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Public-Private Infrastructure Development Facility-3

ANNUAL ENVIRONMENTAL AND SOCIAL COMPLIANCE AUDIT REPORT

**DBL Industrial Park, Sherpur, Maulvibazar Sadar, Maulvibazar, Sylhet,
Bangladesh**

167.6 Acres Land Filling and Infrastructure Facility Development Project

DBL Industrial Park Limited

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Prepared by

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List of Abbreviations

ADB	Asian Development Bank
BEZA	Bangladesh Economic Zone Authority
BOD	Biological Oxygen Demand
CO	Carbon Mono-Oxide
COD	Chemical Oxygen Demand
dB	Decibel
DIPL	DBL Industrial Park Limited
DO	Dissolved Oxygen
DOE	Department of Environment
EC	Electrical Conductivity
ECR	Environment Conservation Rules
EHS	Environment and Health Safety
EMP	Environmental Management Plan
ERP	Emergency Response Plan
ESSF	Environmental and Social Safeguards Framework
EZ	Economic Zone
FGD	Focus Group Discussion
IDCOL	Infrastructure Development Company Limited
IEE	Initial Environmental Examination
IP	Indigenous People
MW	Mega Watt
NOC	No Objection Certificate
NOx	Nitrogen Oxides
NTU	Nephelometric Turbidity Units
PM	Particulate Matter
PPE	Personal Protective Equipment
PwC	PricewaterhouseCoopers Ltd
REB	Rural Electrical Board

SO ₂	Sulphur Di-Oxide
SPS	Safeguards Policy Statement
SS	Suspended Solid
STP	Sewage Treatment Plant
TDS	Total Dissolved Solid
TSS	Total Suspended Solid
UoM	Unit of Measurement

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EXECUTIVE SUMMARY

Background

DBL Industrial Park Limited is a private developer of Shreehatta Economic Zone and is envisioned to develop a portion of the Shreehatta Economic Zone complying infrastructural and community facilities aligning the prime objective of Bangladesh Economic Zone Authority (BEZA) to attract local and foreign investors for large manufacturing and service industry. The project site of DBL Industrial Park is located at Sherpur and Bamongaon Mouza, Maulvibazar Sadar upazila, Maulvibazar District, Sylhet Division. The GPS coordinate of the project is 24°37'29.37" North and 91°39'58.22" East. For financial assistance DBL Industrial Park Ltd. has approached Infrastructure Development Company Limited (IDCOL), along with other lenders. Considering the importance of the project, IDCOL has sourced required fund as ordinary capital resources (OCR) under Public-Private Infrastructure Development Facility (PPIDF)-3 of Asian Development Bank (ADB).

According to the Environment Conservation Rules (ECR), 1997 of Bangladesh Government, Economic Zone (EZ) project has been classified as Red Category. Hence, development project of DBL Industrial Park Ltd has fallen into the **Red** category. Given the environmental impacts of the DBL Industrial project are mostly site specific, ADB has categorized the project as **B** as per ADB guidelines. Due to the absence of any indigenous habitat in the project area, the project has been categorized as **C** from indigenous peoples (IP) perspective. In addition, as there is no issue of involuntary resettlement or adversely affecting livelihood of any unauthorized entity, the project has been categorized as **C** from involuntary resettlement (IR) perspective. In addition, IDCOL has adopted an Environmental and Social Safeguards Framework (ESSF). According to this ESSF, the proposed project of DBL Industrial Park Ltd seems to be a **High Risk** project requiring detail environmental impact assessment.

PwC has prepared the Initial Environmental Examination (IEE) Report based on the guidelines of Department of Environment (DOE), Government of Bangladesh (GOB) and Asian Development Bank's (ADB's) Safeguard Policy Statement (SPS), 2009. The project has started its preconstruction phase of land filling and construction of basic infrastructures such as boundary wall. As financial intermediary, there is a requirement of IDCOL to submit an annual Environmental and Social Compliance Audit Report of this project to ADB to share the major findings. Accordingly, this audit report has been prepared by IDCOL.

Audit overview and findings

The audit period (*January 2020 to December 2020*) of this Environmental and Social Compliances was influenced with the requirement of lock-down and subsequent social distancing due to COVID. Hence, there was limited scope to physically visit the project and to consult with adjacent neighborhoods. However, respective officials of Environmental and Social Safeguards Unit (Infrastructure), IDCOL have reviewed the available relevant documents and clearances. The audit deals with the implementation of environmental and social safeguards during operation phase in light of ADB approved Initial environmental Examination (IEE) report. During audit, the commitment of DBL Industrial Park Ltd to comply with environmental and social safeguards have been found as responsive.

1.0 INTRODUCTION

1.1 PROJECT PROPONENT

DBL Industrial Park Limited (DIPL) is acting as a private developer in Shreehatta Economic Zone with a view to develop a portion of the Economic Zone complying infrastructural and community facilities aligning the prime objective of Bangladesh Economic Zone Authority (BEZA) to attract local and foreign investors for large manufacturing and service industry. The zone will have access to utilities such as power, water and gas which are critical enablers for development of economic zone. There is adequate supply of unskilled labor from the rural areas in the vicinity, however skilled and semi-skilled labor needs to be procured from the nearby urban agglomerations since there is a dearth of quality educational infrastructure in the region.

The Economic Zone comprised of an area of 167.6 acres with state-of-the-art infrastructure facilities and professional management to attract and support local and foreign investments in industrial sectors. Table 1.1 shows key project information.

