implemented	60 UGIAP implemented	88 implemented	88 continues to implement (Non-DLI)
5. 88 *pourashavas* where a computerized revenue management system (web-based) is operational.[d] (OP6.2.2)	Yes DLI 3 (ii)	(Manual and standalone system in *pourashavas*) LGED has a Web-based revenue management M&E system	2022		30 pourashavas computerized revenue management system (web-based) established and data migration completed.	40 *pourashavas* computerized revenue management system was established and migration of data was completed.	60 *pourashavas* computerized revenue management system (web-based) established and migration of data completed.	88 *poruashavas* computerized revenue management system (web-based) established and migration of data completed.	88 *poruashavas* computerized revenue management system (web-based) established and migration of data continued
6. Total number (1,570) of LGD, LGED, and	Yes PAP DLI 5 c	0	2022		LGD staff: 10	LGED: 50 *Pourashava* staff: 610	LGD: 10 LGED:100		

Results Indicators	DLI (Yes/No)	Baseline Value	Baseline Year	Target Values of Results Indicators					
				2023	2024	2025	2026	2027	2028
pourashavas staff completing training (urban governance, GAP, urban resilience, and technical) (OP 6.1.1)	DLI 3 c				LGED staff:50 *Pourashava* staff: 360		*Pourashava* staff: 380		
7. At least 300 (cumulative) detailed designs of resilient and gender-responsiv municipal infrastructure subprojects completed.	Yes DLI4	100 detailed draft designs prepared.	2022	100 detailed designs completed	150 detailed designs completed	300 detailed designs completed			
8. LGED's Financial management systems improved and sustained.	Yes DLI 5i	0	2022	LGED's audit committee to meets at least biannually (twice a year) to take corrective actions in resolving audit observations	14 internal audit staff of LGED available	At least 1 internal risk-based audit of RBL program has been undertaken by LGED's internal audit unit during the RBL program implementation and a report has been issued At least 50% audit observations as identified by OCAG in the first audit report for the RBL program have been resolved	LGED's audit committee meets to have met at least biannually years 1-3 of the RBL program to take corrective actions in resolving audit observations At least 50% audit observations as identified by OCAG in the first audit report for the RBL program have been resolved 16 internal audit staff of LGED available	At least 2 internal risk-based audits of RBL program has been undertaken by LGED's internal audit unit during the RBL program implementation and a report has been issued At least 70% of the cumulative audit observations, as identified by OCAG in the three first audit reports of the RBL	

Results Indicators	DLI (Yes/No)	Baseline Value	Baseline Year	Target Values of Results Indicators					
				2023	2024	2025	2026	2027	2028
								program have been resolved	
9. Climate resilient and socially inclusive Public Open Space Guidelines approved and 63 *pourashavas* with risk-informed master plans.	Yes DLI5b	0	2022	Climate Resilient and Socially Inclusive Public Open Space Guideline approved by LGED		30 *pourashavas* with an approved risk-informed master plan	63 *pourashavas* with an approved risk-informed master plan		
10. Gender-responsive operation and maintenance management systems strengthened in 88 *pourashavas*.[e]	Yes/DLI	0	2022		At least 25 Gender-responsive O&M plan approved	At least 88 Gender-responsive O&M plan approved			
11. At least 50% of the annual budget allocated for gender-responsive O&M in 88 *pourashavas* is spent each year (2022 Baseline: 0%)	Yes DLI 6 (i)	0	2022			At least 50% of the annual budget allocated for gender-responsive O&M in 30 *pourashavas* is spent each year	At least 50% of the annual budget allocated for gender-responsive O&M in 60 *pourashavas* is spent each year	At least 50% of the annual budget allocated for gender-responsive O&M in 88 *pourashavas* is spent each year	At least 50% of the annual budget allocated for gender-responsive O&M in 88 *pourashavas* is spent each year (non= DLIs)
12. Gender-responsive waste management O&M system operational in 25 *pourashavas*. (proxy indicator): Waste management O&M fund received by 25 *pourashavas*.)	Yes/ DLI 6(ii)	The incentive to *pourashavas* for satisfactory waste management O&M does not exist.	2022	Standard waste management O&M performance evaluation procedure developed and adopted by LGED	Annual performance ranking of 25 *pourashavas* prepared and fund allocated.	Annual performance ranking of 25 *pourashavas* prepared and fund allocated.	Annual performance ranking of 25 *pourashavas* prepared and fund allocated.		
13. At least 1% of the municipal revenue budget is earmarked	Yes/ DLI 7a	No GAP	2022	30 GAP approved	63 GAP approved.	40 GAP implemented	60 GAP implemented	88 GAP implemented	

Results Indicators	DLI (Yes/No)	Baseline Value	Baseline Year	Target Values of Results Indicators					
				2023	2024	2025	2026	2027	2028
for the implementation of *pourashava*-specific GAP by each p*ourashava.* (2021 Baseline: 0% of the municipal revenue budget earmarked)		0% of the revenue earmarked for the implementation of GAP.			30 GAP implemented				
14. Number (5,100) of residents of low-income neighborhood communities trained on resilient livelihood skills.	Yes/ DLI 7b	0	2022		1400 residents trained on resilient livelihood skill	1400 residents trained on resilient livelihood skill	1400 residents trained on resilient livelihood skill	800 residents trained in resilient livelihood skill	
15. Number (252) of LINIC in 63 *pourashavas* formed.	Yes/ DLI 7c	0	2022		100 LINIC formed	160 LINIC formed (cumulative)	252 LINIC formed (cumulative)		
Output 2 Municipal Infrastructure Improved in quality, access, resilience, and gender responsiveness.									
16. At least 900 km of drains (cumulative) rehabilitated or reconstructed in 63 target *pourashavas*. (OP 4.1.2)	Yes/ DLI8	Inadequate stormwater drain.	2022	25% contracts (by number) for rehabilitation and reconstruction of drains awarded through e-GP	100% contracts (by number) for rehabilitation and reconstruction of drains awarded through e-GP	250 km of drains rehabilitated/ reconstructed	500 km of drains rehabilitated/ reconstructed	800 km of drains rehabilitated reconstructed	900 km of drains rehabilitated/ reconstructed
17. At least 1,500 km of roads (cumulative) rehabilitated or reconstructed to meet standards of gender responsiveness, safety, and accessibility in 63 target *pourashavas*.[f] (OP 2.4.1, OP 3.2.5, OP 4.1.2)	Yes/ DLI9	Roads are dilapidated.	2022	50% of roads subproject awarded through e-GP	100% of roads subproject awarded through e-GP	250 km of roads rehabilitated or reconstructed	800 km of roads rehabilitated or reconstructed	1,250 km of roads rehabilitated or reconstructed	1,500 km of roads rehabilitated or reconstructed
18. At least seven climate resilient and socially inclusive	Yes/ DLI 10	Public and community	2022				4 climate resilient and socially	3 community centers (market	

Results Indicators	DLI (Yes/No)	Baseline Value	Baseline Year	Target Values of Results Indicators					
				2023	2024	2025	2026	2027	2028
public facilities remodeled or developed.[g] (OP2.4.1)		infrastructures are vulnerable and non-gender-responsive.					inclusive public spaces demonstration remodeled or developed.	centers) constructed	
Other Results									
19. Annual Development Plan approved for the adequate budget allocation aligning with the RBL program budget codes meeting program results.	Yes/ DLI 2 (i)			Yes	Yes	Yes	Yes	Yes	Yes

DLI = disbursement-linked indicator, e-GP = e-government procurement; GAP = gender action plan, km = kilometer, LGD = Local Government Division, LGED = Local Government Engineering Department, LINIC = low-income neighborhood improvement committee; M&E = monitoring and evaluation, SOP = standard operating procedure, O&M = operation and maintenance, OP = operational priority, PAP = program action plan; RBL = results-based lending, UGIAP = urban governance improvement action plan.

[a] Citizen perception survey will be conducted using a questionnaire used for the baseline perception survey (accessible from the link document program implementation document). Town level coordination committee (TLCC) of the respective *pourashava* represents citizens residing in the concerned *pourashava*. The *pourashava* establishes TLCC as per the Article 115 of the Local Government (*Pourashava)* Act, 2009. TLCC can have a maximum of 50 members who represent citizens from different interest groups.

[b] Local Government Division (LGD) approves municipal development plan, standard operating procedure (SOP) for criteria-based transfer, development fund to follow the SOP, and annual development plan for timely implementation.

[c] *Pourashava's* overall performance score of at least 80% is considered urban governance improvement action plan (UGIAP) implemented. UGIAP is under implementation in 26 *pourashavas*.

[d] *Pourashava* uploads revenue and expenditure information in the Local Government Engineering Department (LGED)'s web-based platform and is confirmed by the Urban Division of LGED.

[e] Operation and maintenance (O&M) plans will include specific targets for women members in committees, provision for regular monitoring and maintenance of gender-responsive infrastructures, and specific targets for women employment in O&M. At least 50% of the annual budget allocated for gender-responsive O&M in 88 *pourashavas* is spent each year starting from 2024 (year 2).

[f] Design incorporates climate change considerations, features that enhance people's safety include roading with proper pedestrian pavements, safe crossing, streetlights, visibility, and clear signages.

[g] Gender-responsive refers to considering the perspective of women and girls who will be the users in public space design and construction, such as safety concerns, lighting, and separate washroom facilities.

Source: Asian Development Bank.

B. Disbursement-Linked Indicators

1. Description of Disbursement-Linked Indicators

Table 5: Disbursement-Linked Indicators
(as of 25 May 2023)

Disbursement-Linked Indicators	Base line Value	Base line Year	Target Values							
			Advance Financing	Prior Results	2023 QIII-QIV	2024	2025	2026	2027	2028 QI-QII
Outcome: Municipal services and governance in target *pourashavas* enhanced										
DLI 1. By 2028, Holding tax collection efficiency increased to at least 80% by 88 *pourashavas*.	50%	2022	N/A	N/A		Holding tax collection efficiency increased to at least 60%.	Holding tax collection efficiency increased to at least 65%.	Holding tax collection efficiency increased to at least 70%	Holding tax collection efficiency increased to at least 80%	Holding tax collection efficiency maintained to at least 80%
Output 1: Inclusive urban governance and institutional capacity strengthened.										
DLI 2. Criteria-based development fund transfer to *pourashavas* institutionalized.[a]	Ad hoc development fund transfer.	2022	Yes	MDP approved	i. SOP of Development Fund transfer approved by LGD ii. ADP aligned with the program budget forecast to meet DLIs approved	i. At least 60 *pourashavas* received development funds, following SOP ii. ADP aligned with the program budget forecast to meet DLIs approved	i. At least 100 *pourashavas* received development funds, following SOP ii. ADP aligned with the program budget forecast to meet DLIs approved	i. At least 250 *pourashavas* received development funds, following SOP ii. ADP aligned with the program budget forecast to meet DLIs approved	i. At least 329 *pourashavas* received development funds, following SOP ii. ADP aligned with the program budget forecast to meet DLIs approved	
DLI 3. 88 *Pourashavas'* governance and planning improved. (i) At least 88 (cumulative) UGIAP approved and 88	26 *pourashavas* has approve	2022	Yes	N/A		At least 60 UGIAP approved.	At least 40 UGIAP implemented.	At least 60 UGIAP implemented.	88 UGIAP implemented	

Disbursement-Linked Indicators	Base line Value	Base line Year	Target Values							
			Advance Financing	Prior Results	2023 QIII-QIV	2024	2025	2026	2027	2028 QI-QII
(cumulative) UGIAP implemented. [b]	d UGIAP									
(ii) 88 *pourashavas'* computerized revenue management systems (web-based) established. [c]	Manual system standalone computer-based revenue management system	2022	N/A	N/A		At least 30 computerized revenue management systems (web-based) established	At least 40 computerized revenue management systems (web-based) established	At least 60 computerized revenue management systems (web-based) established	88 computerized revenue management systems (web-based) established	
(iii) At least 1,350 staff of *pourashavas* staff (including 90% of eligible women staff and female councilors of municipalities) complete training (Urban governance, GESIAP, urban resilience, and technical)	Inadequate knowledge on governance, urban resilience, GESIAP, risk-informed master planning and O&M	2022	N/A	N/A		At least 120 participants [total 360 staff and councilors] complete training on Climate Resilience, GESI responsive Public Open Space, Urban Resilience, and UGIAP	At least 150 staff (total 610 staff and councilors) complete training each on UGIAP, tax assessment, financial management, and waste management system O&M	At least 120 staff (total of 370 staff and councilors) received training on Risk-informed Master Planning and GESI-responsive O&M of infrastructure, web-based revenue management		
DLI 4. By 2025, at least 300 (cumulative) detailed designs of resilient and gender-responsive municipal infrastructure completed. [d]	100 Draft detailed designs prepared.	2022	Yes	N/A	At least 100 detailed designs of infrastructure completed	At least 200 detailed designs of infrastructure completed	At least 300 detailed designs of infrastructure completed			
DLI 5. Financial management, and resilient and inclusive	N/A				LGED's audit committee to meets at least biannually	The number of internal audit staff positions in	(i) At least 1 risk based internal audit of the RBL	(i) LGED's audit committee to have met at	(i) At least 2 risk based internal	

Disbursement-Linked Indicators	Base line Value	Base line Year	Target Values							
			Advance Financing	Prior Results	2023 QIII-QIV	2024	2025	2026	2027	2028 QI-QII
planning capacity of LGED improved. (i) LGED's financial management systems improved and sustained.		2022	Yes	N/A	(twice a year) to take corrective actions in resolving audit observations	the LGED's internal audit unit increased by at least 10% compared to the 2022/23 baseline of 12 staff	program have been undertaken by LGED's internal audit unit during the RBL program implementation and a report has been issued. (ii) At least 50% of the audit observations as identified by OCAG in the first audit report for the RBL program, have been resolved	least biannually (twice a year) in year 1–3 of the RBL program to take corrective actions in resolving audit observations. (ii) At least 50% of the audit observations as identified by OCAG in the first audit report for the RBL program, have been resolved.	audits of the RBL program undertaken by the LGED internal audit unit during the RBL program and audit reports issued. (ii) At least 70% of the cumulative audit observations, as identified by OCAG in the three first audit reports of the RBL program have been resolved	
(ii) Climate Resilient, Gender and GESI responsive Public Open Space Guidelines approved and 63 risk-informed master plans (cumulative) approved	Draft guideline prepared.	2022	Yes	NA	Climate Resilient, Gender and Socially Inclusive Public Open Space Guidelines approved		Atleast30 Risk-informed master plans approved	At least 63 risk-informed master plans approved		

Disbursement-Linked Indicators	Base line Value	Base line Year	Target Values							
			Advance Financing	Prior Results	2023 QIII-QIV	2024	2025	2026	2027	2028 QI-QII
(iii) At least 200 LGED staff completed training on urban resilience and GESIAP.	0	2022	NA	NA		At least 50 LGED staff completed training on on urban resilience and GESIAP.	At least 50 LGED staff completed training on urban resilience and GESI AP.	At least 100 LGED staff completed training on urban resilience and GESIAP.		
DLI 6. Gender-responsive operation and maintenance management systems established in 88 *pourashava.* (i) 50% of the annual budget allocated spent for gender-responsive O&M in 88 *pourashavas*.	Ad hoc O&M practice.	2022	Yes	NA		At least 30 gender-responsive O&M plans approved	At least 88 gender-responsive O&M plans approved At least 50% of the annual allocated budget for the O&M is spent by at least 30 *pourashavas*	At least 50% of the annual allocated budget for O&M is spent by at least 60 *pourashavas*.	At least 50% of the annual allocated budget for O&M is spent by at least 88 *pourashavas*.	At least 50% of the annual allocated budget for O&M is spent by 88 p*ourashavas*. (maintained)
(ii) WM O&M budget received by at least 25 *pourashavas*.	An incentive to *pourashavas* for satisfactory O&M of the WM system does not exist.	2022	Yes	NA	Standard WM O&M performance evaluation procedure developed and adopted by LGED. .	Annual *pourashava* WM performance ranking prepared, and budget allocated to at least 25 *pourashavas* following the standard procedure	Annual *pourashava* WM performance ranking prepared, and budget allocated to at least 25 *pourashavas* following the standard procedure	Annual *pourashava* WM performance ranking prepared, and budget allocated to at least 25 *pourashavas* following the standard procedure	Continue annual *pourashava* WM performance ranking prepared, and budget allocated to at least 25 *pourashavas*	Continue annual *pourashava* WM performance ranking prepared, and budget allocated to at least 25 *pourashavas* (Non-DLI)
DLI 7. Equity and inclusiveness of women and poor in at least 88 *pourashava* ensured										
(i) *Pourashavas*-wise GAP implemented with at least 1% budget allocation from own	*Pourashavas* do not have GAP	2022		NA	30 GAPs approved by *pourashavas*		At least 40 GESIAPs implemented with 1%	At least 50 GESIAPs implemented with 1%	At least 88 GESIAPs implemented with 1%	

Disbursement-Linked Indicators	Base line Value	Base line Year	Target Values							
			Advance Financing	Prior Results	2023 QIII-QIV	2024	2025	2026	2027	2028 QI-QII
revenue by 88 *pourashavas*.							budget from own revenue	budget from own revenue	budget from own revenue	
(ii) 5,100 residents of low-income neighborhood (LIN) reported increased resilient livelihood skill.	0	2022		NA		At least 1,400 residents of LIN reported on resilient livelihood skill	At least 1,450 additional LIN reported increased resilient livelihood skill	At least 1,450 additional LIN reported increased on resilient livelihood skill	At least 800 additional LIN reported increased resilient livelihood skill	
(iii) Atleast 252 (4 committees x 63 *pourashavas*) low-income neighborhood improvement committees in at least 63 *pourashavas* formed	25 purashavas has slum improvement committees	2022		NA		100 low-income neighborhood improvement committees formed	166 low-income neighborhood improvement committees formed	252 low-income neighborhood improvement committees formed		
Output 2: Municipal infrastructure improved in quality, access, resilience, and gender-responsiveness.										
DLI 8. At least 900 km (cumulative) stormwater drainage rehabilitated or reconstructed in at least 63 *pourashavas.*	Infrastructure inadequate	2022	NA	NA	At least 25% of contracts (by number) for rehabilitation/ reconstruction of drains awarded through e-GP	100% contracts awarded through e-GP	At least 250 km of drains rehabilitated/reconstructed	At least 500 km of drains rehabilitated/reconstructed	At least 800 km of drains rehabilitated/reconstructed	At least 900 km of drains rehabilitated/reconstructed
DLI 9. At least 1,500 km (cumulative) of roads rehabilitated/reconstructed in at least 63 *pourashavas*. [f]	Infrastructure inadequate	2022	N/A	N/A	At least 25% of road contracts for rehabilitation/reconstruction awarded through e-GP.	All contracts award through e-GP	At least 250 km of roads rehabilitated/reconstructed	At least 500 km of roads rehabilitated/reconstructed	At least 1000 km of roads rehabilitated/reconstructed	At least 1500 km of roads rehabilitated/reconstructed

Disbursement-Linked Indicators	Base line Value	Base line Year	Target Values							
			Advance Financing	Prior Results	2023 QIII-QIV	2024	2025	2026	2027	2028 QI-QII
DLI 10. At least seven climate resilient and socially inclusive public facilities developed or remodeled.[g]	Infrastructure inadequate or nonexistent.	2022	N/A	N/A		4 contracts for construction or remodeling of climate resilient and socially inclusive public open spaces awarded through e-GP	At least 2 climate resilient and socially inclusive public spaces demonstration remodeled or reconstructed 3 targeted contracts for community facilities awarded through e-GP	At least 2 additional climate resilient and socially inclusive public spaces demonstration remodeled or reconstructed.	At least 3 Community facilities (market centers) constructed	

ADP = Annual Development Plan, DLI = disbursement-linked indicator, e-GP = electronic government procurement, GESI AP = gender equality and social inclusion action plan, km = kilometer, LGD = Local Government Division, LGED = Local Government Engineering Department, LIN = low income neighborhood, MDP = municipal development plan, O&M = operation and maintenance, OCAG = Office of the Comptroller and Auditor General, Q = quarter, RBL = results-based lending, SOP = standard operating procedure, UGIAP = Urban Governance Improvement Action Plan, WM = waste management.

[a] LGD approves municipal development plan, standard operating procedures for criteria-based transfer, development fund transfer will follow the standard operating procedures and annual development plan for timely implementation.

[b] *Pourashava's* overall performance score of at least 80% is considered UGIAP implemented. UGIAP is under implementation in 26 *pourashavas.*

[c] *Pourashava* uploads revenue and expenditure information in the LGED's web-based platform and is confirmed by the Urban Division of LGED.

[d] Municipal infrastructure (Drainage, roads, and public facilities) design prepared with climate change consideration and at least 2 gender-responsive features (e,g., drain with cover, culverts, road with water management, road crossing, footpath, streetlights, considered).

[e] O&M plans will include specific targets for women members in committees, provision for regular monitoring and maintenance of gender-responsive infrastructures, and specific targets for women employment in O&M. At least 50% of the annual budget allocated for gender-responsive O&M in 88 *pourashavas* is spent each year starting from 2024 (year 2).

[f] Design incorporates climate change considerations, features that enhance people's safety include roading with proper pedestrian pavements, safe crossing, streetlights, visibility, and clear signages.

[g] Public facilities include four public spaces and three community facilities. Design and construction of gender-responsive and socially inclusive community facilities and public open spaces will consider the perspective of the elderly (older persons), women, children, and persons with disabilities as the end-users. These include, among others, safety measures, lighting, and separate washroom facilities.

Source: Asian Development Bank.

C. Disbursement-Linked Indicator Verification Protocols

1. Description of the Verification Protocols

Table 6: Disbursement-Linked Indicator Verification Protocols
(As of 25 May 2023)

Disbursement-Linked Indicators	Definition and Description of Achievement	Information Source and Frequency	Verification Agency and Procedure	Verification Time Frame
Outcome Municipal services and governance in target *pourashavas* enhanced.				
DLI 1. By 2028, Holding tax collection efficiency increased to at least 80% by 88 *pourashavas*. 2022 Baseline: Target *pourashavas'* average holding tax collection efficiency is 50%. Target: Average holding tax collection efficiency achieved by 88 *pourashavas*. 2024: 60% 2025: 65% 2026: 70% 2027: 80% 2028: 80% (maintained).	**Definition:** DLI1 is the define by the formula below: Holding Tax collection efficiency = (Arrear collection + Current collection) / (Arrear Demand + Current Demand) Demand for the tax collection for that year is determined in the latest tax assessment or reassessment. Arrear demand is the total accumulated arrears of holding tax dues in the preceding years. Arrear collection is the collection of such arrear demand. **Condition for disbursement.** Considered met if the targets in the first column are achieved. **Partial disbursement.** The DLI is scalable and partial disbursement is allowed. The following formula will be applied: Partial DLI disbursement = *planned DLI disbursement for the period (actual achievement of the current period-targeted achievement of the previous period)/ (targeted achievement of the current period-targeted achievement of the previous period).* Disbursements are allowed for the early or late achievement of the DLI. Consequently, the planned disbursement amount for a given year can be released when the set target is fully achieved, even if the achievement is late, as long as the achievement is during the program's duration.	*Pourashava* yearly statement, LGED, Municipal Urban Support Unit The report will be submitted twice in a year from 2024–2028	PMU submits evidence of the achievement as reported in the annual progress report derived from the web-based M&E system. The IVA will verify the achievement based on the report generated from the web-based M&E system and will include a spot-check in the field, as needed, to access the quality of data collection	Latest by June and November every year
Output 1: Institutional capacity for inclusive municipal governance strengthened				
DLI 2. By 2028, Criteria-based development fund transfer to *pourashavas* institutionalized. Target:	**Definition:** LGD approves Municipal Development Plan to provide strategic approaches, including criteria-based fund transfer to *pourashavas*, adopts SOP for development fund transfer to pourashavas, development fund to 329 *pourashavas* transferred, and annual development plan of the RBL program approved annually.	PMU will collect information from the LGD and LGED and consolidates for 2023 prior	IVA will verify the achievement based on desk review consolidated reports and sample interviews with LGD,	2023

Disbursement-Linked Indicators	Definition and Description of Achievement	Information Source and Frequency	Verification Agency and Procedure	Verification Time Frame
Prior results: Municipal (*Pourashavas*) Development Plan, 2022–2037	**Prior results**. Municipal (*Pourashavas*) Development Plan (2022–2037) approved by LGD provides key strategic approaches based on evidence and sector learning for future interventions and subsequent investments required for governance and infrastructure development in the pourashavas, provided to LGED through a letter directive.	results, 2023 (i) and 2024–2027 targets. By 2023	LGED and *pourashavas*.	
By 2023. SOP of development fund transfer to pourashavas approved and notified to *pourashavas*. **2024–2027** Development budget received in year by number of *pourashavas*. 2024: 60 *pourashavas* 2025: 100 *pourashavas* 2026: 250 *pourashavas* 2027: 329 *pourashavas* **Target 2023-2027**: ADP approved and aligned with the RBL program budget forecast to meet DLIs.	**2023** (i) SOP is a document that describes the procedure for the government transfers the development budget to the local government (*pourashava)* based on predefined performance criteria. LGD ranks the *pourashava* based on the performance assessment, endorses the ranking report, and transfers the development budget to *pourashavas*, respectively. (LGD will access the web-based financial management system at LGED to generate the ranking). **2023 condition for disbursement.** The target is considered achieved when the LGD prepares the SOP, LGD has approved it, and notified each *pourashava* through a notification. Partial disbursement is not allowed. **2024–2027 condition for disbursement**. Considered achieved when the *pourashavas* confirms receipt of the budget in writing. **Partial disbursement from 2024-2027.** The following formula will be applied for partial disbursement: Partial DLI disbursement = planned DLI disbursement for the period (actual achievement of the current period-targeted achievement of the previous period)/ (targeted achievement of the current period-targeted achievement of the previous period). **Condition for disbursement.** This target is considered achieved when the Chief Engineer, LGED (i) approves the RBL program budget forecast to meet the DLIs and (ii) Approves the ADP aligned with the approved program budget.	LGD's letter to LGED transmitting the approved SOP LGED M&E	Achievement report for 2023, will include (i) SOP document, (ii) a letter from LGD confirming the approval of SOP, and (iii) a copy of the notification letter to *pourashavas*. For 2024–2027 attested performance ranking (by LGD) report and fund transfer statement in accordance with the SOP. IVA verify and confirm published ADP	July 2023–June 2024 Once a year from 2023–2027
DLI 3: 88 *Pourashavas'* governance and planning improved.				

Disbursement-Linked Indicators	Definition and Description of Achievement	Information Source and Frequency	Verification Agency and Procedure	Verification Time Frame
(i) By 2024, At least 88 (cumulative) UGIAP approved and 88 (cumulative) UGIAP implemented. Baseline: 26 pourashavas has approved UGIAP. Target number of UGIAP implemented 2024: 62 UGIAP approved 2025: 40 UGIAP implemented 2026: 60 UGIAP implemented 2027: 88 UGIAP implemented 2028: 88 UGIAP implemented (non-DLI)	**Definition:** DLI 3 is defined that (i) each *pourashava* is implementing UGIAP, (ii) a web-based revenue management system established and (iii) capacity-building activities have been implemented. Each *pourashava's* UGIAP should use well-defined activities and indicators to assess the *pourashava's* governance improvement performance. There are nine activities with twenty-nine indicators. UGAIP must be approved by each *pourashava* council and TLCC before implementation begins. UGIAP is considered implemented if the *pourashava* achieves a score of at least 80%. **Condition for disbursement.** This is considered met if the targets in the first column are achieved. **Partial disbursement.** Allowed 100% will be disbursed if the target is met; or if the achievement is lower. The following formula will be applied: Partial DLI disbursement = planned DLI disbursement for the period (actual achievement of the current period-targeted achievement of the previous period)/ (targeted achievement of the current period-targeted achievement of the previous period).	*Pourashava* records and LGED M&E.	PMU submits achievement reports including UGIAP, *pourashava* council's meeting minutes and UGAIP implementation assessment report attested by TLCC. The IVA will the achievement by (a) desk review, (b) sample interviews with key stakeholders in TLCC.	Twice a year from 2024–2028.
(ii) 88 *Pourashavas*' computerized revenue management systems (web-based) established. 2022 Baseline: Manual system in 88 *pourashavas*. Target: Number of pourashava establish computerized revenue management systems (data migrations completed) established. 2024: 30 2025: 40 2026: 60 2027: 88 2028: 88 (maintained)	**Definition:** *Pourashavas* commence using the web-based revenue management system developed by LGED and *pourashavas* complete data (financial management) migration to the system. **Condition for disbursement.** Target is considered achieved when the target in the first column is met. **Partial disbursement from 2024–2026.** Partial disbursement is allowed, according to the number of *pourashava* that have completed data migrations. The following formula will be applied: Partial DLI disbursement = planned DLI disbursement for the period (actual achievement of the current period-targeted achievement of the previous period)/(targeted achievement of the current period-targeted achievement of the previous period).	LGED, UMSU whenever the DLI is met.	PMU prepares achievement reports generated by web-based revenue management system and submits. The IVA will verify the achievement by (a) desk review, (b) sample interviews with key stakeholders in Pourashavas and UMSU.	Within one month of receiving the validation report, ADB will confirm that the target has been met.

Disbursement-Linked Indicators	Definition and Description of Achievement	Information Source and Frequency	Verification Agency and Procedure	Verification Time Frame
(iii) *Pourashavas* staff completing training (urban governance, GESIAP, urban resilience, and technical) **Target:** 1,350 participants (90% eligible women staff and councilor) complete training by: 2024: 360 2025: 620 2026: 370	**Definition:** Training are provided on multiple topics to the *pourashava* participants (90% eligible women staff and councilor), including staff, members of TLCC and WCC. 2024 training on Urban Resilience, GESI action plan, Climate Resilience and Socially Inclusive Public Open Space Guidelines. 2025 training on UGIAP, tax assessment, financial management, and waste management system O&M. 2026 training on gender-responsive Operation and maintenance plan. **Condition for disbursement.** This target is achieved when the first column's target is met. **Partial disbursement.** 100% will be disbursed if the target is met, or prorata basis if the achievement is lower.	*Pourashava*, LGED Once a year	LGED submits attested training completion reports to ADB.	Semi-annually.
DLI 4: By 2025, At least 300 (cumulative) Detailed designs of resilient and gender responsive municipal infrastructure subprojects completed.				
Target: By 2023: 100 detailed design reports completed 2024: 150 detail design completed 2025: 300 detail design completed.	**Definition.** Detailed design reports, including feasibility study, Detailed Design, Bill of Quantity, IEE, and safeguard assessment following the standards and guidelines of the government. The reports are approved by the appropriate authority. Climate change consideration (as appropriate) and gender-responsive features (at least two features) incorporated. **Partial disbursement.** 100% will be disbursed if the target is met, or pro-rata basis if the achievement is lower. The following formula will be applied: Partial DLI disbursement = planned DLI disbursement for the period (actual achievement of the current period-targeted achievement of the previous period)/ (targeted achievement of the current period-targeted achievement of the previous period).	LGED	LGED submits approved sub-project appraisal reports and IVA will verify the achievement on sample basis.	Semi-annually
DLI 5: Financial management, and resilient and inclusive planning capacity of LGED improved.				
(i) LGED's Financial management systems improved and sustained. **Target by 2023** LGED's audit committee to meet at least biannually (twice a year) to take corrective actions in resolving audit observations.	**Definition:** LGED's audit committee will meet biannually to resolve audit observations outstanding until the last year of the RBL program. **Condition for disbursement.** This is considered achieved when LGED submits the minutes of the audit committee. **Partial disbursement.** Not applicable	Minutes of biannual meetings or equivalent.	PMU submits the letter of achievement to ADB with dossier The IVA will verify the submitted documents.	Semi-annually

Disbursement-Linked Indicators	Definition and Description of Achievement	Information Source and Frequency	Verification Agency and Procedure	Verification Time Frame
By 2024 The number of internal audit staff positions in the LGED internal audit unit increased by at least 10% (2 persons) compared to the baseline of 12 staff.	**Definition:** LGED's internal audit department lacks sufficient staff. At least 2 more staff members need to be appointed. **Condition for disbursement.** Proof of payroll to at least 14 total staff members **Partial disbursement.** 100% if 2 additional staff members are recruited, 75% If 1 additional staff member is recruited.	Payroll certificate	PMU will submit to ADB a payroll. The IVA will verify the submitted documents on sample basis and interviews.	
By 2025 (i) At least 1 risk based internal audit of the RBL program have been undertaken by the LGED internal audit unit during the RBL program implementation and a report has been issued. (ii) At least 50% of the audit observations as identified by OCAG in the first audit report for the RBL program, have been resolved.	**Definition:** Risk based audit report on RBL to be prepared by the internal audit team of LGED. At least 50% of the audit observations are to be settled. **Condition for disbursement.** LGD internal audit team submits a report on risk based audit. 50% outstanding audit observations are resolved. **Partial disbursement.** (i) 60% if the risk based internal audit is undertaken, and (ii) 40% if at least 50% audit observations are resolved.	Internal audit report	PMU will submit the internal audit report and summary of the APFSs. IVA will verify the submitted documents.	Once a year
By 2026 (i) LGED's audit committee to have met at least biannually (twice a year) in year 1–3 to take corrective actions in resolving audit observations. (ii) The number of internal audit staff positions in the LGED internal audit unit increased by 4 persons compared to the 2022/23 baseline of 12 staff.	**Definition:** (i) LGED's audit committee to meet at least biannually in year 1–3 of the RBL program to take corrective actions in resolving audit observations given by OCAG and FAPAD. (ii) At least 4 more staff members are appointed from the baseline of 12 staff. **Condition for disbursement.** (i) Broadsheet reply submitted by LGED on the unresolved audit observations. (ii) Proof of payroll to at least 14 staff members **Partial disbursement.** (i) 60% if the committee meets biannually, 40% if the committee meets annually; and (ii) 40% if 4 additional staff members are recruited, 35% if 3 additional staff are recruited, 30% if 2 additional staff members are recruited.	Internal audit report, Payroll	PMU will submit the internal audit report, summary of the APFSs. IVA will verify the submitted documents.	Once a year

Disbursement-Linked Indicators	Definition and Description of Achievement	Information Source and Frequency	Verification Agency and Procedure	Verification Time Frame
By 2027, At least 2 risk based internal audits of the RBL program undertaken by the LGED internal audit unit during the RBL program implementation and report issued. At least 70% of the cumulative audit observations, as identified by OCAG in the three first audit reports of the RBL program have been resolved.	**Condition for disbursement.** LGD internal audit team submits reports on risk based audit. 70% outstanding audit observations are resolved. **Partial disbursement.** (i) 60% if two risk based internal audits are undertaken, 50% if one risk based internal audits are undertaken and (ii) 40% if at least 70% audit observations are resolved, 35% if at least 60% are resolved, 30% if at least 50% are resolved.	LGED, OCAG	IVA will verify at least 2 risk based internal audits conducted by reviewing the internal report and Report from OCAG on the status of cumulative audit observations.	Once in 2027
(ii) Climate Resilient and Socially inclusive Public Open Space Guidelines and 63 Risk-informed master plans (cumulative) approved. **By 2023.** Climate Resilient and Socially Inclusive Public Open Space Guidelines approved by LGED. **By 2025.** 30 Risk-informed master plan **By 2026.** At least 63 Risk-informed master plan	**Definition:** LGED adopts the guidelines and each *pourashava* is notified through LGED's notification Risk-informed master plan for at least a 15-year period will be prepared for the *pourashavas* following the LGED's prescribed processes and template. Recruitment of consultants is completed by issuing notice to proceed. **2023** Condition for disbursement. This target is considered achieved when the LGED has approved the guidelines and notified each *pourashava* through a notification. Partial disbursement. Not applicable. **2025–2026** Condition for disbursement**.** This target is considered achieved when the *pourashava* approves the risk-informed master plan. Partial disbursements allowed.	*Pourashava*, LGED	IVA will verify the LGED documents that states the guideline is approved and notified to pourashavas by the LGED. IVA will verify the following documents: (i) *pourashava* letter to LGED on the approval of the master plan together with the approved risk-informed master plan and (ii) minutes of *pourashava* council.	
(iii) 50, 100, and 200 staff (cumulative) staff trained in 2024, 2025, and 2026 respectively, on urban resilience and GESIAP.	**Definition:** Training will be provided on urban resilience and Gender Action Plan. **2024–2026.** The DLI is scalable and partial disbursement is allowed. The following formula will be applied: Partial DLI disbursement = planned DLI disbursement for the period (actual achievement of the current period-targeted achievement of the previous period)/ (targeted achievement of the current period-targeted achievement of the previous period).	LGED PMU M&E report	PMU will submit to LGED a letter of achievement. The ADB mission, along with LGED, will verify the submitted documents.	Annually 2024-2026
DLI 6: Gender-responsive O&M management strengthened in 88 *pourashavas.*				

Disbursement-Linked Indicators	Definition and Description of Achievement	Information Source and Frequency	Verification Agency and Procedure	Verification Time Frame
(i) At least 50% of the annual allocated budget for gender responsive O&M is spent in 88 pourashavas. **Target:** By 2024 = 30 *pourashavas* O&M plan approved 2025 = 88 *pourashavas* O&M plan approved 2025 = 30 *pourashavas* spend at least 50% of the annual allocated budget. 2028 = 60 *pourashavas* spend at least 50% of the annual allocated budget. 2027 = 88 *pourashavas* spend at least 50% of the annual allocated budget. (ii) WM O&M fund received by 25 *pourashavas*. **By 2023.** Standard O&M WM performance evaluation procedure developed and adopted by LGED. **By 2025–2026.** Annual pourashava-wsie WM performance ranking prepared, and budget allocated to at least 25 *pourashavas* for WM O&M following standard procedure.	**Definition.** DLI 6 defined if each *pourashava* includes gender dimensions in the approved O&M plan, spent 50% of the annual O&M budget, and 25 *pourashavas* received a budget for waste management O&M following the performance ranking. Each *pourashava* council approves the gender-responsive O&M plan. Implementation of the plan is defined if 50% of the annual budget allocated for the O&M is spent by the target *pourashava* starting from the second year of the plan approvals. The ratio of actual expenditure to the yearly budget provision. Expenditure of implementation is recorded, aligning the activities in the approved O&M plan. A SOP will be developed for the *pourashavas* for solid waste and fecal sludge management. PMU will prepare a performance assessment following the performance evaluation procedure and performance ranking attested by LGED and the fund allocated to *pourashavas* is done accordingly. This component will cover 25 *pourashavas* where the waste management value chain is established under different ADB-financed LGED projects. **2023 Condition for disbursements.** This is considered met if the targets in the first column are achieved. **Partial disbursement.** The DLI is scalable and partial disbursement is allowed. The following formula will be applied: **Partial DLI disbursement.** Planned DLI disbursement for the period (actual achievement of the current period-targeted achievement of the previous period)/ (targeted achievement of the current period-targeted achievement of the previous period).	*Pourashava* LGED MIS	IVA verifies by: Desk review and interview with key pourashavas staff and TLCC members on the minutes of *pourashava* PMU submits to the ADB (i) O&M SOP document, (ii) a letter from LGD confirming the approval of SOP, and (iii) a copy of notification letter to *pourashavas*. PMU submits to the ADB (i) the performance ranking and (ii) interim financial statement.	2024–2025
DLI 7: Equity and inclusiveness of women and poor ensured in 88 *pourashavas*				
(i) GESIAP adopted and implemented with 1% budget earmarked from own revenue by at least 88 pourashavas. Target: *Pourashava*-wise GESIAP approved: By 2023: 30 GESIAP implemented:	**Definition:** DLI 7 requires each *pourashava* to approve a GESIAP, implemented it with a 1% budget allocated from own revenue, and low-income resilient livelihood skills training completed for 5100 residents of low-income neighborhood, and LINIC discuss climate resilient issues and priorities.	Semiannual progress report on GESIAP implementation	IVA verifies by: Desk review and interviews with pourashavas staff, LINIC members, and LGED staff.	Semiannual

Disbursement-Linked Indicators	Definition and Description of Achievement	Information Source and Frequency	Verification Agency and Procedure	Verification Time Frame
By 2025: 40 2026: 60 2027: 88 (ii) 5,100 residents of low-income neighborhoods reported increased resilient livelihood skill. Target: 1,400, 1,450, 1,450, and 800 residents trained on resilient livelihood skill in the year 2024, 2025, 2026, and 2027 respectively.	Implementation is defined as when at least 70% of targets of GESIAP are achieved or on track to achieve with 1% budget allocation from own revenue. Recipients of training should include residents of a low-income neighborhood of each *pourashava*. A list of low-income neighborhoods should be maintained by each *pourashava*. The target is achieved when the *pourashava* publishes official notice on LINIC formation in 240 Low-income neighborhoods. Minutes of committee record discussions on climate resilient issues.	Semiannual progress report.	IVA verifies by: desk review and interviews of LINIC member and *pourashavas* staff.	Semiannual
(iii) Atleast 252 (4 committees x 63 *pourashavas*) low-income neighborhood improvement committees in atleast 63 *pourashavas* with at least 50% women members. Target: 100, 166, and 246 LINIC (cumulative) formed in 2024, 2025, and 2026.	**Condition for Disbursements:** This is considered met if the targets in the first column are achieved. **Partial disbursements.** Partial disbursement is allowed. The following formula will be applied for each target. Partial disbursement is allowed, and the following formula will be applied: Partial DLI disbursement = planned DLI disbursement for the period (actual achievement of the current period-targeted achievement of the previous period)/ (targeted achievement of the current period-targeted achievement of the previous period).	Contract document between SIC and *pourashava*		Semiannual
Output 2: Municipal infrastructure improved in quality, access, resilience, and gender responsiveness				
DLI 8: At least 900 km drains rehabilitated or reconstructed				
(i) Civil works (drain) contract awarded through e-GP. 50% by 2023 100% by 2024 (ii) Length of drains rehabilitated or reconstructed in 63 target *pourashavas*. 250 km – 2025 500 km – 2026 800 km –2027 900 km –2028	**Definitions:** Drains rehabilitated or reconstructed as per technical specification/ guidelines requirements issued by LGED. Rehabilitation/reconstruction defined as: Catchment identified (design). Main drain and distributary channel and outfalls constructed/ rehabilitated as designed. Water retention and detention system to be installed as per design. Outfall to outfall sections to be established for partial disbursement (runoff to be allowed to reach outfall from all the catchments under consideration) **Partial disbursement.** Applicable for this DLI upon submission of verification report by IVA lengthwise. The following formula will be applied: Partial DLI disbursement = planned DLI disbursement for the period (actual achievement of the current period-targeted achievement of the previous period)/ (targeted	Quarterly Progress Reports and Annual M&E Report. On-site verification of randomly selected sections at different times of the year.	IVA verify IVA will verify the length and whether the work was executed as per BOQ and attached technical specifications/requirements of LGED for all the subprojects requested for verification.	

Disbursement-Linked Indicators	Definition and Description of Achievement	Information Source and Frequency	Verification Agency and Procedure	Verification Time Frame
	achievement of the current period-targeted achievement of the previous period).			
DLI 9: At least 1,500 km roads rehabilitated or reconstructed.				
Baseline: Inadequate road infrastructure. **2023–2024** (a) All civil works (road) contracts awarded through e-GP. **2025–2028** (b) At least 1,500 km of roads rehabilitated or reconstructed to meet standards of gender responsiveness, safety, and accessibility in 63 target pourashavas. 250 km – 2025 800 km – 2026 1250 km – 2027 1500 km – 2028	**Definition:** Existing roads alignments rehabilitated or constructed to meet standards of gender responsiveness, safety, resilience and accessibility. The rehabilitation or reconstruction of existing road alignment shall be executed as per the BOQ and attached technical specifications/project requirements of LGED. Partial disbursement applicable for this DLI upon submission of verification report by IVA on a yearly basis lengthwise. 100% will be disbursed if at least 250 km of roads have been rehabilitated/ reconstructed. The following formula will be applied: Partial DLI disbursement = planned DLI disbursement for the period (actual achievement of the current period-targeted achievement of the previous period)/ (targeted achievement of the current period-targeted achievement of the previous period).	QPR and Annual M&E Report. On site verification of randomly selected sections at different times of the year.	IVA will verify the length and whether the work was executed as per BOQ and attached technical specifications and requirements of LGED for all the subprojects requested for verification	
DLI 10: At least Seven climate resilient and socially inclusive public facilities developed or remodeled.				
Baseline: Climate resilient and socially inclusive public facilities = 0 By 2024: Four contracts for construction or remodeling of climate resilient and socially inclusive public open spaces awarded through e-GP. By 2025: (i) Construction or remodeling of at least 2 climate resilient and socially inclusive public open spaces demonstration facilities completed. (ii) At least 3 targeted contracts for community centers awarded through e-GP. By 2026**:** Construction or remodeling of at least 2 additional Climate resilient and gender-responsive public spaces completed.	**Definitions:** Gender-responsive public spaces and community centers designed as per relevant design guidelines and constructed as per signed contract agreement (technical specifications, and BOQ) Condition of disbursement. The disbursement condition is met if the target in the first column is met. Disbursements are allowed for advance or late achievement of the DLI. It means that the planned disbursement amount for a given year can be released when the set target is fully or partially achieved, even if the achievement is late, as long as the achievement is during the RBL program's duration.	QPR and Annual M&E report Field visit reports	IVA will verify the length and whether the work was executed as per BOQ and the attached technical specifications/requirements of LGED for all the subprojects requested for verification.	

Disbursement-Linked Indicators	Definition and Description of Achievement	Information Source and Frequency	Verification Agency and Procedure	Verification Time Frame
By 2027**:** 3 Community centers (market centers) constructed.				

ADB = Asian Development Bank, ADP = Annual Development Plan, APFS = annual project financial statement, BOQ = bill of quantity, DLI = disbursement-linked indicator, e-GP = electronic government procurement, FAPAD = Foreign Aided Project Audit Directorate, GESIAP = gender action plan, GESI = gender equality and social inclusion, IEE = initial environmental examination, IVA = indeppent verification agency,km = kilometer, LGD = Local Government Division, LGED = Local Government Engineering Department, LINIC = Low-income Neighborhood Improvement Committees, M&E = monitoring and evaluation, MIS = management information system, UMSU = urban management support unit , O&M = operation and maintenance, PMU = project management unit, OCAG = Office of the Comptroller and Auditor General, QPR = quarterly progress report, SOP = standard operating procedure, QPR = quarterly progress report, RBL = results-based lending, TLCC = Town Level Coordination Committee, UGIAP = Urban Governance Improvement Action Plan, WCC = ward coordination committee, WM = waste management.

Source: Asian Development Bank.

D. Disbursement Allocation and Status

13. The loan proceeds will be disbursed following ADB's *Loan Disbursement Handbook* (2017, as amended from time to time),[13] and detailed arrangements agreed between the borrower and ADB. Disbursement of loan proceeds will be made to an account to be designated by the borrower based on the verification of achievement of DLIs for which disbursement is requested. Advance financing amounting to maximum of $15 million will be provided to the designated advance account.[14] When the borrower submits a withdrawal application for the achieved DLIs, any outstanding advances must be liquidated before any disbursements are made.[15] The borrower must refund any unliquidated advances within 2 months after the winding-up period.

14. **Financing prior results**. Disbursements for prior results for DLIs achieved before loan effectiveness but no earlier than 12 months before the signing of the loan agreement. Prior results are also subject to the agreed verification protocols. The total amount financing for prior results $15.0 million which is achieved by the government with the approval of Municipal Development Plan in November 2022.

15. **Ceiling for advance financing and financing for prior results**. The ceilings for advance financing and financing for prior results are 25% and 20%, respectively. The combined outstanding balance of advance financing and the amount for financing prior results should not exceed 30% of total ADB financing or their respective ceilings.

16. **Partial disbursements are allowed**. Partial disbursement of DLIs is possible in proportion to the achievement, with the remainder disbursed when the full target is achieved. Methods for partial disbursement of DLIs are in the verification protocols in Table 6. Interim financial report of the program will be attached with the withdrawal application to indicate actual expenditure is equal and higher than the requested disbursement against the DLIs value.

17. All DLIs must be achieved on or before the RBL program's completion date.[16] If a DLI is not achieved or not fully achieved by the RBL program completion date, the amount allocated to the portion of the DLI not achieved or not fully achieved will be cancelled. Evidence of achievement of DLIs must be submitted with the withdrawal application. The borrower will have a winding-up period, which ends 4 months after the RBL program's completion date, for submitting withdrawal applications to ADB. If the amount of ADB financing disbursed exceeds the total amount of the government program's expenditures after the winding-up period and final disbursement has been made, the borrower should refund the difference to ADB within 6 months after the RBL program completion date.

18. Before the submission of the first withdrawal application, the borrower will submit to ADB the evidence of the authority of the person(s) who will sign the withdrawal applications on behalf of the borrower, together with the authenticated specimen signatures of each authorized person. Use of ADB's Client Portal for Disbursements system is encouraged for submitting withdrawal applications to ADB. [17]

---

[13] The handbook is available electronically from the ADB website. ADB. Loan Disbursement Handbook.
[14] ADB may agree to provide up to 25% of ADB financing in advance.
[15] If the amounts of the achieved DLIs submitted in the withdrawal application exceed the amount of the outstanding advance, the excess will be treated as reimbursement to the government.
[16] Under RBL, the program completion date is the same as the loan closing date. The extension of the program completion date would be agreed between the ADB and the government.
[17] The portal facilitates the online submission of withdrawal applications to ADB, resulting in faster disbursement. The forms the borrower needs to complete are available in ADB. Guide to the Client Portal for Disbursements.

1. Expected Disbursement Allocation and Schedule

19. The expected disbursement schedule is in Table 7.

Table 7: ADB Expected Disbursement Schedule
($ million, as of 25 May 2023)

Disbursement-Linked Indicators	Total ADB Financing Allocation ($ million)	Share of Total ADB Financing (%)	Financing of Prior Results 2023 ($ million)	Advance Financing ($ million)	2023	2024	2025	2026	2027	2028
Outcome: Services and municipal governance in target *pourashavas* enhanced										
DLI 1: Holding tax collection efficiency of at least 80% achieved.	20.0	6.7			0.0	2.5.	2.5	5.0	5.0	5.0
Output 1: Institutional capacity strengthened for inclusive municipal governance strengthened										
DLI 2: By 2028, Criteria-based development fund transferred to *pourashavas*.										
Municipal (*Pourashavas*) Development Plan (prior results)	15.0	5.0	15.0							
i. SOP for development fund transfer approved and 329 *pourashavas* received development funds following SOP.	10.0	3.3		2.0	2.0	2.0	2.0	2.0	2.0	
ii. ADP aligned with the program budget forecast to meet DLIs.	9.0	3.0		2.0	4.0	2.0	1.0	1.0	1.0	
DLI 3: 88 *Pourashavas'* governance and planning improved.										
i. 88 UGIAP (cumulative) approved and 88 UGIAP (cumulative) implemented.	9.0	3.0		2.0	2.0	2.0	1.0	2.0	2.0	
ii. 88 *Pourashavas'* computerized revenue management systems (web-based) established.	9.0	3.0				1.0	3.0	3.0	2.0	
iii. At least 1,350 staff of *pourashavas* staff (including 90% of eligible women staff and female councilors of municipalities) complete training (governance, financial management, urban resilience, risk-informed master planning, GAP).	9.0	3.0				2.0	3.5	3.5		
DLI 4: By 2025, 300 detailed designs of resilient and gender-responsive municipal infrastructure subproject completed.	6.0	2.0		2.0	2.0	2.0	2.0			
DLI 5: Financial management and resilient and inclusive planning capacity of LGED improved.										

Disbursement-Linked Indicators	Total ADB Financing Allocation ($ million)	Share of Total ADB Financing (%)	Financing of Prior Results 2023 ($ million)	Advance Financing ($ million)	2023	2024	2025	2026	2027	2028
i. LGED's financial management systems improved & sustained.	5.0	1.7		1.00	1.00	1.00	1.00	1.00	1.00	
ii. Climate Resilient and Socially inclusive Public Open Space Guidelines and 63 Risk-informed master plans approved.	20.0	6.7		4.00	5.00	3.00	7.00	5.00		
iii. At least 200 LGED staff (cumulative) completing training (urban resilience and GAP).	5.00	1.70			0.00	2.00	2.00	1.00		
DLI 6: Gender-responsive O&M management system strengthened in 88 *pourashavas*.										
i. 50% of the annual allocated budget spent for gender-responsive O&M in 88 *pourashavas*.	5.00	1.00				1.00	1.00	1.50	1.00	0.50
ii. Waste management O&M fund received by 25 *pourashavas*.	7.00	2.30		1.00	2.00		2.00	2.00	2.00	
DLI 7: Equity and inclusiveness of women and poor in 88 *pourashavas* ensured.										
i. *Pourashava*-wise GAP implemented with 1% budget allocation from own revenue in 88 *pourashavas*.	8.00	2.70		1.00	2.00		2.0	2.0	2.0	
ii. 5,100 slum dwellers trained on resilient livelihood skill.	8.00	4.00				1.0	3.0	2.0	2.0	
iii. Atleast 252 (4 committees x 63 *pourashavas*) low-income neighborhood improvement committees in 63 *pourashavas* formed.	5.00	1.70			1.00	1.0	1.0	1.0	1.0	
Output 2: Municipal infrastructure improved in quality, access, resilience and gender-responsive										
DLI 8: At least 900 km drains rehabilitated or constructed in 63 *pourashavas*.	95.59	31.90			9.83	10.00	20.00	20.00	18.78	16.98
DLI 9: At least 1,500 km paved (flexible/concrete) and unpaved roads rehabilitated or reconstructed.	33.25	11.10			2.00	3.00	3.00	10.01	11.22	4.02
DLI 10: Climate-resilient and socially inclusive – public facilities developed or remodeled.	6.00	2.00				1.00	2.00	2.00	1.00	
Subtotal	284.84	94.90			31.83	36.50	59.00	64.01	52.00	26.50
Financial charges during implementation	**15.61**	**5.10**			**0.24**	**1.32**	**2.31**	**3.60**	**4.84**	**2.85**
Total	**300**	**100%**	**15.0**	**15.0**	**32.07**	**37.82**	**61.31**	**67.61**	**56.84**	**29.35**

ADB = Asian Development Bank, ADP = annual development plan, DLI = disbursement-linked indicator, OCAG = Office of the Comptroller and Auditor General, e-GP = electronic government procurement, FAPAD = Foreign Aided Projects Audit Directorate, GAP = gender action plan, km = kilometer, LGD =Local Government Division, LGED = Local Government engineering department, O&M = operation and maintenance, Q = quarter, RBL = results-based lending, SOP = standard operating procedure, UGIAP =Urban Governance and Livability Improvement Project.
Source: Asian Development Bank.

