

バングラデシュ国

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# 経済特区開発調査及び BEZA 能力向上プロジェクト

## ファイナルレポート 付属書

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バングラデシュ国経済特区開発調査及び BEZA 能力向上  
プロジェクト共同企業体

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## 付属書 1 : 投資関連法制度に係る比較資料

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付属書 1 各国における工業団地事業にかかる主要要件比較一覧

① SEZ の目的・法体系（主要根拠法規、管轄組織、工業団地数等）

	バングラデシュ EZ	バングラデシュ EPZ	インド	インド/SEZ	タイ	インドネシア	ベトナム	カンボジア	含意
主要根拠法規	バングラデシュ経済特区法(The Bangladesh Economic Zones Act, 2010)、バングラデシュ民間経済特区政策 (Bangladesh Private Economic Zones Policy, 2014)、バングラデシュ経済特区細則（開発事業者選定等） Bangladesh Economic Zones (Appointment of Developer, etc.) Rules, 2014、バングラデシュ経済特区細則（業者選定に係る手続き） Bangladesh Economic Zones (the Procedure of Appointment of Developer) Rules, 2016	出加工区庁法(The Bangladesh Export Processing Zones Authority Act, 1980)、その他関連 Rules と Regulations。民間 EPZ については、Bangladesh Private Export Processing Zones Authority Act, 1996 及び関連 Rules と Regulations。	Industrial Park Scheme, 2002 のような事業支援(金融)スキームはあるが、中央政府により策定された工業団地に関する法規はなく、代わって各州毎に産業開発公社の設立に係る法令もしくはその他の法律を準用している状況。	経済特別区法 /Special Economic Zone Act, 2005 経済特区規則 /Special Economic Zones Rules, 2006 経済特区(関税手続き)規制/Special Economic Zones (Customs Procedure) Regulations, 2003 経済特区開発に関するガイドライン /Guidelines for Development of Special Economic Zone, 2009	タイ国工業団地公社法 B.E. 2522 (1979) 1991 年(B.E. 2534)と 1996 年(B.E.2539)に計 2 回改正 IEAT 声明(ガイドライン)/ Announcement of IEAT, No.78/2554 (Guideline on Sewage discharge), No.64/2536 (Guideline on land development), No.25/2547 (Waste discharge)	工業団地に関する大統領令 No. 53/1989（民間による工業団地開発規制緩和） 商工省規則 No.509/Mpp/kep/10/1999（工業事業ライセンス、拡張ライセンス、工業登録認証の発給に係る手続きと規則） 工業団地に関する大統領令 No. 41/1996（工業団地に関するガイドライン） 工業団地に関する政府規則 No. 24/2009 (Statute Book of 2009 No. 47, Supplement to Statute Book No. 4987) 工業省規則 No.05/M-IND/PER/2/2014（工業団地許可及び拡張許可の発給に係る手続き）	EPZ の設立に係る法令(1991) (Decree No.322/HDBT) 工業団地規則に関する政府令(1994) (Government No.192/CP) : 外国資本による工業団地開発の奨励 工業団地に関する規則(1997)(Decree No.36/CP) : 政府令(1994)の改定 工業団地、EPZ、SEZ のための国家開発事業にかかる首相決定(2006) (Decision No.1107/DQ-TTG) : 民間による工業団地開発と産業振興、廃水処理の強調 不動産法の施行に関する Decree 153/2007/ND-CP(2007) 工業団地の設置に係る細則 (2008)(Decree No.29/2008/ND-CP)	2005 年政令 No.148 (Sub-Decree No.148 on the Establishment and Management of the Special Economic Zone) (経済特区政令) 2001 年 The Land Law (土地法)	工業団地開発におけるインフラ/サービス仕様、基準要件に対する規制は、国際的な投資企業の誘致において、一定程度の条件/規定値を備えた国際基準の工業団地群の整備において、必要な措置である。このガイドラインが東南アジアでは策定されており、ゾーン開発業者にとって明確であるが、バングラデシュでは経済特区において開発事業者選定のための指針は示されるものの、経済特区におけるインフラ/サービス仕様や基準についての要件規則、規定がない。
管轄組織	首相府傘下バングラデシュ経済特区庁 (Bangladesh Economic Zone Authority /BEZA)	首相府傘下バングラデシュ輸出加工区庁 (Bangladesh Export Processing Zone Authority/BEPZA)	各州政府工業局 (State government / Dept. Of Industry) 各州政府産業開発公社 (State Industrial Development Corporation)	商工省 (Ministry of Commerce and Industry) 各経済特区庁 SEZ Authority	タイ国工業団地公社 (Industrial Estate Authority of Thailand: IEAT) もしくはタイ投資庁 (Board of Investment: BOI)	工業省 (Ministry of Industry) 民間の工業団地運営業者で作るインドネシア工業団地協会などの組織も。	計画・投資省が他の省庁(工業省、建設省、工業団地管理委員会など)との調整を担う機関として指定されており、最終的な工業団地開発に関する意向は首相が裁決を下すこととされ	首相を会長とするカンボジア開発評議会(CDC) 管轄下にある「カンボジア経済特区委員会」が経済特区の運営組織。 CDC に置かれる「経済特区トラブル解決委員会 (Special	工業団地開発・運営に当たっての実務所轄官庁は国によりさまざまであるが、東南アジアでは、工業団地開発・運営に関しての権限移譲が、権限の授与者が国家元首である旨を法的に明示し、省庁

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							る。	Economic Zones Trouble Shooting Committee : SEZ TSC」 は経済特区で起きる 技術的・法的な全ての 問題や、複数の省 庁にまたがり、かつ カンボジア経済特区 委員会と経済特区管 理事務所の権限を越 える全ての事項につ き、早急な解決をは かる責務を負ってい る。また経済特区ト ラブル解決委員会は 特区開発業者または 特区内に 立地する投資企業か らの苦情を受け付 け、解決策を見つけ る責務も負ってい る。	間の軋轢による機能 不全に陥らないよう にする工夫がなされ ている点に特徴がみ られる。バングラデ シュにおける EZ 開 発を巡る法制度も、 この原則に則ってい るが、個別省庁との 行政手続きについて の細則がまだ定め られていない。
工業団地数 (運営中)	経済特区(EZ) 47 (承 認、10 つの民間 EZ 含む)	輸出加工区(EPZ) 8 (操業中)	N/A	158(政府 : 20、民間 : 138)(2012) 特区許可用地 61,829ha (2013)	62 (政府/IEAT : 11、 JV : 25、民間 : 26)(2012) 工業団地開発用地 20,560ha (2012)	225 工業団地開発用地 27,320.6ha (2012)	118 (2008) 工業団地開発用地 33,195ha (2008)	8 (民間 : 7、政府 : 1)(2013) 工業団地開発用地 2,609ha (2012)	東南アジアでは、 民間事業者による工 業団地が大半を占め ている。
立地	土地収用及び不動 産徴用に関する規則 (1982)第3項に従い、 一般市民により使用 されている宗教信仰 上の土地、墓地、葬 儀場は収容できな いとされる。さらに、 経済特区法第5項(3) により、市役所、地 方自治体の管轄地お よび野営地は、経済 特区として使用でき ない。民間経済特区 政策、2015 によれば、 民間経済特区は、肥 沃でない土地、未開	輸出加工区の立地 選定は、専門家によ る F/S を実施したう えで行われている。 その際の条件は、労 働力の確保、ハブと 置換の交通 (鉄道、 道路、港)、電力、水 資源、ガスなどへの アクセスが評価され る。政府としては、 輸出加工区を、政府 所有地で後発地域に 設けることを条件と してきた。	州の産業開発公社 が進める工業団地用 地の立地選定要件 は、多毛作農地を避 け、不毛作地とまで は行かずとも農耕地 向きではない土地を 対象に、リンクージ、 市場へのアクセス、 電気・水などのユー ティリティへのアク セス、土地品位など の観点で工業団地候 補地の選定を行って いるが、新土地収用 法 (2013) において	経済特区開発に関 するガイドライン に、都市近郊を避け、 十分な土地と水資源 の確保、また耕作地 を避け、環境への配 慮などを掲げた立地 に関する規定があ る。	IEAT が管理するこ とになる工業団地の 設立に当たっては、 マスタープランに照 らし、現地調査など を経て IEAT の基準 を満たしており、土 地利用の規制に違反 していない条件で、 開発許可が為される ことになる。 BOI による純粋民 間事業では、幹線道 路沿いなど、優位な 立地条件に開発が進 む。	工業団地開発は、 農地や環境保全の観 点から、中央あるい は地方政府の定める 工業開発振興地域に 限られ、国家ゾーニ ング計画/地域開発計 画に沿って開発の許 可が為されると規定 されている。	工業団地の立地 は、工業団地開発に 係るマスタープラン に従って、社会経済 開発計画と整合性が 取れており、産業・ 社会インフラの開発 に当たり支障がな く、産業クラスター の整備に当たっての 拡張余地が確保され ている、また労働力 の確保の面でも問題 がないこと、などが 首相決定(2006)/工業 団地規則(2008)に定	立地選定要件等は 特に規程なし。 東南アジア各国で は、ODA 支援などの 活用により工業団地 マスタープランの整 備が全国規模で進 み、個別事業案件の 立地もそのマスター プランの範疇で許可 される仕組みとなっ ている。バングラデ シュでは全国を対象 とした経済特区マス タープランが策定さ れておらず、経済特 区開発は総合的な開 発計画の上で実施さ れていない形で取り	

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	発地が優先的な立地条件となり、バングラデシュ環境保護法（1995）により定められた環境保護上問題のある土地は立地から外されることとなる。		も、灌漑設備の施された多毛作地の取用に当たっては、制限されている。				められている。 また同一エリアにおける工業団地群において提供されている産業用地のうち、少なくとも60%がリース契約向け用途となることを求めている。 さらに500ha以上の工業団地開発を国道、防衛区域、自然保護区などに隣接して進める場合、建設省ほか関連部局の事前の合意を取り付けておく必要がある。		進められている。
地理的アクセス要因	経済特区は、全国を対象に、産業開発との連関性の中から承認が行われてきている。	すべての輸出加工区は、戦略的な地理要因を加味して開発されてきている。多くはダッカやチッタゴンといった大都市近郊において開発され、金融的な支援や社会インフラへのアクセスを容易にしている。しかしこれらの輸出加工区内労働者にとっては、十分な住居環境が整っておらず、生活費が高額となると言った問題も抱えている。	工業団地の港湾アクセスと電力供給体制の提供は不可欠であるが、これらを伴った生産基地がインドでは圧倒的に足りない。	経済特区は、デリー、ハリヤナ、グジャラート、マハラシュトラ、AP、カルナタカ、タミル・ナド州の大都市近郊に立地する傾向にあり、ウッタル・プラデシュ（UP）、MP州やインド北東部ではそれほど特区開発が進んでいない。	BOIによって、タイ全土を3つのゾーンに区分し、投資奨励のための優遇策を、バンコクから郊外に行くほど、設けているが、工業団地開発は、バンコクにほど近いゾーン1とゾーン2に集中している。 通常、工業団地は港、駅およびその他の交通手段にアクセスしやすい場所に位置し、製品および原材料の運搬の便も良く、働く人にとっても通勤しやすい場所にある。	首都ジャカルタから50km圏にある西ジャワ州に工業団地群が形成されており、この地域の工業団地がインドネシアにおける工業団地の約半数の面積を占める。 この地域の工業団地へは高速道路によるアクセスが一般的であるが、タンジュンプリオク港湾が地域における唯一の国際港であり、渋滞が慢性化しており、改善にむけた取り組みが行われている。	北部（ハノイ）、中部（ダナン）、南部（ホーチミン）と3つのエリアに分かれて工業団地群が開発されてきており、これら3つの都市近郊の工業団地群で全体の工業団地の約70%を占める。	シハヌークビル港後背地、ブノンペン郊外、タイ・ベトナム国境付近など立地条件の良い土地に経済特区開発が進んでいる。	南アジアと東南アジア共に大都市近郊に工業団地開発が集中する傾向にある点では共通しているが、バングラデシュでは都市圏へのアクセスが便利な工業団地/経済特区は実質少ない。また東南アジアにおける工業団地事業は、Greenfield案件ではなく、既存工業地域/団地の拡張が主流となっている。バングラデシュ、インドではGreenfield案件への注力が目立つ。
汚職対策	バングラデシュにおける汚職防止対策は、Anti-corruption Commission Act, 2004により法制度化しており、経済特区開発において特筆すべき	左記の汚職防止対策の他、EPZ 開発・運営に係る汚職防止策の制度化・法制化は特段には為されていない。	汚職対策の法制度は、The Prevention of Corruption Act, 1988 (Act No. 49 (Sept. 9, 1988)) を根幹とし、2014年には新しい法制度が制定	SEZに係る法制度上、特段の汚職対策に係る規定が為されているわけではない。一方で、インドにおける経済特区では、民間特区開発事	The Thai Criminal Code によって汚職に係る法規制が為されている。近年ではBOIと汚職対策を司る Thai Ministry of Justice's Office of	Law No. 20 of 2001 ("Indonesian Anti-corruption Law")並びに Law No. 11 of 1980 on Bribery ("Indonesian Anti-bribery Law")	Criminal Code 並びに Anti-corruption Law (2005) のほか、Decision 64 (2007) や Decision 59 (2013) などによる法改正を伴った法制度化が進め	Anti Corruption Law (2008) により法制化し、近年では Anti-Corruption Unit と経済特区開発・運営業者、入居企業とが、汚職に係るホッ	タイ・カンボジアでは、投資誘致・促進機関と汚職防止監視機関とが連携し、時には工業団地開発・運営業者とのホットチャンネルを

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は、開発事業者選定に係る汚職対策について、Bangladesh Economic Zones (the Procedure of Appointment of Developer) Rules, 2016 に詳細に記述している点である。これには、汚職の定義、汚職に関与した提案書の拒否、法的措置に繋がる禁止活動内容について規定されている。		され、インドが批准している国連腐敗防止条約をより効果的に実施し、汚職に対する迅速かつ公正な調査と起訴が為されるよう汚職対策組織の強化が制度化されている。	業者による土地売買、工場建設における優遇措置が不適切な形で行われ、汚職の温床ともなったとの指摘が為されている。	Public Sector Anti-Corruption Commission (PACC) とが、情報共有の強化などを盛り込んだ協定を結び、外国投資企業の保護を打ち出している。	によって汚職に係る法制度化が為されている。一方で、いまだ工業団地における通関・許認可に際し、賄賂などの汚職に対して十分な対応が図られていない。	られている。しかし工業団地における通関や許認可に係る賄賂などの汚職は未だ大きな課題と指摘されている。	トラインを設置するなどの措置を謳った MoU の締結などを行っている。	開設し、汚職事案への対応が垣根なく迅速に行えるよう制度化しているところもある。バングラデシュにおいては、特区開発事業者選定過程において、汚職防止の規定が為されているが、通関・各種許認可における汚職機会の低減のためにも、特区行政における OSS の徹底、Anti-corruption Commission や開発事業者とのホットラインの制度化などが検討されよう。

## ② インセンティブ（開発事業者、入居者）

バングラデシュ EZ	バングラデシュ EPZ	インド	インド/SEZ	タイ	インドネシア	ベトナム	カンボジア	含意	
民間ゾーン開発者向け優遇税制	経済特区法では、ローカル、国外在住のバングラデシュ企業、外国企業を含む民間事業者による経済特区開発が認められている。Bangladesh Economic Zone (Appointment of Developer etc.) Rules, 2014 に従えば、BEZA は EZ 開発事業者を Public Private Partnership 制度に則り選定することができ、EZ インフラの開発、運営、モニタリングの実施を任せることができる。また民間 EZ 開発事業者向けの優遇措置も設	BEPZA は輸出加工区の開発のために組織された唯一の政府機関であるため、民間企業との共同開発事業は想定されていない。一方で、民間事業者単独による輸出加工区の開発が認められている。	民間事業者による工業団地開発は、Federal Law に規定はなされており、ラジャスタン州では、歳入法に産業地区開発の規定があり、これを準用している。 なお、民間ゾーン開発事業者は州の工業局を窓口として、各種担当窓口との交渉を重ねる必要がある。 また産業開発公社より土地のリース契約を取り交わす形式が一般的であり、その際には印税を支払	民間事業者による SEZ 開発事業者に対して、州政府が各種税制優遇や特別措置を講じることが認められている(第 50 条)。よって SEZ 事業においては、印税は免除になることが多い。 なお、開発事業者は無税で通常の関税領域から認められた物品やサービス購入を行うことができるとされている。また法人税の免除、輸入関税免除、物品税、サービス税、中央売上税が減免されるなどの特典も提供され	民間の団体および政府の機関が IEAT と共同で工業団地を運営することを奨励している一方、工業団地事業の運営を行う上で必要な公衆施設やインフラ設備のサービス提供、そして環境整備を、IEAT の許可・認可および監督下において行うことを求めている。 なお、タイの工業団地は IEAT が独自で運営する団地、民間による開発が為されたうえで IEAT が管理する工業	工業団地に関する大統領令 No. 53/1989 により、これまで地方・州政府により行われてきた工業団地への民間事業者による参入が認められた。その後、工業団地開発の多くは民間事業により進められてきた。	工業団地規則に関する政府令(1994) (Government No.192/CP)により、工業団地/インフラ開発は国内・海外資本を問わず奨励されており、工業団地開発事業者に対する税制優遇処置もとられている。 ただし、開発に当たっての建設労働者はベトナム人を優先的に使うことなどされ、技術的な問題で適任者がいない場合のみ外国人の雇用が一定期間認められることとされてい	経済特区開発はそのほとんどを民間事業者による開発が大半を占めることとなっており、経済特区開発事業者は以下のような特典を受けることができる。- 輸入に関する VAT 免除 - 最長 9 年間の法人税免除 - 特区のインフラ開発のための輸入設備や機材は輸入税とその他の税を免除	タイ、インドネシア、ベトナムでは、当初、中央・地方政府により進められてきた工業団地開発スキームから、90 年代には民間ゾーン開発事業者による参入許可へと大きく舵を切り、その後は民間事業者による工業団地が中心となり開発が進んでいる。カンボジアでは、バングラデシュと同様、工業団地開発事業者に対する特典も与えられる制度となっている。

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けられている。		<p>わねばならず、キャッシュフォロー上、州政府産業開発公社による工業団地開発とは違いがあることは歴然である。</p> <p>一方で、民間事業者による工業団地開発を奨励する政策も近年発表されてきており、民間企業が土地造成、送電線、排水管、アクセス道路、また浄水処理施設の開発を行う際、グジャラート州では、2013年に発表された産業政策に則り、100エーカー以上の工業団地開発にかかるユーティリティ開発費用として、最高 Rs. 20 crore の補助金を活用できるようなスキームを提供している。また地権者からの土地買収にかかる印紙税の100%免税と、その後の進出企業へのリース契約の際に50%の免税が為されるような措置が講じられるようになってきている。また MP 州でも民間の工業団地開発におけるリンクインフラストラクチャーには Rs 5 Crore の補助金が付与されたり、カルナタカ州では、民間事業者による工業団地開発事案を促進するための法案を現在策定中である。</p>	<p>ているが、配当税 (DDT)/開発者からの配当に対し 16.22% が SEZ においてそれぞれ 2011 年 6 月から適用されるようになっており、優遇税制の弱体化がみられる。</p>	<p>団地(Industrial estate)や、民間が BOI の投資奨励を受けて造成・販売・管理を行う工業団地 (Industrial Park 等の呼称) もある。</p> <p>一般的に日系企業による工業団地開発は BOI の許認可を受けた形態のものが大部分を占める。</p>				



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外資規制	民間経済特区政策の第12項に則り、外国企業100%による経済特区開発が認められている。さらに同第13項にて、ローカルと外国企業との処遇には土地取得、事業開発、拡張、運営、販売、譲渡業務などにおいて差別なく対応することが謳われている。	外国企業による国内投資が、外国民間投資法（促進および保護）（1980）によりほぼすべての分野で認められている。	工業団地開発については、商工省産業政策促進局（DIPP）の定める統合版 FDI 政策（2012）により、自動承認で外資による100%出資が、以下の条件を満たした場合認められる。(1) 10社以上の入居区画を開発し、そのうちの1社が販売可能区画の50%以上を占有しないようにする。(2) 販売可能用地のうち、産業用地が66%以上であること。 なお、サービス住居事業では10ヘクタール、建設開発プロジェクトでは土地面積を最低でも5万m <sup>2</sup> として開発する場合外資100%出資が認められるが、外資100%の場合、1千万ドルの最低出資金が求められる。また、最初の投資資金は最低資本金の出資完了から3年経過しないと本国送金できないと規定されている。	SEZ 開発の場合、タウンシップ、住居、商業施設、リゾート、娯楽施設に関する土地開発・建物建設プロジェクトに通常課される条件は課されないこととされ、外資100%出資が認められている。	外国企業による不動産取引は認められていないが、5億バーツ以上の最低資本を有する建設業、1億バーツ以上の最低資本を有する仲介・代理業であれば規制の対象とはならない。 なお、工業団地開発への外国企業の参入は、JV の形態がそのほとんどである。	高度な技術を利用した、高リスク案件で、工事金額が10億ルピア以上の建設業については、外資出資上限が67%まで認められている。この建設分野は、工場、商業建物の造成、設置、内装工事等が該当する。 よって、工業団地開発への外国企業の参入は、JV の形態のみ認められている。	外国企業は土地を所有することはできないが、土地使用権（LUR）を取得することで、土地の利用をすることができ、外資企業による工業区（工業団地、輸出加工区、ハイテク区）の開発は、開発会社がベトナム政府から土地使用権を取得して行われることとなる。使用期間は50年と定められている。	外国人、外国法人は長期、短期でのリースのみ土地所有を認められる。カンボジア国籍を有する法人（カンボジア資本51%以上）である場合、土地所有が認められる。（2001年土地法）	バングラデシュにおいては外国企業であっても工業団地開発/特区開発に参入できるなど、弾力的な規制となっているが、東南アジアでは外資100%での不動産開発に対する規制があるところが多い。ただし、工業団地開発・運営に当たっては、多岐にわたる許認可機関対応において、現地の商習慣にそって機知に富む現場対応が求められる。これは現地企業でないと果しえない役割である。よって東南アジアにおける工業団地開発のモデルにおいて、現地/外資によるJV がベストプラクティスとして機能してきているのが実態である。
入居企業向け優遇税制	EZ 開発事業者および入居企業向けにそれぞれ別の優遇措置が設けられている。EZ 開発事業者向けには、EZ ライセンスの付与から15年を限度に、その間の10年間の法人税免除が恩典として設けられる	EPZ 入居企業向けに政府は税制優遇と非税制優遇策を講じている。また入居企業は、製造品の10%を上限に国内市場への物品販売を、課税手続きを経た上で、許可されている。ただ、上記の措置は、	インフラ開発、電力開発・送電、再生可能エネルギー、化学研究分野などの分野に対する投資には各種の優遇処置が提供されている。 印税については、政府が個別案件ごとに(概ねは大型案件に	2006年特別経済区法（SEZ 法）により、SEZ 入居企業には、最大15年間の法人税減免措置が与えられる。輸出振興を目的とした原材料の関税減免スキームも提供されている。 SEZ への進出企業	投資委員会（BOI）の認可に基づき、所得発生日から3～8年間の法人所得税免除。免除期間中に損失が生じた場合、免除期間終了後5年以内の単年、または複数年の純益から同額の損失を控除。	政令（2008年第62号）により、特定業種に対する固定資産投資は、地域・金額などの条件を見たとで、投資額の30%を所得から控除（5%を6年間）。加速度減価償却（1/2の期間）の適用も可能。	2009年1月1日に工業団地への入居条件とする優遇処置は撤廃されているが、2008年に策定され、2014年1月より改定のうえ適用になる新法人税法では、新たに特区とハイテクパーク内に踏査さ	関税その他の税に關し、他の QIP と同様の優遇措置の対象となる。QIP は2003年改正投資法に基づき、法人税（最長9年間）、輸出入関税、VAT の免税措置が適用される。その他は下記の通り。	タイ、インドネシア、ベトナムでは、奨励される産業に対して法人税等の減税があり、さらに地方においてはその減税幅が大きく、産業開発が進んでいない地方への投資に当たって、特に地域恩恵を

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<p>などの措置が設けられており、入居企業には、3年間の法人税100%の免除のほか次年度以降にも免税措置が用意されるなどの優遇税制が適用される。</p>	<p>縫製産業には適用されず、国内で製造されていない物品製造産業にのみ適用される措置となっている。</p>	<p>限る)減額を特別に認め、優遇処置をとることがあるが、中小規模の投資では目立った優遇処置はされていない。</p>	<p>には、サービス税は適用されないとされ、リース契約では印紙税なども課税対象とならない。</p> <p>ただミニマム代替税 (MAT)帳簿上の利益に対し18.5%と配当分配税 (DDT)/開発業者からの配当に対し16.22%がSEZにおいてそれぞれ2011年4月と6月から適用されるようになっており、優遇税制の弱体化がみられる。</p>	<p>プロジェクトに応じて、設備や部品・原料の輸入税免除。</p> <p>※プロジェクト期間は、プロジェクトの立地やプロジェクト内容によって異なる。</p> <p>EPZの恩典には、以下のようなものがある。製造用原材料、機械設備、道具、工場、建物建設資材の輸入税、付加価値税、物品税などが免税となり(48条)、EPZから他のEPZへ移出するときも同様となる(49条)。ただし、国内へ移出する場合は、移出物品の形態により移出時の税率により輸入税、付加価値税、物品税などが課せられる(51条)。EPZへの物品移入、移出は、すべて総裁または総裁が権限委譲した者の許可を要する(56条)。</p>	<p>2011年財務大臣規定(8月15日付)にて特定5業種に対するタックスホリデー(5~10年間の法人税免除)導入。2011年8月末時点では未発行。</p>	<p>れる(ただし社会自然環境的に開発が非常に困難な地域に限って)事業からの収益に対する税率を10%とし、適用期間を15年とし、税免除期間を4年、減税期間を9年とすることが定められる。</p> <p>また一般の工業団地であっても、大都市における投資でなければ、法人税を20%と減免する投資奨励策を打ち出している。</p> <p>また地域によって、土地賃貸料の免除や工業団地内で就業する外国人とその家族に対するビザの発行についても奨励されている。</p>	<p>- 輸出加工型 QIP: 原材料、工場建設用資材、生産設備の輸入関税免税及び VAT 免税</p> <p>- 国内市場型 QIP: 工場建設用資材、生産設備の輸入関税免税</p>	<p>講じる傾向にある。恩恵には、税制上の恩恵と非税制上の恩恵があり、前者が、一定の条件を満たす外国企業への法人所得税や関税の免除・減税であり、後者は、様々であるが、100%外資企業の設立、外資企業に対する土地所有権、外国人専門技術者の就労条件など、経済特区内企業であるがゆえに受けられる恩典・許可がある。バングラデシュにおける優遇税制は、法人税免除においては、東南アジア諸国に比べ10年間という期間には比較優位があるものの、措置内容自体では、法人税の全額免除期間は3年間しかなく、他のインド・東南アジアと比べて見劣りする。また、EZ内で製造された最終製品については、20%を上限に国内市場に販売できるものとしているが、他国で定めている条件との比較において、これも見劣りする。</p>

③ 開発プロセス（マスタープラン、デベロッパー選定方法/基準、用地取得、ゾーニング、EIA、販売方法）

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マスタープラン	<p>Bangladesh Private Economic Zones Policy, 2014 第6項(1)と(2)に規定があり、民間EZ開発事業者は、第一段階（First Stage Application）であるPre-Qualificationライセンスの取得後、マスタープランの提出が求められ、その中で、(土地利用計画、ゾーン計画、インフラ整備計画、フェーズ計画の記述が求められる。</p> <p>PPP方式によるEZ開発案件の場合、Bangladesh Economic Zones (the Procedure of Appointment of Developer) Rules, 2016の第36項に記載があり、経済特区開発事業者として提案書の評価において最も得点の高かった事業者は、Letter of Award (LOA)の発給を経て、包括的なマスタープランの提出が必要となる。この中に盛り込まれるべき事項としては、土地利用計画/ゾーニング、オンサイトインフラ計画、フェーズ計画とあり、民間EZ開発事業者の承認手続きと同様の内容となっている。</p>	<p>BEPZAが準備するDevelopment Project Pro-forma (DPP)の中にマスタープランが盛り込まれ、BEPZAが内規で定めた建築基準に従った、道路、排水路、事務所などの設計のほか、開発エリア、事業費が共に記載されることになる。</p>	<p>各州政府産業開発公社が工業団地開発に係るマスタープランを作成している。その基準は各州によりまちまちであり、一定水準のクオリティを担保するものではない。</p>	<p>Guidelines for Development of Special Economic Zones (SEZs), 2010の第3項3.1において、民間開発事業者は開発プランの作成にあたり、以下の点に留意することが求められている。</p> <ul style="list-style-type: none"> <li>- 物理的条件・天然資源の分析と評価</li> <li>- 土地利用パターン、道路、その他インフラに係る広域空間計画</li> <li>- 雇用創出に繋がる活動拠点</li> <li>- 地域の主要都市との交通インフラ計画</li> <li>- 20~25年先の開発計画と5年後との短期活動計画</li> <li>- 投資計画とフェーズに則ったインフラ開発計画</li> <li>- 有用な土地に対しての土地利用方針と計画</li> <li>- 環境的側面に則った、緑地帯の設置、表層水の貯水、災害対策等への留意</li> </ul>	<p>IEATとの合弁会社で運営・管理する工業団地事業のうち、民間工業団地事業者が作成することになる基本計画（マスタープラン）承認は、IEATが工業団地の開発事業者とそのコンサルタント会社を呼び、審議に必要な情報に関する説明を求めた上で、IEATが行うことになる。</p> <p>なお、基本計画の中には、水利用計画、土地利用計画、インフラコンセプト設計（能力キャパ、開発計画）、投資計画と財務分析、環境関連情報が盛り込まれ、評価を受けることになる。</p>	<p>インドネシアにおいて9割を占める、民間事業者による工業団地開発では、監督省庁である工業省および各地方政府による工業団地開発に係る申請書の承認(Principal approval)を受けた後、Industrial estate public orderの作成に着手、これを完成させることが、工業団地許可(Principal permit)の取得要件とされ、このOrderが、マスタープランに当たる。</p> <p>Orderの中に記載が求められる事項としては、下記のようなものになると定められている。</p> <ul style="list-style-type: none"> <li>- 当該工業団地の意義・目的</li> <li>- 入居が想定・認められる産業</li> <li>- 利用可能な産業インフラ</li> <li>- 提供されるサービス</li> <li>- 開発事業者の権利と義務</li> <li>- 入居企業の権利と義務</li> <li>- 工業団地内に適用される建築基準</li> <li>- 環境影響評価結果を反映した対応</li> </ul> <p>なお、近年になり、工業省により民間工</p>	<p>工業団地の設置に係る細則(2008)第4項3.3において、500haを超えるもしくはインフラ開発が複数事業者によりなされる工業団地開発に当たっては、前もってマスタープランの作成が求められ、作成の基準については、建設省が定めたガイドラインに準拠するよう求めている。</p> <p>マスタープランには、1) 総開発用地の60%を入居企業向けの区画とし、2) 国家社会経済マスタープランとの整合性を保ちつつ、3) 産業・土地インフラとの連関性を持ち、労働者向けの住環境にも配慮しながら、4) 用地拡張と別の工業地区との連携、投資誘致と労働者の要求に対する対応能力に係る記載が求められる。</p> <p>さらに工業団地のマスタープラン承認は、案件の性格に従って、地方人民委員会の承認に先立って、建設省からのものが必要である場合も定められている（同細則第5項4.）。</p> <p>なお、EZ開発は、EZマスタープランに準拠し、大水深港や</p>	<p>経済特区政令の第3項2に従い、特区開発事業者は、特区開発申請を行い、CSEZBよりCRC(Conditional Registered Certificate)の発給を受けた後、180日以内に、マスタープランを含む事業計画書の提出が求められる。</p> <p>しかし、マスタープランの中に、どのような事項を盛り込まれるべきかの規定は見られない。</p>	<p>各国ともに、民間事業者の計画する工業団地事業に対する認可制度の一環として、マスタープランを審査する制度を設けており、一定水準のインフラ・ユーティリティサービス等の質を担保する取り組みを行っている。審査を受ける、マスタープランの記載内容には、ゾーニングや、物理的なインフラ設計の他、財務的事業評価、環境影響評価等も併せて求める国が多く、バングラデシュにおける規定も、同等の記載項目を求めているものと言える。</p>

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					業団地向けに一定水準以上のインフラ・サービス提供等を基準に、認証制度を取り入れる動きも見られる。	空港、幹線道路へのアクセス面での優位性のほか、10,000ha以上の土地の確保、地域の社会経済への良好なインパクトを生む条件でないと認められないと規定している。			
デベロッパー 選定方法/基準	PPP方式による特区開発事業者としての資格については、Bangladesh Economic Zones (Appointment of Developer, etc.) Rules, 2014に規定の記述があり、Rule, 2014ではそれを、経済特区の開発・運営経験を3年間以上有し、経済特区の設計・ファイナンス事業収益が過去3年間で合計1千万ドルあり、資産(自己資本)を2千5百万ドル有する者と規定している。  一方で、民間事業者による特区開発事業では、開発事業者に対して、Policy, 2015において、土地開発に係る経験と、最低5億 Takaの純資産を持つ者に限られると定めている。	EPZ開発は、BEPZAの特権事業であるが、開発に際しては、BEPZAはBoard of Governorからの承認を取り付けた上で、DPPを作成し、計画委員会(Planning Commission)へ提出する事が求められる。	一般工業団地は各州政府の内部組織である産業開発公社が、その開発・運営を担っており、民間事業者による工業団地開発は行われていない。	如何なる個人、協同組合、会社、パートナーシップでもSEZ開発事業者申請できるとされ、申請書類を各州政府担当局並びに商工省(BoA)へ提出し、適宜評価を受けた上で、開発事業者としての承認はBoAにより為される手続きとなる。ただしBoAが申請書類を受け取る場合には、州政府からの推薦状を併せ提出する必要がある。	IEATとの工業団地開発事業 (Joint-Development Industrial Estate) に従事する者の資格は、次のように定められている。 - タイ国籍法人 - 当該用地の所有者あるいは購入予定者(売買契約書)で、当該用地を工業団地として開発する意向を持っている者	工業団地の開発事業者としてなり得るのは、インドネシア国内法において登記され、所在する国営企業(中央・地方政府)、協同組合、民間企業と規定されており、工業団地開発申請書を提出し、必要な手続き、審査をした上で、開発許可が発行される制度となっている。	工業団地の開発事業者は、建設省が定めた不動産法の施行に関する Decree 153/2007/ND-CP(2007)に従って、当該事業に対する総投資額のうち少なくとも20%以上を出資している者と定めている。  さらに施行ガイドラインを定めた Circular 13/2008/TT-BXD(2008)では、自己投資額に土地代や補てん金などを含まないことが定められ、不動産業を営む個人や企業向けに詳細な要件や手続きを規定している。  なお、工業団地の設置に係る細則(2008)第10項に従い、開発事業者は、工業団地開発に係る申請書を作成し、工業団地管理委員会もしくは計画投資省へ提出し、その審査を受けた上で、地方人民委員会より最終的な工業団地開発に係る承認を受ける必要	経済特区政令第4項4に従い、経済特区開発事業者は、下記の要件を満たすことを規定している。 - 特区内のインフラ開発を行うのに十分な資金と手立て、及び特区内の活動を管理するに足る十分な人材を有すること。 - 特区開発に必要な土地所有を行う法的権利を有すること。	バングラデシュにおけるPPP方式による工業団地開発のように、公募方式による工業団地/特区開発事業者の選定を行っている国は主流ではなく、すべてで民間主導による提案型の工業団地/特区開発案件の形成が主体的な工業団地の開発モデルとなっている。  なお、対象国のうちで開発事業者の選定基準において比較すると、バングラデシュのように、会社規模や関連事業経験において、フィルタリングを行い、事業申請希望者の自由なビジネス参入を阻害する規定を設けている国はなく、いずれの国も、どのような事業申請者であれ、必要な審査手続きを踏んだ上で、許可されれば工業団地/特区事業へ参入できる選定制度を設けている。  この点については、東南アジアの事

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							ことができるとされる。		例では、工業団地/特区事業にこれまで取り組んだことのない多くの法人が、経験豊富なパートナー（JV、コンサルタント、エンジニアリング会社）との協業により、企業誘致はもとよりスムーズな工業団地運営・管理を行ってきており、選定基準としての会社規模・事業経験が、工業団地/特区事業の成功のための必要条件ではあっても、十分条件では必ずしもないことを考慮する必要がある。
用地取得	<p>経済特区法(2010)第5項(1)に則ると、政府は官報によりいずれの特定の土地も選定後、経済特区として宣言することができる。政府は、同法第6項(2)に記載の通り、その土地を土地収用及び不動産徴用に関する規則(1982)に従って収用することができる。</p> <p>収用に当たっては、BEZA 内部にファンドを設け、Development Project Proposal (DPP)を通じた予算請求を行ったうえで、このファンドを用地取得のための資金源とする考え</p>	<p>チッタゴン、ダッカ、一部のコミラ EPZ の土地は、土地収用及び不動産徴用に関する規則(1982)に従って収用されたものである。</p> <p>Ishwardi, Uttara (Syedpur), Mongla EPZ については、他の政府機関からのサブリース物件である。Adamjee EPZ 及び Karnaphuli EPZ は無期限での使用許可が BEPZA に与えられている。</p>	<p>工業団地開発を目的とした用地取得は、州ごとに細かくは違いがみられるものの、大枠では、州の工業局/Industrial Commissioner の要請により、District Collector もしくは州産業開発公社自身が州政府の資金をもとに土地収用を行い、District Collector による収用の場合、州産業開発公社へ土地名義が譲渡されることになる。よってその過程で法人税/印紙税が課されることはない。</p> <p>また General Land Ceiling Act により、個人・民間会社による</p>	<p>通常の用地取得手続きと同一。特段の規定は経済特区法や規則への記載はないが、土地収用法に規定されている、政府による“公共目的の/Public purpose”の収用を可能にするとの規定が、経済特区開発を目的とした州政府による民間事業者のための用地取得を拡大させたとの見方が多く示されている。</p>	<p>工業団地の開発、拡張のために土地が必要な場合、IEAT は勅令の定めにより土地収用法を適用し、土地収用を行うことができる。とされる。</p> <p>なお収用された土地を IEAT が定めた業者へ工業団地開発に関連した事業用途として譲渡することも可能となっている。(38 条)。</p> <p>輸出加工区の開発に当たっては、公用地の利用が必要な場合、内務省の決定による価格を、IEAT が財務省へ支払うか代替地を提供することで、IEAT が土地オーナーとして開発して</p>	<p>2011 年 12 月に議会で可決された最新の土地収用法により、補償金、移転用地、公共事業に係る持ち分を提供することで、政府が土地取得できるように規定された。</p> <p>補償金の額は、国家土地局が認可した独立の鑑定チームが決定し、30 日以内に支払われることを規定している。</p> <p>土地収用法は、政府が発注するインフラ事業のための土地取得に関するすべての法的手続きを 583 営業日以内に完了するよう規定している。また土地収用に</p>	<p>政府は国会が投資方針を決定した国家重要プロジェクト、工業団地や輸出加工区、ハイテクパーク、経済区、及び首相が投資方針を承認した工事、新都市区や農村住宅区の新規建設及び整備、ならびに各省・都市レベルの人民評議会が決定したプロジェクトを実施するケースにおいて、土地収用をすることができ、2013 年の改正法では、各省の人民委員会が土地使用者の権利を確保し、法律に従って補償金が支払われるよう決定するとしている。</p>	<p>2001 年土地法には、カンボジアにおいてはクメール国籍のみが土地を所有する権利を有すると規定している。カンボジア国籍の法人とは、51%以上の株式をカンボジア人又はカンボジア記号が所有している法人を指す。土地収用を行なう場合には、事前に適正な補償を支払った後に、法令に定める形式と手続きによって行なうことを定めている。</p> <p>政府の土地を利用する場合、民間事業者は経済特区開発のための経済的コンセプション (ELC:</p>	<p>東南アジアでは民間事業者による土地所有制度が進んでおり、工業団地開発も民間による土地の取得が前提となっているのが一般的である。一方、南アジア（バングラデシュやインド）では、政府による土地収用が制度上、工業団地開発の前提として実質的に機能を果たしてきており、開発地の取得手法、役割分担において両者に違いがみられる。</p> <p>また東南アジアでは、政府による土地収用に際しては、ファンドなどを中央政府などが作り、手当</p>

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<p>である。</p> <p>なお、民間事業者は自らの土地を民間経済特区として登録することを提案することができる。</p>		<p>用地取得には限界があり（工業団地の目的での土地買収では、1,000 エーカーを超える場合歳入局傘下の土地取得制限免除委員会(土地改革長官)から許可を得る必要がある）、工業団地開発における用地取得は、事実上政府による実質専売特許となっているのが現状。</p> <p>土地収用手法としてラジャスタン州などでは土地価格査定官も含めた委員会を設置し、当該地区における住民ヒアリングや土地売買実績資料などから土地価格を算出し、金銭ベースでの補てんをするか、地権者に対して、代替地の提供で補てんするかの2種類が主に取られている。代替地の提供に当たっては、工業団地を含む土地開発案件の場合、全体の土地の75%を事業用地として、残りの25%を地権者へ代替地提供するといったスキームである。住宅案件であれば20%が代替地が占める割合となり、商業施設であれば5%などとなる。</p> <p>インドには不動産そのものを登記する制度はなく、売り手側の真の所有者を特</p>		<p>いくことが可能となる。もしくは特定用地として留保されていた場合には、財務省への支払いにより、土地の開発が可能となる。(36条)</p>	<p>先立ち、60日間の広聴期間を設けることも認められている。</p> <p>さらに2012年8月上旬、公共施設のための土地収用法に関する2012年法律第2号の実施規則に関する2012年大統領令第71号が策定されている。</p>	<p>また、農地を収用した場合、各省の人民委員会は、その土地の農民に対して職業訓練を実施し、新たな職業に就けるまで支援することになっている。</p> <p>土地の価格については価格を公正に決定するため、地価評価評議会に価格査定の特許家の参加が求められており、政府は5年ごとに土地の価格の査定を行うよう義務付けられている。</p>	<p>Economic Land Concession) を政府より取得する。土地面積は最大10,000ha、契約期間は最長99年。</p>	<p>ですることを試みているところもある。</p>