Table 1.1: Key project information

Project Company	DBL Industrial Park Limited (DIPL)
Project Location	Sherpur and Bamongaon Mouza, Maulvibazar Sadar Upazila, Maulvibazar, Sylhet.
Nearby Villages	Sherpur Village (N), Muzlishpur (SE), Bamangaon (NE), Iyanpur (S)
Project Area	6,78,253 Sq. m
Cost for site development	BDT 232.26 Crores
Cost for Factory Construction	BDT 4512.50 Crores
Industry Type According to DoE	Red
Electricity Procurement	Power will be sourced from Rural Electrical Board (REB). Also one common captive power plant will be installed.
Gas Requirements	3,360 cft/hr for residential area and 1,363,237 cft/hr for industrial processing area; Will be supplied from Jalalabad Gas Company (located nearby)
Water Requirements	553 cubic meter for residential area and 37,810 cubic meter for industrial processing area.
Source of Water	Deep tube-well and nearby waterbody (called Gong) which are located close to EZ site.
Power Requirements	6.72 MW for residential area and 67.5 MW for industrial processing area.
Treatment of Wastewater	Common STP for the Economic Zone

1.2 AREA AND LOCATION OF THE PROJECT

The economic zone site is located in the Maulvibazar Sadar Upazila, Maulvibazar District of the Sylhet Division, at the intersection point where Dhaka – Sylhet Highway and Sylhet – Maulvibazar Highway converge at Sherpur. The site is 35 Km from Sylhet city and 23 Km from Maulvibazar Sadar. Sreemangal Railway Station is 43 Km away from the proposed site and

Sylhet Rail Station is 35 km away. Dhaka lies at a distance of about 208 Km from this point. The Sherpur market is just 1 km away from the site. Nearest Airport is Osmani International Airport which is 55 km from the site, and nearest ports are Ashuganj River Terminal which is 108 km away in south west direction and Chittagong Sea Port is 333 km away. Above all, Sylhet Dhaka highway will be access road for the site. The GPS coordinate of the project is 24°37'29.37" North and 91°39'58.22" East. Location map of the project has been shown in **Annex 03**.

1.3 BRIEF DESCRIPTION OF THE PROJECT

Site for the EZ has been selected for development of economic zone. Scope of the proposed project is to develop EZ and on-site facilities for upcoming EZ zone. These EZ facilities will be developed by DIPL. The type of industries to be accommodated within EZ are as follows-

- | | |
|-----------------------------|--------------------------|
| 1. Spinning Mills | 6. Ceramic Frit |
| 2. Garments Accessories | 7. Aluminum Ball |
| 3. Glass Factory | 8. Sanitary Ware |
| 4. Glass Processing Factory | 9. Abrasive Tool Factory |
| 5. Ceramic Tiles Factory | 10. Sports Wear Factory |

The selected site is open land and a part of Surma – Kushiya flood plains as Kushiya River is only 900m distance from the site. Proposed interventions at the selected site are given below:

- Site development & Land Filling– The average natural ground level for the proposed EZ was +6.66 m AMSL level. To avoid inundation during monsoon season, an average depth of 9 feet to 13 feet of land filling has been envisaged for the proposed EZ area. The finished ground level for the proposed EZ will be around +10.0 m from above Mean Sea Level.
- Boundary Wall Construction
- Road, Footpath and Master drainage line construction
- Construction of industrial Plots
- Administrative & residential building
- Development of water supply, electricity supply and gas supply network
- Development of sewer system network
- Development of STPs, RMS Gas station, Mini Fire Office, Water body

Primary and secondary roads are planned to give access to the industries within EZ. These are looped and planned with the aim of providing smooth and dispersed traffic flow to reduce traffic congestion within EZ. A 230KV high voltage line passing through the site and a power

line of 0.4 KV is also available in the site. Surface water is available from the Kushiya River within 1 Km. There is a large water body in the southern part of the site. An STP is proposed for sewage management for the whole economic zone. The entire sewer network is planned along the proposed roads of EZ.

1.4 OBJECTIVES OF THE ENVIRONMENTAL AND SOCIAL COMPLIANCE AUDIT

The audit has been conducted with the aim to assess the project's compliance with-

- (i) Environment Conservation Rules (ECR)1997 of GOB;
- (ii) Environmental and social safeguards according to the Environmental and Social Safeguards Framework (ESSF) of IDCOL;
- (iii) Environmental and social safeguards according the Safeguards Policy Statement (SPS), 2009 and other relevant standards and guidelines of the ADB;
- (iv) Proposed mitigation measures and monitoring procedures according to the environmental management plan (EMP), resettlement action plan (RAP) as are applicable.

1.5 METHODOLOGY

The audit includes the following steps:

- (i) Review the environmental and social safeguards documents including environmental impact assessment report ;
- (ii) Assess actual implementation of the guidelines/action plan of the safeguard related documents (as available).

1.6 REPORTING PERIOD

The reporting period of this Environmental and Social Compliance Audit Report is January 2020 to December 2020.

1.7 CHANGES IN PROJECT SCOPE

There is no change in the technology and operational process as have been declared by the respective government and accepted by DIPL. So, it can be said that the Environmental Management Plan (EMP) of ADB approved Initial Environmental Examination (IEE) is fully applicable during the reporting period as well.

1.8 ENVIRONMENTAL MONITORING

The parameter, frequency and methodology of environmental monitoring are in accordance with EMP of ADB approved IEE, as has been detailed in chapter 3 of this audit report.

2.0 REGULATORY REQUIREMENTS

2.1 ENVIRONMENT CONSERVATION RULES, 1997 OF BANGLADESH

The project has to comply with the Environment Conservation Rules (ECR), 1997. According to the categorization of ECR, 1997, the project has been categorised as **Red**¹ meaning that it has significant adverse environmental impacts, which are to be mitigated with proper mitigation measures.

2.2 ENVIRONMENTAL AND SOCIAL COMPLIANCE RELATED STANDARDS AND GUIDELINES OF ASIAN DEVELOPMENT BANK

The project has to be complied with Safeguards Policy Statement (SPS), 2009 of ADB in regard of environmental and social (E&S) compliances. Considering the adversity of environmental impacts, it has been categorized as **B** from environmental safeguard point of view. As no record of any indigenous habitat has been found at Sherpur and Bamongaon Mouza of Moulvibazar Sadar, the project has been categorized as **C** in respect of Indigenous People (IP). Also, the land of the economic zone has been acquired through a “willing buyer willing seller” basis, as no physical and economic displacement in terms of involuntary acquisition of land and involuntary restrictions on land use is triggered, the project has been identified as category **C** in respect of Involuntary Resettlement.

2.3 ENVIRONMENTAL AND SOCIAL SAFEGUARDS FRAMEWORK OF IDCOL

IDCOL has adopted an Environmental and Social Safeguards Framework (ESSF) in 2011, which is to be complied with all infrastructure projects as are to be funded IDCOL. According to the environmental categorization of ESSF, the project has been categorised as **High Risk** project requiring significant compliance safeguards including comprehensive environmental impact assessment and regular monitoring. In consideration of social categorization, the project has been categorised as **Low Risk** as no involuntary resettlement of livelihood or economic impact has been experienced as well as no existence of Indigenous People in the project area.