Table 8: AFD's Expected Disbursement Schedule
($ million, as of 15 March 2023)

Disbursement-Linked Indicators (DLI)	Total AFD Financing Allocation ($ million)	Financing of Prior Results 2023 ($ million)	2023	2024	2025	2026	2027	2028
			(Year)					
Outcome: Services and municipal governance in target *pourashavas* enhanced								
DLI 1: Holding tax collection efficiency increased to at least 80% achieved.	5.0			0.625	0.625	1.25	1.25	1.25
Output 1: Institutional capacity strengthened for inclusive governance.								
DLI 2: Criteria-based development fund transfer to *pourashavas*.								
Municipal (Pourashavas) Development Plan (prior results)	2.0	2.0						
DLI 3: 88 *Pourashavas'* governance and planning improved.								
i. 88 (cumulative) Urban Governance Improvement Action Plan (UGIAP) approved and 88 UGIAP implemented.	5.0			2.5	0.5	1.0	1.0	
iii. At least 1,350 pourashavas staff (including 90% of eligible women staff and female councilors of municipalities) complete training (governance including financial management, urban resilience, risk-informed master planning, GESIAP).	4.0			1.2	1.4	1.4		
DLI 5: Financial management and resilient and inclusive planning capacity of LGED improved.								
ii. Climate Resilient and Socially inclusive Public Open Space Guidelines and 63 Risk-informed master plans approved.	8.0		2.0	2.0	2.0	2.0		
iii. At least 200 LGED staff (cumulative) completing training (urban resilience and GESIAP).	4.0		0.0	1.6	1.6	0.8		
DLI 6: Gender-responsive operation and maintenance management system established in 88 *pourashavas*.								
i. 50% of the annual budget for gender-responsive operation and maintenance spent in 88 *pourashavas*.	4.0		0.0	0.8	0.8	1.2	0.8	0.4
ii. Waste management O&M fund received by 25 *pourashavas*.	5.0		1.0	1.0	1.0	1.0	1.0	
DLI 7: Equity and inclusiveness of women and poor in 68 *pourashavas* ensured.[a]								
i. GESIAP adopted and implemented with 1% budget earmarked form own revenue by 88 pourashavas.	3.0		0.6	0.6	0.6	0.6	0.6	
ii. 5,100 residents of Low-income neighborhood reported increased resilient livelihood skill.	3.0			1.0	1.0	1.0	1.0	

Disbursement-Linked Indicators (DLI)	Total AFD Financing Allocation ($ million)	Financing of Prior Results 2023 ($ million)	2023	2024	2025	2026	2027	2028
			(Year)					
iii. 240 (4 committees x 60 *pourashavas*) low-income neighborhood improvement committees in 60 *pourashavas* formed 240 (4 committees x 60 *pourashavas*) low-income neighborhood improvement committees in 60 *pourashavas* formed with at least 50% women members.	7.0		1.4	1.4	1.4	1.4	1.4	
Output 2: Municipal infrastructure improved in quality, access, resilience .0and gender-responsiveness								
DLI 8: Length of drains rehabilitated or reconstructed.	100.0		8.6	10.8	21.5	21.5	21.5	16.1
DLI 9: Length of paved (flexible/concrete) and unpaved roads rehabilitated or constructed.	40.0		4.0	5.0	5.0	10.0	10.0	6.0
DLI 10: Gender-responsive municipal facilities developed or remodeled.	10.0			1.7	3.3	3.3	1.7	0.0
Total	**200.0**	**2.00**	**17.6**	**30.0**	**40.7**	**46.1**	**39.8**	**23.8**

ADB = Asian Development Bank, ADP = annual development plan, DLI = disbursement-linked indicator, GAP = gender action plan, km = kilometer, LGD =Local Government Division, LGED = Local Government engineering department, O&M = operation and maintenance, SOP = standard operating procedure, UGIAP =Urban Governance and Livability Improvement Project.

[a] Activities to ensure equity and under 26 *pourashavas* have been implemented.

Source: Asian Development Bank.

III. EXPENDITURE FRAMEWORK AND FINANCING

A. Expenditure Framework

1. Expected Expenditure Framework

20. The RBL program expenditures are estimated to be $687.24 million from July 2023 to the end of June 2028 (Table 2). Most of the program budget will be used for development expenditures (87.05%) amounting to $600.00 million for civil works, capacity development, operation and maintenance, goods, and equipment. Non-development expenditures are expected to be $89.29 million which is 12.95% of the budget. The summary cost estimates are in Table 6.

Table 9: Summary of Program Expenditure Framework, 2023–2028
(as of 25 May 2023)

Item	**Amount** ($ million)	**Share of Total** (%)
I. Development expenditures		
A. Investment cost		
a. Training and capacity development	9.00	1.31
b. Land acquisition	50.00	7.29
c. Civil works[a]	378.20	54.87
d. Operation and maintenance	34.40	4.99
e. Goods and equipment	19.50	2.83
f. Consultant	30.60	4.44
g. Wages and salaries (including outsourcing staff)	9.80	1.42
Total base cost	531.50	77.11
B. Contingencies [b]	37.82	5.49
C. Financial charges during implementation	30.68	4.45
Total development expenditures[c] (A+B+C)	600.00	87.05
II. Non-development expenditures[d]	89.29	12.95
Total expenditures (A+B+C)	**689.29**	**100.00**

[a] The result-based lending program includes stormwater drains; roads including streetlights, footpath, market, socially inclusive public space improvement; and slum improvement works.
[b] This could be applied to other planned cost items.
[c] Excludes discrete development projects under the management of the Local Government Engineering Department and *pourashavas*.
[d] Includes the Local Government Engineering Department's management costs, such as the salaries for existing personnel.
Sources: Local Government Engineering Department and Asian Development Bank estimates.

B. Program Financing

1. Expected Financing Plan

21. Out of the total estimated program expenditure of $689.24 million, the government will finance $189.29 million (27.46%) from its own revenue and the remaining amount of will be financed by an ADB concessional ordinary capital resources loan (COL) of $300 million and the AFD loan of $200 million under the RBL modality. The government funding will be channeled to the program through the government budgetary and treasury systems as follows: (i) the development part will channel through the project-specific budget head (project code), and (ii) the non-development part will be channeled through the selected LGED budget codes as agreed with ADB and outlined in this PID. ADB and the AFD financing under the RBL modality will be disbursed upon achievement of the agreed DLIs. The financing plan is summarized in Table 10.

Table 10: Program Financing Plan
(as of 25 May 2023)

Source	Amount ($ million)	Share of Total (%)
Government	189.29	27.46
Development partners		
ADB ordinary capital resources (concessional loan)	300.0	43.52
AFD (loan) [a]	200.0	29.02
Total	**689.29**	**100.00**

ADB = Asian Development Bank, AFD = Agence Française de Développement.
[a] will be confirmed after AFD's board approval.
Source: ADB and AFD.

IV. PROGRAM SYSTEMS AND IMPLEMENTATION ARRANGEMENTS

22. The program will contribute to Bangladesh in fulfilling its commitments to the Sustainable Development Goals.

A. Monitoring and Evaluation System

23. This section describes the monitoring and evaluation (M&E) system that will apply to the program period with RBL financing and incorporates the recommendations of the program M&E system assessment on ongoing M&E activities.

1. Summary of Monitoring and Evaluation System and Actions

24. Program M&E and reporting will include key program implementation status reports including (i) reports on the progress and achievement of DLIs as defined in the DLI verification protocols, (ii) quarterly and annual reports on the progress and status of the PAP actions, (iii) financial reports as described in the loan agreement, (iv) semiannual updates on compliance with environmental and social safeguards, (v) annual updates on compliance with loan covenants, (vi) annual progress reports, (vii) annual development plan and budget of the Improving Urban Governance and infrastructure program, (viii) disclosure of key documents per the DLIs and loan agreements' and other reports.

25. The LGED through program management unit will be responsible for overall generation of data and analytical reports. The M&E system used for the Third Urban Governance and Infrastructure Improvement (Sector) Project will be further improved for using in the RBL program. A web-based M&E system will be developed to track the progress of the outputs of the design and monitoring framework (DMF) and the results achieved against the DLIs.[18] At the *pourashava* level, feedback of the beneficiaries on the program will be captured during the quarterly town level coordination committee (TLCC) meetings and will be recorded as the minutes of meeting. Within two years after RBL effectiveness, ADB will field a midterm-review mission to report on the progress against the program indicators and agree on corrective measures if needed. Within 12 months of the loan closing of the program, the LGED will produce a program completion report that will be shared with ADB. Within one year from RBL closing, ADB in consultation with the LGED, will prepare its own program completion report, and share the same with the government.

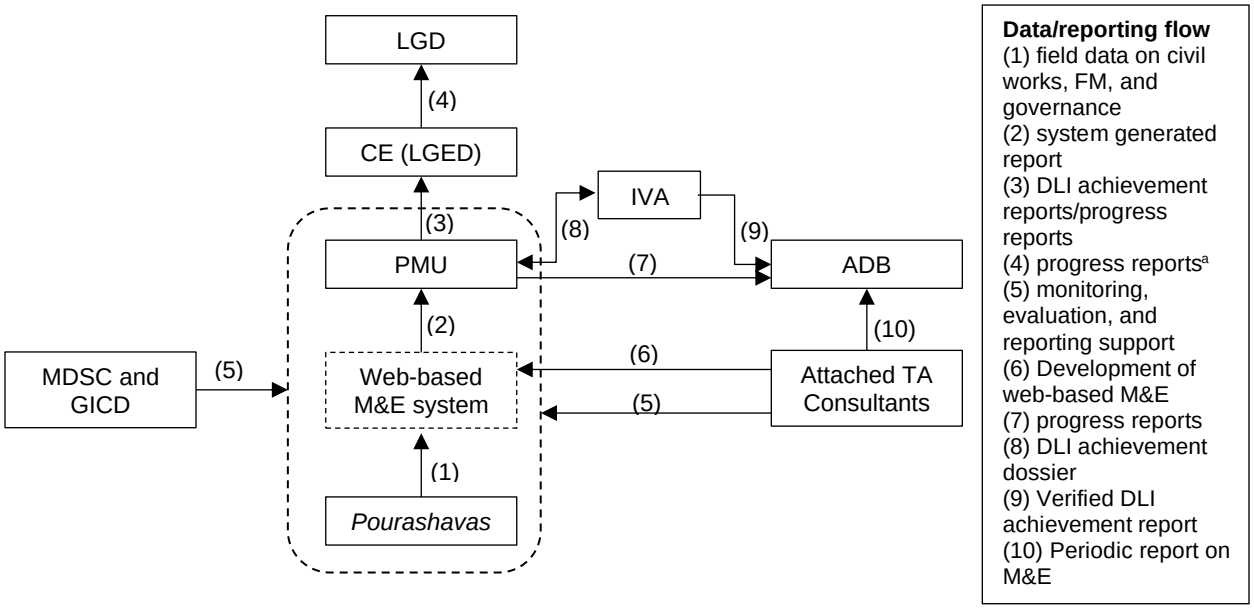
[18] Design and Monitoring Framework (accessible from Appendix 1 of Report and Recommendation of the President).

2. Monitoring and Evaluation System-Related Program Actions Status

26. The RBL will suit the existing M&E system used by the LGED for UGIIP-3's decentralised implementation model and will reduce transaction costs. However, the program results framework is structured differently, given the RBL modality, a larger number of *pourashavas* participating and an expanded information base. The program places stronger focus on gender responsiveness, financial information, and implementation and compliance evaluations. Therefore, a web-based system will be developed to make the M&E system more effective and efficient and reduce transaction cost as indicated in the PAP.

27. The M&E system will be implemented by the program management unit (PMU) established at LGED and will be supported by the Program Implementation Units (PIUs) established at the participating *pourashavas.* The program director will be supported by 3 project managers, 8 assistant engineer, 15 sub-assistant engineers, 2 community development officers and 2 training officers from the LGED for undertaking the M&E. At the *pourashava* level, the executive engineer office will be responsible for the financial matters, procurement, contract management, quality management, monitoring and reporting. The secretary or *pourunirbahi* officer will deal with governance and capacity building matters, while the conservancy inspector will be responsible for the maintenance and sanitation components. The urban planner (primarily available for Class A *pourashavas*) will monitor the preparation of the risk-based master planning. In addition, each PIU will be supported by one assistant engineer, two sub-assistant engineer, one urban planner, one computer operator, three community field workers cum work assistant, and one account assistant. In addition, consultants (i.e., Management, Design and Supervision Consultant, Governance Improvement and Capacity Development, and Benefit Monitoring and Evaluation) will support the executing agencies and implementing agencies to implement the M&E system.

Figure 1: Monitoring and Evaluation Organizational Setup and Information Flow



ADB = Asian Development Bank, CE = chief engineer; DLI = disbursement-linked indicators, FM = financial management, GICD = Governance Improvement and Capacity Development, IVA = independent verification agent, LGD = Local Government Division, LGED = Local Government Engineering Department, MDSC = Management, Design, and Supervision Consultants, M&E = monitoring and evaluation, TA = technical assistance.

[a] progress reports include reporting on (i) quarterly and annual reports on the DMF progress and status of PAP actions; (ii) financial reports; (iii) semiannual updates on compliance with environmental and social safeguards; (iv) annual updates on compliance with loan covenants; (vi) annual progress reports; (vii) annual development plan and budget.
Source: Asian Development Bank.

28. The M&E responsibilities are summarized in Table 11.

Table 11: Monitoring and Evaluation Responsibilities by Agency

Agency	Responsibilities
LGD	(i) Review the annual progress and DLI achievement reports (ii) Provide overall guidance to the M&E system
LGED	(iii) Populate the web-based M&E system with field information and input. (iv) Verify and confirm the field information (v) Maintain the M&E system (vi) Submit progress reports and DLI achievement reports to LGD and ADB
ADB	(i) Monitor the program status. (ii) Support to develop the web-based M&E system and maintenance (iii) Conduct mission to monitor progress and verify results
Pourasahavas	(i) Data collection on civil work, data input to the web-based M&E system (ii) Provide inputs on the status of indicators
MDSC and GICD consultancy	(i) Support PMU and PIU in supervision, monitoring, and reporting. (ii) Provide training and capacity development support
IVA	(i) Verify DLI achievements
TA Consultants	(i) Support to develop the web-based M&E system (ii) Support to LGD and LGED to strengthen the M&E system

ADB = Asian Development Bank, DLI = disbursement-linked indicator, GICD = Governance Improvement and Capacity Development, IVA = independent verification agency, LGD = Local Government Division, LGED = Local Government Engineering Department, MDSC = management, design, and Supervision consultants, M&E = monitoring and evaluation, PIU = program implementation unit, PMU = program management unit, TA = Technical Assistance.
Source: Asian Development Bank and Local Government Engineering Department.

B. Fiduciary Systems

1. Financial Management System

a. Summary of the Financial Management System and Actions

29. The RBL Program consists of development expenditures defined in the IUGIP development project proposal (DPP) and annual development plan (ADP) as well as non-development expenditures as defined in the LGED annual budget under selected functional and economic codes. The development part are incremental for the program and will finance expenditures related to construction, land acquisition and consultants as well as incremental program administration cost such as wages and salaries, operation and maintenance etc. The non-development part will cover selected recurrent expenditures from the LGED regular budget considered productive for the program results, including wages and salaries (economic group 3111).[19] The implementation period of the RBL program will be five years. In addition, expenditures related to prior results may also be considered, given that they have been incurred within one year of ADB loan and/or the AFD loan effectiveness.

30. The ADB and AFD financing disbursed against the agreed DLIs will be an integral part of the RBL program. Under the RBL program, the disbursements are contingent on the delivery of

[19] The wages and salaries will be limited to LGED's Head office, Divisional Additional Chief Engineers Office, Regional Office, LGED Executive Engineer's Office, and Upazila Engineer's Offices under functional code 1370301-5.

results in key intervention areas and their validation by an independent verification agency (IVA), where applicable.

31. The overall responsibility for the RBL program's financial management arrangements will rest with the LGED. The RBL program financial management arrangements will follow the government's financial management system for planning, budgeting, execution, accounting and internal control, internal audit, financial reporting, and external audit.

32. The government regulations are supplemented by this program implementation document (PID), agreed upon between the government and ADB, which details project-related information on program costs, the DLIs, procurement, and financial management arrangements, including the projected RBL program expenditure framework by the relevant codes, risk mitigation measures and reporting templates; and defines actions to strengthen the program's fiduciary systems. At the local government level, the pourashavas will be responsible for: (i) preparing and submitting to LGED and PMU annual budgets to be consolidated in the ADP; (ii) collecting, reviewing and submitting contractors' bills and the necessary supporting documentation to the LGED for effecting the payments; (iii) maintaining separate claim records for the RBL program and conducting reconciliations of bills submitted to the LGED and payments made by the CGA; and (iv) supporting the LGED in responding to and resolving relevant audit observations related to the program, in a timely manner.

33. **Main financial management risks.** The RBL program management arrangements are described below in detail. The fiduciary assessment identified the following areas that need to be strengthened and some of the required mitigation actions are included in the DLIs, and in the PAP.

(i) Staffing. Given the numerous projects and programs being implemented by the LGED, the RBL program may not receive sufficient attention from the organization, which may hamper the achievement of the results. As a result, a PMU will be established in the LGED with dedicated accounts staff including FM experts and each *pourashava* will assign an accountant as a focal to ensure seamless flow of information between the LGED and *pourashavas* and strict adherence to the applicable financial rules and regulations.

(ii) Disbursement. The ADB and AFD RBL loan proceeds will be disbursed to the consolidated fund of the government maintained by Bangladesh Bank subject to the delivery of results as measured by the DLIs and after validation by an VA where applicable. However, the review notes that government may not release adequate funds to the program in a timely manner which may hamper the achievement of the DLIs and cause disbursement delays. To mitigate the risk, consultancy expenditures to be incurred as part of the capacity development activities under DLIs 5 will be exceptionally financed through advances disbursed to an advance and sub-advance account maintained by the LGED/PMU. A loan covenant is included in the loan agreement to ensure the government provides adequate and timely counterpart financing. Moreover, the budget release and execution will be monitored regularly and in case of shortfall ADB will engage in a dialogue with the government.

(iii) Accounting and accounting systems. LGED is covered by the government's Integrated Budget and Accounting System (IBAS++) and all payments and accounting entries in the IBAS++, will be made by CGA against the appropriate budget code and approved bills submitted by the LGED. As the IBAS++ is not extended to the local government level, all *pourashava* level bills will be submitted to the LGED for review and approval and subsequently to CGA for processing. In

addition, Periodic reconciliations will be conducted between *Pourashava*, the LGED and the CGA records, and discrepancies will be corrected. Moreover, as IBAS++ is not able to accommodate the receipts to and payments from the advance and sub-advance accounts to finance the consultancy expenditure incurred as part of the capacity development activities under the DLI 5 LGED, though its PMU will maintain seethe separate book of accounts and records for all these transactions in accordance with government accounting rules and regulations cash basis of account and all transactions will be recorded in a standalone accounting software implemented by the LGED/PMU.

(iv) Internal audit. The LGED has established an internal audit unit, but the increased workload and lack of capacity has hampered its ability to undertake regular and effective internal audits. The proposed program will further strengthen the LGED's internal audit unit and the internal control environment through the following results and actions: (a) a gradual increase in the number of staff in the internal audit unit; (b) proving training to the internal audit staff and support them to obtain professional certifications; as well as (c) causing the internal audit unit to conduct regular risk based internal audit of the RBL program. The strengthening of the internal audit unit will also improve OCAG's ability to rely (under ISSAI 1610) on the work of the internal audit unit when conducting the external audit of the ADB-assisted RBL program and LGED as an entity.

(v) External audit. LGED is audited by the Local Government, Rural Development Audit Directorate of OCAG (OCAG/LGRDAD) in accordance with GASB, which are based on the ISSAIs. Due to the mix of development and non-development expenditure, it is important that the audit arrangements are clarified and agreed in advance in order to avoid delays in submission of the audited program financial statements (APFS) to ADB and non-compliance with ADBs audit requirements. Moreover, a Statement of audit needs (SOAN) will be agreed between the government and (statement of audit needs is included in Appendix 2. The APFS will be submitted to ADB within 9 months after the fiscal year. The RBL program audits will not substitute the LGED and *pourashava* level statutory audits.

(vi) Follow-up and resolution of audit observations**.** In 2018, the LGED established its own audit observations resolution committee but the review notes that the committee may not meet regularly and there are still numerous of outstanding and recurring audit observations. To ensure that the established good practices are sustained and that the audit committee operates effectively, the audit observations committee must meet regularly to take corrective actions in resolving audit observations and the majority all audit observations have been solved by the end of the program.

(vii) *Pourashava* level financial management capacity. The financial management capacity of the pourashavas is relatively weak.[20] The accounting systems and procedures are often outdated and maintained manually, and there are long outstanding audit observations. Moreover, the *pourashavas* are not audited annually. Instead, OCAG/ LGRDAD normally undertakes the audit every 3 years covering the entire period of 3 years. To further support the target *pourashavas*, the RBL program will build the financial management capacity of *pourashavas* level to comply with the program financial management requirements and to strengthen financial management practices at the entity level, including the

[20] The financial management capacity tends to vary between the various class A, B and C *Pourashavas*. The classification of *Pourashavas* depends on the amount of own annual revenue (e.g. Class A at least Tk. 8 million, Class B between Tk.4-Tk. 8 million and class C *Pourashavas* between Tk. 2-4 Million).

implementation of digital tax administration and accounting systems.

34. **Program Budgeting arrangements.** The RBL program boundary will include both development (capital and recurrent) expenditures and non-development (recurrent) expenditures. For the non-development expenditures, LGED will follow the regular government budget process under the Medium Term Budget framework (MTBF) approach. The incremental expenditures, that is, the development expenditures of the program, are costed separately and included in a DPP (DDP) covering the whole 5 year implementation period. The ADB and AFD RBL loan proceeds will be classified in the DPP and the ADP as Reimbursable Project Assistance (RPA) with Government of Bangladesh allocation in the DPP and ADP. Under this mode of payment, the Government of Bangladesh initially allocates and spends the program funds and then claims the agreed amounts from ADB and AFD based on achieved results and DLIs. The only exception is the limited consultancy expenditure incurred as part of the capacity development activities and related to DLI 5, which will be classified in the DPP and ADP as "Reimbursable Project Aid (RPA) – advance account." Under this mode of payment, the RBL loan proceeds will be advanced by ADB to a separate advance and sub-advance account maintained by the LGED/PMU.

35. **Accounting. LGED,** through CGA will be responsible for maintaining the RBL program accounts in accordance with government accounting rules and regulations, the cash basis of accounting. All payments and accounting entries will be made in the IBAS++ by the CGA, against the appropriate budget code and approved bills submitted by the LGED. As the IBAS++ is not able to capture receipts to and payments made from the advance account and the sub-advance accounting finance the consultancy expenditure incurred as part of the capacity development activities under DLI 5, the LGED through its PMU will maintain, separate books of account and records for these transactions in accordance with government accounting rules and regulations, cash basis of accounting.

36. The RBL program will make use of the government Budget and Accounting Classification System (BACS). Accordingly, the RBL program expenditures will be recorded using the LGED organizational Code 13703 and the following budget heads/codes:

(i) Development expenditures: A separate program/project code will be developed to capture all development expenditure approved as part of the DPP and the ADP. The Development expenditure is expected to include the following economic codes: 3111, 3211, &,3231, 3257, 3258, 3411, 3911, 4111, 4112 and 4141; and

(ii) Non-development expenditure: To capture the productive expenditure under the RBL program, the following codes will be exclusively used:

Wages and Salaries: Economic code 3111 under the sub-organizational Codes of 1370301 (LGED, HO), 1370304 (Executive Engineers Offices, LGED), 1370305 (Upazila Engineer Office, LGED);[21]

37. The applicable budget codes are further illustrated in the table below:

[21] To estimate the amount of non-development expenditures falling within the program boundary the total expenditures incurred are to be prorated using the ratio 88/329; that is, the number of target *pourashavas* (88) to the number of total *pourashavas* (329).

Table 12: Summary Cost Estimates and budget codes Organizational code: 13703 Project code for the development expenditures as per the DPP and ADP: [INSERT HERE]

Item	Amount ($ million)	Amount (Tk million)	Share of Total (%)	Economic code(s)
1. Development expenditures				
A. Investment cost				
a. Training and capacity development	9.00	927.00	1.31	3231
b. Land acquisition	50.00	5,150.00	7.25	4141
c. Civil works[a]	378.20	38,964.60	54.87	4111
d. Operation and maintenance	34.40	3,543.20	4.99%	3211 & 3258
e. Goods and equipment	19.50	2,008.50	2.83%	4112
f. Consultant[b]	30.60	3,151.80	4.44%	3257
g. Incremental Wages and salaries (including outsourced staff)	9.80	1,009.40	1.42%	3111
Total base cost	531.50	54,744.50	77.11%	
B. Contingencies	37.82	3,895.46	5.49%	3911
C. Financial charges during implementation	30.68	3,160.04	4.45%	3411
Total of development expenditures (A+B+C)	600.00	61,800.00	87.05%	
2. Non-development expenditure[d]				
A. Recurrent expenditure[e]				
a. Wages and salaries[f]	89.29	9,196.87	12.95%	3111
Total Non-Development expenditure	89.29	9,9197.87	12.95%	
Total RBL program	689.29	70,996.87	100.0%	

ADP = Annual Development Plan, DPP = development project proposal, RBL = results-based lending.
Notes:
[a] The RBL program includes stormwater drains, roads including streetlights, footpaths, market, socially inclusive public space improvement and low-income neighborhood improvement works.
[b] Consultants expenditures and the associated contingencies related to DLI 4 will be financed through an advance and sub-advance account maintained by LGED/PMU.
[c] Excludes discrete development projects under LGED and *pourashava's* management.
[d] Includes the management and administration costs, such as the salaries for existing personnel, and other recurrent costs.
[e] Includes Wages and Salaries only under organizational Codes of 1370301 (LGED, HO), 1370304 (RO, LGED), 1370305 (UEO, LGED).
Source: Government of Bangladesh and Asian Development Bank estimates.

38. **Financial reporting**. The LGED, through its PMU will prepare annual financial statements covering the entire RBL program (hereafter called program financial statements) within two months after the end of the fiscal year. The program financial statements will be generated from LGED:

(i) the IBAS++ records maintained by CGA and will be restricted to the development and non-development expenditure recorded under the organizational code, project code, as well as the economic and functional codes listed in the table above; and,

(ii) the standalone accounting software implemented by the LGED/PMU covering all receipts to -and payments made from the advance account and sub-advance accounts maintained by the LGED/PMU and not captured by IBAS++.

39. The program financial statements shall include (i) Statement of Receipts (e.g. from the government and ADB etc.) and program expenditure by major project, economic and functional

codes for the fiscal year, previous year and cumulative; (ii) Statement of budgeted vs. actual expenditures by major budget heads and program and project codes for the fiscal year with significant variance explained in the notes; (iii) Statement of disbursement (statement of amount claimed under each ADB loan and AFD loan and funds disbursed by ADB for the fiscal year, previous year and cumulative); (iv) statement of advance account; and (v) detailed notes to the financial statements including significant accounting policies and breakdowns including the following:

(a) List of withdrawal applications claimed from ADB loan and the AFD loan under the RBL lending modality and the DLI procedure during the current and previous years, and cumulative to date, including details by withdrawal applications on the amount, currency, DLIs met, date of submission and amount disbursed by ADB to the government treasury account. The information should be supported with statement from MOF showing receipt of the amounts as disbursed by ADB to the Treasury account;

(b) comparison of aggregate amount of proceeds disbursed under the ADB RBL and aggregate expenditures incurred under the program by the LGED and the *pourashavas* (**formula to be used**: total program development expenditures under the agreed budget heads and codes plus (+) total non-development expenditures under the agreed budget heads prorated using the ratio (88/329) of target *pourashavas* (88) to the total *pourashavas* (329) ≥ combined ADB and AFD RBL financing at the end of the program);[22]

(c) interest expenses and financial charges incurred as part of the ADB and AFD loan during the current and previous years, and cumulative to date;

(d) The indicative template for the RBL program financial statements is included in Appendix 3 of the PID; and

(e) As part of annual financial reporting, a program expenditure reconciliation using the above formula will be conducted to compare cumulative program expenditures with ADB disbursements data in order to inform the MOF, the LGED, and ADB whether a refund at the end of the program is likely and corrective actions need to be undertaken.

40. Furthermore, in order to provide timely information on the program's financial progress and financial management status to the executing agency, the government, and ADB, the LGED through its PMU will ensure that comprehensive financial information is included in the semiannual progress reports to be submitted to the LGED to ADB within 45 days after the end of each reporting period. The financial information will include at least the following: (i) overall financial progress of the program, including an analysis of the adequacy and timeliness of government funding allocated and released to the program; (ii) progress against DLIs achieved in the reporting period, and cumulative year to date; (iii) disbursement information for the reporting period, and cumulative year to date including reconciliation with ADB's disbursement data found in the Loan Financial Information System (LFIS); (iv) status of implementation of each action included in the PAP; (v) status of actions agreed and recorded in mission aide memoires; and (vi) status of compliance with past audit observations from an internal and external audit. An indicative template for the financial information to be included in the semiannual progress reports is included in Appendix 2.

41. **Auditing and public disclosure.** The program financial statements will be audited by the By the Local Government and Rural Development Audit Directorate (LGRDAD) under Comptroller and Auditor General of Bangladesh (OCAG) in accordance with Government Auditing Standards

[22] Required by the ADB RBL policy.

of Bangladesh issued by the Issued by Comptroller and Auditor General of Bangladesh which follow the International Standards of Supreme Audit Institutions (ISSAI).

42. The objective of the audit is to provide assurances to ADB that the program financial statements covering the RBL program, present a true and fair view and are free from misstatements. Each audit report will include the following separate audit opinions: (i) whether the program financial statements are presented fairly, in all material respects, in accordance with the applicable financial reporting framework. The indicative SOAN is included in Appendix 2. The first audit will include prior results achieved 12 months prior to the effective date and any therefore expected to cover a time period exceeding 12 months.

43. The audit report and APFS, and the auditors' report will be submitted in English to ADB within nine months after the close of the developing member country's (DMC) fiscal year and will be accompanied by a separate management letter outlining any identified internal control issues, as well as audit recommendations. To ensure that the audit observations are addressed in on timely manner and in accordance with the DLI,[23] the auditor will include a follow-up on previous years audit observations in the management letter where it will be indicated whether each of the audit observations has been addressed or is still pending. ADB reserves the right to require a change in the auditor (in a manner consistent with the laws and regulation of the DMC), or require additional support to be provided to the auditor, if the audits required are not conducted in a manner satisfactory to ADB or if the audits are substantially delayed.

44. Public disclosure of the audited financial statements of the RBL program, including the auditor's opinion, will be guided by ADB's Access to Information Policy. [24] After the review, ADB will disclose the audited consolidated program financial statements and the financial statements auditor's opinions no later than 14 days after ADB's confirmation of their acceptability by posting them on ADB's website. The management letters will not be disclosed.

b. Financial Management System-Related Program Actions Status

45. An action plan to strengthen the program's financial management systems has been embedded in the DLI and PAP. The following key actions have been agreed:

(i) LGED's audit committee to meet at least biannually (twice a year) to take corrective actions in resolving audit observations;

(ii) The number of internal audit staff positions in the LGED internal audit unit will be increased by at least 30% compared to the 2022/23 baseline of 12 staff;

(iii) LGED to organize annual trainings to increase the capacity of the LGED's internal audit staff in conducting effective risk based audits. At least 2 risk based internal audits of the RBL program will be undertaken by the LGED internal audit unit and reports issued;

(iv) The LGED/ PMU will conduct annual review meetings jointly with OCAG/LGRDAD to go through the outstanding audit observations and agree on the necessary actions required to resolve them and at least 70 % of the cumulative audit observations, as identified by OCAG/LGRDAD of the RBL program will be resolved by the fifth year of implementation; and

[23] Under disbursement-linked indicator(DLI) 5: Financial management, and resilient and inclusive planning capacity of LGED improved, (a.) LGED's financial management systems improved & sustained: (i) At least 50% of the audit observations as identified by OCAG/LGRDAD in the first audit report for the RBL program, have been resolved by target year 2025 and (ii) at least 70 % of the cumulative audit observations, as identified by OCAG/LGRDAD in the three first audit reports of the RBL program have been resolved by target year 2027.

[24] ADB. 2018. *Access to Information Policy*. Manila.

(v) The LGED/PMU to engage consultants to build capacity in the target *pourashavas* to maintain robust FM arrangements related the RBL program including: and improve entity level financial management capacity and systems including adopting digitalized tax administration and accounting systems:

2. Procurement System

a. Summary of the Procurement System and Actions

46. **Procurement profile**. The program will involve the construction of drainage, roads, public space facilities including bus bay, and their rehabilitation, procurement of goods except those out of the RBL boundary and hiring consulting services. The contract of civil works, goods, or services will not exceed the respective ceiling of a single contract amount allowed as per the RBL policy. The RBL financing boundary will exclude (i) any civil works other than roads, drainage, public space facilities, and slum improvement works and (ii) procurement of goods that require international procurement.

47. All public procurement (works and goods) will be subject to the Public Procurement Act (PPA, 2006) and the Public Procurement Rules (PPR, 2008), with necessary measures for program system improvement. Major share of procurement allocation is for civil works, accounting for about 63.0% of total development expenditure, which will all be procured through the national open tendering method. Services (national firms) amounting to $30.9 million share is less than 4.5% and will be procured by using quality- and cost-based selection or selection based on consultant quality for firms following ADB's Procurement Policy (2017). Procurement activities will be carried out by the *pourashavas* (works), LGED (services under-investment, equipment, goods) with devolution of the authority of procurement of small amount of goods and maintenance of works up to authorized mandate and threshold to the LGED and *pourashavas*. Each *pourashava* (implementing agency) and LGED, which is mandated for procurement under the program, will prepare its annual procurement plan (APP) per provisions set forth in the ADP. The LGED will coordinate and consolidate the program's APP for the LGD approval.

48. **Program-level procurement**. The LGED is the executing agency and *pourashavas* are implementing agencies. The LGED has established a procedure for the opening of letters of credit, receipt of goods, record keeping of assets/inventory, and tracking the defect liability/warranty period. The LGED is fully using the e-GP system for tendering, has been well-experienced in civil works procurement under the previous project, and is manned with adequately trained staff at the PMU Dhaka and regional and upzila, respectively, to support each *pourashava* to manage small civil works procurement for the program. At the level of the *pourashavas*, a design and supervision consultant will supervise works and undertake a independent supervision of the progress works done by the contractor.

b. Procurement System-Related Program Actions Status

49. **Procurement plan.** The APP is prepared. Preparation of APP facilitates discussion with the MOF and Planning Commission for yearly budgetary allocation in the annual development program. The LGED prepares the ADP and APP and coordinates with LGD for adequate allocation of the budget for achieving intended DLIs. ADP and APP will be aligned with DLIs.. Procurement thresholds of the PPA and PPR guide the preparation of the APP. The preparation and approval of the APPs and conducting post-procurement reviews are included in the PAP. ADB's RBL policy excludes activities involving procurement of works, goods, and services under contracts whose estimated value exceeds specified monetary amounts (high-value contracts),

which applies to the program.

c. Issues and Changes

50. The program fiduciary system assessment identified weaknesses, including (i) lack of trained procurement staff in each *pourashava*, (ii) constrained procurement planning and compliance monitoring, (iii) inefficient contract management, and (iv) reduced competition. Overall, these weaknesses will be mitigated through the PAP actions and other measures, including (i) establishing a dedicated PMU at the LGED with adequate qualified manpower to supervise *pourashavas* and monitor; (ii) rolling out the e-GP to all *pourashavas* with organized training in coordination with the central procurement technical unit; and (iii) ensuring competition and transparency by online tender monitoring for procurement of civil works and using e-standard tender documents for goods and works already incorporated in the e-GP system and practiced for the previous project (namely, e-PW3-D). Training *pourashava* personnel on procurement is included in the PAP.

3. Anticorruption System

a. Summary of Anticorruption System and Actions

51. The government will use its own country systems to take appropriate measures to prevent fraud and corruption connected with the program and to remedy or prevent its recurrence. If specific instances of fraud and corruption are identified, it will be reported to the Anticorruption Commission. The commission will take necessary actions for investigations and pronutions in accordance with Bangladesh's laws and regulations.

52. Bangladesh has acts and policies for anticorruption. In 2004, the Anticorruption Commission (ACC) was established as an independent corruption prevention and inspection body. The ACC has split its tasks into two operational approaches—one being punitive and another preventive. The punitive actions include conducting inquiries and investigations against specific allegations corresponding to the scheduled offenses under ACC Act and producing the alleged party before the court for trial. The ACC has offices in divisions and districts, and corruption prevention committees in districts, municipalities, and Upazilas. The ACC receives complaints from individuals or institutions, media, online reports, and reports to their call centers. After the selection of the complaint, they engage an inquiry or investigation officer to do the inquiry (primary stage) or investigation (final stage).

53. A procurement grievance redress system is also prescribed in the PPR to record and respond to complaints relating to procurement processes within a stipulated time frame. A two-tier complaint resolution process is described in PPR: (i) an administrative tier and (ii) an independent appeal tier. The review panel is a quasi-judiciary body, and its verdict is final and can only be challenged in a higher judicial court. During the processing of tenders and in contract execution, any breach of provisions of PPR is treated as "misconduct" and is a punishable offense. The process of lodgment of complaints is the same in both conventional and e-GP tenders.

54. The government will instruct all relevant agencies[25] to (i) comply with the requirements of ADB's RBL anticorruption guidelines; (ii) ensure that any person or entity debarred or temporarily suspended by ADB is not eligible to be awarded a contract under or otherwise allowed to participate in the RBL program during the period of such debarment or temporary suspension;

[25] This includes all procuring entities, procurement agents, and other agencies at all levels under the RBL program.

and (iii) include a provision related to item (ii) in the bidding documents. The bidding documents should also reference

(i) the list of debarred and temporarily suspended firms and individuals available on ADB's website;[26]

(ii) ADB's Office of Anticorruption and Integrity's websitewhere reports of allegations of integrity violations can be made; [27]

(a) by e-mail to integrity@adb.org or anticorruption@adb.org;
(b) through the complaint form;
(c) by secure telephone access +63 2 8632 5004;
(d) by fax +63 2 636 2152; or
(e) by mail to Office of Anticorruption and Integrity, Asian Development Bank, 6 ADB Avenue, Mandaluyong City, 1550 Metro Manila, Philippines; and

(iii) the reservation by the DMC's procurement administration offices at each level of the right to reject the proposed award to debarred or temporarily suspended entities.

55. The guidelines will be issued in the joint names of LGED and *pourashavas*, responsible for the oversight of the RBL program, and may be updated within the program period.

56. ADB's guidelines on fraud, corruption, and other prohibited activities for RBL programs are in Appendix 4.[28]

C. Satisfying Procurement Member Country Eligibility Restrictions

57. The program will be financed from ADB COL and ADB-Administrated cofinancing resource AFD. The RBL will be administrated by the borrower. Universal procurement is an applicable.[29]

D. Safeguard Systems

1. Summary of Safeguard System and Actions

58. In accordance with RBL guidelines, ADB has prepared program safeguards system assessment (PSSA) for the RBL Program.[30] PSSA has been initiated to examine RBL program's potential safeguard impacts and risks and assess the program safeguards systems including Government of Bangladesh applicable and relevant laws, regulations, rules and guidelines for managing and mitigation the environment and social impacts of the RBL program, and to identify gaps between ADB safeguard policy principles and program safeguards systems and recommended program actions to improve program safeguards. PSSA builds on available country safeguards system assessment and environmental assessment and review frameworks of ADB funded projects. The PSSA is accessible from the list of linked documents in Appendix 2, Report

[26] ADB. Sanctions List. For more information, including how to access ADB's sanctions list, refer to ADB. 2022. *Frequently Asked Questions on ADB's Sanctions*.
[27] ADB. Anticorruption and Integrity.
[28] Relevant information on the anticorruption systems and how to deal with fraud and corruption cases during implementation can be found in ADB. 2019. *Mainstreaming the Results-Based Lending for Programs.* Manila; and the staff instruction on business processes for RBL for programs.
[29] ADB. 2013. *Blanket Waiver of Member Country Procurement Eligibility Restrictions in Cases of Cofinancing for Operations Financed from Asian Development Fund Resources*. Manila.
[30] Program Safeguards System Assessment (accessible from the list of linked documents in Appendix 2 of the report and recommendation of the President).

and Recommendation to President.

59. **Environmental and Social Management Framework.** The program Environment and Social Management Framework (ESMF) has been proposed to facilitate project implementation and streamline safeguard compliance. ESMF will ensure that implementation of RBL activities is in compliance with Bangladesh Regulatory framework with due consideration to gaps identified PSSA with respect to ADB safeguard policy principles. ESMF will also guide subproject screening to exclude Category A activities; carryout environmental and social assessment or due diligence for eligible activities; conduct consultation and information disclosure, ensure that grievance redress mechanism is in place, prepare and implement environmental management and monitoring actions, and report compliance.

60. **Environmental safeguards.** PSSA confirms that the RBL Program is **category *B*** for environment per ADB's Safeguards Policy Statement (SPS), 2009. The potential adverse impacts of RBL program activities of improvement of roads, drains, public facilities (market centers and public open spaces) and basic infrastructure in low-income neighborhoods (water supply, toilets, footpaths, drains and streetlights) in program towns are likely to be minimal, short-term, site-specific, experienced mainly during the construction and can be mitigated or minimized to acceptable levels through good construction practices and simple mitigation measures. RBL program will exclude activities like to have significant adverse environmental impacts that are irreversible, diverse, or unprecedented, and trigger category A for environment per ADB SPS. RBL program will also exclude activities classified as "Red category" per Government of Bangladesh's Environmental Conservation Rules, 1997 under the Environmental Conservation Act, 1995. Screening process will be followed by PMU to exclude these activities. The program is also expected to ensure safeguards compliance incurring minimal risks while following the ADB's Safeguard Policy Statement (2009), ADB's Policy for RBL Programs (2013), and the Government of Bangladesh's environmental regulations. PMU, LGED, the executing agency/implementing agency for the RBL Program, has significant experience in implementing ADB and other multilateral funded projects, and has demonstrated its capacity to prepare, implement, monitor and report projects in compliance with the ADB SPS and GOB regulatory framework[31]. Necessary staff to manage environmental safeguards at PMU and PIUs, consultant support, and training capacity building measures are included in program actions.

61. **Involuntary resettlement.** The program is **category *B*** for involuntary resettlement, as confirmed by PSSA. RBL program will exclude activities likely to have significant involuntary resettlement impacts. Land acquisition will be avoided and government land will be used for the program, to the maximum extent possible. Where impact on private land cannot be avoided, the program will use negotiated settlement, in line with the process defined in ADB SPS 2009 and the ESMF. Limited involuntary resettlement impacts such as temporary economic impacts and crop loss to non-titled holders are anticipated and will be compensated at replacement cost prior to the impact and prior to displacement. LGED will support each *pourashava* to avoid or minimize impacts in line with the ESMF.

62. **Tribes, Minor Races and Ethnic Sects (TMRES)**. PSSA confirms that the program is likely to have only beneficial impacts to TMRES by construction of infrastructure within government land. The **category *B*** for TMRES is based on the positive impacts expected on the TMRES due to affirmative actions of the program. LGED will include specific action plan for

[31] There were some delays reported in obtaining an environment clearance certificate (ECC) for Red category (SWM) projects in UGIIP-3, and LGED has taken corrective actions. No Red category activities are eligible for funding in RBL.

effective participation of TMRES in the design of proposed infrastructures in applicable social safeguards documents and ensure their inclusion in the program benefits. The framework for TMRES planning included in the ESMF prepared will be followed for the program and the SEC and/or TMRES Plan will be agreed with the government to ensure that there is no adverse impact of the program activities and TMRES are included in program benefits. The program will exclude any activities likely to have significant indigenous peoples impacts including activities that adversely affect the dignity, human rights, livelihood systems, or culture of indigenous peoples, or affect the territories or natural or cultural resources that indigenous peoples own, use, occupy, or claim as ancestral domain or an asset.

2. Safeguard System-Related Program Actions Status

63. The LGED agreed to implement the PAP which includes the following actions: (i)establish and operationalize ESMF for the RBL program and ensure compliance; (ii) appoint dedicated environmental and social safeguards staff at PMU and build capacity to implement ESMF and to coordinate with Department of Environment (DOE), and *pourashavas* for environmental and social safeguard compliance; (iii) appoint safeguards staff in PIUs and build capacity for implementation of RBL program activities in compliance with ESMF; (iv) develop protocols/guidelines to identify and exclude tube wells/bore wells contaminated with arsenic (exceeding applicable drinking water standards) from RBL program activities; for toilet / septic tank siting and design d guidelines to prevent seepage and contamination of groundwater; and for safe disposal/recycling of discarded and end-of-life solar panels in streetlights; (v) water quality test requirement practiced in the low-income neighborhoods under the Third UGIIP adopted and operationalized in program *pourashavas*; (vi) environment clearance certificate (ECC) obtained and renewed timely as per DOE conditions; if a common environmental clearance certificate is obtained, ensure that all individual program activities to which ECC is applicable are specified in ECC; (vii) model for social safeguards compliance with respect to market development under Third UGIIP adopted and operationalized; (viii) include a specific action plan for the effective participation of Tribes, Minor Races, Ethnic Sects, and Communities (TMRESC) (if any) in the design of proposed infrastructures in applicable social safeguards documents and ensure their inclusion in the program benefits; and (ix) periodic reporting on implementation of environmental and social safeguard program actions.

64. **Safeguards monitoring.** The PMU will conduct monitoring and ensure compliance as per ESMF requirements. PIUs will submit quarterly environmental monitoring reports to PMU. PMC will consolidate quarterly reports from all PIUs and prepare semiannual monitoring report and submit to PMU within 30 days of every reporting period. PMU will review, approve and disclose on LGED/PMU websites. The monitoring reports will be prepared by PIUs with assistance of the PMC and inputs from the PIU, site supervisors, safeguard specialists, and contractors where relevant. The outline of the semiannual environmental monitoring report and social safeguards monitoring report is attached to ESMF.

65. The implementation of the PAP, including safeguards related program actions will be periodically reported and submitted by LGED to ADB for review. ADB will conduct periodic review missions during program implementation with participation of safeguards specialists to monitor the status of these actions.

66. **Grievance Redress Mechanism.** Aligned with the constitutional requirement, LGED has an existing online grievance redress system.[32] A dedicated web portal is being maintained where

[32] Government of Bangladesh. 1972. *The Constitution of the People's Republic of Bangladesh*. Dhaka.

people can file their grievances. The RBL program will have both online as well as offline mode to receive the grievances. The portal will have a dedicated tab for receiving/filling grievances particular to the Improving Urban Governance and Infrastructure Program (this RBL Program). The RBL program will also have an offline grievance filing system for those who do not have access to the internet. Each component or activity site will maintain a complaint register specific for lodging affected people's concerns, complaints, and grievances about the social, land, and environmental issues or concerns. The safeguard focal person/Project Director at PMU will ensure the follow-up of the grievance until resolved. The PMU will have a regular review to ensure that all grievances are resolved in time-bound and through a transparent mechanism. The affected person is free to access the country's legal system at any time and at any stage. The affected person also can use the ADB Accountability Mechanism through directly contacting (in writing) the Complaint Receiving Officer at ADB headquarters or the ADB Bangladesh Resident Mission (BRM).

67. As per the Grievance Redress System Guidelines, 2015 (Revised 2018), and as a constitutional requirement, every *pourashava* has established grievance redress system. An aggrieved person can register complaint through telephone, mobile, or e-mail. As per the GRS guidelines (Section 5) every government office department (including city corporations and *pourashava*) should form a grievance management cell. The grievance management cell has a Grievance Redress Officer (GRO) and an Appeal Officer (a senior person by position and authority). In absence of the GRO, another focal person will be designated by the Appeal Officer to execute the responsibilities of GRO. The *Pourashavas* also have grievance/ complaint receiving boxes. Usually, the following steps are followed at the *pourashava* level as grievance redress system:

(i) Aggrieved person approaches *pourashava* helpdesk/reception or the concerned municipal ward councilor to state or register complaint;
(ii) After hearing the complaint, the ward councilor/focal person, takes decision to register the complaint and requests the complainant to give a written complaint to the *pourashava*;
(iii) The complaint file is then presented to the Mayor, who sends it to the concerned department;
(iv) The concerned department and grievance management cell tries to resolve the issue or takes decision for hearing;
(v) The focal person of *pourashava* verbally discuss with both parties (plaintiff and defendant) to fix a date for the hearing;
(vi) The *pourashava*, Grievance Management Cell gives notice to both parties for a hearing. (Sometimes it takes more than one hearing to resolve the complaint);
(vii) The complainant may be asked to submit documents, if required;
(viii) The complaint/grievance may be brought up to the Mayor, if required; and
(ix) Finally, the grievance management cell provides a report on the complaint.

68. Citizens (complainants) are made aware about the grievance management cell through various channels like *pourashava*'s citizen charter, working signboards, leaflets.

69. As per the Grievance Redress System Guidelines, 2015 (Revised 2018), any complaint must be resolved maximum within 30 working days; if the complaint matter is considered for investigation, then it should be resolved within additional 10 working days (Section 7.4.1).

E. Gender and Social Dimensions

70. The program is categorized as effective gender mainstreaming. The PAP include the

following action: *pourashava* level gender and social inclusion action plan is prepared, adopted, monitored, and reported on the implementation by all 50 *pourashavas* following the template in the PID. Specific actions to be included in gender and social inclusion action plan action plan are: i) establish sex-disaggregated Management Information Systems; ii) allocate at least 50% of the annual budget for gender-responsive O&M and spent each year; iii) conduct capacity development training for at least 300 LGD, LGED, and *pourashavas* staff and elected representatives (including 90% of eligible women staff and female councilors of municipalities and LGED) on urban governance, including tax management, citizen participation, and climate resilient urban planning; iv) earmark of at least 1% of the municipal revenue budget for implementation of *pourashava*-specific GAP by each *pourashava*; v) rehabilitate or construct roads that will meet standards of gender responsiveness, safety, and accessibility; vi) remodel or develop 4 gender-responsive public spaces; and vii) ensure at least 75% women's participation in slum improvement program in all *pourashavas*. The program will support women's participation in decision-making, slum improvement activities, and the development of quality, access, and gender-responsive municipal infrastructure that is universally accessible.

71. The program *pourashavas* will conduct all community participation activities through TLCC and WCC. Operational TLCC and WLCC and standing committees with the representation of civil society are prerequisites for all targeted *pourashavas* to receive the budget for infrastructure improvement. The slum improvement committees (representatives of slum dwellers) will be responsible for the development of a community action plan to implement the slum improvement activities. The participation of women and vulnerable groups in the formulation and implementation of tailored gender equality and social inclusion and poverty reduction action plan will ensure socially inclusive municipal services. This will be monitored throughout the program.

F. Communication and Information Disclosure Arrangements

72. ADB disclosure requirements have been discussed with the government, and both ADB and the government's disclosure policies will be used for the program. The annual program performance including program implementation status reports will be publicly disclosed, as well as the annual progress reports. The Program Safeguard Systems Assessment is disclosed in the ADB website. The necessary frameworks to comply with environment and social safeguards will be disclosed in the government and ADB websites. ADB's Access to Information Policy requires the disclosure of program information based on the principles of transparency, timeliness, meaningful participation, and inclusiveness. This will be done through a regular flow of reliable program information; (i) ownership over project outcomes and interest and/or willingness to take advantage of the project benefits; (ii) inclusion of groups in benefit distribution and project implementation; and (iii) the promotion of border regional development.

G. Development Coordination

73. ADB has established good coordination with JICA, the World Bank, and other multilateral and bilateral agencies to coordinate lending and TA operations and sharing information. There is a formalized process for development coordination led by the government. An active Local Consultative Group comprising the government and all development partners provides the overall framework for cooperation. ADB has been active in working groups on water and urban services. The World Bank's program for results since 2018 to the LGED has enabled ADB to harmonize approaches with the World Bank in terms of fiduciary oversight, governance, financial management, and procurement. ADB wil coordinating with AFD for detailed cofinance arrangements for the program. Global Climate on Adaptation provide support to LGED in strengthening its and *pourashavas* capacity on climate change vulnerability assessment at

pourashava levels, data, urban resilience, nature-based solutions, risk-informed master planning, and locally led adaptation.