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			定するには、過去に遡って所有権（不動産に関する書類/売買契約書等）の変遷を過去30年にわたって調査することが一般的に求められる。						
ゾーニング	<p>経済特区法第7項(1)に則り、経済特区庁はマスタープランの作成を命じることができ、その計画の中で、経済特区を4つのエリア(輸出加工区、国内加工区、商業区、非加工区)に分けるよう求めることができる。なお、このゾーニング計画は経済特区庁により承認を受ける必要があるとされている(同法第7項(2))。</p> <p>なお、加工区と、それ以外のオンサイトインフラを含む非加工区との比率については、法規則に明文化はないものの、BEZAの見解としては、非加工区が全体の30~40%を目処にマスタープランが作成されていることが望ましいとしている。</p> <p>また輸出加工区と国内加工区の区分けについて、法制度上の解釈において、区域を分けて設置する硬直的なゾーニング計画が必要となるのか、あるいは加工区</p>	<p>BEPZAは独自の建築基準を設け、入居企業のEPZ内でのインフラ開発に際し遵守することを求めているが、輸出加工区開発あるいはゾーニング計画において適用される建設基準は定められた書面あるいはガイドラインは整備されていない。代わって、BEPZAは建築専門家やエンジニアリング会社を雇用し、マスタープランの作成に当たる。輸出加工区の最低開発面積は、250 エーカー(100ヘクタール)とされ、1000 エーカー(400ヘクタール)が最大開発面積とされている。不文律ではあるが、輸出加工区の内40%は道路や排水路、歩道、事務所、ユーティリティ等のために使われることとなっており、残りの60%は生産活動のために使われるよう計画されている。</p>	<p>デリー・ムンバイ産業大動脈構想(DMIC)や国家投資・工業地域(NIMZ)のような広大な土地をグリーンフィールド案件として新都市開発していく事案では、グジャラート州やマディヤ・プラデシュ(MP)州でのSIR Actに基づくSIR(Special Investment Region)というコンセプトのように、ゾーニング計画を伴う工業都市開発計画を、各地域事業毎に割り当てられた専門機関が作成し、住民への告知、開発計画の合意形成の過程で、土地区画整備を行い、地権者の土地の再手配を行うスキームにて、事業計画段階では土地収用をせずに、いわゆる土地区画整理/市街地再開発方式によって工業都市開発をするべく体制を整えている。</p> <p>つまり、各SIRを管轄することになるグジャラート州のドレラSIRであればドレラ特別投資地域開発庁(DSIRDA)が、</p>	<p>SEZ クリアランスを受ける際、ゾーニングに、加工区と非加工区(商業区画や学校、住宅施設の開発が想定される)を設けることが求められ、加工区については、経済特区が開発される地域にもよるが、概ね全体用地の50%以上とすることが求められている。</p> <p>さらに、SEZへの企業誘致に当たり、加工区は、輸出志向企業と国内志向企業とを、それぞれ別の区画に分け誘致する必要がある為、結果からして、インドへは国内市場志向企業が多く進出してきたことから、輸出志向向けの区画が売れ残る結果を招いた。</p>	<p>IEATが認可を行うマスタープランでは、工業団地の特徴によって異なる土地の利用計画の提出が求められ、工業区域、商業およびサービスの区域、公共施設やインフラ設備の区域、緑の区域やバッファゾーンに分けられる。すなわち、以下の区域が全体面積に占める割合(%)、位置、詳細を表すマスタープランの謄写版原紙が申請書類で説明されている必要がある。</p> <p>収益を創出するエリア</p> <ul style="list-style-type: none"> <li>- 工業区域</li> <li>- 住居および商業区域</li> <li>- 公共施設やインフラ設備のエリア</li> <li>- 道路</li> <li>- 排水/洪水防止システム</li> <li>- 上水道システム</li> <li>- 廃水処理システム</li> <li>- 通信システム</li> <li>- 電気システム</li> <li>- 産業廃棄物処理システム</li> </ul>	<p>工業団地用地のうち70%までが産業用地として開発でき、残りの30%は共用インフラや緑地帯などとして定められている。なお、全体用地の2%は、2年間は中小企業向けの割り当てとされ、それ以降入居の見込みがなければ他の企業へ提供することができる。と定められている。</p> <p>工業団地には、輸出志向企業であれ、国内市場志向企業であれ、団地内に分け隔てなく同居している。</p>	<p>建設省が工業団地のゾーニングについては許認可権を持つと定められている。一方で工業団地の設置に係る細則には、60%以上を投資企業の誘致のための用地として割り当てることが規定されている。</p> <p>工業団地には、輸出志向企業であれ、国内市場志向企業であれ、団地内に分け隔てなく同居している。</p>	<p>経済特区政令第3条「経済特区の設立」によれば、経済特区条件が必須となる。</p> <ul style="list-style-type: none"> <li>(a) 50ha以上の土地の確保</li> <li>(b) 周囲のフェンスの設置</li> <li>(c) 経済特区内に管理事務所、道路、上水、電気、通信、消防署の設置。場合によって従業員用施設、公園、診療所、職業訓練所、ガソリンステーション、レストラン、駐車場、商業施設などを設けてもよい。</li> <li>(d) 下水処理施設、廃棄物処理施設の設置</li> </ul> <p>工業団地には、輸出志向企業であれ、国内市場志向企業であれ、団地内に分け隔てなく同居している。</p>	<p>東南アジアでは民間事業者による開発がその大半であることから、民間事業者側から示される採算用地の最大化が根幹理念となるゾーニング計画に対して、非採算用地の用途計画について、政府がゾーニング規則/ガイドラインによってこれを遵守させる制度が設けられている。一方、バングラデシュでは、明確な輸出加工区/経済特区のゾーニング規則がなく、発電・変電設備、廃水処理場、物流センターなど共用インフラのゾーニングは、ともすると、おろそかにされる懸念がある。よってゾーニングに関するガイドライン整備を法規として進め、開発事業者が守るべき最低限の公共インフラサービス内容、規模についての規定を、東南アジアのように設け、今後開発される特区のグレードの向上につなげられるよう努めるべきである。</p>

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を大きな区域とし、区画ごとに輸出加工あるいは国内加工とし、加工区内にそれぞれが混在する形態も認めるのかについては、現行においては明確な指針がない。		MP州であれば各地区開発公社（AKVN）がゾーニングなどの都市計画を作成し、その中の個別事業毎に詳細事業計画書（DPR）を第三者に作成依頼し、その結果如何で PPP もしくは EPC 契約 <sup>1</sup> を民間事業者と結ぶ手法である。		- その他緑の区域やその他のバッファゾーン  工業団地には、輸出志向企業であれ、国内市場志向企業であれ、団地内に分け隔てなく同居している。輸出志向企業の恩典については、投資事業申請の際に、BOIあるいはIEATにおいて認可されることになる。				またインドにおける SEZ のゾーニング規制に係る教訓から、加工区の中にあつて、輸出志向企業と国内市場志向企業を、明確な区域により区分し誘致する制度は、工業団地開発業者の視点からは、マーケティング/販売面で柔軟性を欠き、市場の要望が国内市場向けの区画に集中し、輸出志向企業向けの加工区内の区画が売れ残ってしまうという事態を招いた。よって、東南アジアにおいて実践されている方式と同様に、加工区内では、輸出志向・国内市場志向問わず、互いに隣接しあうことも想定したゾーニング計画を開発事業者に認めるなどして、バングラディッシュ経済特区への進出企業のニーズに柔軟に対応できる区画規制が認められるような制度設計も検討されよう。	
工業団地開発事業者に対する環境影響評価(EIA)	経済特区政策および事業者選定ガイドラインには、EZ 開発事業者は、EZ ライセンスを受けるのに、EIA レポートの提出を求められる。このレポートには、環境	輸出加工区の開発に際し、BEPZA は環境影響評価 (EIA) を実施していない。これは、開発事業が寸心されていた局面では、環境局の行政内容・範囲も限定的で	EIA 申請の際に、工業用地から排出される汚水・排水・廃棄物・有害廃棄物について、どのような手当てを講じる計画であるのか、中央政府/環境森林省あるいは	SEZ における EIA は、開発業者、ユーティリティサービス提供者などの Co-Developer(26%以上)の SEZ 事業に出資する会社、入居企業それぞれから実質的	IEAT との共同運営の工業団地を設立する意思がある民間は、工業団地設立の申請中、開発事業者自身で環境影響評価の報告書 (EIA) を作成し、IEAT に提出、	工業団地開発に当たっては、Regulations State in the Environment Management Program (RKL) と Environment Monitoring Program (RPL) を遵守するこ	工業団地等は通常、団地開発申請時に開発許可書類一式として、EIA レポートの提出が求められている。このため、進出する企業のほとんど	環境保護資源管理法 (1996 年 12 月) が規定する EIA 必要案件リストに合致する場合は、QIP 申請前に環境省による EIA 申請が必要とされるが、特区開発について	工業団地開発事業者に対しては、いずれの国でも EIA の実施が求められる。しかし、インドネシア、ベトナムなどでは、一定条件の下で、EIA を終えた工業団地へ

<sup>1</sup> 設計 (Engineering)、調達 (Procurement)、建設 (Construction) の 3 フェーズのこと。



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および社会影響評価についての記述とその対処策についての記載が求められる。なお、この EIA にかかる審査手続きにおいては、経済特区事業ならではの特別な配慮が為される旨、法規に記載があり、BEZA には環境局との調整、合意の上で、この配慮策の実施を担う体制が求められている。	あったためと思われる。しかし、BEPZA 担当者からは、EPZ の開発に際しては、環境局からの局員が環境基準の順守業務のために事業に参加してきた経緯の説明があった。よって環境影響評価は BEPZA 独自の内部手続きにより取り進められてきたと言えよう。	は州公害管理局に対し示す必要がある。EIA については時間がかかるが枠組みとしては制度化されており、専門会社を使うことで時間軸での計画は立てやすい状況にある。なお、工業団地の周辺半径 10KM 内に自然保護公園や保護対象生態系などが無いことが必要で、これを環境パラメータスタディの中で立証する必要がある。ちなみに、上記半径 10KM の規定は、EIA 申請書の中で、大気汚染など招かない産業をターゲットに工業団地開発を進める趣旨などを説明すれば、半径 5KM としても TOR の中で規定が緩められることもある。	には EIA クリアランスが必要とされる。規定として SEZ 開発事業者が EIA 許可を取得している場合、SEZ への進出には個別企業ごとに EIA は必要ないとの法律解釈であるが、実際には、SEZ 開発事業者が入居企業の環境・公害に関する責任を負うように定められており、開発事業者が入居企業に個別に EIA 取得を求めるケースが専らとなっている。ただ、SEZ 開発事業者は、EIA TOR で求められる 1 シーズンのモニタリング作業に使えるデータ提供を行うなど、EIA の期間短縮に当たってのサービス提供も行っていることもある。	IEAT がその報告書を天然資源環境省・天然資源環境政策計画局に提出する流れとなる。その後 IEAT が書類審査を行い、環境小委員会に対する提出を行う際の意見とアドバイスを工業団地の開発事業者とそのコンサルタント会社に知らせ、天然資源環境省・天然資源環境政策計画局が環境影響評価の報告書を審査し、承認を行うことになる。	とを求められている。したがって、各工業団地開発の段階で、開発事業者に対しては EIA の実施が求められており、その結果を Estate Regulations に定める形で、入居企業に対し EIA に基づいた環境管理基準の順守を求める格好となる。	は、工業団地による環境影響評価を根拠に、投資プロジェクトのための環境影響評価報告書の審査等についての回状 (Circular No.490/1998/TT-BKH CNMT) に基づき、簡易な環境基準保証登録 (Registration for Securing Environmental Standards) を提出して審査を受けるだけで環境影響評価手続きを終えられる仕組みを利用することができる。	は、CSEZB が EIA 必要案件かどうか査定し、必要な場合は事業者に通知されることになる。	の入居を想定する企業に対して、手続きを簡易化する環境影響評価の緩和規定が設けられているなどの措置が利用可能な国もある。一方、タイなど、環境規制に対する厳格な適応を求める国もある。バングラデシュでは、経済特区開発に際しては、EIA 手続きを迅速化すべきであるとの見解が法規上で謳われているが、EIA クリアランスを取得済みの経済特区に入居を希望する企業が、再度行う環境クリアランスについての行政手続きについて、いまだ具体的な規定が為されていない。	
入居企業に対する環境影響評価(EIA)	経済特区法には、環境法に準拠するよう、入居企業に対しても求めており、民間経済特区政策 (2014)においては、入居企業は環境管理計画および環境法/規則に則った活動を行うことの証明書提出を BEZA もしくは EZ 開発・運営業者に対して行う必要があり、これの審査を経て、EZ User ライセンスの発行を受けることになる。一方で、EZ 開発事業者が行う	EPZ へ入居する企業は独自に EIA を行い、環境局からの認証を取り付ける必要がある。	一般工業団地では入居企業も、工業操業に当たり、NOC を公害管理局から受ける必要があるが、その仕組みは、200,000 sq.ft.以上の工場建屋を建設する場合、中央政府(MoEF)へ、それ以下の規模であれば、州公害管理局への申請が必要となる。	SEZ では開発事業者が事前にどのような企業が進出してくるか、事前に想定して EIA を申請するため、進出企業がこの事前申請カテゴリーであれば、進出企業毎のあらたな EIA 申請は一義的には必要ないとされている。なお、各 SEZ では専門の役職者を配置し、通常 2.5~3 ヶ月で EIA クリアランスが取得できるようにしてサービス提供し	工業団地における新規事業の設立や事業拡張は、1992 年国家環境保全推進法で定められた環境影響評価 (EIA) および初期環境影響調査 (IEE) を実施し、1992 年国家環境振興法に基づいて、結果を分析した報告書を天然資源環境省・天然資源環境政策計画局に提出しなければならないとされる。各工業団地の事務所は定められた規則	ANDAL と言われる工業団地管理事業者により定められた環境影響評価に従って、各工場は環境基準を遵守していくことが求められる。なお、工業団地に入居し既に団地側が環境アセスメントを実施している場合、個別企業で環境影響評価に係る報告書を作成する必要はないとされる。	入居企業による投資ライセンスの申請と同時に環境影響評価に関する手続きが不可欠となる。環境影響評価は基本的に、環境保護法実施のための政令 (Government Decree No.175/CP) に基づいて環境影響評価報告書を作成することになるが、海外からの投資を奨励しているベトナムでは、投資プロジェクトのための環境影響評価報告書の審査等	環境保護資源管理法 (1996 年 12 月) が規定する EIA 必要案件リストに合致する場合、QIP 申請前に環境省による EIA 申請が必要。CDC が EIA 必要案件かどうか査定し、必要な場合は企業に通知される。	インドネシア、ベトナムでは、工業団地として EIA Clearance を取得している場合、その工業団地への入居企業には詳細な EIA は求めず、簡易な審査によって認可されるような措置が講じられている。一方インドでは、進出企業の事業毎に EIA Clearance を受けることが実質のプラクティスとなっており、投資許認可に係る期間のうち、EIA に係る決定が最

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	ことになる EIA がどのように入居企業の環境対応評価に影響するのか、手続きの迅速化を図ることは述べられているが、具体的な手順についての記載は見受けられない。			できている。	が順守されているかどうかを継続的に環境保全システムで監督し、管理する責任を負っている。		についての回状 (Circular No.490/1998/TT-BKH CNMT) によって、環境影響評価の簡易規定が設けられている。 環境に対する影響が小さなプロジェクトをカテゴリー II に分類し、カテゴリー II に分類された場合は、簡易な環境基準保証登録 (Registration for Securing Environmental Standards) を作成して科学技術環境省 (MOSTE) - 実際は国家環境庁 (NEA) - または科学技術環境局 (DOSTE) に提出することで、環境影響評価の手続きを終了できることとなっている。工業団地に立地する日系企業の場合は、ほとんどがこの回状の対象となっている。		も時間を要する許認可事項となっている。この現実から、バングラデシュでは、EZ 開発事業者が経済特区全体に係る EIA 認証を受けている場合、入居企業に求める EIZ Clearance の迅速化、単純化策などを講じ、他国との比較優位を提示していくことを検討すべきである。
販売方式	経済特区法第 15 項により、特定の産業を除き、中小企業を含むすべての産業 (農業、農業施設、サービス産業など) が入居できるとされている。EZ 内の区画および工場は、BEZA によるリース、レンタル方式による販売 (同法 16 項) の他、民間事業者による EZ 開発・運営の場合、民間事業者によるサ	EPZ はリースおよびレンタル方式で販売され、基本的には商談順により区画が埋まっていく。民間企業による EPZ 用地のリース期間は 15 年とされ、PPP による開発の場合は 50 年間とされている。	工業団地の販売手法は、州毎に違い、ラジャスタン州やマハラシュトラ州、カルナタカ州ではもっぱら、公示ベースであり、全体の区画の 80% 程度を入札方式で募集が行われ、募集枠を超えた場合には抽選にて土地区画の決定が行われる。募集枠に及ばなかった場合には、先着順で土地区画指定が行	SEZ はリース契約のみ提供可能となっており、SEZ Developer によって、5~99 年間でリース期間の設定は自由にできるものとされている。	IEAT が管理する団地はほとんど民間が造成販売、IEAT が運営管理する方式のものである。 民間工業団地では、工業団地内のインフラ整備が為された土地を販売する形態が一般的となっているが、中小企業を中心として、レンタル工場の提供も行っている。	建設権 (30 年+延長 20 年) が付与された分譲地を販売する形が一般的となっているが、レンタル工場の開発の各工業団地に進みつつある。	ベトナム政府より取得している工業団地の土地使用权 (最大 50 年) の残余期間を、貸借契約 (覚書) にてサブリース提供することになる。昨今中小企業の進出が増加しており、オーダーメイドのレンタル工場の整備なども進む。	外国企業は土地所有不可のため、経済特区開発事業者と土地長期リース契約 (最長 50 年) を締結。経済特区内のレンタル工場も増加。(2001 年土地法)	販売手法は国によってさまざまだが、インドネシア、ベトナム、カンボジアでは 50 年間のリース契約が一般的となっている一方、インドにおいては州によっては 99 年間のリース期間を設けているところもあり、バングラデシュにおける EZ 入居企業向けのライセンス期間としての 50 年間は、東南アジ

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ブリース、レンタルが行えるものと、民間工業団地政策において定められている。Bangladesh Economic Zone (Appointment of Developer, etc.) Rules, 2014 の第 5 項(3)では、EZ 開発事業者は 30 年間 (ガイドラインでは 50 年間) の借地権が付与され、延長が可能とされている。		われる模様。そして残りの 20%については、オークション方式が取られる。なお、日本企業や韓国企業専用工業団地では、このような手法ではなく、任意の区画を指定しての交渉になるとのこと。 グジャラート州や MP 州では、開発した工業団地用地は、競争入札を経ず、販売開始の告知が為されたのちは先着順であり、入札方式は、余程の需要過多でない限りとらないとのこと。						ア圏と比べ見劣りするものではないが、同程度である。

#### ④ インフラ (周辺インフラ整備、オンサイトインフラ)

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リンクインフラ/ユーティリティ開発担当部局との調整	民間経済特区政策に、オンサイトインフラ、交通ネットワーク、労働者用の住居施設を含む建造物の建設は開発事業者の責務として定められている一方、リンクインフラの開発は誰の責務になるのかといった記載がみられない。	BEPZA が EPZ と外部とのリンクインフラの開発において調整業務を担う。EPZ 内のインフラ接続においては、各入居企業がコントラクターを選定し、責任を負う形となる。この際 BEPZA により定められた建設基準に従って、入居企業はインフラ接続を行うことになり、他省庁との調整・許認可取得は BEPZA が請け負う。	州政府の産業開発公社による工業団地開発においては、産業開発公社の委員会メンバーに他部局からのポストを設けるなどして対応調整しているところも見られる。たとえば、MIDC の委員会メンバーには、マハラシュトラ州海事局 (MMB)、マハラシュトラ州送電公社 (MSEDCL)、マハラシュトラ州公害管理局 (MPCB) などが参加しており、政策レベルでの意見調整、	SEZ の開発に当たっての他省庁との調整には、Deputy Secretary レベルの Development Commissioner が当たることとされている (第 12 条(2)(c))。また Development Commissioner が最高経営責任者として組織される SEZ Authority が SEZ 内のインフラ開発、運用に係る課題の解決に当たるとされる (第 34 条) 経済特区開発に関するガイドラインに	リンクインフラ開発など、重要事項は IEAT 委員会により決定されるが、委員長および委員は内閣で選任され、IEAT 総裁も委員となるとされている (18 条)。委員会の責任と権限は土地造成、販売、賃貸価格、団地への入居、管理など、IEAT 業務の規則のほか、内部の人事、給与などを含む規則を作ることであり (23 条)、必要な場合は小委員会を設置することができる (24 条)。また、IEAT	商工省がリンクインフラなど工業団地開発にあたってのコーディネーションを行うことが規定されている (大統領令 No.41(1996)3 条) 工業団地におけるインフラの技術基準として No. 230/M/SK/10/1993 で規定されており、この中には、道路、排水システム、上水、電力供給、通信システム、産業廃棄物処理、廃水処理、街路灯、消防などが含まれている。	工業団地開発業者は、インフラ開発の事業計画書を当局に提出し、リンクインフラについても開発の必要性、政府に対する要望について書面にて提出することとされる。 政府側では計画・投資省のみならず、中央の工業団地管理委員会 (Vietnam Board of Management of the IZ(s)) が首相からの権限を与えられて、工業団地開発に係る懸案の一切の処理 (リンクインフラ	CDC に置かれる「経済特区トラブル解決委員会 (Special Economic Zones Trouble Shooting Committee : SEZ TSC)」は経済特区開発の過程で起きる技術的・法的な全ての問題や、複数の省庁にまたがり、かつカンボジア経済特区委員会と経済特区管理事務所の権限を越える全ての事項につき、早急な解決をはかる責務を負っていると定められている。また経済特区ト	タイ IEAT では、工業団地において、入居企業が必要とするすべてのインフラ施設とサービスの開発と運営することを権限として与えられており、民間事業者による開発案件であっても、必要なインフラ整備に当たって、関連担当省庁との調整業務を担うことができる。またインドネシア、ベトナムにおいても、それぞれ代表窓口機関として、商工省、計画・投資省が法的根拠を

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		<p>合意形成が行える体制となっている。一方で、州政府産業開発公社の委員会メンバーに他部局のポストを設けず、工業団地も含めすべての産業インフラを総括する別組織において複数部局との調整を図る体制を取っている州もあり、そのような州の産業開発公社では、工業団地特有のリンクインフラ/ユーティリティ開発の調整が、産業開発公社単独では行えず、調整が有機的に機能していない州が多くみられる(ハリヤナ州、カルナタカ州、タミル・ナド州など)。</p> <p>民間事業による工業団地開発では、インフラ整備上、とりわけリンクインフラ(隣接する基幹道路とのジャンクション・周辺アクセス整備、送電線、水道管、ガス管等)の設置に当たって、州政府・中央政府からの認可、コネクションの実施を取り付けるのに大分時間を要している。</p> <p>リンクインフラの開発に当たっては、州政府との間に <b>State Service Agreement</b> と言われる MoU を結び、政府公社からの接続インフラの設置</p>	<p>は、州政府は経済特区のリンクインフラ開発について、時間的な期限を設けて、適切な開発援助をおこなうよう求めているが、法的根拠として、<b>Development Commissioner/SEZ Authority</b> などに対して、中央政府や州政府の他省庁が権限委譲するなどした横断的な裁量が与えられているわけではなく、必要措置に限界がある。</p>	<p>総裁は内閣の了承により委員会が選任することになっている(25条)。総裁は委員会の方針、規則により <b>IEAT</b> 事務局の統括を行い(28条)、第三者に対しては <b>IEAT</b> を代表する(30条)。</p> <p>工業団地の設立と共に <b>IEAT</b> は次のような公共施設やインフラ設備を備えていることと規定している。</p> <p>工場への給水 一日あたりの最大供給量：合計 8000-50000 立方メートル</p> <p>廃水処理 一日あたりの最大処理能力：合計 8000-40000 立方メートル</p> <p>メイン道路 工業団地内の道路は、タイ工業団地公社の基準に基づいて作られる。</p> <p>道路の仕様は工業団地によって異なるが、幅が 16-18 メートルで、2-4 車線である。</p> <p>電力供給 タイ国地方電力公社が各工業団地に高圧変電所を設置し、三相 22KV の電力系統が工業団地内の各土地に直結する。</p> <p>通信</p>	<p>整備も)を任されており、関連省庁(地方政府含む)との調整役としての役割を担っている。また地方の工業団地管理委員会も同様に、地方における工業団地開発・運営における懸案の解決に当たることが定められている。</p>	<p>ラブル解決委員会は特区開発業者または特区内に立地する投資企業からの苦情を受け付け、解決策を見つける責務も負っている。同委員会の構成は下記の通り。</p> <ol style="list-style-type: none"> <li>1) カンボジア開発評議会 (CDC) 議長 議長</li> <li>2) 閣僚評議会大臣 メンバー</li> <li>3) 経済財務大臣 メンバー</li> <li>4) 商業大臣 メンバー</li> <li>5) 国土管理・都市化・建設大臣 メンバー</li> <li>6) 環境大臣 メンバー</li> <li>7) 工鉱業・エネルギー大臣 メンバー</li> <li>8) 公共事業運輸大臣 メンバー</li> <li>9) 労働職業訓練大臣 メンバー</li> <li>10) カンボジア開発評議会事務局長 メンバー</li> <li>11) カンボジア経済特区委員会事務局長 秘書</li> </ol>	<p>もって、他のインフラ開発/ユーティリティサービス担当局との調整義務を負っており、工業団地に必要なリンクインフラ/ユーティリティ開発がスムーズな形で整備できる体制・制度設計が整っている。すなわち、工業団地の開発当局は、<b>IEAT</b> の <b>Board</b> メンバーのように、工業省、国家公務員任用委員会、運輸計画省、防衛省、計画省、歳入庁、観光局、電力局、また他にも民間企業からの 2 名の役員からなる委員会内部で、各種必要インフラの設置に当たっての協議・調整ができる体制を備えている。</p> <p>このような調整機能は <b>BEZA</b> の担う役割とみられるが、実質的な権限と義務を法的根拠を持って履行しうるだけの細則が整備されていない。特にリンクインフラは、他省庁に権限のある許認可(電力、道路、水道、公害管理、労務など)、運用方式の調整ができないと開発できない事案であり、そこにこそ特区設置の意義である。リンクインフラの重要性に注意を払い、他省庁と</p>	

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		<p>や建設許認可などの確証を担保しているとのことであるが、実効性はさまざまである。</p> <p>なお、州政府側の対応としては、工業団地開発・運営に当たり、何か問題が起こった場合、まずは工業部局の Additional Chief Secretary / Principal Secretary が解決に当たるとは、権限を超えた問題(労務、環境など)は、AP 州であれば Conversion Committee、タミル・ナド州では Single Window Committee とされる他の省庁の Principal Secretary () あるいはナンバー2 が集まる委員会で問題を取り上げ、ほぼその場で解決できる対応策は取っている。さらに問題解決に強い決断が必要な場合には、Chief Secretary、次いで Chief Minister へと問題解決が為されるまで、上層部へ問題解決提起する手段を備えている。</p> <p>また工業団地関連のインフラ(On/Off Site)には、中央政府(商工省)から ASIDE とされる開発支援スキームが活用可能で、これは工業団地が輸出企業に裨益す</p>		<p>タイ全国の工業団地は固定電話、携帯電話およびインターネット通信のサービスを提供できる体制を整っている。</p> <p>パイプラインシステムによるサービス提供</p> <p>マップタプット工業団地、別名石油化学総合施設 (Petrochemical Complex) において、原材料および製品をパイプラインシステムで輸送するサービスを行う。</p> <p>高水準工場の提供</p> <p>IEAT は工業団地と協力し、多数の工業団地にて高水準な工場販売および賃貸サービスを提供する。</p> <p>洪水防止システム</p> <p>工業団地内の洪水を防止するために、U 字排水溝を利用する。</p> <p>天然ガスのパイプライン</p> <p>多くの工業団地では生産プロセスに必要な燃料を供給するために PPT 社の天然ガスパイプを敷設する。</p>				<p>協力、調整を図りながら、BEZA が担うべき開発調整のための役割と責任を十分に定義すべきである。</p>

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			る目的であれば支援の対象に据えられるとのこと。同様に、AP 州政府(産業局)などでも産業インフラ開発ファンド(IIDF)と言われる支援スキームを提供している。						
電力提供	民間経済特区政策第 8 項(1a)では、EZ 開発事業者がオンサイトインフラの開発、運営、維持管理に責任を負うと規定されている。なお、ユーティリティサービスの担い手については、外注の如何を開発業者が決定できる。同政策の第 25 項(a)では、オンサイトインフラには、住居企業、住民のための電力、その他ユーティリティサービスが含まれることが規定されている。変電所および送電線、自家発電所の建設は、特区内で認められている。	8 つある EPZ の内、チッタゴン、ダッカ、カルナプuri(チッタゴン)については、民間事業者により運営される発電所からの電力供給を受けている。それらの EPZ 内の電力需要に対し、それぞれ 100MW の発電供給能力で対応している。EPZ 内の電力需要がオフピークの際は、発電事業者は ナショナルグリッドへの電力販売が可能である。さらにすべての EPZ には、33/11 KV の変電所と送電線が整備されている。入居企業はバックアップとしての自家発電機の設置を認められている。	Electricity Rules 2005 に従えば、自家発電設備の定義としては、発電電力の 51%を自社もしくは電力使用者である構成会社で電力使用の上の株のシェアをもつ会社で使用することが求められる。よって Captive Power Plant は残りの 49%をどの第三者(Open Access Consumer)へも販売ができるとされる。しかし自家発電施設であってもそうでない IPP でも、4 種類の使用料が送電・配電線利用において課されることになる。①州送電業者の送電線を利用する際の送電線利用量、②州配電事業者の配電線を利用する場合の Wheeling Charge、また③電力ロスによる Line Loss、それと④自家使用ではない場合に課される Cross Subsidy Surcharge である。①、②、④については、州電力規制委員会が	経済特区開発に関するガイドラインには、各特区においては、独立した電力供給施設の設置が望ましいとされており、自前の、もしくは共同開発事業者による発電施設を特区内に構えることを求めている。 なお、SEZ 開発・運営事業者は、SEZ 内での電力供給・給水事業が行えるランセンス(Deemed Distribution License)の供与が行われ、工業団地内の Unit への電力販売が、自社ユーザー(Captive Consumer)、第三者への販売問わず、州電力規制委員会 n の定めた Tariff に従ってできるように規定されている。	タイ国地方電力公社(EGAT)が各工業団地に高圧変電所を設置し、三相 22KV の電力系統が工業団地内の各土地に直結する電力供給体制を整えている。 一方、民間の IPP 事業もタイ工業団地内に併設する形で事業化が進んでおり、自前の電力供給体制を構築している。	電力公社(PLN)からの配電の他、各工業団地では、PLN からの電力供給不足や停電を補充するため、補助的な電力供給を目的とした発電所を独自で整備していたり、民間の発電事業者(IPP)からの電力購入をし、安定的な電力提供に努めている。特に自前の電力供給体制が整っている工業群が多くある Bekasi、Cikarang、Karwang 地区が投資企業からの人気を集めている。	工業団地により差はあるものの、国全体の電力事情としては需要と供給にひっ迫感がみられることから、工業団地として自家発電装置を保有し、停電に対する対応をしてきている。	経済特区内に自家発電所の設置が可能であり、経済特区に設置済みの事例も多いが、政府との Power Purchase Agreement (PPA) の兼ね合いから、稼働していないところも見られる。	東南アジアにおける工業団地、とりわけ日系工業団地には、Independent Power Producer (IPP) による電力供給体制が備わっており、これが投資家の信頼感を買っていることは間違いない事実である。しかし事業者側から見ると、IPP 事業を工業団地への入居企業向けにのみ焦点を当てて、事業化するには、規模・売却先含めリスクが大きくなるため、IPP の前提として余剰電力(工業団地需要を超える電力量)を対外的に販売できる Power Purchase Agreement (PPA) を、如何に経済性を担保しつつ、電力公社と合意していけるかが重要な意味を持つ。

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			<p>定額を定めることになり、④については、商業用、工業用電力使用料を低所得者の住居用電力への補助金として割り当てることを目的に設定される税金となっている。</p> <p>電力供給に当たり、民間事業者は自家利用目的であればメンバーの出資を伴う必要があり、IPPの場合であっても、現状 Rs.1/kwh と高額な内部補助金（Cross Subsidy Surcharge）を州電力配電会社へ支払いが必要であり、実質このオプションが閉ざされている、</p> <p>なお、民間事業者の中には、配電事業を、バルク供給アレンジメント（Bulk Supply Arrangement）によって、ゾーン管理会社が州配電会社から大口電力購入を行い、これを工業団地入居企業に配電するスキームを検討中であり、この実現に当たって、州電力規制委員会との協議を行っているところもある。</p>						
電力調達手段	入居企業は電力調達に当たり、電力会社に個別に当たるか、BEZA を通じて、必要な支援を取り付ける必要がある。民	BEPZA はすべての EPZ において、電力供給を担う責務を負っており、民間発電業者あるいはナショナルグリッドから電	州政府からの電力は質が悪く、インド各所での日系進出企業は自家発電設備を持つことを前提に生産体制を構築しており	各特区により違いがみられ、独自の発電事業からの電力供給を行っている民間特区事業も見られるが、電力会社による	工業団地内における停電や瞬停はあるものの、頻度としては少なく操業には問題とならないレベル。メンテナンスを	主要工業団地の多くは、国営電力公社（PLN）より、優先的に電力供給を受けられるプレミアムサービス（民間電力会社の	ベトナムの電力料金はアジア主要国の中でも際立って安い水準となっている。進出企業にとっては安い電力コストのメ	都市部の電力料金は13～25セント/kwhで隣国より割高。民間資本による発電所建設、ADB 主導による地域電力融通制度	工業団地内にバックアップ電源を含む独自発電所（Captive 発電所）を構えている東南アジア諸国と違い、バングラデシ

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	間経済特区においてはEZ開発事業者が電力供給体制の面で責任を負い、電力調達手段の確保に当たり必要なサービスを提供することになる。	力調達をしている。入居企業はEPZ管理会社に必要電力ロードを申請し、電力供給を受ける手続きを取る。入居企業はEPZ建設基準に沿ったガイドライン、手順に従って電気設備の設置を行う必要がある。	工業団地からの電力供給のみに頼る企業はまれと言える。 大規模組み立て工場などでは、工場内の自家発電から一部電力は、周辺の大型部品工場（下請け企業）へ提供している状況ともなっている。一方、グジャラートなどの電源開発が進む州では、州電力会社からの電力購入が一般的ともなっているところもあり、州により電力調達の前提が異なってくる。	電力供給が大部分の調達手段を占めるものが大半と言える。	理由とする計画停電も余裕を持った事前通知が為されるため、自家発電機を設置している企業は少ない。	料金を上回らない範囲で変動）を採用しており、進出企業から停電や瞬停の問題はそれほど多く聞かれない。しかし、工業部門全体では電力不足の深刻化が徐々に顕在化しており、近い将来、工業団地にも電力不足の影響が及ぶことが懸念されている。そのような電力不足に対応するため、民間工業団地の中には公社とIPP、2系統からの電力供給体制を整えているところも見られる。	リットを享受できる一方、電源を水力発電に依存する一面があり、将来的な電力需要の増加に伴う、電力供給の不安定化が懸念されている。 また電力会社からの供給電力のピークカット要請もあり、変圧器の不具合等も相まって停電が頻発するため、各工場では非常用自家発電装置が必須となっている。	促進などが推進中であり、2020年までの電源増分は3,500MW（7倍）、送電線の拡張は2008年での323kmから2020年には2,362km（7倍）が計画されている。プノンペン中心部での停電は瞬停が月に数回ある程度。	ユでは工業団地内に団地運営者が自前の発電所を構えているところは皆無となっている。これは民間事業者によるIPP事業リスクの軽減手段が乏しいことと、団地開発公社に、電力開発の権限とIPP事業をまとめるだけの責任が与えられていないことに起因するものと思われる。バングラデシュ経済特区では、EZ開発事業者が必要なインフラの設置に責任を負うことになるので、BEZAは開発・運営事業者に対する監督責任を持って、安定的な電力開発と供給のための独自発電所の開発にあたり、団地開発公社として、各省間協議・調整に組織内部で取り組める法的根拠と制度自体は備わっているものと思われる。
給水	民間経済特区政策の第43項(2)において、BEZAは環境影響評価(EIA)、環境クリアランス、廃水、産業廃棄物等に関する問題について、特別に定める細則を、環境局との調整を図りつつ、実施していくことが定められている。産業用水の給水に係るガイドラインは、いまだ定めら	8つあるEPZの内、チッタゴン地区における2つのEPZには逆浸透膜方式による給水プラントが敷設されている。これらのプラントは民間セクターにより運営されている。Mongla EPZへの給水は、BEPZAにより予算化され、公衆衛生局(DPHE)が敷設したパイプラインにより行	インドにおける工業団地の給水はおおむね州産業開発公社が提供を行う形態にとられている。 なお、ラジャスタン州では地下水の取水について制限(200t/日以上)が設けられており、新たに水資源を原料とする産業の誘致は許可されない。	経済特区開発に関するガイドラインには、給水量の十分な確保、水資源の保全と水リサイクルに配慮した給水システムの運用を求めている。	工業団地によって若干異なるが、給水については、一日あたり8-10トン/1600立方メートルとの基準が敷かれている。だが最近では、「水の無制限供給可」、などをうたう工業団地もあり、更に蒸気、天然ガスが利用できることもある。	工業団地独自の給水プラントを設置し、入居企業に対し工業用水の提供サービスを行う給水システムが主体となっている。	工業団地への給水は、地域の給水公社が行う以外、自社による給水サービスの他、官民の共同出資事業体による給水サービスも工業団地入居企業に対し提供する形態も見られる。	経済特区管理会社が独自の給水システムを持ち、工業用水を提供している。	特段、東南アジアと南アジアとで工業団地運営上の給水制度について違いは見られないが、バングラデシュでは水リサイクルを推進する規制に向けた取り組み姿勢が見られ、環境テクノロジーの活用により、水資源リサイクルと共に、モニタリングの仕組みの導入が試みられてい



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	れていないため、民間事業者によるEZ開発では、EPZにおける給水方式が適用すべき事例として考えられる。しかしいづれにしてもバングラデシュ環境保全法(1995)(ECA 1995)第12項によれば、環境クリアランスを受けた後の実施が求められる。	われている。その他のEPZでは、地下水を処理する手法で、給水事業は民間事業者により行われている。							る。
工業用水確保手段	工業用水の給水についてのガイドラインは整備されておらず、EPZで運用されている手法が準用されるものと思われる。	EPZにおける工業用水は、各々違った手段により確保されている。臨海部では水道局からの給水、給水トラックによる搬送、逆浸透膜による給水などの手段により工業用水を確保している。 その他内陸部でのEPZでは、地下水からの取水後、イオン処理を行い、給水を行っている。AdamjeeとComilla EPZでは、BEPZA自身が給水事業を行っており、その他のEPZでは、民間事業者による給水が行われている。	公社からの給水確保が基本となる。	公社からの給水提供を受けるのが一般的となっている。	水道公社および工業団地管理会社からの給水提供を受けるのが一般的となっている。	工業団地管理会社からの給水提供を受けているのが一般的となっている。	水道公社および工業団地管理会社からの給水提供を受けているのが一般的となっている。	経済特区運営会社からの供給を受けるのが一般的となっている。	制度による特段の違いは見られないものの、東南アジアでは給水事業の民営化が進みつつある。
生活排水/下水処理	生活排水/下水処理に係るガイドラインがEZ開発・運営において規定されていない。産業化に伴う環境上の問題については、バングラデシュ環境保全法(1995)に従って、法解釈され、環境保全細則	EPZへの入居企業は、排水処分場の設置を各自行うことが求められている。現在のところBEPZAが共用の集中排水処分場を運営しているケースはない。	生活排水処理を主目的とした下水処理場(STP)の設置の有無は、工業団地においてまちまちである。なお、取水基準はPH(6.0~8.5)、SS/浮遊物(200mg/l)、BOD(250mg/l)と水洗トイレによるし尿	経済特区開発に関するガイドラインに依れば、経済特区には独自の廃水処理場を設けるよう求めている。	工業省(Ministry of Industry)の内部部局であるDepartment of Industrial Works: DIWが、工場法(The Factories Act 1992)に従って、工場の設置運営認可業務に付随した排水規制、大気汚染規制などの実	工業団地に関する政府規則に則り、工業団地管理会社は、環境配慮を心掛けた工業団地運営を求められている。	環境基準や具体的な産業公害規制に使用される排出基準については、1995年に規定された10本近いベトナム基準(TCVN)に示されている。この中には排水の望ましい環境レベルを示した環境基	経済特区政令第3条「経済特区の設立」によれば、経済特区管理会社により、汚水処理場の開発が必要があると規定している。	バングラデシュ、インドといった南アジアでは、生活排水(Sewage)と工業廃水(Effluent)を規制上区分しており、処理も個別に行うことを前提とした制度設計となっている。生活排水処理にあたって

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	(1997)に定められて細則に従って行政管理される。経済特区法第33項に従えば、BEZA、EZ 開発事業者、入居企業は、国際的なルールや条約に沿った事業運営を求められ、環境保護の観点から活動することを求めている。		処理を想定した厳しい基準となっている工業団地も見受けられる。		施、工場の操業に関する許認可を持っているが、IEAT は独自で管理・運営する工業団地における排水管理の規制を設け、自前での排水処理サービスの提供を行っている。		準として産業排水基準 (TCVNS945-1995) に規定がなされている		は、工業団地に集中処理施設が整備されているところもあるが極めて稀であり、個別工場ごとに、排出規則に則り、各自で処理に当たっているのが現状である。バングラデシュにおける経済特区では、排水処分場を必要不可欠なインフラとして設置を求め、開発事業者が排水処分場を設計する際の指針となる排水基準をガイドラインとして定めるなどの措置を講じる必要があると思われる。
工業廃水処理	経済特区における、工業廃水処理の基準についてのガイドラインは整備されていない。一般的に各事業案件は、Orange-A カテゴリー、Orange-B カテゴリー、Red カテゴリーに分けられ、Orange-A では、工業廃水処理手法を、Orange-B については、廃水処分施設のレイアウトプランとその処理効果の提出を求められる。Red カテゴリーについては、上記の他に、工業廃水処分施設 の設計、処理効果についての説明を求められる。このクリアランス認証は、民間工業団地、ハイテクパ	EPZ 内で操業するすべての入居企業は、工業廃水処理施設の設置を求められる。集中工業廃水処理施設は、ダッカ、チッタゴン、コミラの EPZ において、運用されており、これらの施設は、民間事業者により運営されている。	インドには集中排水処理プラント (CETP) と言われる集中工業廃水処理施設のコンセプトと事業群があるが、これは一義的に零細・小規模企業群にのみ当てはまる開発コンセプトで設置がなされているもので、排水受け入れ基準が中央公害管理局規定で定められているものの、中規模・大規模企業群では個別企業毎の廃水処理が基本方針であり、企業が工場建設、運転に先立ち必要となる州公害管理局による建設許可も操業許可も工業廃水の独自処理、排水処理手法の確認が為されたうえで発	生活排水との区別を特に規定しているわけではないが、経済特区内における工業廃水処理施設の設置を開発事業者に求めているものと解釈される。	IEAT では、特に生活排水と工業廃水を分けて規定しているわけではなく、個別の配管接続は求めているが、工業活動からの汚水 (Wastewater) を工業団内の中央廃水処理施設へと送る共用下水管へと接続する下水管の設置を各事業者に求めている。そのため、工場から出される廃水を公共水域に放出する前に処理することによって公害を防止することができる。事業者の自前の廃水処理施設の建設費用の節約につながっている。	工業団地の設置に係る細則 (2009) において、集中工業廃水処理場の設置が義務づけられており、各工場からの廃水は一定基準での排水処理を求められるものの、集中廃水処理施設で国から求められる排水基準へと適正な処理が行われ、最終的に河川などへ放流されている。	首相決定(2006) (Decision No.1107/DQ-TTG)により、工業廃水処理インフラ整備の重要性が謳われているが、多くの工業団地 (日系資本等を除く) では、廃水処理施設が整備されていないものや、処理施設はあるものの十分な処理ができておらず、水質基準を満たしていない排水が、河川や海洋へ放流され、水質汚濁の深刻化につながっている事例も見られる。	経済特区政令第3条「経済特区の設立」によれば、経済特区管理会社により、汚水処理場の開発がなされる必要があると規定している。	タイ、インドネシア、ベトナム、カンボジアでは、工業廃水処理が集約的に行える工業団地整備が開発導入当初から標準となっており、進出検討企業においても工業団地側で工業廃水処理を、生活排水と分け隔てなく受け入れてくれる処理施設の設置が、いまや最低限の工業団地への進出検討要件ともなっている。 一方のバングラデシュでは、BEPZA によって開発された輸出加工区については、集中工業廃水処理施設を備えている EPZ は数える程度しかなく、個別企業が独自施設を工場内に