¹ Schedule-1 of ECR (project no. 6 of Red category), 1997

3.0 IMPLEMENTATION OF ENVIRONMENTAL SAFEGUARDS

3.1 COMPLIANCE WITH ENVIRONMENT CONSERVATION RULES, 1997

DIPL has to comply with the requirement of ECR, 1997 of the DOE. As the site is designated by the BEZA, DoE does not require any site/location clearance certificate. But the locational No Objection Certificate (NOC) for locational clearance from local Union Parishad has been acquired by the project proponent and the NOC has been added in **Annex 01**. In the following Table 3.1, the compliance status of DIPL, in regard of major milestones of ECR, 1997 is depicted.

Table 3.1: Compliance with the requirement of ECR, 1997

Basic Requirement	Compliance Status
Award Site/Location Clearance Certificate	Complied
Award EIA approval	Complied
Award Environmental Clearance Certificate	Ongoing

3.2 COMPLIANCE WITH ENVIRONMENTAL MANAGEMENT PLAN

a. Institutional arrangement

The environmental and social compliances are dealt by DIPL project team.

b. Compliance status

In the IEE, a number of activities having potential adverse environment impacts and occupational health safety aspects during operation phase have been identified. In the following Table 3.2, suitable mitigation measures to address these impacts according to the EMP and actual responses by DIPL has been discussed.

Table 3.2: Response of DIPL on project activities and mitigation measures during construction phase

Project Activity	Potential Impacts	Proposed mitigation measures in EMP	Actual implementation	Compliance status
Setting up of construction camps/labor camps	Disturbance on surrounding locality and pollution of environmental elements	-Camps should be at least 500 m distance from habitations from the nearest settlements. - Location for stockyards for construction materials will be identified at least 1 km from water sources. - Construction camps shall be provided with sanitary latrines (1 per 25 pax), bathing facility and urinals - Drains and ditches will be treated with bleaching powder on a regular basis. - The sewage system for the camp will be properly designed, built and operated so that no health hazard occurs and no pollution to the air, ground or adjacent watercourses takes place - First aid facilities should be made available at construction camp. A person trained in first-aid treatment should be made in charge who will always be readily available during emergency.	Construction camps and residential accommodation for the workers are established. Precautions for health safety hazard related matters are arranged.	Complied
Excavation, disposal, cut & fill and land clearing activities for site levelling and internal roads, disposal	Soil contamination and negative impact on surrounding natural resources	- Residential facility or sensitive facilities like hospitals, schools etc. shall not be located in downwind direction of the identified sites for getting landfilling material. -The soil used for landfilling should have similar characteristics to the native soil and free of any type of contamination. In case of dredging activity for landfilling purposes: ➤ Dredging should not impact natural drainage courses ➤ Dredging sites should be located away from sensitive locations ➤ Permission from concerned local body should be taken before finalizing the location ➤ Magnitude and frequency of dredging activity should be monitored to avoid impacts on the natural drainage.	The landfilling materials are reported to collect from the river by sustainable manner.	Complied
	Soil Erosion and Sedimentation control	▪ Contractor should plan the activities so that no loose earth surface is left out before the onset of monsoon. ▪ Top soil along the road side should be stripped and kept under covered shed for plantation. ▪ To avoid soil compaction along the transportation routes, only identified haul roads would be used for transportation.	Contractors are reported to work on site preparation by sustainable manner.	Complied

Project Activity	Potential Impacts	Proposed mitigation measures in EMP	Actual implementation	Compliance status
		Soil erosion checking measures as the formation of sediment basins, slope drains, etc., should be carried out.		
	Dust Generation & Air Emission	- Vehicles delivering materials should be covered with tarpaulin to reduce spills and dust blowing off the load. - Water should be sprayed in the cement and earth mixing sites as well as after compaction. - In high dust areas, workers should be provided and encouraged to use masks. - Regular maintenance, servicing of the vehicles and periodic emission check for equipment and machinery would be carried out in conformity with Schedule 6 – ‘Standards for Emission from Motor’ of The Environment Conservation Rules 1997 (Amended 2002); - Water to be sprayed on the haul road. - All the vehicles entering the project site will be checked for Pollution-Under-Control Certificates. - Air quality monitoring to be carried out during construction phase to check the pollutants level in the air.	Vehicle conditions are reported to check on the project site.	Complied
Disposal of Debris and any waste generated	Pollution of soil and water sources	- Waste from construction camp should be segregated at site. - Dustbins should be provided at the site and construction camps to prevent littering of waste. - Construction debris should be stored under covered sheds on paved surfaces to prevent Leaching. - Utmost care shall be taken to ensure safe collection, transport and disposal of construction waste and debris.	Debris and solid wastes are reported to manage in a sustainable site.	Complied
Disposal of solid and liquid wastes	Contamination of soil	- Impervious platform and oil and grease trap for collection of spillage from construction equipment vehicle maintenance platform will be appropriately provided at construction camp, servicing area and liquid fuel and lubes at storage areas. - Proper management of waste from labor camps and construction site. - Proper disposal of wastewater generated from labor camp and construction site.	Probable oil leakage instruments and vehicles are reported to monitor.	Complied

Project Activity	Potential Impacts	Proposed mitigation measures in EMP	Actual implementation	Compliance status
	Contamination of surface & ground water	- Avoid excavation during monsoon season. - Loosened soil will be stabilized by Contractor through landscaping and developing vegetation, wherever possible. - Sanitation facility with septic tank followed by soak pit to be developed. - Provision of oil & grease traps upstream of storm water drains should be kept. - Surface run off due to construction activity should not be discharged in open without treatment.	No contaminating mediums were reported to found in construction stage.	Complied
Drainage and runoff	Water logging of natural channels	- The Contractor would always clear all the cross drainage structures and natural drainage before onset of monsoon in order to keep all drainage unblocked Earth, stones, wastes and spoils will be properly disposed off, to avoid blockage of any drainage channel. - All necessary precautions should be taken to construct temporary or permanent devices to prevent inundation or ponding.	Required measures have been reported to practice.	Complied
Noise from Vehicles, Plants and Equipment	Generation of noise construction machineries which could exceed 70 dB(A) at site boundary	- Construction activities would be carried out in the daytime only. - The construction equipment would be provided with adequate noise control measures and should comply with the noise standards as prescribed by DoE - Regular maintenance of vehicles and equipment would be carried out and corrective action taken in case of any deviation. - Ear muff/ear plug should be given to the workers working around or operating plant and machinery emitting high noise levels. - Labor working in noise prone area should be provided with ear plugs and job rotation should be practiced to prevent the prolonged exposure of any workers to high noise levels	The generator has been reported to a suitable place.	Complied
Accidents	Health hazards and probable non-curable injuries	- Safety officer should be appointed at site to ensure all the safety guidelines are being followed at site. - Cautionary guidance should be provided at site to aware people about the associated risk with the area. - All Accidents should be reported immediately and incident analysis, preventive measures shall be implemented.	Project team is responsive for environmental and health safety issues.	Complied