V. INTEGRATED RISKS AND MITIGATING MEASURES

A. Key Risks and Mitigating Measures

Table 13: Status of Integrated Risk Assessments and Mitigation Measures

Risks	Rating Without the Mitigating Measures	Key Mitigating Measures	Status in implementing Mitigating Measures
Results			
Change of elected *pourashavas* representatives, including Mayors and Councilors, may affect the program's implementation.	Moderate	PMU will organize program orientation and capacity building on UGIAP for newly elected representatives.	PMU organized capacity building on RBL program, DLIs, and electronic government procurement for staff of 37 *pourashavas*.
Weak human resource capacity of *pourashavas* on municipal governance, planning, monitoring, the resilient livelihood of low-income communities resulting poor municipal service delivery.	Substantial	The program and TA will support the human resource capacity improvement of *pourashavas* such as municipal governance, planning, monitoring, the resilient livelihood of low-income communities, and service delivery.	Governance Improvement and Capacity Development consultant provisioned to improve capacity on UGAIP, resource mobilization and community mobilization. Global Center on Adaptation agreed to strengthen training modules on urban resilience and risk-informed master planning.
Delays in approval of the criteria-based transfers standard operating procedure by LGD may hamper the government's priority to the institutionalization of criteria-based development fund transfer to *pourashavas*.	Moderate	TA will provide policy guidance to the LGD in finalizing the standard operating procedure for the criteria-based fund transfers to *pourashavas*.	ADB established dialogues with LGD on the criteria-based transfers approaches. LGED shared the details of the approach that followed under the Third UGIIP.
LGED's M&E system does not capture all the data required for program monitoring and the reporting of *pourashavas* levels results for the improving urban governance and infrastructure.	Moderate	LGED will issue guidance to local governments on the program reporting process and systems. The monitoring and evaluation system is strengthened to cover program results. PAP actions cover this and will be supported by the TA.	TA support mobilized to support in preparaing the guidance note to the local governments on the program reporting process an dsystesm.
Operating environment. Multiple implementing agencies (88 *pourashavas)* make program management difficult.	Substantial	LGED will sign the MOUs, and agreements with implementing agencies (PAP 1.1) and monitor them through performance indicators.	
LGED and implementing agencies have limited knowledge on RBL make start up delays.	Moderate	ADB will provide orientation and TA support is provisioned to support program implementation.	

Risks	Rating Without the Mitigating Measures	Key Mitigating Measures	Status in implementing Mitigating Measures
Fiduciary. Financial management capacity is constrained, and internal control and governance practices are sub-optimal which may result in mismanagement of funds, material misstatements in the financial statements as well as audit qualifications and long outstanding and recurring audit observations.	Substantial	The capacity and practice of the internal audit function and audit committee of LGED will be strengthened and the financial management capacity at the *pourashava* level will be improved through capacity building. Periodic risk based internal audits and annual independent audits will be conducted, and audit observations and recommendations will be systematically monitored and addressed.	
Fiduciary. *Pourashavas* unfamiliar with the Guidelines to Prevent or Mitigate Fraud, Corruption and Other Prohibited Activities in RBL for Programs may miss to check lowest evaluated substantially responsive bidder against the sanction list, thereby ADB financing could be ineligible for that transaction.	Moderate	ADB explained Guidelines to Prevent or Mitigate Fraud, Corruption, and Other Prohibited Activities in RBL for Programs to the program management unit staff. The program management unit will explain to *pourashavas*. TA will conduct sample post-procurement reviews.	
Limited procurement capacity in *pourashavas* will delay implementation.	Medium	The LGED is an experienced executing agency with dedicated unit on eGP with trained staff and will conduct regular procurement training.	
Delay in upgrading the existing M&E system of LGED as web -a based platform for reporting and verifying DLIs may affect the timely submission of the DLIs verification report to ADB for disbursements against DLIs.	Medium	The loan and attached TA will support the development of a web-based M&E system to mitigate the risk. This web-based M&E system will make data collection and reporting effective and efficient, particularly for civil work, financial management, and governance improvement.	
Expenditures and financing. Slow execution of the development budget may constrain program activities.	Substantial	LGED will prepare timely annual procurement plans as part of the ADP supporting budget planning and execution. ADB, LGED, and LGD will monitor budget execution and timely disbursement of advances and quarterly fund releases.	

Risks	Rating Without the Mitigating Measures	Key Mitigating Measures	Status in implementing Mitigating Measures
Government prioritizes other sectors against the *pourashava* development.	Moderate	ADB will establish dialogues with the government to maintain its priority for the *pourashava*.	
Sustainability of infrastructure assets maintenance and services. The *pourashavas'* financial and O&M capacity are inadequate to ensure the sustainability of infrastructure assets.	Substantial	The program supports each *pourashava* to increase revenue by adopting a revenue enhancement plan for achieving 80% tax collection efficiency, setting up a computerized accounting and billing system, and enhancing p*ourashavas'* own-source revenue. LGED will support each *pourashava* in asset management and strengthen the O&M system for improved infrastructure conditions. For example, the program will pilot to institutionalize the government's support to better-performing *pourashavas* through grants to sustain its waste management O&M expenditures.	
Safeguards.			
Lack of adequate capacity to integrate safeguard concerns in implementation and monitoring.	Moderate	The ESMF was developed for use in implementation (PAP 3.1). Safeguard focal persons, or specialists will be assigned to strengthen the coordination of environmental and social safeguards (PAP 3.4). Provision of safeguards expert's will ensure to plan and adequately support PMU in addressing concerns through timely monitoring.	
Overall RBL program risk		**Substantial**	

ADB = Asian Development Bank, DLI = disbursement-linked indicator, eGP = electronic government procurement, ESMF = environmental and social management framework, LGD = Local Government Division, LGED = Local Government Engineering Department, MOU = memorandum of understanding, M&E = monitoring and evaluation, O&M = operation and maintenance, PAP = program action plan, PMU = program management unit, RBL = results-based lending, TA = technical assistance, UGIAP = Urban Governance Improvement Action Plan, UGIIP = Urban Governance Infrastructure and Improvement Project.
Sources: Asian Development Bank.

VI. PROGRAM ACTION PLAN

A. Status of Program Action Plan

Table 14: Status of Program Action Plan
(as of 25 May 2023)

Actions	Responsible Agency	Time Frame for Implementation	Status of Implementation
Area 1 Technical Aspects			
1.1 Memorandum of Understanding between LGED and *pourashavas* supporting IUGIP signed.	LGED	July 2023	
1.2 Issue a directive to *pourashavas* on SOP and provide orientation on the criteria-based development fund transfer.	LGD/LGED	January 2024	
1.3 Urban Governance Improvement Action plan to strengthen governance is prepared by each *pourashava*.	LGED	2023–2024	
1.4 Confirm total tax (holding and non-holding) collection demand as per the *pourashava's* latest assessment or reassessment report.	LGED *Pourashavas*	August 2023	
1.5 Guideline for socially inclusive open spaces developed under Coastal Towns Climate Resilience Project adopted and notified to each *pourashava*.	LGED *Pourashavas*	September 2023	
1.6 *Pourashava* level Poverty Reduction Action Plan updated to incorporate climate change and resilient livelihoods.	LGED *Pourashavas*	2023–2024	
1.7 Slum improvement model developed under UGIIP adopted and scaled up in 60 *pourashavas.* 1.6.1 At least 252 low income neighborhood improvement committees were formed or reformed to ensure the participation of 50% of women.	LGED *Pourashavas*	July 2023–June 2028	
1.8 Training to at least 20 staff of LGD completed on SOP on criteria-based budget transfer and the revenue management reporting web-based system.	LGED	September 2023–June 2024	
1.9 Prepare climate change design considerations incorporated in the infrastructure design.	LGED *Pourashavas*	2022–2025	
Area 2 Fiduciary Management			
2.1 Appoint adequate accounts staff to the LGED/PMU an engage financial management experts to support the PMU.	LGED Each *Pourashava*	Immediately after DPP approval	

Actions	Responsible Agency	Time Frame for Implementation	Status of Implementation
2.1.1 Assign an accountant as a program focal point in each *pourashava* to ensure timely preparation and flow of financial information between LGED, CAG, and each *pourashava*.			
2.2 Create a separate program code for the development expenditures under the RBL program to be used to record all expenditures in IBAS++ as identified under the DPP/ADP.	LGED and MOF	Immediately after DPP approval	
2.3 Provide timely and adequate government financing in accordance with the DPP/ADP to ensure timely achievement of the results and DLIs.	MOF	Quarterly 2023/24–2027/28	
2.4 Record all expenditures incurred under the RBL program, including the expenditures incurred by the target *pourashavas* in the IBAS++ using the RBL program code.	LGED & CGA	2023/24-2027/28	
2.5.1 Maintain separate book of accounts and records for all receipts and payment made through the advance account and sub-advance accounts maintained by the LGED and not covered by IBAS++. 2.5.2 Implement a standalone accounting software to record all receipts and payment made through the advance account and sub-advance accounts maintained by the LGED and not covered by IBAS++ Confirm the accounting software to be used to ADB.	LGED/PMU	2023/24–2027/28 Within one month after loan effectiveness.	
2.6 Undertake periodic reconciliations between bills claimed by *pourashavas*, Bills submitted to CGA by LGED and CGA accounts/payments effected by CGA.	LGED/PMU/CGA & *Pourashavas*	Monthly 2023/24–2027/28	
Internal audit capacity improved in LGED			
2.7 Organize annual training in accounting and financial and compliance audit techniques to increase the capacity of the LGED's internal audit staff in undertaking effective risk based audits.	LGED/Internal audit unit	Annually 2023/24–2027/28	
2.8 Establish a program to enable and support LGED's internal audit staff to augment their skillset by undertaking external training courses, including	LGED and ADB TA	2023/24–2024/25	

Actions	Responsible Agency	Time Frame for Implementation	Status of Implementation
obtaining a professional qualification or certification program (e.g., CIA., CPA, CISA, CGAP, or national equivalent.) and progress in their career.			
2.9.1 Agree with with OCAG/LGRDAD and ADB on the final Statement of Audit Needs and 2.8.2 Formally request OCAG/LGRDAD to include the program in their audit plan.	LGED	Within one month after loan effectiveness Within two months after Loan effectiveness and thereafter annually	
2.10 Conduct annual review meeting to go through the outstanding audit observations and agree on the necessary actions required to resolve them.	LGED and OCAG	Annually	
2.11 Conduct a review of LGED's audit committee to determine the effectiveness and efficiency of its functions and composition. Implement remedial actions as necessary.	LGED	Within fiscal year 2023/24	
2.12.1 Engage consultants to increase the FM capacity in the target *pourashavas* in maintaining robust supplementary financial management arrangements related the RBL program, including the following: (a) Preparing and submitting to LGED/PMU accurate and effective annual budgets to be consolidated in the ADP; (b) collecting and submitting bills and the necessary supporting documentation to LGED for effecting the payments, (c) maintaining separate claim records for the RBL program and conducting reconciliations of bills claimed from LGED and payments made by CGA and (d) Responding and resolving RBL program related audit observations in a timely manner. 2.12.2 Improve Pourashava level public financial management capacity and systems through the following:	LGED (a) At least 70% of the 89 target Pourashavas	Within one quarter of loan effectiveness. (a)By the end of 2024/25 (second	

Actions	Responsible Agency	Time Frame for Implementation	Status of Implementation
(a) Develop an entity specific timebound action plan (Pourashava FM Action plan[1]) to improve the financial management systems and practices, including the use of computerized accounting systems, in each Pourashava; and, (b) Implement the Pourashava FM action plan. [1] Depending on the FM -systems in place and the capacity of the Pourashava, the respective action plans will focus on areas such as adaptation of a computerized accounting system, double entry accounting system, improved internal controls, systematic monitoring and addressing of audit observations, improved effectiveness of financial reporting, etc.	(with support from consultants engaged by LGED) (b) At least 70% of the 89 target Pourashavas (with support from consultants engaged by LGED)	year of implementation). (b)By the end of 2027/28 (fifth year of implementation)	
2.13 Timely disbursement of quarterly fund release and monitoring of advances ensured.	MOF	(i) the First month of each next quarter, (ii) Monthly	
2.14 Preparation of the program APP by each *pourashava* consolidated and		2024–2028	
2.15 Use of national bidding documents with annexure (as agreed with Central Procurement Technical unit) for open competitive bidding following e-GP. A lottery system shall not be used to determine the successful bidder, including for the purpose of resolving deadlocks.	LGED *Pourashavas*	2022–2028	
2.16 An annual procurement review will be conducted and a sample size of 10% of the total contracts awarded in the respective year.	LGED	2024 and every year then after.	
Area 3 Environmental and Social Safeguards			
3.1 Environment and Social Monitoring Framework (ESMF) developed and operationalized in 60 *pourashavas*.	LGED *Pourashavas*	Mar 2023 (Developed) Operationalized (implementation period)	

Actions	Responsible Agency	Time Frame for Implementation	Status of Implementation
3.2 Water quality test requirement practiced in the low-income neighborhoods under the Third UGIIP adopted and operationalized in 63 *pourashavas*.	LGED *Pourashavas*	Mar 2023 (Developed) Operationalized (implementation period)	
3.3. .3 Guidelines /protocols developed to: (i) identify and exclude tube wells/bore wells contaminated with arsenic from RBL program activities (ii) Toilet / septic tank siting and design guidelines to prevent seepage and contamination of groundwater (iii) safe disposal/recycling of discarded and end-of-life solar panels in streetlights.	LGED *Pourashavas*	Starting from July 2023 Yearly	
3.4 3.5 Environmental and Social Safeguard focal persons or specialists are assigned to LGED Program Management Unit, and *pourashavas* to strengthen the coordination for environmental and social safeguards compliance. Appoint dedicated environmental and social safeguards staff at PMU and build capacity to implement ESMF Appoint safeguards staff in PIUs and build capacity for implementation of RBL program activities in compliance with ESMF	LGED *Pourashavas*	July 2023–June 2028 (applicable to any market development under the RBL	
3.5 Model for social safeguards compliance with respect to market development under Third UGIIP adopted and operationalized.	LGED *Pourashavas*	July 2023 (adopted) July 2023-June 2028 (applicable to any market development under the RBL	
3.6 Include a specific action plan for the effective participation of TMRESCs (if any) in the design of proposed infrastructures in applicable social safeguards documents and ensure their inclusion in the program benefits.	LGED *Pourashavas*	July 2023–June 2028	
Area 4: Gender and Social Inclusion			
4.1 *Pourashava* level gender and social inclusion action plan	LGED *Pourashavas*	July 2023–June 2028	

Actions	Responsible Agency	Time Frame for Implementation	Status of Implementation
prepared, adopted, monitored, and reported on the implementation by all 60 *pourashavas* following the template in the program implementation document.			
Area 5: Monitoring and Evaluation System			
5.1 A web-based M&E system will be developed to capture data on physical work, financial management, and governance improvement. The system will be used to generate report on DMF achievement monitoring and DLI verification as per protocols.	LGED *Pourashavas*	July 2023–June 2028	

ADB = Asian Development Bank, ADP = Annual Development Plan, CAG = Comptroller and Accounting General, CGAP = Certified Government Auditing Professional, CIA = Certified Internal Auditor, CISA = Certified Information Systems Auditor, CPA= Certified Public Accountant, CSA = Certified Senior Advisor, DLI = disbursement-linked indicator, DMF = Design and Monitoring Framework, DPP = Development Project Proforma, e-GP = electronic government procurement, IBAS++ = Integrated Budget and Accounting System, LGD = Local Government Division, LGED = Local Engineering Department, M&E = monitoring and evaluation, OCAG = Office of the Comptroller General, PMU = project management unit, RBL = results-based lending, SOAN = statement of audit needs, SOP = standard operating procedures, TMRESC = tribes, minor races, ethnic sects and communities, UFMS = Unified Financial Management System, UGIIP = Urban Governance and Infrastructure Improvement (Sector) Project.
Source: Asian Development Bank.

VII. TECHNICAL ASSISTANCE

A. Summary

74. The Loan TA, JFPR TA, and transaction TA will support the implementation of the government program priorities areas in policy, program, and system strengthening. The RBL program is implemented at the *pourashavas* level to improve municipal service delivery through governance-led infrastructure development. *Pourashavas'* technical and human capacity strengthening need is high in governance, climate change, urban planning, and sustainable operation and maintenance, Loan TA prioritizes strengthening *pourashavas* capacity in these areas. Complementing consulting services under the Loan TA, JFPR TA grant will support LGD and LGED in the sector guidance through specialized technical consultant input and management support including strengthening the M&E system and training and capacity development of LGD and LGED. [33]

1. Outputs and Activities

75. **Output 1: Sector Guidance and Result Management Strengthened**. Output 1, supported under the Japan Fund for Prosperous and Resilient Asia and the Pacific (JFPR), will include: (i) SOP to implement criteria-based development budget transfers developed;[34] (ii) technical inputs to prepare National Urban Policy and update of National Strategy for Pourashava Governance Improvement (2016-2025) provided*;* (iii) tools and training courses for LGD, LGED and *pourashavas* capacity on governance-led infrastructure development in place; (iv) a web-

[33] The TA first appeared in the business opportunities section of ADB's website on (to be inserted).
[34] JFPR is a possible funding source subject to the approval of the Government of Japan.

based RBL program M&E system strengthened; and (v) sector knowledge inputs, generation, sharing and strengthening. The TA will assist in preparing the Performa for presenting data so that linkages across the DMF, DLIs, PAP, safeguards, and fiduciary elements are established.

76. **Output 2: RBL Program Management Capacity Improved**. Output 2, supported under the Technical Assistance Special Fund (TASF), will include (i) strengthening of the RBL program result management; (ii) technical inputs in strengthening the program systems in the areas of finance, accounting, procurement, safeguards, climate change, and program action plans provided; and (iii) SOP developed to monitor the performance of *pourashavas* in municipal waste management.

77. The TA will be pioneering in developing workable standard operating procedures for institutionalizing criteria-based fund transfers to *pourashavas* in Bangladesh that can be rolled out nationwide. The TA will also support the web-based system for *pourashavas'* performance M&E by aligning with the government's priorities, plans, and sector results. Output 1 support will benefit the LGD, LGED, and *pourashavas* by utilizing JICA knowledge and experiences in updating the National Strategy for *Pourashava* Governance Improvement for the next 15 years. It will also provide ADB an opportunity to collaborate closely with JICA and the LGD to review and update the strategy to align with the government's priorities.

2. Cost and Financing

78. The TA financing amount is $2.0 million, of which (i) $1.0 million will be financed on a grant basis by ADB's Technical Assistance Special Fund 7 (TASF 7) and (ii) $1.0 million will be financed on a grant basis by JFPR and administered by ADB. The key expenditure items are listed in Table below. The government will provide counterpart support through counterpart staff, office space, coordination assistance, and other in-kind contributions. The government was informed that approval of the TA does not commit ADB to finance any ensuing project.

Table 15: Cost Estimates and Financing Plan

($'000)

Item	Amount
A. Asian Development Bank[a]	
1. Consultants	
a. Remuneration and per diem	
i. National consultants	806,000.0
b. Out-of-pocket expenditures	
i. International and local travel	45,000.0
ii. Surveys	7,000.0
iii. Others: Insurance, Report, Communication, Translations	9,000.0
2. Training, seminars, conferences, exposure visits (overseas)	77,000.0
3. Miscellaneous TA administration costs[c]	9,000.0
4. Contingencies	47,000.0
Subtotal (A)	**1,000,000.0**
B. JFPR[b]	
1. Consultants	
a. Remuneration and per diem	
i. International consultant	145,000.0
ii. National consultant	622,000.0
b. Out-of-pocket expenditures	
a. International and local travel	36,000.0
b. Surveys	30,000.0
c. Others: Insurance, Report, Communication, Translations	9,000.0
2. Training, seminars, conferences	70,000.0
3. Surveys	30,000.0

Item	Amount
4. Miscellaneous TA administration costs[d]	10,000.0
5. Contingencies	48,000.0
Subtotal (B)	**1,000,000.0**
Total	**2,000,000.0**

JFPR = Japan Fund for Prosperous and Resilient Asia and the Pacific.
Note: The technical assistance (TA) is estimated to cost $2,100,000, which includes the estimated amount of in-kind contributions by the counterpart, of which contributions from the Asian Development Bank and JFPR are presented in the table. The government will provide counterpart support in the form of counterpart staff, office spaces, office supplies, secretarial assistance, and other in-kind contributions. The value of the government contribution is estimated to account for 5% of the total TA cost.
[a] Financed by the Asian Development Bank's Technical Assistance Special Fund TASF 7.
[b] Established by the Asian Development Bank. Financing partner: the Government of Japan. Administered by ADB.
[c] Include translation and interpretation.
[d] Include translation and interpretation.
Source: Asian Development Bank estimates.

3. Implementation Arrangements

79. LGED will be the executing agency. ADB will administer the TA. South Asia Urban and Water Division of ADB will select, supervise, and evaluate consultants in close coordination with LGED. The TA will be implemented over five years from July 2023 to June 2028. Implementation arrangements are summarized in Table below.

Table 16: Implementation Arrangements

Aspects	Arrangements		
Indicative implementation period	July 2023–June 2028		
Executing agency	LGED		
Implementing agencies	ADB		
Consultants	To be selected and engaged by ADB.		
	Individual: individual selection	International expertise (6 person-months)	$145,000
	Individual: individual selection	National expertise (340 person-months)	$1,428,000
Procurement	Training, seminar, workshop, and survey to be procured by consultants and ADB.		
Disbursement	Disbursement of TA resources will follow ADB's *Technical Assistance Disbursement Handbook* (2020, as amended from time to time). Disbursement of TA resources from the grant provided under JFPR administered by ADB will follow ADB's *Technical Assistance Disbursement Handbook* (2020, as amended from time to time) for specific consulting inputs specified JFPR agreement and the linked TA document with the terms of reference.		

ADB = Asian Development Bank, LGED = Local Government Engineering Department, JFPR = Japan Fund for Prosperous and Resilient Asia and the Pacific, TA = technical assistance.
[a] The implementation period starts from the expected month of commitment or signing.
[b] Procurement Plan (accessible from the list of linked documents in Appendix 3).
Source: Asian Development Bank.

80. **Website.** Development of the website under the TA will comply with ADB's Branding Tool Kit and will be consulted with the Department of Communications and Information Technology, wherein the latter will register for technological security reasons. LGED would support the website's maintenance during and after TA implementation period.

81. **Cofinancier's requirements.** The TA's monitoring and reporting requirements and changes in the implementation arrangements will follow ADB's applicable project administration

and staff instructions and will comply with JFPR Implementation Guidelines. All changes in the TA scope and objectives will be discussed with the JFPR team. The TA completion report will be shared with the Government of Japan.

B. Consulting Service Requirement

82. LGED will engage the RBL program Loan consultants (firms and individuals) and TA consultants (individuals) will be engaged solely by following the ADB Procurement Policy (2017, as amended from time to time). Four consultant firms with total of 2,534 persons and ADB's TA's individual consultants with a total of 346 person-months (6 person-months of international expertise and 340 person-months of national expertise) are provisioned under the program.

83. An outline term of references for consultants is as follows:

(i) The RBL program consultant firms
  (a) Management, Design, and Supervision Consultant;
  (b) Governance Improvement and Capacity Development Consultant**;**
  (c) Individual Verification Disbursements Linked Indicator; and
  (d) Consulting services for Master Plan preparation (3 packages).

(ii) Attached TA consultants (Individuals)

84. ADB will be provide individual consultant services to (i) provide policy advice in updating national strategy for *pourashava* capacity development, finalizing the urban policy, and implementing criteria-based development budget transfer; and (ii) assist the government with M&E of DLIs, other program results indicators, and PAP actions.

VIII. MONITORING OF KEY PROGRAM COVENANTS

85. The government and the LGED have agreed with ADB on assurances for the RBL program, which are set forth in table below.

Table 17: Implementation Arrangements

Item	Assurances
Implementation Arrangements	**1.** The Government and the Program executing agency will ensure that the Program is implemented in accordance with the detailed arrangements set forth in the PID. Any subsequent change to the PID will become effective only after approval of such change by the government and ADB. In the event of any discrepancy between the PID and this Loan Agreement, the provisions of this Loan Agreement will prevail. **2.** The Government will ensure that the aggregate amount of eligible expenditures under the Program is equal to or exceeds the Loan proceeds withdrawn by the Government for the Program. Such eligible expenditures are part of the expenditures incurred under the Government's program, but they exclude any expenditures for (i) procurement of works, goods and services from countries which are not members of ADB; (ii) procurement of works, goods and services from persons or entities debarred or suspended by ADB; (iii) procurement involving high-value contracts; (iv) any activities which are classified as category A for environmental impact under the SPS; (v) any activities assessed as likely to have significant adverse impacts that are sensitive, diverse, or unprecedented on environment and/or affected people; and (vi) any activities which are prohibited investment activities provided in Appendix 5 of the SPS.

DLI Compliance and Program Dialogue	**3.** The Government will ensure that all DLIs achieved under the Program continue to be complied with for the duration of the Government's program. **4.** The Government will keep ADB informed of discussions with other multilateral or bilateral aid agencies that may have implications for the implementation of the Government's program and the Program and will provide ADB with an opportunity to comment on any resulting proposals. The Government will give due consideration to ADB's view before finalizing and implementing any such proposal.
Technical Requirements	**5.** The Government will ensure that all Program Actions in the area of technical requirements are implemented in a timely and efficient manner.
Financial Management	**6.** The Government will ensure that all Program Actions in the area of financial management are implemented in a timely and efficient manner.
Procurement	**7.** The Government will ensure that each contract under the Program is awarded on the basis of the Program's procurement system, having due regard for principles of competition, economy and efficiency, transparency, and fairness and equal opportunity. **8.** The Government will ensure that all Program Actions in the area of procurement are implemented in a timely and efficient manner.
Environmental and Social Safeguards	**9.** The Government will ensure that all program actions in the area of environmental and social safeguards are implemented in a timely and efficient manner. (i) The Government will ensure, or cause the Program executing agency to ensure that no construction or rehabilitation works under the Program involve significant adverse environmental impacts that may be classified as category A under the SPS. Prior to commencing any construction or rehabilitation works under the Program, the Government will conduct, or cause the Program executing agency to conduct, a screening to ensure that any works that may be classified as category A for environment impacts within the meaning of SPS are excluded from the Program. (ii) The Government will ensure, or cause the Program executing agency to ensure that the preparation, design, construction, implementation, operation and decommissioning of all activities under the Program comply with: (a) all applicable laws, regulations and guidelines of the Government relating to environment, health and safety; (b) the Environmental Safeguards; and c) all measures and requirements, including monitoring requirements set forth in the PAP. **10.** The Government will ensure, or cause the Program executing agency to ensure that the preparation, design, construction, implementation, operation and decommissioning of all activities under the Program comply with: (i) all applicable laws and regulations of the Government relating to resettlement; (ii) involuntary resettlement safeguards; and (iii) all measures and requirements, including monitoring requirements set forth in the PAP.
Gender and Social Equality	**11.** The Government will ensure that all program actions in the area of gender and social equality are implemented in a timely and efficient manner.
Governance and Anticorruption	**12.** The Government will ensure, or cause the program executing agency to ensure that the Program complies with the Anticorruption Guidelines and that all appropriate and timely measures are taken to prevent, detect and respond to allegations of fraud, corruption or any other prohibited activities relating to the Program in accordance with the Anticorruption Guidelines. **13.** The Government will, or cause the Program executing agency to (i) promptly inform ADB of any allegations of fraud, corruption or any other prohibited activities relating to the Program; and (ii) cooperate fully with any investigation by ADB on such allegations and extend all necessary assistance, including providing access to all relevant records, for satisfactory completion of such investigation. **14.** Within 90 days of the effective date, the Government will, or cause the Program executing agency to update its public website to (i) provide information on bidding procedures, bidders, contract awards and physical progress of the Program; (ii) post the audited annual financial statements for the Program, as such financial statements become available; and (iii) disseminate other relevant information on program implementation.

ADB = Asian Development Bank, DLI = disbursement-linked indicator, PAP = program action plan, PID = Program Implementation Document, SPS = Safeguard Policy Statement.
Source: Asian Development Bank.

IX. SUMMARY OF KEY OUTSTANDING ISSUES

Table 18: Key Outstanding Issues and Actions
(as of 26 January 2023)

Number	Key Issues	Status in Addressing the Issues	Next Steps	Responsible Agencies and People	Time Frame for Implementation
	Finalization of cofinancing agreement between AFD and ADB.	ADB drafted cofinancing agreement to be signed with AFD. DLI matrix and document shared with AFD.			

ADB = Asian Development Bank, AFD = Agence Française de Développement, DLI = disbursement-linked indicator.
Source: Asian Development Bank.

X. ACCOUNTABILITY MECHANISM

86. The Accountability Mechanism provides an independent forum and process whereby people adversely affected by ADB-assisted operations can voice and seek a resolution of their problems, as well as report alleged violations of ADB's operational policies and procedures.[35] People who are, or may in the future be, adversely affected by a program supported by RBL may submit complaints to ADB's Accountability Mechanism.

87. Before submitting a complaint to the Accountability Mechanism, affected people should make a good faith effort to resolve their problems and/or issues by working with the concerned ADB operations department. Only after doing that, and if they are still dissatisfied, should they approach the Accountability Mechanism.

XI. CHANGES IN PROGRAM SCOPE AND IMPLEMENTATION ARRANGEMENTS

88. Major and minor changes in scope and implementation arrangements during implementation will be recorded to provide a chronological history of these changes.

Table 19: Changes in Scope and Implementation Arrangements
(as of {date})

Number[a]	Changes and Key Reasons[b]	Date	Names of Documents
1			
2			
3			
4			
5			
6			

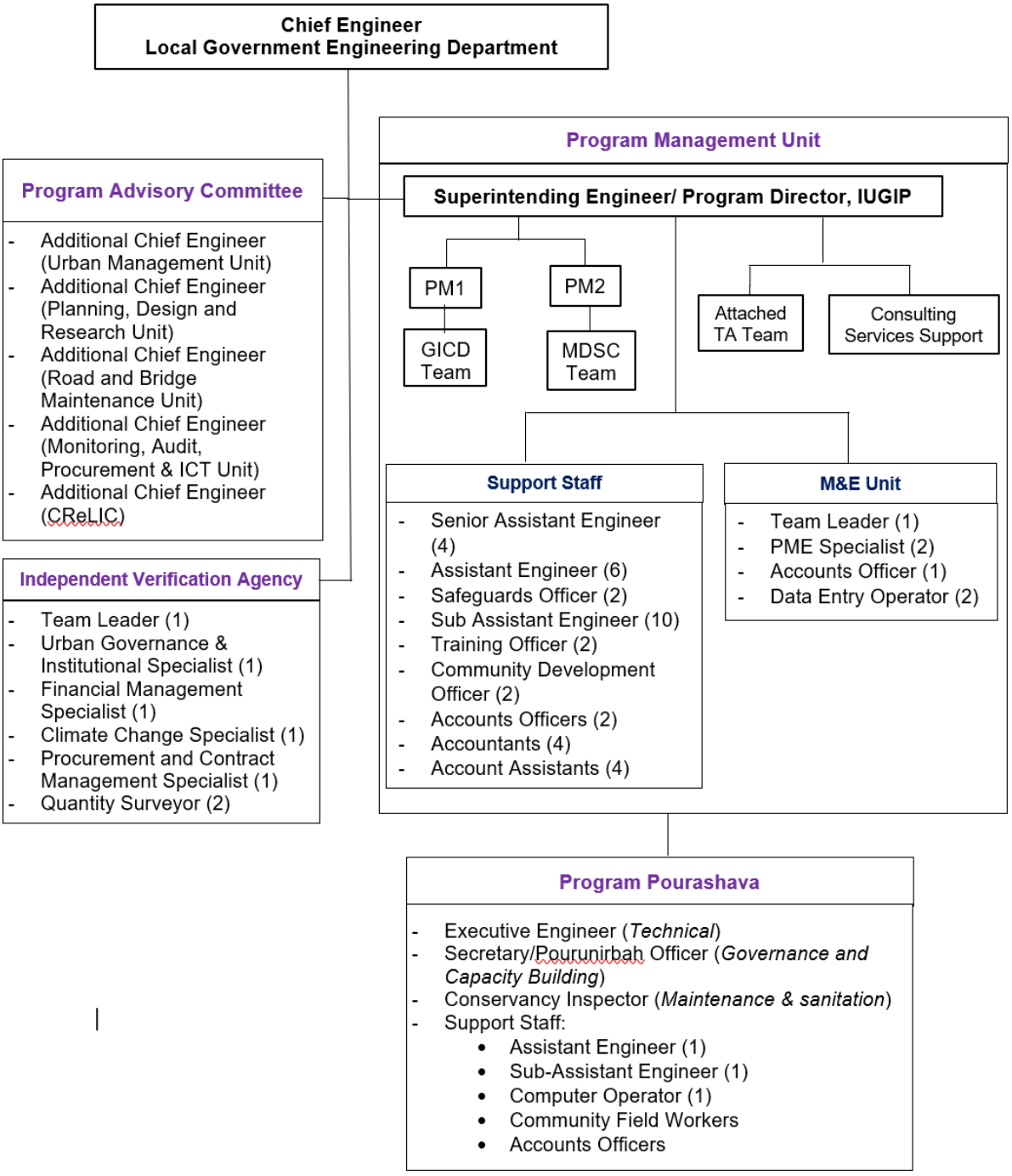
[a] Add or delete rows as needed.
[b] Summarize the changes and reasons, in brief.
Source: Asian Development Bank.

[35] ADB. 2012. *Accountability Mechanism Policy 2012*. Manila.

XII. PROGRAM ORGANIZATIONAL STRUCTURE AND FOCAL STAFF

89. The proposed program will be executed by LGED under the Local Government Division of the Ministry of Local Government, Rural Development, and Cooperatives. The program will be led by a Program Director, the Superintending Engineer. The Chief Engineer will be responsible for Program oversight and providing overall guidance. Divisional offices will be responsible for the monitoring of program activities. Sixty *pourashavas* will be mainly responsible for the program implementation, including procurement of contracts. Each of these *pourashava* will be supported by an Executive Engineer, a Secretary/*Pourunirbah* Officer and a Conservancy Inspector. The Executive Engineer will be responsible for the technical parts while Secretary/*Pourunirbah* officer for governance and capacity building, and Conservancy Inspector will be responsible for maintenance and sanitation components, respectively.

A. Organizational Structure



CRELIC = Climate Resilient Local Infrastructure Center, GICD = Governance Improvement and Capacity Development, ICT = information and communication technology. MDSC = Management, Design, and Supervision Consultants, PM1 = project manager 1, PM2 = project manager 2, TA = Technical Assistance.
Source: Asian Development Bank.

B. Program Officers and Focal Persons

1. Initial Arrangements

Table 20: Program Officers and Focal Persons
(as of 25 May 2023)

Number	Key Government Staff and Positions	Key ADB Staff and Positions
1	Sheikh Md. Moshin, Chief Engineer Local Government Engineering Department (LGED)	Norio Saito Director, South Asia Urban and Water Division (SAUW)
2	Dr. Md. Sarwar Bari, Director General, Monitoring Inspection and Evaluation Wing Local Government Division	Laxmi Sharma Senior Urban Development Specialist, SAUW
3	Shaikh Muzaka Zaher Additional Chief Engineer Urban Division, LGED	Amit Datta Roy Senior Project Officer (Urban Infrastructure), Bangladesh Resident Mission
3	Md. Enamul Haque P Eng, Additional Chief Engineer (Audit) LGED	Roshan Ouseph Senior Counsel, Office of the General Counsel
4	AKM Rezaul Islam Program Director, LGED	Mr. Mikael Andersson, Financial Management Specialist, South Asia Department Ms. Saswati Belliappa Senior Safeguards Specialist, SAUW Mr. Achyutha Aleti Rao Environment Specialist, SAUW

BRM = Bangladesh Resident Mission, SAUW = South Asia Urban and Water Division.
Source: Asian Development Bank.

2. Changes During Implementation

90. Monitor and record changes during implementation in the ADB mission leader and key executing agency staff. Indicate the new names, titles, dates of the changes, and the reasons for the changes in Table below.

Table 21: Changes in Key executing agency Staff and ADB Mission Leader
(as of {date})

Number	Changes	Date	Reasons for the Change[a]
1			
2			
3			
4			

[a] Summarize the Reasons. Be Brief.
Source: Asian Development Bank.

LIST OF POURASHAVAS

SNo.	Name of District	Name of Pourashavas
1	Tangail	Modhupur
2	Gazipur	Kaliganj
3	Narsingdi	Monohardi
4	Munshigonj	Munshigonj
5	Narayanganj	Araihazar
6	Rajbari	Goalandha
7	Faridpur	Bhanga
8	Faridpur	Boalmari
9	Madaripur	Kalkini
10	Shariatpur	Naria
11	Kishoreganj	Hossainpur
12	Netrakona	Madan
13	B.Baria	B.Baria
14	Feni	Sonagazi
15	Chandpur	Haziganj
16	Chandpur	Matlab
17	Chandpur	Faridganj
18	Laxmipur	Raipur
19	Noakhali	Chowmohoni
20	Chittagong	Chandanaish
21	Chittagong	Swandip
22	Chittagong	Banskhali
23	Chittagong	Raozan
24	Moulavibazar	Kulaura
25	Habiganj	Chunarughat
26	Lalmonirhat	Patgram
27	Kurigram	Ulipur
28	Pabna	Sathia
29	Chapai Nawabgonj	Rohonpur
30	Rajshahi	Bagha
31	Rajshahi	Naohata
32	Rajshahi	Bhabanigonj
33	Kustia	Veramara
34	kuatia	Kumarkhali
35	Meherpur	Gangni
36	Chuadanga	Alamdanga
37	Jashore	Keshobpur
38	Bandarban	Bandarban
39	Chattogram	Nazirhat
40	Khagrachari	Khagrachari
41	Lakshmipur	Ramgati

SNo.	Name of District	Name of Pourashavas
42	Manikganj	Manikganj
43	Sherpur	Nokla
44	Rajshashi	Keshorehat
45	Naogaon	Nazipur
46	Chapai Nawabganj	Shibganj
47	Gaibandha	Sundarganj
48	Rangamati	Rangamati
49	Gopalganj	Tungipara
50	Feni	Dagonbhuiyan
51	Lakshmipur	Ramganj
52	Munshiganj	Mirkadim
53	Bogura	Sariakandi
54	Noakhali	Gaforgaon
55	Gazipur	Kaliakair
56	Moulvibazar	Moulvibazar
57	Kishoreganj	Pakundia
58	Kishoreganj	Bhairab
59	Sunamganj	Chatak
60	Jhenaidah	Moheshpur
61	Brahmanbaria	Nabinagar [a]
62	Cumilla	Laksam [a]
63	Lakshmipur	Lakshmipur [a]
64	Gopalganj	Gopalganj
65	Rajbari	Rajbari [a]
66	Mymensingh	Muktagachha [a]
67	Kishoreganj	Kishoreganj [a]
68	Netrokona	Netrokona [a]
69	Sherpur	Sherpur [a]
70	Chuadanga	Chuadanga [a]
71	Jashore	Benapole [a]
72	Magura	Magura [a]
73	Meherpur	Meherpur [a]
74	Joypurhat	Joypurhat [a]
75	Pabna	Ishwardi [a]
76	Pabna	Bera [a]
77	Chapai Nawabganj	Chapai Nawabganj [a]
78	Sirajganj	Shahjadpur [a]
79	Naogaon	Naogaon [a]
80	Rajshahi	Charghat [a]
81	Nilphamari	Nilphamari [a]
82	Panchagarh	Panchagarh [a]
83	Lalmonirhat	Lalmonirhat [a]

SNo.	Name of District	Name of Pourashavas
84	Pirojpur	Pirojpur [a]
85	Barguna	Borguna [a]
86	Jashore	Jashore [a]
87	Basurhat	Noakhali
88	Manirampur	Jashore

[a] Pourashavas that will be supported for waste management operation and maintenance management.

FINANCIAL INFORMATION TO BE INCLUDED IN THE SEMIANNUAL PROGRESS REPORTS

The following information is to be included in the semiannual progress reports to be submitted to ADB within 60 days after the end of reporting period.

This section should provide an overall describes the budget allocation and release of funds to the education sector including the following:

A. Overall Financial progress under the RBL program

This section should provide an overall assessment of financial progress of the program including an analysis of the adequacy and timeliness of government funding allocated and released as part of the agreed budget codes[1]. The section should discuss the following:

- Analysis of any significant deviations from the Development project proposal (DPP) and the and the ADP - for the development expenditures - and the Medium Term Budget framework (MTBF) and the annual approved budget allocations - for the non-development expenditures. In the case of significant deviations from the ADP, DPP and/or MTBF, the potential impact on achieving the program's results and the DLIs should be highlighted and discussed;
- Analysis of expenditures incurred as part of the approved annual budget including the execution rates (budgeted vs. actual expenditures) and explanation of any significant variations (e.g. more than 10%); and

B. Disbursement status of the ADB loan

This section should describe the disbursement status under the ADB and AFD RBL loans including the following:

- Comparison of cumulative amount of ADB loan proceeds disbursed and cumulative expenditures incurred under the RBL program as part of the agreed budget codes (formula to be used: total program development expenditures under the agreed budget heads and codes plus (+) total non-development expenditures under the agreed budget heads prorated using the ratio (89/329) of target *pourashavas* (89) to the total *pourashavas* (329), minus (-) expenditures incurred under the investment project component and excluding procurement from non-ADB members $\geqslant$ combined ADB and AFD RBL financing disbursed to date;
- Analysis of the progress achieved under each DLI during the reporting period, and cumulative year to date and a comparison against the agreed targets. Any expected delays or problems in aching the DLIs should be adequately highlighted and analyzed; and
- Analysis of the disbursement made under the ADB and AFD RBL loan for the reporting period, and cumulative year to date including a reconciliation of amounts claimed from ADB and the amounts received by from ADB by the government Treasury and Advance account maintained by LGED (if any).

C. Program Financial management

This section should describe the status of the Program Financial management and compliance with the

[1] RBL program budget codes include the following: MOE Budget head 126 – Program code 01- Operational activities, Project code 02 - Administration & Establishment Services; Program Code 02 – Development Activities; Project code 04 - Secondary Education, Project code 06 – Teacher development and Project code 07 – General Education Development Project (Subprojects 24 & 25 only); DOEP Budget Head 213 -Program code 02 - Development activities, Project Code - 01 Establishment of Services; DOE Budget Head 212 - Program Code 02 - Development activities, Project Code: 01 – Evaluation of examination. as well as Provincial budget heads 312 – 318 and 321: Program code 81 – Secondary Education.

agreed actions and ADB requirements including the following:

(i) Discussion of the overall status of program financial management arrangements including: a) any problems in the existing financial management arrangements and /or flow of funds, b) any significant changes occurred during the reporting period (e.g. FM staff turnover, implementation of new financial systems, emerging financial management related risks etc.);

(ii) Summary of the status of each FM related DLI and action included in the program action plan (PAP) and the progress achieved since last reporting period.

(iii) Status of each financial management related actions (if any) agreed and recorded in mission aide memoires and the progress achieved since last reporting period; and

(iv) Status of Recommendations and actions raised by ADB as part of the APFS review (if any).

Appendixes

Attach the following appendixes to the semiannual progress report when submitting it to ADB:

(i) Detailed reconciliation (by Withdrawal application) of project records and ADB disbursement records (LFIS/GILFIS) for the fiscal year to date and cumulative;
(ii) Current status of past audit observations (resolved/ pending) raised by OCAG/ LGRDAD
(iii) Current status of FM related actions outlined in the PAP (complied/ongoing); and
(iv) Current Status of FM related actions agreed during ADB review missions (if any).

QPR APPENDIXES

APPENDIX 1: RECONCILIATION OF FUNDS CLAIMED FROM ADB AND AMOUNTS DISBURSED BY ADB

Under RBL DLI disbursement - ADB Loan No. XXXX/ AFD loan									
WA/claim no.	DLIs covered in the WA	Total amount claimed in the WA	Currency	Submission date of claim/WA	Status (Paid /pending)	Net amount disbursed by ADB in USD	Net amount disbursed by ADB in SLR	Date Funds were received from ADB	Explanation of difference in the amount claimed from ADB to and the amount received from ADB (if any)
WA..									
WA..									
WA..									
WA..									
Total FY XX									
Total previous FY (XX-1)									
Cumulative (Inception to the end of FY XX)									

APPENDIX 2: DETAILED STATUS OF STATUS OF PAST AUDIT OBSERVATIONS (RESOLVED/ PENDING) RAISED BY THE NATIONAL AUDIT OFFICE (NAO)

External Audit Qualification/observation	Date of the Recommendation	Planned Actions to Address the Recommendation	Responsibility	Current Status of the Planned Action (pending /resolved)	Remarks

APPENDIX 3: DETAILED STATUS FINANCIAL MANAGEMENT ACTIONS INCLUDED IN THE PROGRAM ACTION PLAN

Agreed action	Responsibility	Timeframe	Current status (implemented/ongoing)	Remarks

APPENDIX 4: DETAILED STATUS OF FM RELATED ACTIONS AGREED DURING ADB REVIEW MISSIONS

Date of the review mission	Agreed actions	Timeline	Responsible Entity	Current status (implemented/Pending)	Remarks

Program name:
Name of the Agency: LGED
Program Financial statements
Fiscal year30, June 202X

Program name:
Name of the Agency: LGED
Program Financial statements
Fiscal year30, June 202X

Statement of cash receipt and payments

		Opening balance as at 1 July 202X (Cumulative prior period)				**For the year ended 30 June 202x (current period)**				**Closing balance as at 30 June 202X(Cumulative current period)**			
Resources and receipts	Notes	GOB	GOB through RPA	GOB through SA/AA	**Total**	GOB	GOB through RPA	GOB through SA/AA	**Total**	GOB	GOB through RPA	GOB through SA/AA	**Total**
Receipts													
Government													
ADB RBL													
AFD RBL													
Other													
Total Receipts													
Opening balances													
Total resources													
Expenditure & Cash													
A.Development expenditures													
Training and capacity Development													
Land aquisition													
Civil works													
Operation and maintenance													
Goods and equipment													
Consultant													
Incremental wages and salaries													
Etc													
Subtotal Development expenditures													

Non development expenditures													
Wages and salaries													
Subtotal non development expenditures													
Total Expenditure													
Closing Cash Balances													
Total expenditure and cash													

The annexed notes 1 to 8 form an integral part of these special purpose financial statements.

---------- ----------

Project Director Chief Accountant

Program name:
Name of the Agency: LGED
Program Financial statements
Fiscal year30, June 202X

Statement of Program Budget vs actual expenditures by major budget head									
In (currency)			**Actual**		**Budget**		**Difference**		
Expenditure	Economic code	Notes	**For the year ended 30 June 2020**	**Cumulative as of 30 June 2020**	**For the year ended 30 June 2020**	**Cumulative as of 30 June 2020**	**For the year ended 30 June 2020**	**Cumulative as of 30 June 2020**	
Development expenditure			**xxxx**	**xxxx**	**xxxx**	**xxxx**	**xxxx**	**xxxx**	
Training and capacity Development	3231			xxxx	xxxx	xxxx	xxxx	xxxx	xxxx
Land Aquisition	4141			xxxx	xxxx	xxxx	xxxx	xxxx	xxxx
Civil works	4111			**xxxx**	**xxxx**	**xxxx**	**xxxx**	**xxxx**	**xxxx**
Operation and maintenance	3211 & 3258			xxxx	xxxx	xxxx	xxxx	xxxx	xxxx
Goods and equipment	4112			xxxx	xxxx	xxxx	xxxx	xxxx	xxxx
Consultant	3257			xxxx	xxxx	xxxx	xxxx	xxxx	xxxx
Incremental wages and salaries	3111			xxxx	xxxx	xxxx	xxxx	xxxx	xxxx
Non-development expenditure			**xxxx**	**xxxx**	**xxxx**	**xxxx**	**xxxx**	**xxxx**	
Wages and salaries	3111 - only under functional Codes of 1370301 (LGED, HO), 1370304 (RO, LGED), 1370305 (UEO, LGED)		xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	
Total RBL program (development and non-development) expenditures			**xxxx**	**xxxx**	**xxxx**	**xxxx**	**xxxx**	**xxxx**	

The annexed notes 1 to 8 form an integral part of these special purpose financial statements.

---------- ----------

Project Director Chief Accountant

Program name:
Name of the Agency: LGED
Program Financial statements
Fiscal year30, June 202X

3. Statement on cash flow on ADB Loan (loan number) Advance account		
Balance as of 01 July 202x-1		xx
Add:	Receipts from ADB	xx
	Other receipts	xx
	Exchange rate difference	xx
Total		xx
Less:		
	Amount of eligible expenses	Xx
	Exchange rate difference	Xx
Total		XX
Balance as of 30 June 2020		XX

The annexed notes 1 to 8 form an integral part of these special purpose financial statements.

Project Director

Chief Accountant

Note: Statement of cash flow may be prepared separately based on bank account.

Notes to the financial statements

1. General information

The following information may be added:

- A summary of the Program is to be given including Loan/Grant date agreement of between Government and development partners.
- A brief of the objective of the program and its components.
- Expected closing date for the program.
- The total number of staff involved.
- The approval date and authority of these financial statements.

2. Significant Accounting policies

Basis of preparation

The program accounts are maintained in accordance with government accounting rules and regulations, the cash basis of accounting. Under cash basis of accounting, financing is recognized when received rather than when earned and expenses are recognized when paid rather than when incurred. Expenses are resources directed for the payment of works, goods and services, recognized in the financial statements in the period when they are paid.

1. The program financial statements have been generated and compiled by the LGED/PMU from:

(iii) the IBAS++ records maintained by CGA using the agreed organizational, project, economic and functional codes; and

(iv) the accounting records of the standalone accounting software implemented by the LGED/PMU covering all receipts to and payments from the advance and sub-advance accounts not captured by IBAS++

Financing

The amounts of Government financing are recognized as such and included in the program financial statements when the funds are transmitted to the consolidated fund of the government maintained by Bangladesh Bank or a to a separate advance account maintained by MOF and LGED. The ADB and AFD RBL - loan proceeds are disbursed to the consolidated fund of the government maintained by Bangladesh Bank or a to a separate advance account maintained by MOF and LGED in the Bangladesh bank, subject to the delivery of results as measured by the DLIs and after validation by an independent verification agency (IVA) where applicable. The LGED/PMU prepares and submits all withdrawal applications to ADB together with evidence of the achievement of the DLIs will be attached to the WA.

Expenses

Consistent with the cash basis of accounting, the Project expenses are recognized and included in the program financial statements when the payment is actually made to suppliers of goods, works and/or services as opposed to when goods are received/ services are rendered.

Functional and presentation currency

BDT is the national currency of the Government of Bangladesh. The program financial statements of the Project are presented in BDT/USD (presentation currency) and rounded to the nearest integer of BDT/USD. Income and expenses denominated in BDT are converted into USD applying the exchange rate set out by the Bangladesh Bank on the date of the transaction.

3. Cash and bank balances / Cash and cash equivalents

The Project maintains xx number of bank accounts: i) an advance bank account which is kept at xxx bank to hold funds exclusively advanced/received from ADB, ii) a sub-advance account at xxx bank to hold funds transferred from the advance bank account and iii) operating to hold funds received from GOB.

Year-end cash balances were as follows:

	Opening balance as at 30 June 2019 (inception to 30 June 2019)	**For the year ended 30 June 2020**	**Closing balance as at 30 June 2020 (inception to 30 June 2020)**
Advance (Imprest) account ADB RBL loan	xx		xx
Operating account (RPA) – (Sub-advance account) - ADB RBL loan	xx		xx
Operating account (GOB)	xx		xx
Total	**xx**		**xx**

ADB = Asian Development Bank, GOB = Gvernment of Bangladesh, RBL = result based lending

4. Funding received from Government of Bangladesh

Funds are allocated by the Government of Bangladesh (GOB) to cover GOB's share of eligible project expenditures, as specified in the project manual and in annual development program for each of the Project. Any allocated funds that have not been expended by the end of a fiscal year lapse and must be returned to GOB. GOB contribution to the Project since inception and for the year are as follows:

	Opening balance as at 30 June 2023 (inception to 30 June 2023)	**For the year ended 30 June 2024**	**Closing balance as at 30 June 2024 (inception to 30 June 2023)**
Disbursement by GOB	xx	xx	xx
Less: Refund to GOB	xx	xx	xx
Total	xx	xx	Xx

Government of Bangladesh = GOB

5. Funding received from Development Partners (loans from lender/donor)

The ADB and AFD have provided funds to the Project to cover its share of eligible project expenditure. These funds, have been drawn by the Program in accordance with the following withdrawal procedures:

	Opening balance as at 30 June 2023 (inception to 30 June 2023)	**For the year ended 30 June 2024**	**Closing balance as at 30 June 2024 (inception to 30 June 2023)**
ADB RBL Loan (loan number) - DLI	xx	xx	xx
AFD – RBL loan (loan number) - DLI	XX	XX	XX
Others	xx	xx	xx
Total	**xx**	**xx**	**xx**

ADB = Asian Development Bank, AFD = Agence Française de Développement, DLI = disbrusement-linked indicators

The detailed reconciliation by withdrawal application of funds claimed and amounts disbursed by under the ADB RBL loan and the AFD RBL loan are disclosed in the note XX

6. Comparison of aggregate amount of proceeds disbursed under the ADB RBL and aggregate expenditures incurred under the program

	Opening balance as at 30 June 2019 (inception to 30 June 2019)	For the year ended 30 June 2020	Closing balance as at 30 June 2020 (inception to 30 June 2020)
Total Development expenditures			
Add:			
Total non-development expenditures incurred as part of the program under the agreed economic codes and budget heads and prorated using the ratio (88/329) of target *pourashavas* (88) to the total *pourashavas* (329)			
Less:			
Expenditures with procurement from non-ADB members			
Total (A)			
Amount disbursed under the ADB RBL loan (loan number)			
Add:			
Amount disbursed under the AFD Loan			
Total Amount disbursed under the ADB and AFD RBL loans (B)			
Difference (A-B)			

7. Interest expenses and financial charges incurred as part of the ADB and AFD loans during the current and previous years, and cumulative to date.