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<p>ーク、一般工場においても同様に求められる手続きであり、経済特区開発においても同様のクリアランスが必要になるものと思われる。</p>		<p>行されることとなっている。</p> <p>また州あるいは工業地区によっては、排水の河川や海洋への放流、工場外への排水を行うこと自体が認められない制度体系となっており、自前での汚水処理が前提となる工場設備設置計画とならざるを得ない。</p> <p>なお、CETP の開発支援策としては、開発費用の 50% を中央政府(MoEF)が、州政府(工業局が 20%、公害管理局が 5%)、残りを企業団体からの拠出によって賄い、運営は産業団体組織自身あるいは彼らの指定する業者によってなされるモデルが標準となっており、各州で単一産業向けの CETP 整備が一定程度進んでいるが、工業団地における CETP の開発は極めて限られている。</p> <p>最新技術導入の促進のため、国家クリーンエネルギー基金という中央政府の支援スキームもあり、また民間企業に排水基準を守らせる目的と、税制面での優遇策を結び付けた、水資源(汚染防止&amp;管理)目的税法 1977 と</p>				<p>められるなど、廃水処理施設の設置に関する規制が強調されるようになってきている。</p>		<p>設け、対応しているのが現状である。経済特区においては、今後 Captive CETP を設置する場合、EZ 開発・運営事業者が別途定める廃水の受け入れ基準を入居企業に示し、この受け入れ基準に従った工業廃水を受入、集中処分場で最終処理を行ったうえで、環境局などの管轄官庁が定める Outlet 基準に準拠した排水処理を行える仕組みの構築が望まれる。</p>

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			言われる制度もある。これは、排水基準を1カ月間通して満たす企業に対しては、州政府が Cess をリポートする仕組みも提供しているのもである。しかし、実際には審査が厳しく、数点の排水基準を満たしていないケースで還付が行われないのがもっぱらである。						
排水手段	<p>経済特区からの排水の基準について定められたガイドラインは未だ定められていない。経済特区法第33項には、DTA における工場と同様、環境および環境保護法、また国際基準の排水処理が求められるものと考えられ、環境局により作成された排水処理プラントの評価のためのガイドに準拠した排水基準が準用されるものと思われる。</p>	<p>EPZ では、BEPZA が排水システムを設計している。これは、給水量に係数を掛け合わせることで排水を算出して設計したもので、雨水や地域性も考慮して、排水溝の幅や深さを設計している。</p>	<p>自社独自の処理施設を設置すること、生活排水、工業廃水処理からの排水を工場外に放流してはならないとする規定が州によっては課されることから、自社内での再利用を極力行う生産設備設計となっている。</p>	<p>経済特区内あるいは自社工場内での処理となる。</p>	<p>無機物をふくむ廃水処理においては、一次、二次処理を各工場で行った上で、工業団地内に整備された集中排水プラントによる有機物処理が基本排水システムとなっている。</p>	<p>工業団地内に設置している集中廃水処理場にて、各工場では一次処理、必要であれば二次処理をした廃水を取水し、最終的に国の排出基準を満たすよう処理し、排水する。</p>	<p>生物処理による中央排水処理施設がある工業団地に入居する場合は、BOD、COD、浮遊物質は団地の中央処理場で処理されるのが前提となるため、個別の工場には一次処理用の産業排水基準に比べて緩い数値（通常は産業排水基準の C 類型程度のレベル）が設定される。しかし、中央排水処理施設では処理できない重金属類とその他有害物質については、該当類型に応じた産業排水基準値がそのまま設定される。</p>	<p>経済特区内に設置された排水処理施設へ工場廃水は送られ、そこで廃水処理が行われる仕組みとなっている。</p>	<p>生活排水と一定程度の工業廃水を一括して処理できる集中排水処理施設が東南アジアの工業団地では利用可能となっており、入居企業にとって個別の処理施設の設置が必要ない、もしくは工業廃水は、集中排水処理施設に送られる前に、工業団地運営業者により定められる受け入れ基準に従って前処理される取り決めとなっている。このような仕組みは、いまだバングラデシュでは見られない。このような制度を導入するためには、まず EZ 開発事業者には、集中排水処理施設の設置を義務づけ、入居企業からの排水処理を請け負うサービス提供を求めていく必要があると思われる。</p>

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産業廃棄物処理	<p>現行の環境、環境保護法に従って、EZにおける産業廃棄物の処理が行われるものと想定される。産業廃棄物の処理に関する規定は、環境保全細則（1997）の SCHEDULE-10 に詳しく述べられている。</p>	<p>現状では、EPZ 内で発生する産業廃棄物の処理のための焼却炉は、用地確保の問題もあり、整備されていない。なお、固形廃棄物の貨幣価値を考慮し、政府および税関当局は、入居企業が EPZ 外へ固形産業廃棄物を販売することを認めている。</p>	<p>産業廃棄物処理については、中央公害管理局、州公害管理局が所轄官庁とされる。</p> <p>工業団地から排出される産業廃棄物の処理に当たって、埋立処分場、焼却炉などの共用インフラの開発には、CETP と同様の開発スキームは使えず、中央政府が無償援助(Grant)の形で一定程度(以前は費用の 25%であったが改変された模様)支援するスキームを用意している。</p> <p>各州において、産業廃棄物処理施設が官民協力事業の形態により、開発・運営されているが、地域によっては近場に処理施設がないため、遠方まで廃棄物の運搬を呼びなくされている事例もみられる。</p>	<p>経済特区開発に関するガイドラインに依れば、経済区内に産業廃棄物の保管場所を設け、特区外には埋め立て処分施設の指定をするよう求めている。</p>	<p>産業廃棄物に関しては、通常、工業省 DIW が排出許可、マニフェスト制度、有害産業廃棄物・非有害産業廃棄物の基準の選定を行っているが、IEAT が運営する工業団地には独自の有害廃棄物処理管理規定があり、工業団地から出される一般ごみと有害産業廃棄物は、民間処理業者や工業省と IEAT の合弁事業である専門の処理業者のジェンコ社（GENCO : General Environment Conservation Public Company）によって、埋立、焼却処分されることになる。</p> <p>なお、EPZ 内で発生し、不要となった廃棄物は、EPZ 外で処理できるとされ、その際関税などは支払う必要はない。</p>	<p>工業団地内に産業廃棄物を収集する中継基地を設け、最終処分施設へ産業廃棄物を搬送するなどのサービス提供を行う民間企業もあるが、有害物質を排出する企業は、現状自社内で産業廃棄物処理・保管を行っていることがほとんどである。</p>	<p>都市中心部および工業団地における固形廃棄物の管理促進に関する首相命令 (Directive No.23/2005/CT-TTG) により、中央の省庁、州の人民委員会などが廃棄物の管理で果たすべき役割を規定されている。</p> <p>工業団地では、首相決定(2006) (Decision No.1107/DQ-TTG)により、産業廃棄物の処理施設の開発に必要性が謳われており、固体廃棄物は、一般廃棄物（生活ごみ）や有害廃棄物やリサイクル廃棄物の 3 つに分類され、一般的には、廃棄物の排出者と国営処理業者の間で締結する契約を通して、一般廃棄物は国営処理業者の廃棄物トラックで収集される。</p> <p>有害廃棄物に関しては、排出者が有害廃棄物の収集ライセンスを所有する機関から提供される固体廃棄物処理サービスを利用する必要がある。</p> <p>2003 年に策定された「環境保護に関する 2010 年までの目標と 2020 年に向けたビジョン」では、70% の工業団地と輸出加</p>	<p>経済特区政令第 3 条「経済特区の設立」によれば、経済特区管理会社により、汚水処理場の開発がなされる必要があると規定している。</p> <p>特段、工業団地における産業廃棄物の処理形態について、東南アジアとインドとで制度上の違いは見られないが、バングラデシュでは地域によって産業廃棄物処理場の立地が工業団地開発と連動していないこともあり、事業計画設計が必要となっているものと思われる。</p>	

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						工区で集中廃棄物処理システムを導入するなどの目標が挙げられている。 なお、基準や法規則については、国のほか、州単位や工業団地単位での基準も存在する。		

### ⑤ 各種許認可（入居企業への投資ライセンス、他省庁に属する許認可等）

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ゾーン開発許認可	経済特区法は、経済特区庁(BEZA)が規則に則り、民間事業者をEZ開発事業者として指名すると定めている。民間経済特区政策の第4項によれば、民間経済特区の開発に当たっては、開発事業者は、第一次と第二次に渡る申請書類審査を経て、民間経済特区ライセンスの取得を求められるとされる。このライセンスにより民間経済特区内での開発等認められたすべての活動が行えるようになる。同政策第3項に則り、開発事業者とBEZAは民間経済特区開発及び運営合意書を締結することになる。	BEPZAは輸出加工区の開発に際し、Board of Governorsからの承認を取り付ける必要があるとされる。この承認を得た後、BEPZAはDevelopment Project Pro-forma (DPP)を作成し、これをAdministrative Ministryを通じ、Planning Commissionへ提出する必要がある。このDPPには、土地の規模、価格、立地、マスタープラン、道路、排水路、事務所などの情報が開発費用と共に記載されていることが求められる。計画委員会では、書類精査の後、これを首相をトップとするNational Economic Council (ECNEC)へと送り、そこでの決裁を経て、政府事業として	州の産業開発公社による工業団地開発はそれぞれの州で定められた産業開発公社設立の裏付けとなった州法に則り、工業団地開発に係る権限として、たとえば土地造成、送電線、排水管、アクセス道路の開発を行うことが産業開発公社に与えられている。一方、電源開発/供給、水資源開発/供給、廃水処理施設管理にあたっては、他の所轄官庁が州政府内あるいは公社として存在し、産業開発公社の許認可権の管轄ではない場合が多い。 なお、中央政府の所管として大きいところは通関業務、国道アクセスに係る許認可で、環境に関わる許認可は中央と州	開発事業者はDevelopment Commissionerに対し、SEZ設立の提案書を提出し、中央政府の承認委員会によって開発認可の決定がなされ、その後SEZのエリアの告知が為される運びとなる。 なお、委員会からのSEZクリアランスの取得には、国務省からの会社設立認可とその承認(財務省)、また環境クリアランス、都市計画局からの土地利用計画に関する承認、土地取得制限免除(歳入局からの)、水道(灌漑局からの)、電力(州電力配電会社)などからの許認可を別途取り付ける必要がある。 SEZとしての最低	開発許認可は、IEATからのものとBOIからのものがあり、IEATとの共同運営の工業団地を設立する意思がある民間は、IEATにて申請書と付属書類を提出し、IEATの審査を受ける必要がある。 IEAT委員会により協議の結果、提案が可決されれば、共同運営する団体および関係する政府機関に連絡がなされ、共同運営の契約を以下のいずれかの形で行うことになる。 (1) IEATが公共施設やインフラ設備のサービスおよびその他のサービスを提供する。 (2) 工業団地の開発事業者が公共施設やインフラ設備のサー	2014年2月に、工業団地の開発・拡張に係る許認可制度が改められ、工業団地及びその拡張許可は、当該工業団地の係る行政区範囲に応じて、市長、知事として工業省大臣により発給されるとされ、これらの許認可業務はOSSにより、BKPMにも権限移譲されると規定された。 外国企業による事業開発の場合、In principle permitの工業省からの取得に際し、まずIn principal approvalの取得が必要となり、申請書を提出後、5営業日以内に発給されることになる。その後2年以内、土地の取得、土地利用計画、土地の開発、環境影響評	工業団地開発事業者は、開発計画についてまず許可を受けが必要であり、付与されたライセンスと会社法規に従ってビジネスサービスを行うことができることとされている(第9条/No.192/CP)。開発計画に遅れが生じる場合には、30日間まえに開発期間制限の延長を適切な期間に申し出ることとされ、これを怠ると未開拓地の接収をうけることになる。 工業団地開発に係る認可プロセスは、投資法によると規定されているが、開発許認可は、団地開発がマスタープランに沿っている場合、地方人民委員会は首相の確認を必要とせず、認可作業を進め	開発業者は「カンボジア経済特区委員会(CSEZB)」に経済特区開発の申請をし、適格投資案件(QIP: Qualified Investment Project)の申請を行う。申請代は1,700米ドルで、CSEZBは開発業者に28日以内に承認の返答を行うとされている。 CSEZBより承認受領後、開発業者は180日以内に詳細事業計画を作成することになる。 開発業者より詳細事業計画書を受領後、CSEZBは開発業者に代わって100日以内に関係省庁より許認可を取得する。 その後CSEZBが開発業者に最終登録	東南アジアにおいて、工業団地開発の許認可担当窓口に指定される機関には、工業団地として機能するために必要なインフラ/サービスに關し、予め決められた規定・手続き・条件に基づいて、所轄の官庁から権限移譲を受けた担当窓口機関が、許認可の執行を行える体制整備が進んでいる。民間ゾーン開発事業者が行う、投資誘致、販売を目的とした工業団地内の土地の開発には、必要なインフラ/サービスにかかる各種許認可を所轄官庁から取り付ける必要があるが、その点において、開発期間を如何にスピーディ/効率的に行えるか、という点に注力した、

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	予算化手当てが行われる。	の機関からのものと案件により別ライセンスの取得を受ける必要がある。	開発土地面積としては、SEZ(Amendment) Rule 2013 によって、多品目 SEZ では 500ha、セクター別 SEZ では 50ha から可能となり、臨海 SEZ の場合、最低でも 100 エーカー/40ha の広さを求められる。 開発事業者は SEZ クリアランスの発給を受けてから 10 年以内に最低開発土地面積の開発を行う必要があり、5 年以内にそのうちの 50% は開発している必要がある。また開発許可にもよるが、正式許可の場合、3 年以内に少なくとも一社の入居企業が生産を開始し、SEZ の運営が開始させる必要が規定されている（経済特区規則第 5 条、第 6 条）。	ビス及びその他のサービスを提供する。 IEAT との共同運営の契約書に署名した後、IEAT は IEAT 委員会の告知にて、工業団地のエリアを一般工業区もしくは IEAT フリーゾーンとして宣言する。 開発事業者は公共施設やインフラ設備の建設許可の申請書をその他の付属書類と一緒に、IEAT の開発事業者のビジネスサービス部・共同運営工業団地担当の総務課に提出する。 IEAT が公共施設やインフラ設備の建設の設計図に対し、審査を行い、審査結果を知らせる。 なお、共同運営者は、申請の段階で、土地の所有を証明する必要がある。 工業団地開発を BOI を通じて申請する場合、Industrial Estate の呼称は使用できず、通常の投資事業申請と同様の手続きを踏むことになる。なお、外国法人がタイで土地を所有するためには、外国資本が 50% 未満の場合、あるいは投資委員会 (BOI) からの「投資奨励の認定」を受ける等の必要がある。	価、関連インフラ/ユーティリティ開発、工業団地規則の策定、運営会社の設立を行う必要がある。これらを満たせば工業団地許可の発給となる。なお、正当な理由により、追加で 2 年間の延長も可能。また開発事業者は、工業省が別途定める Technical Guide to Industrial Estates に従った事業活動が許可ライセンスの前提となっている。 土地の広さに関する最低認可基準は 50ha とされている（工業団地に関する政府規則 10 条）。なお、中小企業向けの工業団地開発の場合は 5ha (同 10 条)。 また、立地許可を地方政府（立地により Regent / Governor / Head of National Land Agency のうちのいずれか）から取得する必要がある。	ることができ (Economic Zone: EZ の場合は計画投資省が認可作業を進め、首相が判断)、沿っていない場合、工業団地、EZ ともに地方人民委員会がマスタープランに乗せるかどうかの選考作業を行い、審査資料一式を計画当地省に提出し、首相が最終的な判断を下すことになる。	証明書を発行し、経済特区として認定される運びとなる。	許認可担当窓口が一本化されている許認可制度が、タイ、インドネシア、ベトナム、カンボジアなどでは設けられている。またそれを可能にする、工業団地マスタープラン/各種インフラ規格についてのガイドラインなど基礎情報の整備が進んでいることも特徴として挙げられる。バングラデシュにおけるゾーン開発事業者に対し各種許認可を与える仕組みは、規則として許認可制度が定められているが、実務にかかる係る実行性が今後の課題として挙げられる。

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入居条件	<p>経済特区法では、BEZA はその時々でEZ内でも活動できる産業や商業カテゴリーを設定できるものと定められている（同法第9項）。EZ内でも活動できる産業は、特定の規定された産業を除き、中小企業を含む農業、サービス業などとされている（同法第15項）。入居条件としては、企業はEZ User LicenseをBEZAもしくはEZ開発・運営業者から発行してもらう必要があるとされ、その手続きも民間経済特区政策の中で述べられている。</p>	<p>BEPZA Act, 1980および関連法規に従い、入居企業は30年間のリース期間が与えられ、合意条件に基づき、製造業およびサービス業を行うことができることとされている。特段の入居条件としては明示されていないが、1区画当たり180名の労働者の雇用をしなければならない、あるいは初期投資として\$2.5 millionをしなければならない等の不文条項があるようである。</p>	<p>工業団地によっては、産業廃棄物を発生させる工場の入居規制や、工業用水を多量に使用する工場の入居規制を設けているところもある。</p>	<p>経済特区（SEZ）内企業、ソフトウェア・テクノロジー・パーク（STP）内企業、エレクトロニクス・ハードウェア・テクノロジー・パーク（EHTP）内企業、バイオ・テクノロジーパーク（BTP）内企業、および100%輸出指向型企業（EOU）は、生産開始から5年間を1ブロックとし、以後継続的にブロック間の輸出入収支をプラスにすることが義務付けられている。</p> <p>国内一般開税地域（DTA）への販売はDTA側で輸入関税等を支払うことにより可能。ただし、外国貿易政策2009-2014の定めに従い、STP、EHTP、BTP内企業およびEOUについては、FOB価格をベースとした輸出総額の50%が上限となるほか、自動車、アルコール飲料、本、紅茶など、特定品目のDTA向け販売は認められていない。</p>	<p>EPZへの入居は、年間の売り上げの40%をFOB輸出額で占めている必要がある（改正B.E. 2538（1995））</p>	<p>保税地区に関しては、これまで50%相当の国内での販売を認める規則であったが、2011年9月6日付財務省規則第147号により、2012年以降の保税ライセンスの更新後は国内への販売が25%に制限された。しかしながら、本規則は反対が強く、2014年まで適用は延期されている。</p>	<p>2006年7月1日に施行された共通投資法及び統一起業法により、外国資本による投資、国内資本による投資にかかわらず、「奨励投資分野」及び「奨励投資地域に進出する企業」に対し、優遇措置が付与されている。</p> <p>また2年間のうちに土地の利用を行う必要が定められている。</p>	<p>民間特区では、メッキ加工や染色産業など、汚染度の高い産業の入居を認めていないところもある。</p>	<p>比較対象国の一般工業団地への入居条件としては、各国において定められたネガティブリスト産業以外、入居が認められており、工業用水の使用量規制や排水規制などの観点から入居が制限される条件は見られるものの、それ以外に特筆すべき入居条件の違いは見られない。EPZにおいては、輸出入金額の収支が入居の条件となっているケースがみられるが、SEZなど、輸出志向産業の誘致と同時に、ホスト国の国内マーケットをも見据えた外資製造業を企業誘致するに当たり、バングラデシュにおける経済特区への入居条件は、他国同様、進出企業の思惑とマッチしているものと思われる。</p>
リース/土地転売可否	<p>EZライセンスは第三者に対して、BEZAの承認なく転売できないとされる。一方で、EZ Userライセンスは第三者に対して、その第三者が同様にライセンス発行</p>	<p>EPZ内の区画はリースあるいはレンタルされており、サブリースは認められていない。一方で、入居企業の株式は第三者に対し、BEPZAの承認を得て売却でき</p>	<p>土地の転売については、州ごとに規定が違い、マハラシュトラ州では工業用地の転売は、進出企業が操業を開始している状態で、リース契約が結ばれた時より</p>	<p>SEZのリース区画の第三者への転売は可能であるが、転売に当たっての相手方はDevelopment CommissionerからのSEZでの操業許可（Letter Of Approval）を</p>	<p>リース契約書に他の条件が記載されていない限り、借主は又貸しすることや、賃貸権を第三者に譲ることができる。</p> <p>外国人である工業事業者または輸出者</p>	<p>建設権の売却、譲渡はかのである。なお、建設目的のための個人所有の土地に対する権利である賃借権は、賃借期間や譲渡の可否について、インドネシアの</p>	<p>外国資本金企業が土地所有権（または土地に附属する資産）を譲渡・転貸（サブリース）したり、信用機関に対して土地所有権と資産を担保（または保証）と</p>	<p>原則として「土地長期リース証明書」の名義変更により転売可能。但し土地長期リース契約書で条件が規定されることがある（一部エリアに限定など）。また</p>	<p>バングラデシュにおいては、輸出加工区（EPZ）の工場区画のサブリース/転売には、非常に厳しい規制が課されることになる。一方で経済特区（EZ）においては、</p>



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<p>の条件を履行する限りにおいて、譲渡あるいはサブリースできるとされる。</p> <p>一方、EZ 開発事業者は、民間 EZ 事業用地をサブリースあるいは販売できると規定されている(民間経済特区政策第 24 項(1))。なお、現行の銀行業務としては、リース物件は担保価値として認められるが、政府当局からの No Objection Certificate (NOC) が必要となる。現状の経済特区法、政策、細則には本事項に伝手の記載がなく、このため、BEZA が NOC を発行する規定を設けておく必要がある。現行のリース物件(区画)の担保価値は、Transfer value<sup>2</sup> もしくは Forced sell value<sup>3</sup> とされ、通常官製価格より高価となるが、商業銀行としては、政府の土地を担保とすることに消極的な示すところが多い。</p>	<p>るとされる。</p>	<p>最低 5 年間は経過していないと認められない。</p> <p>民間企業による工業団地運営では、入居企業のリース権/工場の転売はマーケット価格に基づいて可能だが、開発者側がその取引に当たって一義的な商談相手となり、すべての商談をモニタリングすることとし、また売買の成立に当たっては、手数料を求めることとなっている。</p> <p>なお、外国企業のインド法人および支店による用地・不動産の転売や賃貸目的での購入は不可。</p>	<p>持っている必要があり、価格は、購入時と同価格であることと、SEZ Authority から転売には承認が必要となる。</p> <p>また民間事業による SEZ の土地の再販については、入居企業は 2 年後、第三者へ土地リース権 (SEZ/DTA と) の再販ができるなどの規定を設け、まず第一交渉者は開発事業者となり、代金は市場価格となりうるが第三者への転売の場合、収益の 15% は開発事業者がもらうことになり、グループ会社が転売先となる場合には、この 15% を支払う必要はないとの規定も見られる。</p>	<p>が、事業を中止するか他人に譲渡する場合、工業事業者または輸出者は所有を許可された土地および土地に付属しているものを、中止または譲渡の日から 3 年以内に、公社または被譲渡者に売却しなければならない。そうでなければ、土地局局长が土地法に基づき土地および土地に付属しているものを公社または他人に売却しなければならない。</p>	<p>法律に規定がないため、当事者間の私的な合意により定められる。</p>	<p>して使用することは認められているが、土地をリース契約している場合は、リース全期間のリース料を一括で支払っておく必要がある。</p> <p>またオフィスビルや工場等、居住用以外の目的の建物については、外資系企業は、自己使用の目的があり、投機目的でない場合にのみ取得が可能であり、転売又は賃貸用に建物を購入することはできないとされる。</p>	<p>CDC への事前報告も必要。</p>	<p>Bangladesh Private Economic Zone Policy, 2014 によれば、工場区画のサブリース/転売は、監督官庁の許可さえ得られれば、東南アジアにおける工業団地制度と同様、可能であると解釈される。一方で、その際の取引価格は、当時の市場価格とするのか、リース当初の原価とするのか、その規定が見られない。この制度は非常に重要であり、工業団地市場において、土地の流動性/資産性の向上につながっている側面がある。また、当該国における産業構造の高度化や入居企業の事業の趨勢により、入居企業が工業団地用地を退出し、代わって他社が当該土地区画を再活用できるように、土地区画の転売が図れる仕組みづくりが大切となる。つまり、工業団地内で稼働する産業の新陳代謝を機能的に図るうえでも、土地区画が任意で売買できる制度の導入が必要となる。一方で、土地区画の販売においては、あらかじめ、生産活動を主目的と</p>

<sup>2</sup> Transfer Value は、最終的に物件が取引された際の実際価格

<sup>3</sup> オークションにより販売された価格

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資金調達に伴う規制・条件	経済特区法、政策、細則に、資金調達に係る規制、条件の記述は見受けられない。一方で、EZ 入居企業向けの優遇措置として、外貨建て融資を BOI また中央銀行からの承諾なく受けられる制度を用意している。しかし、外貨建て融資は投資目的（資本財の輸入、既存生産設備の近代化や拡張）にのみ使用が制限されており、運転資金としての使用が認められていない。	バングラデシュ中央銀行は、様々な法規則により投資企業向けの資金調達手段を規定している。それらは 18 つの Exchange Control Regulations として、EPZ <sup>4</sup> における資金調達についての条件を規定している (Bangladesh Bank Circular dated 31 May, 2009 captioned subject 'Credit Facilities to Industries in Export Processing Zones)。なお、EPZ 内で操業する外資 100% の企業ではれば、外貨建て融資を、BOI また中央銀行の承諾なく、組むことができる。	資金調達については、地場銀行、日系銀行、外資銀行などからルピー建ての調達の他、対外商業借入(ECB)枠を活用して、インド現地の任意の商業銀行から外貨建てで調達することが可能であり、その際の金利はインドの市中金利より有利な場合がある。さらに 9 月 10 日には、これまで親子融資で認められていなかった運転資金への流用をインド資本が 25% 入った外国籍企業からのものであれば認めるなどの処置がとられるようになった。	資金調達について特別な規則があるわけではなく、ECB についても、財務省の定めた規定に従うよう規定されている。	タイ国内での資金調達はパーツ、外貨共に規制はなく、自由に調達できる。親子ローンによる調達も自由にできる。ただし、借入れに際しては、借入れ目的（ローンなど）を取引銀行経由で中央銀行に報告する義務がある。また親子ローンの借入金利息の送金時は、源泉税 15% が課されることになる。タイ国内へ送金した資本金、借入金、その他の資金は、国外へ送金することが許可される (47 条)	インドネシア国内での外貨建て、ルピア建て共にほぼ自由に調達できる。親子ローンや海外銀行等からの借入れなど、すべてのオフショア借入れは、借入人から中央銀行へ報告義務が発生する。また親子ローンの借入れ共に、利息に対しては 20% の源泉税がかかる。	ベトナム国内でのドン建て、外貨建て調達のいずれも認められているが、国内での外貨借入れは使途が制限される。①海外からの輸入・サービスの対価支払資金、②ベトナムから海外への対外支払資金、③対外債務（親子ローン等）の期限前返済資金。親子間のローン調達は自由であるが、短期貸付であれば、中央銀行への事後報告と入金を外国投資企業の経常口座にする必要があり、資金使途も運転資金に限定される。中長期貸付の場合は、中央銀行からの事前承認と、個別借入登録証が必要となるが親子ローンの場合は不要となる。貸付金の利	不動産担保の提供を伴わない借入は比較的困難。借入期間は一般的に短期。借入利率は高率。海外からの借入れに関する規制はないため、親子ローンによる調達が一般的。	親子ローン、外貨建て資金調達については、バングラデシュでは厳格な用途制限、外貨建て借入規制がある。よって、東南アジアにおける資金調達に伴う制度と比較して、外貨建ての資金調達に大きな違いが認められる。それを踏まえたうえで、経済特区では、外貨借入れに関する規制が緩和される優遇措置が、既存の EPZ 同様に示されているが、一方で親子ローンの運転資金としての利用は認められておらず、改善の余地があると思われる。

<sup>4</sup> <http://epzbangladesh.org.bd/guides/index/page:2>

	バングラデシュ EZ	バングラデシュ EPZ	インド	インド/SEZ	タイ	インドネシア	ベトナム	カンボジア	含意
労働:解雇規則	経済特区法によれば、現行の EPZ 労働者福祉協会と労使関係ルールが経済特区内の労働環境においても適用されることになり (第 34 項)、これは労働環境改善のための専門家雇用などに当たられる Fund の運用にも関係している。また同法 37 項にて BEZA は労働争議やストライキ等を先導した人物、組織の解散を命じる権限も付与されている。外国人労働者の雇用には寛容であり、雇用人数に制限は課されていない。	EPZ に適用される労働関係の細則があり、解雇規則についても BEPZA の規定に従い、Executive Chairman が最終決済権を持つ形で執り行われることになる (The EPZ Workers Welfare and Industrial Relations Act, 2010 and BEPZA Instructions 1 及び 2)。	産業雇用 (就業規則) 法に基づき、企業は公開就業規則に解雇手続きを規定することができる。労働者の解雇を正当化するため、雇用者は労働者の不正行為 (故意による怠慢、服務違反、不服従など) を証明しなければならない。雇用者は雇用理由調査書を作成し、社内ですべての審査を行う必要がある。審問者の報告を検討し、労働者に対し解雇理由通知書が発行される。解雇手当は、解雇保証金として、賃金 15 日分 x 勤務年数を支払う必要がある。	インドでは労働法は州レベルでも一定の範囲内で制定や修正が可能で、結果として、州ごとに労働条件が異なってくる。よって、経済特区内においても、各州の定めるところ、労働組合の結成はできないとする規定を設けている州もみられる (マハラシュトラ、カルナタカ、タミル・ナド、AP 州など)。	使用者側の都合により従業員を解雇することも可能。ただし、1 給与期間以上前に事前通告を行う必要がある。解雇補償金は、勤務年数に応じて、定められる。	雇用主による解雇は、使用期間中または労働契約の終了もしくはは定年に達した場合に限られる。10 人以上解雇の場合は、政府への許可申請手続きが必要となる。懲戒解雇に当たるとするケースでも、退職金、慰労金等の手当を要する場面がある。通常の退職金は、勤続年数 1 年につき 1 か月分、慰労金は退職金の 2 分の 1 程度。さらに、これをベースとしてケースごとに最大 2 倍までの支払いを要する。	労働法に基づき、以下の条件でのみ解雇実施が可能となる。従業員が窃盗、横領、技術・経営上の機密の漏えいもしくはその他企業の資産、利益に重大な損害をもたらす行為を行った場合。賃金据え置き、減給を伴う配置転換処分を受けた労働者が処分期間中に違反行為を重ねた場合。昇格処分を受けた労働者が再び違反を犯した場合。正当な理由なく、当事者が一ヶ月に計 5 日間又は 1 年に計 20 日間無断欠勤した場合。上記にて解雇される労働者は退職手当を受けることができない。	全ての雇用者は、作業員の採用・解雇の度に、書面により、採用・解雇の日から 15 日以内に労働担当省に申告しなければならない (1997 年労働法)	労働者の解雇に際しては、各比較対象国ともに事前に労働者に対し通告することを求めている。また、解雇手当を必要としない不正行為による解雇規則も同時に制度上定められている。
各種許認可 工場建設許認可 操業許認可	廃案となった Economic Zone Operational Regulations, 2012 においては、工場建設許認可や操業許認可に関する手続きが細かく規定されていたが、Regulation を引き継いだ Private Economic Zone Policy, 2014 においては、工場建設許認可や操業許	EPZ への入居企業は、工場建設および設計認証を BEPZA 内の担当部署より得た上で行うことができると規定されている (BEPZA 建築基準)。入居企業は Bond License を EPZ 内の税関オフィスより発給されたのち、操業を行うことができる。工場建設に当たって、サイト計画書と	ラジャスタン州では、操業認可などの事業許認可は、Rs. 10 Crore 以上の事業であれば、BIP へ、それ以下であれば各地区の産業局の派出所で行う規定となっている。工場建設に当たって、サイト計画書と	工業団地、SEZ への入居企業は州公管理局から、建設許認可を受けて初めて工業建設が行えるようになる。	工業団地内で事業を行う者は、総裁または総裁から権限委譲された者の許可を受けなければならないが、その規則は委員会が定める (41 条)。なお、BOI の投資奨励は委員会 (大型案件の場合は首相を委員長とする委員会、小規模の場合は小委員会) で認可さ	製造業の進出の場合、2009 年に制定された工業団地規則によって、「工業団地内に住所を置くこと」と定められているため、原則、工業団地以外に工場を建てることはできない。建築物及び非建築物 (駐車場、リクリエーション施設等) の建	投資許認可は、各種工業団地 (IZ/EZ/EPZ/HTZ) への申請により取得可能で、それ以外では、Tax Registration は地方税局、労働登録は労働局での申請が必要となる。	1997 年建設許認可に係る政令 86 号によると、工場建設には土地管理都市開発建設省による建設許認可が必要。土地長期リース契約書コピーと共に、基本図面 (平面図、立面図、断面図) などを提出し査定を受ける。	入居企業は、工場設計、土木・建屋工事、設備設置など、それぞれの行程で求められる許認可を、多岐にわたる管轄省庁から取り付ける作業において、困難を伴う事象が多い。東南アジアでは、タイ、カンボジアのように、許認可の円滑な取得をサポートする

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認可に関する手続きは、別途定める細則により規定されることとなり、この規定は住宅・公共事業省傘下の Housing and Building Research Institute において、国家建築基準 (National Building Code) をベースに、作成中である。	(Customs (Export Processing Zones) Rules 1984).	建設計画書を当局あるいは民間運営事業者へ提出する必要があるが、10 エーカー未満の工場であれば、上記2つの計画書を民間運営会社への提出のみで許可降りるような制度を設けている民間 SEZ もあり、10 エーカー以上の場合、当局の承認が必要になる。  AP 州における行政サービスも、申請開始より決められた時間内での処理を謳い、各機関への申請書類を代行として受け付けるワンストップサービスの提供を投資家向けに始めており、組織的な裏付けとして、Chief Secretary を委員長とし、Chief Minister がその上の監督機関の長を務める形で事業をレビューする体制を持っている。また工業団地への進出企業には、事業の重要性によって、エスコートオフィサーと言われる御用聞き・水先案内人があてがわれることになる。  また工場の建設、操業許可には、建設許可を水道法、大気法に基づき州公害管理局から取得することと、同じく州公害管理局から、操業許可を受ける必要があ		れることになっている。また、入居申請の認可については、BOI と多少異なり、団地のインフラ需要、公害の有無、対策に重点がおかれている。BOI の場合、認可された事業については恩典と条件を記載した「奨励証書」が発給される。一方、IEAT の場合、入居者と IEAT の間で、入居者が団地の規則を守る旨を主とする内容の契約書を締結することになっている。  IEAT の工業団地への入居申請手続きは以下のようなもの。まず入居企業は工業団地内における商業目的の土地利用の許可の申請書 (IEAT 01/1) を記入し、IEAT 本社にあるワンストップ・サービス・センター若しくは各工業団地の事務所提出する。続いて IEAT が書類審査を行い、関係する法律に違反しなければ、事業者を通知し、土地利用の契約書を作成させ、工業団地内における土地利用許可書および商業許可書 (IEAT 01/2) を事業者に渡す。なお、許可書の作成に 10,000 バーツの費用がかかる (VAT は含まれてない)。	設に際しての他、公共サービス(電力、水道、下水道、電話)を受けるために必要とされる建設許可 (IMB) については、申請書を県・市の公共事業担当局に対し提出することが求められている。また、事業許可(IU)については、投資調整庁または州投資調整局に申請する必要がある。工場等の建設の進捗についても投資調整庁および州・県/市の投資調整局に報告する必要がある。  さらに、工業事業許可(IU)については、投資規模によって、県知事、州知事などへの申請が必要となる。			政府スタッフの民間工業団地への常勤も行われており、円滑なビジネス行政手続きが行えるような制度と投資家への配慮が見受けられる。一方で、入居企業の工場建設許可や操業許可の大半は、工業団地開発業者や建設会社が営業サービスとして入居企業を補佐し、取得に向けた取り組みを行うのが一般的となっている。バングラデシュにおける経済特区では、特区開発事業における許認可手続きなどは、廃案となった Economic Zone Operational Regulations, 2012 においては明確な手引きが規定されていたが、現時点において、政府スタッフの業務を明確に規定した法制度化が図られていないのが現状である。よって、BEZA としては、EZ 開発事業者との連携を図りつつ、入居企業の満足に繋がる OSS を法的根拠も踏まえ制度化し、各種許認可検査を遅延なく行うことが重要な役割となると思われる。

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		り、その後不定期に工場からの排水・排ガスが基準を満たしているか、検査・モニタリングを受ける必要がある。						

## ⑥ その他工業団地で提供されるサービス（関税、人材育成等）

バングラデシュ EZ	バングラデシュ EPZ	インド	インド/SEZ	タイ	インドネシア	ベトナム	カンボジア	含意
<p>関税業務</p> <p>経済特区法第 10 項および関税法(1969)によれば、政府は経済特区内において特別制度を設け、特区内企業の輸出入業務の促進を図ることができる。BEZA は通関当局と調整を図り、通関手続きの迅速化に向けた制度化に取り組むよう求められている。</p> <p>通関については、国家歳入局が特区内業務について定めた Statutory Rregulatory Order において規定されることになる。</p>	<p>EPZ における関税手続きについては、1984 年関税規則（輸出加工区）（1984 年 12 月 10 日付 NBR SRO No. 545-L/84/889/税関）に細かく規定され、輸出加工区への輸入物品、加工区からの出物品は同輸出加工区に基づき別途審査されることが定められている。税関が EPZ 内に設置されており、DTA における通関手続きと比較し、タイムリーな輸出入許可が付与されている。</p>	<p>特に工業地域内に関税事務所が置かれたいはしていない。</p>	<p>SEZ の通関における中央政府・州政府の役割分担は、商工省が各 SEZ における税関を財務省/歳入局に代わり業務運営し、財務省/歳入局より任命された SEZ 事務所に常勤の Specified Officer が業務監督する仕組みとなっている。よって税関は Specified Officer を通じて財務省/歳入局へ活動報告を行うこととなる。</p>	<p>輸出加工区（EPZ）を有する多くの工業団地では、関税局出張所が設けられている。</p>	<p>工業団地内に特別に関税を置くプラクティスは取られていないが、フリートレードゾーン（FTZ）など保税関税区域等では固有の関税事務所による通関業務ができるようになっている。</p>	<p>工業団地の中には団地内通関施設を設置しているところが多いが、ここで、原料の輸入、製品の輸出に関わる通関を行うことができるような体制を整えている。空港、港に到着した貨物は工業団地に直接搬送され、工業団地に常駐の税関職員によってスムーズな通関手続きが行われるようになっている。</p>	<p>関税局の担当官が経済特区内に常駐し通関手続き業務を実施（経済特区政令第 2 条）</p>	<p>関税業務自体については、特段に違う方式が規定されていないが、タイ、ベトナム、カンボジアでは個別工業団地の多くに通関事務所が設置されるなど、物流の効率化が図れるような措置が取られている。通関事務所の経済特区内での設置については、バングラデシュの経済特区法および細則の中で触れられてはいるが、物流量の増加に従い、オンサイトでの通関業務の必要性が認められる場合、BEZA は税関と協力して、当該経済特区内に通関事務所の設置を図り、クリーンかつ迅速な通関手続きを目指すべきである。</p>
<p>住宅・商業施設</p> <p>経済特区内における活動として、居住・商業活動が認められている。経済特区内での居住に際しては、EZ Certificate of</p>	<p>BEPZA 職員は EPZ 内での居住が認められている。EPZ の中には、外国人従業員向けの住居施設として用地が割与えられて</p>	<p>外資企業による住宅地、商業施設開発案件への投資は認められているが、転売や貸借目的での購入は認められておら</p>	<p>SEZ 開発事業者には、従業員向けの住宅施設開発に努めるよう求める規定がある（経済特区規則第 11 条(10)）。</p>	<p>便利で快適な生活を送ることが出来るために、工業団地内に様々な施設が作られている。たとえば、投資家や工業団地内</p>	<p>工業団地におけるサポート施設の技術基準として No. 230/M/SK/10/1993 で規定されており、この中には、事務所、</p>	<p>2006 年当初、政府は工業団地における住宅区を認めていなかったが、工業団地労働者向けの住環境整備について、政府</p>	<p>経済特区内に住宅・商業施設の設置が可能（経済特区政令第 2 条）</p>	<p>工業団地労働者に対する住宅供給は、どの国でも奨励されている政策ではあるが、この工業団地に附属した住宅・商</p>