Project Activity	Potential Impacts	Proposed mitigation measures in EMP	Actual implementation	Compliance status
Occupational Health & Safety Plan		▪ All construction worker should wear PPEs including safety jacket, helmet, gloves, gum boots, ear plugs, mask while working at the site ▪ Workers should be made aware about the health issues related with open defecation ▪ Training to workers should be provided for handling the construction equipment and machinery as well as the emergency situations like fire, floods etc. ▪ First aid facility and sufficient nos. of trained personnel should be available at all the time at construction camp ▪ Cautionary signage and notice should be displayed in local language and English at the required places like fuel storage area so that hazards can be avoided	Safety gears and awareness have been reported to disseminate.	Complied

c. Environmental monitoring

i. Technical approach of environmental monitoring

In the EMP of the IEE, environmental monitoring has been required during operation phase. The air, water and noise quality monitoring schedule are depicted in Table 3.3.

Table 3.3: Monitoring parameters and frequency of monitoring

Key parameters to be monitored: (1) Ambient Air Quality		
location	frequency	parameter
Four corners of plant boundary and center point of the plant	Quarterly (routine) analysis	SPM, PM10, PM2.5, SO2, NOX, CO, Pb, O3, hydrocarbons etc.
Key parameters to be monitored: (2a) Surface Water		
location	frequency	parameter
Project site at Sherpur and Bamongaon Mouza	Bi-annual basis in each year (pre-monsoon and post-monsoon)	Temperature, pH, color, DO, BOD, COD, EC, TDS, TSS, Total Hardness, Salinity, Calcium, Magnesium, Total Coliform, Fecal Coliform, Oil & Grease, ammonia, nitrates, alkalinity, Sulphate, phosphate, Fluoride, Iron, Arsenic, trace metals such as Chromium, Lead, Cadmium, Mercury etc.
Key parameters to be monitored: (2b) Ground Water		
location	frequency	parameter
Project site at Sherpur and Bamongaon Mouza	Bi-annual basis in every year (pre-monsoon and post-monsoon)	Temperature, pH, color, DO, BOD, COD, EC, TDS, TSS, Total Hardness, Salinity, Calcium, Magnesium, Total Coliform, Fecal Coliform, Oil & Grease, ammonia, nitrates, alkalinity, Sulphate, phosphate, Fluoride, Iron, Arsenic, trace metals such as Chromium, Lead, Cadmium, Mercury etc.
Key parameters to be monitored: (3) Noise		
location	frequency	parameter
At four corners of Project boundary	Quarterly (routine)	Limits in dBA

In 2020, DIPL conducted air, water and noise monitoring in January to February.

Table 3.4: Ambient air quality at project site

Parameter	North Side	South Side	DOE Standards
SOx	Not Determined (ND)	ND	365
NOx	6	8	100
SPM	ND	163	200

Source: DIPL

Table 3.5: Ambient noise level at project site

Period	Location of Monitoring Point					DOE standard (dB)
	Northern side of project boundary (dB)	Southern side of project boundary (dB)	Eastern side of project boundary (dB)	Western side of project boundary (dB)	Central point of project site (dB)	
Hourly day time monitoring (7:00-22:00)	49.0	58.3	57.3	49.4	ND	60.0

Source: DIPL

Table 3.6: Surface water quality at project site

Parameter	UoM	Pond at Parkul, 5 No. Aushkandi, Nobigonj, Hobigonj on 29 January 2020	Beribil Ghat, Sherpur on 11 February 2020	DOE Standard
Temp.	°C	23.2	22.8	-
pH		7.2	6.6	6.0-9.0
BOD	mg/l	4	3	50
COD	mg/l	11	9	200
EC	µS/cm	141.4	81	1200
TDS	mg/l	60	43	2100
TC	mg/l	0.03	0.04	0.05
SS	mg/l	41	10	150
Chromium	mg/l	0.04	0.03	0.05
Lead (Pb)	mg/l	ND	ND	0.05
Chloride	mg/l	0.5	0.4	150-600
Iron	mg/l	0.15	0.12	0.3-1.0
Sulphate	mg/l	5	3	400
Total Hardness	mg/l	0.15	0.12	200-500
Fluoride	mg/l	ND	ND	1
Ammonia	mg/l	0.07	0.08	0.5
Oil & Grease		ND	ND	0.01

Source: Monitoring conducted by DoE, Sylhet

Table 3.7: Ground water quality at project site

Parameter	UoM	Pond at Parkul, 5 No-Aushkandi, Nobigonj, Hobigonj on 29 January 2020	Beribil Ghat, Sherpur on 11 February 2020	DOE Standard
Temp.	°C	24.9	24.3	20-30
pH		7.08	7.07	6.5 – 8.5
BOD	mg/l	0.4	0.5	0.2
COD	mg/l	4	3	4
TDS	mg/l	60	56	1000
EC	µS/cm	445	457	1200
Alkalinity		16	18	10-500
TSS	mg/l	8	7	10
Turbidity	NTU	4	5	10
Chloride	mg/l	5	4	150-600
Iron	mg/l	0.14	0.12	0.3 – 1.0
Total Hardness	mg/l	15	14	200-500
Coliform	/100ml	0	0	0

Source: Monitoring conducted by DoE, Sylhet

II. Result of environmental monitoring

During construction phase, the ambient air quality has been found to comply with the acceptable limit of DOE. No significant noise has been observed which is being generated from the project activities. The quality of housekeeping has been found to be as satisfactory. Different types of wastes have been found to deposit and dispose in safe manner. While reviewing the monitoring report, the surface and ground water quality have been found to be within the limit of DOE.

III. Disclosure of environmental monitoring

As disclosure of environmental monitoring, DIPL has kept the copy monitoring result available at project site.

IV. Monitoring adjustment measure

As the air, water and noise monitoring result have been found to be within the limit, no adjustment measure has been recommended.