	Opening balance as at 30 June 2023 (inception to 30 June 2023)	For the year ended 30 June 2024	Closing balance as at 30 June 2024 (inception to 30 June 2024)
ADB RBL loan			
AFD RBL loan			
Total			

ADB = Asian Development Bank and AFD = Agence Française de Développement.

8.0 Reconciliation of Withdrawal Applications (DLI) claimed and funds disbursed under Donor Financings

8.1 Summary of Withdrawal Applications (DLI) claimed and funds disbursed under ADB RBL loan (loan number)

Under RBL DLI disbursement - ADB Loan No. XXXX									
WA/claim no.	DLIs covered in the WA	Total amount claimed in the WA	Currency	Submission date of claim/WA	Status (Paid /pending)	Net amount disbursed by ADB in USD	Net amount disbursed by ADB in SLR	Date Funds were received from ADB	Explanation of difference in the amount claimed from ADB to and the amount received from ADB (if any)
WA..									
WA..									
WA..									
WA..									
Total FY XX									
Total previous FY (XX-1)									
Cumulative (Inception to the end of FY XX)									

8.2 Summary of Withdrawal Applications (DLI) claimed and funds disbursed under AFD RBL loan (loan number)

Under RBL DLI disbursement - AFD Loan No. XXXX									
WA/claim no.	DLIs covered in the WA	Total amount claimed in the WA	Currency	Submission date of claim/WA	Status (Paid /pending)	Net amount disbursed by ADB in USD	Net amount disbursed by ADB in SLR	Date Funds were received from ADB	Explanation of difference in the amount claimed from ADB to and the amount received from ADB (if any)
WA..									

WA..									
WA..									
WA..									
Total FY XX									
Total previous FY (XX-1)									
Cumulative (Inception to the end of FY XX)									

INDICATIVE STATEMENT OF AUDIT NEEDS FOR IMPROVING URBAN GOVERNANCE AND INFRASTRUCTURE PROGRAM (IUGIP) ASSISTED BY ASIAN DEVELOPMENT BANK RESULTS-BASED LENDING (LOAN NO: LXXXX)

1. **Background** The Asian Development Bank (ADB) will finance the Government of Bagladesh's program "*Improving Urban Governance and Infrastructure Program (IUGIP)"* through Results Based Lending (RBL) to improve urban governance and services in 88 *pourashavas* of Bangladesh from Fiscal Year (FY) 2023–FY2028, benefiting 7.1 million people.[1] The RBL program will (i) strengthen institutional capacity for inclusive municipal governance and (ii) improve municipal infrastructure in quality, access, resilience, and gender responsiveness. The RBL program will support the Government of Bangladesh in achieving integrated and sustainable urban development to improve the livability of *pourashavas*.

2. Financial management arrangements. The overall responsibility for the RBL program's financial management arrangements will rest with LGED. At the local government level 89 target pourashavas the financial management activities will be undertaken by the pourashavas. The RBL program financial management arrangements will follow the government's financial management system for planning, budgeting, execution, accounting and internal control, internal audit, financial reporting, and external audit. The government regulations are supplemented by this program implementation document (PID), agreed upon between the government and the ADB, which details project-related information on program costs, DLIs, procurement, and financial management arrangements, including the projected RBL program expenditure framework by the relevant codes, risk mitigation measures and reporting templates; and defines actions to strengthen the program's fiduciary systems.

3. Results based lending. Under the RBL modality, the ADB and AfD financing is an integral part of government Improving Urban Governance and Infrastructure program financing, which includes financing from the country's own resources. As a result, the disbursement of the ADB and AfD RBL proceeds will not depend on evidence of expenditures or transactions. Instead, the ADB and AfD loan disbursements will be directly linked to the achievements of program results as measured by disbursement-linked indicators (DLIs) and is conditioned upon verification that the DLIs have been achieved. Each DLI will be accompanied by a clear verification protocol that will define how achievements will be measured and verified.

4. Disbursement Linked Indicators. ADB and AfD RBL loan proceeds will be disbursed based on disbursement-linked indicators (DLIs).The disbursement-linked indicators (DLIs) are summarized below and outlined in detail in the Program implementation document (PID) and the Disbursement-Linked Indicator Verification Protocol document.

- **Outcome: Services and municipal governance in target pourashavas enhanced**
  (i) DLI1: By 2028, tax collection efficiency increased to at least 80% by 88 pourashavas.

- **Output 1: Inclusive urban governance and institutional capacity strengthened.**
  (i) DLI2: By 2028, Criteria-based development fund transfer operationalized, and funds transferred to 329 pourashavas following the SOP
  (ii) DLI 3: 88 pourashavas' (governance) governance and planning improved: a. At least 88(cumulative) UGIAP approved and 88 (cumulative) UGIAP implemented.

[1] *Pourashavas* are the local government institutions established in secondary towns as per the Local Government (*Pourashava)* Act 2009.

b. Computerized revenue management systems (web-based) operational in 88 pourashavas.
c. At least 1,350staff of pourashavas staff (including 90% of eligible women staff and female councilors of municipalities) complete trainings

(iii) DLI 4: By 2025, at least 300 detailed designs of resilient infrastructure completed.
(iv) DLI 5: Financial management, and resilient and inclusive planning capacity of LGED improved:
a. LGED's financial management systems improved & sustained;
b. Climate Resilient and Socially inclusive Public Open Space Guidelines and 63 risk-informed master plans approved;
c. At least 200 LGED staff completed training on Urban Resilience;
(vi) DLI6 Gender-responsive operation and maintenance management systems strengthened in 88 pourashavas:
- 50% of the annual budget allocated for O&M is spent for gender-responsive O&M in 88 pourashavas.

b. Waste Management (WM) O&M budget received by at least 25 pourashavas.
(vii) DLI 7: Equity and inclusiveness of women and poor in 63 pourashava ensured:
a. Pourashavas adopt and implement GAP with at least 1% budget allocation from each pourashava's own revenue.
b. 5,100 residents of low-income communities trained on resilient livelihood skill
c: At least four low-income neighborhood improvement committees per pourashava formed; by 2026, at least 252 committees are formed.

- **Output 2: Municipal infrastructure improved in quality and gender-responsive.**

(viii) DLI 8: At least 900 km (cumulative) drains rehabilitated/ reconstructed in at least 63 pourashavas
(ix) DLI 9: At least 1,500 km (cumulative) of roads rehabilitated/reconstructed in at least 63 pourashavas
(x) DLI 10: Seven Climate Resilient and Socially Inclusive public facilities developed or remodeled.

2. **Verification protocol.** The disbursement will subject to the achievement and verification of the agreed DLI. The verification will be done by Independent Verification Agent (if applicable to the DLI) and in accordance with the verification protocol agreed between the government and ADB and provided in the program Implementation document (PID). Evidence of verifying the achievement of the DLIs will be attached to the withdrawal application submitted to ADB. Any amounts not disbursed for unmet DLIs will be disbursed once they have been achieved. Selected DLIs allow partial disbursement following mechanisms described in the verification protocol.

3. **Program expenditure framework.** The RBL program expenditures are estimated to be $689.29 million from July 2023 to the end of June 2028 (Table 1). Most of the program budget will be used for development expenditures (87.05%) amounting to $600 million for civil works, capacity development, operation and maintenance, goods, and equipment. Non development expenditures are expected to be $89.29 million which is 12.95% of the budget.

Table 1: Expenditure framework for the program (July 2023-June 2028) and applicable budget codes

Item	Amount ($ million)	Amount (Tk million)	Share of Total (%)	Economic code(s)
1. Development expenditures				
A. Investment cost				
a. Training and capacity development	9.00	927.00	1.31	3231
b. Land acquisition	50.00	5,150.00	7.25	4141
c. Civil works[a]	378.30	38,964.60	54.87	4111
d. Operation and maintenance	34.40	3,543.20	4.99	3211 & 3258
e. Goods and equipment	19.50	2,008.50	2.83	4112
f. Consultant[b]	30.90	3,151.80	4.44	3257
g. Incremental Wages and salaries (including outsourced staff)	9.80	1,009.40	1.42	3111
Total base cost	531.90	54,744.50	77.11	
B. Contingencies	37.83	3,895.46	5.49	3911
C. Financial charges during implementation	30.68	3,160.04	4.45	3411
Total of development expenditures (A+B+C)	600.00	61,800.00	87.05	
2. Nondevelopment expenditure[d]				
A. Recurrent expenditure				
a. Wages and salaries[e]	89.29	9,916.87	12.95	3111
Total Non-Development expenditure	89.29	9,916.87	12.95	
Total RBL program	689.29	70,996.87	100.00	

Source: GOB and ADB estimates

Notes:

[a] The RBL program includes stormwater drains, roads including streetlights, footpath, market, socially inclusive public space improvement and low income neighborhood improvement works.

[b] Consultants expenditures and the associated contingencies related to DLI 5 may be partly financed through an advance and sub advance account maintained by LGED/PMU.

[c] Excludes discrete development projects under LGED and pourashava's management.

[d] Includes salaries for existing personnel, and other recurrent costs.

[e] Includes Wages and Salaries only under functional Codes of 1370301 (LGED, HO), 1370304 (RO, LGED), 1370305 (UEO, LGED). The amount has been prorated using the ratio (89/329) of target *pourashavas* (89) to the total *pourashavas* (329) to estimate expenditures considered productive to the RBL program.

4. **Financing plan.** Out of the total estimated program expenditure of $689.29 million, the government will finance $189.29 million (27.46%) from its own revenue and the remaining amount of will be financed by an ADB concessional ordinary capital resources loan (COL) of $300 million and Agence Française de Développement (AFD) loan of $200 million under the RBL modality. The government funding will be channeled to the program through the government budgetary and treasury systems as follows: (i) the development part will channel through the project-specific budget head (project code), and (ii) the non-development part will be channeled through the selected LGED budget codes as agreed with ADB and outlined in this PID. The ADB and AFD financing under the RBL modality will be disbursed upon achievement of agreed DLIs. The financing plan is summarized in Table 2.

Table 2: Program Financing Plan
(as of 25 May 2023)

Source	Amount ($ million)	Share of Total (%)
Government	189.29	27.46
Development partners		
ADB ordinary capital resources (concessional loan)	300.00	43.52
AFD (loan) [a]	200.00	29.02
Total	**6897.29**	**100.00**

ADB=Asian Development Bank, AFD = Agence Francaise De Developpement.

5. **Statement of intent.** LGED will agree with Directorate of Local Government and Rural Development Audit (LGRDAD) under the Office of the Comptroller and Auditor General (hereafter referred to as OCAG/LGRDAD) that the government's *Improving Urban Governance and Infrastructure Program (IUGIP)* supported by the ADB results-based lending will be audited in accordance with the following terms of reference. The audit will be conducted annually and cover the period of the fiscal year that is from July 1, to June 30 of the subsequent fiscal year. The first fiscal year to be audited is expected to cover fiscal year 2023/24.

6. **Audit scope.** The program financial statements will be audited by the OCAG/LGRDAD in accordance with Government Auditing Standards of Bangladesh issued by the Comptroller and Auditor General of Bangladesh which follow the International Standards of Supreme Audit Institutions (ISSAI).

7. As part of the program audit, the OCAG/LGRDAD will audit the program financial statements prepared by LGED in coordination with CGA. The audit will include such test and controls as the auditor considers necessary under the circumstances. It is also expected that the audit will include in the audit, on a sample basis, the pourashavas implementing and benefiting from the program, as deemed necessary.

8. When conducting the audit, special attention shall be paid to the following:
   (i) The financial statements of the RBL program as prepared by LGED and CGA reflect the program expenditure and financing;
   (ii) Program expenditure is in accordance with the ADB RBL program agreement and necessary supporting documentation, records and accounts have been kept in respect of the program expenditure and the is clear linkage between the books of account and the program financial statements;
   (iii) Program funds have been used in accordance with the program financing agreement and only for the purpose intended;
   (iv) The program financial statements have been prepared in accordance government accounting rules and regulations, cash basis of accounting
   (v) An adequate system of internal controls including internal audit over program expenditure was operational and effective over the program period; and major observation in internal audit reports that may affect the system; and
   (vi) Progress of implementation of the program action plan in respect of the activities relating to straightening of financial management and procurement.

9. Furthermore, it is expected that the OCAG/LGRDAD will advise a calendar for discussion/review of audit observations (particularly the serious financial irregularities) through

tripartite meetings with ADB to facilitate executive follow-up on audit observations and recommendations.

10. **Accounting.** CGA will be responsible for maintaining the RBL-program accounts in accordance with government accounting rules and regulations, cash basis of accounting. All payments and accounting entries will be made in IBAS++ by CGA, against the appropriate budget code and approved bills submitted by LGED. As IBAS++ is not able to capture receipts to and payments made from the advance account and the sub-advance accounting finance the consultancy expenditure incurred as part of the capacity development activities under DLI 5 , LGED through its PMU will maintain, separate books of account and records for these transactions in accordance with government accounting rules and regulations, cash basis of accounting.

11. **Financial reporting.** LGED, through its PMU and in coordination with CGA will prepare annual program financial statements covering the entire RBL program (hereafter called program financial statements) within two months after the end of the fiscal year. The program financial statements will be generated from:

(i) the IBAS++ records maintained by CGA and will be restricted to the development and non-development expenditure recorded under the organizational code, project code, as well as the economic and functional codes listed in the table above; and,
(ii) the standalone accounting software implemented by the LGED/PMU covering all receipts to -and payments made from the advance account and sub-advance accounts maintained by the LGED/PMU and not captured by IBAS++.

12. The program financial statement will reflect the expenditures incurred under Agreed budget Heads and codes dedicated as follows:

- Development expenditures: A separate program/project code will be developed to capture all development expenditure approved as part of the DPP and ADP . The Development expenditure is expected to include the following economic codes: 3111, 3211, & ,3231, 3257, 3258, 3411, 3911, 4111, 4112 and 4141.

- Non development expenditure: To capture the productive expenditure under the RBL program, the following codes will be exclusively used: Wages and Salaries: LGED organizational CODE, Economic code 3111 under the functional Codes of 1370101 (LGD), 1370301 (LGED, HO), 1370302 (Div. ACE, LGED), 1370304 (RO, LGED), 1370305 (UEO, LGED);

13. **Program financial statements** The program financial statements shall include: (i) Statement of Receipts (e.g. from the government and ADB etc.) and program expenditure by major project, economic and functional codes for the fiscal year, previous year and cumulative; (ii) Statement of budgeted vs. actual expenditures by major budget heads and program and project codes for the fiscal year with significant variance explained in the notes; (iii) Statement of disbursement (statement of amount claimed under each ADB loan and AFD loan and funds disbursed by ADB for the fiscal year, previous year and cumulative), (iv) statement of advance account as well as (v) detailed notes to the financial statements including significant accounting policies and breakdowns including the following:

(i) List of withdrawal applications claimed from ADB loan and the AfD loan under the RBL lending modality and the DLI procedure during the current and previous years, and cumulative to date, including details by withdrawal applications on the amount, currency, DLIs met, date of submission and amount disbursed by ADB to the government treasury account. The

information should be supported with statement from MOF showing receipt of the amounts as disbursed by ADB to the Treasury account;
(ii) comparison of aggregate amount of proceeds disbursed under the ADB RBL and aggregate expenditures incurred under the program by LGED and the Pourashavas (formula to be used: total program development expenditures under the agreed budget heads and codes plus (+) total non-development expenditures under the agreed budget heads prorated using the ratio (89/329) of target *pourashavas* (89) to the total *pourashavas* (329) minus (-)-procurement from non ADB member countries ≥ combined ADB and AFD RBL financing disbursed to date);[2] and
(iii) interest expenses and financial charges incurred as part of the ADB and AFD loan during the current and previous years, and cumulative to date.

14. **Audit report.** The objective of the audit is to provide assurances to ADB that the financial statements of the program present a true and fair view and are free from misstatements as a result, the, audit report will include the a separate audit opinion on whether the project financial statements present a true and fair view or are presented fairly, in all material respects, in accordance with the applicable financial reporting framework;

15. The audit reports and the audited program financial statements, will be submitted in the English language to ADB within nine months after the end of the fiscal year and will be accompanied by separate management letters outlining any identified internal control issues, audit recommendations as well as priority. The management letter should also include management's response to the audit observations should be reflected in the management letter. From the second year onward, the management letter must also include a follow-up on previous years audit observations.

16. **Management letter.** The auditor will prepare and submit along with the audit report, a separate Management letter for the program. The management Letter will elaborate the findings of the audit and contain recommendations for improvements in internal control and other matter coming to the attention of the auditor during the audit examination. The management letter will include the matters such as the following:

(i) Observations on deficiencies/ weakness on the accounting records, systems and controls that were examined during the course of the audit and management's response to these together with specific recommendations for improvement.
(ii) Bring to Management's attention any matters that might have a significant impact on the implementation of the Program or that the auditor considers necessary and pertinent.
(iii) Adequacy of accounts staffing.
(iv) Adequacy of compliance with previous audit findings and recommendations outlined in the Audit Report and/or the Management Letter and status of any issues which remain to be addressed and any issues which recurred.
(v) Adequacy of compliance with Internal audit findings.
(vi) Bring to the government and development partner attention any other matters that the auditor considers pertinent.

17. Serious Issues, which affect the auditor's opinion as to whether the financial statements give a true and fair view should be referred to in the audit opinion. The Management Letter should include only those issues which do not affect the fairness of the financial statements. If no major internal control issues are identified, a statement negating control issues should be prepared.

[2] Required by the ADB RBL policy.

From the second year onward, the management letter must also include a follow-up on previous years audit observations and the status of cumulative audit observations (resolved/pending).

18. **Timeline for submission of audit reports.** The audits should be carried out annually. As the period of the first audit will include prior results achieved 12 months prior to the effective date and is therefore expected to cover the time period of XX months from DD/MM/YYYY to DD/MM/YYYY. The audits will be conducted in a timely manner so that the audited program financial statements along with the management letter are submitted to ADB within 9 months of the end of each fiscal year. The Audited program financial statement will be disclosed on the ADB website.

19. **General**. The auditor will be given access to all program related books, records, reports and information required for the purposes of conducting the audit. The information made available to the auditors will include the relevant loan agreement, program action plan, the program implementation document, program fiduciary assessment, the minutes of the loan negotiations. The documents are available on ADB's website and/or will be provided by LGED through its PMU. Confirmation should also be obtained of amounts disbursed and outstanding with ADB and the government.

20. ADB reserves the right to commission supplementary audit, if OCAG/LGRDAD considers it unfeasible to satisfy specific donor audit needs as part of its constitutional statutory audit. In case an external auditor needs to be commissioned for a supplementary audit, the auditor should be given access to all legal documents, correspondences, and any other information associated with the commission and deemed necessary by the auditor.

Note: This is a statement of audit needs of ADB and does not in any way intend to limit the scope of the statutory audit.

GUIDELINES TO PREVENT OR MITIGATE FRAUD, CORRUPTION, AND OTHER PROHIBITED ACTIVITIES IN RESULTS-BASED LENDING FOR PROGRAMS

A. Purpose and General Principles

1. The DMC is responsible for the implementation of programs supported by results-based lending (RBL). The Asian Development Bank (ADB) has a fiduciary responsibility to ensure that its loans and other forms of financing used only for the purposes for which they were granted, in accordance with the Agreement Establishing the Asian Development Bank (the Charter).[1] To uphold that obligation, ADB presents these guidelines to prevent or mitigate fraud, corruption, and other prohibited activities (referred to as 'integrity violations' in ADB's Integrity Principles and Guidelines, 2015 as amended from time to time, or 'IPG' for brevity) in RBL operations financed in whole or in part by ADB. These guidelines build upon the legal obligations presented in the loan agreement and apply to operations funded by the RBL (the programs).[2]

2. These guidelines do not limit any other rights, remedies, or obligations of ADB or the DMC under the loan agreement or any other agreement to which the ADB and the DMC are both parties.

3. All persons and entities participating in the programs are bound by ADB's Anticorruption Policy (1998, as amended to date) and the IPG, and as such must observe the highest ethical standards; take all appropriate measures to prevent or mitigate fraud, corruption, and other integrity violations; and refrain from engaging in such actions in connection with the programs.

B. Definitions

4. These guidelines address the following practices as defined by ADB:
   (i) A "corrupt practice" is the offering, giving, receiving, or soliciting, directly or indirectly, anything of value to influence improperly the actions of another party.
   (ii) A "fraudulent practice" is any act or omission, including a misrepresentation, that knowingly or recklessly misleads, or attempts to mislead, a party to obtain a financial or other benefit, or to avoid an obligation.
   (iii) A "collusive practice" is an arrangement between two or more parties designed to achieve an improper purpose, including influencing improperly the actions of another party.
   (iv) A "coercive practice" is impairing or harming, or threatening to impair or harm, directly or indirectly, any party or the property of the party to influence improperly the actions of a party.

5. In addition, ADB may investigate conflicts of interest and abuse, as defined below, as well as other integrity violations enumerated and defined in the IPG:
   (i) A "conflict of interest" is a situation in which a party has interests that could improperly influence a party's performance of official duties or responsibilities, contractual obligations, or compliance with applicable laws and regulations. To the extent that conflicts of interest may provide an unfair competitive advantage or compromise the integrity of financial and governance systems, conflicted persons and entities must be excluded from participating in relevant program activities.

[1] ADB. 1966. *Agreement Establishing the Asian Development Bank*. Manila.
[2] ADB may support a part (or a slice) of a government program or the entire government program through RBL. The program or the part that is supported by the RBL is referred to as the RBL program.

(ii) "Abuse" is theft, waste or improper use of assets related to ADB-related activity, either committed intentionally or through reckless disregard.

C. Developing Member Country's Actions to Prevent Fraud, Corruption, and Other Integrity Violations in Results-Based Lending for Programs

6. Unless otherwise agreed in writing by the DMC and ADB, the DMC will take timely and appropriate measures to:

(i) ensure that the program is carried out in accordance with these guidelines;
(ii) avoid conflicts of interest in the program;
(iii) prevent fraud, corruption, and other integrity violations from occurring in the program, including adopting, implementing, and enforcing appropriate fiduciary and administrative practices and institutional arrangements to ensure that the proceeds of the loan are used only for the purposes for which the loan was granted;
(iv) promptly inform ADB of allegations of fraud, corruption, and other integrity violations found or alleged related to a program;
(v) investigate allegations of fraud, corruption, and other integrity violations and report preliminary and final findings of investigations to ADB;
(vi) respond to, mitigate, and remedy fraud, corruption, or other integrity violations that are found to have occurred in a program and prevent its occurrence;
(vii) cooperate fully with ADB in any ADB investigation into allegations of fraud, corruption, and other integrity violations related to the program, and take all appropriate measures to ensure the full cooperation of relevant persons and entities subject to the DMC's jurisdiction in such investigation, including, in each case, allowing ADB to meet with relevant persons and to inspect all of their relevant accounts, records and other documents and have them audited by or on behalf of ADB; and
(viii) ensure that persons or entities sanctioned or temporarily suspended by ADB do not participate in RBL programs in violation of their sanction or temporary suspension.

D. ADB's Actions to Prevent Fraud, Corruption, and Other Integrity Violations in Results-Based Lending for Programs

7. Unless otherwise agreed in writing by the DMC and ADB, ADB will:

(i) inform the DMC of credible and material allegations of fraud, corruption, and other integrity violations related to a program, consistent with ADB's policies and procedures;
(ii) have the right to investigate allegations, in accordance with the IPG, independently or in collaboration with the DMC, including, in each case, meeting with relevant persons, and inspecting all of their relevant accounts, records and other documents and having them audited by or on behalf of ADB;
(iii) inform the DMC of the outcome of any investigation, consistent with ADB policies and procedures;
(iv) have the right to impose sanction and other remedial action on any individual or entity for engaging in practices defined above, or to temporarily suspend any individual or entity during the course of an investigation, in accordance with ADB's policies and procedures; sanctions and temporary suspensions may result in that

party's exclusion from participating in an RBL-financed activity or any other ADB-related activity indefinitely or for a stated period of time;[3]

(v) assess ways to respond pursuant to the Anticorruption Policy and other ADB policies and procedures, and may refer the case to appropriate authorities of a concerned DMC, if investigative findings indicate that a government official has engaged in fraud, corruption, and other integrity violations related to a program; and

(vi) recognize sanctions determined by other multilateral development banks in accordance with the Agreement for Mutual Enforcement of Debarment Decisions.

[3] Pursuant to ADB's Integrity Principles and Guidelines (2015, as amended from time to time), if a sanctioned party has an ongoing contract financed by ADB, the debarment or temporary suspension may not affect existing contractual obligations. However, any contract variation must be endorsed by OAI to ensure that a contract variation involving a sanctioned or temporarily suspended party is not an attempt to circumvent the sanction.

Environmental and Social Management Framework

Project Number: 55307-001
January 2023

Bangladesh: Improving Urban Governance and Infrastructure Program

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

This environmental and social management framework is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature. Your attention is directed to the “terms of use” section of this website.

In preparing any country program or strategy, financing any project, or by making any designation of or reference to a particular territory or geographic area in this document, the Asian Development Bank does not intend to make any judgments as to the legal or other status of any territory or area.

CONTENTS

Page

I. INTRODUCTION 102
A. About the IUGIP, RBL Program Scope 102
B. Rationale for Environmental and Social Management Framework (ESMF) 103
C. Objectives of Environmental and Social Management Framework 104

II. POLICY AND LEGAL FRAMEWORK 106
A. Environmental Legislative Framework, GOB 106
B. ADB's Environmental Safeguard Policy Principles 112
C. National Land Acquisition Law 113
D. ADB's Safeguard Policy Statement, 2009 (Involuntary Resettlement) 114
E. Comparative Analysis between ADB SPS, 2009 and National Laws (Environmental and Social) 114
F. Government of Bangladesh and ADB Safeguard Policies on Tribes, Minor Races, Ethnic Sects and Communities (TMRESC) 115
G. Policy Principles for the IUGIP, RBL Program 116

III. SCREENING AND ENVIRONMENTAL SOCIAL ASSESSMENT PROCESS 119
A. Screening and Categorization of Subprojects 120
B. Environmental Social Assessment Process 124

IV. NEGOTIATED SETTLEMENT AND DONATION OF LAND 133
A. Negotiated Settlement 133
B. Land Donation 135

V. ENVIRONMENTAL AND SOCIAL (INVOLUNTARY RESETTLEMENT) IMPACTS 136
A. Environmental Impacts 136
B. Social Impacts 137
C. Impact on TMRESC 137

VI. ENVIRONMENTAL MENAGEMENT PLAN, RESETTLEMENT PLAN AND TMRESC DEVELOPMENT PLAN 137
A. Environmental Management Plan 137
B. Resettlement Plan 138
C. TMRESC Development Plan 141

VII. PARTICIPATION, CONSULTATION AND DISCLOSURE 143
A. Participation and Consultation 143
B. Information Disclosure 144
C. Disclosure of Safeguard Documents 144

VIII. GRIEVANCE REDRESS MECHANISM 144

IX. INSTITUTIONAL ARRANGEMENT FOR SAFEGUARD COMPLIANCE AND CAPACITY BUILDING 146
A. Institutional Arrangement for Safeguard Compliance for RBL Program 146
B. Capacity Building and Training for Safeguard Compliance 151

X. MONITORING AND REPORTING 152

XI. ESMF BUDGET 153

APPENDICES

Appendix 1:Gap Analysis of Environmental Safeguard Regulatory Framework Requirement, Institutional Capacity and Recommendations to Address Gaps 154
Appendix 2: Comparative Analysis of Social Safeguard Regulatory Framework Requirement, Institutional Capacity And Recommendations to Address Gap (Safeguards Requirement 2) 161
Appendix 3: Rapid Environmental Assessment Checklist 166
Appendix 4: Involuntary Resettlement Screening Checklist 181
Appendix 5: Outline of an ADB Environmental Assessment Report 188
Appendix 6: Outline of Resettlement Plan 189
Appendix 7: Terms of Reference for Independent Third Party for Negotiated Settlement and Voluntary Donation of Land 193
Appendix 8: Generic Environmental Management Plan 195
Appendix 9: Entitlement Matrix 206
Appendix 10: Sample Grievance Registration Form 212
Appendix 11: ADB Prohibited Investment Activities List 213
Appendix 12: Ambient Air Quality, Ambient Noise Level And Water Quality Standard 214

TABLES

Table 1: IUGIP Scope 103
Table 2: Category Proposed RBL Activities per ECR, 1997 & Assessment Requirements 109
Table 3: Categorization and Required Assessment for Subprojects 121
Table 4: Indicative Training Program 152

FIFURE

Figure 1: Government of Bangladesh Environment Assessment Process 109

I. INTRODUCTION

1. The Eighth Five-Year Plan 2021–2025 of Government of Bangladesh (GOB) prioritizes institutional reforms to develop strong local government institutions, investment in critical urban infrastructure and services for improvement of quality of life. The Local Government and Engineering Department (LGED), GOB, is responsible to support *Pourashavas* to deliver infrastructure facilities and improve service delivery system. The Urban Governance and Infrastructure Improvement Project (UGIIP), Second UGIIP, and Third UGIIP, supported by ADB, have contributed to reducing regional disparities and encouraging local economic development.[42] The Improving Urban Governance and Infrastructure Program (IUGIP) under the RBL lending modality will cover 88 *Pourashavas*.

2. The IUGIP, RBL program will trigger Asian Development Bank's (ADB) environment and involuntary resettlement and indigenous peoples (hereinafter termed as tribes, minor races ethnic sects and communities (TMRESC) safeguards policies.[43]The program safeguard system assessment (PSSA) analyses safeguard system of the LGED. Initial screening and assessment of the proposed RBL program[44] classifies it as category B for environment, involuntary resettlement and indigenous peoples.[45] For implementation of the RBL program, the Environmental and Social Management Framework (ESMF) is prepared to provide guidance framework aligned with National laws of Government of Bangladesh (GOB) and ADB Safeguard Policy Statement (SPS) 2009.

a. About the IUGIP, RBL Program Scope

3. The RBL Program will support the construction of infrastructure facilities such as drains, roads, water supply infrastructure (water hand pumps and /or bore wells), low-income neighborhoods upgradation, toilet blocks, footpath, tree plantation, improvement in market areas, etc. The scope of the RBL program is summarized in Table 1.

[42]ADB. 2002. *Report and Recommendation of the President on a Proposed Loan and Technical Assistance Grant tothe People's Republic of Bangladesh for the Urban Governance and Infrastructure Improvement (Sector) Project.*Manila; ADB. 2008. *Report and Recommendation of the President on a Proposed Loan to the People's Republic ofBangladesh for the Second Urban Governance and Infrastructure Improvement (Sector) Project. Manila*; ADB. 2014.*Report and Recommendation of the President on a Proposed Loan and Administration of Loan—the People'sRepublic of Bangladesh for the Third Urban Governance and Infrastructure Improvement (Sector) Project*. Manila; and ADB. 2017. *Report and Recommendation of the President for a Proposed Loans for Additional Financing—People's Republic of Bangladesh: Third Urban Governance and Infrastructure Improvement (Sector) Project.* Manila.

[43] ADB. 2009. *Safeguard Policy Statement.* Manila.

[44]Assessment based on five sample *Pourashavas* Chowmohoni, Rouzan, Araihazar, Naohata and Keshabpur.

[45]According to ADB Safeguard Policy Statement 2009, a proposed project is classified as category B if it includes involuntary resettlement impacts that are not deemed significant. A resettlement plan, including assessment of social impacts, is required.

Table 1: IUGIP Scope

Item	Results-Based Lending Program
Outcome	Services and municipal governance in target *Pourashavas* enhanced.
Key outputs	(i) Institutional capacity strengthened for inclusive municipal governance. (ii) Green and resilient municipal infrastructure improved in quality, access, and gender-responsiveness.
Activity types	Improving municipal governance and services, providing gender responsive, green, resilient municipal infrastructures, improving low-income neighborhoods areas.
Geographic coverage	Approximately 88 *pourashavas*

Sources: Concept Paper, Proposed Results-Based Loan and Technical Assistance Grant, Improving Urban Governance and Infrastructure Program Asian Development Bank, December 2021.

4. The implementation of the IUGIP, RBL program which will involve construction of infrastructure facilities such as drains, roads, water supply infrastructure (water hand pumps and /or bore wells), low-income neighborhoods upgradation, toilet blocks, footpath, tree plantation, improvement in market areas and the construction work will cause environmental and involuntary resettlement impacts.

b. Rationale for Environmental and Social Management Framework (ESMF)

5. The diagnostic assessment undertaken for PSSA suggested that the program may have some site-specific, reversible, and time-bound minor environmental impacts both during construction and operation (discussed in above paragraphs). The impacts during the construction phase are likely to be temporary and will be confined locally. No major construction is anticipated as minor components pertaining to water supply, sanitation, drainage, roads and footpath in urban areas are planned. Most of construction works, except community toilet blocks and road construction, will not require regulatory environmental clearance certificate from the Department of Environment (DoE) under the environment conservation act, 1995 as these have been listed under orange category- 'B' in the environmental conservation rules, 1997.According to Environment Conservation Rules (ECR) 1997, all projects/activities falling in "Orange B' category requires IEE and EMP reports preparation.

6. Social diagnostic assessment under PSSA confirmed that all components or activities for the RBL program will be carried out within the available government land and/or right of way (ROW) and as such will not require any land acquisition. Field visit to sample *Pourashavas* identified involuntary resettlement impact in one out of five *pourahsavas* visited (Chowmohoni, Rouzan, Araihazar, Naohata and Keshabpur); resettlement plans will be prepared where adverse social impacts are assessed. Temporary income loss to road-side shop owners is assessed in one sample *Pourashava* (Chowmohoni)[46] during construction of drains and roads, due to access disruption. The project will have beneficial impact on the indigenous people (hereinafter referred as Tribes, Minor Races, Ethnic Sects and Communities or TMRESC) communities or groups.

7. Given that the subprojects under the RBL program will have environmental and social (involuntary resettlement and indigenous peoples/ TMRESC) impacts, this guiding framework is prepared to ensure that subsequent project activities have a common understanding of the

[46] At Chowmohoni *Pourashava*, Resettlement Plan is proposed for temporary loss of income to seven (07) affected families comprising 35 persons for a period of 14 days.

environmental and social issues involved, and a harmonized approach to handling these issues is followed. This Environmental and Social Management Framework (ESMF) will be used to identify the environmental and social impacts of each subproject and help design commensurate mitigation/enhancement measures as well as to assign the responsibility for implementation of these measures.

c. Objectives of Environmental and Social Management Framework

8. The key objective of ESMF is to assist the Executing Agency (EA) and Implementing Agency (IA), the local level LGED office and the target *Pourashavas*, to identify adverse environmental and social impacts, and to guide them in subproject level safeguard planning and implementation. It will also guide the EA and IA to monitor safeguard compliance which is expected to strengthen and improve the Executing Agency and Implementing Agency's ability to conform to environmental and social safeguard regulations. Specifically, the ESMF seeks to:

(i) Establish clear procedures and methodologies for environmental and social planning, review, approval and implementation of subprojects to be financed under the project.
(ii) Establish clear procedures for review, approval and implementation of social issues that might lead to involuntary resettlement.
(iii) Provide practical guidance for planning, designing and implementing environmental and social impact management measures.
(iv) Specify appropriate roles and responsibilities, and outline necessary reporting procedures for managing, monitoring environmental and social concerns at the subproject level.
(v) Determine institutional arrangements, including those related to training, capacity building and technical assistance (if required) needed to successfully implement the provisions of the ESMF.

9. The application and implementation of the ESMF will therefore:

(i) Support the integration of environmental and social aspects into decision - making processes at all stages of the project cycle by identifying, avoiding and/or minimizing adverse environmental and social impacts at an early stage.
(ii) Promote sustainable environmental and social outcomes through improved planning, design and implementation of sub-activities.
(iii) Minimize environmental degradation as a result of either individual subprojects or through their indirect, induced and cumulative effects.
(iv) Avoid subprojects with significant involuntary resettlement impacts,
(v) Protect human health.
(vi) Minimize impacts on cultural property.

10. The use of the ESMF will also support the achievement of compliance with applicable national laws and regulations as well as with the requirements of relevant ADB policies on environmental and social safeguard policies.

11. This ESMF is based on GOB's Environmental Conservation Act (ECA), 1995 (amended in the year 2000 and 2002) and Environment Conservation Rules, 1997 (amended in 2002) for the environmental protection. In terms of social safeguards, the ESMF is based on the Acquisition and Requisition of Immovable Property Act, 2017 (ARIPA) and ADB's Safeguards Policy Statement (SPS), 2009 on involuntary resettlement. These legal instruments provide guidelines and directions for (a) screening of projects, (b) their categorization into 'A', and 'B', (c) scoping

their environmental and social impacts, (d) formulating appropriate environment management plans, resettlement plans as mitigations to the adverse impacts caused, (e) formulation of TORs for environmental assessments, (f) obtaining environmental clearances, and (g) environmental compliance monitoring during project construction and operation phases. The ESMF draws on best practices from the environmental and social safeguard policy of ADB. It also fills in gaps found in the national environmental and social safeguard requirements when compared with ADB's environmental and involuntary resettlement safeguard policy principles and best practices (Appendix 1). As a results-based lending program, LGED needs to satisfy applicable safeguard policy principles of ADB, while using local delivery processes and implementing procedures.

12. The ESMF therefore:

(i) Outlines best practices in safeguard policy implementation, which will be applied to the project.
(ii) Provides a categorization system to screen potential environmental and involuntary resettlement, TMRESC issues, and its potential impacts on indigenous peoples.
(iii) Helps identify subprojects with potential and significant adverse environmental and social impacts.
(iv) Helps to examine whether the mitigation of environmental impacts and risks meet the requirements of environmental laws and regulations of GoB and ADB's environmental safeguard policies.
(v) Creates awareness among LGED personnel, associated technical institutions, and participating local government agencies about IUGIP's safeguard requirements.
(vi) Guides the implementing agency to conduct meaningful consultations with all subproject stakeholders and affected persons.
(vii) Guides IUGIP safeguard personnel to prepare and monitor the implementation of IEEs and EMPs/ resettlement plans/due diligence reports (DDRs).
(viii) Guides the project personnel to disclose information related to environmental, involuntary resettlement, or any other social issues/impacts, grievance redress mechanism, entitlement matrix to all affected persons and stakeholders.
(ix) Outlines institutional arrangements for implementing safeguard planning instruments, monitoring and reporting, and for undertaking corrective action plans, if any.
(x) Helps enhance institutional capacity for safeguard compliance among the stakeholders, affiliated institutions, local government agencies, and among all associated contractors in the project.

II. POLICY AND LEGAL FRAMEWORK

13. The ESMF identifies all national legislations, rules, guidelines that are applicable to the RBL program and ADB Safeguard Policy Statement on environment and involuntary resettlement. The section also identifies the gaps between the national legislations, rules and ADB SPS and provides appropriate mitigations to close the gaps.

A. Environmental Legislative Framework, GOB

14. Implementation of all RBL activities subprojects will be governed by both the ADB's safeguards policy principles are reflected in its Safeguards Policy Statement, 2009, and applicable environmental, social, health and safety Acts, rules, policies, and regulations of the Government of Bangladesh. Government regulations impose restrictions on the activities to minimize/mitigate likely impacts on the environment. The GOB's environmental laws and policies are oriented towards protection and conservation of resources. Many of these are cross-sectoral and several of them are directly related to environmental issues. The most important of these are the Environment Conservation Act, 1995 (ECA, 1995), and the Environment Conservation Rules (ECR, 1997). These are to be followed in the infrastructure development works, industrial operations, and future planning. A summary of prevailing regulations is provided below:

1. National Environmental Policy 1992

15. The concept of environmental protection through national efforts was first recognized and declared in Bangladesh with the adoption of the Environment Policy, 1992 and the Environment Action Plan, 1992. The major objectives of Environmental policy are to i) maintain ecological balance and overall development through protection and improvement of the environment; ii) protect country against natural disaster; iii) identify and regulate activities, which pollute and degrade the environment; iv) ensure environmentally sound development in all sectors; v) ensure sustainable, long term and environmentally sound base of natural resources; and vi) actively remain associate with all international environmental initiatives to the maximum possible extent. The policy also states that EIAs should be conducted before projects are undertaken and the DOE is directed to review and approve all EIAs.

2. Environmental Conservation Act (ECA), 1995

16. The ECA is currently the main legislation relating to environment protection in Bangladesh. This Act is promulgated for environment conservation, environmental standards development and environment pollution control and abatement.

17. The main objectives of ECA are:

- Conservation and improvement of the environment; and
- Control and mitigation of pollution of the environment.

18. The main focuses of the Act can be summarized as:

- Declaration of ecologically critical areas and restriction on the operations and processes, which can or cannot be carried out/ initiated in the ecologically critical areas (ECA);
- Regulations in respect of vehicles emitting smoke harmful for the environment.
- Environmental clearance.
- Regulation of industries and other development activities' discharge permits;
- Promulgation of standards for quality of air, water, noise, and soil for different areas for different purposes.

- Promulgation of a standard limit for discharging and emitting waste; and
- Formulation and declaration of environmental guidelines.

19. The following are the amendments to this Act:

(a) Environmental Conservation Act (Amendment 2000)

20. This amendment to the act focuses on ascertaining responsibility for compensation in case of damage to ecosystems, increased provision of punitive measures both for fines and imprisonment and the authority to take cognizance of offences.

(b) Environmental Conservation Act (Amendment 2002)

21. This Amendment to the ECA elaborates on the following parts of the Act:
- Restrictions on polluting automobiles.
- Restrictions on the sale, production of environmentally harmful items like polythene bags;
- Assistance from law enforcement agencies for environmental actions;
- Break up of punitive measures; and
- Authority to try environmental cases.

(c) Environmental Conservation Act (Amendment 2010)

22. This amendment of the act introduces new rules and restriction on:
- No individual or institution (Gov. or Semi Govt., / Non-Govt. / Self Governing) can cut any Hill and Hillock. In case of national interest; it can be done after getting clearance from respective the department;
- Owner of the ship breaking yard will be bound to ensure proper management of their hazardous wastes to prevent environmental pollution and Health Risk;
- No remarked water body cannot be filled up/changed; in case of national interest; it can be done after getting clearance from the respective department; and
- Emitter of any activities/incident will be bound to control emission of environmental pollutants that exceeds the existing emission standards.

23. Section 12 (4) of the act as amended in 2010 specifies consideration of public opinion during the environmental clearance process. It specifies surveying public opinion, getting information from public.

3. Environment Conservation Rules, 1997 (Amended in 2002)

24. These are a set of rules, promulgated under the ECA, 1995 and its amendments. The Environment Conservation Rules provide categorization of industries and projects and identify types of environmental assessment required against respective categories of industries or projects. The Rules set:

- The National Environmental Quality Standards (NEQS) for ambient air, various types of water, industrial effluent, emission, noise, vehicular exhaust etc.;
- The requirement for and procedures to obtain environmental clearance; and
- The requirement for IEE and EIA according to categories of industrial and other development interventions.

25. The Environment Conservation Rules, 1997 were issued by the GoB in exercise of the power conferred under the Environment Conservation Act (Section 20), 1995. Under these Rules, the following aspects, among others, are covered:

- Declaration of ecologically critical areas.
- Classification of industries and projects into four categories.
- Procedures for issuing the Environmental Clearance Certificate (ECC); and
- Determination of environmental standards.

26. Rule 3 defines the factors to be considered in declaring an 'ecologically critical area' as per Section 5 of the ECA (1995). It empowers the Government to declare the area as the Ecologically Critical Areas (ECA), if it is satisfied that the ecosystem of the area has threatened to reach a critical state or condition due to environmental degradation. The Government is also empowered to specify which of operations may be carried out or may not be initiated in the ecologically critical area. Under this mandate, the Ministry of Environment, Forest and Climate Change (MoEFCC) has declared Sundarbans, Cox's Bazar-Teknaf Sea Shore, Saint Martin Island, Sonadia Island, Hakaluki Haor, Tanguar Haor, Marzat Baor & Gulshan-Baridhara Lake as ecologically critical areas & prohibited certain activities in those areas.

27. Rule 7 of the 1997 ECR provides a classification of industrial units and projects into four categories, depending on environmental impact and location. These categories are:

- Green;
- Orange A;
- Orange B; and
- Red.

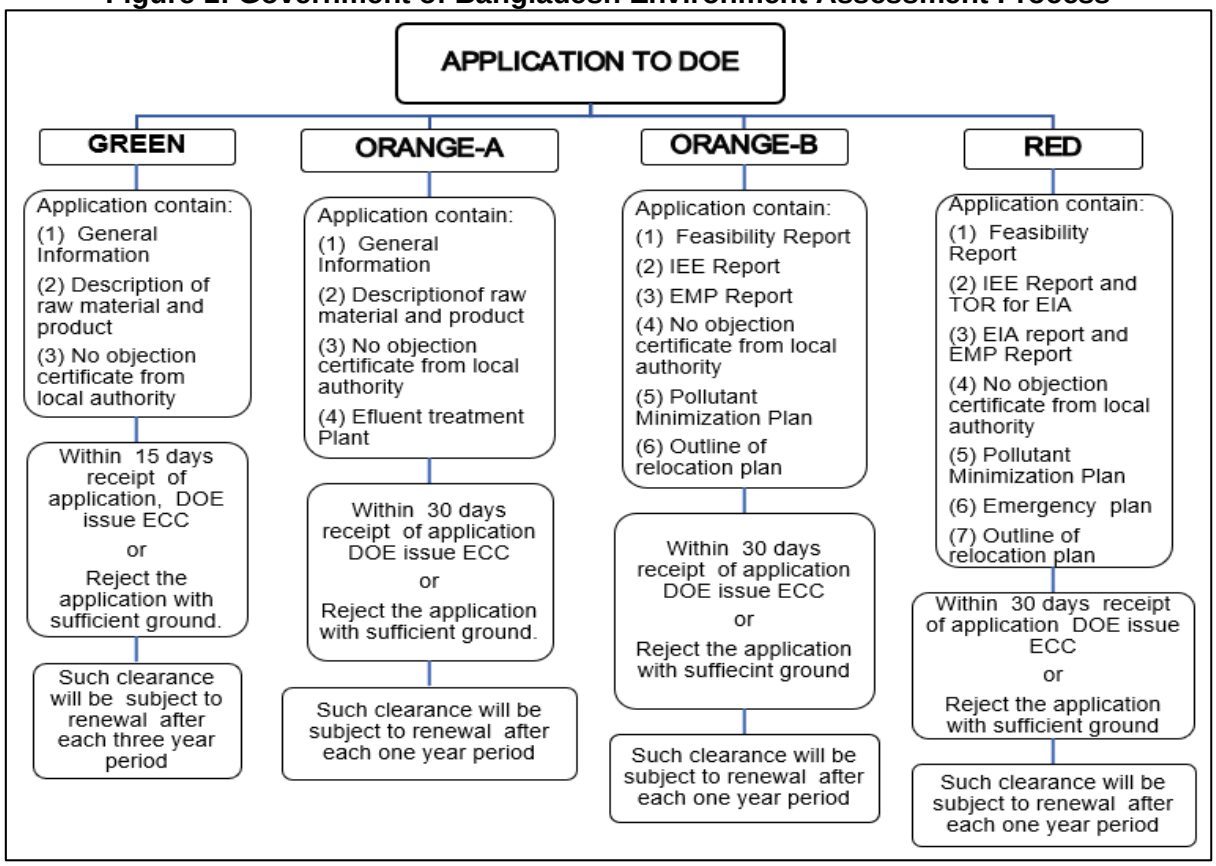
28. The categorization of a project determines the procedure for issuance of an Environmental Clearance Certificate (ECC). All proposed industrial units and projects that are considered to be low polluting are categorized under "Green" and shall be granted Environmental Clearance. These are Orange B for work that requires Initial Environmental Examination (IEE) and Red for work that requires full environmental assessment.

29. A detailed description of those four categories of industries has been given in Schedule-1 of ECR'97. Apart from general requirement, for every 'Red' category proposed industrial unit or project, the application must be accompanied with feasibility report on Initial Environmental Examination, Environmental Impact Assessment based on approved TOR by DOE, Environmental Management Plan (EMP), etc.

30. Depending upon location, size, and severity of pollution loads, projects/activities have been classified in ECR, 1997 into four categories: Green, Orange A, Orange B, and Red respectively, to nil, minor, medium, and severe impacts on important environmental components (IECs).

31. **Environmental Clearance Procedure.** Environmental clearance process is outlined in **Figure 1**.

Figure 1: Government of Bangladesh Environment Assessment Process



32. **Applicability to RBL Program.** Following table shows the proposed RBL program activities and corresponding category per ECR 1997, and the environmental assessment requirements to obtain environmental clearance certificate (ECC) where required. As presented, only two of the five types of activities / components proposed under RBL fall under the ambit of ECR, 1997.

Table 2: Category Proposed RBL Activities per ECR, 1997 & Assessment Requirements

RBL Program activity	Equivalent in Schedule I of ECR	DoE Classification	Assessment & clearance requirements
Urban roads improvement	Construction, re-construction and extension of roads (feeder road, local roads)	Orange- B	IEE Report ECC
Urban drains	Not specified	Not applicable	Not applicable
Low-income neighborhoods infrastructure improvement (water supply (tube wells/bore wells, toilets, footpaths, drains, dust bins, street lights)	Community toilets (other components are not specified)	Orange- B	IEE Report ECC (applicable for community toilets only)
Market centres	Not specified	Not applicable	Not applicable
Public parks	Not specified	Not applicable	Not applicable

8.

33. **Relevance to the project**. In accordance with the Environment Conservation Rules (ECR) of 1997, the sub-Project is classified as Orange-B Category, requiring an Initial Environmental Examination (IEE) to obtain clearance for construction.

4. Other Related National Legal Instruments

34. **Noise pollution (control) Rules, 2006).** Notified under the provisions of Environment Conservation Act, 1995, these rules provide for standard limits of noise level of vehicles and ambient noise levels in designated areas. The rules also do not allow use of brick crushers and cement mixers within 500-meter radius of a residential area. The rules stipulate safety and precautionary measures in workplaces, designated authorities for allowing noise generating appliances.

35. **The Forest Act, 1927, (amended in 1989)** is the main legislation dealing with protection and management of forests. The Act grants the government basic powers for conservation and protection of forests. Various rules and regulations are notified under this act for specific categories: Prohibition and Rules affecting Protected Forests in Sundarbans Division (1959); Rules for the Preservation of Trees and Timbers belonging to the Government in the District of Chittagong; the Sylhet Forest (Protection from Fire) Rules, 1954; and Chittagong and Chittagong Hill Tracts Reserved Forests Fire Protection Rules, 1958.

36. **Bangladesh Wildlife (Conservation and Security) Act 2012**, has been promulgated for the conservation and protection of wildlife. The legislation is within the purview of the Forestry Department.

37. **Coastal Zone Policy (CZP) 2005.** Policy promotes participatory and integrated approach in the management and development of the coastal zone to reduce conflicts in the utilization of coastal resources and to optimize exploitation of opportunities.

38. **The Environment Court Act, 2000 and subsequent amendment in 2003.** Enacted to deal exclusively with environmental related offences.

39. **National Water Policy 1999.** The policy aims to provide guidance to the major players in water sector for ensuring optimal development and management of water. The policy emphasizes efficient and equitable management of water resources, proper harnessing and development of surface and ground water, availability of water to all concerned and institutional capacity building for water resource management. It also addresses issues like river basin management, water rights and allocation, public and private investment, water supply and sanitation and water need for agriculture, industry, fisheries, wildlife, navigation, recreation, environment, preservation of wetlands, etc. The policy has several clauses related to the project for ensuring environmental protection.

40. **National Safe Drinking Water Supply and Sanitation Policy of 1998.** The objectives of the Policy are to improve the standard of public health and to ensure improved environment. Policy envisages the following to achieve these objectives: (a) facilitating access of all citizens to basic level of services in water supply and sanitation; (b) bringing about behavioral changes regarding use of water and sanitation; (c) reducing incidence of water borne diseases; (d) building capacity in local governments and communities to be effectively with problems relating to water supply and sanitation; (e) promoting sustainable water and sanitation services; (f) ensuring proper storage, management and use of surface water and preventing its contamination; (g) taking necessary measures for storage and use of rain water; h)ensuring storm-water drainage in urban

areas. In urban area specifically, the Policy is target it to “make safe drinking water available to each household in the urban areas” and “ensuring sanitary latrine within easy access of every urban household through technology options ranging from pit latrines to water borne sewerage”. Policy also targets to ensuring supply of water meeting quality standards and also removal of “arsenic from drinking water and supply of arsenic free water from alternate sources in arsenic affected areas”.