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	Residency の取得が求められる。経済特区法には、銀行業も経済特区法内で、中央銀行に許可により行うことができる」とされている。	いるところも遠隔地において見受けられる。近年では、女性従業員向けのドミトリーの建設を BEPZA では取り組んでいる。またその他、銀行、保険、小口物流、旅行代理店、IT サービスなど商店の建設も区画をレンタルする形で EPZ 内で認められている。	ず、工業施設としてインフラ開発し、販売や賃貸を想定した事業投資していく必要がある。	経済特区開発に関するガイドラインにも、100ha 以上の特区の場合、全体の 5% を低価格住戸施設として利用できる施設開発すること開発事業者へ求められている。	に働く従業員の子供たちが勉強するために、国立および民間の学校のみならず、インターナショナルスクールも整備されている工業団地もあり、より快適な暮らしのために、スポーツ施設、ゴルフ場、ホテル、インターナショナルレストラン、レジャー施設等も民間事業者により整備されている。	銀行、郵便局、通信サービス、診療所、食堂、従業員用宿舎、フェンス、セキュリティ、バス停、フィットネスなどが含まれている。	は首相決定(Decision No. 66/2009/QD-TTg) による労働者向けの住宅提供を工業団地開発・管理会社に求めるようになっている。 なお、20ha 以下の住宅区画開発事業では、開発事業者は投資額の 15% 以上を自己資金で賄うこととされており、20ha 以上の場合には、20% を自己資金で賄うことと定められている (Decree 153/2007/ND-CP(2007)) しかし現状では工業団地開発会社側による住宅開発は件数として少なく、今後の広まりが期待される。		業施設開発にうまくつながれるかは、国によりさまざまである。東南アジアにおける住宅・商業施設開発は、工業団地開発業者にとって重要な収益源となっていることも事実であり、タイやインドネシア、ベトナムでは周辺インフラや公共サービスの実施策との相乗効果による複合型タウンシップ開発が成功モデルとなっていると言える。
人材開発	経済特区法第 19 項(7)において、BEZA は人材開発を含む国内・外国投資を促進することが謳われているが、具体的な細則が規定されているわけではない。	総合的な計画・戦略が策定されているわけではないが、BEPZA として人材開発プログラムの一環として、3 つの職業訓練施設兼ドミトリーをダッカ、チッタゴン、ナルシンジにおいて整備してきている。これらの EPZ では、未熟練労働者の技術訓練が施され、EPZ 入居企業へ紹介されることになる。なお、経営者レベル人材のトレーニングも度々行われている。	工業団地において、特段の人材開発プログラムを提供していることはない。	経済特区開発に関するガイドラインでは、開発事業者による技術訓練施設の非加工区における設置を求めており、入居企業の欲する夜間学級の施設整備も必要に応じて求めている。	労働者の技能を高めるために、下記の人材開発センターを IEAT 工業団地内に設立している。 - バンブー工業団地内にある自動車協会と電気電子協会の研修センター - ハイテック工業団地 (バンワー工業団地) 内にあるアユタヤ・ハイテック技術センター - アマタナコン工業団地にあるタイ・ドイツ協会 (Thai-German Institute) の研修センター	工業団地において、特段の人材開発プログラムを提供していることはないが、新規の工業団地開発に当たり、職業訓練校の設置を求め動きも。	民間工業団地であるベトナム・シンガポール工業団地 (VSIP) などでは、ベトナム・シンガポール技術訓練校を開設し、ベトナムとシンガポールの両国政府の共同事業として、約 600 万米ドルをかけて VSIP の隣接地に 1998 年より、電気整備、機械整備、電気工学、機械工学の四コースが設けられ、毎年 178 人を訓練している。 この学校はシンガポールの技術教育教程に基づいて運営さ	民間工業団地であるプノンペン経済特別区 (PPSEZ) では、労働・職業訓練省 (MLVT) と共同で職業訓練のための講習会を定期的に実施している。	工業団地における生産性の向上のため、各国では従業員、地域住民に対する職業訓練を奨励し、また工業団地はそれら工業団地プログラムの良い実践の場となっている。工業団地開発事業者と入居企業との連携策を講じ、生産管理、工作機械の実地訓練などのカリキュラムの提供を行っていくことが、地域における労働者の定着率を高め、ひいては産業の比較競争力を助長させる措置となり得る

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				<p>- レムチャンバン工業団地にあるスウィンバーン工科大学 (SWINBURNE School of Engineering)。この学校は、工業団地内の従業員のために特別なカリキュラムを提供している。</p> <p>これ以外に、それぞれの工業団地の環境管理における人材開発を図るために、IEAT が NIDA 大学 (National Institute of Development Administration ) と協力し、環境工学の修士コースを設立する予定がある。</p>		<p>れており、受講期間は半年となっている。ベトナムにおいては、優秀な技術者の確保が進出企業の懸案となっているが、VSIP 進出企業にはこの学校の卒業生が優先的に斡旋されることとなっている。</p>		<p>と考えられる。</p>

## 付属書 2 : OSS制度に係る比較一覧表



付属書2 各国における OSS 制度比較一覧

	インド					タイ	インドネシア	ベトナム	カンボジア	フィリピン	ミャンマー	バングラデシュ	バングラデシュ	バングラデシュ	備考	
	グジャラート州	マハラシュトラ州	タミルナド州	カルナタカ州	アンデラプラデシュ州							(BOI/BEPZA)	(推奨)	(提案中)		
立法 / 法制度根拠	鉱工業局決議 No IND/102009/379948/1 (投資促進メカニズム)	産業政策 2013、マハラシュトラ公共サービスにかかる権利法 2015	タミルナドビジネス促進法 2009	カルナタカ産業政策 2009-2014、カルナタカ産業(促進)法 2002ならびにカルナタカ産業(促進)(改定)法 2013。	産業シングルウィンドウクリアランス法 No. 17 2002	経済特区法 2005および経済特区規則 2006 (州政府が開発事業者ならびに投資企業向けのsingle point clearance systemを構築すべきであると述べている)	投資促進法 B.E. 2520 (1997)、B.E. 2534、B.E. 2544、タイ投資委員会規則 No. 1/2547 (2004)、1/2549 (2006)、タイ工業団地公社法 B.E. 2522 (1979)ならびに公共サービスの円滑化に関する法律 2015	大統領令 No. 97 (統合ワンストップサービス体制) 2014 及びBKPM規則 No.12 (投資にかかるガイドラインおよびライセンス関連手続き) 2009、No.5 2013	外国投資法 1996並びに改正投資法 2000と2014	工業団地の設立と運営にかかる細則 No.148 2005	共和国法執行にかかるルールと細則 No. 7916、1995	ミャンマー経済特区法 2014、ミャンマー経済特区規則 2015ならびにミャンマー外国投資法第11条 2015	バングラデシュ投資庁法 1989およびバングラデシュ輸出加工区庁法 1980	法的に規定された各種許可手続きや通知に要する日数の定めやそれを行う実施機関の法的な執行能力の裏付けは極めて重要である。	バングラデシュ経済特区 (ワンストップサービス) 政策 2016ならびにバングラデシュ経済特区 (ワンストップサービス) 規則 2016	OSSの執行機関には、最上位の法規則に基づき、その業務範囲と履行責任が、すべての国と地域で規定されている
実施機関	地方投資促進委員会 (地方委員会)、中央レベル投資促進委員会 (州中央委員会)、ハイレベル投資促進委員会 (ハイレベル委員会) 及び Industrial Extension Bureau (indEXTb) を担当窓口とする。	Maharashtra Industrial Development Corporation (MIDC) および投資規模が1億ルピーを超える案件に対しては、Maharashtra Industry, Trade and Investment Facilitation Cell (MAITRI)	州中央レベル機関、地方レベル機関ならびにTamil Nadu Industrial Guidance & Export Promotion Bureau (窓口機関として)	州中央ハイレベルクリアランス委員会、州中央レベルシングルウィンドウクリアランス委員会ならびに地方レベルシングルウィンドウクリアランス委員会。またKarnataka Udyog Mitra (KUM) を州中央における窓口機関とし、地方では、District Industries Centresが同業務を担当。	Commissionerate of Industry, Industries, Commerce & Export Promotion	地区レベル別の承認委員会	タイ投資促進委員会内の投資促進局および工業団地公社内のトータルソリューションセンター (以前のOne Stop Service Center) が実施機関となっている。	インドネシア投資調整庁 (BKPM) 内の統合ワンストップサービスセンター (PTSP)	計画投資省並びに地方人民委員会、地方輸出加工区、工業団地、ハイテクパーク、経済特区管理委員会	各経済区内に設置された事務局	フィリピン経済特区庁 (PEZA) により運営されるワンストップセンター	経済特区の場合、管理委員会、その他投資案件については、ミャンマー投資企業管理局がミャンマー投資委員会の事務局となりOSSの実施機関となる。	バングラデシュ投資庁 (BOI) およびバングラデシュ輸出加工区庁 (BEPZA)	BEZA本部ならびに支部別のワンストップサービス内容につき、制度化されるべきである。また民間経済特区開発業者の役割を考慮し、事業承認にかかる手続きの一部 (申請書の記載不備の是正、訂正などを保管してもらうなどの取り決めが重要である。	バングラデシュ経済特区庁 (BEZA)	OSSの執行機関には、2つのタイプがあり、一つが工業団地やゾーンなどを管轄する機関であり、もう一方がその国に対する一般的な投資事業をサポートする機関である。
行政体系	申請書類は、indEXTbの管理するインターネットのポータルで受け付けられ、担当省庁により、あらかじめ定められて所要日数内で処理される。indEXTbは各委員会に申請書を提出し、Principal Approvalを得るための判断を仰ぐことになる。	申請書類はDesignated Officer (MIDCの場合は、各担当省庁から派遣されるMIDC内の常勤する職員) あるいはMAITRIにより処理される。Designated Officerは、申請書類を受け取り次第、許可を与えるか、正当な理由とともに拒否するかを判断をあらかじめ定められた所要日数で行う。MAITRIの機能は、情報提供とガイダンスなど、投資家に対する支援業務となる。	州中央・地方レベル機関ならびにGuidance Bureauによる行政機能としては、Combined Application Formを受領し、各々の担当省庁へ書類を回し、迅速な許可判定を定められた所要日数内に施すことである。州政府は、州中央レベル投資促進庁 (SIPB) を設置し、US\$ 20.5 million以上の投資案件の進捗のモニタリングと促進業務を行うこととしている。また事業承認庁 (PAA) が設置され、US\$ 20.5 million以下の投資案件であっても、事業進捗の監督業務が行われることとなっている。	Combined Application Forms (CAF) と呼ばれる申請様式一式は、用地の有無および関係省庁からの意見をもとにKUMにて受領され、処理されることになる。関係省庁からの意見の取り付けられ、時間軸が設けられ、同意見とともに吟味された申請書類はSLSWCC (State Level Single Window Clearance Committees) あるいはSHLCC (State High Level Clearance Committee) にて協議、裁定が下されることになる。	Commissionerate of Industryが各種申請書を受領し、担当省庁へ書類を転送する。申請書類のシステムでモニタリングされることになる。オンラインのOne Stop Service事務所は、各工業団地やSEZ内には設置されていない。一方で、重要な個別投資案件に当たっては、Escort Officerと呼ばれるアドバイザーが投資企業にあてがわれ、各種アシスタンスを行うことになる。	経済特区内における工場等の設立に関する申請書は、地区レベル毎のDevelopment Commissionerへ提出することになっており、Development Commissioner、税関および州政府の代表者で構成される承認委員会によって承認されることになる。なお、州レベルでの許可に定められたsingle window clearanceに従うことが規定されている。	投資促進局内に関係当局からのアドバイザーが常駐し、投資家に対する助言を提供している。なお、関係当局としては、工業省、商業省、タイ工業団地公社、歳入局、輸出促進局となっている。タイ工業団地公社のOne Stop Service Centerでは、申請書の受付窓口として機能し、工場建設やIEATとの工業団地開発にかかる共同事業許可の発給を行っている。	ワンストップサービスの実施については、BKPM長官が、中央政府所管の許可・ライセンスにかかる各担当省庁から権限移譲を受けて行っている。権限移譲にかかる権利、義務、責任一切を引き継ぐことであり、書類へのサインを含む権限移譲を意味するものと規定している。各担当省庁は、BKPM内に職員を派遣し許可・ライセンスの付与を行うこととし、仮にそれができない場合には、省内にて担当する許可・ライセンスを規定することとされる。	地方人民委員会内に、主要省庁からのメンバーで構成される特別組織が各地方ごとに設置され、投資申請書類の受付及び承認を行うことになる。工業団地、輸出加工区、ハイテクパーク別に設置される管理委員会は、投資承認を時めし、認可を充てることが認められている。	申請書は、関係省庁からの出向者で構成される経済特区事務局によりオンラインで処理される。関係省庁は本庁から権限移譲された職員を出向者として、事務局に派遣することとされる。	会社登録と各種ライセンスの発行にかかる申請書は、各経済特区内に設置されたワンストップセンターで受領され、担当省庁により処理されることになる。各担当省庁は代表となる職員を各経済特区に派遣し、対応に当たらせている。	ワンストップサービスはバングラデシュ投資庁 (BOI) 職員ならびに9つの省庁からの代表者で構成されている。関係省庁からは各職員がBOIに出向し、クリアランスや許可の発給を行うものとされているが、担当者の不在や本省から十分な権限移譲がなされていないなどの状況がみられる。	関係省庁からの権限移譲にかかる事項は、法的に規定されるべきであり、適切な人材の雇用とともに、給与体系や福利厚生に至るまでのきめ細かな配慮が求められる。	各種申請書類は、BEZA内に設置されたOSSデスクにて受領され、ノーダールオフィサーと言われる、省からのBEZA OSSデスクへの出向者あるいは、本省にて審査業務を担う者に送られ、手続きされることになる。	クリアランスや許可の付与にかかる権限は、それぞれ別の国において様々な制度が設けられている。インドやタイ、カンボジア、フィリピン、ミャンマーでは、担当省庁からの出向者がOSS行政を担う形態を採用し、インドネシアでは、一機関 (BKPM) が一手に各省庁からの権限移譲を受けて業務執行を行う制度を採用し、各省庁からの代表が委員会メンバーとして申請書類の審査を担う制度を採用している。	

	India						Thailand	Indonesia	ベトナム	カンボジア	フィリピン	ミャンマー	バングラデシュ (BOI/BEPZA)	バングラデシュ (推奨)	バングラデシュ (提案中)	備考
	グジャラート州	マハラシュトラ州	タミルナド州	カルナタカ州	アンデラプラデシュ州	経済特区 (SEZ)										
手続き期間の順守にかかる法規定	N/A	いかなる申請者もFirst Appellate Authority (Designated Officer)の上長に当たる者)に対し、許認可の結果を受けたのち、一定期間内であれば、異議申し立てを行うことができ、さらにその上にあるSecond Appellate Authority によっては異議を申し立てることができる。またあらかじめ定められた許認可手続きの所要日数が過ぎた場合にも、同様の異議を申し立てることができる。仮にFirst/Second Appellate AuthorityがDesignated Officerの業務内容に、然したる理由もなく、怠慢や不履行が認められると判断された場合、Designated Officer)に対し、ペナルティを科す場合がある。また金銭的な恩典も同時に、行政サービスを所要日数内に履行したすべてのDesignated Officers)に対し付与される場合もある。	仮に担当省庁により許認可申請が却下された場合、あるいは一定所要日数内に何らかの結果の打診がない場合、州中央レベル機関自身が申請書の処理を行い、所要日数以内に結果の通知を行うことができるものと規定している。また窓口機関となるBureauでは、"Composite Approval"と言われるNOICに近い意味合いを持つ通達を、面談後、投資申請企業に対し発行することができるものとして、そのような許可状は、一定程度の工場建設を行うに足る内容となっている。なお、各担当省庁からの許認可は、Bureau (State/District Level Authority)により、所要日数内での行政サービスを行うことを旨としてモニタリングされている。	Deemed consentと呼ばれる一種、クリアランスが支給されたと同義の認可が、関係省庁からの意見が時間軸通りに受け付けられなかった際に付与される。	申請書類が審査手続きの最中頓挫し、あらかじめ規定された必要日数を超えてしまった場合、"Deemed Approval/Provisional"と呼ばれる勧告が発行され、これをもって審査が滞ってしまっている申請書類は規定に数以内に認可がなされたものとみなされることになる。さらに所要日数が嵩んだ場合、Chief Secretaryを委員長とし、関係機関の局長クラスが参加するState Investment Promotion Committeeが組織され、問題解決に当たることが規定されている。なお、最終手段としては、Chief Ministerを委員長とするState Boardと呼ばれる機関が、担当省庁大臣との間であらゆる問題解決に当たれる仕組みが設けられている。	N/A	規則に許認可審査および通知に要する日数が記載されているが、この所要日数を法的に担保し、次善の策を講じる規定は見られない。	規則に許認可審査および通知に要する日数が記載されているが、この所要日数を法的に担保し、次善の策を講じる規定は見られない。	規則に許認可審査および通知に要する日数が記載されているが、この所要日数を法的に担保し、次善の策を講じる規定は見られない。	経済特区法には、申請書類の処理、通知にかかる所要日数は規定されていない。	規則に許認可審査および通知に要する日数が記載されているが、この所要日数を法的に担保し、次善の策を講じる規定は見られない。	N/A	市民憲章に従った各種申請手続き・結果通知にかかる所要日数が規定されている。	公務員による厳格でタイムリーなクリアランスや許認可の発給を担保させるためには、法律や規則により裏付けされた正当な権力により、業務規定が整備される必要がある。	バングラデシュ政府としては、許認可手続きに要する日数を規定することを囑望している。また担当省庁がその所要日数以内に所見を提供しそこなった場合、担当省庁は、同許認可申請に当たり、ノーダルオフィサーからの意見を再度求めるとともに、最終的には、不服がないものとして解釈される旨の規定を設けている。	インドでは、申請手続き・結果通知にかかる所要日数を遵守させるための法的対応策が講じられている一方、ASEAN諸国では、そのような規定は見られないものの、所要日数に関する規定は示されている。
投資家からの要望に対する対応策と行政メカニズム	N/A	公共サービスにかかる権利法において、すべての行政機関は、所要日数内に、サービスを求める者に対し、効率的な許認可の付与、書類の提出などをサービス提供することが謳われている。	Bureauは、Town & Country Planning Dept., Fire Safety Dept., Labor Safety Dept., Electric Safety Dept., Pollution Control Board, Boiler Safety Dept., Utility company (Power Supply)、それにSIPCOT (land & water)からなる委員会を合会を開催し、特定の投資案件などにかかる質疑応答の場を設けるなどして、問題の対応にあてられている。	Kaigarka Adalats (industries adalat)が、KIADB (政府工業団地開発事業者)、Commercial Tax Department, Escoms および地方政府の参加の下、定期的に各所で開催され、作業会や貿易にかかわる様々な問題の解決にその場で当たることとなっている。	まず第一に、商工省の事務次官が問題解決に当たり、これを超える範疇(労働や環境など)の問題解決には、"Conversion Committee"と呼ばれ、各省庁の事務次官級で構成される委員会が当たることになる。さらに、政治決断が求められる場合には、Chief SecretaryあるいはChief Ministerが必要な手立てを、問題解決が図られるまで講じていくといった縦の問題解決のための序列構造が構築されている。	N/A	申請者がタイ投資促進委員会の決定に不服がある場合、長官あての書簡を、詳細な説明と副区申し立ての意義を明確にしつつ、まず委員会に提出する必要がある。	BKPM内の統合ワンストップサービスセンターが要望等の受付を行い、投資家サービスに生かされる体制を整えている。	外国投資法に則り、計画投資省が責務と権限をもって、外国投資事業の形成と開始、運営期間中の各問題に対し、関係省庁との調整業務に当たるものとされている。	トラブルシューティング委員会の設置が、細則により規定されており、同委員会には、経済特区活動にかかわる、技術的あるいは法的なもの、あるいは、経済特区事務局やカンボジア経済特区委員会の権限を越えて対応できない問題に際し、各担当省庁との協議に基づき即座いに問題解決に当たる義務があるとされている。	民間所有の工業団地を除き、ゾーンアンドバイザリー機関が各工業団地に設置され、この機関において、入居企業の代表や労働組合の代表、工業団地周辺の産業界の代表およびPEZAの代表が会合を持ち、各種課題に対する対応策が話し合われることになる。	N/A	苦情の救済制度がBOIでは設けられている。	トラブルシューティング委員会には、政治家や政府高官などにより構成され、経済特区の運営と管理に際し発生する深刻な問題解決にも対応できるように制度設計されるべきである。同委員会には、経済特区開発業者並びに入居企業とのホットラインを設け、モニタリング機能も持たせるなどの措置も有効である。	N/A	問題解決メカニズムにかかる制度は、各国毎に特有の仕組みが設けられている。

	India						Thailand	Indonesia	ベトナム
	グジャラート州	マハラシュトラ州	タミルナド州	カルナタカ州	アンデラプラデシュ州	経済特区 (SEZ)	(Department of Business Development)		
会社設立 / 登録	C (Registrar of Companies (ROC)) 7日	D (Registrar of Companies (ROC)) 7日	D (Registrar of Companies (ROC)) 7日	C (Registrar of Companies (ROC)) 7日	D (Registrar of Companies (ROC)) 7日	C (Registrar of Companies (ROC)) 7日	C (Department of Business Development)	A 1 day	C 3日
土地の手当て / リース認可	C (GIDC, District Collector) n/a	B (MIDC) 21日 C (MAITRI)	C (permission under the Tamil Nadu Land Reforms) 60日 (change in land use classification and permission) 45日	C (KIADB) 30日	C (APIIC) 7-21日 (depending on land size)	C n/a	A (IEAT) 2 weeks B (BOI) 15日	A (land ownership certificate) 1 day	C 14-18日 (depending on permits)
投資認可 / 恩典の付与	Automatic, otherwise C (DIC, Industrial Commissionerate, Reserve Bank of India, FIPB) 30日	Automatic, otherwise C (DIC, Industrial Commissionerate, Reserve Bank of India, FIPB) 30日	Automatic, otherwise C (DIC, Industrial Commissionerate, Reserve Bank of India, FIPB) 30日	Automatic, otherwise C (DIC, Industrial Commissionerate, Reserve Bank of India, FIPB) 30日	Automatic, otherwise C (DIC, Industrial Commissionerate, Reserve Bank of India, FIPB) 30日	C n/a	A (IEAT) B (BOI) 40日	A 3日	C 15-25日
工場建設認可 / 消防法にかかる認可	D 30日 (plan passing) 30日 (plinth check) 30日 (building completion)	B (MIDC) (Building Plan Approval) 15日 (Provisional Fire Approval) 15日 C (MAITRI)	C (Approval of site plan and building plan) 30-45日 (NOC from the Director of Fire and Rescue Services) 30日	C Building Plan approval (KIADB) 30日 Approval of Fire safety (Karnataka State Fire and Emergency Service) n/a	C (Competent authorities) 7日 (Fire Service Dept.) 15日	C n/a	A (IEAT) 8 weeks B (BOI: operation startup) 45日 D (BOI: factory permits) 80日	A (Building construction permit) 42日 D (final inspection from the Fire Dept.) 1 day	C 7日 (appraisal of fire presenting and fighting) 10日 (construction permit)
環境クリアランス	C Consent for Establishment (GPCB) n/a D (The listed 30 categories of industries - MoE&F) 270日	C Consent for Establishment (MPCB) n/a D (The listed 30 categories of industries - MoE&F) 270日	C Consent for Establishment (TNPCCB) n/a D (The listed 30 categories of industries - MoE&F) 270日	C Consent for Establishment (KPCB) Green-30日, Orange-40日 Red -70-120日 D (The listed 30 categories of industries - MoE&F) 270日	C Consent for Establishment (APPCB) Green-7日, Orange-21日 Red - 45日 D (The listed 30 categories of industries - MoE&F) 270日	C n/a	C (Ministry of Natural Resources and Environment (MoNRE)) 8 months	D 40-75日	C 30日
ユーティリティ接続認可	C 10-15日 (water supply and drainage)	B (MIDC) (Electricity Connection NOC) 7日 (Water Connection) 7日 C (MAITRI)	C (Approval under the Indian Electricity Rules) 30日	C (ESCOMs - power) 45-180日 (KIADB - water) n/a	C 30日 (power/APTRANSCO - DISCOMS) 30日 (water/HMWS&SB)	C n/a	A (IEAT) 10 day (water connection)	D 30日 (water and sewerage connection)	D 14日 (water and sewage services)
輸出入許可証	D (Director general of foreign trade) 7日	D (Director general of foreign trade) 7日	D (Director general of foreign trade) 7日	D (Director general of foreign trade) 7日	D (Director general of foreign trade) 7日	B n/a	B 3日	A 7日	C 7日
労働許可/VISA申請にかかるアシスト	D (Ministry of Home Affairs) 4-7日	D (Ministry of Home Affairs) 4-7日	D (Ministry of Home Affairs) 4-7日	D (Ministry of Home Affairs) 4-7日	D (Ministry of Home Affairs) 4-7日	D (Ministry of Home Affairs) 4-7日	B 5-20日	A 3日 A 1 day (VISA)	C 5-15日

主なライセンス・許認可の権限移譲状況

## 付属書 3 : EZ 開発ガイド (案)

**Bangladesh  
Economic  
Zones Develop-  
ment Guide,  
2016  
(DRAFT)**



**Prime Minister's Office  
Bangladesh Economic Zones Authority (BEZA)  
Government of the People's Republic of Bangladesh  
DHAKA**

**Ver.01  
22 March 2016**

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This publication is not intended to be a complete review of all developments in the law and practice, or to cover all aspect of those referred to. Readers should take legal advice before applying the information contained in this publication to specific issues or the transactions.

# Foreword

## Need for Economic Zones Guide

Government legal documents and detailed administrative procedures exist to identify, process and approve an Economic Zone Project. However those acts, policies, rules and guidelines are fragmented from the viewpoint of Zone developers. A comprehensive document to provide summarized, streamlined, and simplified facets of Bangladesh Economic Zones Development is needed for attracting more Zone Investors, and subsequently Unit Investors into Economic Zones in Bangladesh.

The Government of the People's Republic of Bangladesh has adopted the policy of promoting the development of Economic Zone projects through the private sector. The Government of Bangladesh desires to promote further private participation in the projects, harness competition, ensure optimal use of land resources, and enhance value-addition in industrial activity linkages mediated by Economic Zones. This will result in the accelerated growth of the economy, being enhanced through the successful development and operation of Economic Zones.

An Economic Zone project may be carried out through a public private partnership (PPP) project or through as a private project. A PPP project is formulated through a RFQ and/or RFP process based usually on Government-procured land. Then the relevant Government authority grants the legal right to the private zone developer after the evaluation process of the process to carry out the functions of the development and operation of the Economic Zone's business. In a private sector commercial project, the development, engineering, financing, procurement, construction, and operation are carried out through a private sector entity.

Presently there is no handbook for Government officials to refer to and follow with respect to developing and facilitating the progress of these PPP and private Economic Zone projects on the same platform. Consequently, this Guide is formed as a toolkit to provide consistent procedures to identify, develop, and process these PPP and Private Economic Zone Projects in Bangladesh.

This document (the "Economic Zones Guide" or "Guide" in short) therefore aims to provide an orientation for government officials as well as for Zone developers and Unit Investors planning or running Economic Zones who are thinking of adopting industrial and business development strategies in the form of an Economic Zone in their property and regions. It is a guide to the process of Economic Zone development, outlining the elements and resources needed to start a well-organized arrangement towards successful Economic Zone development.

The guide describes the general steps in the process formalities but does not imply detailed implementation formality since this depends very much on the unique individual projects. Implementation of Economic Zone within an industrial system is usually defined by site-specific feasibility studies and project implementation structures between involved companies and stakeholders. For further investigation the guide points more detailed resources available through institutes and legal documents in print or on the internet.

Although, this guide is developed based on practical experience in developing Special Economic Zones and Industrial estates/parks/zones in other countries and adapted for application in those countries, it also incorporates Bangladesh experience and examples of relevant case studies, in particular from the Export Processing Zones of Bangladesh.

Consequently, the objectives of the Guide are:

1. to establish within the Government, clearly recognizable procedures to identify, process, and approve PPP and Private Economic Zone Projects;
2. to document a set of practical guidelines, for both the private sector Investors and Government, enabling the promotion and implementation of Economic Zone Projects; and,
3. to establish streamlined institutional arrangements to monitor and expedite the implementation of such projects at a national level.



# How to use this Guide

This guide was developed to assist in the compliant preparation of planning, designing and implementing Economic Zone development and operation projects. As new acts, policies, rules, and regulations emerge, the Government of Bangladesh will evaluate the impact on their administrative service offerings, and will post updates to this guide. The readers are recommended to check the updated version of this guide routinely, as well as the BEZA website, to obtain current information that may affect the development and operation of Economic Zone projects.

This guide is divided into seven main parts:

- Part 1: The Economic Zone Concept** provides an overview of Economic Zone principles and the necessary preconditions.
- Part 2: The Institutional Framework** describes the role and function of the regulatory authority of Economic Zone projects.
- Part 3: The Economic Zone Process** describes the different stages in Economic Zone development, with necessary information and required procedures as well as contractual considerations given to Zone Developers.
- Part 4: A Master Plan and Feasibility Study** provides an overview of the elements to be included in an Economic Zone plan.
- Part 5: A RFQ and/or RFP, and award process under a PPP scheme**, describes the procedure for appointing an Economic Zone Developer under a PPP scheme
- Part 6: Starting a Project in an Economic Zone** highlights the norms for implementing a Project in an Economic Zone and residence in an Economic Zone
- Part 7: The Tools for Economic Zone Projects** provides the facilitation tools (One-Stop Service and Incentives) for Unit Investors

The Seven Sections are linked together and are meant to be cross-referenced as per the table below in order to ensure that the information provided is done so in the most effective manner.

	The point of view of Economic Zone supervisory authority	The point of view of Economic Zone development businesses	The point of view of Economic Zone tenants
Provision of law	<ul style="list-style-type: none"> <li>• What is an Economic Zone?</li> <li>• System of law</li> <li>• Legal basis and roles of organizations founded</li> <li>• Objectives for development</li> <li>• Internal rules</li> <li>• Benefits Incentive</li> </ul> <p>☐ <b>Part 1</b> ⇒ <b>Part 2</b> ⇒ <b>Part 7</b></p>	<ul style="list-style-type: none"> <li>• What rights are observed and obligations required</li> <li>• How to participate in the Economic Zone development projects</li> <li>• Qualifications required as economic Zone developers</li> </ul> <p>⇒ <b>Part 3</b> ⇒ <b>Part 5</b></p>	<ul style="list-style-type: none"> <li>• Conditions for entry</li> <li>• Incentives to be granted ⇒ Chapter 6 (Starting a Project in Economic Zone)</li> </ul> <p>⇒ <b>Part 7</b></p>
Development perspective	<ul style="list-style-type: none"> <li>• Promotion of synergy with other national projects</li> <li>• Development methodologies of Private Economic Zones and PPP Economic Zones</li> <li>• Development licensing and the cancellation process (Private Economic Zones)</li> <li>• Bidding method and process (PPP Economic Zone)</li> <li>• Rights and obligations of Regulatory bodies and Developers in relation to Economic Zone development projects</li> </ul> <p>⇒ <b>Part 3</b></p>	<ul style="list-style-type: none"> <li>• Development licensing and procedures</li> <li>• Documents required for development licensing</li> <li>• Requirements in Master Plan (zoning, infrastructure development plan, etc.)</li> </ul> <p>⇒ <b>Part 3</b> ⇒ <b>Part 4</b></p>	<ul style="list-style-type: none"> <li>• Required licenses and permits</li> <li>• Factory construction procedure</li> <li>• One-stop service contents</li> </ul> <p>⇒ <b>Part 6</b> ⇒ <b>Part 7</b></p>
Operational perspective	<ul style="list-style-type: none"> <li>• Monitoring technique</li> <li>• One-stop service content</li> <li>• Relevant ministries and agencies</li> </ul> <p>⇒ <b>Part 3</b> ⇒ <b>Part 7</b></p>	<ul style="list-style-type: none"> <li>• Utility service pricing</li> <li>• Sales method</li> </ul> <p>⇒ <b>Part 3</b> ⇒ <b>Part 4</b></p>	<ul style="list-style-type: none"> <li>• Procedures to receive the incentives</li> <li>• Procedures necessary for entry</li> </ul> <p>⇒ <b>Part 7</b></p>

## **Using the Guide in Practice**

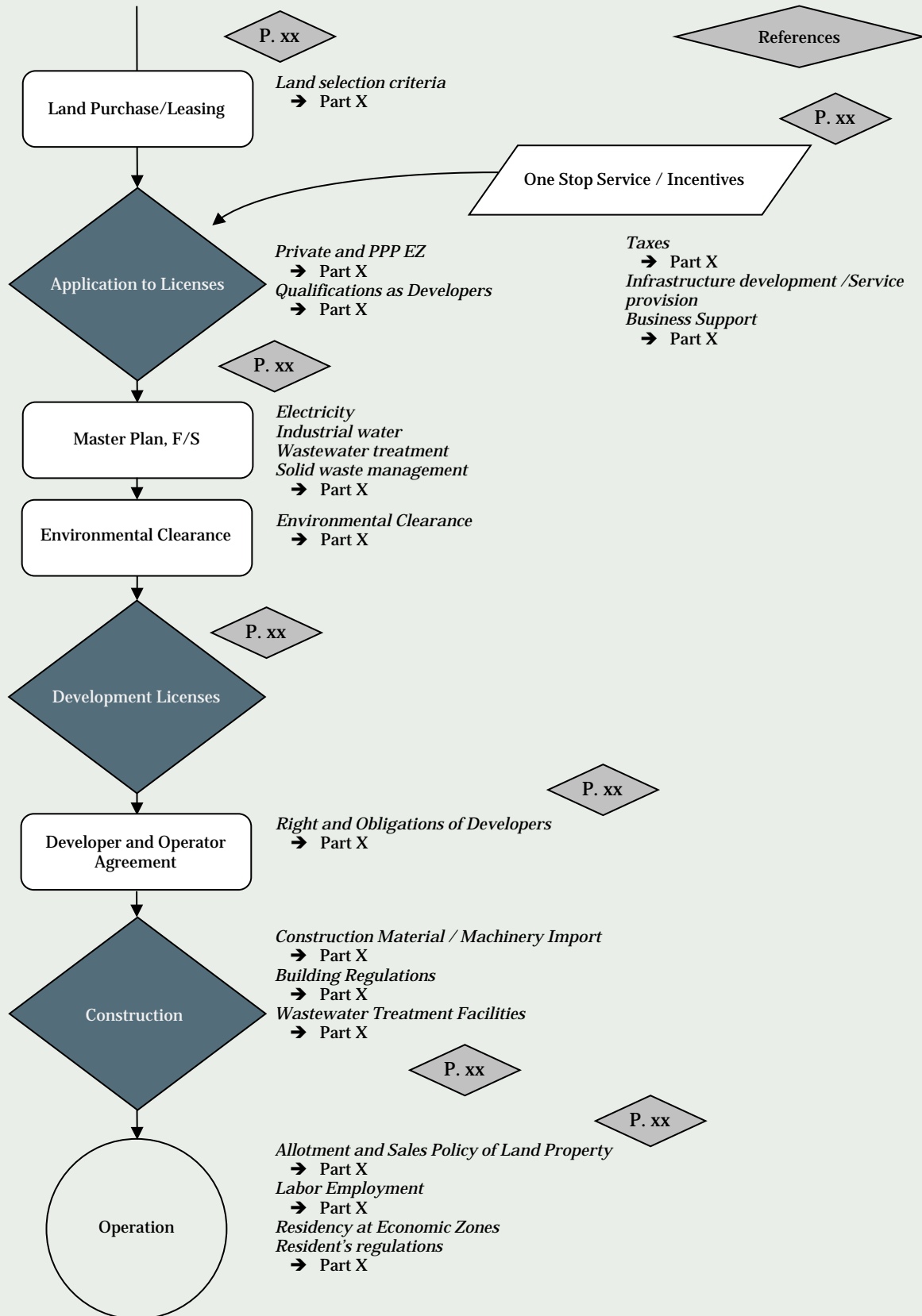
This Guide can be used to facilitate an appropriate approach to develop Economic Zones and increase awareness across the Zone developers and with other key government agencies. The content in this Guide, along with the Operation Manual, can help Zone Developers and Zone Units obtain key features about the policies, processes, formalities, and benefits of Economic Zones. The readers are also recommended to request advice of relevant authorities about needed information. Several of the referential materials will help Zone Developers and Zone Units understand Economic Zones and any specialty areas.

## **Other Helpful Tips**

A few points to keep in mind about the Guide include: As a reference of all required activities on Economic Zone Development and Operation. The section may be accessed separately in accordance with the table below so that the content is easy to find. Feel free to access and read the sections that best meet your needs. Each specialty section provides a “quick course” on that specialty and its relation to Economic Zone Development and Operation. Each section is written for the person outside of the specialty. As a result, your own specialty section may seem simplistic. Furthermore, the OSS section and Incentive-related List provide additional resources and links of organizations relevant to all these formalities and procedures to help any reader put the information in this Guide into practice.

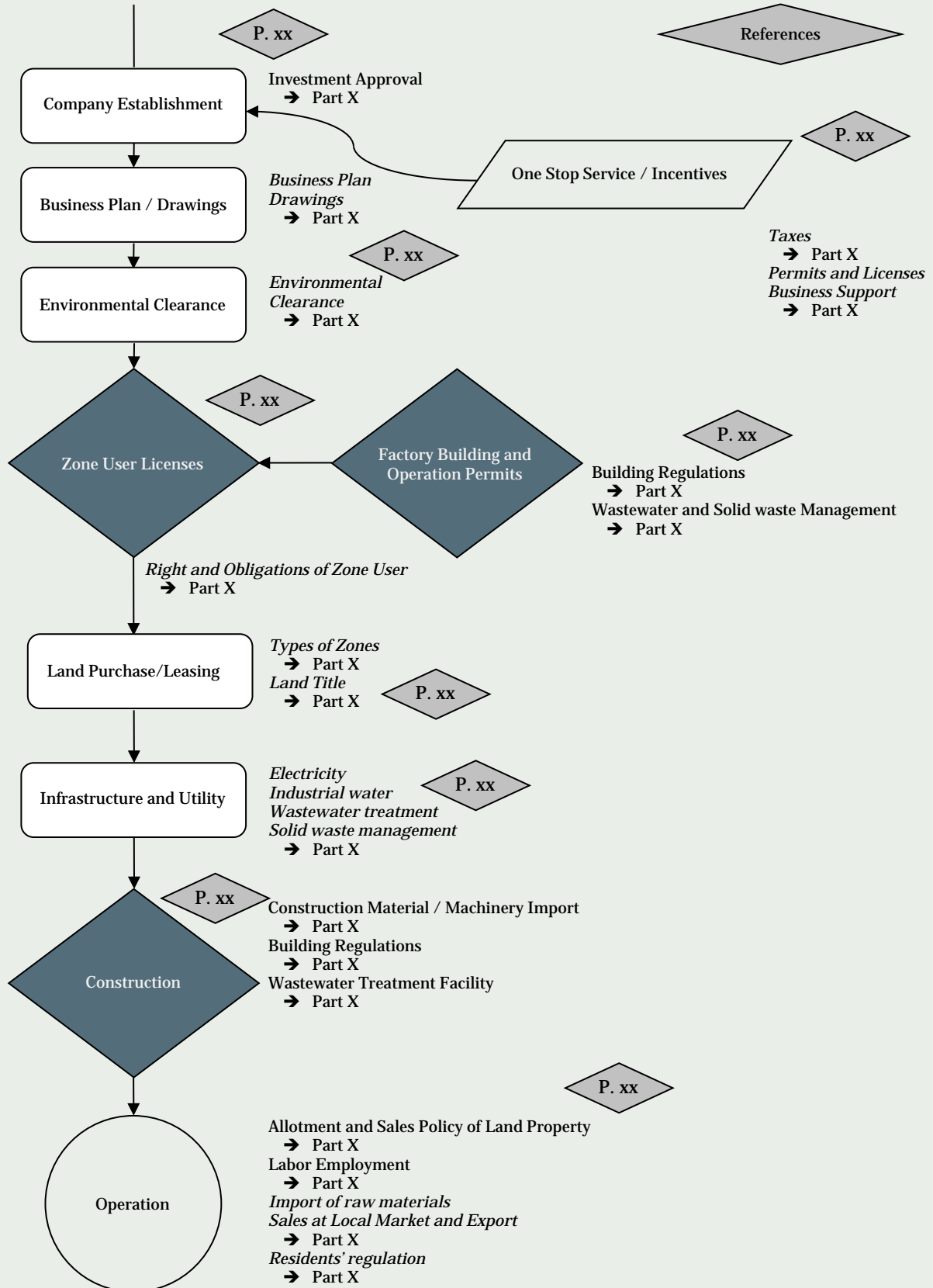
## For Economic Zone Developers and Operators

Flow chart reference note for Economic Zone development and operation



## For Economic Zone Units and Investors

Flow chart reference note for business registration and operation



# Terminology

“**Act**” means the Bangladesh Economic Zones Act, 2010 (Act No. 42 of 2010);

“**Authority**” means Bangladesh Economic Zones Authority established under section 17 of the Act;

“**Bangladesh Economic Zones Authority**” or “**BEZA**” in short” means the Bangladesh Economic Zones Authority established under the Bangladesh Economic Zones Act, 2010;

“**Bangladesh Export Processing Zones Authority**” or “**BEPZA**” in short” means the Bangladesh Export Processing Zones Authority established under the Bangladesh Export Processing Zones Authority Act 1980;

“**Developer Agreement**” means the Economic Zone Developer Agreement executed between the Authority and the entities for development, operation, maintenance and promotion of Economic Zones after RFP and/or RFQ Procedure;

“**Developer and Operator Agreement**” means the Private Economic Zone Developer and Operator Agreement executed between the Authority and the Licensee for development, operation, maintenance, and promotion of a Private Economic Zone;

“**Economic Zone**” means any industrial zone declared by the Government through gazette notification;

“**Economic Zone Developer**” means an entity which the authority appoints for economic zone development;

“**Economic Zone User/Unit/Unit Investor**” means a private party (proprietorship firm, partnership firm, corporation/limited company, or any joint venture) who plans to invest in Economic Zone projects in Bangladesh, who has created a Project Company and has committed to invest in the Project Company to develop and/or operate a project in an Economic Zone;

“**Export Processing Zone**” means a specific type of industrial zone, set up by Bangladesh Export Processing Zones Authority to promote industrial and commercial exports;

“**Government**” means the Government of the People's Republic of Bangladesh;

“**Infrastructure**” or “**On-Site Infrastructure**” means basic facilities, establishments, and utilities situated inside the perimeters of an Economic Zone for promoting development and activities of the Economic Zones and includes, with related services, also the following, namely:

- (1) Buildings or other similar structures;
- (2) Systems for collection, treatment, disposal, and management of solid waste and industrial waste etc. ;
- (3) Generation, transmission, and distribution of electricity;
- (4) Supply and distribution of other energy including gas;
- (5) Facilities for collection, treatment and disposal of rain water;
- (6) Sewerage;
- (7) Transportation network including roads and bridges;
- (8) Telecommunications and information technology;
- (9) Supply and distribution of water;
- (10) Medical facilities;
- (11) Adoption of a training program for capacity building and development;
- (12) Central facilities center and testing facilities;
- (13) Worker's dormitory; and,
- (14) Skill development center.

“**License**” means a Private Economic Zone License granted under Sub-Article (3) of Article 7 of the Private Economic Zones Policy, 2015;

“**Licensee**” means an Enterprise in favor of which a Private Economic Zone License has been granted;

“**Off-Site Infrastructure**” means the Infrastructure situated outside the perimeters of an Economic Zone and it shall include the public utility, transport, and other structure connected to an Economic Zone;

**“One Stop Service Office”** means a business or office offering Economic Zone Developers and Users the convenience of having multiple needs met in one location;

**“Policy”** means the Private Economic Zones Policy, 2015;

**“Permit”** means the Private Economic Zone User Permit granted under Article 30 of the Private Economic Zones Policy, 2015;

**“Pre-qualification”** means a method by which Private Economic Zone Developers are invited to demonstrate their development and management plan prior to, and as a pre-condition for, being appointed as Economic Zone Developer;

**“Public Private Partnership”** means an Economic Zone infrastructure project developed by the private sector on the basis of a build-own-operate (BOO), build-operate-transfer (BOT), build-own-operate-transfer (BOOT), refurbish-operate-maintain (ROM), concession, license, franchise, lease, management, or capitalization arrangement or such other form of private sector participation arrangements, as described in Annexure E;

**“Rules, 2014”** means the Bangladesh Economic Zones (Appointment of Developer, etc.) Rules, 2014;

**“Rules, 2016”** means the Bangladesh Economic Zones (the Procedure of Appointment of Developer) Rules, 2016;

**“Schedule”** means any schedule of the Policy;

# 1 Economic Zone Concept

## 1.1 History of Economic Zones in Bangladesh

### EPZ regime to EZ regime

After the independence, Bangladesh was desperately seeking capital investment from abroad, and technical transfer to facilitate the nation's industrialization process in order to achieve economic development. One of such efforts was embodied in the formation of the BEPZA Act 1980 which precipitated, eventually, the formation of Bangladesh Export Processing Zones Authority (BEPZA) - the government body responsible for the development and operation of Export Processing Zones (EPZ) in the country. Since then EPZs, in tune with the liberal industrial policy of the government along with an investment friendly legal & institutional framework like Foreign Private Investment (Promotion and Protection) Act, 1980, have made significant progress. The pioneer EPZ of the country - Chittagong EPZ - started functioning in the year 1983 in the Port city of Chittagong, and seeing its success the second EPZ came into being in 1991 in Dhaka. Presently there are as many as 8 operational EPZs in the country contributing to the overall economic development process of Bangladesh through the promotion of exports and FDI (Foreign Direct Investment), and generation of employment and technology transfer.