3.3 COMPLIANCE WITH SAFEGUARDS POLICY STATEMENT, 2009 OF ADB

It is already said that the DIPL project has to comply with the requirement of SPS, 2009 of ADB. Accordingly, the compliance of this project in regard of major EHS related requirement are mentioned in Table 3.8.

Table 3.8: Compliance with important EHS aspects during construction phase

ADB Requirements	Issue and Description of Observation	compliance Status
<i>Environment Assessment requirements for various financing modalities</i>	PwC conducted the environmental impact assessment	Complied
<i>Occupational and Community Health and safety</i>	DIPL has been responsive on application of PPE.	Complied
<i>Biodiversity conservation and sustainable natural resource management</i>	The activities in relevant to operation phase seems to be inadequate to adversely affect the biodiversity and natural resource management in the project area to a greater extent. But due to the long-term operation of the project, there could be limited/minimal impact to the local biodiversity.	Complied
<i>Pollution prevention and abatement</i>	The available monitoring result has been found to be within the acceptable limit.	Complied
<i>Physical Cultural resources</i>	Due to the unavailability of designated physical cultural resources within the range of close distance, the issue of adversely affecting the physical cultural property seems not to be relevant with the project.	Complied

4.0 IMPLEMENTATION OF SOCIAL SAFEGUARDS

4.1 IMPACT ON RESETTLEMENT OF THE PROJECT AFFECTED PEOPLE AND LIVELIHOOD

As the project site is a purchased land of DIPL through willing seller-willing buyer arrangement, there is no issue of resettlement. In addition, as the project site was not being used for any income generating activities before acquiring for economic zone establishment, so the project is not associated with any adverse impact on the livelihood of any local household.

4.2 INSTITUTIONAL ARRANGEMENT ON SOCIAL SAFEGUARD

Institutional arrangement

The environmental and social compliances are dealt by DIPL project team.

Grievance Redress Mechanism

For ensuring proper redressal of grievances, DIPL has introduced Grievance Box and Grievance Log Book. While reviewing the Grievance Log Book and consultation with local people, no significant grievance has been observed.

4.3 IMPACT ON INDIGENOUS PEOPLE

Based on the primary observation during site visit and secondary sources, no habitat of any indigenous community has been reported at the surrounding areas of the project site. So, the project has been categorized as **C** for Indigenous Peoples (IP) safeguards concluding that there is no issue about adversely affecting IP neither in construction phase nor in operation phase.

DIPL is expected to be gender and caste neutral. So, any qualified person coming from the indigenous community will be equally treated during the recruitment process, and will be given the same benefits as like as other personnel.

4.4 CHILD LABOUR

The Bangladesh Labour Act 2006 (Act XLII of 2006) also defines the “child” and the “adolescent” on the basis of age. As per section 2(8) of the Act, a person who has attained the age of 14 but below the age of 18 is considered to be an „adolescent” and as per section 2(63), a person not attaining the age of 14 is defined as a “child”.

According to The National Child Labour Elimination Policy 2010, following rights are to be complied with, in regard of addressing child labour Issue

- Employing children according to the age determined by the Acts and not to employ children below 14 years as a regular employee;

- Ensuring the children at domestic work not to perform any hazardous work and providing them with proper food and accommodation, education, recreation since they work full time; and
- Refraining child workers from physical, mental, sexual persecution and abuse.

DIPL has been reported to be careful about the child labour issue.

4.6 PUBLIC CONSULTATION AND DISCLOSURE OF INFORMATION

Due to COVID related social distance requirement, it was inconvenient for respective IDCOL officials to physically visit the project and conduct public consultation. Moreover, as DIPL project is new in the IDCOL portfolio, there is no previous record of public consultation of previous years. However, in future, IDCOL officials will try to conduct detail public consultation with adjacent neighbourhoods.

4.7 ENHANCEMENT

DIPL acknowledges the importance of satisfactory relationship to adjacent communities. DIPL has contributed generating employment for local day laborers.

5.0 CORRECTIVE ACTION PLAN

DIPL has been responsive to the EMP. They have been found to maintain the required mitigation measures to address the potential impacts. From social safeguard perspective, it has been reported that there is no significant grievance neither from any internal stakeholder nor from any external stakeholder.

6.0 CONCLUSION

Based on the findings of environmental and social compliance audit, it can be concluded that DIPL is responsive on environmental and social safeguards.

Annex 1: NOC from Local Authority



গণপ্রজাতন্ত্রী বাংলাদেশ সরকার
চেয়ারম্যান কার্যালয়

১নং খলিলপুর ইউনিয়ন পরিষদ

ডাকঘরঃ সাধুহাটি, উপজেলা ও জেলা : মৌলভীবাজার।

ই-মেইল: khalilpurup@gmail.com



স্মারক নং : ৪৬৮/২০২০

তারিখঃ ০৩/১২/২০২০খ্রিঃ

অবস্থানরত/পরিবেশগত অনাপত্তি সনদপত্র

- ১। আবেদনকারীর নাম : মোঃ আব্দুল জব্বার
২। পিতা/স্বামীর নাম : আব্দুল মতিন
৩। আবেদনকারীর ঠিকানা : বাসা/হোল্ডিং: ৯, গ্রাম/রাস্তা- ০২, বারিধারা, বারিধারা, ডাকঘর- গুলশান মডেল
টাউন-১২১২, গুলশান, ঢাকা উত্তর সিটি কর্পোরেশন, ঢাকা।
৪। কারখানা/প্রকল্পের অবস্থানগত ঠিকানা : ইউনিয়ন: ১নং খলিলপুর, থানা ও জেলা: মৌলভীবাজার।
৫। কারখানা/প্রকল্পের তপশীল :

জেলার নাম	থানা/উপজেলার নাম	মৌজার নাম	আর এস খতিয়ান নং	আর এস দাগ নং	জমির ধরণ	মোট জমির পরিমাণ
মৌলভীবাজার	মৌলভীবাজার সদর	ব্রাহ্মনগ্রাম, জেএল নং:০১ শেরপুর, জেএল নং: ০২	-----	-----	অকৃষি	১৬৭.৬ একর

৬। কারখানা/প্রকল্পের উৎপাদিত/উৎপাদিতব্য পণ্য/ কার্যের বিবরণ: শিল্প নগরী

উপরোক্ত তথ্যাদির আলোকে ডিবিএল ইন্ডাস্ট্রিয়েল পার্ক লিমিটেড" কারখানা/প্রকল্পকে নিম্ন বর্ণিত শর্ত সাপেক্ষে
অনাপত্তিপত্র প্রদান করা হলো।