41. **The Urban Open-fields, Garden and Natural Water Bodies Protection Act, 2000.** This Act is enacted to preserve areas of open space from encroachment or conversion to other uses. With proper implementation of the law, the respective authorities can protect the open spaces natural water bodies including the flood plains of the urban areas from filing up for the sake of urbanization and development.

42. **The Labour Act 2006 (as amended in 2013) and Labour Rules, 2015**. This an integrated Act for labour and workplace related legislations in Bangladesh, consolidating the provisions in various acts into a single labour Act. Act stipulates obligations on the part of the employer on the conditions of service and employment including wages and payment, employment of young people, maternity benefits, working hours and leave; trade unions and industrial relations; and, occupational health, safety, hygiene, and welfare of workers, and compensation for injury. The Act sets occupational safety and health standards, compensation for injury and accidents in the workplace, maternity benefits, factory inspectorate and restrictions on child labour. This Act applies to all “establishments” which are defined widely and include construction sites, commercial and industrial establishments (must employ more than five laborers), plantations, docks, transport services, and “any premises in which laborers are employed for the purposes of carrying on any industry.” The Department of Labor (DOL) and the Department of Inspection for Factories and Establishments (DIFE) of the Ministry of Labor and Employment (MOLE) are mandated to implement this Act. The DOL is mainly responsible for facilitation of effective labour management relations, collective bargaining and negotiations and ensures prompt and efficient settlement of labour disputes. DIFE is responsible for ensuring workplace safety including fire safety, structural integrity of workplace buildings and welfare of workers. It conducts inspections of factories, shops, industries and commercial establishments, tea gardens, railway, internal water transport and road transport.

43. **Labor Appeal Tribunal/Labor Court.** The labor courts deal with both industrial disputes and individual workers/labourers grievances.

44. **National Occupational Health and Safety Policy, 2013.** Policy promotes improvement of occupational health and safety management system of the establishments to prevent or reduce workplace fatalities and work-related diseases. Policy specifies the obligations of all relevant stakeholders and organizations in promoting and enforcing occupational health and safety. The key provisions include accident prevention, prevention of workplace hazards, disease prevention and safeguards, record keeping and planning, rehabilitation and awareness building. The National OSH Policy also covers safety in transportation, maintenance and use of chemicals used in the production process.

45. **National Building Code, 2006.** With reference to safety, the Code provides standards for structural integrity; adequate, accessible and discernible means of exit/escape in buildings; fire extinguishing system.

46. **Fire Prevention and Extinction Act 2003 Fire Prevention and Extinction Rules 2014.** Requires the owner of a building to apply for Occupancy Certificate to ensure compliance with the relevant provisions of the Building Code

47. **Public Procurement Rule (PPR) 2008.** This rule applies to the Procurement of Goods, Works or Services by any government, semi- government or any statutory body established under any law. The Rule requires contractors to provide for adequate measures regarding the "Safety, Security and Protection of the Environment' in the construction works. It requires contractors to take all reasonable steps to: (i) safeguard the health and safety of all workers working on site and other persons authorized to be in it; (ii) to keep the site in an orderly state; and (iii) to protect the environment on and off the site; to avoid damage or nuisance to persons or to property of the public or others resulting from pollution, noise or other causes arising as a consequence of the Contractors methods of operation.

48. **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. Per the Bangladesh Labour Act 2006, a person who has attained the age of 14 but below the age of 18 is considered to be an "adolescent" and a person not attaining the age of 14 is defined as a "child". Policy provides for: classification of working children and child labour; wages and working hours; education, health and nutrtion requirements etc., The policy proposes a pragmatic strategy to eliminate child labour. The Policy: bars employing children below 14 years as a regular employee; the children at domestic work not to perform any hazardous work; to provide them with proper food and accommodation, education, recreation since they work full time; and, refraining from subjecting child workers to physical, mental and sexual persecution and abuse.

a. ADB's Environmental Safeguard Policy Principles

49. The RBL Program, IUGIP, must comply with not only national environmental laws and regulations, but also with environmental safeguard principles of ADB. The environmental safeguard policy principles of ADB are embodied in the Safeguard Policy Statement (SPS) of 2009. It applies to all projects supported by ADB. The SPS aims to help avoid adverse impacts on the environment and on affected people/communities; minimize, mitigate and/or compensate for adverse project impacts, if unavoidable; help borrowers to strengthen their safeguard systems and to develop their capacity in managing the environmental and social risks. The environmental safeguards policy principles are:

(i) Use a screening process for each project as early as possible to determine its potential impacts and appropriate environmental assessment.
(ii) Conduct environmental assessment for each proposed project to identify potential direct, indirect, cumulative, and induced impacts and risks.
(iii) Examine alternatives to the project's location, design, technology, and components, and their potential environmental impacts.
(iv) Avoid, and where avoidance is not possible, minimize, mitigate, and/or offset adverse impacts and enhance positive impacts. Prepare an environmental management plan (EMP) to address them.
(v) Conduct meaningful consultation at the early stage of project preparation that continues during implementation in an atmosphere free of intimidation or coercion, gender inclusive and responsive, and tailored to the needs of disadvantaged or vulnerable groups. Establish a grievance redress mechanism to address complaints and conflict resolution.

(vi) Disclose draft environmental assessment including the EMP in a timely manner before project appraisal in an accessible place and in a form understandable to affected persons and other stakeholders. Disclose final EA and EMP and their updates to all stakeholders.
(vii) Implement the EMP and monitor its effectiveness.
(viii) Do not implement project activities in areas of critical habitats unless:
- There are no measurable adverse impacts on the critical habitat that could impair its ability to function,
- There is no reduction in the population of any recognized endangered or critically endangered species, and
- Any lesser impacts are mitigated. If a project is located within a legally protected area, implement additional programs to promote and enhance the conservation aims of the protected area.

In an area of natural habitats, there must be no significant conversion or degradation, unless:
- Alternatives are not available,
- The overall benefits from the project substantially outweigh the environmental costs, and
- Any conversion or degradation is appropriately mitigated. Use a precautionary approach to the use, development, and management of renewable natural resources.

(ix) Apply pollution prevention and control technologies and practices consistent with international good practices.
(x) Provide workers with safe and healthy working conditions and prevent accidents, injuries, and disease.
(xi) Conserve physical, cultural resources and avoid destroying or damaging them by using field-based surveys that employ qualified and experienced experts during environmental assessment.

50. The IUGIP RBL Program is triggers the all the SPS environment safeguard policy principles: 1, 2, 3, 4, 5, 6, 7, 9, 10, 11. The policy principle on critical habitat (principle 8) is unlikely to trigger as the project locations are in urban areas where there are no critical habitats.

b. National Land Acquisition Law

1. Acquisition and Requisition of Immovable Property Act, 2017 (ARIPA)

51. The legal framework for the project is based on applicable legal and policy frameworks of the Government of Bangladesh, the Acquisition and Requisition of Immovable Property Act, 2017 (ARIPA) and ADB's Safeguards Policy Statement (SPS), 2009. As per the law, the owners affected by the acquisition will be eligible to receive compensation for (i) land permanently acquired (including standing crops, trees, houses); and (ii) any other impact and damages caused by such acquisition. The ARIPA 2017, however, does not cover the project affected persons such as informal settlers/squatters or persons without titles or ownership records. The compensation payment for land must be assessed by an appropriate authority (Property Valuation Advisory Committee (PVAC)) to ensure that it constitutes replacement cost of the property acquired, in line with ADB policy. In case of difference between the policies of ADB and the government, the ADB policy will prevail.

52. Under the RBL Program, IUGIP, land acquisition is not envisaged as confirmed by LGED; the roads, and drains proposed to be constructed under the project will be undertaken within the ROW of Pourashava roads and within the boundaries of government or *Pourashava* land. If any

potential land acquisition is required, the Executing Agency/Implementing Agency (EA/IA) will consider acquiring land through negotiated settlement based on meaningful consultation as outlined I ADB SPS 2009. In case of negotiated settlement, an independent external party will be engaged by the EA/IA to document the negotiation and settlement processes and to ascertain that the process is coercion free.

c. ADB's Safeguard Policy Statement, 2009 (Involuntary Resettlement)

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

54. ADB's Safeguard Policy Statements covers physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. It covers them whether such losses and involuntary restrictions are full or partial, permanent or temporary. Following are the basic policy principles of ADB's SPS, 2009:

(i) Screen the project early for identification of past, present, and future involuntary resettlement impacts and risks and determination of the scope of resettlement planning;
(ii) Carry out meaningful consultations with all stakeholders and affected persons;
(iii) Improve the standards of living or at least restore of the livelihoods of all displaced persons and other vulnerable groups by providing all necessary support as deemed appropriate;
(iv) Development of procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement;
(v) Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets;
(vi) Preparation of a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule;
(vii) Disclosure of resettlement plan, including documentation of the consultation process in a timely manner to affected persons and other stakeholders;
(viii) Execution of involuntary resettlement as part of a development project or program.
(ix) Payment of compensation and provide other resettlement entitlements before physical or economic displacement; and
(x) Monitoring and assessment of resettlement outcomes, their impacts on the standards of living of displaced persons.

d. Comparative Analysis between ADB SPS, 2009 and National Laws (Environmental and Social)

1. Environmental Safeguards

55. A comparative analysis between policy principles on environmental safeguards outlined in ADB SPS, 2009 and GOB Legislation and regulations was conducted as part of the PSSA diagnostic assessment. The requirements are similar in screening of projects for environmental

impacts, environmental assessment requirements, and preparation of EMP. However, per GOB's ECR, 1997, classification of projects is based on the type and scale of projects, which is fixed, and projects are reclassified and scheduled to the Rules. Consequently, only the project that are scheduled in the rules need to conduct environmental assessment and obtain environmental clearance. In RBL, only two out of five components fall under the ambit of ECR 1997. There also differences / gaps in EMP requirements, alternatives examination, public consultation, monitoring and reporting, Rules related to health and safety are similar. Comparative analysis is presented **Appendix 1**.

2. Social Safeguards

56. Comparative analysis between policy principles on involuntary resettlement safeguards outlined in ADB SPS, 2009 and GOB legislation and regulations was conducted as part of the PSSA diagnostic assessment. The results of the comparative analysis indicate that there are gaps between the ARIPA 2017 and ADB SPS 2009 as mentioned above. Unlike the requirements of ADB's SPS, the government's ARIPA, 2017 do not cover affected persons without titles or ownership record, such as informal settler/squatters, tenants and leaseholders (except for *bargadars* or share croppers). ARIPA, 2017 covers the legal compensation for land, structures, crops and trees, and has no provision for loss of income, livelihood restoration and transfer or shifting allowance, reconstruction and vulnerability assistance measures. ARIPA, 2017 does not specify compensation at replacement cost of the property acquired, but is calculated based on predetermined land rates defined by the government.[47] A detailed comparative analysis between ARIPA 2017 and ADB's SPS requirements is presented in **Appendix 2**.

e. Government of Bangladesh and ADB Safeguard Policies on Tribes, Minor Races, Ethnic Sects and Communities (TMRESC)

57. TMRESC are culturally distinct societies and communities. The land on which they live and the natural resources on which they depend are inextricably linked to their identities, cultures, livelihoods, as well as their physical and spiritual well-being. They hold vital ancestral knowledge and expertise on how to adapt, mitigate, and reduce risks from climate change and natural disasters.

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

59. Many of the government laws that are related to the ownership of land and acquisition for the plain land are also applicable to Tribes, Minor Races, Ethnic Sects and Communities (TMRESC) and non-ethnic minority people. The laws include the (i) Code of Civil Procedure, 1908; (ii) the East Bengal State Acquisition and Tenancy Act, 1950; and (iii) ARIPA, 2017. In Bangladesh, a large proportion of indigenous people/ TMRESC live in Chittagong Hill Tracts (CHT) and has separate set of laws applicable only to this region only. The Chittagong Hill Tracts (CHT) Regulation, 1900 is the single most important law for the CHT. The CHT Regulation, 1900 functions in the nature of a constitutional legal instrument and vets the application of other laws that apply to CHT, among others, by specifying the nature and extent of application of those laws. In addition to CHT Regulation, 1900 the other special laws that apply to the CHT include: (i) CHT

[47] Mouza rates are defined by government and are revised periodically.

Land Acquisition Regulation, 1958; (ii) Hill District Councils Acts, 1989; (iii) CHT Regional Council Act of 1998, (iv) CHT Land Disputes Resolution Commission Act of 2001 and (v) Chittagong Hill Tracts (Land Acquisition) (Amendment) Ordinance, 2018. According to the Gazette of Bangladesh Cultural Ministry, dated March 23, 2019, 50 types of small ethnic communities live in Bangladesh. The List of TMRESC recognized in the Bangladesh Gazette, Cultural Ministry, 23 March 2019 is provided in **Appendix 6a**.

60. **Indigenous Peoples Safeguards, ADB Safeguard Policy Statement, 2009.** The Indigenous Peoples safeguards are triggered if a project directly or indirectly affects the dignity, human rights, livelihood systems, or culture of Indigenous Peoples or affects the territories or natural or cultural resources that Indigenous Peoples own, use, occupy, or claim as an ancestral domain or asset.

61. ADB SPS, 2009 uses the term Indigenous Peoples in a generic sense to refer to a distinct, vulnerable, social, and cultural group possessing the following characteristics in varying degrees:

(i) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;
(ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories;
(iii) customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and
(iv) a distinct language, often different from the official language of the country or region.

62. The Government of Bangladesh policies and legal instruments for TMRESC are supplemented by ADB SPS, 2009. ADB SPS, 2009 ensures equality of opportunity to be derived from project interventions for TMRESC. ADB SPS, 2009 emphasizes that development interventions will be planned in a manner consistent with the needs and aspirations of affected indigenous peoples, and compatible in substance and structure with affected TMRESC's culture and social and economic institutions.

63. This ESMF provide guidelines to address beneficial impacts on TMRESC, (adverse impacts on TMRESC is not assessed for this RBL program) through the preparation of a TMRESCDP (Tribes, Minor Races, Ethnic Sects and Communities Development Plan). A TMRESECDP or Indigenous Peoples Plan (IPP) will need to be prepared for all projects having either significant (Category A) or limited (Category B) impacts on TMRESC, even if only positive, as it is needed to mitigate the risks that they may not be able to capture the project benefits, improve their participation in sharing benefits, and address the possibility that effects may arise that may reinforce their vulnerability. An TMRESC impact checklist to be used in the indigenous people screening exercise during project preparation is provided as Appendix 5.

f. Policy Principles for the IUGIP, RBL Program

1. Environmental Safeguards

64. As mentioned in earlier para 34, The IUGIP, RBL Program is likely to trigger the environment safeguard policy principles: i, ii, iii, iv, v, vi, vii, ix, x and xi. Per ADB Policy, RBL program will exclude activities that are considered high-risk in terms of environmental safeguards and classified as category A per SPS. RBL Program will also exclude activities that are classified as "Red" category per ECR, 1997.

65. To address the gaps and to ensure that RBL program implementation is in compliance with PMU will implement Environmental and Social Management Framework (ESMF).

2. Social Safeguards

66. **Involuntary Resettlement**. The project will recognize both titleholders with legal rights to land and non-titleholders who have neither formal legal rights nor recognized or recognizable claims to such land. The involuntary resettlement requirements apply to both displaced persons. It also applies to economically displaced persons – those facing temporary income loss.

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

(i) Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
(ii) Carry out meaningful consultations with affected persons, host communities, concerned nongovernment organizations and other relevant stakeholders. Inform all displaced and affected persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns. Support the social and cultural institutions of displaced persons and their host population.
(iii) Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
(iv) Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
(v) Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards.
(vi) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
(vii) Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.

(viii) Prepare a resettlement plan for all packages with resettlement impacts elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
(ix) Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.
(x) Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
(xi) Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
(xii) Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

3. Indigenous Peoples Safeguards

68. The objective of the indigenous peoples/TMRESC safeguards is to design and implement projects in a way that fosters full respect for indigenous people' identity, dignity, human rights, livelihood systems, and cultural uniqueness as defined by the TMRESC themselves so that they (i) receive culturally appropriate social and economic benefits; (ii) do not suffer adverseimpacts as a result of projects; and (iii) can participate actively in projects that affect them. In considering these characteristics, national legislation, customary law, and any international conventions to which the country is a party will be taken into account.

69. The following indigenous people safeguard policy principles are applied in ADB financed projects and will apply to IUGIP, RBL Program:

(i) Screen early on to determine (i) whether indigenous people are present in, or have collective attachment to, the project area; and (ii) whether project impacts on indigenous people are likely;
(ii) Undertake a culturally appropriate and gender-sensitive social impact assessment or use similar methods to assess potential project impacts, both positive and adverse, on indigenous people. Give full consideration to options the affected indigenous people prefer in relation to the provision of project benefits and the design of mitigation measures. Identify social and economic benefits for affected Indigenous People that are culturally appropriate and gender and inter-generationally inclusive and develop measures to avoid, minimize, and/or mitigate adverse impacts on indigenous people;
(iii) Undertake meaningful consultations with affected indigenous people's communities and concerned indigenous people organizations to solicit their participation (i) in designing, implementing, and monitoring measures to avoid adverse impacts or, when avoidance is not possible, to minimize, mitigate, or compensate for such effects; and (ii) in tailoring project benefits for affected

indigenous people communities in a culturally appropriate manner. To enhance indigenous people' active participation, projects affecting them will provide for culturally appropriate and gender inclusive capacity development. Establish a culturally appropriate and gender inclusive grievance mechanism to receive and facilitate resolution of the indigenous people' concerns;

(iv) Ascertain the consent of affected Indigenous People communities to the following project activities: (i) commercial development of the cultural resources and knowledge of indigenous people; (ii) physical displacement from traditional or customary lands; and (iii) commercial development of natural resources within customary lands under use that would impact the livelihoods or the cultural, ceremonial, or spiritual uses that define the identity and community of indigenous people.

(v) Avoid, to the maximum extent possible, any restricted access to and physical displacement from protected areas and natural resources. Where avoidance is not possible, ensure that the affected indigenous people communities participate in the design, implementation, and monitoring and evaluation of management arrangements for such areas and natural resources and that their benefits are equitably shared;

(vi) Prepare a Indigenous Peoples plan (IPP) or TMRESCDP that is based on the social impact assessment with the assistance of qualified and experienced experts and that draw on indigenous knowledge and participation by the affected indigenous people communities. The IPP includes a framework for continued consultation with the affected indigenous people communities during project implementation; specifies measures to ensure that Indigenous People receive culturally appropriate benefits; identifies measures to avoid, minimize, mitigate, or compensate for any adverse project impacts; and includes culturally appropriate grievance procedures, monitoring and evaluation arrangements, and a budget and time-bound actions for implementing the planned measures;

(vii) Disclose a draft and final TMRESCDP, including documentation of the consultation process and theresults of the social impact assessment in a timely manner, before project appraisal, in an accessible place and in a form and language(s) understandable to affected indigenous people’s communities and other stakeholders.

(viii) Prepare an action plan for legal recognition of customary rights to lands and territories or ancestral domains when the project involves (i) activities that are contingent on establishing legally recognized rights to lands and territories that indigenous people have traditionally owned or customarily used or occupied, or (ii) involuntary acquisition of such lands; and

(ix) Monitor implementation of the TMRESCDP using qualified and experienced experts; adopt a participatory monitoring approach, wherever possible; and assess whether the TMRESCDP 's objective and desired outcome have been achieved, considering the baseline conditions and the results of TMRESCDP monitoring. Disclose monitoring reports.

III. SCREENING AND ENVIRONMENTAL SOCIAL ASSESSMENT PROCESS

70. The ESMF will be used for screening of the subprojects under the IUGIP and preparation of environmental and social safeguards in the planning documents (IEEs/EMP and resettlement plans), implementation of subprojects at *Pourashava* level and operation stages of each subproject activity.

A. Screening and Categorization of Subprojects

1. Screening and Categorization of Subprojects for Environmental Impacts

71. This RBL program is classified as Category B for environment following ADB SPS 2009. Per ADB RBL policy, RBL programs will exclude high-risk activities. The proposed program activities are of small scale and unlikely to cause significant adverse impacts. However, project locations in environmentally sensitive areas may trigger significant impacts, therefore exclusion criteria is proposed as below.

72. **Exclusion Criteria.** RBL program will exclude that would be classified as Category A[48] for Environment per ADB SPS and/or Red Category per Bangladesh Environmental Conservation Rules, 1997. The following criterial will be used to exclude activities which may have significant adverse impacts.

(i) Projects located in ecologically sensitive areas such as protected areas (national parks, wildlife sanctuaries), notified wetlands or wetlands of significant value, critical habitats
(ii) Project with potentially significant impacts on mangroves, wetlands, estuaries, buffer zones of protected areas etc.,
(iii) Projects located in world heritage sites, and/or within 250 m from the core zone of outer boundary of the world heritage area
(iv) Projects located within monuments/sites protected by Department of Archeology
(v) Projects which may potentially lead to encroachment/damage of physical cultural resources with significant value and/or places recognized by government agencies (e.g., Department of Archeology), which may include places of worship, cultural heritage sites, graves/cemeteries, historical monuments, etc.
(vi) Projects likely to have significant adverse environmental impacts that are irreversible, diverse, or unprecedented, and may affect an area larger than the sites or facilities subject to physical works (i.e., category A projects as per ADB SPS 2009)
(vii) Activities listed in ADB's Prohibited Investment Activities List (see Appendix 5 of ADB SPS).
(viii) Activities / projects classified as category Red per GOB ECR 1997

73. A checklist is provided in Appendix 3. This is to be accomplished for consideration of any activity / subproject for funding under RBL program. Checklist contains exclusion questions and thus, any question answered by a "yes" will automatically be ineligible for funding under the RBL. The Project Management Unit (PMU), with support from the Management, Design and Supervision Consultants (MDSC) will conduct exclusion criteria screening to determine if the proposed activity is eligible for implementation under the RBL. Only th subprojects/activities that are confirmed to be eligible will proceed to the next stage.

74. **Screening and Categorization.** Based on the likely significance of potential environmental impacts, an activity / subproject funded under the RBL Program will be classified and assigned with one of the three environmental categories (A, B, or C). Since exclusion criteria to exclude high-risk activities are already included in the above step, no Category A activities/subprojects anticipated. Screening checklists are provided in Appendix 3.

[48] Project/activity is likely to have significant adverse environmental impacts that are irreversible, diverse, or unprecedented, and may affect an area larger than the sites or facilities subject to physical works.

(i) **Category A**. The subproject is likely to have significant adverse environmental impacts that are irreversible, diverse, or unprecedented, and may affect an area larger than the sites or facilities subject to physical works. An environmental impact assessment (EIA) and a comprehensive EMP are required. This category of subprojects is excluded from the proposed RBL Program**.**

(ii) **Category B.** The subproject is likely to have less adverse environmental impacts than those classified as Category A. Such impacts are site-specific, mostly reversible, and, in most cases, it is possible to come up with mitigation measures more readily than in Category A projects. An initial environmental examination (IEE) and an environmental management plan (EMP) are required for Category B projects and in terms of country regulatory categorization these will be orange B category.).

(iii) **Category C.** The subproject is likely to have minimal or no adverse environmental impacts. No environmental assessment is required although environmental implications of the sub - project need to be reviewed.

75. Category as per ECR, 1997. Rule 7 of the 1997 ECR provides a classification of industrial units and projects into four categories, depending on environmental impact and location. These categories are: Green, Orange A, Orange B, and Red. Based on projects listed in schedule 1 to the ECR Rules, 1997, only two of the five activities proposed in RBL fall under the ambit of this legislation requiring environmental clearance certificate, and rest three do not require ECC. Red category projects are not eligible for implementation under RBL.

76. To ensure compliance with ADB policy principles and GOB's environmental regulatory framework, the following categories will be applied for all activities implemented under RBL Program implementation. Below table also presents the environmental assessment requirements for each category.

Table 3: Categorization and Required Assessment for Subprojects

	Subproject/Component	Classification Per ECR, 1997	Indicative ESMF Classification*	Required Environmental Assessment	Remarks
1.	Urban roads improvement	Orange – B	B	IEE Report	
2.	Drains improvement	Not applicable. [Not covered in Schedule 1 and ECC not required]	B	IEE Report	
3.	Low-income neighborhoods Infrastructure [Water hand pumps and/or bore wells, community toilets, footpaths]	Community toilets (Orange – B) Other components - Not applicable. [Not covered in Schedule 1 and ECC not required]	B	IEE Report	Single IEE report covering all infrastructure including community toilets to be prepared to meet both DOE and ESMF requirement

	Subproject/Component	Classification Per ECR, 1997	Indicative ESMF Classification*	Required Environmental Assessment	Remarks
	Development of market centers	Not applicable. [Not covered in Schedule 1 and ECC not required]	B	IEE Report	
4.	Development of parks	Not applicable. [Not covered in Schedule 1 and ECC not required]	B / C	IEE Report / Due Diligence Report	IEE or DDR as per screening following ESMF

*Classification will be confirmed through screening.

77. For the RBL program, eligible subprojects will mostly be classified as Category B per ESMF, and Orange-B based on ECR, 1997. These activities/subprojects will require an initial environmental examination (IEE) report including an environmental management plan (EMP). Subprojects classified as Category C (ADB SPS) will not require an environmental assessment, but environmental implications will be reviewed, and an environmental due diligence report will be prepared.

78. **Screening for potential risks from asbestos-containing materials (ACM).** Asbestos is recognized as a cause of various diseases and is considered health hazard if inhaled. The RBL program activities will not include usage of asbestos containing material (such as AC pipes, roofing sheets, panels, insulating materials, etc.,). There may be undergoing AC pipes in water supply network in public roads, however, RBL program does not involve laying of any underground water pipes or sewers. Excavation activities are limited to drains, and foundations for buildings/structures etc., there is no likelihood of encountering existing AC pipes. However, the RBL program activities include dismantling of old/existing buildings to construct new market centres. The old/existing may have ACM, therefore r screening needs to be conducted, and if there are potential significant risks, it needs to managed inline with ADB's Good Practice Guidance Note for the Management and Control of Asbestos[49]. Screening for ACM is included in REA checklists.

2. Screening and Categorization of Subprojects for Involuntary Resettlement Impacts

79. The RBL Program has been categorized as category 'B' for involuntary resettlement, so there is a requirement for screening and impact assessment for involuntary resettlement and formulation of mitigation measures. The proposed program activities are unlikely to cause significant adverse impacts. Initial assessment indicates that there will be no land acquisition, or physical displacement or permanent economic displacement of any individual or household.[50] The program will screen the project activities triggering involuntary resettlement impacts in each *Pourashava*. No activities shall be undertaken that may fall into category A for involuntary resettlement, as per ADB SPS, 2009.

[49] https://www.adb.org/sites/default/files/publication/783636/good-practice-management-control-asbestos.pdf

[50] Among the five sample *Pourashavas* assessed, temporary income loss to road-side shop owners is assessed in one *Pourashava* (Chowmohoni).

80. The subprojects to be taken up under the RBL program will be screened and categorized. Depending on the nature of involuntary resettlement impacts, each of the subprojects will be categorized in one of three categories (A/B/C). Rationale for screening the subprojects will be to screen out any activity that might trigger significant involuntary resettlement impacts. The Executing Agency will conduct a due diligence to determine whether or not a particular subproject will trigger any significant involuntary resettlement impacts.

81. **Exclusion Criteria.** RBL program will exclude subprojects that would be classified as Category A (as described below) for involuntary resettlement per ADB SPS, 2009.

(i) **Category A**: A proposed subproject is classified as Category A if it is likely to have significant involuntary resettlement impacts. The involuntary resettlement impacts are considered significant, i.e., if 200 or more persons will experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive and income generating assets. The project would need to prepare a resettlement plan for all the sub - projects. (**Subprojects that are classified as category A will not be considered under the IUGIP, RBL program).**

(ii) **Category B**: A proposed subproject is classified as Category B if it includes involuntary resettlement impacts that are not deemed significant or major but nonetheless may need to be addressed through a resettlement plan. (**Subprojects classified as Category B will be required to prepare a Resettlement Plan under IUGIP RBL program.)**

(iii) **Category C**: A proposed subproject is classified as Category C if it is unlikely to have any involuntary resettlement impacts. Once the status of the subproject is established no further action will be required. **(A Due Diligence Report (DDR) may be prepared for all subprojects classified under Category C).**

3. Screening and Categorization of Subprojects for Tribes, Minor Races, Ethnic Sects and Communities Impacts

82. **Screening.** Preparing an TMRESCDP is necessary when subprojects are screened as indigenous people category A or B projects.[51] Indigenous people category is determined by the project's impact on these people. The significance of a project's impact on indigenous people/SEC is determined by the following assessment:

(i) Magnitude of impact in terms of:
   a) customary rights of use and access to land and natural resources;
   b) socioeconomic status;
   c) cultural and communal integrity;
   d) health, education, livelihood, and social security status;
   e) recognition of social security status; and
   f) recognition of indigenous knowledge.
   9.

(ii) Level of vulnerability of the affected TMRESC.

[51] As per the ADB Operation Manual Section F1/OP March 2010 (Para 10), screening process categorizes projects by the significance of their impacts on indigenous peoples. A proposed project is classified as category A if it is likely to have significant impacts on indigenous peoples. An indigenous peoples plan (IPP), including assessment of social impacts, is required. A proposed project is classified as category B if it is likely to have limited impacts on indigenous peoples. An IPP, including assessment of social impacts, is required. A proposed project is classified as category C if it is not expected to have impacts on IP. No further action is required.

83. During initial assessment, a screening exercise will be undertaken by the PIU using ADB's screening and categorization forms for TMRESC populations, with the help of TMRESC community leaders. Concerned staff will refer the list of small ethnic communities for the Government of Bangladesh (Appendix 6a) and description of indigenous people/TMRESC based on ADB SPS, 2009. The screening will be done based on the following:

(i) presence and names of TMRESC in the area;
(ii) cultural and religious distinction of TMRESC vis-à-vis other communities, and mainstreaming of SEC with the dominant population;
(iii) laws and legislations related to TMRESC;
(iv) total number of indigenous people/TMRESC and percentage of TMRESC population to total population in the area;
(v) number and percentage of SEC households likely to be affected by the subproject component; and
(vi) initial assessment to also include level of vulnerability of the TMRESC, such as existing socioeconomic conditions that may further deteriorate due to project impact. If such especially vulnerable groups among the TMRESC are identified within the project area, they warrant special measures for protecting their socio-cultural identity and baseline economic standard. While determining vulnerability of these TMRESC, assessment will be made if there is any possibility of future impact due to the project.

84. **Exclusion Criteria**. RBL program will exclude subprojects that would have significant impacts on TMRES communities and classified as Category A; also, subprojects that would have adverse impacts on TMRES communities and classified as Category B for indigenous people per ADB SPS, 2009.

85. **Categorization:** The subprojects to be taken up under the RBL program will be screened and categorized. Depending on the nature of impacts on indigenous people/TMRESC, each of the subprojects will be categorized in one of three categories (A/B/C). Rationale for screening the subprojects will be to screen out any activity that might trigger significant indigenous people/TMRESC impacts. The Executing Agency will conduct a due diligence to determine whether or not a particular subproject will trigger any significant indigenous people/TMRESC impacts.

(i) **Category A**. A proposed project is classified as category A if it is likely to have significant impacts on Indigenous Peoples. An Indigenous Peoples plan (IPP), including assessment of social impacts, is required. (**Subprojects that are classified as category A will not be considered under the IUGIP, RBL program).**
(ii) **Category B**. A proposed project is classified as category B if it is likely to have limited impacts on Indigenous Peoples. An IPP, including assessment of social impacts, is required. **The RBL program will have beneficial impact on the TMRES communities or groups, at least in two *pourashavas*, (Naohata and Banskhali), hence, it is classified as Category B for Indigenous Peoples' safeguards**.
(iii) **Category C**. A proposed project is classified as category C if it is not expected to have impacts on Indigenous Peoples. No further action is required.

a. Environmental Social Assessment Process

1. Environmental Assessment Process

86. After screening a proposed subproject based on the exclusion criteria in Table 2 above, the PMSC will undertake the required environmental assessment or due diligence consistent with the indicative ESMF categorization in Table 4. IEE is required for Category B subprojects, and a due diligence report is required for Category C subprojects. Appendix 7 provides the outline and contents to be followed while preparing IEEs. Also, PMU will follow the IEE reports prepared for similar components under the ADB funded UGIIP or CRDP as samples and will follow in preparation of IEE Reports for the RBL program.

87. Screening of potential environmental impacts are categorized into four categories considering subproject phases: location impacts and design impacts (pre-construction phase), construction phase impacts and operation and maintenance phase impacts. IEEs should assess impacts related to these four phases of the subproject:

(i) **Location impacts** include impacts associated with site selection and include loss of on-site biophysical array and encroachment either directly or indirectly on adjacent environments. It also includes impacts on people who will lose their livelihood or any other structures by the development of that site;
(ii) **Design impacts** include impacts arising from investment program design, including technology used, scale of operation/throughput, waste production, discharge specifications, pollution sources and ancillary services;
(iii) **Construction impacts** include impacts caused by site clearing, earthworks, machinery, vehicles and workers. Construction site impacts include erosion, dust, noise, traffic congestion and waste production; and
(iv) **Operation and Maintenance impacts** include impacts arising from the operation and maintenance activities of the infrastructure facility. These include routine management of operational waste streams, and occupational health and safety issues.

88. Siting., planning and designing the subproject will avoid significant potential impacts, which may be long term and are mainly due to location or design. Following environment. guidelines for project selection provide further guidance to avoid or minimize adverse impacts during the identification and finalization of subprojects.

Environmental Guidelines for Subproject site selection, planning and design	**Remarks**
1. Overall selection guidelines - applicable to all subprojects	
(i) Comply with all requirements of relevant national and local laws, rules, and guidelines, including obtaining environmental clearance certificate (ECC) from DOE for all subprojects classified as red / orange / green per Bangladesh Environmental Conservation Act, 1995	-
(ii) Comply with all requirements of ADB SPS 2009 and follow procedures set in this environmental assessment and review framework (ESMF)	-
(iii) Ensure that subproject design should reflect inputs from public consultation	

Environmental Guidelines for Subproject site selection, planning and design	Remarks
(iv) Avoid locations in forests, mangrove areas, estuaries, buffer zones of protected areas	(i) Check and confirm the eligibility through exclusion criteria before proceeding further on such sensitive sites (ii) if eligible, and unavoidable: - Approval from concerned authority -Alternative site analysis to justify site selection -confirm via detailed baseline and impact assessment that the project will not lead to significant impacts on respective areas -EMP to include measures to avoid, minimize, mitigate impacts, and monitoring actions to confirm mitigation
(v) Avoid locations within 100 m of protected monuments/sites protected by department of archeology, government of Bangladesh (vi) Avoid locations within 1 km of UNESCO notified protected monuments / world heritage sites 10.	If unavoidable - conduct site screening by heritage expert, and conduct heritage assessment study if warranted; integrate recommendations into design, construction, and operation -ensure that no damage / disruption to such places/monuments -obtain necessary clearance and permissions -EMP to include measures to avoid destruction / disturbance of such places -Provide “chance find” procedures in the EMP that include a pre-approved management and conservation approach for materials that may be discovered during project implementation.
(vii) Avoid tree-cutting where possible. Retain mature roadside trees which are important/valuable or historically significant. If any trees will have to be removed, plant two new trees for every one that is lost. (viii) Preference shall be given to planting indigenous or local tree species.	For any tree to be cut, consider replacement of 2:1.
(ix) Ensure all planning and design interventions and decisions are made in consultation with local communities and include women. Reflect inputs from public consultation and disclosure for site selection.	All consultations should be documented, and concerns expressed by public addressed in IEEs.
(x) Synchronize all road improvement and pipe laying works (to extent possible) to minimize disturbance and optimize use of resources (e.g., water pipes laid prior to road improvements).	Coordinate planning of works with *pourashava*.
(xi) If subproject includes existing facilities[52] to be rehabilitated or expanded and/or associated	For non-compliances, provide corrective action for each area of concern including cost and schedule to be included in the subproject EMP.

[52] ADB SPS Appendix 4 para 12 on Existing Facilities

Environmental Guidelines for Subproject site selection, planning and design	Remarks
Facilities[53], conduct environmental audit and/or environmental due diligence per ADB SPS part of IEE.	
(xii) Locate all new facilities/buildings at sites where there is low risk of flooding or other hazards that might impair functioning of or present a risk of damage to water treatment plants, tanks/reservoirs, or their environs.	Flood statistics data of the project area needs to be reviewed. Location restriction may be reviewed depending on site availability, and flood or other hazards control planning.
2. Infrastructure in low income neighbourhoods	
(i) Water supply. Utilize water sources at sustainable levels of abstraction only (i.e., without significant reductions in the quantity or quality of the source overall).	
(ii) Water supply. Avoid over pumping of ground water in coastal aquifers leading to salinization and ground subsidence	
(iii) Water supply. Avoid using water sources that may be polluted / contaminated by wastewater discharges or seepages from toilets, septic tanks, waste dumps etc.,	
(iv) Water supply. identify and exclude tube wells/bore wells contaminated with arsenic (exceeding applicable drinking water standards) from RBL program activities	
(i) Water supply. Must not include usage of pipes that are manufactured from asbestos concrete, and avoid disturbance to existing asbestos concrete pipes (left in ground as it is untouched)	Refer to ADB's Good Practice Guidance for the Management and Control of Asbestos[54].
(ii) Water supply. Ensure water to be supplied to consumers will meet national drinking water standards at all the times.	
(iii) Include measures to address additional sewage/domestic wastewater due to improved/new water supply system	
(iv) Project design to address health and safety hazards to workers from handling and management of disinfection chemicals (such as chlorine), and other contaminants, and biological and physical hazards	
(v) Sanitation. Ensure toilets are a provided with water supply and power supply for hygienic, safe, and uninterrupted	

[53] ADB SPS Appendix 1 para 6 defines associated facilities as "not funded as part of the project (funding may be provided separately by the borrower/client or by third parties), and whose viability and existence depend exclusively on the project and whose goods or services are essential for successful operation of the project"

[54] https://www.adb.org/sites/default/files/publication/783636/good-practice-management-control-asbestos.pdf

Environmental Guidelines for Subproject site selection, planning and design	Remarks
(vi) Sanitation. Design toilet as leak proof, and connect outlet to a community sewer (if available) or to a septic tank (water sealed)	
(vii) Sanitation. Design septic tanks as water sealed compartments to avoided contamination of groundwater/land	
(viii) Sanitation. Locate septic tanks where there is proper access to a mobile suction hose equipment to allow removal of contents periodically for further treatment and disposal	
(ix) Sanitation. Locate sanitation facilities (public toilets and septic tanks) preferably (a) 20 m from any source of water supply; (b) 30 m from drainage lines and (c) 100 m to a designated waterway.	Distance restriction may be reviewed depending on the technology adopted for the sanitation facilities and treatment of septage, site plant availability, and buffer zone planning.
(x) Sanitation. Ensure septage collection system is fully mechanized; prohibit manual collection	
(xi) Sanitation. Do not locate septic tanks where there is risk of hazards such as floods, landslides etc.,	-
(xii) Sanitation. Ensure no immediate drinking water intakes downstream of discharge point of effluent from sanitation facilities	Include design measures and consider relocating existing deep tube wells.
(xiii) Sanitation. Hazardous working conditions in some places of the facility due to lack of oxygen and flammable nature of methane emissions will be detrimental to the health and safety of workers and facility. Put in place standard operating procedures with appropriate equipment, and workers are provided with necessary training and personnel protection equipment to safeguard health and safety	
3. Urban roads	
(i) Include the provision of new or improved storm water drainage to remove the increased runoff caused by increasing the road surface area	
(ii) Shall not lead to alteration of surface water hydrology of waterways crossed by roads; ensure appropriate cross drainage structures	
(iii) Ensure that drainage system including cross drainage works are designed adequately considering the raised road levels that may create barrier effect	
(iv) Include tree planting preferably with indigenous or local tree species and duly considering road safety issues, alongside roads to provide a natural barrier to noise and	

Environmental Guidelines for Subproject site selection, planning and design	Remarks
visual impacts and include additional physical barriers where required	
4. Drainage	
i. Outfalls should be to suitable drainage areas (*nallas*, canals, etc.) and avoid flooding to adjacent private lands.	
ii. Include measures to ensure the safe disposal of drain dredge (e.g., to dumpsite or landfill) without causing an environmental hazard.	
iii. where required, include provision for installation of regulator to control inflow/ outflow through drain to prevent backflow of water through drain (e.g., due to high water level at downstream discharge point, such as khal/ river)	
iv. Include measures to avoid pollution of downstream water body due to disposal of polluted water from drain	Ensure that drains that may be contaminated with wastewater are not connected to water bodies (such as local ponds) that are used by community for various purposes. Do not allow direct connection to drain from sanitation facilities and/or wastewater with high organic load Ensure that no untreated / partially treated wastewater or industrial effluent is illegally discharged into drains by close coordination with Department of Environment Strictly follow the effluent discharge standard of DOE and consider introduction of small-scale treatment of polluted drain water before disposal (if needed)
5. Market development	
(i) Provide provision of traffic circulation/traffic management or provision of parking area for the increased traffic due to market development to avoid traffic congestion in and around market area	
(ii) Ensure markets are provided with improvements in solid waste management, wastewater, and drainage to deal with increased generation of waste materials and discharge of wastewater. Ensure that waste and wastewater disposal in market are designed to national standards.	
(iii) Shall not be located in a flood prone area	
(iv) Ensure adequate provisions (including fire/emergency exits) for fire safety in accordance with Bangladesh National Building Code	

Environmental Guidelines for Subproject site selection, planning and design	Remarks
(v) Where feasible, introduce provision of solar system for part of electric supply and promote energy efficient bulbs for contribution to carbon reduction	
(vi) Where feasible, Introduce provision of rooftop rainwater harvesting system for proper storm water management or in case of drinking water scarcity	
6. Parks and playgrounds	
(i) Ensure no or minimal change in site elevation that may lead to disruption of alteration of drainage pattern; ensure that hydrological function of the site, if any is not disrupted	Open lands acts as sinks / temporary water retention areas during heavy rains and floods. Change in elevation or making it inaccessible to runoff or flood may endanger surrounding areas. Hydrological assessment needs to be conducted to ensure that development of parks, playground will not lead to changes/disruptions in drainage, and ensure effective measures as needed.

89. The civil works for the subproject includes construction of various elements both linear works (roads, drains, foopaths etc.,) and area specific works (market centres, playgrounds, parks, toilets, tube wells etc.,). Site specific works will be confined to the boundary of identified sites, and potential construction impacts arise mainly from construction dust and noise, hauling of construction material, waste and equipment on local roads (traffic, dust, safety etc.), mining of construction material, occupational health and safety (OHS) aspects. Linear works will be conducted along public roads in urban areas congested with people, activities and traffic. Therefore, these works may have adverse but temporary impacts arising mainly from the disturbance of residents, businesses and traffic due to construction work; safety risk to workers, public and nearby buildings due to deep trench excavations in the road; access impediment to houses and business, disposal of large quantities of construction waste etc. In the program towns, there are also numerous water bodies, which may be adversely impacted from contaminated/slit laden runoff from the work sites and facilities. Following are the general impacts of construction in urban areas, and IEE should assess the following impacts.

Potential Construction impacts applicable to all subprojects	
(ii) Air pollution (dust and emissions) and noise from construction activities (iii) Water pollution (from contaminated and/or silt laden runoff from works sites, wastewater discharges etc.,) (iv) Soil and groundwater contamination – oil, fuel and chemical spillages, discharge of wastewater, solid waste etc., (v) Disruption of utilities (waterlines, drains, telephone and power cables etc.,) (vi) Tree cutting and clearance of vegetation (vii) Occupational health and safety risks, and poor labour welfare and provisions	- Ensure that IEEs assess these impacts related to construction in urban areas and appropriate mitigation measures are recommended - Ensure that responsibility of implementation is delegated along with budget to implement the same - Ensure that responsibility to monitor implementation is delegated - Ensure that appropriate monitoring measures are included in the EMP commensurate with the impacts. These may include – air quality, noise, water quality etc.,

(viii) Pollution and community health and safety risks due to establishment and operation of workers camps, and construction facilities (ix) Extraction of construction materials (x) Disposal of construction wastes and debris, wastes from construction camps (xi) Health risks from asbestos containingmaterials, if any (xii) Disruption of access to houses, business, public places and other establishments due to works, and safety risks (xiii) Traffic disruption and traffic safety (xiv) Damage/disruption to physical cultural resources (xv) Non-clearance of sites or poor post site clean up after works (xvi) Any other site specific impacts	

90. An Environment Management Plan (EMP) shall be developed as part of an IEE. The EMP will outline specific mitigation measures, environmental monitoring requirements, and related institutional arrangements, including budget requirements for implementation.

91. **Preparation of Due Diligence Reports for Category C.** For subprojects deemed as Category C per ESMF classification, an environmental due diligence report (EDDR) should be prepared. The EDDR should be able to discuss the nature of activities and justification that such activities do not have obvious environmental implications.

2. Social Assessment Process

92. **Screening**. For the preparation of new resettlement plans or any other safeguard reporting (due diligence, corrective action plan etc.), the following check list can be used to identify land acquisition and resettlement impacts.

(i) Where is the proposed subproject located? What is the ownership status of land? Is the land identified adequate to accommodate proposed facilities? If not, whether it requires additional government/private land acquisition? Whether this land acquisition is permanent/temporary?
(ii) If it involves private land acquisition, what is the number and profile of affected people? What is the extent of losses and other socio-economic impacts? Does proposed land acquisition involves permanent displacement of people?
(iii) What are the impacts of permanent/temporary land acquisition on public utilities, common property resources, encroachers/squatters and other non-titled users of the land?
(iv) Are there any impacts on indigenous peoples or ethnic communities?

93. The RBL program will avoid land acquisition by prioritizing new construction on vacant and unused government lands and government/*pourashava* roads. Limited resettlement impacts are envisaged during construction. Any adverse temporary impacts to roadside businesses during construction of roads and drains will be mitigated or compensated. The ESMF is prepared to guide planning and implementation of subprojects not appraised during project preparation.

Involuntary resettlement impacts will be further assessed and reconfirmed during project processing and duly approved by ADB.ADB's involuntary resettlement impact screening/categorization checklist (**Appendix 4**) will be adopted for the subproject.

94. **Social Impact Assessment.** Social impact assessment (SIA) surveys will be undertaken in each subproject. The detailed design consultants with support from PIUs at each *pourashava* will undertake surveys for each subproject components, based on preliminary technical design and further reconfirmed based on final design and detail measurement survey. The PIUs will be guided by PMU and Social Safeguard personnel from detailed design consultants (DDC). The SIA will determine the magnitude of displacement and prospective losses, identify vulnerable groups for targeting, ascertain costs of resettlement, and prepare a resettlement plan for implementation. As part of the social impact assessment, the project will identify individuals and groups who may be differentially or disproportionately affected by the project because of their disadvantaged or vulnerable status. Where such individuals and groups are identified, targeted measures will be proposed and implemented so that adverse impacts do not fall disproportionately on them and they are not disadvantaged in relation to sharing the benefits and opportunities resulting from development. The purpose of the census is to register and document the status of the potentially affected population within the subproject impact area/impact zone.

95. The census and detailed measurement survey (as part of the SIA) will be conducted at each subproject location to register and document the status of potentially affected persons within the subproject impact area. The census will cover 100% of affected persons. The census will provide a demographic overview of the population and will cover people's assets and main sources of livelihood.

96. The detailed measurement survey (DMS) and inventory of loss surveys will be conducted for each of the subproject sites and alignments based on detailed design, before implementation at each stretch of distribution/sewer network lines. The DMS will establish the number of affected persons/businesses along each proposed road stretch with potential impacts. It will collect only essential information for determining entitlements. The DMS will gather personal information on the affected person, type of business, type of structure, number of persons employed, income and profits per day, vulnerability, if any of the owner or employees, and will record the type of distress likely.

97. Socio-economic surveys of persons facing negotiated land purchase will be undertaken as part of due diligence, to establish their socio-economic profile and willingness. Such surveys will be undertaken by the concerned PIU and DDC with the support of PMU.

98. **Preparation of Resettlement Plan.** A resettlement plan will be prepared if the proposed subproject is identified to have involuntary resettlement impacts. The resettlement plan will be based on the SIA and through meaningful consultation with the affected persons. The resettlement plan will be prepared based on the results of the census and socio-economic survey; the database on affected persons should be completed before resettlement plan preparation. Some of the key steps to be followed during resettlement plan preparation include: (i) screening of subprojects and subproject involuntary resettlement categorization; (ii) conducting SIA covering 100% census and socio-economic surveys; (iii) preparation of draft resettlement plan including extent of loss, list of affected persons, entitlements, budget, implementation schedule and other institutional, consultation and grievances etc., requirements for resettlement plan implementation; (iv) disclosure of draft resettlement plan with various stakeholders including with affected persons and the ADB; (v) addressing various grievances (if any) in line with the procedures outlines in the resettlement framework/resettlement plan; (vi) preparation of final resettlement plan incorporating

suggestions/outcome of consultations from various stakeholders; (vii) submission and approval of final resettlement plan from the ADB and its final disclosure. An outline of a resettlement plan is presented in **Appendix 6**.

99. **Preparation of Due Diligence Reports for Category C**. For subprojects deemed as Category C per ESMF classification, an involuntary resettlement due diligence report (DDR) should be prepared. The DDR will discuss the scope of involuntary resettlement that is deemed insignificant.

3. Approach to Preparation of Tribes, Minor Races, Ethnic Sects and Communities Development Plan TMRESCDP

100. During the preliminary screening stage, *pourashava* officials will visit all TMRESC and paras/villages at subproject potential impact areas. The *pourashava* will arrange public meetings for selected communities at a pre-announced place and date to provide information on the project and subproject components. During the visits, community leaders and other participants, including TMRESC representatives, will present their views on the merits, benefits, and envisaged constraints of the project and subproject components.

101. During initial visit, a screening exercise will be undertaken by the PIU using ADB's screening and categorization forms for TMRESC populations, with the help of TMRESC community leaders. Concerned staff will refer the list of small ethnic communities for the Government of Bangladesh and description of indigenous people/ TMRESC based on ADB SPS, 2009. The screening will be done based on the following:

(i) presence and names of TMRESC in the area;
(ii) cultural and religious distinction of TMRESC vis-à-vis other communities, and mainstreaming of TMRESC with the dominant population;
(iii) laws and legislations related to TMRESC;
(iv) total number of indigenous people/TMRESC and percentage of TMRESC population to total population in the area;
(v) number and percentage of TMRESC households likely to be affected by the subproject component; and
(vi) initial assessment to also include level of vulnerability of the TMRESC, such as being a (primitive) TMRESC and existing socioeconomic conditions that may further deteriorate due to project impact. If such especially vulnerable groups among the TMRESC are identified within the project area, they warrant special measures for protecting their socio-cultural identity and baseline economic standard. While determining vulnerability of these TMRESC, assessment will be made if there is any possibility of future impact due to the project.

IV. NEGOTIATED SETTLEMENT AND DONATION OF LAND

A. Negotiated Settlement

102. ADB SPS, 2009 in principle recommends use of negotiated settlement to obtain land for project requirements. This helps avoid expropriation and eliminates the need to use force by governmental authority. This approach to obtain land through negotiated settlement is supported by the ADB SPS, 2009 provided there is no coercion or perception (held by the affected person/ land seller) of eminent domain being applied, should the negotiated settlement fail and where direct negotiations with land owners are conducted in a fair and transparent manner and land is purchased upon agreement of a negotiated price. The ESMF and the policy guidelines encourage

acquisition of land and other assets through a negotiated settlement wherever possible, based on meaningful consultations with the affected people including non-title holders. In a negotiated settlement both the parties affected person/family and the project proponent agree on a fair price for all losses incurred. In such settlement, in line with ADB policy, government will however ensure that any negotiation with affected persons openly addresses the risks of asymmetry of information and bargaining power of the parties involved in such transactions. If an expropriation results upon the failure of negotiation, all safeguard requirements as per the ADB SPS, 2009 will be applied and resettlement plan will have to be prepared in line with this ESMF.

103. An external independent entity will supervise and document the consultation process and validate the process of negotiated settlement as per legal requirement (TOR provided in **Appendix 7**). Verification will also be provided by the external party that nobody will be impoverished and/or coercively displaced tenants/users of the land. In this project, the process of negotiation will ensure the following steps:

(i) **Step 1:** *Pourashava*/PIU will start identifying required land portions for proposed infrastructure, preferably a suitable government-owned plot. If such land is not available, identification of private land owned by individuals, families, or organizations willing to sell that piece of land will be carried out, and preliminary negotiation started with the legal titleholders. *Pourashava*/PIU will also search for the land title, if there are any legal or other critical issues involved (such as, jointly owned land, land under legal dispute, etc.).

(ii) **Step 2:** If legal title is clear, a detailed measurement survey (DMS) survey of the land parcel proposed for negotiation will be conducted by government surveyor, supervised by *pourashava* engineer, and monitored by the project management unit (PMU/RPMU/PIU), or, local staff of LGED, in the event that the PMU//RPMU/PIU is not yet set up. The survey will cover detailed measurement of the land parcel and inventory and status/condition of all other assets on the land e.g., trees, irrigation infrastructure etc.