Bangladesh Export Processing Zones Authority Act, 1980

However, the magnitude having brought into being by EPZ is confined in the area of export-oriented industrial sectors, and development of forward and backward linked industries was not effectively established so that, for example, intermediate goods and materials are still being imported from outside the country. Moreover, although the Bangladesh economy was growing well at 6.3% in the previous 5 year period, it needs to be accelerated to have a GDP growth rate of 8% to 10% for reducing the poverty level from 40% now to 15% and targeting becoming a Middle Income Country by 2021. The Economic Zone program is, thus, envisaged and aiming for achieving the above goals by attracting more private investment (FDI & DI) in the nation, accelerating GDP growth and creating 10 million of new jobs by 2030.

In this line, the concept of Economic Zones was brought into discussion within the Bangladesh Government, being conceived since 2007 through technical cooperation from the World Bank Group and Japan International Corporation Agency (JICA); and, an inter-ministerial discussion was rigorously made to conclude that the nation must introduce a new regime of industrial/investment promotion instrument/mechanism rather than Export Processing Zones (EPZ), then as stipulated in the Bangladesh Economic Zones Act, 2010, the first Economic Zone was created with a fresh institutional setting managed by the Bangladesh Economic Zones Authority (BEZA) for attracting investments to the nation, industrializing the national economy, redressing the nation's intra-regional disparities and creating new employment opportunities for the nation.

Bangladesh Economic Zones Act, 2010

## 1.2 Application of the Concept

## Economic Zone strategies

In the Act, Private Economic Zone development lead by local, non-resident Bangladeshis or foreign investors is encouraged. According to the Bangladesh Economic Zones (Appointment of Developer etc.) Rules, 2014, the Authority may appoint an Economic Zone Developer or a Special Economic Zone Developer on a Public Private Partnership (PPP) basis for developing Economic Zones, infrastructure development in Economic Zones, and administering, managing and monitoring/controlling activities in Economic Zones. Incentives for Private Economic Zone Developers are also set and approved by the Government.

Bangladesh Economic Zones (Appointment of Developer etc.) Rules, 2014

As for Economic Zone projects under a PPP scheme, in accordance with Section 5(1) of the Economic Zones Act 2010, the Government may, by notification in the official Gazette, declare any specific land area as an Economic Zone after scrutinizing its suitability as a project site. The government may acquire such land under the provisions of the Land Acquisition and Requisition of Immovable Property Ordinance, 1982 (Ordinance No. II of 1982) by the Section 6(1) of the Economic Zones Act, 2010. Otherwise, private entities can submit a proposal to register their land as a Private Economic Zone through an initiative of a private company.

In order to facilitate inter-industrial linkage in sourcing intermediate goods and material between Economic Zones, as well as to make the Economic Zone projects as anchor projects in the regions, brand new incentive/tariff benefits and One-Stop Service (OSS) systems for development projects of Economic Zone are presented, and Section 7(1) of Economic Zones Act, 2010 stipulates that the Economic Zones Authority may issue order for the formulation of a Master Plan by dividing an economic zone into four areas, namely, Export Processing Area, Domestic Processing Area, Commercial Area and Non-Processing Area. Such a Master Plan must be approved by the Economic Zones Authority according to Section 7(2) of the same Act. Consequently, the Economic Zones being approved are supposed to facilitate planned industrial development all over the country. And it is in principle envisaged that an Economic Zone is not supposed to be a stand-alone development strategy, but needs to be integrated into the local and regional economy.

## Eligible sectors

In accordance with the Bangladesh Economic Zones Act, 2010, the BEZA may, from time to time, determine the category of industrial and commercial organizations to be established in an economic zone with a view to providing with benefits (Section 9). Industries to be established in an Economic Zone, at present are set sectors such as agricultural farms, service-oriented organizations etc. including small and cottage industries, except the sectors identified as reserved industries under the existing industrial policy of the Government (Section 15).

Section 9 and 15 of the Bangladesh Economic Zones Act, 2010

Under the current global Economic Zone norm, the manufacturing sector is not considered as a solo target industry. However, it is now common to allow more broad-scale industries and services such as IT & IT related industries, tourism, banking/insurance, agriculture/forestry, ship building and fisheries to operate in Economic Zones. Bangladesh has the potential to develop some of these industries in the country. Hence the above sectors are encouraged to be included as types of industries to be promoted in Economic Zones. Moreover, the backward linkages/production-chains with SMEs in and surrounding Economic Zones are also to be pursued.

## Nature of Economic Zone projects

In Article 12 of the Private Economic Zones Policy, it is stated that a Foreign National or Foreign Enterprise may acquire 100% ownership of any Private Economic Zone. It also guarantees in Article 13, non-discriminatory treatment between foreign and local investment, in respect of acquisition, development, expansion, management, activities, operation, sale, shifting, or otherwise transfer.

Article 12 and 13 of Private Economic Zones Policy, 2015

## Licensing



Bangladesh Economic Zones Act, 2010 has a provision that BEZA may appoint Private Economic Zone Developers in a prescribed manner for developing Economic Zone. As per the provisions in Article 4 in the Bangladesh Private Economic Zones Policy, 2015, the applicants for establishment and development of a Private Economic Zone, and operation, maintenance and promotion of such a Zone, is deemed to submit First stage and Second/Final stage applications in a series in order to obtain Private Economic Zone License. Then the Licensee is authorized to commence all approved activities including development, operation and maintenance of the Private Economic Zone. Once the license is issued under Sub-Article (3), Article 7 of the Policy, the Authority and the Licensee shall sign the Private Economic Zone Developer and Operator Agreement.

Article 4 and 7 of Bangladesh Private Economic Zones Policy, 2015

For entry to an Economic Zone for conducting authorized Economic Zone activities as an “Industrial User”, a private Enterprise needs to obtain an Economic Zone User Permit from either BEZA, the Economic Zone Operator or Economic Zone Developer / Operator.

## Land for Economic Zone projects

As for the land parameters of an Economic Zone project, under a Public Private Partnership scheme, the Government selects a site for Economic Zone by notification in the official gazette. According to Article 3 of the Acquisition and Requisition of Immovable Property Ordinance, 1982, properties used by the public for the purpose of religious worship, graveyard and cremation ground are not supposed to be acquired. Moreover, by Section 5(3) of Economic Zones Act, any area within the City Corporations, Municipalities and Cantonment Board area shall not be declared as an Economic Zone.

Section 5(3) of Bangladesh Economic Zones Act, 2010

In developing an Economic Zone by a private sector developer, the private entity may develop land parcels and act as the anchor developer for proposed Economic Zones in Bangladesh or act as Co-developers/Tenants on the proposed Economic Zones or acquire land and apply to the Authority for issuance of a license for development and operation of Private Economic Zones in Bangladesh.

## The Type of Public Private Partnership for Economic Zone Projects

In developing Economic Zones and Special Economic Zones through a PPP scheme, the Private sector entities may participate in the projects on Design, Build, Finance, Operate and Transfer (DBFOT) basis through Public-Private Partnership (PPP).

Rule 1 of the Bangladesh Economic Zones (the Procedure of Appointment of Developer) Rules, 2016.

### 1.3 Economic Zone Definition

“Economic Zone” is defined as any area declared by the Government under the Section 5 of the Bangladesh Economic Zones Act, 2010 with a view to establishing any industries including small and cottage industry, commercial and tourism establishment, except those identified as the reserved industrial areas in the existing industrial policy of the Government (Bangladesh Economic Zones (Appointment of Developers, etc.) Rules, 2014, 2. (a))

Section 5 of the Bangladesh Economic Zones Act, 2010

Rule 2(a) of Bangladesh Economic Zones (Appointment of Developers, etc.) Rules, 2014

## Classification of Economic Zone Projects

The Government has planned to establish the following categories of Economic Zones:

- a) Economic Zones established through Public and Private Partnership by local or foreign individuals, bodies or organizations.
- b) Private Economic Zones established individually or jointly by local, non-resident Bangladesh or foreign investors, bodies, business organizations or groups.
- c) Government Economic Zones established and owned by the Government.
- d) Special Economic Zones established privately or by public-private partnership or by the Government initiative, for the establishment of any kind of specialized industry or commercial organization.
- e) G2G Economic Zones established upon initiative by the government of a foreign country or the Government of Bangladesh and/or in partnership between Government of Bangladesh and Government of a foreign country; and

- f) Economic Zones established in collaboration with and/or partnership between Government Authorities or Organizations.

# 2 Institutional Framework

## 2.1 Legal basis

### **Bangladesh Economic Zones Act, 2010**

This Act was enacted in 2010 in order to substitute the functionality of Export Processing Zones (EPZ) as an industrial and investment promotion instrument with the new mechanism to be known as Economic Zones. Establishment scheme and system of Economic Zones are defined in this Act in that the government site selection procedure for Economic Zones would entail notification in the official gazette and the acquisition of authority approval for zoning plan (Master Plan) with EPA, DPA, Commercial Area and Non-processing Area stipulated therein. As for the appointment of Economic Zone Developers, this Act states that separate Rules shall be prepared for its administrative operation.

For the Units in Economic Zones, it states that industrial and commercial organizations shall be promoted as Unit Investors. Also kind of inviting/encouraged industries/services are cited to be determined by the Authority (Banking service is subject to the decision of the Bangladesh Central Bank). Fiscal and non-fiscal benefits are going to be applied for investors involved in Economic Zone development as well as for Unit Investors. In this sense, this Act stipulates that government provides at least an equal extent of tariff and financial benefits in conformity with the EPZ and the private EPZ for Economic Zones. Facilitation for both developers and industrial units is also cited in consideration of One-Stop Service.

The structure and role of BEZA (Executive and Governing Boards) are also defined in this Act in that the Authority may have branch offices; the branch office can acquire land, appoint developers by its own or PPP initiative, and can plan infrastructure development, develop infrastructure and own establishment. The branch office promotes investment and allots plot of its own. According to this Act, the Governing Board is comprised of members even from the private sector like FBCCI and two more members from the Chamber of Commerce and two women entrepreneurs are invited. The Governing Board has the power to approve the establishment of an Economic Zone. For the governing rule of the staff service term and conditions, the BEZA Regulation is to be formed and the way of spending the BEZA Fund is also going to be stipulated in the Regulation. Moreover, this Act states that BEZA Rules shall be prepared to prescribe the cancellation of Economic Zone license, appointment of Economic Zone Developers and accounting and auditing of BEZA. As to the BEZA Fund, the Act stipulates that the Fund is not required to return back to the Central Bank.

This Act also stipulates a relation with environment and labor affairs in that the international and national standard of the environment and labor affairs should be followed regardless of the applicable norms/system of Economic Zones. And it is clearly stated that BEZA can order a shut down or/and a dismissal of personnel leading labor unrest, strike, or lockout activities. In addition, removal of difficulties by the government is cited as a special right of BEZA for

the betterment of the systematic operation of Economic Zones.

### **Bangladesh Economic Zones (Amendment) Act, 2015**

It describes the amendments of the Bangladesh Economic Zone Act, 2010 in that mainly the use of two additional methods was added as the development approach of the Economic Zones. Namely Economic Zone development by bilateral government agreements, and that in partnership with Bangladesh government authorities and organizations are added. As for the restriction set forth on the usage of the land within City Corporation Municipality and Cantonment Board, this amendment made it possible to develop Economic Zones for the ICT industry.

### **Bangladesh Private Economic Zones Policy, 2015**

This Policy states the establishment scheme of Private Economic Zones, criteria on suitable land, application, requirements, procedure for Private Economic Zone licenses, and licenses required for sub-contract (Bangladesh enterprise) and other similar agreements. It is stipulated that the way of license issuance is performed by publication both formal and informal.

In this Policy, rights and obligations of a Licensee are described in that completion of the work of establishment, within a certain time schedule, in the license is one of the obligations of the Licensee. It also states that a foreign entity can own 100% of an Economic Zone (private), and enjoy the benefits of that ownership as any local owner.

As for the structure and functions of BEZA, it states that branch offices can approve User Permit, and the OSS office can be at head and branch office. Also it stipulates a One-Stop Service and a coordination manager shall be appointed by the Executive Chairman, and, it is stated that the duties and responsibilities of the BEZA staff shall be prescribed in Rules.

Whereas the appointment procedures of Private Economic Zone Developers and Operators are stipulated in this Policy, the rights and obligations of Developers and Operators are also cited in detail. For example, a developer can sub-lease land/asset subject to the approval of the Authority. A developer's obligations are noted in the construction of on-site infrastructure, a transportation network, quarters of workers, the preparation of a land use/zoning plan, social mitigation measures, submission of annual reports, and environment and labor-related reports. Operator's obligations/rights are described in issuing User Permits (which cannot be sold/transferred without approval of the Authority/Licensee, although land/assets can be transferred), formulating/issuing internal operating rules/procedures, and promoting Private Economic Zones in cooperation with the Authority.

This Policy also describes the process of issuing Private Economic Zone User Permits for Unit Investors as well as for Private Economic Zone Residents.

As for the procedures of construction permission, this Policy does not cover the features, and it states that different laws, act, rules and regulations shall be prepared for governing it. Environment clearance affairs are described in that Environmental Impact Assessment (air, water, soil, and waste) can be expedited with special rules and procedures in consultation with applicable laws/rules of MoEF. Also green technologies for energy saving and environment conservation are encouraged. Labor affairs is stated to be followed in conformity with the set of EPZ rules, which have been already applied in EPZ.

### **Bangladesh Economic Zones (Appointment of Developer, etc.) Rules, 2014**

This Rule states the necessity of formulating the separate Guideline for appointment of developers of Economic Zone projects. Until formulation of such a Guideline, a Guideline for PPP (Policy and Strategy for PPP, 2010) is cited to be substituted. In accordance with this Rule the tenure of a developer is set to be 50years (extendable).

Policy and strategy for PPP, 2010

Qualification of Developers under a PPP scheme is also described in this Rule in that as eligible developers, 3-years experience in establishing and operating industrial estates and their

kind, and having experience in designing/financing Economic Zones within the previous 3-year period are all required. Also the entity must have earned a gross revenue of 10 million USD per year for the previous 3-year period for the operation of an Economic Zone and the entity's net worth (own capital/equity capital) is deemed to be over 25 million USD.

Developer's rights and obligations are also described in this Rule. As obligations of the Developers, the Rule requires provision of all type of utilities and other basic services as well as development of installation including on-site infrastructure and a transportation network. On the other hand, profit can be transferred outside Bangladesh with approval of the government. The procedures for suspension and cancellation of a developer's license as well as the procedure of selecting a substitute developer are stipulated. Remedy of developers is also cited in this Rule.

## **Bangladesh Economic Zones (the Procedure of Appointment of Developer) Rules, 2016**

This Rule, 2016 at first describes the developer's qualification criteria as stipulated in Rule, 2014 shall be fundamentally adhered, and similarly rights, privileges and obligations of the developers is cited to be obliged to follow as per the Rules, 2014. It states that national, foreign, government-owned entity can form JV/Consortium to become a Developer, and lead firm is deemed to have at least 26% of the share. In the meantime, a foreign company/entity/JV/Consortium needs to register as a legal entity in Bangladesh. Anti-corruption measures are cited with their definition as well as the course of prohibited acts into rejection of the proposal and legal actions.

Overall process flow of appointment of the Developer is initiated with the issuance of a Request for Proposal (RFP) as a direct method and alternatively issuance of a Request for Quotation (RFQ) followed by RFP only to the parties shortlisted as the other method, then the latter follows by the two steps of evaluation. The common format of RFQ and RFP Documents are supposed to be prepared by the Authority in that all necessary particulars are described in those documents, together with special characteristics/features of the particular projects. A clarification procedure of an RFP/RFQ and a manner of operation as well as an amendment procedure of an RFP/RFQ and a manner of operation are describe.

The Rules, 2016 also cites Pre-application and Pre-proposal meetings, as well as the visit to the project site is organized so that project features and technical questions are addressed. It follows with a description of bid document preparation, a bid security treatment, the submission manner of an RFP/RFQ and deadline adherence, consequence of late submission of bids, as well as bid validity period and modification arrangements (allowed before deadline).

The Rules, 2016 also stipulates the formation of a committee for bid opening and bid evaluation. As for a bid evaluation committee, it is deemed to be comprised of 5 – 7 members, who can be from BEZA, representatives from other organizations and line ministries, although at least 2 members should be external members (from BEZA). BEZA appoints chairperson / member secretary, and it is stated that members can be replaced, in case there is a conflict of interest in a particular project. The Policy of the tenure of the evaluation committee is not defined, though it is interpreted that, although the standing committee members shall evaluate each and every different RFP / project, unique members may be involved in the functions. Appointment of a technical sub-committee is also cited possible if it is required.

A bid opening procedure and the manner of operation are prescribed in that in a bid evaluation, the evaluation committee shall perform the act as described in this Rules, 2016, by 7 criteria, although not restricted to these - design philosophy, drawings, project concept, marketing, implementation plan etc. The evaluation of 3 financial criteria is also prescribed, namely projected capital investment, operational cost and revenue; projected source of financing; and payments and returns to the Authority. In the process of evaluation, the Rule, 2016 stipulates that the evaluation committee should prepared a recommendation for BEZA to evaluate proposals, although such recommendation cannot be final but can be rejected by BEZA, so that Authority's right to accept or reject bids can be retained.

As the successful bidder was identified, the Letter of Award (LOA) shall be issued, and in a meantime, Developer Agreement is going to be drafted. The contents to be included in the

agreement are also stated in the Rules, 2016. In addition, the bidder is required to make the payment of a performance security, in accordance with the Rules, 2016.

After an issuance of LOA, in order to comply with requirements, the successful bidder is deemed to follow instructions as well as a time schedule set forth in the RFP document in that in addition to the plans and designs being submitted at the bidding stage, a comprehensive Master Plan submission is required. In the comprehensive Master Plan, the following documents are required:

- Land use planning / zoning
- Onsite infrastructure plan
- Phasing plan

Also an F/S as well as an Environment and Social Impact Assessment must be carried out taking into consideration the following items:

- Financial / economical / commercial viability
- Benefit the country; such as increased investment, job creation and diversification of exports that outweigh the costs incurred by the Government to facilitate the project.

This Rules, 2016 also stipulates signing procedures of a developer agreement, expiry of developer agreement (set in 50 years), a dispute resolution mechanism, and removal of difficulties with a principle of mutual consultation among the parties.

## **2.2 Formation of the Bangladesh Economic Zones Authority (BEZA)**

Bangladesh Economic Zones Authority (BEZA) emerged out of the Bangladesh Economic Zones Act, 2010, and BEZA was officially instituted by the government on 9 November 2010.

Section 17 of Bangladesh Economic Zones Act, 2010

BEZA aims to establish Economic Zones in all potential areas in Bangladesh including backward and underdeveloped regions with a view to encouraging rapid economic development through increase and diversification of industry, employment, production and export.

## **2.3 Objectives of BEZA**

### **Objectives**

BEZA wants to establish 100 Economic Zones on 30,000 hectares of land over the next 15 years from 2015 with an employment generation target of 10 million jobs.

### **Core Values**

BEZA will strive to instill the following core values to reach and realize its vision and mission:

- a) Customer satisfaction;
- b) Team work;
- c) Free flow of information;
- d) Participation and involvement;
- e) Ceaseless learning;
- f) Networking; and
- g) Effective Public Private Partnership;

### **BEZA's Vision**

BEZA aspires to become a sustainable development driving force and a world class investment promoter and service provider to ensure an ever-improving quality of life for the people.

## Mission

BEZA's mission is to persistently create value for the investors by establishing attractive investment facilities in the Economic Zones through One-Stop Service and competitive incentive packages.

## 2.4 Functions of BEZA

### BEZA Services

BEZA is mandated to establish, license, operate, manage and control Economic Zones in Bangladesh.

Section 19 of Bangladesh Economic Zones Act, 2010

General duties and functions of BEZA as per Bangladesh Economic Zones Act, 2010 (Section 19) are as below:

1. to identify and select sites for industrial or similar sectors on availability of local resources including infrastructure, roads and communications, travel and banking facilities and skilled man-power for ensuring efficient utilization of land in the light of clustering principles;
2. to acquire land for Economic Zones identified on their own initiative or public-private partnerships and take possession of the acquired land on behalf of the Government;
3. to appoint Economic Zone Developers on a competitive basis to develop and manage the acquired land and the different types of infrastructure thereof;
4. to prepare infrastructure development plans of Economic Zones for implementation and management of their own establishment and submit those to the Governing Board for approval;
5. to allot or lease land, building or site, on a competitive commercial basis and in a prescribed manner, to investors applied for establishing industrial units, businesses and service providers in Economic Zones for implementation and management of their establishment;
6. to ensure infrastructure development of Economic Zones within a specified period through the monitoring of activities of its own and of Economic Zone Developers;
7. to create opportunities for employment through establishing backward linked industries within or outside Economic Zones by promoting local and foreign investment including development of a skilled labor force;
8. to ensure an efficient use of land in the light of clustering principles by dividing the land based on infrastructure and on availability of local resources to provide a conducive environment and facilities within Economic Zones;
9. to encourage more efficient management and the monitoring of programs for implementing commitments on the environment and other matters;
10. to take steps to establish backward linked industries in Economic Zones to meet the requirements of the local economy;
11. to encourage business organizations to relocate polluting and unplanned industries from metropolitan cities through establishing separate Economic Zones for different industries;
12. to encourage public-private partnerships in the development and operation of Economic Zones;
13. to take the necessary steps to implement social and economic commitments;
14. to establish the due rights of workers, to ensure their welfare and to establish congenial relationships between owners and workers;
15. to take appropriate steps to implement poverty reduction programs;
16. to expedite implementation of the industrial policies of the country by promoting planned industrialization of the thrust manufacturing and service sectors; and,
17. to convert the areas declared as Economic Zones into economic centers by developing industrial cities, agro-based industrial zones, trade zones and tourism zones through investment of the banking sectors, and to facilitate the availability of skilled labor and efficient service provisions.

## 2.5 Organization of BEZA

BEZA is attached to the Prime Minister's Office (PMO) and is mandated to establish, license, operate, manage, and control Economic Zones in Bangladesh.

Section 20 and 21 of Bangladesh Economic Zones Act, 2010

BEZA is governed by a 2-level management structure:

- Governing Board
- Executive Board

The Governing Board is the highest body that undertakes overall policy decisions. It is headed by the Honorable Prime Minister with top-level representations from Ministries or Divisions of Industries, Commerce, Finance, Planning, Science and Information and Communication Technology, Power, Energy and Mineral Resources, Communications, Labor and Employment, Environment and Forests, Agriculture, Posts and Telecommunications, Foreign Affairs, Home, Shipping, and the Prime Minister's Office including the apex chambers and private sectors.

The Executive Board consisting of an Executive Chairman (as Chief Executive) and 3 Executive members to oversee day to day operations of BEZA. The Executive Board exercises all powers and performs all functions as may be exercised and performed by the Authority.

Under the Executive Board, the BEZA Office/Secretariat performs all day to day activities as guided by the Executive Board. BEZA has approved staff strength of 72 officers and staff.

The job description states the role and responsibility of each post in the Authority, and the rule for employment defines the qualifications of each post. Reformed organogram is prepared and the compensation package is included.

## 2.6 Working Procedure of BEZA

The Governing Board is the supreme policy maker of the activities of the Authority. Operational domain of the activities is managed by the Executive Board of the Authority, which is chaired by the Executive Chairman. The secretariat is the arm of the Authority to carry out all official administrative works.

Article 17, 18, 19, 20, 21 of Bangladesh Private Economic Zones Policy, 2015

The duties and responsibilities of the Head Office and Branch Office are defined in Article 17 of the Bangladesh Private Economic Zones Policy, 2015. In addition, the function of a One-Stop Service Office of the Authority and its role of coordination with component agencies is stated in the Articles 18 and 19 of the same Policy. Furthermore, in order to facilitate administrative services, the applications for required licenses, permits and clearances posted through electronic means to the Authority can be processed (Article 20 of the Bangladesh Private Economic Zones Policy, 2015). The Authority shall maintain website and updates relevant information necessary for applications and proceedings for Economic Zone projects.

## 2.7 BEZA Fund

The Authority holds its fund, to be called the Bangladesh Economic Zones Authority Fund, which can be credited with the following items:

Section 30 of Bangladesh Economic Zones Act, 2010

- a) Grants and loans received from the Government, including DPP;
- b) Loans from any other sources approved by the Government;
- c) Income received from land allotted for establishment of industries and business units in the Economic Zones;
- d) Rent from buildings leased for industries and commercial establishment in Economic Zones;
- e) Various fees and service charges for any service provided;
- f) Profits received through public-private partnerships;
- g) Fees and service charges received from private organizations; and,
- h) Money received from any other sources



The Authority is preparing a protocol/order to delegate the financial power remained in the Governing Board to the Executive Board so that the flexibility of the usage of the Fund shall be improved. The Bangladesh Economic Zones Authority Fund is not required to return back to the Central Bank.

# 3 The Economic Zone Development Process and Contractual Considerations

## 3.1 Linking Economic Zones to Local Development

### Economic Zones Development Policy

The success of Economic Zones depends on the extent to which they create linkages with the local economy thereby generating employment and increasing transfer of technologies and know-how.

The policy framework in Bangladesh provides for equal treatment of foreign and domestic investors, increased linkages with the local economy and special arrangements in environment clearance, labor issues as well as in taxation and customs clearance, including national certificates of origin. Economic Zones in Bangladesh permit 100% foreign ownership. National certificates of origin are provided in Economic Zones. To increase linkages with the local economy in Bangladesh, all the finished products, which are to be used for the locally locating export-oriented enterprises, are exempt from any customs duties in the case of their selling to the Domestic Tariff Area; and exports and imports of the project to and from the country are exempt from any sales taxes or any other kinds of taxes or duties applied in the country. Bangladesh does not apply minimum export requirements in Economic Zones.

### Entry of private zone developers and incentives

In the Bangladesh Economic Zones Act, 2010, Private Economic Zone development lead by local, non-resident Bangladeshis or foreign investors is encouraged. According to the Bangladesh Economic Zones (Appointment of Developer etc.) Rules, 2014, the Authority may appoint Private Economic Zone Developer or Special Economic Zone Developer on a Public Private Partnership basis as well for developing Economic Zones, infrastructure in Economic Zones, and administering, managing and monitoring/controlling activities in Economic Zones. Incentives for Private Economic Zone Developers is also set and approved by the Government.

Section 4(b) and (d) of Bangladesh Economic Zones Act, 2010

Article 3 of Private Economic Zones Policy, 2015

### Foreign investment restriction

In Article 12 of the Private Economic Zones Policy, 2015, it is stated that a Foreign National or Foreign Enterprise may acquire 100% ownership of any Private Economic Zone. It also guarantees in Article 13 non-discriminatory treatment between foreign and local investment, in respect of acquisition, development, expansion, management, activities, operation, sale, shifting or otherwise transfer.

Article 12 and 13 of Private Economic Zones Policy, 2015

## 3.2 The Roadmap for the Development of Economic Zones

### 3.2.1 Segregation of Private / PPP Economic Zone Projects

The development of Economic Zone projects typically requires formal recognition from the Authority. Such recognition can be made either through private sector initiative via application for an Economic Zones License, or by a public sector initiative via request for proposal to a particular Economic Zone project, where the successful bidder can obtain the permit for development and operation of the given Economic Zone. The development of an Economic Zone thus may be segregated into two schemes as illustrated in the figure below.

In Stage O, in case of a Private Economic Zone scheme, the private sector investors may propose an Economic Zone project for development and operation through the private sector initiative. Project details are requested for its acknowledgement from the Authority. The Economic Zone project, initiated through the Authority, may call a RFQ and/or RFP process for the selection of developers and operators of such Economic Zone projects.

In Stage I, the private sector investor carries out the Master Plan and Feasibility Study with taking considerations of technical, financial and commercial issues to present to the Authority for its approval. For the PPP Economic Zone scheme, a request for proposal may be prepared by the Authority to address the issues of designing, building, operating and marketing the designated Economic Zone to the prospective developer and operator.

Stage II refers to preparing the contractual framework for the investments for both Private and PPP Economic Zone initiatives. For a PPP scheme, the risk allocation between the Government and the Developer and Operator shall be identified in this stage.

In Stage III, the presentation of project details shall be evaluated. The project proponents and successful bidders are Pre-Qualified regardless of being a Private or PPP scheme. This Stage ends with the identification of the successful Investor becoming the preferred Bidder.

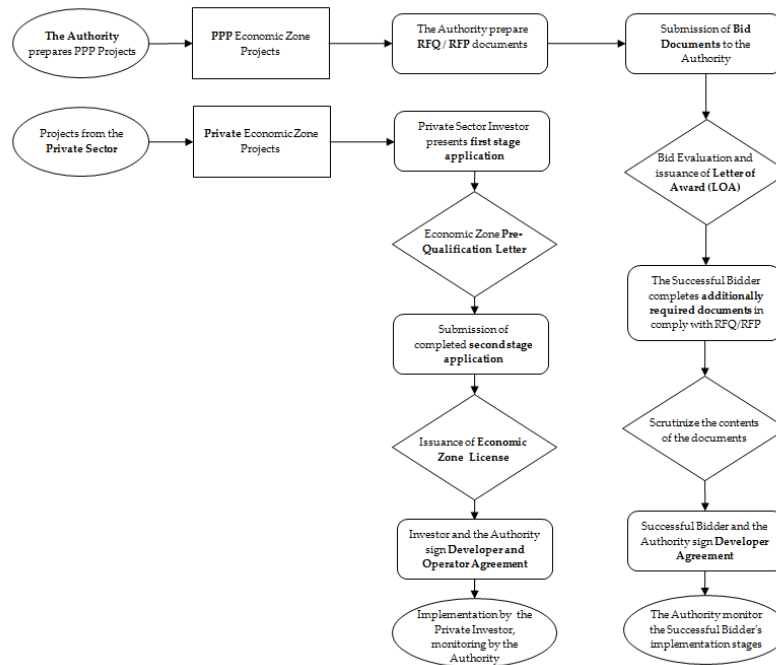
In Stage IV, the Authority negotiates the project with the successful bidder for a PPP scheme, and technical, commercial, financial and legal considerations are agreed between the Investor with the contract thereafter referred to as the Economic Zone Developer and Operator Agreement.

In Stage V, the Investor engages the construction contractor and physical construction may commence. At the end of the stage, the Economic Zone enters commercial operations.

### Project Development Stage

Name of Stage	Stage 0	Stage I	Stage II	Stage III	Stage IV	Stage V
Project Identification	Project Identification	Master Plan and Feasibility Study	Commercial framework	Evaluation	Negotiation	Construction
Stage Completion Milestone	Submission of Project Proposals	Preparation of RFP	Issuance of RFP	Issuance of Economic Zone License or Permit	Sign Agreement	Start of Commercial Operation
Process and Actions Private Sector initiative	<ul style="list-style-type: none"> <li>Select suitable private land with priority criteria (EZ developer)</li> <li>Purchase land in common</li> <li>Prepare project report/impact report with master plan (EZ developer)</li> </ul>	<ul style="list-style-type: none"> <li>Submit two stage applications for EZ Pre-qualification Letter</li> <li>Prepare feasibility study</li> <li>Environmental Impact Assessment with an Environmental Management Plan</li> <li>Schedule of implementation work plan</li> <li>Receive Pre-qualification Letter</li> </ul>	<ul style="list-style-type: none"> <li>Submit completed second phase application for EZ license</li> </ul>	<ul style="list-style-type: none"> <li>Obtain EZ License</li> </ul>	<ul style="list-style-type: none"> <li>Sign on the private EZ Developer and Operator Agreement</li> </ul>	<ul style="list-style-type: none"> <li>Commence all approved activities including development</li> <li>Establish workers' community and council over the land</li> </ul>
PPP scheme	<ul style="list-style-type: none"> <li>Identify and select EZ areas pursuant to the criteria set forth</li> <li>Accumulate land for EZ identified for each initiative for PPP</li> </ul>	<ul style="list-style-type: none"> <li>Prepare EFP documents and set the Sub-agencies Decision</li> </ul>	<ul style="list-style-type: none"> <li>Issuing Request for Quotation (RFQ) and/or Request for Proposal (RFP)</li> <li>Mak and receive necessary request for qualification on the RFQ/RFP Documents</li> <li>Generate Pre-application or pre-proposal meeting and Site visit</li> </ul>	<ul style="list-style-type: none"> <li>Receive the Bid Documents</li> <li>Formulate the Bid Opening and Evaluation Characteristics</li> <li>Open the Bids</li> <li>Evaluate and evaluate the Technical and Financial proposals</li> <li>Decision made by the Authority if the Bids are accepted, needed or commencement of a new bidding process</li> <li>Issue Letter of Award (LOA) to the Successful Bidder</li> </ul>	<ul style="list-style-type: none"> <li>Prepare feasibility study report with master plan</li> <li>Environmental/Social Impact Assessment with the Environmental Management Plan</li> <li>Submit completed request documents to the Authority</li> <li>Scrutinize the contents of the documents</li> <li>Prepare Draft Form of Developer Agreement and Disclosures in compliance with the Ministry of Law Justice and Parliamentary Affairs</li> </ul>	<ul style="list-style-type: none"> <li>Sign on the Developer Agreement</li> <li>Obtain the Appointment of Developer and the Administrative Guard of land permit</li> <li>Commence all approved activities including design development and operation of the designated Economic Zone</li> </ul>
Approx. Time required						
Private initiative	6 months to 1 year	2 months	3 months to 6 months	1 to 3 months	1 to 3 months	6 months
PPP scheme	6 months to 3 years	6 months to 1 year	1 to 3 months	1 to 3 months	1 to 3 months	2 to 6 months

## Segregation of Private and PPP Economic Zone Projects in Stage Zero



### 3.2.2 Identifying the Project

#### Suitable site selection criteria

According to Article 3 of Acquisition and Requisition of Immovable Property Ordinance, 1982, no property used by the public for the purpose of religious worship, graveyard and cremation ground shall be acquired for the purpose of developing Economic Zones in Bangladesh. Moreover, by Section 5(3) of Bangladesh Economic Zones Act, any areas within the City Corporations, Municipalities and Cantonment Board area shall not be declared as an Economic Zone. According to Article 3 of the Private Economic Zones Policy, for selection of Private Economic Zone sites, priority will be given to less fertile land and less developed areas and any land carrying any ecological importance as identified under the Bangladesh Environment Protection Act, 1995 shall be kept out of the scope of such selection.

#### Site selection process

The land required for private Economic Zone projects may be obtained by purchase, monthly/yearly rent, long-term lease or acquisition. For acquisition, as per Article 14 and 15 of the Acquisition and Requisition of Immovable Property Ordinance, 1982 (Ordinance No. II of 1982), the Government will facilitate the acquisition of land for the private sector, in this case the requiring private sector entity needs to pay for all the costs related to such acquisition, e.g. cost to the owners, relocation of Project affected persons, mitigation of environmental impacts and normal administrative charges imposed by the Deputy Commissioner etc. as per the applicable laws, rules, ordinances or guidelines in Bangladesh. As per Article 17 of said Ordinance, in future the Acquired Property cannot be used for other than the purpose it was acquired, and if a requiring body of land could not use the acquired land purposefully as it was predetermined for long time, the Government can take back the land on a de-requisition basis and can use said land in the same manner for other purposes as suits.

#### Land acquisition / purchase

According to Section 5(1) of the Economic Zones Act 2010, the Government may, by notification in the official Gazette declare any specific land area as an Economic Zone after selection.

Article 3 of Acquisition and Requisition of Immovable Property Ordinance, 1982

Section 5(3) of Bangladesh Economic Zones Act, 2010

Article 3(2) of Private Economic Zones Policy, 2015

Bangladesh Environment Protection Act, 1995

Article 14, 15 and 17 of the Acquisition and Requisition of Immovable Property Ordinance, 1982 (Ordinance No. II of 1982)

Section 5(1) and 6(1) of Economic Zones Act 2010

The government may acquire such land under the provisions of the Land Acquisition and Requisition of Immovable Property Ordinance, 1982 (Ordinance No. II of 1982) by the Section 6(1) of the Economic Zones Act, 2010. Otherwise, private entities can submit a proposal to register their land as a Private Economic Zone through an initiative of a private sector entity.

Article 4, 5, 6, 7, 10 and 11  
Land Acquisition and  
Requisition of Immovable  
Property Ordinance, 1982  
(Ordinance No. II of 1982)

For the land acquisition process for an Economic Zone, the requiring body with the permission from its Governing Board would write to the concerned Deputy Commissioner (DC) of the district where the earmarked land is located to express the desire for the acquisition of land. The DC will instruct his/her Land Acquisition Office/ Land Acquisition Officer to start the process of acquisition. Part of the process will include; survey of the land, identification of the owners as per land records as available, valuation of land, structures, trees, and plantations as per land acquisition norms.

Subsequently, notices will be served to the land owners and other stakeholders about the intention and necessity of the land acquirement under Article 3 of the Ordinance which will be followed by Article 4 for filling Objection against acquisition by the land owner, Article 5 Final Decision of Acquisition by the DC, Article 6 for serving Notice to Persons Interested i.e., individual interest against ownership by other heirs/amount of compensation and all other stake holders, Article 7 for Award of Compensation by the Deputy Commissioner, Article 10 for Payment of Compensation and Article 11 for acquisition and possession.

As per Article 4 of the Ordinance, if the asking property is more than 50 bigha (16.33 acres) of land, the DC needs to move for getting Government approval before proceeding for acquisition. As per Article 8 of the Ordinance the Compensation of the land shall be determined on the basis of average price of other land in the vicinity of earmarked land with 50% compensation as TOP UP on the actual price. The price assessment of other structures, trees, and plantation shall have to be made on market price basis by the Department of Public Works (PWD) as per the requisition of DC. As per Article 7, the Requisitioning body shall have to deposit the assessed amount of compensation with the DC within 60 days of the assessment of compensation.

## Location

The locations of Economic Zones in the nation are valued with regional connectivity, abundance of labor force, and backward linkage opportunities. Connectivity of industrial infrastructure and utility services (electric power, industrial water, effluent treatment plant, industrial solid waste treatment facilities, sea ports and natural gas pipelines etc) will be the keys for the ideal location.

Even though there is no written statement, the Authority shall fairly evaluate the proposed location of Economic Zone projects and suggest advice, although the Economic Zone is promoted in nation-wide locations.

### 3.2.3 Preparation

#### Development approval and Licensing

Bangladesh Economic Zones Act has a provision that BEZA may appoint Private Economic Zone Developers in a prescribed manner for developing Economic Zones either through a private project basis or a PPP scheme. As per the provisions in Article 4 in the Bangladesh Private Economic Zones Policy, 2015, the applicants for establishment and development of a Private Economic Zone and operation, maintenance and promotion of such a Zone is deemed to submit First stage applications, which is followed by the Second/Final stage applications in order to obtain a Private Economic Zone license. The Licensee shall be authorized to commence all approved activities including development, operation and maintenance of the Private Economic Zone after awarding of such an Economic Zone license. Once the license is issued under Sub-Article (3) in Article 7 of the Policy, the Authority and the Licensee shall sign the Private Economic Zone Developer and Operator Agreement. In addition, in accordance with the decision made in the Governing Board of the Authority, the minimum land requirement as the premise of Economic Zone, securing of over 50 acres of land is required.

Article 4 and 7(3) of Bangladesh Private Economic Zone Policy, 2015

## **Linked (last mile) infrastructure/ utility development and adjustment**

Although it is stated in Private Economic Zone Policy that construction of buildings including on-site infrastructure, a transportation network and quarters of the workers are legal obligations of Zone Developers, the Authority shall take charges of catering for assurance of developing and connecting inked (last mile) infrastructure/utilities between Economic Zone sites and off-site infrastructure.

### **3.2.4 Project Planning**

#### **Master Plan / Zoning Plan**

According to Section 7(1) of Economic Zones Act, 2010, the Economic Zones Authority may issue orders for the formulation of a Master Plan by incorporating four areas into an Economic Zone, namely, an Export Processing Area, a Domestic Processing Area, a Commercial Area, and a Non Processing Area. Such a Master Plan must be approved by the Economic Zones Authority according to Section 7(2) of the same Act. The contents of Master Plan should include the land survey boundaries, site description, ownership, location, size, general description, existing conditions of the site (topography, qualitative conditions of soil, existing structures, landmarks, constraints, environmental and social issues), the land use planning and land zoning, on-site infrastructure plan and phasing plan. Also the proposed land area is deemed in close proximity to actual or proposed off-site Infrastructure. There is a general provision of guidance on the proportion of processing zone of industrial land and non-processing zone of like common infrastructure or green belts in that the Authority has a view that non-processing zone should be earmarked into 30 % to 40% of the total development area of an Economic Zone. Also the zoning policy of rigid demarcation of the Economic Zone into the four areas as stated above may not be applicable for certain projects, hence the Authority evaluates the zoning plan on a case-by-case basis.

Section 7(1) of Economic Zones Act, 2010

Article 6(1c) and (2) of Bangladesh Private Economic Zones Policy, 2015

#### **Feasibility Study**

The Private Economic Zone applicant is also required to submit a Feasibility Study to the Authority. The Authority shall scrutinize the study report from the point of the project's economic and financial viability and social suitability. The applicant is expected to demonstrate in the Feasibility Study that the project will be beneficial for Bangladesh, for example, instances of increased investment, creation of job opportunities, and diversification of exports, which, as a result, will be more beneficial than the costs incurred by the Government for implementation of the project.

Article 6(1c) and (2) of Bangladesh Private Economic Zones Policy, 2015

#### **Environmental Impact Assessment (EIA)**

In Article 6 (1)(d) of Bangladesh Private Economic Zones Policy, 2015, Environmental Impact Assessment (EIA) with Environment Management Plan is requested for issuance of an Economic Zone License at the Second/Final Approval stage. The Environmental and Social Impact Assessments should contain approved Environmental Management Plans by the Department of Environment (DoE) and sufficient health and safety schemes to mitigate negative impacts. In the Article 43 of the Bangladesh Private Economic Zones Policy, 2015 for Environmental Protection, expedited Environmental Impact Assessments is deemed to be enforced in coordination with the Department of Environment under all applicable law and governing memorandum to apply in each Economic Zone special rules and procedures set forth by the Department of Environment.