শর্তাবলী

- ১। প্রকল্প/কারখানা স্থাপন ও পরিচালনার ক্ষেত্রে পরিবেশ সংরক্ষণ আইন ও বিধি যথাযথভাবে অনুসরণ করতে হবে।
২। পরিবেশ অধিদপ্তর হতে বিধি দ্বারা নির্ধারিত পদ্ধতিতে ছাড়পত্র গ্রহণ করতে হবে।
৩। কর্মরত শ্রমিকদের পেশাগত স্বাস্থ্য ও নিরাপত্তা নিশ্চিত করতে হবে।
৪। উপযুক্ত অগ্নি নির্বাপক ব্যবস্থা রাখতে হবে এবং অগ্নিকাণ্ড কিংবা অন্য কোন দুর্ঘটনার সময় জরুরী নির্গমন
ব্যবস্থা থাকতে হবে।
৫। বায়ু ও শব্দ দূষণ করা যাবে না।
৬। কারখানা/প্রকল্প সৃষ্ট তরল বর্জ্য অপারিশোধিত অবস্থায় বাইরে নির্গমন করা যাবে না।

উল্লেখিত যে কোন শর্ত লঙ্ঘন করলে যথোপযুক্ত কর্তৃপক্ষ কর্তৃক কারখানা/প্রকল্পের বিরুদ্ধে আইনানুগ ব্যবস্থা
নেওয়া যাবে।

০৩/১২/২০২০
(অরবিন্দ পোদ্দার বাচ্চু)

চেয়ারম্যান

১নং খলিলপুর ইউপি

সদর, মৌলভীবাজার

অরবিন্দ শোদ্দার (বাচ্চু)

চেয়ারম্যান
১নং খলিলপুর ইউ.পি.
মৌলভীবাজার সদর।

Annex 2: Contract Agreement for Land Filling



ক/নং ৩৫৩২৭৯৯

১৫/০৬/১৯
৩৫৩২৭৯৯৯

বিসমিল্লাহির রাহমানির রাহীম
শ্রীহট্ট অর্থনৈতিক অঞ্চল এ ড্রেজার ঘারা
বালি ভরাট কাজের চুক্তিনামা

১ম পক্ষ: মেসার্স মুকুল এন্টারপ্রাইজ, প্লোঃ মোঃ আমান উল্লাহ, টংগাবাড়ী, আতলিয়া, সাভার, ঢাকা, মোবাইল : ০১৭১৭-৪৭২৭২৯।

২য় পক্ষ : ১। মেসার্স কালনী এন্টারপ্রাইজ এর পক্ষে-মোঃ আলিউর রহমান, শেরপুর, মৌলভী বাজার, মোবায় : ০১৭১৫-৮৫৯৬৬৫।

পরম করণাময় মহান আল্লাহর নামে অত্র চুক্তিপত্র শুরু করিলাম। শ্রীহট্ট অর্থনৈতিক অঞ্চল, শেরপুর, মৌলভী বাজারে অবস্থিত ডিবিএল কোম্পানীর নিচু জমি ড্রেজার ঘারা বালু ভরাট কাজ নিম্নের শর্তাবলীতে সম্পাদিত হইল।

শর্তাবলী

০১। বালুর পরিমাণ ২,০০,০০,০০০ (দুই কোটি) ঘনফুট।

০২। প্রতি ঘনফুট বালুর দ্বারা ২.৯৫/- (দুই টাকা পঁচাত্তরই পয়সা) বলচেট মেজারমেন্ট।

(চলমান পাতা)

(বিধি-১০(৬) দ্রষ্টব্য)

নদীর তলদেশ হইতে ড্রেজিং পদ্ধতিতে বালু বা মাটি উত্তোলনের ইজারা চুক্তি ফরম।

মনুদীনী আর্শিক-১৬ (চানপুর) বালুমহালের ড্রেজিং ইজারার চুক্তিপত্র জুনি মন্ত্রণালয়ের পক্ষে জেলা প্রশাসক/কলেজ, জেলা-মৌলভীবাজার(অতঃপর ইজারাদাতা বলিয়া অভিহিত হইবে)।

জেলা প্রশাসক, মৌলভীবাজার।

প্রথম পৃষ্ঠা

এবং

জনাব মোঃ হায়দার আলী, পিতা-মৃত মোঃ ইয়াতুর মিয়া, সাং-হামরকোনা, ডাকঘর-আফরোজগঞ্জ, উপজেলা-মৌলভীবাজার সদর, জেলা-মৌলভীবাজার, পেশা-ব্যবসা (অতঃপর ইজারা গ্রহীতা বলিয়া অভিহিত হইবে)।

দ্বিতীয় পৃষ্ঠা

এর মধ্যে ১৪২৬ বাংলা সনের জ্যৈষ্ঠ ২৬ তারিখ সম্পাদিত হইলঃ

মেহেতু ইজারাদাতা মৌলভীবাজার জেলায় অবস্থিত নিম্ন তলপিলভুক্ত বালুমহাল ও মাটি ব্যবস্থাপনা বিধিমালা, ২০১১ মোতাবেক হাইড্রোগ্রাফিক জরীপে চিহ্নিত স্থানের মালিক।

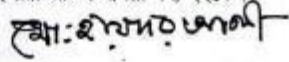
মেহেতু মৌলভীবাজার জেলার জেলা প্রশাসক (কালেক্টর) উক্ত প্রস্তাব গ্রহণ করিয়া ১৪২৬ বাংলা সনের দফল দানের তারিখ হইতে ৩০শে চৈত্র ১৪২৬ পর্যন্ত সময়ের জন্য-১৪,০০,০০০/- (চৌদ্দলক্ষ) টাকায় ইজারা প্রদানে সন্মত হইয়াছেন।

সেহেতু এখন ইজারাদাতা কর্তৃক তফসিলে বর্ণিত এবং হাইড্রোগ্রাফিক জরীপে চিহ্নিত বালুমহাল ২৬ জ্যৈষ্ঠ ১৪২৬ বাংলা তারিখ হইতে ৩০শে চৈত্র ১৪২৬ পর্যন্ত সময়ের জন্য নিম্ন বর্ণিত শর্তে ইজারা গ্রহণে স্বীকৃত হওয়ায় এবং ইজারামূল্য বাবদ সর্বমোট ১৪,০০,০০০/- (চৌদ্দলক্ষ) টাকা পরিশোধ করায় ইজারাদাতা ইজারা গ্রহীতার সহিত নিম্নোক্ত মর্মে ও শর্তে অঙ্গীকারবদ্ধ হইলেনঃ