(iii) **Step 3:** The valuation committee will arrive at the current value of the land and structures or assets, if any based on the market price. This process helps define the amount that can be offered to the landowner. The minimum negotiated price to start negotiations will not be below the valuation of land based on the market value of land.

(iv) **Step 4:** Negotiated settlement process will start between the willing landowners and other partners (in case of joint ownership) and the *pourashava*/PIU to arrive at a consensus. During negotiation, the requirements, the purpose for which the land is sought, provisions under Government of Bangladesh policy (ARIPA, 2017) and ADB policy will be explained to the landowner. Prior to the negotiation meeting, RPMU/PIU will engage an independent third party [preferably from the locality, a senior leader of the community, agency, or non-government organisation (NGO)/community-based organisation (CBO)] in consultation with the concerned District Commissioner. The independent third party will keep records of meetings, prepare minutes of meetings, and be prepared to submit these if required. The minutes of all the meetings will be recorded for transparency and will be sent along with a note on negotiated land price to the PMU. The independent third party should ensure balanced information is provided to both parties on the value of the affected land and assets. An agreement stating intent to sell/purchase will be entered into by *pourashava* or PIU/RPMU/PMU and landowner.

(v) **Step 5:** If negotiated price for sale of land is not accepted by the land owner(s) or fails to lead to an agreement within 2 months from date of initiation of negotiation,

the *pourashava* level PIU will seek at least two alternative plot(s) of land and follow the steps / process described above. In the event that negotiations for these fail in the subsequent 2 months as well, the *pourashava*/ PIU will propose the involuntary land acquisition approach and forward such intimation to PMU, which will require resettlement plan preparation/updating and compensation as outlined in entailment matrix of this framework document.

(vi) The land transfer and updated records of the purchased lands will have to be completed prior to the start of civil works. Land transfer costs for registering new land titles should be borne by the project proponent; and

(vii) Negotiated purchase from vulnerable households shall be undertaken for the project only if the transaction will improve the standard of living of the household. Such households must also be integrated with livelihood restoration program undertaken by the project.

a. Land Donation

104. The project may accept voluntary donation of land.[55]Such offer would be considered only if donated land does not (i) bring any significant impact/impoverishment to the donor(s) and/or displace tenants/laborers/informal users; (ii) the donation does not come from the land owner categorized as poor or vulnerable; (iii) the donation will not cause any economic or physical displacement (to legal titleholders and/or formal or informal land users); (iv) the land donor(s) will get direct benefits from the proposed project activities; (v) meaningful consultations are conducted with the land owner(s); and (vi) the land donation(s) does not come from coercion or asymmetrical power relation between the land owner(s) and the government. The process and steps to be followed for assessing eligibility of voluntary donation and documentations are given below:

(i) **Step 1**: The *pourashava* will also be open to the possibility of land donation from the interested person/community. The land requirement will be explained to the interested donor(s). ADB"s SPS social safeguard 2 requirements will also be explained to the people willing to donate land. An Independent third party will be engaged in case of land donation. The donated land must not bring any significant impact/impoverishment to the donor(s) and/or displace tenants. This will be confirmed by the assessment from third independent party.

(ii) **Step 2**: After donation of land is decided by the donor(s) the *pourashava* will initiate formalization of land donation by issuing one letter to the willing donor(s) with details of public purpose for which land is required and the donor(s) will reciprocate by responding to the intent of donation for the said specific purpose. Then the *pourashava* will take necessary legal steps to formalizing the donation of land.

(iii) **Step 3**: The Deed of Gift will be registered in the name of the *pourashava* and all necessary fees, stamp duties will be borne by the *pourashava*. Henceforth the land ownership will be transferred to the *pourshava* and the land record will be revised / amended with Record of Rights showing the changed ownership.

105. A mechanism will be established ensuring transparent process is followed and coercion was not used for donation of land. The whole process will be verified and validated by an independent third party (refer Appendix 3for TOR for third-party engagement) for all voluntary offer of land for the project. The above information has to be included in a report to be prepared by the external third party, preferably from reputed and qualified agencies/non-government organization (NGO)/firms/individuals. The concerned PIU shall submit due diligence report to ADB

[55]Donation also refers to other assets attached to the land (i.e., trees, structures etc.).

for review and approval including information on impact assessment, voluntary donation process and report of independent third party.

V. ENVIRONMENTAL AND SOCIAL (INVOLUNTARY RESETTLEMENT) IMPACTS

A. Environmental Impacts

106. The RBL Program will support the construction of infrastructure facilities such as drains, roads, water supply infrastructure (water hand pumps and /or bore wells), low-income neighborhoods upgradation, toilet blocks, footpath, tree plantation, improvement in market areas. The environmental impacts of the RBL Program will include the following:

(i) Drainage disruption due to road improvements, inadequate provision for drainage systems including cross drainage
(ii) Risk of flooding of facilities, risk of contamination and damage and access impediments to facilities
(iii) Unsustainable and/or contaminated water source; water supplied not meeting drinking water standards
(iv) Unsafe/unprotected water sources
(v) Risk due to handling of disinfection chemicals
(vi) Contamination of soil and groundwater due to seepage from toilets and septic tanks
(vii) Public health concerns due to poor maintenance of toilets
(viii) Occupational health risks during desludging of septic tanks / latrines
(ix) Discharge of wastewater into drains leading to pollution of receiving water bodies; use of receiving water bodies by local community may be affected
(x) Tree cutting
(xi) Impacts from improper disposal of silt/sludge accumulated in drains
(xii) Increased demand for facilities, and traffic due to development of market centres
(xiii) Potential disruption of natural contours and drainage pattern due to improper development of open/vacant lands into parks/playgrounds;
(xiv) The new construction under the RBL program may require site clearance including removal of vegetation and shrubs.
(xv) The sand, sub-grade and other lose construction materials if not properly stored may contaminate natural water sources and stream along with storm water runoff.
(xvi) The demolition of existing facilities and construction of new civic facilities will result into generation of construction debris and construction waste. The construction waste may lead to pollution and cause discomfort to adjoining areas, including residential areas/ low-income neighborhoods, if not handled properly and disposed. This waste may also cause inconvenience to locals if not properly managed and stored. The waste may also become breeding grounds for water borne diseases and increase the vector population in the surroundings of construction sites.
(xvii) Gravel, sand, and soil brought to the construction sites or resulted from demolitions might, wash off to nearby streams/ponds/water bodies, agriculture fields, low-lying areas, etc., if not properly handled. This may cause sediments blocking natural flows of water and degrading habitats.
(xviii) The construction works for the planned civic facilities in selected *Pourashavas* is likely to create a moderate demand for construction materials such as sand, clay for bricks and timber which will place a burden on resources. Therefore, there will be impacts related to sand mining and extractions of gravel from borrow pits/quarries.

(xix) There will be increase in traffic and congestion at some locations if sites are in congested areas for transportation of construction materials. Open trucks with sand, gravel, and cement could be main sources of pollution due to blowing of construction materials with winds during truck movements.
(xx) Noise and dust generation due to construction and handling of materials.
(xxi) Hygiene, health safety and sanitation conditions at labour camps at proposed construction site.
(xxii) The construction of project components may require filling works for foot path, toilet blocks, construction of drains and strengthening and upgradation of roads. The borrow area operations will have impacts on productive land, topsoil, and other associated impacts during transportation. Post completion of operations, rehabilitations is also required to avoid impacts on adjoining land.

a. Social Impacts

107. **Involuntary Resettlement.** The proposed project will undertake construction of roads and drains in all the 37 project *Pourashavas*. The roads and drains will be constructed within the rights of way (ROW) of *Pourashava* roads and land. Initial assessment indicates that there will be no land acquisition, restriction of access, or any activities that may result in physical displacement or permanent economic displacement of any individual, household, or community. Among the five sample *Pourashavas* assessed (Chowmohoni, Rouzan, Araihazar, Naohata and Keshabpur), temporary income loss to road-side shop owners is assessed in one *Pourashava* (Chowmohoni).[56] The program is classified as a category B for involuntary resettlement. The impact will be assessed and confirmed for each proposed component based on final detailed design. The screening checklist for the program is attached in **Appendix 4**. When involuntary resettlement impacts are unavoidable resettlement plan will be prepared as per the guidance outlined in this ESMF.

b. Impact on TMRESC

108. According to census 2011 data, out of 50 *pourashvas*, 37 *Pourashavas* selected under RBL program, the TMRESC constitute less than 1% (3,693) of total population 1,458,990 in all but two *Pourashavas*.[57] Among the project *Pourashavas*, only Banskhali (3.91%) and Naohata *Pourashava (*1.57%) have slightly higher TMRESC population compared to others**.** However, the TMRESC population is scattered around the *Pourashavas* (does not stay in cohesive TMRES communities or groups), in all most all the *pourashavas*; they are well assimilated in urban society except for Naohata *pourashava* (in Naohata *Pourashava* TMRESCs live in small groups). *Pourashava* wise list of TMRESC population is given in Appendix 6b. The RBL program will have beneficial impact on the TMRES communities or groups, at least in two *pourashavas*, (Naohata and Banskhali), hence, it is classified as Category B for Indigenous Peoples' safeguards.

VI. ENVIRONMENTAL MENAGEMENT PLAN, RESETTLEMENT PLAN AND TMRESC DEVELOPMENT PLAN

A. Environmental Management Plan

109. An Environment Management Plan (EMP) shall be developed as part of an IEE. The EMP will outline specific mitigation measures, environmental monitoring requirements, and related

[56]At Chowmohoni *Pourashava*, Resettlement Plan is proposed for temporary loss of income to seven (07) affected families comprising 35 persons for a period of 14 days.
[57]Population and Housing Census 2011, Bangladesh Bureau of Statistics, Statistics Division, Ministry of Planning, Government of Bangladesh.

institutional arrangements, including budget requirements for implementation. Where impacts and risks cannot be avoided or prevented, mitigation measures and actions will be identified so that the subproject is designed, constructed, and operated in compliance with applicable laws and regulations and meets the requirements specified in the EMP. The level of detail and complexity of the EMP and the priority of the identified measures and actions will be commensurate with the subproject's impacts and risks. Key considerations include mitigation of potential adverse impacts to the level of "no significant harm to third parties," the "polluter pays" principle, the precautionary approach, and adaptive management.

110. A generic environmental management plan (EMP) is presented in **Appendix 10**, that focus on all three phases – (i) design and pre-construction phase, (ii) construction phase, and (iii) operation and maintenance phase. It ensures that the project impacts are minimized to an acceptable level at all the three phases at the subproject level. Thus, EMP becomes the document for ensuring that all the preceding analysis is used to preserve/improve overall environmental quality within the influence area of the project. The EMP (presented in Appendix 8) is generic in nature thorough the probable impacts and mitigation measures is based on issues identified from the sample projects. The EMP describes the probable adverse impacts, selected management measures to bring it to an acceptable level and timelines for implementing these measures. It also clarifies roles and responsibilities PMU, PIU/*Pourashava*, contractors, etc. A subproject specific EMP will be prepared once subprojects are identified along with designs and that has to be integrated with the bidding document.

111. The site specific EMP will be prepared for specific subprojects as and when identified based on IEE. An EMP document should include:

(i) Lists of all project related activities and impacts, for each stage of the development of Projects, i.e., for the design, construction and maintenance stages;
(ii) A list of regulatory agencies involved and their responsibilities;
(iii) Specific remedial and monitoring measures proposed for each stage;
(iv) A clear reporting schedule, including discussion of what to submit, to whom, and when;
(v) Cost estimates and sources of funding for both one-off costs and recurring expenses for implementation of the EMPs.

112. EMP shall deal with the construction and operations stage of the subprojects. The extent and timing of mitigation actions should be based on the significance of the predicted impacts. Some mitigation measures can be incorporated into the design of the project and can largely resolve the potential impacts of a project, e.g., drainage, access roads. Other measures require an on-going implementation plan to ensure that proposed actions are carried out at the correct times and reduce or avoid environmental impacts.

113. A budget for the EMP should also be provided. All IEEs shall be be conducted and EMPs prepared prior to the bid invitation / award of construction contracts. The bid documents will include the requirement to incorporate necessary resources to implement the EMP. The EMP will form part of the contract document, and, if required, will need to be further updated during the construction phase of a subproject

a. Resettlement Plan

114. The implementation of RBL program will result into involuntary resettlement impacts. Initial assessment (based on sample *Pourashavas*) indicates that there will be temporary income loss to road-side shop owners due to construction of roads and drains. Other potential risks related to

access disruption, structural loss during implementation cannot be ruled out. To manage social risks, the ESMF outlines policy principles to be adopted by IUGIP RBL program (refer paragraph 42 and 43). For involuntary resettlement impacts resettlement plans will be prepared for the subprojects. The resettlement plan will establish a link between the impacts identified and proposed mitigation measures to realize the objectives of involuntary resettlement. The compensation policy to the affected persons will be guided by an Entitlement Matrix, provided in **Appendix 9**. The project will not involve and acquisition, or any permanent displacement (physical or economic displacement).

115. The resettlement plan will outline the national legislation and ADB SPS principles on involuntary resettlement that guides the document, will include measures to ensure that the displaced persons are (i) informed about their options and entitlements pertaining to compensation, relocation, and rehabilitation; (ii) consulted on resettlement options and choices; and (iii) provided with resettlement alternatives. During the identification of the impacts of resettlement and resettlement planning, and implementation adequate attention to gender concerns, including specific measures addressing the need of female headed households, gender-inclusive consultation, information disclosure, and grievance mechanisms, to ensure that both men and women receive adequate and appropriate compensation for their lost property/structure and resettlement assistance.

116. The project entitlement policy addresses the involuntary resettlement impacts due to construction works on affected households and communities. As per this framework prepared for the proposed RBL program; all affected households and persons will be entitled to a combination of compensation packages and resettlement assistance, depending on the nature of ownership rights on lost assets, scope of the impacts including vulnerability of the displaced persons, and measures to support livelihood restoration if livelihood impacts are envisaged.

117. Compensation eligibility will be limited by a cut-off date, which is date of detail measurement and census survey for the nontitle holders. The project entitlement matrix identifies and lists the various types of losses resulting out of the project and specific compensation and resettlement packages for each category. The Entitlement Matrix relevant to this RBL program is presented in **Appendix 9**.

118. **Eligibility.** The RBL program will consider the following persons eligible for compensation, assistance, and benefits. These include:

(i) persons who will lose land/assets/income in their entirety or in part, and have formal legal rights to the land;
(ii) persons who will lose the land they occupy in its entirety or in part, and have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national laws, e.g., tenants and leaseholders;
(iii) persons occupying land over which they neither have legal title, nor have claims recognized or recognizable under national law e.g., sharecroppers, squatters, encroachers, wage labour without formal contracts; and
(iv) vulnerable households comprise below poverty line households,[58] female-headed households, households with out of school/working children, disabled person-

[58]This Framework calculates the upper poverty line for urban area from the 2016 upper poverty line determined by the Bangladesh Bureau of Statistics (BBS), with added inflation rate 5.32 (*Source: Consumer Price Index (CPI), Inflation Rate and Wage Rate Index (WRI) in Bangladesh, Bangladesh Bureau of Statistics (BBS), February 2021*). The upper

headed household, elderly-headed household or elder,[59] landless household, household with no legal title / tenure security, and indigenous people.

119. **Cut-off-date.** For legal title-holders, the date of publication of the notice by the Deputy Commissioner under Section 4 of ARIPA, 2017 will be considered as the cut-off-date (land acquisition is not assessed for the RBL program). The date of detail measurement census survey will be the cut-off-date for the affected non-titleholders. Any persons moving into the subproject area after the cut-off-date will not be entitled for compensation or assistance under the project.

120. **Entitlements, Assistance and Benefits.** The project entitlement policy addresses potential direct impacts of project construction on displaced persons, households and communities. The most direct and immediate impacts are those associated with project construction that will cause temporary loss of income or potential loss of structures. Mitigation is provided through compensation and assistance to project-displaced persons, households, and group on the basis of this policy framework adopted by the RBL program. The policy provides mitigation for:

(i) loss of assets, land due to temporary requisition of land for storing and staging area of construction materials;
(ii) loss of structures;
(iii) collective impacts on groups, such as loss of community assets, common property resources, and others
(iv) temporary loss of livelihood or income opportunities; and
(v) temporary impacts or disruptions due to project construction work.

121. Affected vulnerable households will be entitled to additional vulnerability assistance. Vulnerable households comprise below poverty line households, female-headed households, households with out of school/working children, disabled person-headed household, elderly-headed household, landless household, household with no legal title / tenure security, and households belonging to small ethnic communities.

122. Damages/unanticipated losses caused during construction, if any will be eligible for compensation. Such issues will be identified and closely monitored by the safeguard monitoring unit of the PMU and PIUs. Compensation for unanticipated temporary impacts and damage during construction will be borne by the contractor. Unanticipated losses, if any, will be mitigated/ compensated as per the entitlement matrix of this resettlement framework. Loss of drinking water, sanitation and/or any other facility due to damage of existing infrastructure during construction will be mitigated through provision of alternate facilities (e.g., alternate means of water supply). The time gap between transfer from old system to new in certain areas will be minimized to avoid inconvenience to the public.

123. The entitlement matrix provides guidance for compensation, resettlement, and rehabilitation assistance planning. The entitlement matrix lists various types of losses, defines eligibility criteria and entitlements and provides basic parameters for preparation of compensation

poverty line for the year 2016 for urban area is BDT 2,929 [*source: Report on Household Income and Expenditure Survey 2016, published on October 2017* (latest publication) *by Statistics and Information Division, BBS*]. Thus, BPL definition for urban metropolitan is BDT 3,085 per capita/month in 2021. As such the per capita average monthly household income under BPL stands at BDT 13,882.50 {BDT 3,085 × 4.5 (HH size) =13,882.50}.
https://bbs.portal.gov.bd/sites/default/files/files/bbs.portal.gov.bd/page/9ead9eb1_91ac_4998_a1a3_a5caf4ddc4c6/2021-03-11-10-03-65061050cbf18fb6cdc89ddb562f5edc.pdf

[59]The eligibility will follow the Department of Social Service of Ministry of Social Welfare that uses 65 years old for man and 62 years old for woman to define elderly people.

and resettlement benefits. The entitlement matrix is prepared in accordance with GOB and ADB SPS, 2009.

b. TMRESC Development Plan

124. **Preparation of TMRESC Development Plan.** An TMRESC addresses the aspirations, needs, and preferred options of the affected indigenous people, and places before them development options, keeping their distinctive socio-cultural status in view. The TMRESC aims to strengthen the capacity of the affected TMRESC to encourage them to participate in and derive benefits from the project intervention. The principal elements of an TMRESC are:

(i) development plans for TMRESC should be prepared considering best options and approaches that are in accordance with affected individuals and communities;
(ii) scope and impact of adverse effects of the project are assessed, and appropriatemitigation measures designed;
(iii) social and cultural context of affected TMRESC and their traditional skill and knowledgein natural resource management should be considered;
(iv) regular consultation will be held with the TMRESC, including the women, to seek their informed participation in designing mitigation measures and project intervention atall stages of project preparation and implementation. To achieve this information sharing, disclosure meetings, workshops, and distribution of pamphlets in local language will be carried out;
(v) in areas where working experience with TMRESC is unknown, a pilot scale operation will be carried out and evaluated prior to full-scale implementation;
(vi) community organizations, non-governmental organizations (NGO), and consultants experienced in executing TMRESC development plans will be engaged to prepare TMRESCDP(s);
(vii) responsible agency will formulate TMRESCDP implementation schedule, which will be periodically monitored by *pourashava* officials as well as an independent/external monitoring agency; and
(viii) responsible agency will also prepare a budget for TMRESCDP implementation and a financing plan to ensure smooth progress.

125. **Specific Action Plan for TMRESC**. To enhance project benefits to TMRESC, LGED will ensure culturally appropriate project implementation, address any potential safeguards issues and ensure inclusion, a specific action plan for indigenous peoples/TMRES community will be prepared for the subproject. The action plan will carry out the following specific activities:

(i) A baseline survey will be conducted for the identification of TMRESC in *Pourashavas* under RBL program with presence of TMRESC (mainly Naohata and Banskhali). The PIU will further check and update data on exact number TMRESC households for ensuring water supply connection. Cost for such activity is already included in the contract document of the project;
(ii) Proposed benefits (e.g., access to shops and houses) to TMRESC households will be shared and monitored;
(iii) Information education and communication (IEC) materials, information sharing, consultations and other outreach activities will be carried out in a culturally appropriate way during the implementation;

(iv) Grievance redress system will also ensure that any complaint/grievance registered (by TMRESC) will be redressed through a gender inclusive and culturally sensitive manner and facilitating resolution of the TMRESC concerns;

(v) Consultations with TMRESC households will be conducted at all stages of project planning and implementation which shall help in identifying any culture-specific requirements and traditions like avoidance of any specific festival days, and/or other activities with cultural significance to the TMRESC communities during civil work; and any other TMRESC related issues and concerns that may be of importance to the community. A monitoring survey will be conducted to document the views of TMRESC households about project benefits. Such a survey is in line with project internal monitoring.

(vi) The action plan will be used for project monitoring to ensure that TMRESC/indigenous people activities are undertaken on a timely basis and reported semi-annually and to determine whether project objectives have been achieved a budget is included for implementation of the specific action plan. The specific action plan for a subproject would include specific activities related to the proposed component/services to be provided through the RBL program, monitoring measure, responsibility and timeline to accomplish the specific activity.

126. If the indigenous people/ TMRESC impacts are not significant or generally positive, the PIU in consultation with PMU and respective *pourashava* could decide to prepare a “specific action” plan in a due diligence report or a combined resettlement and indigenous peoples plans (RIPP) detailing required actions to address the indigenous people/ TMRESC issues without preparing a standalone TMRESCDP. This decision will depend on the severity of impacts. This “specific action” plan can be a community action plan where the indigenous people/ TMRESC groups live with non-indigenous people in the same subproject location. Another way is to incorporate indigenous people issues and their benefits into the resettlement plan, if any. If the above is not feasible, it is possible to specifically include them in the subproject beneficiary group.

VII. PARTICIPATION, CONSULTATION AND DISCLOSURE

A. Participation and Consultation

127. Public participation and community consultation is an integral part of environmental and social assessment. Public participation has been viewed as a continuous two-way process, involving promotion of public understanding of the processes and mechanisms through which developmental problems and needs are investigated and solved. Consultation is used as a tool to inform and educate stakeholders about the proposed action both before and after the development decisions are made. It assists identification of the problems associated with the sub projects as well as the needs of the population likely to be impacted. This participatory process enables the participation of the local people in the decision-making process. The involvement of the various stakeholders ensures that the affected population and other stakeholders are informed, consulted and allowed to participate at various stages of project preparation.

128. Consultation, participation, and disclosure will ensure that information is provided and feedback on proposed subproject design is sought early, right from the subproject preparation phase, so that the views/preferences of stakeholders including potential beneficiaries and affected people can be adequately considered, and continue at each stage of the subproject preparation, processing, and implementation.

129. The public participation process includes (i) identifying interested and affected parties (stakeholders); (ii) informing and providing the stakeholders with sufficient background and technical information regarding the proposed development; (iii) creating opportunities and mechanisms whereby they can participate and raise their viewpoints (issues, comments, and concerns) with regard to the proposed development; (iv) giving the stakeholders feedback on process findings and recommendations; and (v) ensuring compliance to process requirements with regards to the environmental and related legislation.

130. The key stakeholders to be consulted at various stages during subproject preparation, EMP and resettlement plan implementation, and program implementation includes:

(i) all affected persons, including vulnerable households;
(ii) program beneficiaries;
(iii) communities where subproject components are implemented;
(iv) elected representatives, community leaders, and representatives of community-based organizations;
(v) local NGOs;
(vi) local government and relevant government agency representatives; and
(vii) Project staff of LGED, PMU, PIU, *pourashavas*, PMDSC, and contractor.

131. Consultation is a continuous process; the PMU and PIU will ensure that affected persons and other stakeholders are informed and consulted about the subproject, its impact, their entitlements and options, and allowed to participate actively in the development of the subproject. This will be done particularly in the case of vulnerable affected persons, who will be encouraged to choose options that entail the lowest risk. This exercise will be conducted throughout the subproject—during preparation, implementation, and monitoring of subproject results and impacts. Participatory consultation with the affected persons and other stakeholders will be documented and appended to the respective IEEs and resettlement plan containing consultation meeting details, minutes of the meetings, list of participants.

a. Information Disclosure

132. The mechanism for information dissemination should be simple and be accessible to all. Two of the important means that have been followed and continue through the project lifecycle include briefing materials and organization of community consultation sessions. The briefing material (all to be prepared in local language, Bengali) will be in the form of (a) brochures or program disclosure leaflet that will include project information, anticipated environmental and social impacts, mitigation measures, land requirements and details of entitlements including compensation and assistance, grievance redress mechanism to be given to the affected persons and other stakeholders that can be kept in the offices of *pourashavas*, local PIU offices; (b) sign boards to be displayed at subproject site locations and (c) leaflets that to be distributed in the impacted zone of the project.

133. The ESMF and PSSA documents will be disclosed to the broad public and will be made available for public appraisal at the LGED offices and *Pourashava* offices. Both the draft and final ESMF will be uploaded on the websites of ADB and LGED. It will be the guidance document for IEE/EMP and resettlement plan formulation. The summary of IEEs/EMPs and resettlement plan will be translated into Bangla by PIU with support of PMDSC and will be made available for affected persons, other stakeholders, and will be kept at *Pourashavas,* PIUs, PMU and shared with affected persons before the commencement of any subproject activity. The ESMF, IEE/EMP and resettlement plans (both draft and final versions) will be disclosed in the LGED, PMU websites.

134. Information dissemination, through subproject specific leaflets (in local language Bengali) and public announcements, and consultation will be done throughout program implementation. The project leaflets will be distributed to the affected communities for their information. The subproject cut-off-date will be established upon the completion of final detail design, detail measurement survey (DMS) and census of affected person. The subproject cut-off-date will be informed to the affected persons directly, through dissemination of project leaflets, public announcements in the local media, as well as stated in the project sign boards.

b. Disclosure of Safeguard Documents

135. RBL program safeguard planning documents, i.e. IEEs, EMPs, mitigation plans, resettlement plans, due diligence reports and corrective action plans will be disclosed to affected persons and other stakeholders. Environmental and social semi-annual safeguard monitoring reports too will be disclosed to the broad stakeholders on LGED and PMU websites.

(i) Environmental Social Management Framework (ESMF)
(ii) A draft IEE (including the draft EMP)
(iii) Final IEE with EMP
(iv) Draft and final resettlement plans
(v) Draft and final due diligence reports (DDRs)
(vi) A new or updated IEE with corrective action plans, if applicable
(vii) Semi-annual environmental monitoring reports (SEMRs)
(viii) Semi-annual social safeguard monitoring reports (SSMRs)

VIII. GRIEVANCE REDRESS MECHANISM

136. **Grievance Redress Mechanism**. LGED has a centralized existing online GRM.A dedicated web portal[60] is being maintained where people can file their grievances. LGED will issue

[60]http://oldweb.lged.gov.bd/commentgrslged.aspx

a notification to mandate the existing GRM to receive safeguards-related complaints. The RBL program will have both online as well as offline mode to receive the grievances. The portal will have a dedicated tab for receiving/filling grievances particular to the Improving Urban Governance and Infrastructure Program (this RBL Program).

137. The RBL program will also have an offline grievance filing system for those who do not have access to the internet. Each component or activity site will maintain a complaint register specific for lodging affected people's concerns, complaints, and grievances about the social, land, and environmental issues or concerns. The safeguard focal person/Project Director at PMU will ensure the follow-up of the grievance until resolved. The PMU will have a regular review to ensure that all grievances are resolved in time-bound and through a transparent mechanism. The affected person is free to access the country's legal system at any time and at any stage. The affected person also can use the ADB Accountability Mechanism (AM) through directly contacting (in writing) the Complaint Receiving Officer (CRO) at ADB headquarters or the ADB Bangladesh Resident Mission (BRM).

138. Affected persons will have the flexibility of conveying grievances /suggestions by dropping grievance redress/suggestion forms in complaints/suggestion boxes that will be installed by PIU at PIU office or respective *pourashava* or through telephone 02-44826177 at accessible locations, by e-mail to pd.ugiip3@gmail.com.[61] by post, or by writing in a complains register in PIU or *Pourashava* office. As per the Grievance Redress System Guidelines, 2015 (Revised 2018), and as a constitutional requirement, every *pourashava* has established grievance redress system. An aggrieved person can register complaint through telephone, mobile, or email. As per the GRS guidelines (Section 5) every government office department (including city corporations and *pourashava*) should form a grievance management cell. The grievance management cell has a Grievance Redress Officer (GRO) and an Appeal Officer (a senior person by position and authority). In absence of the GRO, another focal person will be designated by the Appeal Officer to execute the responsibilities of GRO. The *Pourashavas* also have grievance/ complaint receiving boxes. Usually, the following steps are followed at the *pourashava* level as grievance redress system:

(x) Aggrieved person approaches *pourashava* helpdesk/reception or the concerned municipal ward councillor to state or register complaint.
(xi) After hearing the complaint, the ward councillor/focal person, takes decision to register the complaint and requests the complainant to give a written complaint to the *pourashava*.
(xii) The complaint file is then presented to the Mayor, who sends it to the concerned department.
(xiii) The concerned department and grievance management cell tries to resolve the issue or takes decision for hearing.
(xiv) The focal person of *pourashava* verbally discuss with both parties (plaintiff and defendant) to fix a date for the hearing.
(xv) The *pourashava*, Grievance Management Cell gives notice to both parties for a hearing. (Sometimes it takes more than one hearing to resolve the complaint).
(xvi) The complainant may be asked to submit documents, if required.
(xvii) The complaint/grievance may be brought upto the Mayor, if required.
(xviii) Finally, the grievance management cell provides a report on the complaint.

[61] Project Director of UGIIP 3 project is overseeing the proposed RBL project.

139. Citizens (complainants) are made aware about the grievance management cell through various channels like pourashava's citizen charter, working signboards, leaflets.

140. As per the Grievance Redress System Guidelines, 2015 (Revised 2018), any complaint must be resolved maximum within 30 working days; if the complaint matter is considered for investigation, then it should be resolved within additional 10 working days (Section 7.4.1) A sample grievance registration is appended in **Appendix 10**.

141. Careful documentation of the name of the complainant, date of receipt of the complaint, address/contact details of the person, location of the problem area, and how the problem was resolved will be undertaken. PMU safeguard officer will have the overall responsibility for timely grievance redressal on environmental and social safeguards issues and for registration of grievances, related disclosure, and communication with the suggested party through the PIU designated safeguard focal person.

IX. INSTITUTIONAL ARRANGEMENT FOR SAFEGUARD COMPLIANCE AND CAPACITY BUILDING

A. Institutional Arrangement for Safeguard Compliance for RBL Program

142. The Ministry of Local Government, Rural Development and Cooperatives (MLGRDC) acting through its Local Government Engineering Department (LGED) will be the Executing Agency. The implementation of the RBL program will be through Local Government Engineering Department at the local level. The respective *Pourashavas*, where the program will be implemented, are also active stakeholders of the program. After construction of the subproject components, these will be transferred to *Pourashavas*.

143. At the LGED, PMU has been established and this PMU is being supported by the consultants. The PMU established at LGED is implementing UGIIP III.[62] The same PMU will implement RBL program. At the *Pourashava* level, district level team of LGED (PIU) will implement the program related construction works. The diagnostic assessment undertaken under PSSA revealed that at the LGED-PMU, currently, there are no environmental and social safeguard specialists.[63] As part of current RBL program implementation, the PSSA has recommended as an action point for recruitment of one environmental safeguard specialist and one social safeguard specialist at the PMU level. The both safeguard specialists will report to the Project Director and together will form the safeguard cell. The PMU will coordinate with district level LGED Office that will form the PIU and will be responsible implementation. In the operation phase, *Pourashavas* will take care of operation and maintenance of facilities constructed with the assistance of district team of LGED (PIU). At PIU level, one officer of Assistant Engineer rank will be designated as safeguard focal person, who will ensure EMP and resettlement plan implementation. Project Management, Design and Supervision Consultants (PMDSC) will be engaged to work closely with and advise the PMU and PIUs. Contractors at each subproject site will also designate one site engineer as environment, health, and safety officer.

144. The Safeguard Cell at PMU will ensure that environmental requirements and EMPs and the resettlement plans are included in subproject contract documents. It will also ensure that contractors will adhere to the mitigation measures listed in subproject EMPs and resettlement plans.

[62]Third Urban Governance and Infrastructure Improvement (Sector) Project.
[63]The PMU is being supported by the UGIIP consultant safeguards specialists.

145. **PMU Safeguards Cell**. The safeguard responsibilities of **PMU Safeguards Cell** will be as follows:

1. Environmental Safeguard Responsibilities

(i) Confirm preparation IEEs/EMPs for all proposed subprojects, update existing IEEs/EMPs based on detailed designs, and that new IEEs/EMPs are prepared in accordance with the ESMF and subproject selection criteria related to safeguards;
(ii) Screen subprojects to avoid a Category A projects. Ensure that a single EIA/IEE report is produced that meet both ADB and DOE requirements;
(iii) Confirm whether IEEs/EMPs are included in bidding documents and civil works contracts;
(iv) Oversee preparation of new IEEs where necessary; provide oversight on environmental management aspects of subprojects and ensure EMPs are implemented by PIU and contractors;
(v) Establish a system to monitor environmental safeguards of the project, including monitoring the indicators set out in the monitoring plan of the EMP;
(vi) Facilitate and confirm over all compliance with all government rules and regulations regarding site and environmental clearances, as well as any other environmental requirements (e.g., location clearance certificates, environmental clearance certificates, etc.),as relevant;
(vii) Supervise and provide guidance to the PIUs to properly carry out the environmental monitoring and assessments as per the ESMF;
(viii) Review, monitor, and evaluate the effectiveness with which the EMPs are implemented, and recommend necessary corrective actions to be taken as necessary;
(ix) Consolidate monthly environmental monitoring reports from PIUs and submit semi-annual monitoring reports to ADB;
(x) Ensure timely disclosure of final IEEs/EMPs in locations and form accessible to the public; and
(xi) Address any grievances brought about through the grievance redress mechanism in a timely manner.

2. Social Safeguard Responsibilities

(i) Ensure subprojects conform to the agreed project selection criteria for the project;
(ii) Review and finalize project involuntary resettlement category;
(iii) Oversee preparation of resettlement plans/Due Diligence Report (DDRs); confirm existing resettlement plans/DDRs are updated based on detailed designs, and that new project resettlement plans/DDRs are prepared in compliance with ADB SPS 2009 and policies, regulations of GOB for the project;
(iv) Responsible for issuing the public notice along with project information/details as well as the project cut-off-date;
(v) Ensure that resettlement plans/DDRs are included in bidding documents and civil works contracts;
(vi) Provide oversight on social safeguard management aspects of projects and ensure resettlement plans and impact avoidance measures outlined in

the resettlement plan/environmental management plan/DDR are implemented by PIU and contractors;

(vii) Supervise and guide the PIUs and *pourashavas* to properly carry out the social safeguard monitoring;

(viii) Ensure and monitor the provision in the contract to include the vulnerable people to be the beneficiaries of the facilities constructed under the Project;

(ix) Facilitate and ensure compliance with all government rules and regulations regarding project implementation. Obtain No Objection Certificates, land ownership and transfer details etc. for each site, as relevant and include the same in the respective social safeguard documents for the package;

(x) Supervise and guide the PIUs to properly carry out the social safeguard monitoring (resettlement plan);

(xi) Review, monitor, and evaluate the effectiveness with which the resettlement plans/provisions of DDRs are implemented, and recommend corrective actions to be taken as necessary;

(xii) Consolidate monthly social safeguard and gender monitoring reports from PIUs/ PMDSCs, prepare and submit semi-annual social safeguard monitoring reports (SSMR) to ADB;

(xiii) Ensure timely disclosure of final resettlement plans/DDRs in locations and form accessible to the public and affected persons;

(xiv) Address any grievances brought about through the grievance redress mechanism in a timely manner;

(xv) Ensure effective implementation of GRM at all level;

(xvi) Identify training needs and coordinate training activities for the PIUs/ contractors/project consultants for capacity building to implement the Resettlement Plans/DDR, and GRM;

(xvii) Coordinate database management for social safeguards implementation and monitoring; and

(xviii) Coordinate public awareness campaigns by the PIUs including resettlement provisions with the help of print and electronic media.

146. **Project Implementation Unit (PIU).** The LGED office at the district level will form the PIU and will be responsible implementation of RBL subproject components, EMP and resettlement plans. Participating *Pourashavas* are the major stakeholders of PIU and will be responsible for operation and maintenance of the constructed facilities. PMDSC will support PIU with implementation. The safeguard tasks of PIU are as follows:

1. Environmental Safeguard Responsibilities

(i) include IEEs/EMPs in bidding documents and civil works contracts;

(ii) oversee day-to-day implementation of EMPs by contractors, including compliance with all government rules and regulations;

(iii) take necessary action for obtaining rights of way;

(iv) oversee implementation of EMPs, including environmental monitoring by contractors;

(v) take corrective actions when necessary to ensure no environmental impacts;

(vi) submit monthly environmental monitoring reports to PMU,

(vii) conduct continuous public consultation and awareness;

(viii) address any grievances brought about through the grievance redress mechanism in a timely manner as per the IEEs; and
(ix) organize an induction course for the training of contractors, preparing them on EMP implementation, environmental monitoring requirements related to mitigation measures, and on taking immediate action to remedy unexpected adverse impacts or ineffective mitigation measures found during the course of implementation.

2. Social Safeguard Responsibilities

(i) Assist the detailed design services consultants to communicate, consult and disclose the updated/finalized safeguards documents to the affected people acknowledgement for their endorsement;
(ii) Implement final resettlement plans and ensure timely payment of compensation and other assistance prior the dispossession of the affected assets or the starts of civil works;
(iii) Facilitate/ assist the detailed design consultants for the draft resettlement plan/DDR updating and preparation of safeguards documents for future subprojects;
(iv) Support the PMDSC in assessing and reviewing the land availability and ownership status of the proposed subproject areas;
(v) Inform affected persons about tentative construction schedule, entitlement matrix and compensation packages against different categories of loss, and cut-off date;
(vi) Liaise with and undertake consultations with land owners for negotiated purchase of land for subproject component (if required) and document minutes of meeting of such consultations;
(vii) Coordinate valuation of assets, trees of various species, etc. based on proper due diligence and assessment, prepare compensation packages;
(viii) Coordinate, supervise and monitor disbursement of compensation;
(ix) Obtain no objection certificates (NOCs), land documents, third party certifications as required for the project;
(x) Oversee maintenance of data for monitoring, by consultants and contractors;
(xi) Conduct social safeguards monitoring during civil works and submit monthly report to PMU;
(xii) Take corrective actions when necessary to ensure avoidance/minimization of involuntary resettlement impacts;
(xiii) Establish the GRC, disclose the project GRM to the affected communities and coordinate with other local government agencies for the preparation and implementation of the resettlement plan;
(xiv) Address any grievances brought about through the project's grievance redress mechanism in a timely manner;
(xv) Undertake day-to-day implementation of final resettlement plans; and
(xvi) Extend support in carrying out awareness campaigns in project towns.

147. **Project Management, Design and Supervision Consultant (PMDSC).** The PMDSC will provide project management, design and supervision services to support the Project Management Unit (PMU). PMDSC will provide support to the LGED, PMU for project management and administration, construction supervision and quality control, safeguard compliance, municipal services operation and maintenance, monitoring and evaluations, and other activities as

appropriate. PMDSC will have an environment specialist, a social safeguard specialist. The PMDSC will provide following support to PMU and PIU.

1. Environmental and Social Safeguard Responsibilities to Support PMU

(i) Provide technical support to PMU including review and update the ESMF and guidelines for specific types of the subprojects;
(ii) Assist PMU in preparing annual work plan for IEE/RP preparation, update and finalize IEEs and resettlement plans as per final design and detail measurement census surveys in accordance with the ESMF and submit to PMU for approval and submission to ADB;
(iii) Coordinate on all environmental and social (involuntary resettlement) concerns and ensure that all subprojects comply with safeguards requirements of ADB and Government of Bangladesh;
(iv) Capacity building of PIU officials, *Pourashava* officials and staff, and Contractors regarding environmental and social safeguards, issues;
(v) Assist PMU in all activities related to preparation, screening and finalization of subproject safeguard documents (IEE/EMP, resettlement plans and due diligence reports) including budget allocation, approval and internal monitoring, etc.;
(vi) Perform any other task assigned by the PMU Project Director and support PMU environmental safeguard specialist and social safeguard specialist;
(vii) Prepare the draft semiannual monitoring reports for review and submission to PMU and ADB; and
(viii) Update, review and finalize the draft and new IEEs/resettlement plans prepared by the regional of the project for submission and approval to PMU and ADB.

2. Environmental and Social Safeguard Responsibilities to Support PIU

(i) Assist PIUs to implement resettlement plans/IEEs;
(ii) Guide PIU staff (safeguard focal person) conduct surveys, collect information, conduct site specific consultations;
(iii) Guide and support PIUs to announce cut-off dates, and disclose EMPs and resettlement plans to affected persons and implement EMP/RPs;
(iv) Support PIUs in EMP/resettlement plan implementation, monitoring and reporting, and grievance resolution and reporting;
(v) Ensure that PIUs and contractors implement environmental and social impact avoidance and mitigation measures;
(vi) Assist PIUs to ensure resettlement plans are implemented and all compensation paid prior to start of civil works;
(vii) Assist in monitoring and reporting, preparation of quarterly and semi-annual reports (environmental and social);
(viii) Assist in grievance resolution and reporting;
(ix) Supervise contractors to ensure any land required temporarily during construction, is restored to original condition, post construction and all measures to mitigate and minimise environmental impacts as per EMP are adhered to;
(x) Assist PIUs in monitoring of socioeconomic status of affected persons, post resettlement plan implementation.
(xi) Assists PIUs in information dissemination campaign for affected persons at the outset of resettlement plan implementation and all the comments made

by the affected persons will be documented in the subproject records and summarized in subproject monitoring reports;

(xii) Prepare periodic safeguard monitoring reports (environmental and social) as per the format acceptable to ADB, formats as provided in PAM;

(xiii) Extend assistance to LGED PIU in carrying out awareness campaigns focused on involving social and behavioural messages related to hygiene, sanitation, and health activities in the focus areas.

148. **Civil works contracts and contractors.** EMPs are to be included in bidding and contract documents and verified by the PIUs and PMU. The contractor will be required to designate an Environment, Health and Safety (EHS) supervisor to ensure implementation of EMP during civil works. Contractors are to carry out all environmental mitigation and monitoring measures outlined in their contracts.

149. The Contractors will ensure that bidding and contract documents include specific provisions requiring contractors to comply with: (i) all applicable labor laws and core labor standards on (a) prohibition of child labor as defined in national legislation for construction and maintenance activities; (b) equal pay for equal work of equal value regardless of gender, ethnicity, or caste; and (c) elimination of forced labor; and with (ii) the requirement to disseminate information on sexually transmitted diseases, including HIV/AIDS, to employees and local communities surrounding the project sites.

a. Capacity Building and Training for Safeguard Compliance

150. As a part of the capacity building during the implementation of IUGIP RBL Program, training programs will be conducted at PMU, PIUs (at Pourashava level) and subprojects construction sites on environmental and social safeguards policies, and how to prepare safeguard planning and monitoring instruments and implement them. The subproject sites/PIU level training programs will focus on the awareness about safeguard requirements among the PIU and contractor staff who will involve in activities related to construction of drains, roads, toilet block, low-income neighborhoods improvement and other components. The capacity building training programs will be conducted by the PMU environmental specialist with the assistance of PMDSC environmental expert and social safeguard specialist from PMU with PMDSC social safeguard expert. The site level training programs will focus on EMP implementation, safety measures, monitoring, resettlement plan implementations, measures to avoid or minimize involuntary resettlement impacts, etc. At the PMU level, safeguards training program will focus on loan covenants compliances, monitoring requirements and reporting to ADB and regulatory agencies. The details training modules will be devised during safeguards document preparation.

151. During Program supervision missions, ADB will assess environmental compliance of subprojects and will recommend safeguard strengthening exercises, if required. It will also support the strengthening of the application of environmental safeguard policy principles to subprojects, safeguard compliance and monitoring of safeguard compliances.

152. PMU and PMDSC will also organize trainings for PMU officials, PIU staffs, contractors, *pourashava* officials orienting them on environmental and social safeguards principles as outlined in ADB SPS 2009, EMP and resettlement plan implementation, including GRM, and social safeguards monitoring requirements and mitigation measures. Table 4 provides the indicative training needs assessment. The cost of trainings will be borne under the Project's capacity building program by PMU.

Table 4: Indicative Training Program

Description	Contents	Schedule	Participants
Program 1 Orientation Workshop	**Module 1 – Orientation** ADB Safeguard Policy Statement Government of Bangladesh policy **Module 2 – Social/Environmental Assessment and Resettlement Planning/IEE Process** ADB policy and process, identification of impacts and mitigation measures, RP/IEE preparation, implementation, and monitoring requirements. Incorporation of safeguards into project design and contracts. Importance of robust GRM.	1 Day	LGED officials involved in project implementation PMU, PIUs, P*ourashava* officials
Program 2 Workshop for Contractors and Supervisory staff	IR/environmental issues during construction Implementation of RP/IEE Monitoring of RP/IEE implementation, Reporting Requirements, GRM	1 Day	PIUs, Contractors
Program 3 Experiences and Best Practices Sharing	Experiences on RP/IEE implementation, grievance redress – Issues and Challenges - Best Practices followed	1 Day (on a regular interval to be determined by PMU and PMDSC)	PMU, PIUs PMDSC, Contractors

IEE = Initial Environment Examination; LGED = Local Government Engineering Department; PIU = Project Implementation Unit; PMDSC = Project Management, Design and Supervision Consultant; PMU = Project Management Unit

X. MONITORING AND REPORTING

153. As a results-based loan, the LGED has to ensure that environmental and social safeguard impacts and risks are adequately addressed. Periodic monitoring by the Safeguard Cell, PMDSC environmental and social safeguard experts and the designated safeguard focal personal PIU will help to apply ESMF to the IUGIP RBL Program. With ADB's assistance, the LGED will develop a mechanism to reduce safeguard risks through credible results verification mechanism built into the project.

154. The Executing Agency and ADB will have their own safeguard compliance monitoring systems. At the PMU level the Safeguard team will develop a safeguard monitoring methodology for the RBL program with the support and of PMDSC. The PMU will:

(i) Establish and maintain procedures to monitor the progress of implementation of safeguard plans. For the RBL program, the key safeguard implementation plans will be the EMP for each sub - project and resettlement plans for subprojects where involuntary resettlement impacts are triggered.
(ii) With the assistance of the PMDSC safeguard experts will verify the subproject's compliance with safeguard measures and its progress toward intended outcomes.
(iii) Document and disclose monitoring results and identify necessary corrective and preventive actions in semi-annual monitoring reports.
(iv) Submit monitoring reports on safeguard measures, as agreed, to ADB for review and approval.

(v) Follow up on these actions to ensure progress toward the desired outcomes.

155. PIUs will monitor implementation of EMPs, Resettlement Plans, TMRESC Development Plans of the RBL program activities /subprojects with the support of the MDSC. The contractor will conduct day to day implementation of the these plans on site and submit monthly reports to their respective PIUs. The monthly reports will include compilation of copies of monitoring sheets accomplished and duly signed by the contractors' EHS Officers (or equivalent) on a weekly basis. The PIUs, assisted by MDSC, will submit quarterly safeguards monitoring reports to PMU.

156. MDSC safeguards expert at PMU, will consolidate monitoring reports, and prepare a consolidated semi-annual environmental and social monitoring reports (SEMR and SSMR) for overall RBL Program. PMU shall review and approve these reports and will disclosed on the LGED/PMU website. These monitoring and reporting activities and tasks shall continue throughout the implementation of the program. In the annual progress reports of the RBL program submitted to ADB, PMU will include environmental and social safeguards sections. PMU will report status and compliance of safeguards program actions periodically to ADB. ADB will conduct review of safeguard compliances of RBL program activities/subprojects on a sample basis during the periodic review missions.

XI. ESMF BUDGET

157. The project will have its budget for implementation of EMPs, and resettlement plans. The EMP and resettlement plan implementation cost will be borne by the Executing Agency. The budget heads will include the following:

(i) Environmental and Social plan preparation;
(ii) Involuntary resettlement assistances;
(iii) Training and capacity building;
(iv) Implementation arrangement;
(v) Monitoring and evaluation; and
(vi) Cost incurred for day-to-day expenses on R&R issues.

Appendix 1: Gap Analysis of Environmental Safeguard Regulatory Framework Requirement, Institutional Capacity and Recommendations to Address Gaps

ADB Policy Principle	Triggered by the RBL Program	Equivalence of GOB Environmental Regulatory Framework	Addressing Gap for RBL Program
1-Use a screening process for each proposed project, as early as possible, to determine the appropriate extent and type of environmental assessment so that adequate studies are undertaken to commensurate with the significance of potential environmental impacts and risks.	Yes	GOB regulatory framework is generally equivalent to ADB. Environmental Conservation Act (ECA), 1995 and Environmental Conservation Rules, (ECR), 1997 stipulates the environmental assessment requirements. ECR stipulates screening process to classify the project and identify the environmental assessment requirements. This is in line with ADB SPS policy principle. ADB SPS classification of A, B or C is based on significance of potential impacts. The ECR classifies projects/activities into four categories (Green, Orange-A, Orange-B and Red). Considering the site and impact on the environment, schedule 1 of the ECR provides a list of projects (include industrial establishment and infrastructure projects) under each category. Thus, depending on the type and scale of the project, a prefixed category will apply. In general, category A, B and C or ADB SPS corresponds to 'Red', 'Orange' and 'Green' category per ECR 1997.	Potential environmental impacts of proposed RBL activities are likely to be minimal. Screening needs to be undertaken to exclude following activities: (i) classified as Category A under ADB SPS, and (ii) those classified as 'Red' category and requiring EIA study under GOB ECR 1997. A screening form, combining both ADB and ECR requirements, will be introduced.
2-Conduct an environmental assessment for each proposed project to identify potential direct, indirect, cumulative, and induced impacts and risks to physical, biological, socio-economic and physical	Yes	GOB regulatory framework is generally equivalent to ADB. GOB regulatory framework requires conduct of environmental assessment of projects. Based on the project classification,	The environmental impacts of RBL activities during construction and operation needs to be assessed through conduct of environmental assessment. Although GOB requirements for conducting

ADB Policy Principle	Triggered by the RBL Program	Equivalence of GOB Environmental Regulatory Framework	Addressing Gap for RBL Program
cultural resources in the context of the project's area of influence.		assessment requirements are defined. This is similar to ADB SPS. The category with highest potential to have environmental impacts (Red category), requires an environmental impact assessment (EIA). 'Orange' category projects require an initial environmental examination (IEE). DOE issues environmental clearance certificate (ECC) based on the review and approval of EIA/IEE, which is needed prior to start of construction. "Green" category projects do not require any study and based on submission of necessary information in the requisite format application, DOE issues environmental clearance certificate.	environmental assessment for proposed projects is similar to ADB SPS, the applicability of ECR is limited only to few activities proposed in RBL (roads and community toilets), remaining activities (drains, low-income neighborhoods infrastructure, markets and parks) are not in the ECR schedule, and therefore do not require screening, environmental assessment or ECC. A framework approach will be introduced so that all RBL activities go through environmental assessment, commensurate with potential risks.
3-Examine alternatives to the project's location, design, technology, and components and their potential environmental and social impacts and document the rationale for selecting the particular alternative proposed. Also consider the no project alternative.	Yes	ECR 1997 do not specify examination of alternatives during the EIA or project development process. Therefore, there is no established regulatory process for the examination of alternatives including for location, design, technology etc., The EIA Guidelines issued by Department of Environment (DOE) in February 2021 specifies examination of alternatives as part of EIA and project planning process. It requires, at minimum, two alternatives to be examined (with and without project) for any project. Although guidelines are not a legal instrument, DOE requires project proponents to follow guidelines while preparing an EIA.	RBL activities are simple and straight forward with minimal impacts. Examination of alternatives will further reduce the impacts in aspects like avoiding locations with trees, water bodies, arsenic contaminated water as water source, etc., Although DOE EIA guidelines, 2021 require alternatives examination, it is only applicable to Red category projects requiring EIA studies. This is not applicable to "Orange" category projects that require IEE. Since RBL activities are of category B, guidelines are not applicable. A framework approach will be introduced so that alternatives are examined

ADB Policy Principle	Triggered by the RBL Program	Equivalence of GOB Environmental Regulatory Framework	Addressing Gap for RBL Program
			during the project preparation and IEE.
4-Avoid, and where avoidance is not possible, minimize, mitigate, and/or offset adverse impacts and enhance positive impacts by means of environmental planning and management. Prepare an EMP that includes the proposed mitigation measures, environmental monitoring and reporting requirements, related institutional or organizational arrangements, capacity development and training measures, implementation schedule, cost estimates, and performance indicators.	Yes	ECR 1997 require preparation of environmental management plan (EMP) for Red and Orange-B category projects. There is no requirement of EMP for Orange-A, and Green projects. The Rules however do not elaborate on the contents or provisions to be included in the EMP. No monitoring requirements or institutional capacity building or training measures are specified in the Rules. The EIA Guidelines of DOE, 2021 specifies detailed coverage of EMP, including mitigation measures, monitoring, surveillance and auditing actions, contingency measures, organization responsibilities, capacity building and training, and budget and implementation schedule of EMP.	Program activities will require mitigation measures to address environmental impacts. EMP will be required as part of the IEE. EMP will need to clarify implementation arrangements and budget. DOE EIA guidelines, 2021 is not applicable to RBL program activities that "Orange" category projects that require IEE. A framework approach will be introduced so that alternatives are examined during the project preparation and IEE.
5-Carry out meaningful consultation with affected people and all other stakeholders. Continue consultations during project implementation and grievance redress mechanism	Yes	The Environmental Conservation Act, 1995 as amended in 2010 specifies consideration of public opinion during the environmental clearance process. It specifies surveying public opinion, getting information from public. The Act provision do not specify any details such as when, with whom, process, etc. The environmental clearance provisions of this Act are implemented through ECR; however, no Rules are not yet amended with this provision.	**Triggered.** Consultations will be required with the affected persons and stakeholders during the project preparation and implementation. Public feedback and grievance redress system is crucial for avoiding / reducing inconveniences and health and safety risks during construction. Although public opinion is mandated in ECA, it is not yet reflected in ECR. DOE EIA guidelines, 2021 is not applicable to RBL program activities that "Orange" category projects that require IEE.