Article 6(1d), (2) and 43 of Bangladesh Private Economic Zones Policy, 2015,

### **3.2.5 Economic Zone Development**

Although it is stated in Private Economic Zones Policy that the construction of buildings including on-site infrastructure, transportation network and quarters of the workers are legal obligations of Zone Developers, the Authority shall take charges of catering for assurance of the development of link infrastructure/utilities. On the other hand, in Article 41 of Bangla-

Article 41 of Bangladesh Economic Zones Policy, 2015

desh Economic Zones Policy, 2015, it is stated that all construction or installation work, including any infrastructure, on any Economic Zone lands or any modifications to pre-built units on any Economic Zone lands must be undertaken by an Economic Zone Enterprise or Economic Zone Resident in accordance with the applicable laws, the Act, rules, regulations or notifications made under the Act.

For the purposes of initiating, developing and managing operations of an Economic Zone, the Economic Zone Developer and Operator shall cause the following to be made available.

- a) the land acquired/purchased for the Economic Zone and buildings erected thereon for industrial and commercial purposes and the Economic Zone Developer and Operator may lease such land and buildings, to investors;
- b) the basic infrastructure approved by the Authority to supply utilities and infrastructure developed for the purposes of operations in the Economic Zone;
- c) streets and public places within the Economic Zone;
- d) the supply of water for human consumption and for business or industrial purposes;
- e) a system of sewerage, drainage and removal of refuse or waste for the benefit of the Economic Zone
- f) the supply of electricity and/or gas to the Economic Zone;
- g) an ambulance and fire brigade services in the Economic Zone;
- h) national and international programs for the appropriate business promotion for the investors in the Economic Zone;
- i) any other public utilities as maybe necessary for the betterment of operators and investors within the Economic Zone or consumers of products or services from the Economic Zone;
- j) personnel, training, security and surveillance, property and equipment maintenance, restaurants and food services as well as providing commercial information for the benefit of investors in the Economic Zone.

According to the provision in Rule 5(3) of Bangladesh Economic Zones (Appointment of Developer, etc.) Rules, 2014, the tenure period of Economic Zone project shall be 50 years from the date of signing the agreement, and which can be extended if it was deemed appropriate by the Authority.

Rule 5(3) of Bangladesh Economic Zones (Appointment of Developer, etc.) Rules, 2014

### **3.2.6 Economic Zone Implementation**

#### **Economic Zone Management**

In Article 26 (c) of Bangladesh Private Economic Zones Policy, 2015, the Economic Zone Operators may be able to formulate and issue their own internal operating rules and procedures to run the day to day activities of the Private Economic Zone.

Article 26(c) of Bangladesh Private Economic Zones Policy, 2015

A quality management of an operation and maintenance of the infrastructure and quality services provided to investors shall be charged with appropriate prices of management fee.

#### **Promoting the Economic Zone**

In accordance with Article 27 (f) of Bangladesh Private Economic Zones Policy, 2015, the Economic Zone Operators is deemed to promote the Private Economic Zones, nationally and internationally, in coordination with the Authority.

Article 27(f) of Bangladesh Private Economic Zones Policy, 2015

### **3.3 Contractual and Commercial Considerations**

#### **Rights and Obligations of Zone Developers and Operators (Private)**

The Private Economic Zones License shall set forth the rights and obligations of the Licensee in respect of development, operation, maintenance and promotion of the Private Economic Zone under the Private Economic Zone scheme and, in accordance with Article 24 and 26 of Bangladesh Private Economic Zones Policy, 2015, the Developers and Operators shall be entitled to the following rights and facilities, namely:

Article 24 and 26 of Bangladesh Private Economic Zones Policy, 2015

- a) exclusive ownership over the land of the Private Economic Zone and development, use and maintenance of other assets situated within that land;
- b) transfer of the land of Private Economic Zone or other assets situated within that land by sub-lease arrangements and receiving money payable for such transfer and collection of rental fees;
- c) to formulate and issue internal operating rules and procedures to run the day to day activities of the Private Economic Zone;
- d) to operate, maintain and promote the Private Economic Zone;
- e) to provide all utilities and other basic services inside or outside the Private Economic Zone and charge fees for providing such services keeping consistency with the requirements of Private Economic Zone Users and Private Economic Zone Residents and charge fees, subject to the provisions prescribing their obligations, for providing such services;
- f) to enter into contract with private third party and appoint any contractors for development, use and servicing of the on-site infrastructure and other assets of Private Economic Zones, which may include a logistics park and a rental factory;
- g) to employ Bangladeshi and foreign nationals to the services;
- h) any declared incentives;
- i) may submit application for modification or amendment to a Master Plan with detailed description of and reasons for such modification or amendment and the impact, with detailed market evaluation, of such modification or amendment technically, operationally and financially and may amend or modify it subject to approval of the Authority.
- j) any other facilities given by the Authority.

The Developers and Operators under the Private Economic Zone scheme are deemed to comply with the following obligations, namely:

Article 25 and 27 of Bangladesh Private Economic Zones Policy, 2015

- a) construction of buildings including on-site infrastructure, transportation network and quarters of the workers;
- b) preparation, either individually or in cooperation with other persons, of a detailed Master Plan of a Private Economic Zone including the land-use designations, social mitigation measures, and zoning plans;
- c) to develop the Private Economic Zone in a reasonable commercial fashion consistent with long-term sustainable economic development goals of Bangladesh;
- d) submission of an Annual Report to the Authority that furnishes the following information, namely:-
  - i) information in respect of Private Economic Zone Investments undertaken during the preceding calendar year and the possible investments projected for the forthcoming calendar year ;
  - ii) information in respect of an area of Private Economic Zone lands under development and the assets constructed thereon; and
  - iii) other relevant information asked by the Authority;
- e) completion of the works in accordance with the Schedule specified in the license and phased development schedule of the Private Economic Zone Developer Agreement and compliance with the financial development obligations required by the Authority, such as capital and amount and compliance with the time schedule of debt financing;
- f) to provide technical training to the employed Bangladeshi workers;
- g) compliance with the requirements relating to the environment and labor as prescribed by Section 33 and 34 of the Act, the Policy and other applicable laws;
- h) to pay all fees, taxes or other dues payable to the competent agencies;
- i) to maintain all company books, records, accounts and financial statements in conformity with the international financial reporting standards;
- j) compliance with other requirements.

### **Contract Documents (Private)**

There are several steps to be pursued as a legal procedure to grant the Economic Zone license to the Private Economic Zone Developers and Operators. The following are the key milestone documents in the procedure that the Economic Zone Developers and Operators need to acquire.



### **Pre-qualification Letter**

In accordance with the Article 5 of Bangladesh Private Economic Zones Policy, 2015, the Developer is required to submit a First Stage Application to obtain this Pre-Qualification Letter. This letter itself does not grant any permission for the Developers to commence any development activities on the designated land.

Article 5 of Bangladesh Private Economic Zones Policy, 2015

### **Economic Zone License**

After the final approval from the Authority through the Second/Final Phase Application, this Economic Zone License shall be granted to the Zone Developers. The Authority shall issue a License to the applicant and publish, by notification in the official gazette, the particulars of the land designated as the Private Economic Zone along with the information regarding the approval of a license and the name, address, and necessary information of the Licensee.

Article 4, 6 and 7 of Bangladesh Private Economic Zones Policy, 2015

### **Economic Zone Developer and Operator Agreement**

In subsequence to the issuance of Economic Zone License, the Licensee and the Authority is deemed to enter the Economic Zone Developer and Operator Agreement.

Article 7(5) of Bangladesh Private Economic Zones Policy, 2015

## **Rights and Obligations of Zone Developers and Operators (PPP)**

An Economic Zone developer under a PPP scheme shall be entitled to the following rights and privileges according to Bangladesh the Economic Zones (Appointment of Developer, etc.) Rules, 2014, namely:

Rule 7 of Bangladesh Economic Zones (Appointment of Developer, etc.) Rules, 2014.

- a) to make contract with any third party, subject to prior permission of the Authority, for development, use and maintenance of an Economic Zone and its land, on-site infrastructure and other properties;
- b) to appoint Bangladeshi and foreign citizens;
- c) incentives given by the Authority;
- d) to transfer any part of earned profit out of Bangladesh with approval of the Government;
- e) other facilities stated in the agreement or given by the Authority.

Duties of developers under a PPP scheme are defined in the same rule, namely:

Rule 8 of Bangladesh Economic Zones (Appointment of Developer, etc.) Rules, 2014.

- a) to develop, use, and maintain Economic Zone land or other properties situated on such land;
- b) to provide all types of utility and other basic services keeping consistency with the requirements of the Economic Zone users and Economic Zone residents and collect charges according to the contracts made for providing such services;
- c) to identify the use of land, implement social and economic commitments, prepare, individually or with assistance of any other person, a detailed Master Plan of an Economic Zone, including steps taken for poverty reduction and a zoning plan, and obtain approval of the Authority;
- d) to build installations including infrastructure, on-site infrastructure and transport network on the land of an economic zone;
- e) to do commercially viable development of the Economic Zone keeping consistency with the aim of viable economic development;
- f) to prepare and submit to the Authority the annual reports regarding the Economic Zone with the following information, namely:
- g) information on investment made to the Economic Zone in the previous calendar year and likely to be made in the next calendar year;
- h) information regarding the area of the Economic Zone land under development and installations built on it;
- i) to complete the work as per the schedule determined for periodic development of the Economic Zone and to comply with the requirements of economic development as prescribed, time to time, by the Authority, such as, capital and the amount and time schedule of loan financing;

- j) to comply with the requirements relating to environment, fire protection and extinction and labor safeguard;
- k) to pay all taxes, fees levied by the national government or local government or any other dues;
- l) to preserve all files, records, accounts and financial statements, subject to audit, as per the standard of international financial reporting;
- m) to comply with other obligations.

## Contract Documents (PPP)

### Applications and/or Proposals

In accordance with the Rule 12 of the Bangladesh Economic Zones (the Procedure of Appointment of Developer) Rules, 2016, an entity or a consortium which is interested in participating in the Economic Zone projects through a PPP scheme is required to submit an application in response to the RFQ and/or a proposal in response to the RFP.

Rule 12 of Bangladesh Economic Zones (the Procedure of Appointment of Developer) Rules, 2016.

### Letter of Award (LOA)

This Letter shall be issued to the Successful Bidder, who obtained the highest score in the evaluation process made by the Authority. Having this letter, the Successful Bidder needs to comply with further requirements set forth in the Rules, 2016, so that the details of the project shall be re-evaluated.

Rule 35 of Bangladesh Economic Zones (Appointment of Developer, etc.) Rules, 2014.

### Developer Agreement

After satisfactory compliance of the requirements under Rule 36 of the Rules, 2016, the Authority and the Successful Bidder shall sign a Developer Agreement, with which the Bidder is authorized to perform designing, building, owning, operating and transferring to the Authority the designated Economic Zone.

Rule 36 and 38 of Bangladesh Economic Zones (Appointment of Developer, etc.) Rules, 2014.

## Tariff (Customs Duty) procedure

Pursuant to Section 10 of the Bangladesh Economic Zones Act, as interpreted in conjunction with the Customs Act, 1969, the Government establishes in any Economic Zone any special arrangement. For the time being, Statutory Regulatory Order was issued to facilitate import and export operations of any Economic Zone organization operating in an Economic Zone, including any Economic Zone Enterprise, through Gazette Notification as required by Section 10 of the Act. Customs clearance at an outpost office within each Economic Zone shall be respectively arranged.

Section 10 of Bangladesh Economic Zones Act

Statutory Regulatory Order

## Tax Incentives

There is a separate set of incentives and benefits for Economic Zone Developers as well as for Economic Zone User/Investors. Such incentives varies between Economic Zone Developers and Economic Zone User/Investors in that 12 years tax holiday may be approved for Economic Zone Developers, whereas Economic Zone User /Investors may be eligible to receive tax holiday of 100% exemption for the first 3 years followed by 7 more years in diminishing rate depending on the location of the industrial enterprise. (See detail in Chapter 7 of this Guide)

## Lease / Resale Possibility

An Economic Zone license cannot be sold and/or transferred to any third party unless otherwise approved by the Authority (likewise, Economic Zone User Permit cannot be transferred to any third party, including through a sub-leasing arrangement, without written permission of the Authority, or concerned Licensee, or Operator or Developer and Operator (Article 33 of Bangladesh Private Economic Zones Policy, 2015). However, as a right of developers, developers can transfer Private Economic Zone land and other assets on a leasehold or freehold basis by sub-lease arrangement or by receiving money payable for such transfer or collection of rental fees (Article 24 (1) of Private Economic Zones Policy, 2015).

Article 24(1) and 33 of Bangladesh Private Economic Zones Policy, 2015

## Financing on leased property

As per the current banking practice of the country, leased property can be mortgaged to Banks if the lease agreement allows for it. But even if the lease agreement allows for it in case of private property approval from the owner and in case of government property No Objection Certificate (NOC) from the concerned government body must be received.

Bangladesh Bank does not have any regulation regarding this issue on Economic Zone and there is no indication in the Economic Zone law, policy and rules on the revaluation of land (collateral/mortgage for a loan) in Economic Zones. However, in general, lease-hold property cannot be mortgaged as long as the Economic Zone allotment was made through a PPP scheme. If the lease agreement allows for it, the land leased from the government for the development of a Private Economic Zone and other industrial units can be mortgaged to Banks but for this the government must take prior approval from the respective competent government bodies. As per the current banking practice in Bangladesh, the transfer value<sup>1</sup> or forced sell value<sup>2</sup> of plot or land is considered for such mortgage which is usually much higher than the government rate but the Financial Institutions of Bangladesh are not much interested in such transactions if government property is involved.

## Royalty

In accordance with the decision made by the Governing Board in February, 2015, the one-time payment of US\$15,000 is going to be charged to the Private Economic Zone Developers and Operators as the License fee of the projects. This fee shall be charged every 10 years from the year of initial license issuance, but the rate is not yet fixed. Whereas the profit sharing scheme of Economic Zone projects under a PPP scheme is going to be decided based on the proposal from the Bidders.

## Termination of Licenses (Private) and Permits (PPP)

Private Economic Zone license may be revoked or suspended in part or as a whole in case violations of the availed provisions in laws were made breached or the following events were made by the Licensee:-

Article 9 of Bangladesh Private Economic Zones Policy, 2015

- a) the License was sold, transferred to any third parties or shifted to another place in the whole or any part of the License in contravention of the provisions of Sub-Article (5) of Article 8 of the Policy;
- b) the Licensee failed to adhere to the schedule mentioned in the License in performing the activities of development, operation, promotion and maintenance of the Private Economic Zone and receives notice in writing twice from the authority for such non-performance of obligations;
- c) declared bankruptcy;
- d) the Licensee failed to pay any fees, taxes, or any other dues owed to the Authority or any competent agency;
- e) the License was obtained upon furnishing false information, declaration or statement in the application;
- f) the Licensee was engaged in any prohibited, unlawful or illicit activity specified in the License or Schedule-1 of the Policy.

If any Economic Zone developers selected through a PPP scheme violate any provision of the Act, these rules, other existing laws, rules, regulations, legal documents, or any condition of the agreement, the Authority may, with approval of the Governing Board, issuing 30 (thirty) days' notice to the concerned developer to show cause and giving opportunity of being heard, suspend the permit of the developer, wholly or in part, for a specific period, subject to fulfilling the prescribed conditions, by Gazette notification. Furthermore, the following events shall be followed in the procedure of the suspension of the permit, namely:

Rule 9 of Bangladesh Economic Zones (Appointment of Developer, etc.) Rules, 2014.

<sup>1</sup> The Transfer Value refers to the purchase price of the property the last time it transferred ownership.

<sup>2</sup> Price at which an asset can be sold at an auction.

- a) If the developer fails to comply with the prescribed conditions within the time mentioned in Rule 9(1) of the Rules, 2014, the Authority may, with approval of the Governing Board, issuing a further 30 days notice to show cause to the concerned developer and giving the opportunity of being heard, finally cancel the permit of the developer.
- b) If it is decided to finally cancel the permit of the developer under Rule 9(2) of the Rules, 2014, it shall be published in the official Gazette and if no objection from the developer is received within 45 (forty-five) days of Gazette notification, the permit of the developer shall be deemed to have been cancelled finally and also the agreement made in this behalf shall be deemed to have been cancelled.
- c) If the permit of a developer is cancelled, the Authority may, if necessary, take legal action against the developer in accordance with existing laws.

# 4 Master Plans and Feasibility Studies of Economic Zone Projects

## 4.1 Codes and Standards applicable within Economic Zones

### Building Codes

At present, the Authority is preparing Economic Zones Building and Construction Policy, which are supposed to address guidelines regarding roads, plot, drainage and utility services, and before its promulgation, Bangladesh National Building Code is going to be applied to any Economic Zones development. The Housing and Building Research Institute is preparing Building and Construction Policy applicable in particular for Economic Zones.

Bangladesh National Building Code, 2015

Economic Zones Building and Construction Policy

### Treated water outlet standard

Discharge/outlet parameter from CSTP/CETP to be established in Economic Zones is not yet defined. Yet the National Standards of Waste Discharge Quality Standards for Industrial Units and Projects: Quality at the Discharge Point Parameter Unit shall be applied, until such guidelines for discharge/outlet parameters are formulated.

Schedule 10 of Environment Conservation Rules, 1997

## 4.1 Residential/commercial establishment

As authorized Economic Zone activities, residential and commercial activities can be undertaken by Economic Zone Enterprise or an Economic Zone Resident. In order to reside in an Economic Zone housing residential area as an Economic Zone Resident, an Economic Zone Residency Certificate must be issued. Zone Users/Investors permitted within the residential zone are required to obtain the Certificate in accordance with the provisions stipulated by the Bangladesh Economic Zones Act, 2010.

Section 7(d) and 14 of Bangladesh Economic Zones Act, 2010

In accordance with the Bangladesh Economic Zones Act, 2010, a banking service, subject to permit from Bangladesh Bank, can be also operated within Economic Zones.

A commercial zone is created for the purpose of generating employment, facilitating retail trades, retail services, tourism, and related dining/lodging and entertainment uses. The zone is encouraged to be an attractive and functionally integrated business center. And yet specific uses of the zone are limited to avoid unnecessary duplication of commercial businesses within the Economic Zone. All commercial operations shall be in compliance with relevant existing acts and regulations of Bangladesh, separated from the Bangladesh Economic Zones Act, rules, policies and guidelines.

## 4.1 Power supply

According to Article 8(1a) of the Bangladesh Private Economic Zones Policy, 2015, it is the

Article 8(1a) and 25(a) of

responsibility of the license holding entrepreneur company to establish, develop, conduct, encourage and maintain the Zone. Under the same Article, the liberty of engaging any other Enterprise for carrying out the development activities has been given to the Economic Zone Developer. In this case, according to Article 25(a) of the same policy, the developer will be responsible for developing power supply utilities as a part of on-site infrastructure in the zone. Establishment of a power sub-station with enough efficient distribution line and private sector power generation plant/Captive Power Station is permitted for industrial units. The industrial units are also allowed to install Captive Power Generators as a backup for their production process.

Bangladesh Private Economic Zones Policy, 2015

The Authority shall provide necessary assistance for the Private Economic Zone Developer and Operators to connect to a power supply, and taxation on the fuel sources of such a captive power generator can be exempted, as long as the electricity generated from the captive power generator would be used for the production of export goods and other items. The arrangement of surplus electricity from the Captive Power Station should be considered to be supplied to the National Grid under a Power Purchasing Agreement with the electricity distribution authority.

## 4.2 Water supply

The responsibility of sourcing industrial water and/or developing sources in an Economic Zone lies in the Developer. Even though the Authority shall facilitate obtaining water plumbing clearance, for Private Zone development, the Developers should consider establishment of Water Treatment Plants by themselves. Otherwise water supply from WASA (Water Supply & Sewerage Authority) in each region can be considered.

Article 43(2) of Bangladesh Private Economic Zones Policy, 2015

## 4.3 Sewage/waste water treatment

In accordance with an applicable Act, rules, policies and guidelines. Sewage and waste water (effluent) treatment plants must be established in each Economic Zones. All environmental issues related to industrialization in Bangladesh are dealt with under the Bangladesh Environment Conservation Act, 1995 following the rules mentioned in the Environment Conservation Rules, 1997. According to Section 33 of the Bangladesh Economic Zones Act 2010, however, the Authority, Economic Zone Developers, Economic Zone Unit Investors established in Economic Zones, as well as financial and business institutions shall be all bound to comply with international commitments recognized by the Government of Bangladesh including compliance to all existing laws on the environment and environmental protection.

Bangladesh Environment Conservation Act, 1995

Section 33 of Bangladesh Economic Zones Act 2010

Schedule 10 of Environment Conservation Rules, 1997

For an environmental clearance certificate (ECC), the industries/projects falling in the Orange–A Category shall be required to submit effluent discharge arrangements, and industries/projects of Orange–B Category shall be required to submit layout plan (showing the location of the Effluent Treatment Plant), design of the Effluent Treatment Plant, and information about the effectiveness of the ETP of the unit or project (applicable only for an existing industrial unit or project) and others. Red Category industries/projects shall submit design and information about the effectiveness of the Effluent Treatment Plan of the unit or project (applicable only for an existing industrial unit or project) and other information in addition to the documents required for other category. Such provision is applicable for all types of projects including private zones, hi-tech parks, and industrial units.

When discharging wastewater from an Economic Zone into a public water system outside the Zone, a common waste water treatment inside the Economic Zone shall be required so that the following 34 items, which are stipulated in the National Standards of Waste Discharge Quality Standards for Industrial Units and Projects, are satisfied. After the primary waste water treatment which may be required at each factory, the water treated at CSTP/CETP must be satisfied with the discharge standard set forth below; afterwards the treated wastewater shall be discharged to a public municipality water system through the sewerage system.

Schedule 10 of Environment Conservation Rules, 1997 of Bangladesh: National Standards – Waste Discharge Quality Standards for Industrial Units and Projects

Parameter	Unit	Location of Final Disposal		
		Inland Surface Water <sup>1</sup>	Public Sewer <sup>1</sup>	Irrigated Land <sup>1</sup>
Ammonia (free ammonia)	mg/L	5	5	15
Ammoniacal Nitrogen (as N)	mg/L	50	75	75
Arsenic (As)	mg/L	0.2	0.5	0.2
BOD <sub>5</sub> 20°C	mg/L	50	250	100
Boron (B)	mg/L	2	2	2
Cadmium (Cd)	mg/L	0.05	0.5	0.5
Chloride (Cl <sup>-</sup> )	mg/L	600	600	600
Chromium (hexavalent Cr)	mg/L	0.1	1	1
Chromium (total Cr)	mg/L	0.5	1	1
COD	mg/L	200	400	400
Copper (Cu)	mg/L	0.5	3	3
Cyanide (CN)	mg/L	0.1	2	0.2
Dissolved Oxygen (DO)	mg/L	4.5-8	4.5-8	4.5-8
Dissolved Phosphorus (P)	mg/L	8	8	10
Electrical Conductivity	μMho/cm	1200	1200	1200
Fluoride (F)	mg/L	7	15	10
Iron (Fe)	mg/L	2	2	2
Lead (Pb)	mg/L	0.1	0.1	0.1
Manganese (Mn)	mg/L	5	5	5
Mercury (Hg)	mg/L	0.01	0.01	0.01
Nickel (Ni)	mg/L	1	1	1
Nitrate (N molecule)	mg/L	10	Undetermined	10
Oil and Grease	mg/L	10	20	10
pH		6-9	6-9	6-9
Phenol Compounds (C <sub>6</sub> H <sub>5</sub> OH)	mg/L	1	5	1
Radioactive Materials	As determined by Bangladesh Atomic Energy Commission			
Selenium (Se)	mg/L	0.05	0.05	0.05
Sulfide (S)	mg/L	1	2	2
Temperature – Summer	°C	40	40	40
Temperature – Winter	°C	45	45	45
Total Dissolved Solids (TDS)	mg/L	2100	2100	2100
Total Kjeldahl Nitrogen (N)	mg/L	100	100	100
Total Suspended Solids (TSS)	mg/L	150	500	200
Zinc (Zn)	mg/L	5.0	10.0	10.0

Notes: (1) Land Surface Water refers to any pond, tank, water body, water hole, canal, river, spring or estuary. Public Sewer refers to any sewer connected with a fully combined processing plant including primary and secondary treatment. Irrigated Land refers to an appropriately irrigated plantation area of specified crops based on the quantity and quality of wastewater.

#### 4.4 Industrial waste disposal

According to Article 43(2) of the Policy, the Authority will formulate necessary rules and procedures on issues as Environmental Impact Assessment, activities related to Environmental Clearance, effluent and industrial waste treatment and others in cooperation with Ministry of Environment and Forest of the Government of Bangladesh. Existing laws on environment and environmental protection related to the issue of industrial waste disposal needs be referred in establishing Economic Zone in Bangladesh, so that site or facility for treatment, storage and disposal of industrial wastes to be generated from the Zones is required to be identified at the stage of Master Planning.

#### 4.5 Environmental Impact Assessment (EIA)

It is stated in Article 6 (1)(d) of the Bangladesh Private Economic Zones Policy, 2015 that an Environmental Impact Assessment is required for Economic Zone licensing and to obtain final approval. The environmental and social impact assessments should contain approved Environmental Management Plans and sufficient health and safety schemes to mitigate negative impacts.

Article 6(1d) and 43 of the Bangladesh Private Economic Zones Policy, 2015

#### 4.6 Human resource development

By Section 19(7) of the Bangladesh Economic Zones Act 2010, the Economic Zones Authority

is responsible for promoting local and foreign investment including development of skilled labor force. And in accordance with the Article 25(j) and 27(j) of Bangladesh Private Economic Zones Policy, 2015, the provision of technical training for the employed Bangladeshi is deemed to be an obligation of Zone Developers and Operators.

Section 19(7) of Bangladesh Economic Zones Act 2010

Article 25(j) and 27(j) of Bangladesh Private Economic Zones Policy, 2015

#### **4.7 Sales policy**

By Section 15 of the Bangladesh Economic Zones Act, except those identified as protected industries under the existing policy of the government, all other industries including those of small and cottage industries and agriculture, farm structure, service-oriented organizations etc. can be placed in Economic Zones. For any individual industries/project granted the permission to establish units or make commercial establishments in any Economic Zones, the Authority, if the land was developed and operated by the Authority, shall allot, rent or lease land, building or space to those individuals under Section 16 of the same Act. Otherwise, for the case where the land was developed and operated by a Private Economic Zone Developer, in accordance with the provision in Article 24(1)(b) of the Bangladesh Private Economic Zones Policy, 2015, the land or other assets situated within that land may be transferred in accordance with sub-lease arrangements or sold by receiving money payable for such transfer and collection of rental fees.

Section 15 of Bangladesh Economic Zones Act

Article 24(1b) of Bangladesh Private Economic Zones Policy, 2015



# 5 RFQ and/or RFP, and award process under PPP scheme

## 5.1 Invitation for a RFQ and/or RFP process

### Qualification as developer

While the Bangladesh Private Economic Zones Policy, 2015 prescribes the qualification of a Private Economic Zone Developer, there are different sets of qualifications criteria described in the Rules, 2014 for the Developers for Economic Zone under a PPP scheme. The following is the criteria stated in the policy for becoming Private Economic Zone Developers.

Article 23(1) of Bangladesh Private Economic Zones Policy, 2015

- a) Experience in respect of land development; and,
- b) Net worth minimum taka 50 (fifty) crore.

On the other hand, the qualifications to be eligible for appointments as a Developer of an Economic Zone under a PPP scheme are stated in the Rules, 2014 as follows:

Rule 6 of Bangladesh Economic Zones (Appointment of Developer, etc.) Rules, 2014

- a) the entity must have experience in establishing Economic Zones, SEZs, Industrial Parks and Free Port operations and development, or infrastructure construction / management and operation of large scale;
- b) the entity must have experience in designing/financing of Economic Zones, SEZs, Industrial Parks and Free Ports or any such large project;
- c) as a scale of the entity, gross revenue of 10 million USD per year within the last 3 years through operation of the above projects is required;
- d) the entity must have a net worth of at least 25 million USD.

In accordance with the Rules, 2016, as the appointed Developer, the entity that is either national, foreign or government-owned can form a JV/Consortium to become a Developer - all of which are suitable for registration as legal entities in Bangladesh.

### Particulars of a RFQ and/or RFP procedure

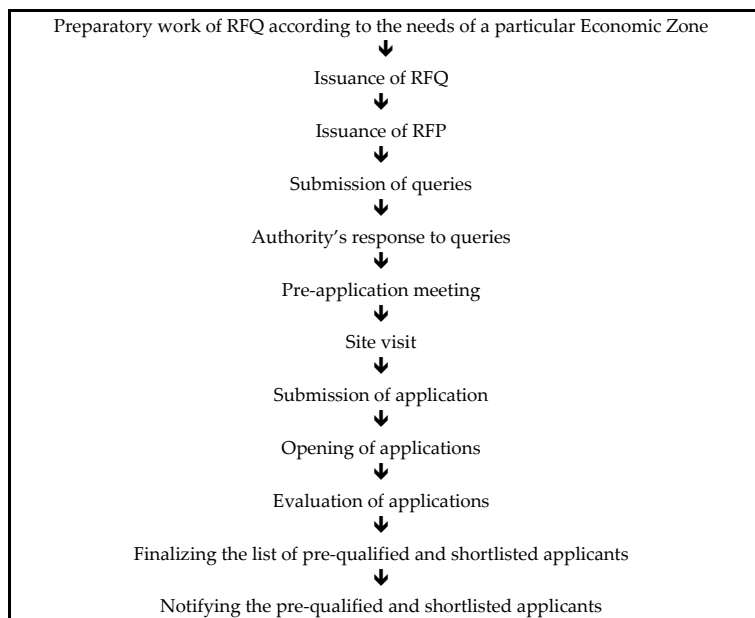
In order for the Authority to select any Economic Zone Developers under a PPP scheme, a single stage process for inviting the proposals by directly issuing the RFP, or if the Authority considers it necessary for any particular Economic Zone, it may follow a two stage process of RFQ and RFP. In case of a two-stage process, the RFP shall be issued to the applicants who have been pre-qualified and shortlisted at the RFQ stage - a process flow known as an RFQ and RFP procedure.

Rule 5 and 6 of Bangladesh Economic Zones (the Procedure of Appointment of Developer) Rules, 2016

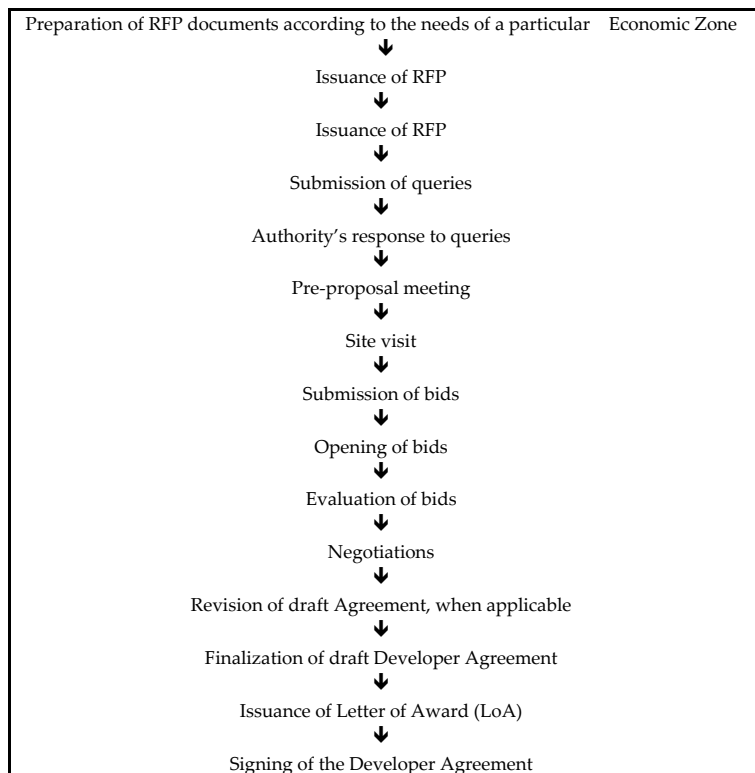
By following an RFQ and RFP procedure, in accordance with the Act, Rules, 2014, and Rules, 2016, the Authority prepares an RFP document, after scrutinizing the contents of an RFQ application in a fair, transparent, and competitive manner.

In the case of an RFQ and/or RFP procedure, the following process-flow shall be applied in general for appointing an Economic Zone Developer:

**RFQ stage (applicable in case of a two-stage bidding process):**



**RFP stage (applicable in case of both a single stage bidding process as well as two-stage bidding process):**



## 5.2 Applications and proposals evaluation process

In the RFQ and RFP documents, project description, the procedure for appointment of an Economic Zone Developer, and the criteria of evaluation are all described. Those Economic Zone Developers who applied for the Economic Zone development project of concern are supposed to submit application or proposal to the Authority, and then those applications or proposals are evaluated by a committee comprised of 5 to 7 members nominated by the Authority as well as other ministries.

Rule 12, 30, 32, 34, 35 and 36 of Bangladesh Economic Zones (the Procedure of Appointment of Developer) Rules, 2016

The committee prepares an evaluation report for the Authority, and after final evaluation by the Authority, the Economic Zone Developer obtained the highest score shall be given a short-listed and pre-qualification status in case of applications, and the right to negotiate for the Agreement in case of proposals.

Subsequently, negotiation shall be conducted to draft a Developer Agreement based on a standard format of a Developer Agreement, which may be modified by the Authority and the successful bidder on case to case basis to reflect the unique requirements for individual Economic Zone, and eventually a Letter of Award (LoA) shall be issued to the successful bidder after finalization of the draft Developer Agreement by incorporating all necessary terms and conditions including the outcome of the negotiation, if any.

However, this Letter of Award (LoA) alone does not grant the successful bidder the right to commence in any development activities. The first ranked successful bidder needs to submit a comprehensive Master Plan, a detailed Feasibility Study, and an EIA report, in addition to the documents having been submitted at the RFP stage. Having a set of completed documents, the successful bidder and the Authority shall enter into an Agreement, then the Economic Zone Developer can commence development work at the project site.

## 5.3 Technical Considerations

Basically, each RFQ and RFP shall describe the particular requirements to be incorporated in the application and/or proposal for the Bids. However, the general criteria indicated in the Rules, 2016 as to the Technical evaluation are:

Rule 28 of Bangladesh Economic Zones (the Procedure of Appointment of Developer) Rules, 2016

- a) Design Philosophy, Drawings, and Project Concept;
- b) Project Marketing Concept
- c) Implementation Plan;
- d) Environmental and Social Development Impact Assessment;
- e) Operation and Maintenance Program;
- f) Key Staff, Organization and Development Agreement Administration Plan; and,
- g) Economic Growth and Job Creation Plan

The above criteria are not intended to restrict the Authority's discretion to set out more criteria in the RFQ and RFP Documents. Moreover, the percentage of weight and passing score on an application and/or proposal shall be also mentioned in the RFQ and RFP Documents.

## 5.4 Financial Consideration

For those applicants who passed the prospectively validated score in the RFQ Document, their proposals shall be subsequently evaluated. The evaluation criteria of the application or proposal are stated in the Rules, 2016 as per the followings:

Rule 28 of Bangladesh Economic Zones (the Procedure of Appointment of Developer) Rules, 2016

- a) Soundness of assumptions and projections concerning capital, operating costs, and revenues;
- b) Bidder's financial capacity to commence, complete, develop and operate the concerned Economic Zone, which includes levels of debt, sources of finance and realistic projections; and,
- c) Returns to the Authority will be measured by calculating the Net Present Value (NPV) of the revenue stream(s) to the Authority over the life of the Developer Agreement. The revenue stream(s) will comprise the projected payments to the Authority, including but not limited to, fixed/variable lease payments and revenue sharing arrangements.

The above criteria are not intended to restrict the Authority's discretion to set out more criteria in the RFQ and RFP Documents. Moreover, the percentage of weight and passing score on the application and/or proposal shall be also mentioned in the RFQ and RFP Documents.

## 5.5 Selection/Award as a Zone Developer

To the Successful Bidder, who attained a highest combined score from the evaluation of applications and/or proposals, the Authority may award the Letter of Award (LoA), which is but a mere notice and not a privilege for the Bidder to create any right of being appointed as the Developer or any obligations on it except providing Performance Security.

Rule 36, 37, 38, and 39 of Bangladesh Economic Zones (the Procedure of Appointment of Developer) Rules, 2016

In order for the Successful Bidder to be appointed as the Zone Developer, the Authority demands the Bidder to complete the subsequent documentations to comply with the requirements set forth in the Rules, 2016. Such required documents are, subject to the RFQ and/or RFP Document, although it may not be restricted as below:-

- a) A comprehensive Master Plan that includes land use planning and zoning, on-site infrastructure plans and phasing plans;
- b) A Feasibility Study report of the designated Economic Zone land, which contains economical and financial viability and commercial sustainability demonstrations; and,
- c) An Environmental and Social Impact Assessment, which illustrate the approved Environmental Management Plans and appropriate health and safety schemes to mitigate negative impacts.

Having all those documents complying with the Authority's needs, together with the payment of Performance Security, signing of the Developer Agreement shall be proceed.

The Developer Agreement shall be treated to be the Appointment of Developer and the Administrative Grant of final permit to the Developer to design, build, own, operate, and transfer to the Authority the designated Economic Zone.

## 5.6 Suspension, cancellation of developer's license

If any dispute arises between the Authority and the Developer in connection with or arising out of any issue of the Developer Agreement including any question regarding the existence, validity or termination of the Developer Agreement and any matter related to the performance of the services and rights and obligations, the Parties shall seek to resolve any such dispute or difference by mutual consultation.

Rule 42 of Bangladesh Economic Zones (the Procedure of Appointment of Developer) Rules, 2016

If the Parties fail to resolve a dispute or difference by mutual consultation, the dispute shall be referred in writing, by either of the parties, to the Adjudicator with a copy to the other Party.

The Adjudicator shall give its decision in writing to both the Parties no later than 30 days after the referral of a dispute.

The Adjudicator's decision shall become final and binding upon the Authority and the Developer, if no notice of intention to commence arbitration has been given by either the Authority or the Developer within 30 days after the Adjudicator's decision on the dispute. Any decision of the Adjudicator that becomes final and binding shall be implemented by the Parties.

## 5.7 Arbitration

If the Adjudicator's decision was not acceptable between the Authority and the Developer, or the Adjudicator fails to give a decision within 30 days after a dispute being referred to it, either of the Parties may, within 60 days after such referral, give notice to the other party, with a copy to the Adjudicator, of its intention to commence arbitration on the particular issue(s) of dispute.

Rule 43 of Bangladesh Economic Zones (the Procedure of Appointment of Developer) Rules, 2016

Any dispute in respect of which a notice of intention to commence arbitration has been given, shall be finally settled by Arbitration in accordance with the laws in force in Bangladesh.

Dhaka, Bangladesh shall be the venue of arbitration.

## **5.8 Obligations of the Parties pending reference to the Adjudicator or during Arbitration**

Notwithstanding any reference to the Adjudicator or arbitration, the Parties shall continue to perform their respective obligations under the Development Agreement until the matter in dispute is disposed of by the Adjudicator, or through Arbitration, or unless the parties otherwise agree.

Rule 44 of Bangladesh Economic Zones (the Procedure of Appointment of Developer) Rules, 2016

# 6 Starting a Project in an Economic Zone

## 6.1 Conditions for tenancy

As it is clearly stated in the Article 28 of the Bangladesh Private Economic Zones Policy, 2015, unless otherwise directed in the Industrial Policy of the Bangladesh Government and subject to the provisions of Section 15 of the Act as well as to the list of prohibited activities in the Private Economic Zone as per Schedule -1 of the Policy, 2015, no enterprise interested in operating any approved activities in the Economic Zone shall undertake any activities without a private Economic Zone User Permit. For obtaining a private Economic Zone User Permit, an Enterprise must submit a written application to the Authority or the concerned Licensee, or Operator or Developer and Operator, as the case may be. The broad features related to the operations of the Unit Investors in the Economic Zones is deemed to be described in the 'Principles and Procedures governing setting up of industries in Economic Zones', which is going to be issued by BEZA

Article 28 and Schedule-1 of Bangladesh Private Economic Zones Policy, 2015

Section 15 of Bangladesh Economic Zones Act, 2010

Principles and Procedures governing setting up of industries in Economic Zones

## 6.2 Procedure to establish a company

Any person wishing to carry on any business activities including service provision within the Economic Zone shall apply to be licensed by the Authority to issue an Economic Zone User Permit for that type of business activity. Notwithstanding any other written laws to the contrary, any permitted investor in an Economic Zone shall not be required to obtain any other permits issued by other authorities for the purposes of carrying on permitted activities in the Economic Zone.

## 6.3 Required permits and contract documents

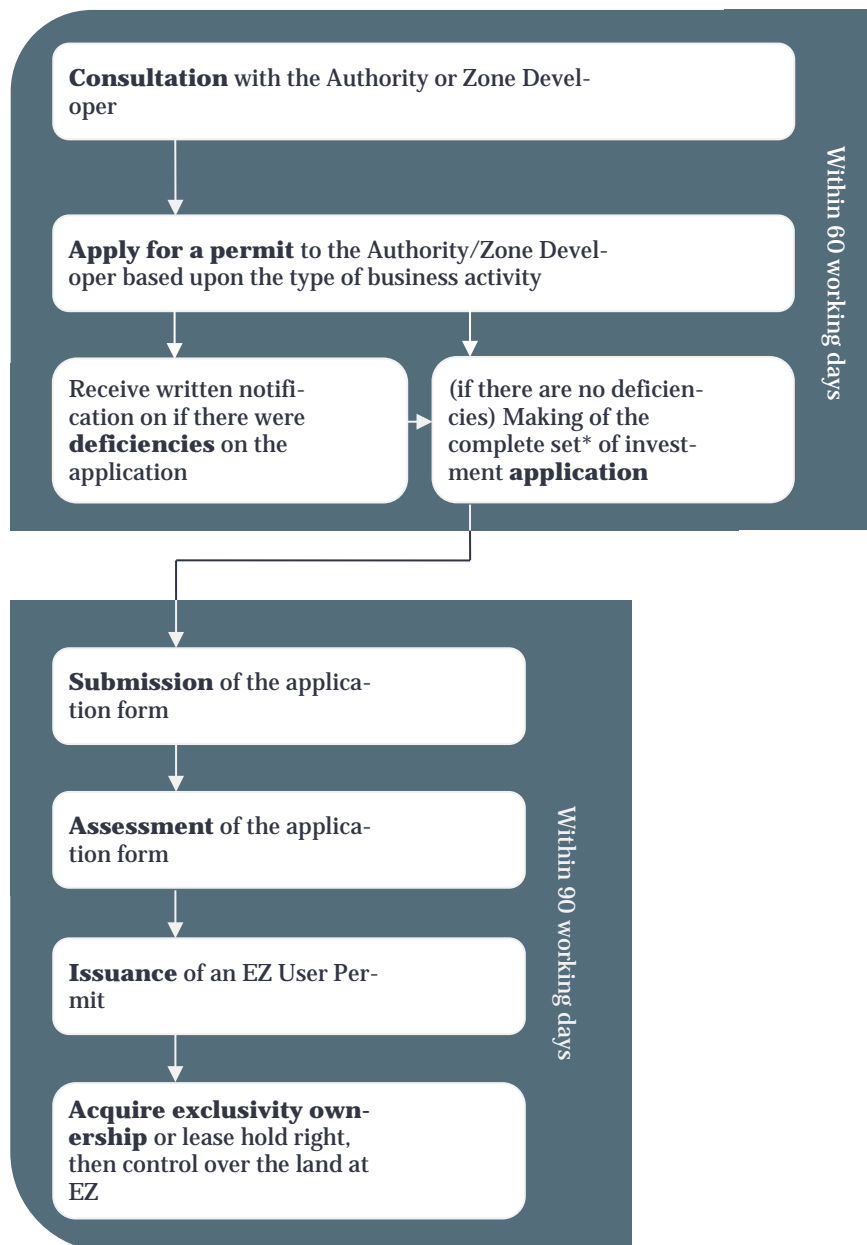
To be an Economic Zone User/Investor, submission of an application for an Economic Zone User Permit is required.