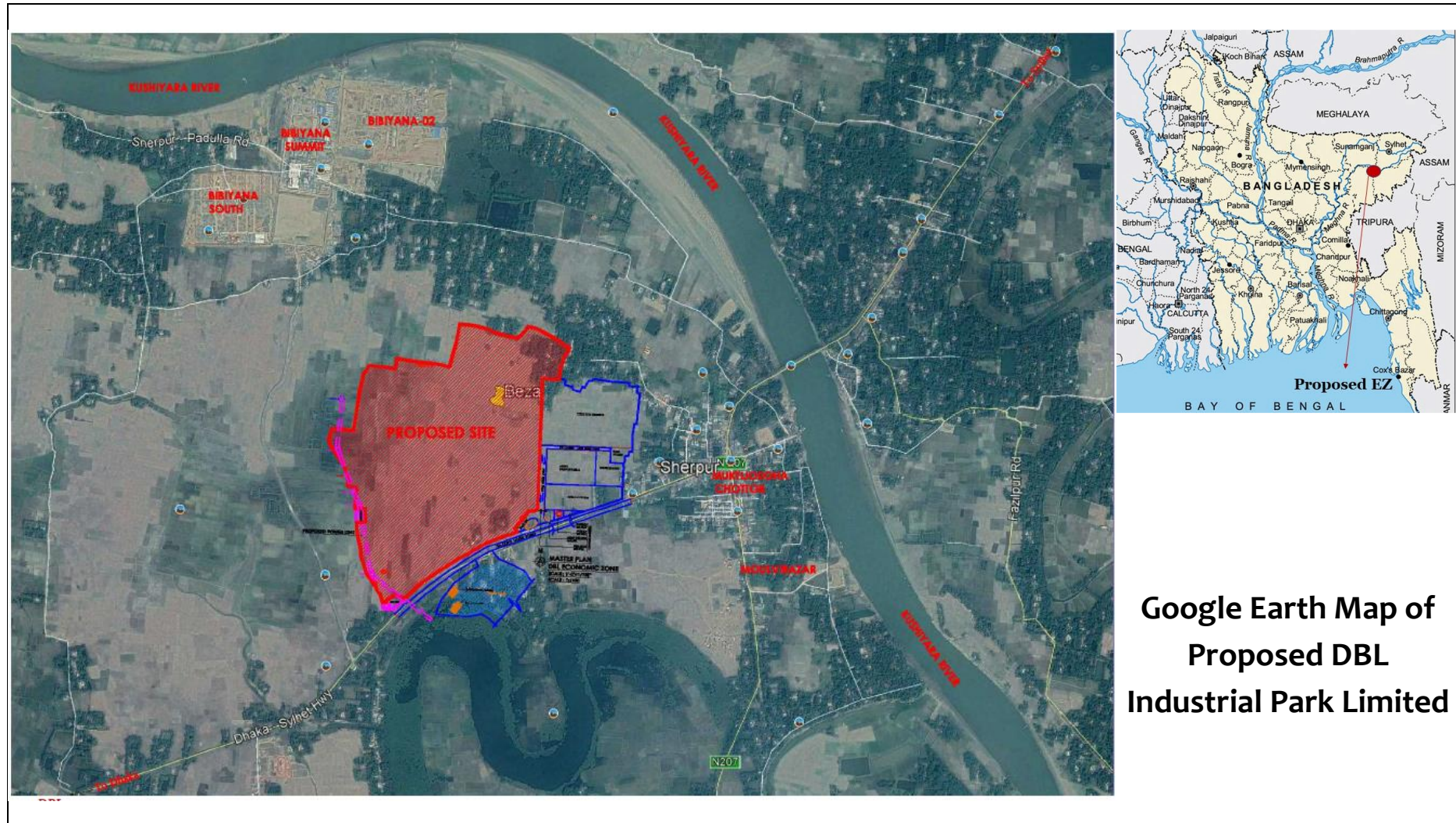
১. নৌপথের অবকাঠামোগত পরিবর্তন করা যাইবে না।
২. মাটি কাটিবার পর LLW হইতে পার্ল সর্বোচ্চ গভীরতা ১২.০০ ফুটের বেশী হইবে না।
৩. নদীর বাতাবিক বৈশিষ্ট্য অক্ষত রাখিমা ১:৩ ঢাল সংরক্ষণ করিয়া বালু বা মাটি উত্তোলন করিতে হইবে এবং কোন স্থানে অস্বাভাবিক গভীরতায় নদী খনন করা যাইবে না।
৪. প্যাস গ্রাইন, ওয়াসার লাইন, ড্রাইভাট লাইন ক্ষতিগ্রস্ত হলে উত্তোলনকারী নিজ দায়িত্বে ও ব্যয়ে উহা মেরামত করিতে বাধ্য থাকিবেন।
৫. বালু ও মাটি উত্তোলনকালে নৌ-চলাচলের কোন বিঘ্ন সৃষ্টি করা যাইবে না এবং রাত্রিকালে বালু বা মাটি খনন করা যাইবে না।
৬. বালু বা মাটি খননের সময় সড়ক-তাম্রনক ব্যবস্থা হিসাবে লাল পতাকা প্রদর্শন করিতে হইবে এবং সেখানে নোংরা নিষিদ্ধ লাইন বোর্ড আছে সেই স্থানে খনন করা যাইবে না।