ADB Policy Principle	Triggered by the RBL Program	Equivalence of GOB Environmental Regulatory Framework	Addressing Gap for RBL Program
		The EIA Guidelines of DOE, 2021 comprehensively covers stakeholder consultation process to be conducted as part of the EIA process. It specifies public consultation and participation, methods, project information to be provided and documenting consultations and including EIA report. **Grievance redress:** ECA has provisions for grievance redress. ECR specifies that any person affected or likely to be affected by a project may approach DOE for remedy. Aggrieved parties can also approach Environment Courts established with specific purpose to conduct trail of environmental related offences or for compensation.	A framework approach will be introduced so that meaningful public consultation is conducted during the project preparation and IEE.
6.Disclose a draft environmental assessment (including the EMP) in a timely manner, before project appraisal, in an accessible place and in a form and language(s) understandable to affected people and other stakeholders. Disclose the final environmental assessment, and its updates if any, to affected people and other stakeholders.	Yes	There is no requirement for disclosure of environmental assessment documents or related information per ECR, 1997. There are legal instruments like Right to Information Act, 2009 through which public can access information. The EIA Guidelines of DOE, 2021 specifies that public information to be provided but does not specifically provide for disclosure of environmental assessment documents.	Disclosure of documents is required to update the affected people and stakeholders on the proposed RBL activities, likely impacts, and mitigation and monitoring measures, and implementation arrangements. Although public opinion is mandated in ECA, it is not yet reflected in ECR. DOE EIA guidelines, 2021 is not applicable to RBL program activities that “Orange” category projects that require IEE. A framework approach will be introduced to ensure timely disclosure of the

ADB Policy Principle	Triggered by the RBL Program	Equivalence of GOB Environmental Regulatory Framework	Addressing Gap for RBL Program
			necessary documents. IEEs, including EMPs, and monitoring reports during implementation will be disclosed.
7.Implement the EMP and monitor its effectiveness. Document monitoring results, including the development and implementation of corrective actions and disclose monitoring reports.	Yes	EMP is a requirement under the ECR, 1997. Monitoring its effectiveness, documentation and reporting is not stipulated in detail. It however requires informing DOE in case of any pollution related incidents or accidents due to the project. The EIA Guidelines of DOE, 2021 specifies post EIA environmental monitoring and reporting to be included as part of the EMP.	**Triggered.** Implementation of EMPs and monitoring effectiveness, reporting and disclosure is needed. Contractors will implement the EMPs, and LGED will monitor, report and disclose. Budget to implement EMP will be included in the project cost. Although environmental monitoring is specified in DOE EIA guidelines, 2021, it is not applicable to RBL program activities that "Orange" category projects that require IEE. A framework approach will be introduced to ensure EMP implementation and to monitor its effectiveness, and reporting.
8. Do not implement project activities in areas of critical habitats. If a project is located within a legally protected area, implement additional programs to promote and enhance the conservation aims of the protected area. Use a precautionary approach to the use, development, and management of renewable natural resources.	No	**Not Triggered.** The RBL program activities will be mostly confined to urban areas. No activities will be located in or near critical habitats**.** Project is critical habitats will be excluded from the RBL program	Not applicable to the RBL program
9.Apply pollution prevention and control technologies and practices consistent with international good practices as reflected in internationally recognized standards such as the World Bank Group's Environmental, Health, and	Yes	ECR 1997 stipulates standards for environmental parameters, emissions and discharges including for air, water, noise, odour etc., The standards are normally less stringent when compared to those internationally	Given the small scale of construction activities, the potential for pollution is minimal, and is mostly confined to construction phase environment, health and safety impacts. RBL activities will need to be implemented applying

ADB Policy Principle	Triggered by the RBL Program	Equivalence of GOB Environmental Regulatory Framework	Addressing Gap for RBL Program
Safety Guidelines. Adopt cleaner production processes and good energy efficiency practices. Avoid pollution, or, when avoidance is not possible, minimize or control the intensity or load of pollutant emissions and discharges, including direct and indirect greenhouse gases emissions, waste generation, and release of hazardous materials from their production, transportation, handling, and storage. Avoid the use of hazardous materials. Purchase, use, and manage pesticides based on integrated pest management approaches and reduce reliance on synthetic chemical pesticides.		recognized standards such as WBG's EHS Guidelines.	government pollution control and EHS requirements, and World Bank Group's EHS guidelines. RBL activities unlikely to use or generate any notable hazardous materials or waste, and will not involve use or management of pesticides. RBL will adapt GOB standards.
10.Provide workers with safe and healthy working conditions and prevent accidents, injuries, and disease. Establish preventive and emergency preparedness and response measures.	Yes	There are various laws and policies that deal with or have provisions for workers health and safety: The Labour Act 2006 (amended in 2013), and Rules, 2015, Labor Appeal Tribunal/Labor Court, National Occupational Health and Safety Policy, 2013, National Building Code, 2006,Fire Prevention and Extinction Act 2003 and Rules, 2014, Public Procurement Rule (PPR) 2008, National Child Labour Elimination Policy 2010, etc., Bangladesh has ratified seven fundamental Conventions of the International Labor Organization (Declaration). The ILO Office works in close collaboration with its tripartite constituents and social partners towards achieving Bangladesh's decent work objectives.	RBL activities involve construction and operation of infrastructure. Health and safety risks are inherent to civil works, both to workers, and surrounding community, especially since the works will be conducted in public areas.

ADB Policy Principle	Triggered by the RBL Program	Equivalence of GOB Environmental Regulatory Framework	Addressing Gap for RBL Program
		With these provisions, the Bangadesh's regulatory framework is in general in line with ADB SPS policy principles	
11.Conserve physical, cultural resources and avoid destroying or damaging them by using field-based surveys that employ qualified and experienced experts during environmental assessment. Provide for the use of "chance find" procedures that include a pre-approved management and conservation approach for materials that may be discovered during project implementation.	yes	ECR, 1997 stipulates consideration of ancient monuments, archeological sites in notifying ecologically critical areas. Antiquities Act, 1968, and Antiquities Ordinance 1976, This act covers physical cultural resources including movable or immovable resources, art, architecture, craft, culture, ancient sites of historical or other importance, archeological deposits on land or under water, etc., Act empowers government to take necessary actions to preserve and protection of such antiquity and declare it as a "protected antiquity". As per this Act, the Ancient Monuments declared as protected monuments under the erstwhile Ancient Monuments Preservation Act, 1904 are also deemed as protected antiquities and provisions of Antiquities Act will apply. Act imposes restriction on conducted any activity within the protected area without a license granted by the Director. Other physical cultural resources, not notified under this Act, are not subject to any safeguards.	RBL program activities will not be implemented in or close to archeologically, historically sensitive sites. Exclusion criteria will be followed in RBL to exclude activities located in or may potential damage protected sites. There may however be local religious/cultural places within the town and along the roads where infrastructure will be located. Necessary measures avoid any impacts, including chance-find procedures will be included in EMPs .

Appendix 2 a: Comparative Analysis of Social Safeguard Regulatory Framework Requirement, Institutional Capacity and Recommendations to Address Gap (Safeguards Requirement 2, Involuntary Resettlement)

ADB Policy Principle	Triggered by the RBL Program (Yes/No)	Equivalence of GOB Legislation, ARIPA, 2017	Addressing Gap for RBL Program
Principle 1 - Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.	Yes	The ARIPA 2017, does not mention about early screening of project.	Screening needs to be undertaken to identify and exclude any activity that might lead to significant involuntary resettlement impacts (footnote 3). Any impact related to land acquisition will be screened, and activities with significant impact will not be considered under the project. The social safeguard screening checklists have been included in the ESMF.
Principle 2 - Carry out meaningful consultations with affected persons, host communities, and concerned nongovernment organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns. Support the social and cultural institutions of	Yes	The ARIPA, 2017 has no specific provisions for stakeholder consultations. Affected persons may raise objections to land acquisition only after section 5 Notice is issued, while disputes over land acquisition have to be settled through an arbitrator or the courts of law. Instructions 262(1) and (2) of chapter 8 of the Secretariat Instructions 2014, instruct to make provisions for receiving opinions from citizens as well as redress grievances in a transparent and neutral manner and follow effective methods for conserving complaints. Grievance Redress System Guidelines, 2015 (Revised 2018), mandates formation of a grievance redress	Meaningful consultations will be carried out with the affected persons and stakeholders during project preparation and implementation phase. A system of public feedback and grievance redress will be crucial for avoiding / reducing social risks and impacts.

ADB Policy Principle	Triggered by the RBL Program (Yes/No)	Equivalence of GOB Legislation, ARIPA, 2017	Addressing Gap for RBL Program
displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.		system in all government departments and offices.	
Principle 3 - Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.	Yes	The government laws (ARIPA 2017), does not have provisions for livelihood restorations of affected persons.	The RBL program will exclude subprojects involving land acquisitions and any impacts triggering permanent economic displacements and physical displacement. Temporary income loss to road-side shops/businesses during construction due to access disruption is possible. The impacts during construction period are not likely to be significant. The EA/IA will prepare a resettlement plan and ensure that all requirements specified in the resettlement plan are fulfilled.
Principle 4 - Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit	Yes	The government laws (ARIPA 2017), does not have provisions for providing relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically to the physically or economically displaced persons.	Implementation of RBL program is not likely to cause physical displacement, or permanent economic displacement. The EA/IA will ensure that temporary economic impacts and any other minor construction related impacts are appropriately assessed and compensated prior to start of civil construction works.

ADB Policy Principle	Triggered by the RBL Program (Yes/No)	Equivalence of GOB Legislation, ARIPA, 2017	Addressing Gap for RBL Program
facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.			
Principle 5 - Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.	Yes	The Government laws does not have any provision for improving the standards of living of the displaced poor and other vulnerable.	The vulnerable[64] persons, will be identified during census and socio-economic survey of affected persons and preparation of resettlement plan. They will be compensated in accordance with provisions defined in the resettlement plan aligned with ADB SPS 2009.
Principle 6 - Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.	Yes	The Government laws does not have any provision for negotiated purchase of land from the land owners.	For the RBL program if any potential land acquisition is required, the EA/IA will consider acquiring land through negotiated settlement based on meaningful consultation. An independent external party will be engaged by the EA/IA to document the negotiation and settlement processes and to ascertain that the process is coercion free.
Principle 7 - Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of nonland assets.	Yes	ARIPA, 2017 of the GOB does not have provisions for compensation to the persons who do not have legal title of the lands/ assets to be acquired. It recognizes only the entitlements of the legal titleholders who are capable of establishing their ownership rights. The only exception is for sharecroppers who have	The RBL program will recognize both titleholders and non-titleholders and will ensure payment of compensation to both title holders and non-title holders for lost assets and involuntary resettlement impacts.

[64] Vulnerable displaced persons will include the following: persons falling below poverty line, persons with disabilities, landless or without title to land, female-headed households, elderly-headed household, children including child labour and orphans, and small ethnic communities. The eligibility for elderly will follow the definition of the Department of Social Service of Ministry of Social Welfare, Government of Bangladesh that uses 65 years age for man and 62 years age for woman to define elderly people.

ADB Policy Principle	Triggered by the RBL Program (Yes/No)	Equivalence of GOB Legislation, ARIPA, 2017	Addressing Gap for RBL Program
		cultivated standing crops under a legally constituted written agreement; they are entitled to a part of the compensation money as provided for in the written agreement.	
Principle 8 - Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule**.**	Yes	The government laws does not have any provision for preparing resettlement plans. For land acquisition the concern department under Deputy Commissioner prepares a award for the lost assets based on which the valuation of lost asset is calculated and shared with affected land owner as per ARIPA 2017.	LGED will prepare resettlement plans for *pourashavas*, where involuntary resettlement impacts are assessed.
Principle 9 - Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.	Yes	The government law does not have any such provision.	The RP, DDR and PSSA documents will be disclosed on the website of LGED and ADB. The documents will also be translated in local language (Bangla). The entitlement matrix and the grievance redress mechanism will be disclosed with affected persons in *pourashavas* where involuntary resettlement impacts are identified and feedback from stakeholders to be updated.
Principle 10 - Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project	Yes	The ARIPA, 2017 provides compensation cost for affected land and structures, other assets attached to the land to the affected land owners.	The resettlement plans will include resettlement cost estimates as per the policy principles outlined in the resettlement plan. The EA/IA will bear all the costs required for resettlement. The resettlement budget will be part of program cost.

ADB Policy Principle	Triggered by the RBL Program (Yes/No)	Equivalence of GOB Legislation, ARIPA, 2017	Addressing Gap for RBL Program
as a stand-alone operation.			
Principle 11 - Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.	Yes	As per ARIPA, 2017, all affected land owners should be provided with land acquisition compensation for lost land and assets, before transferring of land to government. However, due to ownership issues, often the process of compensation disbursement is delayed. As per the ARIPA 2017 guidelines, the compensation amount would be kept at an escrow account by the Deputy Commissioner.	Compensation to both titleholders and non-titleholders (in line with Principle 7) affected by the RBL program will be paid before start of civil construction work. The implementation of the resettlement plan will be monitored by LGED.
Principle 12 - Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.	Yes	The government law does not have provisions on regular monitoring.	LGED will monitor resettlement plan implementation, prepare monitoring reports and disclose.

Appendix 3 b: Gap Analysis on National Policies (Government of Bangladesh) on TMRESC and ADB SPS 2009 (safeguards requirement 3)

ADB Indigenous Peoples Policy Principles	Triggered by RBL Program (Yes/No)	Government of Bangladesh (GOB) Policies	Gap Analysis and Measures to Bridge the Gaps
Policy Principle 1: Screen early on to determine (i) whether Indigenous Peoples are present in, or have collective attachment to, the project area; and (ii) whether project impacts on Indigenous Peoples are likely.	Yes	**Constitution of Bangladesh** ensures affirmative action for small ethnic community peoples and prohibits discrimination inter alia on grounds of race, religion or place of birth, **Article 23A** of which provides, "the State shall take steps to protect and develop the unique local culture and tradition of the tribes, minor races, ethnic sects and communities".	The Constitution of Bangladesh does not specify on early screening of projects for indigenous people, termed as 'Tribes, Minor Races, Ethnic Sects and Communities (TMRESC)' by the Constitution. The Project shall screen the projects early to determine the presence of TMRESCs. Projects activities involving significant or adverse impacts to TMRESC should be avoided.
Policy Principle 2: Undertake a culturally appropriate and gender-sensitive social impact assessment or use similar methods to assess potential project impacts, both positive and adverse, on Indigenous Peoples. Give full consideration to options the affected Indigenous Peoples prefer in relation to the provision of project benefits and the design of mitigation measures. Identify social and economic benefits for affected Indigenous Peoples that are culturally appropriate and gender and intergenerational inclusive and develop measures to avoid, minimize, and/or mitigate adverse impacts on Indigenous Peoples.	Yes	**Article 28 (4) of the Constitution of Bangladesh** mentions, "nothing in this Article shall prevent the State from making special provision in favor of women or children or for the advancement of any backward section of citizens" **Bangladesh Environment Conservation Act (BECA), 1995,** mandates obtaining environmental clearance from the Director General, Department of Environment for which detailed rules on, inter alia, Environmental Impact Assessment (EIA) is specified in the **Environment Conservation Rule, 1997.** The EIA requires to carry out baseline data generation and impact assessment	Although the Constitution of Bangladesh mentions about making special provisions for women, children and any backward section of citizens, it or any Act, under GOB does not speak about conducting social impact assessment. Partial equivalence is noted in conducting social impact assessment, which is included in the EIA and mitigation plans prepared accordingly. The project will conduct social impact assessment in a culturally appropriate and gender-sensitive manner. The SIA will capture both positive and adverse impacts due to the project on TMRESC s and will include measures to avoid, minimize and/or mitigate any adverse impacts to TMRESCs.

ADB Indigenous Peoples Policy Principles	Triggered by RBL Program (Yes/No)	Government of Bangladesh (GOB) Policies	Gap Analysis and Measures to Bridge the Gaps
		including the social receptors; this helps in generating socio-economic profile of the area and it assists the project developers in identifying priority areas for their socioeconomic development programs.	
Policy Principle 3: Undertake meaningful consultations with affected Indigenous Peoples communities and concerned Indigenous Peoples organizations to solicit their participation (i) in designing, implementing, and monitoring measures to avoid adverse impacts or, when avoidance is not possible, to minimize, mitigate, or compensate for such effects; and (ii) in tailoring project benefits for affected Indigenous Peoples communities in a culturally appropriate manner. To enhance Indigenous Peoples' active participation, projects affecting them will provide for culturally appropriate and gender inclusive capacity development. Establish a culturally appropriate and gender inclusive grievance mechanism to receive and facilitate resolution of the Indigenous Peoples' concerns.	Yes	**Acquisition and Requisition of Immovable Property Act 2017** states that affected persons may raise objections to land acquisition only after section 5 Notice is issued, while disputes over land acquisition have to be settled through an arbitrator or the courts of law.	No provisions for consultations with TMRESC s or to establish a grievance redress mechanism to facilitate resolution of grievances received from TMRESC. There is no specific mention of TMRESC s in ARIPA 2017. The project will undertake meaningful consultation with the Tribes, Minor Races, Ethnic Sects and Communities, in a culturally appropriate manner at a location suitable for the TMRESC community to attend the meetings. The meetings will be conducted in a language understandable to the TMRESC community. The grievance redress committee at the PMU level (3rd level grievance) will have a representative from Tribes, Minor Races, Ethnic Sects and Communities.

ADB Indigenous Peoples Policy Principles	Triggered by RBL Program (Yes/No)	Government of Bangladesh (GOB) Policies	Gap Analysis and Measures to Bridge the Gaps
Policy Principle 4: Ascertain the consent of affected Indigenous Peoples communities to the following project activities: (i) commercial development of the cultural resources and knowledge of Indigenous Peoples; (ii) physical displacement from traditional or customary lands; and (iii) commercial development of natural resources within customary lands under use that would impact the livelihoods or the cultural, ceremonial, or spiritual uses that define the identity and community of Indigenous Peoples. For the purposes of policy application, the consent of affected Indigenous Peoples communities refers to a collective expression by the affected Indigenous Peoples communities, through individuals and/or their recognized representatives, of broad community support for such project activities. Broad community support may exist even if some individuals or groups object to the project activities.	No	Many of the government laws that are related to the ownership of land and acquisition for the plain land are also applicable to SEC, ethnic minority (EM) and non-ethnic minority people; these include the (i) **Code of Civil Procedure, 1908**; (ii) the **East Bengal State Acquisition and Tenancy Act, 1950**; and (iii) **ARIPA, 2017**. These laws do not apply in Chittagong Hill Tracts (CHT), where a large proportion of indigenous people (IP) live. The **CHT Regulation, 1900** is the single most important law. CHT Regulation, 1900 the other special laws that apply to the CHT include: (i) **CHT Land Acquisition Regulation, 1958**; (ii) **Hill District Councils Acts, 1989**; (iii) **CHT Regional Council Act of 1998**, (iv) **CHT Land Disputes Resolution Commission Act of 2001** and (v) **Chittagong Hill Tracts (Land Acquisition) (Amendment) Ordinance, 2018**. SEC customary use of land in the CHT is not recognized by the government and is considered as unclassified forest, village common forest, and government (*khas*) lands, although different groups of SEC of the CHT have been using such lands from	There is no provision to take consent of affected TMRESCs or broad community support for any project activities under the law. Clearance for a project is given by Department of Environment based on environment and social impact assessment. For projects that involve commercial development of cultural resources and knowledge of TMRESC/IPs, or physical displacement from traditional or customary lands, or commercial development of natural resources within customary lands, the project will seek broad community support of TMRESC and will be appropriately documented.
Policy Principle 5: Avoid, to the maximum extent possible, any restricted access to and physical displacement from protected areas and natural resources. Where avoidance is not possible, ensure that the affected Indigenous	No		Restricted access and physical displacement from customary land and natural resources will be avoided to the maximum extent possible. Where unavoidable, affected TMRESCs/ communities will actively participate in the design, implementation and monitoring and evaluation of

ADB Indigenous Peoples Policy Principles	Triggered by RBL Program (Yes/No)	Government of Bangladesh (GOB) Policies	Gap Analysis and Measures to Bridge the Gaps
Peoples communities participate in the design, implementation, and monitoring and evaluation of management arrangements for such areas and natural resources and that their benefits are equitably shared**.**		immemorial times as common land or ancestry land of common use.	management arrangements. Benefits from the project will be equitably shared.
Policy Principle 6: Prepare an Indigenous Peoples plan (IPP) that is based on the social impact assessment with the assistance of qualified and experienced experts and that draw on indigenous knowledge and participation by the affected Indigenous Peoples communities. The IPP includes a framework for continued consultation with the affected Indigenous Peoples communities during project implementation; specifies measures to ensure that Indigenous Peoples receive culturally appropriate benefits; identifies measures to avoid, minimize, mitigate, or compensate for any adverse project impacts; and includes culturally appropriate grievance procedures, monitoring and evaluation arrangements, and a budget and time-bound actions for implementing the planned measures.	Yes	-	Provision for preparation of IPP is not specified under the law. The project authority will prepare Tribes, Minor Races, Ethnic Sects and Communities Plan (TMRESCP) or Resettlement and Tribes, Minor Races, Ethnic Sects and Communities Plan (RTMRESCP) for projects where indigenous peoples' safeguards are triggered.
Policy Principle 7: Disclose a draft IPP, including documentation of the consultation process and the results	Yes	Under **ARIPA 2017, Section 4**, the Deputy Commissioner, whenever it appears to him that any property in	There is no provision for preparation or disclosure of IPP under the law.

ADB Indigenous Peoples Policy Principles	Triggered by RBL Program (Yes/No)	Government of Bangladesh (GOB) Policies	Gap Analysis and Measures to Bridge the Gaps
of the social impact assessment in a timely manner, before project appraisal, in an accessible place and in a form and language(s) understandable to affected Indigenous Peoples communities and other stakeholders. The final IPP and its updates will also be disclosed to the affected Indigenous Peoples communities and other stakeholders.		any locality is needed or is likely to be needed for any public purpose or in public interest, will cause a notice, to be published at convenient places on or near the property in the prescribed form and manner stating that the property is proposed to be acquired.	Both draft and final TMRESCP /RTMRESCPs will be disclosed in the communities and on the Project and ADB websites.
Policy Principle 8: Prepare an action plan for legal recognition of customary rights to lands and territories or ancestral domains when the project involves (i) activities that are contingent on establishing legally recognized rights to lands and territories that Indigenous Peoples have traditionally owned or customarily used or occupied, or (ii) involuntary acquisition of such lands.	No		Although TMRESCs are recognized, there is no mention of ancestral domains or customary lands or territories of TMRESCs in the national laws. TMRESC customary use of land in the Chittagong Hill Tracts (CHT) is not recognized by the government and is considered as unclassified forest, village common forest, and government (*khas*) lands, although different groups of TMRESC of the CHT have been using such lands from immemorial times as common land or ancestry land of common use. A TMRESC Specific Action Plan will be prepared for legal recognition of customary rights to lands and territories or ancestral domains when the project involves (i) activities that are contingent on establishing legally recognized rights to lands and territories that Indigenous Peoples/TMRESCs have traditionally owned or customarily used or occupied; or (ii) involuntary acquisition of such lands is involved.
Policy Principle 9: Monitor implementation	Yes	-	There is no such provision for monitoring under the law, as

ADB Indigenous Peoples Policy Principles	Triggered by RBL Program (Yes/No)	Government of Bangladesh (GOB) Policies	Gap Analysis and Measures to Bridge the Gaps
of the IPP using qualified and experienced experts; adopt a participatory monitoring approach, wherever possible; and assess whether the IPP's objective and desired outcome have been achieved, taking into account the baseline conditions and the results of IPP monitoring. Disclose monitoring reports.			there is no requirement for TMRESC preparation and implementation. Implementation of TMRESCDPs/RTMRESCDPs will be covered by regular internal monitoring activities. Monitoring indicators will be included in semi-annual social monitoring reports, which will be disclosed.

Appendix 3: Environmental Screening & Categorization Forms

Form 1: Eligibility & Categorization Form

Project Data

Country/ Project No./ Project Title		
Subproject title		
Project Executing Agency		
Project Implementing Agency		
Modality		

Is Project eligible for funding under the RBL Program ? [ ] Yes [ ] No
(Ref Checklist 1 - Project Exclusion Screening Checklist for Environmental Safeguards)

Environment Impact categorization [ ] New [ ] Re categorization — Previous Category [ ]

[ ] **Category A** (Cat A - Not eligible for funding under the RBL)

[ ] **Category B** [ ] **Category C**

(Ref Checklist 2- Rapid Environmental Assessment (REA) checklists)

Prepared by:

Environmental Specialist (Name, title, signature):
Date:

For Project Implementing Agency/PIU (Name, title, signature):

Date:

For Project Executing Agency / PMU (Name, title, signature):

Date:

To be enclosed to this form: (i) proposed subproject/activity summary, (ii) Checklist 1 - Project Exclusion Screening Checklist for Environmental Safeguards), and (iii) Checklist 2 - Rapid Environmental Assessment (REA) Checklist for Subproject Categorization

Checklist 1 - Project Exclusion Screening Checklist for Environmental Safeguards

The following checklist shall be completed before inclusion of any activity/subproject in the RBL program. If Answer to any of the mentioned criteria is 'Yes' then such activity/subproject will not be eligible and shall be excluded from the RBL program.

QUESTIONS		RESPONSE		REMARKS / CLARIFICATIONS
		Yes	No	
1.	**Type and Nature of Subproject**			
1.1	Proposed activity / subproject classified under the Red Category per ECR 1997?			See Table 1 below for classification
1.2	Proposed activity / subproject include components involving prohibited investment activities per ADB SPS?			See Table 2 below for prohibited list
2.	**Location of Proposed Subproject**			
2.1	Proposed activity/subproject located in ecologically sensitive areas such as protected areas (national parks, wildlife sanctuaries), notified wetlands or wetlands of significant value, critical habitats?			
2.2	Proposed activity/subproject located in world heritage sites, and/or within 250 m from the core zone of outer boundary of the world heritage area			
2.3	Proposed activity located within monuments/sites protected by Department of Archeology, Government of Bangladesh?			
3.	**Potential impacts**			
3.1	Proposed activity/subproject may significantly impact mangroves, wetlands, estuaries, buffer zones of protected areas etc., ?			
3.2	Proposed activity/subproject may potentially lead to encroachment/damage of physical cultural resources with significant value and/or places recognized by government agencies (e.g., Department of Archeology), which may include places of worship, cultural heritage sites, graves/cemeteries, historical monuments, etc.			
3.3	Proposed activity/subproject likely to have significant adverse environmental impacts that are irreversible, diverse, or unprecedented, and may affect an area larger than the sites or facilities subject to physical works (i.e., category A projects as per ADB SPS 2009)			

Table 1: Red Category Projects as per ECR, 1997

1. Tannery.	37. Non-metallic chemicals not listed elsewhere.
2. Formaldehyde.	38. Non-metals not listed elsewhere.
3. Urea fertilizer.	39. Industrial estate.
4. T.S.P. Fertilizer.	40. Basic industrial chemicals.
5. Chemical dyes, polish, varnish, enamel.	41. Non-iron basic metals.
6. Power plant.	42. Detergent.
7. All mining projects (coal, limestone, hard rock, natural gas, mineral oil, etc.)	43. Land-filling by industrial, household and commercial wastes.
8. Cement	44. Sewage treatment plant.
9. Fuel oil refinery.	45. Life saving drugs.
10. Artificial rubber.	46. Animal glue.

11. Paper and pulp. 12. Sugar. 13. Distillery. 14. Fabric dying and chemical processing. 15. Caustic soda, potash. 16. Other alkalis. 17. Production of iron and steel. 18. Raw materials of medicines and basic drugs. 19. Electroplating. 20. Photo films, photo papers and photo chemicals. 21. Various products made from petroleum and coal. 22. Explosives. 23. Acids and their salts (organic or inorganic). 24. Nitrogen compounds (Cyanide, Cyanamid etc.). 25. Production of plastic raw materials (PVC, PP/Iron, Polyesterin etc.) 26. Asbestos. 27. Fiberglass. 28. Pesticides, fungicides and herbicides. 29. Phosphorus and its compounds/derivatives 30. Chlorine, fluorine, bromine, iodine and their compounds/derivatives. 31. Industry (excluding nitrogen, oxygen and carbon dioxide). 32. Waste incinerator. 33. Other chemicals. 34. Ordnance. 35. Nuclear power. 36. Wine.	47. Rodenticide. 48. Refractories. 49. Industrial gas (Oxygen, Nitrogen & Carbon-dioxide). 50. Battery. 51. Hospital. 52. Ship manufacturing. 53. Tobacco (processing/cigarette/Biri-making). 54. Metallic boat manufacturing. 55. Wooden boat manufacturing. 56. Refrigerator/air-conditioner/air-cooler manufacturing. 57. Tyre and tube. 58. Board mills. 59. Carpets. 60. Engineering works: capital above 10 (ten) hundred thousand Taka. 61. Repairing of motor vehicles: capital above 10 (ten) hundred thousand Taka. **62. Water treatment plant.** 63. Sewerage pipe line laying/relaying/extension. **64. Water, power and gas distribution line laying/relaying/extension.** 65. Exploration/extraction/distribution of mineral resources. **66. Construction/reconstruction/expansion of flood control embankment, polder, dike, etc.** **67. Construction/reconstruction/expansion of road (regional, national & international).** **68. Construction/reconstruction/expansion of bridge (length 100 meter and above).** 69. Murate of Potash (manufacturing).

Source: ECR, 1997.

Table 2: Prohibited Investment Activities per ADB SPS

Prohibited list of activities
(i) production or activities involving harmful or exploitative forms of forced labor[65] or child labor[66];
(ii) production of or trade in any product or activity deemed illegal under host country laws or regulations or international conventions and agreements or subject to international phaseouts or bans, such as (a) pharmaceuticals[67], pesticides, and herbicides[68], (b) ozone-depleting substances[69], (c) polychlorinated biphenyls[70] and other hazardous chemicals[71], (d) wildlife or wildlife products regulated under the

[65] Forced labor means all work or services not voluntarily performed, that is, extracted from individuals under threat of force or penalty.

[66] Child labor means the employment of children whose age is below the host country's statutory minimum age of employment or employment of children in contravention of International Labor Organization Convention No. 138 "Minimum Age Convention" (www.ilo.org).

[67] A list of pharmaceutical products subject to phaseouts or bans is available at http://www.who.int.

[68] A list of pesticides and herbicides subject to phaseouts or bans is available at http://www.pic.int.

[69] A list of the chemical compounds that react with and deplete stratospheric ozone resulting in the widely publicized ozone holes is listed in the Montreal Protocol, together with target reduction and phaseout dates. Information is available at http://www.unep.org/ozone/montreal.shtml.

[70] A group of highly toxic chemicals, polychlorinated biphenyls are likely to be found in oil-filled electrical transformers, capacitors, and switchgear dating from 1950 to 1985.

[71] A list of hazardous chemicals is available at http://www.pic.int.

Convention on International Trade in Endangered Species of Wild Fauna and Flora[72], and (e) transboundary trade in waste or waste products[73];
(iii) production of or trade in weapons and munitions, including paramilitary materials;
(iv) production of or trade in alcoholic beverages, excluding beer and wine[74];
(v) production of or trade in tobacco[20];
(vi) gambling, casinos, and equivalent enterprises[20];
(vii) production of or trade in radioactive materials[75], including nuclear reactors and components thereof;
(viii) production of, trade in, or use of unbonded asbestos fibers[76];
(ix) commercial logging operations or the purchase of logging equipment for use in primary tropical moist forests or old-growth forests; and
(x) marine and coastal fishing practices, such as large-scale pelagic drift net fishing and fine mesh net fishing, harmful to vulnerable and protected species in large numbers and damaging to marine biodiversity and habitats.

Source: Asian Development Bank Safeguard Policy Statement 2009, Appendix 5.

[72] A list is available at http://www.cites.org.
[73] As defined by the Basel Convention; see http://www.basel.int.
[74] This does not apply to project sponsors who are not substantially involved in these activities. Not substantially involved means that the activity concerned is ancillary to a project sponsor's primary operations.
[75] This does not apply to the purchase of medical equipment, quality control (measurement) equipment, and any equipment for which ADB considers the radioactive source to be trivial and adequately shielded.
[76] This does not apply to the purchase and use of bonded asbestos cement sheeting where the asbestos content is less than 20%.

Checklist 2 - Rapid Environmental Assessment (REA) Checklist for Subproject Categorization

A - REA Checklist for Road improvement activities / subprojects

Instructions:

(i) The project team completes this checklist to support the environmental classification of a project. It is to be attached to the environmental categorization form and submitted to the Project Management Unit, for endorsement by the Environmental Officer of PMU and for approval by the Project Director.

(ii) This checklist focuses on environmental issues and concerns

(iii) Answer the questions assuming the "without mitigation" case. The purpose is to identify potential impacts. Use the "remarks" section to discuss any anticipated mitigation measures.

Screening Questions	Yes	No	Remarks
A. Project Siting Is the project area adjacent to or within any of the following environmentally sensitive areas?			
▪ Cultural heritage site			
▪ Protected Area			
▪ Wetland			
▪ Mangrove			
▪ Estuarine			
▪ Buffer zone of protected area			
▪ Special area for protecting biodiversity			
B. Potential Environmental Impacts Will the Project cause…			
▪ encroachment on historical/cultural areas; disfiguration of landscape by road embankments, cuts, fills, and quarries?			
▪ encroachment on precious ecology (e.g. sensitive or protected areas)?			
▪ alteration of surface water hydrology of waterways crossed by roads, resulting in increased sediment in streams affected by increased soil erosion at construction site?			
▪ deterioration of surface water quality due to silt runoff and sanitary wastes from worker-based camps and chemicals used in construction?			

Screening Questions	Yes	No	Remarks
▪ risks and vulnerabilities related to occupational health and safety due to physical, chemical, biological, and radiological hazards during project construction and operation during project construction and operation?			
▪ noise and vibration due to blasting and other civil works?			
▪ disproportionate impacts on the poor, women and children, Indigenous Peoples, or other vulnerable groups?			
▪ other social concerns relating to inconveniences in living conditions in the project areas that may trigger cases of upper respiratory problems and stress?			
▪ hazardous driving conditions where construction interferes with pre-existing roads?			
▪ poor sanitation and solid waste disposal in construction camps and work sites, and possible transmission of communicable diseases (such as STI's and HIV/AIDS) from workers to local populations?			
▪ creation of temporary breeding habitats for diseases such as those transmitted by mosquitoes and rodents?			
▪ accident risks associated with increased vehicular traffic, leading to accidental spills of toxic materials?			
▪ increased noise and air pollution resulting from traffic volume?			
▪ increased risk of water pollution from oil, grease and fuel spills, and other materials from vehicles using the road?			
▪ social conflicts if workers from other regions or countries are hired?			
▪ large population influx during project construction and operation that causes increased burden on social infrastructure and services (such as water supply and sanitation systems)?			
▪ risks to community health and safety due to the transport, storage, and use and/or disposal of materials such as explosives, fuel and other chemicals during construction and operation?			
▪ community safety risks due to both accidental and natural causes, especially where the structural elements or components of the project are accessible to members of the affected community or where their failure could result in injury to the community throughout project construction, operation and decommissioning.			

B - REA Checklist for Drainage, Infrastructure in Low Income Neighbourhoods, Market Centres, Parks, and Playgrounds

Instructions:

(i) The project team completes this checklist to support the environmental classification of a project. It is to be attached to the environmental categorization form and submitted to the Project Management Unit, for endorsement by the Environmental Officer of PMU and for approval by the Project Director.

(ii) This checklist focuses on environmental issues and concerns

(iii) Answer the questions assuming the "without mitigation" case. The purpose is to identify potential impacts. Use the "remarks" section to discuss any anticipated mitigation measures.

Screening Questions	Yes	No	Remarks
A. Project Siting Is the project area…			
▪ Densely populated?			
▪ Heavy with development activities?			
▪ Adjacent to or within any environmentally sensitive areas?			
• Cultural heritage site			
• Protected Area			
• Wetland			
• Mangrove			
• Estuarine			
• Buffer zone of protected area			
• Special area for protecting biodiversity			
• Bay			
B. Potential Environmental Impacts Will the Project cause…			
▪ impacts on the sustainability of associated sanitation and solid waste disposal systems and their interactions with other urban services.			
▪ deterioration of surrounding environmental conditions due to rapid urban population growth, commercial and industrial activity, and increased waste generation to the point that both manmade and natural systems are overloaded and the capacities to manage these systems are overwhelmed?			

Screening Questions	Yes	No	Remarks
▪ degradation of land and ecosystems (e.g. loss of wetlands and wild lands, coastal zones, watersheds and forests)?			
▪ dislocation or involuntary resettlement of people?			
▪ disproportionate impacts on the poor, women and children, Indigenous Peoples, or other vulnerable group?			
▪ degradation of cultural property, and loss of cultural heritage and tourism revenues?			
▪ occupation of low-lying lands, floodplains, and steep hillsides by squatters and low-income groups, and their exposure to increased health hazards and risks due to pollutive industries?			
▪ water resource problems (e.g. depletion/degradation of available water supply, deterioration for surface and ground water quality, and pollution of receiving waters?			
▪ air pollution due to urban emissions?			
▪ risks and vulnerabilities related to occupational health and safety due to physical, chemical, and biological hazards during project construction and operation?			
▪ road blocking and temporary flooding due to land excavation during rainy season?			
▪ noise and dust from construction activities?			
▪ traffic disturbances due to construction material transport and wastes?			
▪ temporary silt runoff due to construction?			
▪ hazards to public health due to ambient, household and occupational pollution, thermal inversion, and smog formation?			
▪ water depletion and/or degradation?			
▪ overpaying of ground water, leading to land subsidence, lowered ground water table, and salinization?			
▪ contamination of surface and ground waters due to improper waste disposal?			
▪ pollution of receiving waters resulting in amenity losses, fisheries and marine resource depletion, and health problems?			
▪ large population influx during project construction and operation that causes increased burden on social infrastructure and services (such as water supply and sanitation systems)?			

Screening Questions	Yes	No	Remarks
▪ social conflicts if workers from other regions or countries are hired?			
▪ risks to community health and safety due to the transport, storage, and use and/or disposal of materials such as explosives, fuel and other chemicals during operation and construction?			
▪ community safety risks due to both accidental and natural hazards, especially where the structural elements or components of the project are accessible to members of the affected community or where their failure could result in injury to the community throughout project construction, operation, and decommissioning?			

Asbestos screening tool				
Screening Questions	**Yes***	**Maybe***	**No**	**Remarks**
1. Does it involve potential use of asbestos containing material (ACM)?				
2. Is there ACM present in proposed work sites?				
3. Do proposed works require disturbing, moving or dismantling or working with ACM present at site?				
if answer to 2 above is "yes" provide following details				
Where is ACM present in work site (underground, overground on proposed sites, built-in existing buildings, etc.,)				
What type of ACM present in site (roofing sheets, pipes, window panels, insulation etc) *(refer ADB Good Practice Note on Asbestos in note below for more guidance on type of materials*)				
What form of asbestos present in work site (bonded or unbonded)				
What is the condition of asbestos? (Material intact in bonded form, friable or damaged or releasing fibers)				
Who can get in contact with or exposed asbestos? (Workers, site personnel/staff, community)?				
Note: If there the project is likely to encounter asbestos as a direct or indirect result of project-related activities and proceed to the TOOLKIT FOR SCREENING *ASBESTOS RISKS IN NEW ADB-SUPPORTED PROJECTS PART B – SCREENING TOOLS AND CHECKLISTS* *https://www.adb.org/sites/default/files/publication/783636/good-practice-management-control-asbestos.pdf*				

Appendix 4: Involuntary Resettlement Screening Checklist

Project Data

Country/ Project No./ Project Title		
Subproject title		
Project Executing Agency		
Project Implementing Agency		
Modality		

[] Project Loan [ ] Program Loan [ ] Financial Intermediary [ ] General Corporate Finance
[**P**]] Sector Loan [MFF [ ] Emergency Assistance [ ] Grant
[ ] Other financing modalities:

IR Impact categorization	[**P**] New [ ] Re categorization — Previous Category [ ]
[] **Category A:** Significant IR impact	(200+ persons (not households!) are physically displaced from residence or lose more than 10% of productive (income generating) assets
[ ] **Category B:** Non-significant IR impact	
[] **Category C:** No IR impact	
Prepared by:	
Social Development Specialist (Name, title, signature): xxxxxx, Date: **NA**	
For Project Implementing Agency (Name, title, signature): Mr. xxxxxxxxxxxxxxxxx Date:	
For Project Executing Agency (Name, title, signature): Mr. xxxxxxxxxxxxxxxxx Date:	

Probable Involuntary Resettlement Effects	**Yes**	**No**	**Not Known**	**Remarks**
Involuntary Acquisition of Land				
1. Will there be land acquisition?				
2. Is the site for land acquisition known?				
3. Is the ownership status and current usage of land to be acquired known?				
4. Will easement be utilized within an existing Right of Way (ROW)?				
5. Will there be loss of shelter and residential land due to land acquisition?				
6. Will there be loss of agricultural and other productive assets due to land acquisition?				

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
7. Will there be losses of crops, trees, and fixed assets due to land acquisition?				
8. Will there be loss of businesses or enterprises due to land acquisition?				
9. Will there be loss of income sources and means of livelihoods due to land acquisition?				
Involuntary restrictions on land use or on access to legally designated parks and protected areas				
10.Will people lose access to natural resources, communal facilities and services?				
11.If land use is changed, will it have an adverse impact on social and economic activities?				
12.Will access to land and resources owned communally or by the state be restricted?				
Information on Displaced Persons:				
Any estimate of the likely number of persons that will be displaced by the Project? [ ] No [] Yes If yes, approximately how many?				
Are any of them poor, female-heads of households, or vulnerable to poverty risks? [] No [] Yes				
Are any displaced persons from indigenous or ethnic minority groups? [ ] No [] Yes				

Appendix 5: Indigenous People/TMRESC Impact Screening Checklist

Project Data

Country/Project No./Project Title _____

Subproject title _____

Project Executing Agency _____

Project Implementing Agency _____

Modality

[] Project Loan [ ] Program Loan [ ] Financial Intermediary [ ] General Corporate Finance

[] Sector Loan[] MFF [ ] Emergency Assistance [ ] Grant
[ ] Other financing modalities:

IP Impact categorization [**P**] New [ ] Recategorization — Previous Category [ ]

Category A: Significant IP impact

Category B: Non-significant IP impact

Category C: No IP impact

Subproject requires the broad community support of affected Indigenous Peoples/TMRESC communities **[ ]**Yes **[ ]**No

Prepared by:

Social Development Specialist (Name, title, signature): xxxxxxxxxxxxx
Date:
NA

For Project Implementing Agency (Name, title, signature): xxxxxxxxxxxxxxxxxxxxxx
Date:

For Project Executing Agency (Name, title, signature): xxxxxxxxxxxxxxxx
Date:

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
A. Indigenous Peoples/ TMRESC Identification				
1. Are there socio-cultural groups present in or use the project area who may be considered as “tribes” (hill tribes, schedules tribes, tribal peoples), “minorities” (ethnic or national minorities), or “indigenous communities” in the project area?				

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
2. Are there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the project area as belonging to “ethnic minorities”, scheduled tribes, tribal peoples, national minorities, or cultural communities?				
3. Do such groups self-identify as being part of a distinct social and cultural group?				
4. Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories?				-
5. Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture?				-
6. Do such groups speak a distinct language or dialect?				
7. Has such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against?				
8.Are such groups represented as “TMRESC” or as “ethnic minorities” or “scheduled tribes” or “tribal populations” in any formal decision-making bodies at the national or local levels?				
B. Identification of Potential Impacts				
9.Will the project directly or indirectly benefit or target TMRESC?				
10.Will the project directly or indirectly affect TMRESC’ traditional socio-cultural and belief practices? (e.g. child-rearing, health, education, arts, and governance)				
11.Will the project affect the livelihood systems of TMRESCP? (e.g., food production system, natural resource management, crafts and trade, employment status)				
12.Will the project be in an area (land or territory) occupied, owned, or used by TMRESC, and/or claimed as ancestral domain?				
C. Identification of Special Requirements *Will the project activities include:*				
13. Commercial development of the cultural resources and knowledge of TMRESC?				--
14. Physical displacement from traditional or customary lands?				--

KEY CONCERNS (Please provide elaborations on the Remarks column)	**YES**	**NO**	**NOT KNOWN**	**Remarks**
15.Commercial development of natural resources (such as minerals, hydrocarbons, forests, water, hunting or fishing grounds) within customary lands under use that would impact the livelihoods or the cultural, ceremonial, spiritual uses that define the identity and community of TMRESC?				--
16.Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied or claimed by TMRESC?				
17.Acquisition of lands that are traditionally owned or customarily used, occupied or claimed by TMRESC?				

Appendix 6a: Tribes, Minor Races, Ethnic Sects and Communities (TMRESC)

Sl. No.	Name of TMRESCs*
1	Oraon
2	Koch
3	Kol
4	Khas
5	Khyang
6	Khumi
7	Garo
8	Chak
9	Chakma
10	Dalu
11	Tanchangya
12	Tripura
13	Pankho
14	Bawm
15	Barman
16	Manipuri
17	Marma
18	Pahari/Mal Pahari
19	Munda
20	Mru
21	Rakhain
22	Lushai
23	Santal
24	Hajong
25	Mahato/Kurmi Mahato
26	Kond
27	Kora
28	Gonju
29	Gorait
30	Gorkha
31	Teli
32	Turi
33	Patra
34	Bagdi
35	Banai
36	Baraik
37	Bedia
38	Bhil
39	Bhumij
40	Vimala
41	Malo
42	Mahali
43	Mushor
44	Rajowar
45	Lohar
46	Sabar
47	Hudi
48	Ho
49	Kharia
50	Kharwar

***** Source: The Bangladesh Gazette, Cultural Ministry, 23 March 2019

Appendix 7b: *Pourashava* wise list of Tribes, Minor Races, Ethnic Sects and Communities

Name of *Pourashavas*	Category	Name of District	Total Population (2011)	House holds	Average Household size	TMRESC Population	% of TMRESC	No. of TMRESC Households	Average Household Size of TMRESC Population
Modhupur	A	Tangail	56342	13713	4.11	27	0.05%	6	4.5
Kaliganj	B	Gazipur	45430	10637	4.27	0	0.00%	0	
Monohardi	B	Narsingdi	17635	4149	4.25	0	0.00%	0	
Munshigonj	A	Munshigonj	70674	15133	4.67	0	0.00%	0	
Araihazar	B	Narayanganj	25593	5777	4.43	6	0.02%	1	6
Goalandha	A	Rajbari	18663	4156	4.49	0	0.00%	0	
Bhanga	A	Faridpur	34148	7505	4.55	0	0.00%	0	
Boalmari	A	Faridpur	27595	6016	4.59	74	0.27%	12	6.166667
Kalkini	A	Madaripur	41608	8815	4.72	0	0.00%	0	
Naria	B	Shariatpur	22773	4957	4.59	3	0.01%	1	3
Hossainpur	B	Kishoreganj	23118	5205	4.44	4	0.02%	2	2
Madan	B	Netrakona	17388	3636	4.78	77	0.44%	16	4.8125
B.Baria	A	B.Baria	172017	33517	5.13	82	0.05%	20	4.1
Sonagazi	A	Feni	19866	3784	5.25	7	0.04%	2	3.5
Haziganj	A	Chandpur	63892	12679	5.04	2	0.00%	1	2
Matlab	A	Chandpur	59286	13682	4.33	36	0.06%	5	7.2
Faridganj	A	Chandpur	35090	7552	4.65	0	0.00%	0	
Raipur	A	Laxmipur	30756	6593	4.66	0	0.00%	0	
Chowmohoni	A	Noakhali	80001	14568	5.49	154	0.19%	28	5.5
Chandanaish	A	Chittagong	35248	6852	5.14	13	0.04%	4	3.25
Swandip	B	Chittagong	41365	8278	5	0	0.00%	0	
Banskhali	A	Chittagong	36930	7378	5.01	1444	3.91%	282	5.120567
Raozan	A	Chittagong	57148	11460	4.99	84	0.15%	23	3.652174
Kulaura	A	Moulavibazar	26115	4993	5.23	140	0.54%	125	1.12
Chunarughat	A	Habiganj	19651	3889	5.05	89	0.45%	17	5.235294
Patgram	A	Lalmonirhat	30568	6379	4.79	0	0.00%	0	
Ulipur	B	Kurigram	45933	11526	3.99	6	0.01%	1	6
Sathia	A	Pabna	38704	9319	4.15	0	0.00%	0	
Rohonpur	A	Chapai Nawabgonj	34941	7614	4.59	205	0.59%	46	4.456522
Bagha	A	Rajshahi	27623	7505	3.68	123	0.45%	31	3.967742
Naohata	A	Rajshahi	57119	14045	4.07	895	1.57%	223	4.013453
Bhabanigonj	A	Rajshahi	17955	4546	3.95	39	0.22%	9	4.333333
Veramara	B	Kustia	22124	5274	4.19	162	0.73%	41	3.95122
Kumarkhali	A	kuatia	21914	5276	4.15	0	0.00%	0	
Gangni	B	Meherpur	25500	6488	3.93	0	0.00%	0	
Alamdanga	A	Chuadanga	32048	8078	3.97	21	0.07%	3	7
Keshobpur	A	Jashore	26229	6330	4.14	0	0.00%	0	

Source: Population and Housing Census 2011, Bangladesh Bureau of Statistics, Statistics Division, Ministry of Planning, Government of Bangladesh

Appendix 8: Outline of an Initial Environmental Examination Report

1. **Executive Summary**. This chapter provides an overview and summary of the outcome of the IEE;
2. **Chapter 1**. **Introduction**, which includes the background, outcome and outputs of the subproject, purpose of the IEE, methodology and structure of the IEE report;
3. **Chapter 2**. **Policy Legal and Administrative Framework**, which includes ADB Safeguard Policy Statement, National Environment Assessment Framework, National Environmental Acts and Legislations, Legislation relating to Occupational Health and Safety, Relevant International Conventions and Treaties, Gaps in Legal and Guiding Instruments, Permits and Clearances and Applicable Environmental Standards;
4. **Chapter 3**. **Description of the Subproject**, which focuses primarily on subproject location and area, subproject rationale, subproject alternatives, subproject development plan and subproject components, subproject phase, and schedule and resource utilization;
5. **Chapter 4**. **Description of the Environment**, which includes a description of the baseline information, subproject influence area, land environment, water environment, air environment, noise environment, ecological environment, socio-economic environment, and physical and cultural resources;
6. **Chapter 5**. **Anticipated Environmental Impact and Mitigation Measures**, which includes impacts rating methodology, impact assessment, anticipated impacts and mitigation measures during design, pre-construction, construction and operation phases, cumulative impacts and mitigation, environmental benefits and enhancement measures, and a summary of impacts and mitigation;
7. **Chapter 6**. **Information, Disclosure, Consultation and Participation**, which details the process and the approach and methodology for preliminary consultations, and discusses future consultations during detailed design stage and implementation phase, and information disclosure;
8. **Chapter 7**. **Grievance Redress Mechanism (GRM)** for the subproject, which should include the step-by-step process of grievance resolution, the composition of committees resolving grievances at every stage of the process, and the availability of the country's legal system regardless of the outcome in the GRM;
9. **Chapter 8**. **Environmental Management Plan (EMP)**, which should include the matrix summarizing the impacts, mitigation measures, responsible parties in implementing and monitoring the mitigation measures; and the institutional arrangement, roles and responsibilities of stakeholders including contractors and environmental performance criteria.
10. **Chapter 9**. **Monitoring and Reporting**, which includes capacity building, costs of monitoring and capacity building activities, and reporting obligations; and
11. **Chapter 10**. **Conclusion**, which provides overall analysis, conclusion and recommendations of the IEE.