Article 28, 29, and 30 of Bangladesh Private Economic Zones Policy, 2015

### **Economic Zone User Permit**

An enterprise who wishes to operate any approved activities in the Economic Zone is deemed to require this permit. For obtaining a private Economic Zone User Permit, an Enterprise shall submit a written application to the Authority or the concerned Licensee, or Operator or Developer and Operator. This Permit can be issued either by the Authority or the Private Zone Developers and Operators.

## Procedure of an Economic Zone User Permit application



### \* Necessary document

- Investment license application (The format is offered by the Authority)
- Certificate of incorporation for the established company in Bangladesh
- Certified copy of register of parent company
- Financial statements of parent company (last 2 years)
- Proposed drawing of factory in Economic Zone
- The letter of attorney, if necessary
- Product pamphlet of the parent company

## 6.4 Contractual and Commercial Considerations

### Rights and Privileges of Private Economic Zone Users

A private Economic Zone User/Investor, in accordance with the Bangladesh Private Economic Zones Policy, 2015, the Act, other applicable laws, rules, regulations, legal documents, and private Economic Zone User Permit, shall be entitled to the following rights and privileges, namely:

Article 31 of Bangladesh Private Economic Zones Policy, 2015

- a) to conduct any authorized activities;
- b) to acquire, on a freehold or leasehold basis, Economic Zone lands;
- c) to transfer the lands or any Asset of Economic Zone, according to all applicable laws and Article 33 of the Policy, subject to approval of the Authority;
- d) to employ Bangladeshi and foreign nationals to the service;
- e) the incentives as declared;
- f) to object to the fees charged by any Developer, Operator or Developer and Operator for utilities or other basic services provided in the Economic Zone by any Bangladeshi Enterprise, where such fees do not reflect competitive market conditions; and,
- g) to any other rights or privileges.

A private Economic Zone User/Investor shall comply with the following obligations, including adherence to the Act, the Policy, License, private Economic Zone User Permit and internal operating policy and rules applicable for Economic Zones, namely:

Article 32 of Bangladesh Private Economic Zones Policy, 2015

- a) to carry out the activities prescribed in the private Economic Zone User Permit, operate all activities of the Economic Zone including the production and construction in accordance with the schedule and maintain all facilities and on-site Infrastructure in operational condition;
- b) to provide technical training to the Bangladeshi workers ;
- c) to pay all fees, taxes, or any other dues owed to any Competent Agencies;
- d) to submit to the Licensee or Operator or Developer and Operator, as the case may be, the annual reports furnishing the following information, namely:
  - i) information in respect of investment received in the last calendar year and the contingent investment of the next calendar year;
  - ii) information in respect of activities undertaken, employment and investment;
  - iii) information in respect of area of land and the building on the Economic Zone ; and
  - iv) other information considered relevant by the Authority.
- e) to submit monthly reports, in respect the Economic Zone activities operated in each calendar month, to the Licensee or Operator or Developer and Operator, as the case may be, furnishing the following information, namely:
  - i) employment statistics, including the number of female workers;
  - ii) information relating to monetary value and volume of all exports from the Economic Zone;
  - iii) information relating to the volume and monetary value of all other sales in the Economic Zone including volume of sales in the same or different custom Bonded Area and Domestic Tariff Area;
  - iv) information relating to monetary value of total investment;
- f) to comply with the requirements relating to the environment and labor.
- g) to obtain a Construction Permit before starting construction of any infrastructure including building, privileges or facilities, or other structures in the Economic Zone in conformity with the applicable laws, the Act, Rules framed under the Act, regulations and notifications.

### Termination of Permit

A private Economic Zone User Permit may be suspended or revoked due to the following cases, although a private Economic Zone User/Investor shall be given an opportunity to be heard:

Article 34 of Bangladesh Private Economic Zone Policy, 2015



- a) in the event of repeated violation of conditions set forth in the Permit;
- b) in the case of selling or transferring of the private Economic Zone Permit wholly or in part, to any third party without approval from the Authority (violation of the provisions of Sub-Article (4) of Article 30 and Article 33) or voluntary discontinuation<sup>3</sup> of the activities under Article 35 of the Bangladesh Private Economic Zones Policy, 2015;
- c) in the case of failure to satisfy the performance requirements according to the Schedule referred to in clause (a) of Article 32 of the Policy and for such failure notice, by the Authority or the concerned Licensee or Operator or Developer and Operator, as the case may be, are served twice;
- d) in the case of declared bankruptcy;
- e) in the case of failure to pay any required fees, taxes, or other dues owed to any Competent Agencies;
- f) provides false information, declarations, or representations in the application for a private Economic Zone User Permit;
- g) engages in any prohibited, unlawful or illicit activities mentioned in the Permit or Schedule- 1 in the Policy;
- h) ceases its business operations for a continuous period of 45( forty five) calendar days, subject to any applicable law including any mortgage right of loan provider without the permission of the Authority or the concerned Licensee, or Operator, or Developer and Operator as the case may be.

An Enterprise shall cease to enjoy the status of a private Economic Zone User/Investor upon suspension or revocation of a private Economic Zone User Permit; and, steps for legal action shall be available under Applicable Law against such private Economic Zone User/Investor.

## 6.5 Workflow for entry into Economic Zones

As occupancy rules to Economic Zone, companies wishing to operate in the Economic Zone are required to obtain the Economic Zone User Permit as stipulated in the above Policy (Article 28). For the application to obtain the Permit, the following information is required to be filled in the specified form, and the form must be submitted to the Authority or Economic Zone license holding company (Economic Zone Developer and Operator).

Article 28, 29, and 30 of Bangladesh Private Economic Zones Policy, 2015

- a) receipt of payment of one-time non-refundable application fee
- b) valid business-registration certificate
- c) notarized written statement about applicant enterprise
- d) proposed activities along with the approved Master Plan
- e) estimated time schedule for the designing, construction and activation facility
- f) approximate number and nationality of the workers
- g) plan of environmental management
- h) proof of compliance with the rules-regulations in force relating to the environment, health, safety, and risk

A set of application form shall be evaluated by either the Authority or Economic Zone Developer/Operator, and then, in case there are clarifications required, such notice shall be given within 30 days. The applicant enterprise is deemed to respond to the request for clarification and re-submission of the application form within 45 days. In case there are no clarifications needed, Economic Zone User Permit shall be given in 60 days' time. In addition, according to the Policy, the company issued the Economic Zone User Permit is given 90 days, after issuance of the Economic Zone User Permit, to acquire or lease industrial plots in the Economic Zone (Article 30 (3)). The Economic Zone User Permit is defined not to be sold or transferred to third parties (Article 30 (4)), without approval from the Authority or the concerned Licensee, or Operator or Developer and Operator, as the case may be.

<sup>3</sup> Enterprise needs to submit a 60 days' written prior notice to the authority or Operator or Developer and Operator before such discontinuation of activities.

## 6.6 Foreign investment restriction

There is no restriction in the nationality of the investors. Foreign-owned companies can establish factories in the Economic Zone without any discrimination from the Bangladesh national companies

Section 15 of Bangladesh Economic Zones Act, 2010

## 6.7 Land title

The land title over land property of Economic Zones shall be given to a person or a group of persons including non-citizens or, even in case of a body corporate, with the majority of its shareholders being non-citizens. Besides the foregoing, the right of land-use may be given in a lease contract for citizens and non-citizens if it is favorable for an investor. Land to be designated for investors shall be identified, formally notified in a gazette and allocated by the Authority or Zone Developers and Operators which shall also create derivative rights to investors.

Rule 5 (3) of the Rules, 2014

The relationship between the holder of a land tile and the right over land-use of the Economic Zone, and the Economic Zone Developer and Operator shall be governed by an agreement which shall define terms and conditions of such a relationship. The procedure for an application for a land title and the right of land-use shall be accompanied by a Permit granted by the Authority under the applicable Act and any other documentation which may be prescribed by the Act.

A granted right of land-use shall be:

- a) a period of 50 (fifty) years from the effective date of signing the Developer Agreement, and it can be extended subject to the conditions described in Rule 5 (3) of the Rules, 2014;
- b) for a term renewable for the purchased holder of the right which may be allowed to reset the original lease contract period up to 50 years but shall not exceed that period;
- c) based on the prevailing market price;
- d) subjected to any prescribed conditions;
- e) capable of being the subject of dispositions; and,
- f) liable, subjected to the provision of the Economic Zones Act, 2010, and other relevant laws for revocation

## 6.8 Customs procedure

The Authority shall ensure the implementation of special customs facilities in the Economic Zones and the special arrangements and incentives or exemption from customs duties and taxes according to the provisions of the Customs Act, 1969 (Act No. IV of 1969) for facilitating the operations of import and export activities of the Enterprises established within the Economic Zones. Such arrangement shall be made with a declaration of a notice in the official gazette by the Government in accordance with the provisions of Section 10 and 13 of the Act.

Section 10 and 13 of Bangladesh Economic Zone Act, 2010

Foreign Exchange Circular No. 04, 2016

Chapter 8 of the GFET 2009 (Vol-1) and related Foreign Exchange Circular/Circular Letters

Section V of Chapter 13 of the GFET 2009 (Vol-1)

Article 42 of Private Economic Zones Policy, 2015

Incentives & Benefits for Investors/EZ users (Approved in Governing Board's Meeting, February, 2015)

In accordance with Foreign Exchange Circular No. 04 (Foreign Exchange Regulations applicable for enterprise and developers operating in Economic Zones (EZs) in Bangladesh), for the exports from EPAs of Economic Zones, which include sales to Bangladesh DTA, even within the same Economic Zone, in other Economic Zones, in EPZs) are subject to the usual requirement of declaration of exports in 'EXP' Form and repatriation of export proceeds mentioned in Chapter 8 of the GFET 2009 (Vol-1) and related Foreign Exchange Circular/Circular Letters issued thereafter. For identification, EXP Forms for these exports should be rubber stamped or over printed with words "EXPORT FROM EZ" in bold letters. Proceeds from such exports by entities of different types shall be retained and used through foreign currency accounts as mentioned in Section V, Chapter 13, GFET (Vol.1). Exporters of such areas may maintain Taka accounts in the same manner as mentioned in Section V of Chapter 13.

Sales of Bangladesh goods or raw materials or nonphysical contents to units located in the EPAs of Economic Zones against payment in foreign currency shall be treated as export from Bangladesh in accordance with Foreign Exchange Regulation Act, 1947 (as amended upto

Sep 09, 2015). Therefore, normal foreign exchange regulations concerning declaration of exports on EXP Forms in case of export in physical form and repatriation of proceeds is applicable to these exports to the units of EPAs of Economic Zones.

For import by the units of EPAs of Economic Zones, Authorized Dealers<sup>4</sup> (ADs) shall abide by the instructions as mentioned in Paragraph 20, Section-II, Chapter 16, GFET, 2009 (Vol-1). For reporting, usual IMP Form reporting procedures will, however, be applicable for imports (including admissible imports from Bangladesh or EPZs or other areas of Economic Zones) by Economic Zone Units (EPAs and other area) from abroad.

In case of import by the Unit Investors in Economic Zones who are 100% Bangladeshi entrepreneurs resident in Bangladesh, if foreign currency balance is not sufficient to cover the cost of machinery and equipment to be imported from abroad, the shortfall may be made up, with prior Bangladesh Bank approval, by conversion of Taka into foreign currency.

Scheduled time for an entry and an exit from the Economic Zone for the authorized persons, including the import-export of goods shall be determined by the internal rules agreed between the Zone Users/investors and the Economic Zone Developer and Operator.

Import/Export of goods to/from the Economic Zone shall be considered as Import/Export of goods to/from Bangladesh, which requires the owner of the goods to fulfill the formalities of import-export with the competent authority in the Economic Zone prior to its import-export.

The aforesaid competent agent shall prepare all forms which should be simplified, transparent and do not cause any difficulty for the control of those goods. And the goods shall be properly sealed by the customs officers before Import/Export.

Permitted projects investors shall have the right to do industrial, export and other additional activities including services within permitted limits, and yet the investors, although being the owner, shall not use Output Materials of Production produced in the Economic Zone without the permission of the Authority.

All necessary commodities and goods stored at customs warehouses, for the permitted project of Economic Zones, shall be treated as imported commodities into those Economic Zones.

All commodities, materials, machines and transport means imported to an Economic Zone and specified to be used at the Economic Zone shall be exempted from customs fees, other fees and import licenses.

Local commodities and products imported to the Economic Zone from all the other Bangladesh territories shall not be imposed to any prescribed procedures, taxes or fees.

All exported commodities and products manufactured at Economic Zone are not subjected to legally stated rules and procedures of exportation, export and other taxes. Goods which are subjected to an exemption from duties and taxes within the Economic Zone shall not be taken out of the zone except:

- a) as exports outside the custom territory;
- b) as exports into the customs territory subjected to;
  - (i) backward linkage with export oriented industries (EOI) for raw materials and accessories in Domestic Tariff Area (DTA);
  - (ii) necessary permits being obtained from the Authority;
  - (iii) payment of all applicable import duties, levies and other charges;
  - (iv) compliance with all customs procedures; and,
- c) 20% of the total sales of the Zone Users/Investors from the finished products can be sold to DTA from EPA.

Established assets transported from the Economic Zone and admitted into the Bangladesh customs market as if they were imported on the date of their clearing from the Economic

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<sup>4</sup> The authorized dealers (“AD”) are the only entities are allowed to transact and hold foreign exchange both at home and abroad.

Zone shall pay all customs fees, taxes and government levies.

## 6.9 Tax incentives

There is a separate set of incentives and benefits for Economic Zone Users/Investors. For Economic Zone Users/Investors tax holiday of 100% exemption for only the first 3 years, which follows by 7 more years in diminishing rate can be granted, depending on the location of the industrial enterprise. The detail of the tax incentives can be referred in Chapter 7 of this Guide.

Section 11 of Bangladesh Economic Zones Act, 2010

## 6.10 Lease /resale policy

As a right of Developers, Developers can transfer Economic Zone land and other assets on a leasehold or freehold basis by sub-lease arrangement or by receiving money payable for such transfer or collection of rental fees (Article 24 (1)(b) of Private Economic Zones Policy, 2015). Accordingly to the Policy, 2015, Economic Zone User Permit cannot be transferred to any third party, but the land or asset situated in the Economic Zone can be transferred wholly or in part, through any sub-leasing arrangement or in other manner, if the Authority, or concerned License holding entities, or Operator, or Developer and Operator of the Economic Zone approved such transaction (Article 30(4) and 33 of Private Economic Zones Policy, 2015). However, in case such transaction was made in an Economic Zone developed through a PPP scheme with the land remaining in the ownership of the Authority, a certain 3 percent of the capital gain made through such a transaction shall be claimed by the Authority.

Article 24(1b), 30(4) and 33 of Private Economic Zones Policy, 2015

## 6.11 Regulations and conditions regarding foreign exchange transaction / financing

The collection of the foreign exchange from the Economic Zone and transfer of the following capital and funds within and outside Bangladesh are deemed to be treated in accordance with the decision of the government.

Article 15 (1) of Bangladesh Private Economic Zones Policy, 2015

- a) repatriation of paid up capital, initial and subsequent capital contributions and capitalization of retained earnings;
- b) distribution of company profits and dividends and any earnings derived from a Private Economic Zone investment;
- c) payments and transfer of profits under the prevailing Islamic Lending Principles;
- d) license fees or royalties, management fees, technical assistance fees;
- e) amounts derived from the remunerations, salaries and wages earned by the foreign employees of the Investors and Economic Zone Enterprises;
- f) capital gains derived from the Private Economic Zone;
- g) repatriation of net proceeds from the sale of all or any part and partial or complete liquidation of any investment in a Private Economic Zone;
- h) payments made under a foreign contract, payments of principal loan amount under foreign loan agreement, payments arising out of agreement of technology-transfer and payments made to suppliers for the purchase of any goods or services of foreign origin; and
- i) amount received by the Private Economic Zone Investor from the Government as compensation for expropriation of any private asset of an Investor or Enterprise of a Private Economic Zone or the amount derived from the proceeding relating to dispute resolution.

Foreign Exchange Circular No. 04, 2016

Guidelines for Foreign Exchange Transactions Vol.1 and 2

Section 4 and Chapter 15 of Foreign Exchange Regulations Act 1947

Sections 10 and 13 of Bangladesh Economic Zones Act, 2010

The transfers referred in above shall be made effective through any scheduled commercial bank or financial institution approved by the Bangladesh Bank to operate in the Economic Zone (Article 15 (2) of the Policy).

Although Section 4 of the Foreign Exchange Regulations Act 1947 (the "FER Act") prohibits Bangladesh residents from borrowing in foreign exchange without a general or special permission of the Bangladesh Bank, under Chapter 15 of the FER Guidelines, and all proposals for borrowing from abroad by private sector industrial enterprises in Bangladesh (including the supplier's credit, financial loans from institutions or individuals, and debt issues in capi-

tal markets abroad) shall require prior authorization from the Authority, as far as an Economic Zone is concerned, the exemption of prevailing applicable laws is stipulated in Sections 10 and 13 of the Act, and arrangements of the transfer of funds within and outside Bangladesh is affirmed in the Article 15 (1) of Bangladesh Private Economic Zones Policy, 2015.

Accordingly, Foreign Exchange Circular No. 04 stipulates that for the Units located in the EPAs of Economic Zones, equity from foreign shareholders and loan received in foreign currency from authorized sources may be credited in such foreign currency accounts of 100% foreign owned companies (which include those owned by Bangladesh nationals ordinarily resident abroad) and Joint Venture projects between foreign and Bangladesh entrepreneurs resident in Bangladesh situated in Economic Zones. However, foreign borrowing is allowed in principle only for investment (such as the import of capital goods for new projects, modernization/expansion of existing production units) in industrial sectors including small and medium enterprises (SME) as well as infrastructure and priority sectors as defined in Industrial Policy announced from time to time. But, utilization of a foreign loan proceeds is not permitted exclusively for working capital purposes and investment in capital market by corporations.

An enterprise established in EPAs of Economic Zones may, in relation to the operation of business, may obtain credit facilities from domestic banks and international financial institutions regardless of the amount of the foreign capital invested in the business enterprise. A Unit Investor who obtains credit is deemed to follow the instructions mentioned in Section-II, Chapter 16 of GFET, 2009 (Vol-1). However for obtaining medium and long term debt from abroad/Offshore Banking Unit (OBU), an Unit Investor shall have to submit borrowing approval applications to Bangladesh Bank through the Authority following the procedures as mentioned in Foreign Exchange Circular 32, dated August 31, 2014. In case of contribution of shareholders in Joint Venture Projects between foreign and national entrepreneurs, relevant instructions as mentioned in Paragraph 21, Section-II, Chapter 16, GFET, 2009 (Vol-1) shall be applied.

For repatriation of dividend/profit to non-resident shareholders of 100% foreign own unit investors and Joint Venture projects situated in EPA of Economic Zones as well as to the non-resident shareholders, enterprises may remit dividends through ADs or OBUs without prior permission of Bangladesh Bank following the procedures mentioned in Paragraph 31, Chapter 10, GFET (Vol-1). Besides, before effecting such remittances, instructions/regulations of the Authority (if any) are to be compiled on meticulously. As for the repatriation of investment/capital by non-resident shareholders, even though it is subject to adherence to the instructions of the Authority, Guidelines for effecting remittance of sales proceeds of non-residents' investment in Bangladesh is deemed applicable as mentioned in Paragraph 3, Chapter 9, GFET (Vol-1) and Foreign Exchange Circular 32, dated August 31, 2014.

On the other hand, for the Unit Investors situated outside EPAs of Economic Zones as well as the Zone Developers, regardless of locally owned/controlled or foreign owned/controlled, are deemed to follow foreign exchange regulations similarly applicable in DTA. However, the Authority shall make arrangement to facilitate the foreign owned/controlled Unit Investors and Zone Developers in respect of concerned issues which may include issuing permission for repatriation of capital and dividends, royalties, and technical fees, etc. Also the foreign owned/controlled Unit Investors and Zone Developers may borrow locally (in local currency) and from abroad in accordance with instructions mentioned in Chapter 16, GFET, 2009 (Vol-1) and Chapter 15, GFET, 2009 (Vol-1) respectively.

In each case where the supplier's credit/loan is approved by the Authority, a copy of the loan agreement should be forwarded by the concerned Authorized Dealers to the "External Debt and Grant Section," Foreign Policy Department, Bangladesh Bank. A Unit Investor and Zone Developer who obtains credit shall ensure that the proceeds of that credit are used solely for the purpose of carrying out the activities specified in his loan application, which may include the usage of foreign currency borrowing for the working capital of the enterprise.

For that purpose, the bank granting the loan may appoint its officer or agent to verify the due application of the credit obtained as above. A transaction or an act of keeping foreign cur-

currency inside the Economic Zone shall not be subjected to any restrictions. Any foreign currency may be admitted into the Economic Zone or any other destination in Bangladesh territories or vice versa. Furthermore, foreign owned/controlled Unit Investors and Zone Developers may access to interest free loans for working capital other than input procurements from parents companies/shareholders abroad for up to one year without any prior approval of Bangladesh Bank.

Under the conditions stipulated by respective private banks, foreign nationals working/residing in Bangladesh may open and maintain foreign currency accounts in Bangladesh with inward remittance received from abroad, and the banks and their branches at the Economic Zones may accept payment in any foreign currency from any ordinary person or body corporate. Balances of such accounts are freely remittable abroad (Chapter 13, GFET, 2009 (Vol-1)).

However, foreign nationals working in Economic Zones (with valid work permit issued by the Authority) are allowed to remit through an Authorized Dealers 75% of net salary, 100% of leave salary and actual savings and pension benefits without prior approval from Bangladesh Bank (Chapter 11 GFET, 2009 (Vol-1) and Foreign Exchange Circular No 06, 15/04/2013).

In any cases other than described above (like transfer of Bangladeshi shares and securities, opening Taka account, remittance of sales proceeds of non-residents' investment in Bangladesh), foreign exchange regulations availed shall be applicable, if not otherwise directed by Bangladesh Bank (the Central Bank of Bangladesh). The summary of these regulations are enumerated in Guidelines for Foreign Exchange Transactions (GFET) (Vol.- 1 and 2) published by Bangladesh Bank.

Investment in Economic Zones shall have to be reported to Bangladesh Bank as per instructions mentioned in Paragraph 2, Chapter 9, GFET (Vol-1) and paragraph 26, Chapter 2, GFET (Vol-2). Besides, all foreign exchange transactions of Economic Zone Unit Investors are to be reported through online foreign exchange transaction reporting platform of Foreign Exchange Operation Department, Bangladesh Bank. Such transaction are also to be reported in monthly returns to Bangladesh Bank in relevant statements and schedules, etc.

## **6.12 Immigration and Employment of Foreigners**

Every business enterprise granted the Economic Zone User Permit under the power of the Authority, shall be entitled to relaxed restrictions on the issuance of work permits to project related foreign nationals and employees. At present the number of foreign employees is allowed up to 5 % of the number of the total number of employees.

Incentives & Benefits for Investors/EZ users (Approved in Governing Board's Meeting, February, 2015)

## **6.13 Labor and employment related matters**

Economic Zone Users/Investors may be able to decide their own labor plans and composition of their staff, with guidance from the Authority provided, if needed. Incidentally, the plans and staff composition schedule shall be submitted to the Authority for the record.

Economic Zone Users/Investors should conclude contracts with workers and staff members for their employment. The labor contract should include terms on the following: employment, dismissal, resignation of the workers and staff members, contract duration, job responsibilities in production and other work, wages, rewards and penalties, working time and vacations, labor insurance and welfare, labor protection and discipline. The labor contracts must be reported to the Authority for the record. Economic Zone Users/Investors have the right of management over their own employees in accordance with the terms of the labor contracts.

The employees enjoy all the rights protected by the law and stipulated in the contracts. The structure and scale of wages, and the ways of reward and subsidy for the workers and staff members are determined by the Economic Zone Users/Investors themselves. Economic Zone Users/Investors must observe the principles of the labor protection and special protection for women workers, guarantee safe operations and health of the workers and staff members, over which the Authority has the right to examine and supervise.

The Authority shall make a recommendation to the Government with a view to exemption

from payment of a training levy, an investor who has trained local employees, the quantum of which shall be 50 percent of said training levy.

## 6.14 Labor dismissal policy

In accordance with the Act, 2010, the provisions of the existing laws on the EPZ Workers Welfare Association and industrial relations shall, with necessary modification, be applicable to the workers of the Economic Zones (Section 34).

Section 34 and 37 of Bangladesh Economic Zones Act, 2010

Economic Zone Users/Investors may dismiss its workers and staff members in line with its labor contracts, but it must inform the individual concerned, the enterprise trade union and the SEZ labor service company of the dismissal at one month in advance. No dismissal is allowed when a worker or a staff member is receiving medical care for injuries as a result of on-the-job accidents, occupational diseases, illness, non-accident injuries, and during a pregnancy of more than six months and a maternity leave for women workers. On the other hand, workers and staff members may resign according to the labor contract and they should notify the enterprise one month in advance.

Article of 44 of Bangladesh Private Economic Zones Policy 2015

Section 37 of the Act even stipulates that BEZA has the special right to order shut down or/and dismissal of persons who led to labor unrest, strikes or lockout.

## 6.15 Environment clearance policy

The Economic Zones Act 2010 has provisions regarding environmental law compliance. According to the provisions of the act, industrial units and other financial and business institutions established in the Economic Zone shall be bound to comply with the laws related to the protection of the environment and international commitments ratified by the Government of Bangladesh.

Section 33 of Economic Zones Act 2010

Article of 43 of Bangladesh Private Economic Zones Policy 2015

According to the Private Economic Zones Policy, 2015, a private entrepreneur or Entrepreneur Company will have the responsibility of conducting an EIA and private entrepreneur or Entrepreneur Company will be granted an Economic Zone license for Economic Zone development based on such an EIA. Thereafter, the Economic Zone enterprise interested in establishing industrial units in a Private Economic Zone shall apply to the Authority or Economic Zone Operator with the required application for an Economic Zone User Permit. As a part of the application form, an Environmental Management Plan and evidence that proposed business activities are deemed in compliance with all environmental laws and regulations need to be presented.

In addition, in the event that an overall EIA conducted by Economic Zone Developers gets clearance from the competent agency, the Economic Zone Unit Investors who are going to establish production facilities in such Economic Zone shall be exempted from a comprehensive EIA for the issuance of Economic Zone User Permit.

## 6.16 Building Permit and Operation Permit

In Article 41 of Private Economic Zones Policy, 2015, it is stipulated that all construction or installation work on any Economic Zone lands or any modifications to pre-built units on any Economic Zone lands shall be undertaken in accordance with the applicable laws, the Act, rules, regulations, or notifications made under the Act.

Article of 41 of Bangladesh Private Economic Zones Policy 2015

For the rules relating to buildings in the Economic Zone, a reference to a building plan approval, factory plan approval and a building completion certificate shall be construed by the Authority.

### Construction Guideline

To build a factory in an Economic Zone, each enterprise is required to observe the Economic Zones Building and Construction Policy to be stipulated by the Authority, and Zone Developer and Operator may also develop their own internal building guidelines, as the case may be. Unit Investors are deemed to submit relevant drawings of the building to the Authority

and/or Zone Developer and Operator, as the case may be, in accordance with the building and construction guidelines to be promulgated.

Basic particulars of the prospective Building and Construction Policy are cited in the following table.

Economic Zones Building and Construction Policy

No.	Items	Details
1	Open space	<ul style="list-style-type: none"> <li>5% of the total land area shall be reserved as amenity open space.</li> <li>The minimum such open space shall be 600m<sup>2</sup>.</li> <li>When the area of open space exceeds 1,000m<sup>2</sup>, the area can be used for the construction of buildings such as banks, clinics, welfare centers, restaurants and other common facilities.</li> <li>A minimum of 10% of the total area but not exceeding 0.25 ha of every industrial plot (in case of 1 ha or more) shall be reserved for community open space.</li> </ul>
2	Lot size	<ul style="list-style-type: none"> <li>Minimum 4,000m<sup>2</sup> per lot.</li> <li>Lot size cannot be subdivided.</li> </ul>
3	Site access	<ul style="list-style-type: none"> <li>The development should be designed to enable vehicles to exit the site in a forward direction.</li> </ul>
4	Fire appliance access	<ul style="list-style-type: none"> <li>Each plot needs to have vehicular access roads in conformity to BNBC.</li> <li>If a central median is provided, the minimum width of the dual carriageway should be 7.3 m wide for one-way traffic.</li> <li>If limited provision of a central median, the minimum width of a carriageway without a central divider should be 13.5m for two-lane two-way traffic.</li> </ul>
5	Landscaping	<ul style="list-style-type: none"> <li>A landscaping plan is required to be submitted to the Authority in accordance with BNBC.</li> <li>A 2.5m landscaping strip must be provided to any primary frontage.</li> <li>A 1.5m landscape strip must be provided to any secondary frontage.</li> <li>Plant species shall be selected from those listed in BNBC.</li> <li>Low flow trickle dripper systems or coarse sprays are required within the plot for water reticulation purpose.</li> </ul>
6	Architectural & Drainage Drawings	<ul style="list-style-type: none"> <li>Site plans &amp; section drawings with ground level shall be required</li> <li>Draining system drawings including its flow direction, and treatment etc. shall be required.</li> </ul>
7	Parking area	<ul style="list-style-type: none"> <li>Parking spaces inside premises shall be adequate to insure loading and unloading.</li> <li>When plots are located near residential area, the parking area for loading and services area should be sited to the rear or side of the premise and away from residents.</li> <li>The number of car parking bays required will be in accordance with the local BEZA Scheme or minimum for industrial building for every 800m<sup>2</sup> per car and for every 2,000m<sup>2</sup> per truck.</li> <li>A container vehicle loading/unloading bay with turning circle of 11.6m outer radius should be provided for a site over 2,000m<sup>2</sup>.</li> <li>Car parking can be placed between the landscape set-back and the building line.</li> <li>Bay size, driveway widths and turning circles are to suit these as per BNBC and other functional requirements.</li> </ul>
8	Roadways and parking within a plot	<ul style="list-style-type: none"> <li>Separation of service/haulage vehicles from visitor and staff parking areas</li> <li>Siting of parking areas adjacent to areas of buildings that are commonly accessed.</li> <li>Provide suitable species of shade trees at a ratio of 1 per 4 cars bays, evenly throughout parking areas</li> <li>Provide clear paths for pedestrian movement separate from area of frequent vehicular movement.</li> </ul>



9	Ground floor level	<ul style="list-style-type: none"> <li>Ground floor level shall be determined by the Authority and/or Zone Developer and Operator, as the case may be (The same with side walk level).</li> </ul>
10	Building area ratio	<ul style="list-style-type: none"> <li>50% is the maximum building area ratio against the total plot area for the build form structure like factory, power house, storage, covered parking, ETP, overhead STP and etc.</li> <li>Additional 30% can be covered by the drive way, open parking, 50m<sup>2</sup> guard room, cycle stand, internal roads, underground water tank and septic tank.</li> <li>Rest of 20% must be open sky sock able area.</li> <li>Instead of green or naked earth sock able soft pave can be used.</li> </ul>
11	Building floor ratio	<ul style="list-style-type: none"> <li>Building floor ratio shall not exceed 600%.</li> <li>Only internal roads, open to sky drive way and parking area, tanks, STP, ETP are excluding from Building floor ratio.</li> <li>In principle, after leasing of owning the land parcel within 2 years, a client shall have to build up a building with the minimum floor ratio of 30%.</li> </ul>
12	Building set back	<ul style="list-style-type: none"> <li>A set back from a boundary fence or a boundary line shall not be less than 3.5m.</li> <li>A set back from a main road shall not be less than 12m, and from a minor road it shall not be less than 4.5m.</li> <li>A set back from a dike and a drainage shall not be less than 4m from the edge of ditch.</li> </ul>
13	External service and storage area	<ul style="list-style-type: none"> <li>Service, storage and bin areas must be screened behind the front building line and from the street.</li> <li>Landscaping, fencing and gates can be utilized to screen these areas.</li> </ul>
14	Fence	<ul style="list-style-type: none"> <li>All fences shall be airy.</li> <li>At smaller plot, fences higher than 1.5m should not be generally constructed across the entire frontage, unless there is a requirement for site security.</li> <li>Where high fences are used to enclose an industrial plot, it is preferable that a section of the front of the premise be open to the street.</li> </ul>
15	Regulation for any access to public area.	<ul style="list-style-type: none"> <li>Any road construction in a public area shall not be allowed without permission from the Authority and/or Zone Developer and Operator, as the case may be.</li> <li>Road crossing open channel or other pipe system installation shall be determined by the Authority and/or Zone Developer and Operator, as the case may be.</li> </ul>
16	Gate installation	<ul style="list-style-type: none"> <li>In the case of one gate, the gate width shall not be less than 6m.</li> <li>In the case of separation of an entrance and an exit, the gate width shall not be less than 3.5m.</li> <li>A land parcel located on an intersection or a road corner shall have its gate installed not less than 20m from the corner to the center of the gate.</li> </ul>
17	Water harvesting system	<ul style="list-style-type: none"> <li>All plots within the Economic Zone are to incorporate a rainwater harvesting system designed to capture roof run-off from a minimum of 200m<sup>2</sup> (or 50% of the available roof catchment area for roof area less than 400m<sup>2</sup>) during regular rainfall events.</li> <li>The collected rainwater is to be plumbed to supply a seasonally-independent water use (e.g. toilet flushing).</li> </ul>
18	Drainage system	<ul style="list-style-type: none"> <li>Waste water drainage and rain water drainage system shall be designed separately according to the Authority and/or Zone Developer and Operator, as the case may be.</li> <li>A drainage system from a building to a public area shall have its slope not be less than 1/200.</li> </ul>
19	WC	<ul style="list-style-type: none"> <li>Numbers of WCs shall be required according to the BNBC</li> </ul>
20	Stair	<ul style="list-style-type: none"> <li>For public buildings, industrial factories, and enterprise buildings, the width shall not be less than 1.5m,</li> </ul>

		and its height shall not exceed 4.0m. In case of more than 4.0m, stair landing installation shall be required.
		• Vertical step shall not exceed 19cm.
		• Horizontal step shall not less than 24cm.
21	Emergency ladder	• Buildings covered more than 3 floors shall be required to have an emergency ladder installed.
22	Building openings	• Openings shall be required for 1/10 of a floor area.
23	Modification construction	• In case of a modification to existing buildings, both the existing and modified drawings shall be required.

In addition, most of the time foreign investors interested in constructing factory buildings in the Economic Zones do not pose the general rates of construction materials in Bangladesh. As a consequence, investors may be misguided by the local contractors or a person who is not concerned about the construction work and therefore adverse reactions may be created among the investors. To help investors in constructing their own factory building with reasonable rates, investors are advised to take acknowledgment from the Authority for appointment of contractor in specified form before starting the work. Without a building plan approval, factory plan approval and a building completion certificate from the Authority and/or Zone Developer and Operator, as the case may be, no work shall commence.

## Bangladesh National Ambient Air Quality standards

National ambient air quality standards (NAAQS) are mentioned in the Environment Conservation Rules 1997 (ECR) as follows.

Updated (2005) Bangladesh National Ambient Air Quality Standards (NAAQS)

Pollutant	Objective	Averaging
Carbon Monoxide (CO)	10 mg/m <sup>3</sup> (9 ppm)	8 hour
	40 mg/m <sup>3</sup> (35 ppm)	1 hour
Nitrogen Dioxide (NO <sub>2</sub> )	100 µg/m <sup>3</sup> (0.053 ppm)	Annual
Ozone (O <sub>3</sub> )	157 µg/m <sup>3</sup> (0.08 ppm)	8 hour
	235 µg/m <sup>3</sup> (0.12 ppm)	1 hour
Sulfur Dioxide (SO <sub>2</sub> )	80 µg/m <sup>3</sup> (0.03 ppm)	Annual
	365 µg/m <sup>3</sup> (0.14 ppm)	24 hour
PM <sub>10</sub>	50 µg/m <sup>3</sup>	Annual
	150 µg/m <sup>3</sup>	24 hour
PM <sub>2.5</sub>	15 µg/m <sup>3</sup>	Annual
	65 µg/m <sup>3</sup>	24 hour
Lead (Pb)	0.5 µg/m <sup>3</sup>	Annual

## Maximum Permitted Noise Level

The Ambient Air Quality Standard in respect of Noise for different areas declared in the Noise Pollution (Control) Rules 2006, are as follows.

The Noise Pollution (Control) Rules 2006.

Description of area	Noise level dB (A)	
	Day time (6.00 a.m. to 9.00 p.m.)	Night time (9.00 p.m. to 6.00 a.m.)
i) A sensitive area where quietness is of primary importance such as schools hospitals, mosques etc.	50	40
ii) Residential area	55	45
iii) Mixed area, which are, used as residential areas as well as for commercial and industrial purposes	60	50
iv) Commercial areas	70	60
v) Industrial areas	75	70

## 6.17 Electric Power Procurement Method

Entrepreneurs may apply either directly to the Authority and/or Zone Developer and Operator, as the case may be, for obtaining electricity supply services. In the Economic Zones, although the power and gas distribution lines are developed by the Developers, assignment of utility lines connection can be given to the sub-contract company or an entrepreneurial enterprise.

All consumers in Economic Zone shall be consumers at 11 KV. Also, all meters required for measuring the power consumption in the factory shall have to be procured and installed by the consumer at his own cost. Such meters, however, should be placed in a safe position, preferable in street box with locking arrangement, should be sealed and should always be available to the representative of the Authority and/or Zone Developer and Operator, as the case may be, for the purpose of checking and billing. No meter should be installed before it is tested to the satisfaction of the Authority and/or Zone Developer and Operator, as the case may be.

## 6.18 Industrial Water Securing Method

The application in the prescribed form shall have to be submitted to the Authority and/or Zone Developer and Operator, as the case may be, before the date of actual requirement of industrial water.

The applicant has to construct his own underground/overhead reservoir, install pump, float valve, etc. at his own cost before applying for a connection. Furthermore, the necessary water meter, as approved by the Authority, has to be arranged by the applicant at his own cost. The water meter shall be kept sealed and it shall always be available to the representative of the Authority and/or Zone Developer and Operator, as the case may be, for checking and billing purposes. Without any meter, water connection can be given only when the consumer agrees to pay at flat rates, as decided by the Authority and/or Zone Developer and Operator, as the case may be, for consumption.

For a new connection, non-refundable connection fee, as decided by the Authority and/or Zone Developer and Operator, shall have to be paid. No connecting above 51 mm size shall be allowed.

## 6.19 Industrial Wastewater treatment method

As inferred in Section 33 of the Bangladesh Economic Zones Act 2010, like the industrial units in DTA, Economic Zone activities are bound to comply with international commitments recognized by the Government of Bangladesh. Hence an Economic Zone Unit Investor needs to follow all existing laws on the environment and environmental protection.

Section 33 of Bangladesh Economic Zones Act 2010

Environment Conservation Rules, 1997

To build a factory in an Economic Zone, each enterprise is required to obey the standards of Primary Wastewater Treatment from a factory to a Common Sewage and/or Effluent Treatment System agreed with the Authority or Zone Developer and Operator, as the case may be.

As mentioned in the Environment Conservation Rules, 1997, ECC industry/projects categorized in Orange-B and Red Category are deemed to submit layout plan, whereas, as indicated in the Guide for Assessment of Effluent Treatment Plants in EMP/EIA Reports for Textile Industries, National Standards of Waste Discharge Quality Standards for Industrial Units and Projects: Quality at Discharge Point may be applied to the factory operations in Economic Zone.

## 6.20 Industrial solid waste disposal

Proper measures for disposal of industrial solid wastes are deemed to be the responsibility to be taken by the Zone Users/Investors, although the Authority and the Zone Developer and Operator, as the case may be, reserves the right to issue instructions on this issue periodically.

To build a factory in an Economic Zone, each enterprise is required to submit a plan as to

how industrial solid waste can be treated, stored and disposed or even recycled in environmentally sound manner, and such standards of solid waste management should be agreed between the Zone Developer and Operator, and primary treatment of particular solid wastes from a factory may be required to meet such standards.

## 6.21 Economic Zone Residents

A person who may wish to reside in the residential area of the Economic Zone needs to obtain a Certificate in according with the provisions of the Article 36 and Article 37 of the Policy.

Article 36 and 37 of Private Economic Zones Policy, 2015

### **Economic Zone Residency Certificate**

For acquiring land of the Economic Zone and the real estate situated on that land for the purpose of residing in the residential area of Economic Zones, a person shall apply to the Authority in an Application for Economic Zone Residency Certificate. In acquiring the status of the resident in the Economic Zone, the Certificate holder shall be provided a Residential Identity Card in favor of the person. Also the Authority shall issue Certificate of Residence to those concerned persons or workers who are lawfully employed by any Economic Zone Enterprise.

## **Rights and Obligations of Economic Zone Residents**

The Economic Zone Residents with Economic Zone Residency Certificate shall be entitled to the following rights and privileges namely:-

Article 38 of Private Economic Zones Policy, 2015

- a) to reside in the residential area of an Economic Zone; and
- b) to transfer any Economic Zone land and real estate situated in the residential area of the Economic Zone.

Legal Obligations of Economic Zone Residents are prescribed in the Policy as:

Article 39 of Private Economic Zones Policy, 2015

- a) to pay customs charges, internal customs duties, tax, levies and other customs charges for import of any foreign goods in any residential area of Economic Zone located inside the Domestic Tariff Area;
- b) to pay Income Tax and other taxes; and
- c) to refrain from taking part in any activity subversive of the state.

## **Termination of Certificate**

Economic Zone Residency Certificate may be revoked due to repeated violations of the legal provisions in place. The Authority may revoke an Economic Zone Residency Certificate upon serving 120 (one hundred and twenty) days' written notice in advance and giving opportunity of hearing to the Economic Zone Resident and, if necessary, the Authority or any other competent agency may take legal steps against such person in accordance with the applicable laws.

Article 40 of Private Economic Zone Policy, 2015

Also, a person or worker and, in applicable cases, his dependent shall cease to enjoy the status of an Economic Zone resident, in the event of revocation of Economic Zone Residency Certificate or cancellation of the Residential Identity Card of such persons or workers.

# 7 Tools for Economic Zone Projects

## 7.1 Facilitating investment through OSS in Economic Zone projects

According to Section 12 of the Economic Zone Act, 2010, the authority shall make arrangements to facilitate the Economic Zone Developers and Economic Zone Unit Investors in respect of legal documents which include permission for Economic Zone site selection, declaration of Economic Zones, clearances, certificates, certificate of origin, permits for repatriation of capital and dividends, resident and non-resident visas, work permits, construction permits, etc. through a One-Stop Service (OSS); and make arrangements to allot or lease plots suitable for setting up industries on complete commercial basis.