স্বাক্ষর: মোঃ হায়দার আলী

৭. বালু বা মাটি উত্তোলনের সময় স্থানীয় জনগণের জায়গা জমি ক্ষতিগ্রস্ত করা যাইবে না এবং ক্ষতির সম্মুখীন হইলে ইজারা গ্রহীতা নিজ উদ্যোগে তা সমাধান করিবেন। তাহাতে ইজারাদাতা কোনরূপ হস্তক্ষেপ করিবে না বা দায়ী থাকিবে না।
৮. বালু বা মাটি উত্তোলনকালে কোন প্রকার দুর্ঘটনার জন্য ইজারাদাতা দায়ী থাকিবে না। যে কোন প্রকার ক্ষয়ক্ষতির জন্য ইজারা গ্রহীতা দায়ী থাকিবেন এবং কোন প্রকার ক্ষতিপূরণের দাবী আসিলে ইজারা গ্রহীতাকে তা বহন করিতে হইবে।
৯. বালু উত্তোলন কালে নদীর তীর সংলগ্ন ফসলি জমি বা গ্রামের পরিবেশের কোন রূপ ক্ষতি সাধন করা যাইবে না।
১০. নদীর তীর জমির ঢাল (Slope) ক্ষয়খণ্ডভাবে সংরক্ষণ করিয়া বালু উত্তোলন করিতে হইবে।
১১. জীব বৈচিত্র্য সংরক্ষণ ও পরিবেশ দূষণরূক রাখিতে হইবে।
১২. বালু উত্তোলনের বিষয়ে সরকার কর্তৃক জারীকৃত সকল সার্কুলার, বিধি বিধান ও আইন সমূহ মানিয়া চলিতে হইবে। বর্ষিত কোন শর্ত ভঙ্গ করিলে জেলা প্রশাসক তাৎক্ষনিকভাবে উত্তোলন বন্ধ করিয়া দিবেন এবং ইজারা বাতিল বলিয়া গণ্য হইবে।
১৩. উত্তোলনকৃত বালু বা মাটি কোন অবস্থাতেই নদীর তীরে বা নদীতে ফেলা যাইবে না।
১৪. বালু বা মাটি উত্তোলনের সময় সরকারী, আধাসরকারী, স্বায়ত্বশাসিত ও ব্যক্তি মালিকানাধীন কোন প্রতিষ্ঠান স্থাপন বা অবকাঠামোর কোন ক্ষতি করা যাইবে না। কোন ক্ষতি পূরণের দাবি আসিলে ইজারা গ্রহীতা তা বহন করিবেন।
১৫. ড্রেজারের মাধ্যমে বালু বা মাটি উত্তোলন শেষে ড্রেজিং সংক্রান্ত যাবতীয় মালামাল (যেমন-ড্রেজার, পাইপ ইত্যাদি) ইজারা গ্রহীতা দ্রুত সইট হইতে সরাইয়া নিতে বাধ্য থাকিবেন।
১৬. প্রস্তাবিত এলাকা হইতে মাটি কাটিবার সময় নৌ-চলাচলের কোন প্রতিবন্ধকতা সৃষ্টি করিতে পারিবে না।
১৭. বালু বা মাটি উত্তোলনের ফলে নদীর তীর যাহাতে ভাংগিয়া না যায় সে দিকে লক্ষ্য রাখিতে হইবে।
১৮. মামলাজনিত বাতুলমহালগুলো মামলা নিষ্পত্তি হওয়ার পর ইজারা গ্রহীতার অনুকূলে ইজারা কার্যক্রম গ্রহণ করা হইবে। এজন্য দেবীতে দখল বুকে পাওয়ার অজুহাত দেখিয়ে পরবর্তীতে মেয়াদ বৃদ্ধির আবেদন সর্বআদালতে আইনত অগ্রাহ্য হইবে।
১৯. দরপত্র যে পর্যায়ে বা সময়ে আহবান করা হোক না কেন দখল গ্রহণের পর হইতে ১৪২৬ সনের ৩০শে চৈত্র পর্যন্ত ইজারা বলবত থাকবে। দখল গ্রহণে বা গ্রহণে বিলম্ব হইয়াছে, বৃষ্টি না হওয়ায় উজান হইতে বালু আসেনি, ঘড়া, পানি প্রবাহে বাধা দেয়ার কারণে বা বাধা না ছাড়ার কারণে বালুমহালে বালু জমা হয়নি এরূপ অজুহাতে ইজারার মেয়াদ বর্ধিত করার আবেদন দাখিল করা যাইবে না। এরূপ আবেদন সর্ব আদালতে অগ্রাহ্য হইবে।
২০. বালুমহালের কোন অংশ পার্শ্ববর্তী দেশের সীমান্তের সন্নিহিত হলে সেখান হতে বালু উত্তোলন করা যাইবে না। সেখান হইতে বালু উত্তোলন করিতে হইলে সীমান্তরক্ষী বাহিনী (বিজিবি) কর্তৃপক্ষের অনুমতি গ্রহণ করিতে হইবে।
২১. চুক্তি শর্তের সাথে সংযুক্ত হাইড্রোগ্রাফিক জরিপ চার্টের চিহ্নিত স্থানের বাহিরে মাটি উত্তোলন করা যাইবে না।
২২. বর্ষিত কোন শর্ত ভংগ করা হইলে ইজারাদাতা তাৎক্ষনিক ভাবে উত্তোলন কার্য বন্ধ করিয়া দিতে পারিবেন এবং তাতে ইজারা বাতিল বলিয়া গণ্য হইবে।

স্বাক্ষর: 

Annex 3: Location of the project site



Annex 4: PPE arrangement



Photograph 4 (a): PPE arrangements for Workers



Photograph 4 (b): PPE Instruments

Annex 5: Fire-fighting arrangement



Photograph 5: Firefighting Arrangements on the site

Annex 6: Landscape of the Site



Photograph 6: Current status of landscaping and plantation

Annex 7: Application of signage



Photograph 7: Safety Signage on the site

Annex 8: Current status of project



Photograph 8: Current status of the site

Annex 9: Workers' shed with sanitary facilities



Photograph 9 (a): Accommodation for Workers



Photograph 9 (b): Toilet and Cleaning Facilities

Annex 10: Grievance Redress Mechanism

অভিযোগ ও পরামর্শ রেজিস্টার (Complain & Suggestion Register)														
ক্রমিক নং	কম্পিউটার সফটওয়্যার এবং হার্ডওয়্যার	ব্যক্তিগত তথ্য	কম্পিউটার সফটওয়্যার এবং হার্ডওয়্যার	বিভাগ	অভিযোগ ও পরামর্শের প্রকৃতি	অভিযোগ/পরামর্শের প্রকৃতি			স্থপতি	সময়কাল	প্রাপ্তি তারিখ	সম্পূর্ণতা তারিখ	অন্যান্য মন্তব্য	
						অভিযোগ	পরামর্শ	অন্য						
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Photograph 10 (a): Grievance Log Book



Photograph 10 (b): Grievance box for internal and external stakeholders