Appendix 9: Outline of Resettlement Plan

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

A. Executive Summary

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

B. Project Description

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

C. Scope of Land Acquisition and Resettlement

This section:

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

D. Methodology for Impact Assessment

This section outlines the methodology and tools adopted for:

(i) resettlement screening
(ii) land acquisition planning
(iii) socioeconomic survey
(iv) census survey or inventory of assets and livelihood loss
(v) consultation with stakeholders

E. Socioeconomic Information and Profile

This section outlines the results of the social impact assessment, the census survey, and other studies, with information and/or data disaggregated by gender, vulnerability, and other social groupings, including:

(i) define, identify, and enumerate the people and communities to be affected;

(ii) describe the likely impacts of land and asset acquisition on the people and communities affected taking social, cultural, and economic parameters into account;
(iii) discuss the project's impacts on the poor, indigenous and/or ethnic minorities, and other vulnerable groups; and
(iv) identify gender and resettlement impacts, and the socioeconomic situation, impacts, needs, and priorities of women.

F. Stakeholders Consultation and Participation

This section:

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

G. Legal Framework

This section:

(i) describes national and local laws and regulations that apply to the project and identify gaps between local laws and ADB's policy requirements; and discuss how any gaps will be addressed;
(ii) describes the legal and policy commitments from the executing agency for all types of displaced persons;
(iii) outlines the principles and methodologies used for determining valuations and compensation rates at replacement cost for assets, incomes, and livelihoods; and set out the compensation and assistance eligibility criteria and how and when compensation and assistance will be provided; and
(iv) describes the land acquisition process and prepare a schedule for meeting key procedural requirements.

H. Entitlements, Assistance and Benefits

This section:

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

I. Income Restoration and Rehabilitation

This section:

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

J. Resettlement Budget and Financing Plan

This section:

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

K. Information Disclosure

This section:

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

L. Grievance Redress Mechanisms

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

M. Institutional Arrangements

This section:

(i) describes institutional arrangement responsibilities and mechanisms for carrying out the measures of the resettlement plan;

(ii) includes institutional capacity building program, including technical assistance, if required;
(iii) describes role of NGOs, if involved, and organizations of affected persons in resettlement planning and management; and
(iv) describes how women's groups will be involved in resettlement planning and management,

N. Implementation Schedule

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

O. Monitoring and Reporting

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

Appendix 10: Terms of Reference for Independent Third Party for Negotiated Settlement and Voluntary Donation of Land

1. For any negotiated settlement/voluntary donation of land, an external independent entity will supervise and document the consultation process and validate the negotiated purchase/ land donation process as per legal requirement.

A. Terms of Reference for Independent Third-Party Witness

2. An independent third party is sought to be appointed to oversee and certify the process of negotiated purchase/ land donation. The third party shall be briefed about his/her expected role and deliverables by the PMU/PIU/PMCBC (safeguard officer/assistant safeguard officer/SSS).

3. **Eligibility.** The third party shall be a representative of the community (for example, a leader of the community with formal/legal standing, a representative of a local NGO/CBO with formal and legal standing) or an institution, without any direct interest in the negotiation process or subproject activity, who is acceptable to each of the concerned parties (PMU/PIU and concerned land owner/donor).

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

(i) witness and keep a record of meetings held with the concerned parties;
(ii) ensure there is no coercion involved in the process of negotiated purchase/land donation;
(iii) ensure that the donor(s) are not coming from vulnerable groups/poor families;
(iv) ensure that the preferences and concerns of the land owner/donor related to access, selection of site within lands held, etc. are recorded and any stipulated conditions met;
(v) ensure that the negotiated purchase/land donation agreement is drafted in a fair and transparent manner;
(vi) confirm that the offered/agreed price is fair and meet the market price of the land with similar value and condition in the area;
(vii) ensure the negotiated purchase/donation does not result any negative impacts to the third party associated with the purchase/donation activity;
(viii) identify and recommend mitigation measures to land owner/donor/affected third party, if required;
(ix) ensure that taxes, stamp duties and registration fees for purchased/donated land are borne by government; and
(x) submit a report and signed certificate as witness to the purchase/ donation and transfer process.

5. **Deliverables:** The details of the meetings, socio economic background of the land/ assets owner(s) and a certificate/report as witness to the purchase/donation process and mitigation measures to owner/donor, if any, shall be submitted by the third party to PMU/PIU and owner/donor in the local language and share with ADB for review.

SAMPLE CERTIFICATION FORMATS

This is to certify that Mrs./Mr. ……, (profession, designation, address) is appointed as independent third party to certify the process of negotiated purchase/donation of plot no. ……..., Mouza: ……..., Zila……, area……owned / donated by …….. (Name of owner/s), who is a signatory to this certificate. It is also placed on record that none of the signatories to this certificate have any objection to appointment of …….. as third party witness.

Date:……..

Officers PIU/*Pourashava* and land donor

……

……

I, _____of _____(address) certify that I was witness to the process of negotiated purchase / land donation (details of plot_____ from _____ land owners' names). I certify that:

1. The process of purchase / donation of the said land was transparent; the landowner(s) was/were happy to sell/donate the land for the welfare of the community.
2. No coercion was used in the purchase/donation process.
3. Land transfer costs (registration fee and stamp duty) were borne by the government and not by the owner/donor.
4. All concerns expressed by the owner/donor as agreed, were addressed and no pending issues remain.
5. The following mitigation measures were identified and implemented / provided to the land owner/donor.
6. Attached are the minutes of meetings held between project proponents and the land owner/donor, which I was witness to.

Signature:……..

Name:…….. Date:…….. Place:……..

Encl: Minutes of meetings held between land owner/donor and project proponents

Appendix 11: Generic Environmental Management Plan

Sl. No.	Environmental Issues	Mitigation Measures	Parameters (Indicators for Compliance)	Responsible for Implementation	Responsible for Supervision	Frequency for Monitoring
Design and Pre-Construction Phase						
1	Long-term Protection and safety measures for the assets created under the RBL program.	Design should include relevant provisions for ensuring protection and adequate safety of the assets being created to ensure the long-term sustainability.	Verification of site-specific design parameters to include earthquake resistant construction techniques for planned civic infrastructure in *selected* in RBL program	Design Architects and/or consultants.	PMU and Parishad at *Pourashavas*	Review after completion of design of project added components
2	Regulatory permissions	All regulatory permissions, clearances and NOCs (e.g., environmental clearance certificate for drainage, road and toilet block works, tree cutting permission from Forest Department, NOC from District Commissioner, etc.) will be obtained before start of construction works	Tree cutting permission, environmental clearance certificate, if applicable	PMU	LGED	Follow up after submission of applications in the offices of regulatory undertakers such Ministry of Environment and Forest and Forest Department
3	List of affected utilities and services and plan for restoration	The utilities such as water supply line, telephone cables, electricity supply lines and any other public services are likely to be disturbed during construction works should be listed and detail plan should be prepared for relocation so that public at large is not at inconvenience.	List of utilities to be impacted	Contractor (s)	LGED	The utilities to be relocated before start of construction works

Sl. No.	Environmental Issues	Mitigation Measures	Parameters (Indicators for Compliance)	Responsible for Implementation	Responsible for Supervision	Frequency for Monitoring
4	Integration of energy efficiency and conservation programs in design of civic infrastructure facilities planned in RBL program in the selected *Pourashavas*.	The detailed design for the drainage, footpath, local roads improvement, borewell, toilet block construction, street lighting, etc. should include sustainability principles, including energy efficiency (usage of energy efficient lighting fixtures, usage of energy conserving construction techniques), resource conservation (ground water recharge at borewell locations), waste, proper waste segregation, etc.	Soak pits at Bore wells, electrical fixtures in streetlights, and waste collection, segregation, etc.	Design Architects and/or Consultants	PMU	Review after completion of detailed design.
5	Social and Cultural Resources	No RBL Program related works for civic infrastructure improvement should be planned within 100 meters of notified and protected cultural and archaeologically important monuments and structures.	Notified and legally protected archaeological and cultural structures and/or monuments.	LGED	PMU	At time of selection of *Pourashavas*.
6	Worker welfare facilities at the construction sites	Lack of proper worker welfare facilities including toilets, eating place, first aid, sick room, hand washing facilities, ventilated accommodation, etc. may lead to social issues within the *Pourashavas* and lack of worker satisfaction and safety. Special attention should be paid to COVID 19.	Worker welfare facilities to be included in the design and construction plan. Provision mobile toilet facility with hand washing and first aid facilities	Contractor(s)	PMU	After mobilization of contractors.

Sl. No.	Environmental Issues	Mitigation Measures	Parameters (Indicators for Compliance)	Responsible for Implementation	Responsible for Supervision	Frequency for Monitoring
			for construction workers. Ensure COVID-19 related guidelines and standard operating procedures are followed as per Governments of Bangladesh and respective *Pourashavas*			
7	Occupational health and safety	Comply with Occupational Health and Safety requirements as per regulatory provisions of GoB with proper rationale for adopting lesser stringent measures in comparison to IFC OHS guidelines. Develop comprehensive site-specific health and safety (H&S) plans including aspects pertaining to coronavirus disease (COVID-19). Include in H&S plan measures such as: (i) type of hazards at construction site(s); (ii) corresponding personal protective equipment for each identified hazard; (iii) H&S training for all sites personnel; (iv) procedures to be followed for all site activities; and (v) documentation of work-related accidents.	Health and safety (H&S) plan	Contractor (s)	PMU	During Pre-construction phase before start of construction

Sl. No.	Environmental Issues	Mitigation Measures	Parameters (Indicators for Compliance)	Responsible for Implementation	Responsible for Supervision	Frequency for Monitoring
		Provide medical insurance coverage to all types of workers (unskilled, semi-skilled and skilled) engaged by the contractors and sub-contractors for injuries sustained during work.				
8	Stakeholder consultations	Continue information dissemination, stakeholder consultations, and involvement/participation of stakeholders during project implementation.	-Disclosure records - Consultations	District/site Level GED Staff and /or *Pourashavas*	PMU	• Prior to start of construction • During construction
Construction Phase -Environmental Management Plan						
1	Site clearance activities, including delineation of construction area	Only ground cover shrubs, if any, that impinge directly on the permanent works or necessary temporary works shall be removed with prior approval from the *Pourashavas*. If any trees need to be cut, then necessary permission from relevant authorities such as Forest Department will be obtained before cutting. All areas used for temporary construction operations will be subjected to complete restoration to their former conditions with appropriate rehabilitation procedures. The photographic records shall be maintained for the temporary sites used for construction. These will help in proper restoration.	Pre-construction records of site and vegetation in area of construction	Contractor (s)	LGED District site team (Local PIU of LGED)	Duration of site preparation
2	Sources of construction materials	All construction materials should be procured from sources compliant with regulations of Government of Bangladesh and local levels.	Permission and/or clearance copies from sources	Contractor (s)	LGED District site team (PIU)	Upon submission of source list by the contractor(s)
3	Borrow Area identification, operation	(a) Borrow areas and quarries (If these are being opened exclusively for the sub-project) must comply with environmental requirements, as applicable. No	Borrow are identification and approval	LGED District Site Team (PIU)	PMU	Upon Borrow area identification

Sl. No.	Environmental Issues	Mitigation Measures	Parameters (Indicators for Compliance)	Responsible for Implementation	Responsible for Supervision	Frequency for Monitoring
	and rehabilitation Operations	activity will be allowed until formal agreement is signed between local LGED PIU, landowner, and contractor. (b) Upon completion of construction works, the borrow areas should be rehabilitated as per the agreement	Rehabilitation plan	Contractor (s)	LGED District Site Team (PIU)	Upon completion of borrow area operations
4	Drinking water availability at construction camps and construction sites	Sufficient supply of potable water (water quality meeting drinking water quality standards (specified by the DPHE) would be provided and maintained. If the drinking water is obtained from an intermittent public water supply, then storage tanks (with lid and lock system) will be provided. For this contractor will submit plans how availability of drinking water shall be assured. In case it is obtained from the *Pourashavas* supply, necessary permission from school administration will be obtained.	Water supply source and availability of water, permission of school administration if obtained from *Pourashava* supply	Contractor (s)	LGED District Team (PIU)	During Construction phase regularly
5	Waste disposal and Asbestos Disposal Plan	The pre-identified disposal location shall be part of Comprehensive Waste Disposal Plan. Solid Waste Management Plan to be prepared by the Contractor in consultation with local civic authorities. The PMU would prepare asbestos waste disposal plan following guidelines of EPA and or any other international agency. This disposal plan would be part of contract document. The asbestos waste (broken pipes, roofing sheets, etc.), generated if any, would be handled, stored, and disposed accordingly. The Environmental Specialist of PMU shall approve construction waste disposal sites after	Waste Disposal sites, waste management plan, Asbestos Waste disposal plan	Contractor (s)	LGED District Team (PIU)	Regularly during construction phase

Sl. No.	Environmental Issues	Mitigation Measures	Parameters (Indicators for Compliance)	Responsible for Implementation	Responsible for Supervision	Frequency for Monitoring
		conducting a joint inspection on the site with the Contractor(s). The Contractor shall ensure that waste would not be disposed near water streams/Ponds in the *Pourashavas*				
6	Stockpiling of construction materials	Stockpiling of construction materials would be done in such a way that it does not impact and obstruct the drainage and movement of locals at the habitations. The stockpiles will be covered to protect from dust emissions.	Stockpiling sites at construction locations	Contractor (s)	LGED District Team (PIU)	Regularly during construction phase
7	Arrangement for construction water	The Contractor shall provide a list of locations and type of sources from where water for construction shall be procured. The contractor shall use ground and/or surface water for the construction with the written consent from the concerned departments and/or *Pourashavas,* as required. (iii)To avoid disruption/ disturbance to other water users, the Contractor shall arrange water from market or from local *Pourashavas* and consult PMU and site team before finalizing the source.	Water availability at identified water source locations	Contractor (s)	LGED District Team (PIU)	Regularly during construction phase
8	Soil erosion	Slope protection measures would be undertaken as per design to control soil erosion especially if any excavation works are taken up in the open areas, near drains/canals and Ponds	Locations of slope protection	Contractor (s)	LGED District Team (PIU)	During construction
9	Water stagnation from construction wastes	The Contractor shall take all precautionary measures to prevent water stagnation so as to avoid breeding grounds for mosquitoes and danger of other vector borne diseases near the construction sites.	Construction sites	Contractor (s)	LGED District Team	Regularly during construction phase
10	Water pollution from fuel and lubricants	The Contractor shall ensure that all construction vehicle parking locations, fuel and lubricants storage sites, vehicle, machinery, and equipment	Maintenance certificate of vehicle and machinery,	Contractor (s)	LGED District Team (PIU)	Regularly during construction phase

Sl. No.	Environmental Issues	Mitigation Measures	Parameters (Indicators for Compliance)	Responsible for Implementation	Responsible for Supervision	Frequency for Monitoring
		maintenance and refuelling will not be taken up at the construction sites and near water bodies. The Contractor shall ensure that all vehicle, machinery and equipment operations, are carried out in such a manner that spillage of fuels and lubricants does not contaminate the ground. The maintenance of vehicle and equipment would not be taken up at the construction sites and near water bodies.	ground water monitoring at site as required.			
11	Soil pollution due to fuel and lubricants, construction wastes	The soil pollution would be avoided by not storing fuel and lubricants at sites. These shall be purchased on need basis from market. The construction waste would be stored at one location, covered to avoid dust generation and disposed at identified and approved locations.	Regular visual monitoring of ground conditions	Contractor (s)	LGED District Team (PIU)	Regularly during construction phase
12	Generation of dust	The Contractor would take every precaution to reduce the levels of dust at construction site. All filling works to be protected and/or covered in a manner to minimize dust generation. The dust generation areas would be barricaded with adequate height (about 3-4 m) tin plate sheets to avoid impacts on surrounding habitations and population.	Construction sites, air quality monitoring results as required.	Contractor (s)	LGED District Team (PIU)	Regularly during construction phase
13	Emissions from construction vehicles, equipment and machinery	All vehicles, equipment and machinery used for construction shall conform to the relevant Government of Bangladesh norms. The discharge standards promulgated under the Environment Conservation Rules, 1997 shall be strictly adhered to. The silent and/or quiet equipment available in the market shall be used in the construction works. The Contractor shall maintain a record of PUC for all vehicles and machinery used during the	PUC certificates of vehicles and machinery	Contractor (s)	LGED District Team (PIU)	Regularly during construction phase

Sl. No.	Environmental Issues	Mitigation Measures	Parameters (Indicators for Compliance)	Responsible for Implementation	Responsible for Supervision	Frequency for Monitoring
		contract period which shall be produced for verification whenever required.				
14	Noise pollution	The Contractor would ensure compliance with statutory noise levels regarding usage of all construction plants and equipment used during construction. The Contractor would ensure that required noise attenuation measures are implemented. At the construction sites noisy construction work such as operation of DG sets, use of high noise generation equipment shall be stopped during the night-time between 10.00 pm to 6.00 am.	Noise monitoring results and certificates issued by regulatory agencies.	Contractor (s)	LGED District Team (PIU)	Regularly during construction phase
15	Impacts on flora and fauna	The Contractor would take all necessary precautions to minimize impacts on flora and fauna during construction phase by limiting site clearance to bare minimum and avoiding and minimizing generation of pollutants.	Trees and shrubs planted near the construction sites	Contractor (s)	LGED District Team (PIU)	Regularly during construction phase
16	Material handling and storage at sites	Workers and laborers employed for mixing cement, lime mortars, concrete, etc., would be provided with protective footwear and protective goggles. Workers and laborers engaged in welding works, would be provided with welder's protective eye-shields. The use of any toxic chemical would be strictly in accordance with the manufacturer's instructions. The site team of LGED would be given at least 6 working days' notice of the proposed use of any chemical. An updated register of all toxic chemicals delivered to the site would be maintained by the Contractor.	Data on available personal protective equipment and toxic chemicals stored at the construction sites.	Contractor (s)	LGED District Team (PIU)	Regularly during construction phase
17	Disposal of	The Contractor would ensure safe disposal of construction	Disposal site	Contractor (s)	LGED District	Regularly during

Sl. No.	Environmental Issues	Mitigation Measures	Parameters (Indicators for Compliance)	Responsible for Implementation	Responsible for Supervision	Frequency for Monitoring
	construction waste and debris	waste (including asbestos waste, if any) to pre-identified disposal locations. In no case, construction waste would be disposed around the water bodies and habitations.			Team (PIU)	construction phase
18	Onsite emergency plan for minor accidents and mishaps and Disaster Management Plan for natural calamities	The onsite emergency plan would be prepared by the contractor in consultation with LGED site team and *Pourashavas*. This onsite emergency plan would include measures to control any fire or other emergency at the site. For natural calamities, disaster management plan prepared by the Government of Bangladesh will be followed.	Onsite emergency plan document and Disaster Management Plan document	Contractor for on-site emergency plan and LGED site team and *Pourashava* for Disaster Management Plan.	LGED District Team (PIU)	Periodic mock drills
19	Safety and COVID-19 (protection) measures	Adequate safety measures for construction workers and/or laborers would be ensured during handling of construction materials, construction activities and disposal of debris including asbestos waste (if any) from the construction sites. The contractor would comply with all regulations for the safety of personnel associated with site works, and nearby residents. All precautions would be taken to prevent risks to workers from accidental injuries, fire, etc. First aid treatment would be made available during the course of work. The contractor would conform to instructions issued pertaining to prevention of vector-borne diseases. The COVID-19 related mitigation measures and facilities will be provided as per guidelines issued by the GoB and *Pourashavas*.	Records of availability of personal protective equipment, first aid kits with adequate supply of medicines.	Contractor (s)	LGED District Team (PIU)	Regularly during construction phase

Sl. No.	Environmental Issues	Mitigation Measures	Parameters (Indicators for Compliance)	Responsible for Implementation	Responsible for Supervision	Frequency for Monitoring
20	Clearing of construction camp and restoration of site.	Contractor to prepare site restoration plan for approval by the PMU and LGED site team. The plan would be implemented by the contractor prior to demobilization. On completion of the works, all temporary structures will be cleared, all debris and scrap materials would be disposed as per disposal plan prepared, the mobile toilets brought to sites would be removed and the site left clean and tidy, at the contractor's expense, to the entire satisfaction of the *Pourashavas* LGED site team and PMU.	Records of pre-construction site conditions and site restoration plan.	Contractor (s)	LGED District Team (PIU)	End of construction phase
Operation and Maintenance Phase- Environmental Management Plan						
1	Environmental monitoring in respect of ambient air quality, water quality, noise levels	The monitoring in respect of ambient air quality, water quality and noise levels will be carried out at the locations of monitoring completed in pre- construction /baseline and for the duration approved in the monitoring plan	Environmental monitoring plan and monitoring locations	*Pourashavas*	PMU	During the operation and maintenance phase
2	Waste water/ spilled water from borewells/Hand Pumps	The waste /spilled water should be diverted to soak pits and /or septic tank at the bore well/hand Pump location. The septic tanks and soak pits should be properly maintained.	Septic tanks and soak pits with adequate capacities	*Pourashavas*	LGED Site Team	During operation and maintenance phase
3	Maintenance of drains, footpath, bore wells	All the facilities constructed as part of RBL program should be properly maintained by the *Pourashavas*	Maintenance Schedule of facilities	*Pourashavas*	LGED Site Team	During operation and maintenance phase

Sl. No.	Environmental Issues	Mitigation Measures	Parameters (Indicators for Compliance)	Responsible for Implementation	Responsible for Supervision	Frequency for Monitoring
	/hand pumps, streetlight, Toilet Blocks, etc.					
4	Maintenance and operation of sanitation facilities	The sanitation facilities constructed and/or upgraded under the project would be appropriately maintained and the septic tanks would be cleaned periodically.	Septic tank cleaning and sanitation facility maintenance schedules	*Pourashavas*	LGED Site Team	During operation and maintenance phase

Appendix 12: Entitlement Matrix

Sl. No.	Type of Loss	Application	Entitled Person	Compensation Entitlements[77]	Remarks
A. Loss of Land					
A.1	Temporary land acquisition or requisition of land	Agricultural, vacant land	Land owner	(i) Rental compensation as per Section 22, sub-section (5) of ARIPA, 2017 for the period of occupation of land; (ii) Restoration of land to original state; and (iii) Guarantee of access to land and structures located on remaining land.	• PMU/PIU to ensure that the affected persons receive compensation before using their land.
A.2	Temporary land acquisition or requisition of land	Agricultural, vacant land	Non-titleholder user	(i) Restoration of land to original state; and (ii) Guarantee of access to land and structures located on remaining land.	•
A.3	Loss of Government land	Vested and non-resident land[78]	Lease holder, land user (non-titleholder)	*Use of land for agriculture purpose:* (i) 60 days advance notice to harvest standing seasonal crops, if harvest is not possible, compensation for crops as specified in row # C; (ii) Subsistence allowance equivalent to the value of all crops grown on the acquired portion in a year; 11. *Use of land for business purpose:* (iii) Compensation as specified in row # B.2; (iv) If a portion of the structure is affected, then the business owners may be allowed to continue to undertake his/her business activities in the rest area, if this is viable; (v) Subsistence allowance equivalent to 3 months income, in case of relocation of business from the vested plot (this will allow the business owner to find an alternate location to re-establish business); and (vi) Additional compensation for vulnerable 12. households as specified in row # E.	• PMU/PIU must check for any unexpired lease of the vested property. • PMU/PIU to ensure that business owners may be allowed to continue to undertake his/her business activities in the rest area, if found to be viable and that the remaining vested land is not used for the project. • Vulnerable households to be identified during DMS as part of resettlement plan update.
B. Loss of Structures					

[77]All cash compensations other than statutory compensations in this entitlement matrix will be adjusted for inflation until the year of compensation payment.

1. [78] Land and properties that has been declared vested under the Vested Property Act, 2013 (previously under the Enemy Properties Act of 1965).

Sl. No.	Type of Loss	Application	Entitled Person	Compensation Entitlements[77]	Remarks
B.1	Loss of residential and commercial structures (secondary structures)	Residential, commercial structure affected (secondary structures)[79]	Owners of structures with legal title	(i) 30 days advance notice before dismantling; (ii) Cash compensation for impacted structures at replacement cost; (iii) Option to be compensated for entire structure if remaining structure is no longer viable (In case the structure remains unviable or possess safety risk, and the owner to get this additional amount if he plans to shift.); (iv) Rights to salvage materials from structure; (v) Provision of all taxes/fees, registration cost, and other fees incurred for replacement of structures; (vi) Shifting allowance based on actual cost of moving (e.g., truck hire, loading, unloading cost, etc.) calculated at BDT 15,000.00 (vii) Additional compensation for vulnerable household as specified in row # E.	• Vulnerable households to be identified during DMS as part of resettlement plan update. • The compensation for loss of structure (partially or fully) will be paid by the Executing Agency at replacement cost to the affected households. • The affected structural cost at replacement cost to be assessed by the LGED Engineers (PMU/PIU). • Damages or impacts to minor secondary structures during the construction will be covered under contractor's civil cost and will be budgeted under the Contractor's contract. The PMU will ensure that the cost is included in the bill of quantities (BOQ).
B.2	Loss of residential and commercial structures (secondary structures)	Residential, commercial structure affected (secondary structures)	Tenant(s), lease holders	(i) 30 days advance notice before dismantling; (ii) If any structure is constructed by the tenant or lease holder, the person will receive cash compensation at replacement cost for the affected structure as per the basic schedule rates, without considering the depreciation cost.	• Vulnerable households to be identified during DMS as part of resettlement plan update. • The affected structural cost at replacement cost to be assessed by the LGED Engineers (PMU/PIU).
B.3	Loss of residential and commercial structures (secondary structures)	Residential, commercial structure affected (secondary structures)	Non-titleholders	(i) 30 days advance notice before relocation; (ii) If any structure is constructed by the non-title holder, the person will receive cash compensation at replacement cost for the affected structure as per the basic schedule	• Vulnerable households to be identified during DMS as part of resettlement plan update. • The affected structural cost at replacement cost to be

[79]Other assets include, but is not limited to walls, fences, extended sheds, wells, etc. Detail entitlements will be finalized after detailed measurement survey when all impacts are known, and all impacts will be mitigated with appropriate compensation based on national land and ADB SPS, 2009.

Sl. No.	Type of Loss	Application	Entitled Person	Compensation Entitlements[77]	Remarks
				rates, without considering the depreciation cost.	assessed by the LGED Engineers (PMU/PIU).
C. Loss of Trees and Crops					
C.1	Loss of crops	Standing Crops on Affected Lands	Legal titleholder/ tenant/ leaseholder/ sharecropper/ non-titled affected person	(i) Provision of 60 days' notice to harvest standing seasonal crops; (ii) If harvest is not possible, cash compensation equal to prevailing market price.	• Valuation of the crops will be assessed by the PMU/PIU or *Pourashava* with the support of agriculture department.
C.2	Loss of timber and fruit bearing trees	Trees on affected land parcel	Legal titleholder/ tenant/ leaseholder/ sharecropper/ non-titled affected person	(i) 60 days advance notice to harvest existing fruits; (ii) For landowners: Cost of trees based on annual net product value multiplied by number of productive years remaining, whichever is higher; (iii) For fruit bearing trees compensation to be calculated at market value of annual net product multiplied by the number of productive years, to be determined by the Horticulture Department. (iv) Compensation at market value of timber in case of timber-bearing trees, to be determined by the Forest Department.	• For tree owners' compensation will be assessed for fruit or timber trees as per provisions in this entitlement matrix, and paid by the Executing Agency.
D. Temporary Loss of Income					
D.1	Temporary Loss of Income	Temporary business losses along the ROW/ proposed land for the subprojects (for the period of disruption)	Traders, shop owners and their employees (*for both titleholders and non-titleholders*)	(i) 30 days' advance notice regarding construction activities, including duration and type of disruption. (ii) Cash compensation equivalent to net income from the affected business or minimum wage rate (whichever is higher) for the period of disruption on producing relevant income or income tax return documents; in absence of proper income documents, the income will be calculated by the PMU/PIU. (iii) The employees will receive compensation equivalent to their net income or minimum	• Determination of income loss during detail measurement, census and socio-economic survey conducted and part of final resettlement plan preparation. • PIU and *Pourashava* will do the Identification of alternative temporary sites to support the road-side shops to continue economic activity.

Sl. No.	Type of Loss	Application	Entitled Person	Compensation Entitlements[77]	Remarks
				wage rate (whichever is higher) for the duration of disruption based on the payment/salary/wage receipts. If income documents are not available then the person will receive compensation calculated as per the minimum wage rate.[80] (iv) Shifting allowance based on actual cost of moving calculated at BDT 15,000.00 will be paid to the affected road-shop owners (if they are required to shift out of the place) temporarily to an alternate location; the shifting cost will include dismantling, reconstruction, loading, unloading and any other related cost; (v) For construction activities involving disruption for a period of more than a month, provision of alternative sites for road-side shops for continued economic activities. If not possible, allowance based on the net income of the affected business or minimum wage rate for the affected households up to 3 months or the actual period of disruption whichever is more. (vi) Additional compensation for vulnerable affected persons as specified in row # F.	• Contractor's actions to ensure there is no income/access loss consistent with the initial environmental examination. This includes: leaving spaces for access between mounds of soil, providing walkways and metal sheets to maintain access across trenches for people and vehicles where required, increased workforces to finish work in areas with impacts on access, timing of works to reduce disruption during business hours, phased construction schedule and working one segment at a time and one side of the road.
E. Vulnerability[81] Assistance					
E.1	Impact on vulnerable persons[82]	Affected due to involuntary resettlement	Temporarily affected vulnerable person	On top of the entitlement specified in item D.1., vulnerable affected persons facing temporary impact (temporary loss of income) will receive	• Vulnerable households to be identified during DMS as part of resettlement plan update for respective subprojects.

[80]Bangladesh government does not have any directive on minimum wage rate except for readymade garments employees. Minimum wage rate for them is BDT 8100 per month as updated in December 2020. This Resettlement Framework considers the minimum daily wage rate for the affected employees at current market rate for wage labour, BDT 400.

[81] Vulnerable households comprise below poverty line households,* female-headed households, households with out of school/working children, disabled person headed household, elderly-headed household or elder,** landless household, household with no legal title / tenure security, and indigenous people.

[82]Vulnerability benefits are incremental, i.e., in addition to other entitlements and benefits.

Sl. No.	Type of Loss	Application	Entitled Person	Compensation Entitlements[77]	Remarks
			(temporary income loss)	additional cash compensation equivalent for five days of the prevalent minimum wage rate.	• The extent of impact will be assessed based on socio-economic survey and assistance for the vulnerable households will be accordingly determined. • Representation from vulnerable affected persons will be a requirement of all committees and consultation forums for RBL program.
F. Common Property Resources (CPRs)					
F.1	Loss of Common Property Resources	Partial or total damages caused to private or government property	Government, trustees, religious institutions, educational institutions, service providers and any other relevant department/ authority/ management committee	(i) Contractor should provide extreme care to avoid damaging any properties or assets during construction; (ii) Replacement or full restoration or re-establishment at relocation site of affected CPRs to its original or better condition.	• Compensation for the losses will be the responsibility of the contractor, as a part of the contract. • PMU to monitor the replacement made by the Contractors.
G. Other Impacts					
H.1	Un-anticipated losses	Any other loss not identified in the matrix	Any affected person or affected entity	Unanticipated involuntary impacts will be documented and mitigated based on principles and policies of ARIPA, 2017 and ADB SPS, 2009.	The social safeguard personnel from PMU/PIU will ascertain the nature and extent of impact and loss and finalize the entitlements as per the resettlement policies of government and ADB and update the same into the respective resettlement plan.

Note: * This ESMF calculates the upper poverty line for urban area from the 2016 upper poverty line determined by the Bangladesh Bureau of Statistics (BBS), with added inflation rate 5.32 *(Source: Consumer Price Index (CPI), Inflation Rate and Wage Rate Index (WRI) in Bangladesh,*

Bangladesh Bureau of Statistics (BBS), February 2021). The upper poverty line for the year 2016 for urban area is BDT 2,929 [*source: Report on Household Income and Expenditure Survey 2016, published on October 2017* (latest publication) *by Statistics and Information Division, BBS*]. Thus, BPL definition for urban metropolitan is BDT 3,085 per capita/month in 2021. As such the per capita average monthly household income under BPL stands at BDT 13,882.50 {BDT 3,085 × 4.5 (HH size) =13,882.50}.

** The eligibility will follow the Department of Social Service of Ministry of Social Welfare that uses 65 years old for man and 62 years old for woman to define elderly people.

Appendix 13: Sample Grievance Registration Form

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

Date		**Place of registration**			
Contact Information/Personal Details					
Name		**Gender**	Female Male	**Age**	
Address					
Place					
Contact No.					
E-mail					
Complaint/Suggestion/Comment/Question *Please provide the details (who, what, where and how) of your grievance below*: If included as attachment/note/letter, please tick here:					
How do you want us to reach you for feedback or update on your comment/grievance?					

FOR OFFICE USE ONLY

Registered by: (Name of Official registering grievance)				
Mode of communication:	Application/letter	E-mail	Verbal/Telephonic	WhatsApp
Reviewed by: (Names/Positions of Official(s) reviewing grievance)				
Action Taken:				
Whether Action Taken is Disclosed:	Yes	No		
Means of Disclosure:				

Appendix 14: ADB PROHIBITED INVESTMENT ACTIVITIES LIST

The following investment activities will not qualify for ADB support:

(i) Production or activities involving harmful or exploitative forms of forced labor[83] or child labor;[84]

(ii) Production of or trade in any product or activity deemed illegal under host country laws or regulations or international conventions and agreements or subject to international phase outs or bans, such as (a) pharmaceuticals,[85] pesticides, and herbicides,[86](b) ozone-depleting substances,[87] (c) polychlorinated biphenyls[88] and other hazardous chemicals,[89](d) wildlife or wildlife products regulated under the Convention on International Trade in Endangered Species of Wild Fauna and Flora,[90] and (e) trans boundary trade in waste or waste products;[91]

(iii) Production of or trade in weapons and munitions, including paramilitary materials;

(iv) Production of or trade in alcoholic beverages, excluding beer and wine;[92]

(v) Production of or trade in tobacco;[10]

(vi) Gambling, casinos, and equivalent enterprises;[10]

(vii) Production of or trade in radioactive materials,[93] including nuclear reactors and components thereof;

(viii) Production of, trade in, or use of un - bonded asbestos fibers;[94]

(ix) Commercial logging operations or the purchase of logging equipment for use in primary tropical moist forests or old-growth forests; and

(x) Marine and coastal fishing practices, such as large-scale pelagic drift net fishing and fine mesh net fishing, harmful to vulnerable and protected species in large numbers and damaging to marine biodiversity and habitats.

---

[83] Forced labor means all work or services not voluntarily performed, that is, extracted from individuals under threat of force or penalty.

[84] Child labor means the employment of children whose age is below the host country's statutory minimum age of employment or employment of children in contravention of International Labor Organization Convention No. 138 "Minimum Age Convention" (www.ilo.org).

[85] A list of pharmaceutical products subject to phase - outs or bans is available at http://www.who.int.

[86] A list of pesticides and herbicides subject to phase - outs or bans is available at http://www.pic.int.

[87] A list of the chemical compounds that react with and deplete stratospheric ozone resulting in the widely publicized ozone holes is listed in the Montreal Protocol, together with target reduction and phase-out dates. Information is available at http://www.unep.org/ozone/montreal.shtml.

[88] A group of highly toxic chemicals, polychlorinated biphenyls are likely to be found in oil-filled electrical transformers, capacitors, and switchgear dating from 1950 to 1985.

[89] A list of hazardous chemicals is available at http://www.pic.int.

[90] A list is available at http://www.cites.org.

[91] As defined by the Basel Convention; see http://www.basel.int.

[92] This does not apply to investee companies who are not substantially involved in these activities. Not substantially involved means that the activity concerned is ancillary to an investee company's primary operations.

[93] This does not apply to the purchase of medical equipment, quality control (measurement) equipment, and any equipment for which ADB considers the radioactive source to be trivial and adequately shielded.

[94] This does not apply to the purchase and use of bonded asbestos cement sheeting where the asbestos content is less than 20%.

Appendix 15: AMBIENT AIR QUALITY, AMBIENT NOISE LEVEL AND WATER QUALITY STANDARD

a) Ambient Air Quality Standards

Pollutant	Bangladesh Standard	WHO Guideline	Average time
Carbon Monoxide (CO) (mg/m^3)	10 (9 ppm)	10	8 hours (a)
	40 mg/m^3 / (35 ppm)	30	1 hour (a)
Oxide of Nitrogen (NOx) ($\mu g/m^3$)	100 $\mu g/m^3$ (0.053 ppm)	-	Annual
Particular (PM10) ($\mu g/m^3$)	50 $\mu g/m^3$	15	Annual (b)
	150 $\mu g/m^3$	50	24 hours (c)
Fine Particulate (PM2.5) ($\mu g/m^3$)	15 $\mu g/m^3$	10	Annual
	65 $\mu g/m^3$	25	24 hours
Ozone (O_3) ($\mu g/m^3$)	235 $\mu g/m^3$ / (0.12 ppm)	-	1 hour (d)
	157 $\mu g/m^3$ / (0.08 ppm)	100	8 hours
Sulphur dioxide ($SO_{2)}$ ($\mu g/m^3$)	80 $\mu g/m^3$ / (0.03 ppm)	-	Annual
	365 $\mu g/m^3$ / (0.14 ppm)	20	24 hours (a)

b) Ambient Noise Level Standards

S/N	Category of areas	Standard determined at day (in DB)	Standard determined at night (in DB)
1	Silent Zone	45	35
2	Residential Area	50	40
3	Mixed Area. (Mainly residential also used for commercial and Industrial purposes)	60	50
4	Commercial Area	70	60
5	Industrial Area	75	70

c) Water Quality Standards

Water Quality Parameters Bangladesh Standards & WHO Guide Lines

Sl. No.	Water Quality Parameters	Bangladesh Standards (mg/L)	WHO Guide Line	Methods/ Equipment
01	Aluminum	0.2	-	Atomic Absorption Apectrophotometer (AAS)
02	Ammonia	0.5		UV-VIS
03	Arsenic	0.05	0.01	AAS
04	Barium	0.01	0.7	AAS
05	Benzene	0.01	0.01	Gas Chromatograph
06	BOD 5 Day, 200C	0.2	-	5 days Incubation
07	Boron	1.0	-	UV-VIS
08	Cadmium	0.005	0.003	AAS
09	Calcium	75	-	AAS
10	Chloride	150-600	-	Titrimetric
11	Chlorinated Alkenes			
11.1	Carbon tetrachloride	0.01	0.004	Gas Chromatograph
11.2	1.1 Dichloroethylene	0.001	0.03	Gas Chromatograph
11.3	1.2 Dichloroethylene	0.03	0.03	Gas Chromatograph
11.4	Tetrachloroethylene	0.03	0.04	Gas Chromatograph
11.5	Trichloroethylene	0.09	0.07	Gas Chromatograph
12.1	Pentachlorophenol	0.03	0.009	Gas Chromatograph
12.2	2,4,6-Trichlorophenol	0.03	0.2	Gas Chromatograph
13	Chlorine (Residual)	0.2	-	Titrimetric
14	Chloroform	0.09	0.2	Gas Chromatograph
15	Chromium (Hexavalent)	0.05	-	Iron Chromatograph
16	Chromium (Total)	0.05	0.05(P)	AAS
17	COD	4	-	Closed Reflux Method
18	Coli form (Faecalis)	0 CFU (N/100mL)	0	Membrane Filtration Method
19	Coli form (Total)	0 CFU (N/100mL)	0	Membrane Filtration Method
20	Colour	15 Hazen	-	Colour Comparator
21	Copper	1	2	AAS
22	Cyanide	0.1	0.07	UV-VIS/Specific Ion Electrode
23	Detergent	0.2	-	UV-VIS
24	DO	6	-	Multimeter
25	Electric Conductivity	-us/cm	-	Multimeter
26	Fluoride	1	1.5	UV-VIS
27	Hardness as CaCO3	200-500	-	Titrimetric
28	Iodine	200-500	-	Titrimetric
29	Iron	0.3-1.0	-	AAS
30	Kjelle Nitrogen (Total)	1	-	UV-VIS/ Digestion
31	Lead	0.05	0.01	AAS

32	Magnesium	30-35	-	AAS
33	Manganese	0.1	-	AAS
34	Mercury	0.001	0.001	Mercury Analyzer
35	Nickel	0.1	0.02(P)	AAS
36	Nitrate	10	50.0 as N	UV-VIS
37	Nitrite	<1	3.0(0.2)	UV-VIS
38	Adour	Odorless	-	Threshold Method
39	ORP (Eh)	-	-	ORP meter
40	Oil and Grease	0.01	-	Oil and Grease meter
41	pH		6.5-8.5	pH Meter
42	Phenolic Compounds	0.002	-	Gas Chromatograph
43	Phosphate	6	-	UV-VIS
44	Phosphorus	0	-	Digestion
45	Potassium	12	-	AAS
46	Radioactive Materials (Gross Alpha Activity)	0.01 Bq/L	0.5 Bq/L	-
47	Radioactive Materials (Gross Beta Activity)	0.1 Bq/L	1.0 Bq/L	-
48	Salinity	-%0	-	Multimeter
49	Selenium	0.01	0.01	AAS
50	Silver	0.02	-	AAS
51	Sodium	200	-	AAS
52	Suspended Solids	10	-	Filtration and drying
53	Sulphate	0	-	UV-VIS
54	Sulphate	400	-	UV-VIS
55	Taste	-	-	Threshold Method
56	Total Alkalinity	-	-	Titrimetric
57	Total Dissolved Solid	1000	-	Multimeter
58	Temperature	20-30C		Thermometer
59	Tin	2	-	AAS
60	Turbidity	10 NTU	-	Turbidity meter
61	Zinc	5	-	AAS

Note: *UV-VIS: UV-Visible Spectrophotometer*
AAS : Atomic Absorption Spectrophotometer
ORP : Oxidation-Reduction Potential

CITIZEN PERCEPTION SURVEY

A. Introduction

1. Bangladesh has witnessed sustained urbanization for the last three decades fuelled by strong economic growth. The country has achieved respectable economic growth over the last two decades with a Gross Domestic Production (GDP) growth rate averaging over 6-7 per cent per annum. The country aims at reaching “middle-income” status by 2026 from the current lower middle-income nation.

2. Pourashavas in Bangladesh hold about 40 per cent of the urban population of the country and are an alternative destination for people to large cities such as Dhaka and Chittagong. The development of pourashavas for better living of the population can ease the pressure on resources and infrastructure of bigger cities. However, for ensuring better living condition for urban residents in the next decades, government and development partners should contribute to the sound and balanced urban development. The physical development of pourashavas is crucial, but the importance of improving urban governance also needs to be emphasized. Physical infrastructure improvements cannot be sustained unless persistent governance problems are addressed.

3. The development of a country mainly depends on healthy urbanization, i.e., the development of its cities and towns. Bangladesh is rapidly urbanizing and great pressure is exerted on basic urban services, particularly in the pourashavas. The percentage of the population in urban areas rose from 15% in 1980 to 38% in 2020. At present, the country has 12 City Corporations (CCs) and 329 pourashavas, and about 500 other urban centres. The urban centres are characterized by poor infrastructure and low levels of urban services. For example: (i) road network is not well planned and does not have sufficient width. These issues are created by a lack of proper master planning, drainage master plan and proper solid waste management system: (ii) drainage systems are not well planned, the drains are not cleaned regularly and do not function satisfactorily; (iii) water supply is inadequate and unsafe; (iv) solid waste management practices are weak; (v) street lighting is unsatisfactory, and (vi) pollution levels of water, air, soil, and noise have increased.

4. The RBL program supports the development of priority municipal infrastructure and essential services for improving livability in 88 target pourashavas through the achievement of output 2 indicators: (i) the rehabilitation and construction of stormwater drainage including natural drainage, to reduce climate and disaster risk; (ii) the rehabilitation or construction of roads with stormwater drainage, bridges, and culverts for improved connectivity and access to municipal services; (iii) the improvement of other infrastructures including market facilities and climate resilient and socially inclusive public open spaces; and (iv) the implementation of slum improvement programs including the construction of elderly (old age), women, children-friendly sanitation facilities for poor households.

5. A perception survey is required not only to measure the progress and effects of interventions during the implementation of the project, but this will also help assess the end-project impact and ex-post evaluation of the interventions on the physical parameters of the project’s development objectives.

B. Availability of Basic Infrastructure

6. It is important to link the perception of services with the facilities already available to check if there are any abnormalities. The summary of existing infrastructure facilities in three sample pourashavas, i.e. Chowmuhani, Naohata and Araihazar is provided in the following paras.

7. **Roads.** In Chowmuhani pourashavas, the total length of roads (concrete, bituminous and dirt roads) is 147km. The Noakhali-Chowmuhani-Chattogram Highway connects Chowmuhani with Noakhali and Laxmipur. Naohata Paurashava has approximately 182km of all types of roads and is connected to different parts of the country through Rajshahi. The total length of roads in Araihzar is 69km and is connected with Dhaka and Narsingdi by the Araihazar – Narsingdi highway.

8. **Drainage system**. In Chowmuhani pourashava, the drainage network is approximately 37km long. The capacity of these drainage networks is not sufficient to manage the runoff that usually occurs during monsoons. Waterlogging in many roads and built-up areas damages roads and road furniture. The same is the situation in Naohata pourashavas (having a drainage network of approximately 80km) and Araihazar province.

9. **Water supply**. In Chowmuhani and Naohata pourashavas, there are mainly two ways of water supply facilities- piped water supply and tube wells. In Chowmuhani, the total daily water supply is 15.25 lakh gallons, against a total demand of 8 lakh gallons. In Araihazar Paurashava, there is no piped water supply facility. The majority of the residents are fully dependent on tubewell.

13.

10. **Solid waste management**. The condition of solid waste management in sample pourashavas is not satisfactory. There are no designated dumping sites. There is no system for waste collection via dustbins from house to house. A limited number of waste collection trucks and vans are used to gather and deposit solid wastes into low-lying areas.

C. Methodology

11. Perception surveys were conducted with the Town level coordination committee (TLCC) members of the sample pourashavas from 7 November to 10 November 2022. The TLCC of respective *pourashava* represents citizens residing in the concerned *pourashava*. The TLCCs are established as per Article 115 of the Local Government (*Pourashava)* Act, 2009.

12. A set of pre-designed questionnaire was used for the survey. This encompasses issues related to the possible future effects of the project interventions when those will be implemented such as drains, roads, solid waste management amongst others. The questionnaire includes (a) whether municipal services are not adequately available, (b) ranking of the municipal services, and (c) perception of the improved urban roads in in sample pourashavas.

13. The perception of the governance systems and practices were not covered specifically in the survey. However, reference has been taken from the previous programs such as UGIIP3 which had a component related to urban governance improvement. The items that can be considered for this are: ease of access to municipal services, how difficult and cumbersome is the payment of taxes, and redressal of grievances.

D. Data Analysis

14. **Perception 1: Municipal services are not adequately available in sample pourashavas**. The summary in Table 1 shows that roadside drainage, solid waste management and urban roads with footpath and streetlights are the three services (in that order) wherein the citizen of sample pourashavas expressed considerable problems. Highest proportion (18%) of respondents from Naohata reported issues with drainage. The survey results are as per expectation and align with the basic infrastructure available (discussed in para above) as any drainage issues lead to waterlogging obstructing movement of residents. Similarly, the absence of any designated dumping sites coupled with the lack of collection facilities, affect daily lives of the residents. The livability considers nine municipal services as shown in Table 1.

Table 5: Perception of municipal services not available

Item Description	Chowmuhani	%	Naohata	%	Araihazar	%	Total	%
1. Urban roads with footpaths and streetlights	31	13.19	30	12.10	35	14.23	96	13.17
2. Urban roads without footpaths and street lights	12	5.11	19	7.66	27	10.98	58	7.96
3. Piped water supply	28	11.91	27	10.89	29	11.79	84	11.52
4. Sewerage system	29	12.34	32	12.90	33	13.41	94	12.89
5. Fecal sludge management system	22	9.36	23	9.27	30	12.20	75	10.29
6. Solid waste collection system	34	14.47	35	14.11	33	13.41	102	13.99
7. Roadside drainage	30	12.77	43	17.34	31	12.	104	14.27
8. Storm water drain	34	14.47	31	12.50	25	10.16	90	12.35
9. Cyclone shelters	15	6.38	8	3.23	3	1.22	26	3.57
TOTAL	235	100	248	100	246	100	729	100

15. As shown in Table 2, on an average approximately 70% of the respondents perceive that the municipal services are not available. A baseline livability of 30% can be assumed on this basis.

Table 6: Estimation of Livability

Item Description	Chowmuhani		Naohata		Araihazar	
	Number	%	Number	%	Number	%
What are the municipal services NOT available in your location?						
1. Urban roads with footpaths and streetlights	31	74%	30	58%	35	95%
2. Urban roads without footpaths and street lights	12	29%	19	37%	27	73%
3. Piped water supply	28	67%	27	52%	29	78%
4. Sewerage system	29	69%	32	62%	33	89%
5. Fecal sludge management system	22	52%	23	44%	30	81%

Item Description	Chowmuhani		Naohata		Araihazar	
	Number	%	Number	%	Number	%
6. Solid waste collection system	34	81%	35	67%	33	89%
7. Roadside drainage	30	71%	43	83%	31	84%
8. Storm water drain	34	81%	31	60%	25	68%
9. Cyclone shelters	15	36%	8	15%	3	8%
AVERAGE[95]		**62%**		**53%**		**74%**

16. **Perception 2: Ranking of the municipal services**. The summary in Table 3 shows that the roadside drainage and piped water supply are the areas where intervention is required. More than the citizen's expectation, it is a technical requirement that the drainage facilities are an inherent part of any road development or rehabilitation projects. Access to safe water is one of the fundamental measures needed to achieve community development in order to promote health and reduce poverty in developing countries.

Table 7: Ranking of municipal services

Item Description	Chowmuhani	%	Naohata	%	Araihazar	%	Total	%
1. Urban roads with footpaths and street lights	28	12.33	21	9.81	25	14.04	**74**	**11.95**
2. Urban roads without footpaths and street lights	15	6.61	16	7.48	12	6.74	**43**	**6.95**
3. Piped water supply	28	12.33	37	17.29	26	14.61	**91**	**14.70**
4. Sewerage system	24	10.57	21	9.81	23	12.92	**68**	**10.99**
5. Fecal sludge management system	24	10.57	19	8.88	15	8.43	**58**	**9.37**
6. Solid waste collection system	35	15.42	29	13.55	20	11.24	**84**	**13.57**
7. Roadside drainage	32	14.10	38	17.76	30	16.85	**100**	**16.16**
8. Storm water drain	24	10.57	25	11.68	20	11.24	**69**	**11.15**
9. Cyclone shelters	17	7.49	8	3.74	7	3.93	**32**	**5.17**
TOTAL	**227**	**100**	**214**	**100**	**178**	**100**	**619**	**100**

17. **Perception 3: perception of the improved urban roads**. The survey results as shown in Table 4 indicates that about one-fifth of the respondents would like to see improvement in all the sectors- roads, water supply, parking and drainage. Safety should be an important component of the road development as evident from perception of approximately 20% of the respondents.

Table 8: Perception of the improved urban roads

Item Description	Chowmuhani	%	Naohata	%	Araihazar	%	Total	%
1. Road surface improvement will be sufficient (1)	22	14.77	17	18.09	11	12.22	**50**	**15.02**
2. Should have sufficient street lighting (2)	28	18.79	19	20.21	18	20.00	**65**	**19.52**

[95] Number of respondents in the three sample pourashavas Chowmuhani, Naohata and Araihazar are 42, 52 and 37 respectively.

Item Description	Chowmuhani	%	Naohata	%	Araihazar	%	Total	%
3. Should have sufficient road safety features like footpaths, handrails, signs etc (3)`	21	14.09	7	7.45	8	8.89	**36**	**10.81**
4. Should have parking (4)	29	19.46	12	12.77	16	17.78	**57**	**17.12**
5. Should have drainage (5)	28	18.79	13	13.83	15	16.67	**56**	**16.82**
6. Should have all above facilities (6)	21	14.09	26	27.66	22	24.44	**69**	**20.72**
TOTAL	**149**	**100**	**94**	**100**	**90**	**100**	**333**	**100**

18. **Perception 4: perception of the governance systems and practices.** Though this has not been specifically covered in the survey, reference has been taken from the previous programs such as UGIIP-III which had a component related to urban governance improvement and implementation of Urban Governance Improvement Action Plan (UGIAP) in 35 pourashavas. In UGIIP-III, it is proved that the participating pourashavas have improved systems of governance and accountability from the previous system which was not very people friendly and there was a lack of capacity to provide services and support their citizens. Similar issues are being faced by the citizens in participating pourashavas in this RBL program with respect to access to municipal services, payment of taxes, and redressal of grievances, and hence governance improvement should be the core component of the program.

E. Conclusion

19. The result of perceptions survey is considered an appropriate indicator to examine the condition of basic urban infrastructure in pourashavas. The baseline liveability (30%) can be compared with the improved Livability due to project intervention. On a yearly basis, perception survey will be undertaken with the Town level coordination committee (TLCC) with atleast 33% women representation. The indicators will be grouped into two major sections and each parameter will be ranked on a scale of 1-4. Based on the survey, a total score will be arrived at:

(i) **Municipal infrastructures and services** (drainage system, road, and public spaces)- accessibility including safety of women, quality, availability, maintenance and

(ii) **Governance** - citizen participation, citizen charter (comprehensive information), inclusiveness, and transparency with PDP, master plan, GAP, PRAP, and annual budget developed through consultation and disclosed to the public.