Section 12 of Bangladesh Economic Zones Act 2010

Article 19(1) and 20(1) of the Bangladesh Private Economic Zones Policy, 2015

Moreover, as stipulated in the Article 20 (1) of the Bangladesh Private Economic Zones Policy, 2015, any One-Stop Service Office of the Authority, with the approval of the Governing Board, shall receive the applications for an Economic Zone License, Private Economic Zone User Permit, Private Economic Zone Construction Permit and Environmental Permit and Clearance and for any other approval and set up a process for approval of such applications.

For an instrument of the above, the Authority shall maintain and publish the Electronic Application and the up to date Instruction in respect of submission of Application Form.

For the provisions of all those administrative services, the One-Stop Service Offices of the Authority is deemed to be a focal point of contact for applications, processing for approval and enquiries, and Article 19 (1) of the Policy, 2015 states that for ensuring maintenance of respective regulatory jurisdiction of the Competent Agencies over Private Economic Zones and for maintaining control over Private Economic Zones, the Authority shall coordinate with the Competent Agencies through the One-Stop Service Offices.

Hence the mandate of the One-Stop Service Offices remains in facilitation of the development, operation, maintenance, administration, and regulation of the Private Economic Zones, and the Authority shall set up the arrangements, through One-Stop Service Offices to resolve the disputes relating to providing streamlined intermediation services to Private Economic Zone Developers and Unit Investors including Private Economic Zone Residents, on jurisdictional conflicts with any Competent Authority and any impediment, delay or any other difficulties with regard to Investments of any investor in the Economic Zone.

The following list indicates the required licenses and permits before factory operation and services to be rendered through One-Stop Service Offices.

Sl No	Required Document/ License for Foreign Investors	DCCI Guidelines (2014)/BOI Timelines/ Remarks	Competent Agencies	BEZA OSS Coverage / Remarks		
				Developer	Unit	
Registration/Incorporation of the Company	1	Name Clearance Certificate	1 working day	RJSC (Office of the Register of Joint Stock Companies and Firms)	X	
	2	Certificate of Incorporation	2-3 working days (normally 15-30 working day)	RJSC / BOI (in case for Foreign Company)		Role of BOI can be substituted by BEZA
	3	Tax Identification number (TIN) Certificate	15-20 minutes (Automated Web based)	NBR (National Board of Revenue)	X	
	4	Trade License	3-4 working days for Commercial Firms 10-15 working days for Manufacturing Firms	City Corporation / Municipality	To be exempted	○
	5	Open Bank Account	1-5 working days	Bank (International or Local Banks)		Necessary advices to be provided
	6	VAT Registration	2 working days	NBR		○
	7	Approval of Central Bank	-	Central Bank		Not required in case for Economic Zone
	8	Registration with BOI	1-2 days	BOI		Not required in case for Economic Zone
Pre-Construction Clearance	9	Project Clearance / Land Related Clearance	6 months to 1 year (From RAJUK)/ Local elected representative (Union Parishad Chairman/ Councilors of City Corporation or Municipality)	City Corporation / Municipality	○	Developer's Clearance followed by BEZA
	10	Environment Clearance	1 month (most of the cases maximum 5 months)	DoE (Department of Environment, MoEF)	One-stop entry and facilitation service	Expedited process applicable under the circumstance where units are in-line with EZ Master Plan with E/C.
	11	Building Plan Approval	1 month	City Development Authority	○	BEZA or Zone Developer
	12	Factory Plan Approval / Factory Registration	2 months (from Ministry of Labor and Employment: MOLE) in some cases only 15 days	DIFE (Department of Inspection for Factories and Establishments, Ministry of Labor and Empowerment)	-	○
	<b>Required Document/</b>	<b>DCCI Guidelines (2014)/BOI</b>	<b>Competent Agencies</b>	<b>BEZA OSS Coverage / Remarks</b>		

	SI No	License for Foreign Investors	Timelines/ Remarks		Developer	Unit
Pre-Construction Clearance	13	Water Plumbing Clearance	No official time limit Approximate 3 months	Water department / DWASA	One-stop entry and facilitation service	Developer's responsibility
	14	Electricity Wiring Approval	35 working days (up to 49 KW Load)	Electricity distribution department / DESCO	One-stop entry and facilitation service	Developer's responsibility
	15	Provisional Fire Safety Clearance	90 days	Bangladesh Fire Services & Civil Defense	One-stop entry and facilitation service	
Post construction but before use of the building	16	Fire Clearance / License	90 working days	Bangladesh Fire Services & Civil Defense	One-stop entry and facilitation service	
	17	Building Completion Certificate		City Corporation / Municipality	-	BEZA or Zone Developer
	18	Telecommunication line connection	2 - 3 months	Bangladesh Telecommunication Company Ltd., Board: BTCL	One-stop entry and facilitation Service	Developer's responsibility
	19	Gas connection	60 days for Commercial 120 days for Industrial Use	Titas Gas Transmission & Distribution Company Limited: TGTDC	Facilitation Service	Developer's facilitation
Post construction	20	Work Permit	15 working days (Regulatory unit: BOI under issuing office: PMO office)	Ministry of Home Affairs	One-stop entry and facilitation service	
	21	Registration to Chamber of Commerce	1 month	Chamber of Commerce	-	
	22	Import Registration Certificate (IRC) / Export Registration Certificate (ERC)	2 hours/ 1 working day	CCI&E (Office of the Chief Controller of Imports & Exports), the Ministry of Commerce	-	
	23	Custom Clearance	-	the Commissioner of Customs	Local sales Permit, Local Purchase Permit and Sub-contract Permit: ○ Every import and export requires permit from the Custom officials	
	24	Boiler Registration	30-40 days	Office of the Chief Inspector of Boilers, Ministry of Industries	-	○
	25	VISA recommendation	E type Visa for employee and PI type visa for Investors Renewal for visa 15 working days	-	○	
	SI No	Required Document/ License for Foreign Investors	DCCI Guidelines (2014)/BOI Timelines/ Remarks	Competent Agencies	BEZA OSS Coverage / Remarks	Developer Unit

Post construction	26	Captive Power Plant (Gas- Site Clearance)	Gas: 120 days Industrial & 60 days Commercial	Gas Authority (Electricity Regulatory Commission) and DoE	One-stop entry and facilitation service (whereas gas clearance needs to be obtained separately)
	27	No Objection certificate for loan/ Approval of Foreign Borrowing Agreement	Depends on the Security Committee Meeting	BOI (Deputy Director): Bangladesh Bank Desk, at BOI	○
	28	Bond License	-	BOI and NBR (Customs Bond Commissionerate)	X
	29	Certification Mark License	1 month approximately	Bangladesh Standard Testing Institute (BSTI), Ministry of Industries	X
	30	Certificate of Origin	-	Bangladesh Export Promotion Bureau / Chamber of Commerce and Industry	- ○

## 7.2 Incentives for Unit Investors

### Incentives & Benefits for Developers, as of 30<sup>th</sup> November, 2015

Incentive	Proposal for Governing Board Approval	
1 Tax Holiday	Income tax exemption on income derived from the business development of EZ for the first 10 years. After expiry of 10th year tax exemption will be 70% in 11th year and 30% in 12th year.	S.R.O No. 168-Law/ 2015/735 – VAT
2 VAT on Electricity	Exemption of VAT on electricity or taxes on sale, of self-generated or purchased electric power for use of processing area of EZ (for 10 years).	S.R.O No. 208-Law/ 2015/46/ Customs
3 VAT on Local Purchase	All purchase excluding petroleum product from Domestic Tariff Area (DTA) shall be exempted from VAT, sales tax etc.	S.R.O No. 209-Law/ 2015/46/ Customs
4 Custom Duty	Exemption from custom/excise duties for development of EZs, except for import of easily available construction materials, such as MS rod/bar, cement, pre-fabricated building, iron/steel sheet, and exemption benefit shall not applicable for imports of goods which are not directly related to development and construction of Economic zone, such as:- office equipment, air conditioner, refrigerator, passenger- bus, articles for household use and other similar goods.	S.R.O No. 299- Law/ Income-tax/2015 S.R.O No. 227- Law/ Income-tax/2015
5 Stamp Duty	Exemption of stamp duty and registration fees for registration of EZ land but limited to first transaction only.	
6 Stamp Duty	Exemption of stamp duty for registration of loan/credit document.	
7 Income Tax-Others	Exemption from dividend tax.	
8 Income Tax-Others	Exemption of income tax on service charges	

### Incentives & Benefits for Investors/EZ users, as of 30<sup>th</sup> November, 2015

Incentive	Proposal for Governing Board Approval	
1 Tax Holiday	For all Economic Zones Income Tax Holiday (ITH)-	S.R.O No. 210-Law/ 2015/47/ Customs



		- 1st, 2nd and 3rd year 100%, 4th year 80%, 5th 70%, 6th 60%, 7th 50%, 8th 40%, 9th 30% and 10th year 20%.
2	Custom Duty	Duty free import of raw materials, construction materials, capital machineries, finished goods.
3	Income Tax-Others	Exemption from dividend tax (After tax holiday over)
4	Repatriation	Full repatriation of capital and dividend.
5	Free Flow FDI	No ceiling of FDI.
6	Backward Linkage	100% backward linkage raw-materials and accessories to sell for export oriented industries (EOI) in Domestic Tariff Area (DTA).
7	Local Sale	20% sale of finished product to DTA (From Export Processing Area – EPA).
8	Sub-Contracting	Sub-contracting with DTA allowed.
9	Stamp Duty	50% exemption of stamp duty and registration fees for registration of leasehold land/ factory space.
10	VAT	80% exemption of VAT on all utility services consumed inside the zone.
11	Custom Duty	Duty exemption on Export.
12	Custom Duty on Vehicle	Exemption of CD for import of 2 vehicles within 1st 5 years for foreign investors (for one time).
13	Double Taxation	Exemption of double taxation subject to Double taxation agreement.
14	IT Individual	50% Rebate of income tax on salary income of expatriates for 5 years
15	Custom Bond	Consider EZ as custom bonded area.
16	Foreign Exchange	FC loan availability (To ease business activity).
17	Foreign Exchange	FC Account for Non-Resident.
18	Foreign Exchange	FC Account for both local and joint venture industry.
19	Joint Venture	Joint venture allowed
20	Royalties	Royalty, technical fees will be exempted from income tax.
21	Capital Gains	Tax exemption on capital gain.
	Incentive	Proposal for Governing Board Approval
22	Share Transfer	Share transfer allowed.
23	Work Permits	Work permits – No restrictions on issuance of work permits on project related foreign nationals and employees but limited up to 5% of total employees.
24	Re-Investment	Re-investment of remittable dividend to be treated as new foreign investment.
25	Resident	Resident visa for investment of US\$ 75,000 or more.
26	Citizenship	Citizenship for investment of US\$ 500,000 or more

S.R.O No. 298- Law/ Income-tax/2015

S.R.O No. 226- Law/ Income-tax/2015

## 付屬書 4 : 投資需要調查資料

# **Enterprise Survey Report**

**on**

## **Potential Investment to the Upcoming Economic Zones (EZs) in Bangladesh**

Submitted to:



*We create new business world*

**World Business Associates Co., Ltd. (WBA)**

*2-12-304, Kanda-Ogawamachi, Chiyoda-ku  
Tokyo, 101-0052, Japan*

Submitted by:



***Young Consultants***

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**August 30, 2015**

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## ABBREVIATIONS AND ACRONYMS

BAPI	:	Bangladesh Association of Pharmaceutical Industries
BDS	:	Business Development Services
BDT	:	Bangladeshi Taka
BEZA	:	Bangladesh Economic Zone Authority
BGMEA	:	Bangladesh Garment Manufacturers and Exporters Association
CFS	:	Container Freight Station
DCCI	:	Dhaka Chamber of Commerce & Industry
EPZ	:	Export Processing Zone
ETP	:	Effluent Treatment Plant
EZ	:	Economic Zone
FDI	:	Foreign Direct Investment
FI	:	Field Investigator
GoB	:	Government of Bangladesh
ICT	:	Inland Container Terminal
ICT	:	Information and Communication Technology
JBCCI	:	Japan-Bangladesh Chamber of Commerce and Industry
JDI	:	Japan Development Institution
JICA	:	Japan International Cooperation Agency
KII	:	Key Informants Interview
LDC	:	Least Developed Country
LFMEAB	:	Leathergoods & Footwear Manufacturers & Exporters Association of Bangladesh
NGO	:	Non-Government Organization
OCC	:	Oriental Consultants Co., Ltd.
RECS	:	RECS International Inc.
RMG	:	Ready-made Garments
WBA	:	World Business Associates Co., Ltd.
YC	:	Young Consultants

## Section A Survey Technical Information

<b>Project Name</b>	:	<b>Project for Development of Economic Zones and Capacity Enhancement of Bangladesh Economic Zones Authority (BEZA)</b>		
<b>Themes</b>	:	Enterprise Survey on Potential Investment to the Upcoming Economic Zones (EZs) in Bangladesh		
<b>Country</b>	:	Bangladesh		
<b>Location</b>	:	Industrial Area of Dhaka and its outskirts		
<b>Duration of Field Survey</b>	:	June 2-27, 2015		
<b>Target Population</b>	:	Bangladeshi Enterprises		
<b>Respondents</b>	:	Top and Senior Management (Chairmen, MDs, Proprietors, Managers)		
<b>Nature of Business</b>	:	Manufacturing (27) & Trading (3) <sup>1</sup>		
<b>Number of Target Business Sector</b>	:	Fifteen (15)		
<b>Selected Business Sector (category-wise)</b>	:	<table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top; width: 50%;"> <b>A. High Priority Sectors<sup>2</sup></b> <ul style="list-style-type: none"> <li>• Agriculture/food processing industry</li> <li>• Plastic and Rubber Products</li> <li>• Ready Made Garments/Apparels</li> <li>• Wooden Products / Furniture</li> <li>• Knitting and Textile, Yarn, Spinning</li> <li>• Jute and Jute Goods Materials</li> <li>• Pharmaceutical and Healthcare Goods</li> <li>• Footwear and Leather Goods</li> <li>• Bi-cycle</li> </ul> </td> <td style="vertical-align: top; width: 50%;"> <b>B. Priority Sectors<sup>2</sup></b> <ul style="list-style-type: none"> <li>• Automobile /Motor cycle parts</li> <li>• Electrical and Electronics</li> <li>• Light engineering industry</li> </ul> <b>C. Other Sectors</b> <ul style="list-style-type: none"> <li>• Garment Accessories</li> <li>• Medical Equipment and Devices</li> <li>• Cables, wire harness</li> </ul> </td> </tr> </table>	<b>A. High Priority Sectors<sup>2</sup></b> <ul style="list-style-type: none"> <li>• Agriculture/food processing industry</li> <li>• Plastic and Rubber Products</li> <li>• Ready Made Garments/Apparels</li> <li>• Wooden Products / Furniture</li> <li>• Knitting and Textile, Yarn, Spinning</li> <li>• Jute and Jute Goods Materials</li> <li>• Pharmaceutical and Healthcare Goods</li> <li>• Footwear and Leather Goods</li> <li>• Bi-cycle</li> </ul>	<b>B. Priority Sectors<sup>2</sup></b> <ul style="list-style-type: none"> <li>• Automobile /Motor cycle parts</li> <li>• Electrical and Electronics</li> <li>• Light engineering industry</li> </ul> <b>C. Other Sectors</b> <ul style="list-style-type: none"> <li>• Garment Accessories</li> <li>• Medical Equipment and Devices</li> <li>• Cables, wire harness</li> </ul>
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<b>Sample Size</b>	:	30 (Medium-9 & Large- 21) <sup>3</sup>		
<b>Survey language(s)</b>	:	English and Bangla (local language)		
<b>Sampling Technique</b>	:	Stratified Random Sampling		
<b>Data-collection method</b>	:	Face-to-Face interview		
<b>Survey Conducted by</b>	:	The Survey and Research Team of Young Consultants (YC) conducted the survey. The survey was implemented by four (4) Research Executives, Abdul Gaffar, Shibu Deb Nath, Ali Imam, Asifuzzaman, under the direct supervision of Mr. M. Zakir Hossain.		

<sup>1</sup> Among the fifteen sectors, some sectors like medical device and equipment sector it was difficult to find manufacturing units and as such, trading units were interviewed but these may be mainly assembling units

<sup>2</sup> National Industrial Policy 2015, Ministry of Industry, Government of Bangladesh

<sup>3</sup> Due to lack of access to official financial information, the study team assumed the number of workers as the basis for determining the size of enterprises, but eventually, this criterion did not work when the study team went to the field as many of them are large in size. Moreover, even there are companies, but they do not have plan to invest in the upcoming EZs and as such, they were not considered for survey

## Section B Introduction and Background

### 1.0 Introduction

Bangladesh has been promoting industrial development to achieve Vision 2021. As Bangladesh is a capital-poor country, one way to expedite the rapid industrialization process within the country is to attract increased Foreign Direct Investment (FDI). Beginning with the establishment of EPZs in 1980, the Government of Bangladesh (GoB) has been undertaking policy initiatives introducing FDI as a potent weapon of developing Bangladesh economy and achieving the country’s socio-economic objectives including poverty reduction goals.

To materialize the vision drawn under the policies and plans, namely, Vision 2021, long term perspective plan, sixth five-year plan and others, the GoB enacted Bangladesh Economic Zone Act in 2010 allowing strengthening ties between domestic and export industries and/or private finance initiatives. According to Bangladesh Economic Zone Authority (BEZA), the government has already approved proposals for setting up 17 Economic Zones (EZs) in the country, including one in Narsingdi and two in Munshiganj. Moreover, the government is also planning to set-up about 100 EZs over the next 15 years<sup>4</sup>.

The establishment of EZs can emerge as a significant vehicle to build up physical capital, create employment opportunities, develop productive capacity, enhance skills of local labor through transfer of technology and managerial know-how, and help integrate the domestic economy with the global economy. Moreover, effective use and functional improvement of Economic Zones (EZs) is one of the components for enhancement of business environment in Bangladesh.

Japan International Cooperation Agency (JICA), like other development partners, also came forward and undertook a series of interventions towards developing economic zones in Bangladesh. Recently, JICA launched the project titled “Project for Development of Economic Zones and Capacity Enhancement of BEZA”, as part of JICA technical assistance support extended to the GoB. The consortium of -WBA-OCC-JDI-RECS was assigned to conduct the feasibility study on the potential sites for developing it as economic zones where both Japanese and local enterprises can make their investment. The Enterprise Survey has been an important part of the project under which, the study team attempted to assess investment potential assessment in the upcoming EZs.

### 2.0 Objectives of the Survey

This Survey was carried out to collect and analyze the current business situation and future intention of the enterprises as well as to identify the target fields of future investment and requirements of support services for the development of EZs and their surrounding infrastructure. The specific objectives of this survey are given below:

- To understand the nature of enterprises who are interested to invest in the upcoming EZs
- To identify the target fields of investment as well as prospective investment decisions
- To determine the factors influencing investment decisions of the enterprises
- To identify the requirements for utility and infrastructure services as well as business support services (BDS)

### 3.0 Survey Methodology Applied

The consultants applied a well-defined survey methodology in conducting the enterprise survey in Dhaka and its outskirts outside EPZs and the nature of enterprises include large and medium scale

<sup>4</sup> “Can budget attract investment without reform?” The Financial Express, August 08, 2015

companies and leading trading houses in some sectors. This enterprise survey was a firm-level survey of a representative sample of the private sector. The survey covered a broad range of business environment topics including current business trends, membership of business associations, intention to investment in the upcoming economic zones, target sector of industry, future business plans, required size of industrial plots, required infrastructural facilities, utilities, business development support services, etc.

### 3.1 *Structure of the Survey*

The Enterprise Survey Team used a Standard Questionnaire as survey instrument for this survey. The topics of the Enterprise Survey included the following:

**Basic data of the enterprise:** characteristics of enterprises, number of employment, annual sales figures, type of industry, product details, primary markets, client type and membership of trade bodies etc.

**Possibility of investment in upcoming EZs:** level of possibility, target area of economic zone, outline of the plan like size of required land, required factory space, employment, investment timing, etc.

**Terms and conditions:** Required business environment, preferred place and location of economic zone, access to economic zones, quick, transparent and fair procedure for license and approval, required business environment, business-government relations and performance measures etc.

About 80% of the survey questions were used to assess investment needs in the upcoming Economic Zones (EZs) in Bangladesh. Remaining of the questions was used to assess the current business conditions and characteristics of the target respondents. The mode of data collection is face-to-face interviews.

### 3.2 *Who conducted interview of the Survey?*

A 7 (seven) member study team was engaged by YC (Young Consultants), a private consulting firm in Bangladesh, led by an Experienced Survey Manager, 1 (one) Field Coordinator, 1 (one) Data Processing Operator and 4 (four) Field Investigators worked over the period of the field survey to accomplish the task.

The four experienced Field Investigators (FIs) having post-graduation degree were trained on the research objective, data collection procedures, ethical issues of research method and also the reliability and validity of the research procedure. Comprehensive interactive session was held with each of the FIs individually and in a group using prescribed questionnaire.

### 3.3 *Who were surveyed?*

The consultants selected a total of 30 enterprises which are positive or interested in investment in industrial plots within the Economic Zones. Business owners and top managers of the targeted enterprises were interviewed at their offices and factories according to their convenience, and the time of interviews was fixed by the business owners and top managers of the enterprises. Sometimes the survey respondents called on company accountants and human resource managers into the interview to answer questions in the sales and labor sections of the survey. In order to fix-up the interview with the company's Directors or Business Owners, prior request was made through phone calls and emails using letter issued in BEZA letterhead. A total of 21 interviews were conducted with the larger companies and nine (9) interviews were conducted with the medium-sized companies. The survey covered different types of enterprises, out of 30 enterprises, 27 manufacturing and 3 trading related enterprises.

Also, in order to capture some data on the upcoming innovative industries, the study team also interviewed eminent personalities (who are professionals in their respective fields) about the most prospective industries that may be emerged in the near future due to their demand and needs for the



society. These sectors of industries may not be known to the business communities but having dire needs, currently, these may be imported at very high costs. Their valuable opinions are inserted here.

### **3.4 Sampling Technique**

The sampling methodology for Enterprise Survey was stratified random sampling. In a simple random sample, all members of the population have the same probability of being selected and no weighting of the observations is necessary. In a stratified random sample, all population units were grouped within homogeneous groups and simple random samples are selected within each group (business sectors like Automobile, Agro products, garments sector etc.). Each of the groups will be considered as a stratum for this enterprise survey. From each group (strata), two (2) enterprises (large & medium-sized) have selected using simple random sampling. Firm size levels are 100-250 (medium), and 250+ employees (large-sized firms). Ideally the survey sample frame is derived from the universe of eligible firms obtained from list of Bangladeshi enterprises who are the member of different trade bodies like, JBCCI, DCCI, LFMEAB, BAPI, BGMEA, etc.

Besides 30 entrepreneurs, the study team also interviewed at least 6 prominent professional persons that include 1 senior Environmental-cum Bio-technologist, 1 Medical Practitioner, 1 Engineer and 3 Scientists and they were selected depending on their availability and willingness for an interview.

### **3.5 Data Collection Method**

Data collection method in this survey was face-to-face Interview with selected enterprises. The face-to-face interview, also called an in-person interview, is reported to be more effective technique than interview through electronic mails.

## **4.0 Challenges Faced during the Survey**

Although the official date of commencement of the survey works was scheduled for a period of one-month in June 2015, the local survey team undertook their desk works much earlier to manage the reduced working hours during the month of Holy Ramadan. However, a number of challenges were during the implementation of the study as mentioned below:

- Challenges were faced in getting in touch with the top management of enterprises for setting interviews and in accessing necessary data as they remained busy with pre-occupations before EID festival
- The study team also faced difficulties in setting appointments with medium enterprises due to two major reasons:
  - Firstly, the medium enterprises were not willing to take part in this survey due to their limited capacity in making new investment in EZs in recent times even though they are interested
  - Secondly, enterprises belong to some of the listed sectors like Ready-made Garments/Apparels, Agro Product and Beverage generally requires large number of employees. Although the study attempted to classify them in terms of size of capital, the medium enterprises were reluctant to provide such information
- Due to the month of Ramadan and excessive traffic congestion frequent movement of experts and field investigators was hindered and the number of meetings scheduled per day was fewer than expected
- During the survey the top management of the respondent enterprises were reluctant to provide information related to their utility consumption pattern

## Section-C Findings of Enterprise Survey

### 1.0 Profile of Respondent Enterprises

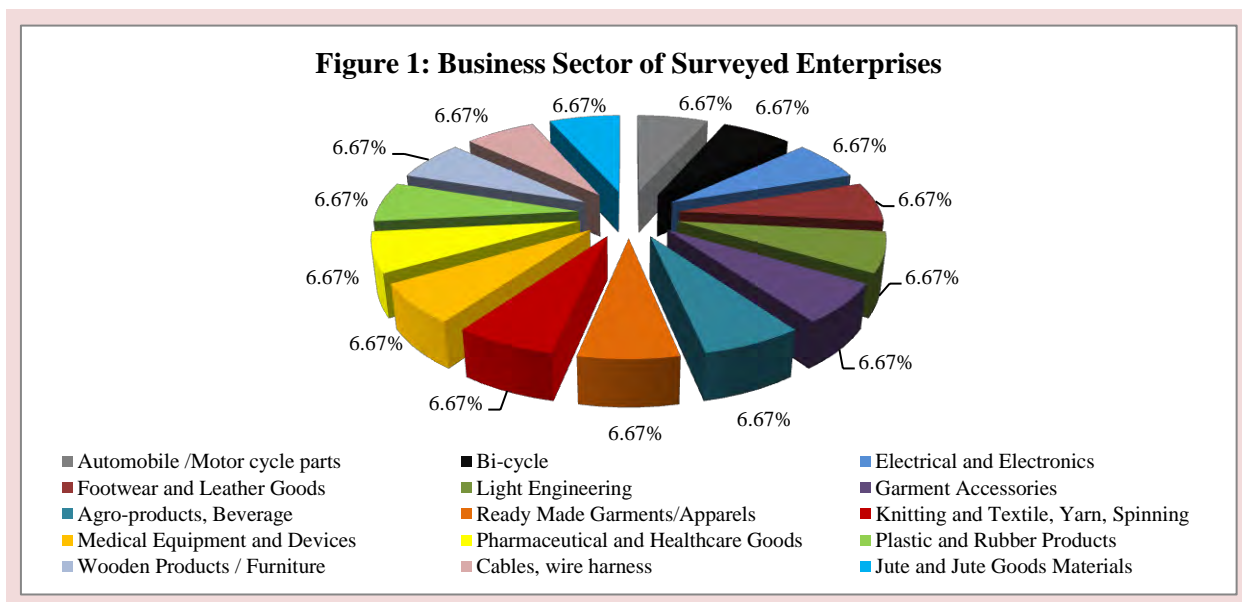
#### a) Characteristics of the Enterprises

The enterprise survey was conducted on the top management officials with decision making authority of 30 enterprises. For the survey, information was collected through face-to-face interview with detailed structured questionnaire. Only prospective investors of EZs that is enterprises with the positive intention to make future investment in the upcoming EZs were interviewed. The survey covered fifteen (15) high priority and priority manufacturing sectors of Bangladesh as per the draft National Industrial Policy 2015. The proportion of large and medium enterprises selected the survey was conducted on is presented in the table:

**Table-1: Proportion of Enterprises Selected for the Survey**

Size	Number of respondents	% of the respondents
Large <sup>5</sup>	21	70%
Medium <sup>5</sup>	9	30%
<b>Total</b>	<b>30</b>	<b>100%</b>

To accomplish the study objectives, the study team conducted this survey on the enterprises located distinct industrial locations within Dhaka and its outskirt. About 90 percent of the interviewed enterprises are from manufacturing sector and the remaining is involved in trading business. Figure-1 presented below furnishes the 15 sectors considered for the survey and the proportion of enterprises selected from different business sectors.



<sup>5</sup> According to National Industrial Policy 2010 of Bangladesh, Large and Medium enterprises are defined as:

Type of Industry		The amount of investment (Replacement cost and value of fixed assets, excluding land and factory buildings)	Number of employed workers
Medium Industry	Manufacturing	BDT 100 million to 300 million	100 to 250
	Service	BDT 10 million to 150 million	50 to 100
Large Industry	Manufacturing	More than BDT 300 million	More than 250
	Service	More than BDT 150 million	More than 100

**b) Legal Status of the Enterprises Surveyed**

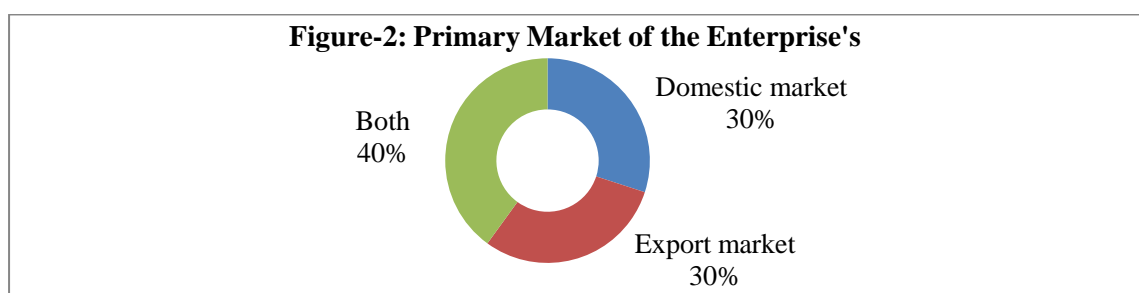
The enterprises surveyed belong to the business sector of the country only and most of them are private limited companies. However, 16.7% of the enterprises are sole proprietorship and only one instance has been found where the enterprise was established as partnership concern. But, two instances were found where the enterprises were initially established as a Sole Proprietorship but later on converted into limited companies. The table presented below shows the legal status of the enterprise.

**Table-2: Legal Status of the Enterprises Surveyed**

Legal Status	Number of Respondents	% of Respondents
Sole Proprietorship <sup>6</sup>	5	16.7
Partnership <sup>7</sup>	1	3.3
Limited Company <sup>8</sup>	24	80
<b>Total</b>	<b>30</b>	<b>100</b>

**c) Primary Market of the Existing Enterprises Survey**

The findings of the survey shows that the primary target market of the existing surveyed enterprises are not solely domestic or export market centered rather significant proportions of the enterprises target both domestic and foreign market. Figure-2 depicts that out of 30 enterprises, the primary market of 9 (30%) enterprises are domestic market and equal proportion of enterprises target export market as their primary market. However, 12 (40%) enterprises are currently operating to meet the demand in both domestic and export market.



The Table presented below provides a more specific understanding on the primary market of the enterprises where primary market of the enterprises corresponding to each sector has been delineated more specifically:

**Table-3: Sector and Enterprise wise Primary Market**

Business Sector	Primary market			Total
	Domestic market	Export market	Both domestic and export	
Automobile/ Motor cycle parts	2	0	0	2
Bi-cycle <sup>9</sup>	0	1	1	2
Electrical and Electronics	0	0	2	2
Footwear and Leather Goods	0	1	1	2
Light Engineering <sup>10</sup>	2	0	0	2
Agro-products, beverage	0	0	2	2

<sup>6</sup> An unincorporated business with one owner

<sup>7</sup> A business organization managed and operated by two or more owners who are equally and personally liable for debts from the business

<sup>8</sup> A form of incorporation that limits the amount of liability undertaken by the company's shareholders

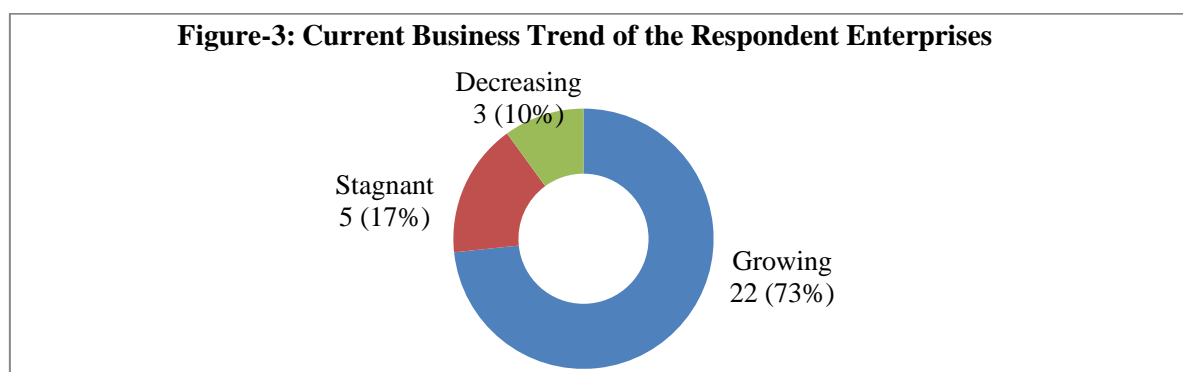
<sup>9</sup> The products manufactured by the Bi-cycle sector of Bangladesh includes BMX, Trekking Bike, Mountain Bike, Road Bike, Folding Bike, Fat Bike and others

<sup>10</sup> The Light Engineering sector of Bangladesh is in the manufacturing of wide range of spare parts, castings, moulds and dices, oil and gas pipeline fittings and light machinery, as well as repairing those alongside electrical goods like switch, socket, light shed, channel, cables and electrical fans, generator etc.

Ready Made Garments/ Apparels	0	2	0	2
Knitting and Textile, yarn, Spinning	0	2	0	2
Garment Accessories	0	2	0	2
Medical Equipment and Devices	2	0	0	2
Pharmaceutical and Healthcare Goods	0	0	2	2
Plastic and Rubber Products	0	0	2	2
Wooden Products/ Furniture	0	0	2	2
Cables, wire harness	2	0	0	2
Jute and Jute Goods Materials	1	1	0	2
<b>Total</b>	<b>9</b>	<b>9</b>	<b>12</b>	<b>30</b>

**d) Current Business Trend of the Enterprises Surveyed**

While analyzing the current business trend of the enterprises in terms of their sales performance in consecutive years, the study team found the currently 73% of the enterprises are experiencing growing business trend whereas the business performance by 17% enterprises is in a stagnant (not growing or declining) stage. The remaining enterprises are, however, experiencing a declining trend in their respective businesses. Figure-3 summaries the current business trend of the enterprises.



**e) Main Clients of the Selected Enterprises**

Table-4 presents the proportional distribution of the main clients of the respondent enterprises. Out of 30 enterprises, about 73% enterprises’ main target clients are wholesalers/retailers, 67% individual customers, 37% manufacturers, 37% NGOs, 30 governments organizations and remaining 23% is affiliated enterprises.

**Table-4: Distribution of Major Clients of the Respondent Enterprises (multiple reply)**

Trend	Number of respondents	% of respondents
Individual Consumers	20	67%
Wholesaler/ Retailers	22	73%
Manufacturers	11	37%
Affiliated Company/Enterprise	7	23%
Government	9	30%
Non-government organizations (NGOs)	11	37%

**2.0 Status of Prospective Investment Decision**

**a) Level of Intention**

Though only the enterprise interested in making investment in upcoming EZs were considered eligible respondent for the survey, but this does not necessarily means that the willingness of the enterprises to invest in EZs is equal. To understand their level of intension, the study categorized the enterprises in two broad segments as shown in Table-5. Enterprises those were able to provide detailed information regarding the required plot size, factory building and others were categorized as enterprises with

concrete business plan and enterprises that could not answer similar questions were categorized as the enterprises with no concrete business plan. Based on the survey findings as shown in Table-6, it is evident that out of 30 enterprises, about only 17% (5) enterprises have strong intention for new investment in upcoming EZ as they have already developed concrete plan whereas 83% (25) enterprises although willing to invest but yet to develop any concrete plan for prospective investment. Generally, these enterprises can be considered as relatively less interested than the prior ones with concrete plans. As the study found, these enterprises are willing to invest but the procrastination in the development process of EZs is discouraging them to formulate any concrete plan yet.

**Table-5: Level of Intention**

Intension Level	Number of respondents	% of respondents
Has Concrete Plan	5	17%
Willing but No Concrete Plan	25	83%
<b>Total</b>	<b>30</b>	<b>100%</b>

The respondents (5) those have concrete plan for prospective investment in the upcoming EZs belong to four distinct sectors as mentioned in the Table-6:

**Table-6: List of Enterprises with Concrete Investment Plan and Respective Sectors**

Enterprises	Sector
Global Shoes Ltd	Footwear and Leather Goods
Macro Cable Ltd BBS Cables Ltd	Cables, wire harness
Energypac Power Generation Ltd	Light Engineering
IFAD Autos Ltd.	Automobile /Motor cycle parts

#### b) *Purpose of the Future Investment in EZ*

The respondents opted that the primary objective of their investment in the upcoming EZs would be either to expand their production unit or the establishment of new production unit to make business exposure to new sectors or fields. As depicted in table presented below, most of the enterprises (87%) intend to invest in the upcoming EZs with a view to expand their existing production unit and the remaining 13% enterprises plans to invest to establish new production units in the upcoming EZs.

**Table-7: Purpose of the Future Investment in EZ**

Purpose of Investment	Number of respondents	% of respondents
Expanding the existing production unit	22	73.33%
Establishing new production unit	4	13.33%
Both	4	13.33%
<b>Total</b>	<b>30</b>	<b>100%</b>

That is, there are eight (8) enterprises those are interested in expanding new production unit. These eight enterprises belongs to seven (7) of the fifteen (15) surveyed sectors. The preferred sectors of the enterprises are mentioned specifically in Table-9 presented below.

#### c) *Timing for Investment*

The survey result indicates that most of the enterprises are willing to make new investment within a very short time of 1 to 3 years implying high eagerness from the industrial investors to invest in the upcoming EZs. Out of 30 enterprises, about 27 (90%) enterprises said that they will invest within 1 to 3 years after the EZs are established and the remaining 10% enterprises responded that they are interested to invest within 3 to 5 years of establishment as depicted in Table-8.

**Table-8: Probable Timing of Investment**

Timing for Investment	Number of respondents	% of respondents
Within 1 to 3 years	27	90%
Within 3 to 5 years	3	10%
<b>Total</b>	<b>30</b>	<b>100%</b>

**d) Target Business Sector**

The survey also attempted to identify the preferred business sector the enterprises in case of future investments in the EZs. Almost all the enterprises are willing to expand their business in the sectors they are currently operating but there are instances where in case of new investment in the EZs they would like to expanding business in new business sectors also. The figure presented below indicates that 8 enterprises (27%) would like to make business exposure to new sectors through new investment in EZs.

**Figure-4: Planning for New Investment in Upcoming EZs**

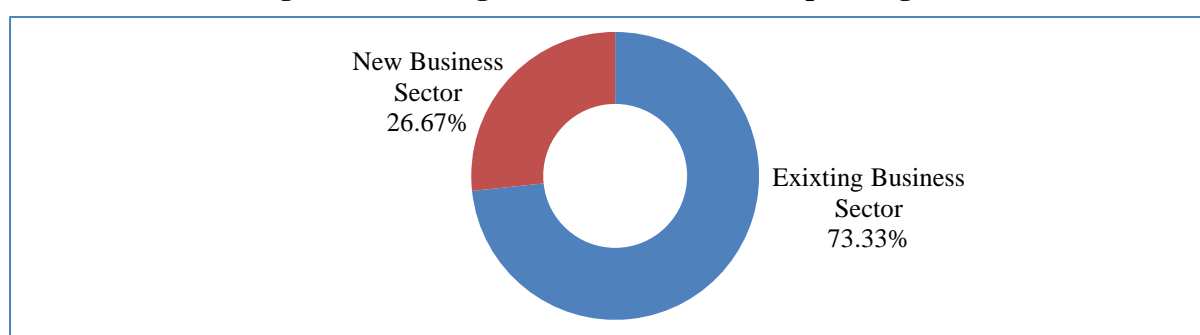


Table-9 presented below summarizes the sectors to which the 8 enterprises would like move to from their existing business sectors if they make future investment in the EZs:

**Table-9: Preferred Business Sector for Future Investment in EZs (multiple reply)**

Existing Business Sector	Preferred Business Sector
Automobile/ Motor cycle parts	Electrical and Electronics
Bi-cycle	Agro-products & beverage
Bi-cycle	Automobile/ Motor cycle parts
Light Engineering	Electrical and Electronics
Knitting and Textile, yarn, Spinning	Bi-cycle
Garment Accessories	Knitting and Textile, yarn, Spinning
Medical Equipment and Devices	Agro-products, beverage
Plastic and Rubber Products	Agro-products, beverage

**e) Target Market of the Enterprises**

As the EZs extends an opportunity to the enterprise to target both domestic and export market, therefore most of the enterprises plans to target both market while making new investments in the EZs. Out of 30 enterprises, about 70% enterprises plan to establish both domestic and export market oriented industry whereas currently only 40% of the surveyed enterprises are operating targeting both domestic and foreign market as stipulated in Figure-2. The remaining 30% enterprises intend to establish solely export market oriented industry but no enterprises are interested in establishing only domestic market oriented industry whereas only 30% of the surveyed enterprises target domestic market also and another 30% targets export market only. Table-10 furnishes relevant findings on the target market of the respondent enterprises.

**Table-10: Target Market of the Respondent Enterprises**

Target Market	Number of respondents	% of respondents
Export market oriented industry	9	30%
Both domestic and export market oriented industry	21	70%
<b>Total</b>	<b>30</b>	<b>100%</b>

### 3.0 Influential Factors to Investment Decision

#### a) Preferred Location of EZ

When the question of the preferred location of the EZs was raised, most of the enterprises (53%) replied that if the zones were established within Dhaka city and its outskirts<sup>11</sup>, it would have been more convenient and preferable for investment. About 17% enterprises are prepared to move to anywhere in Bangladesh whereas the remaining 30% enterprises have no specific choice on locations if required utilities are available as shown in the Figure presented below:

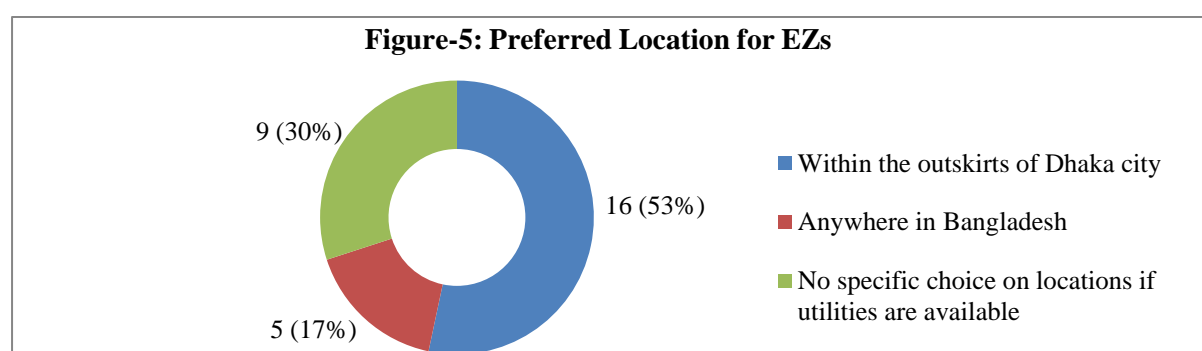


Table-10 furnished below presents the preferred locations for EZs by the sector:

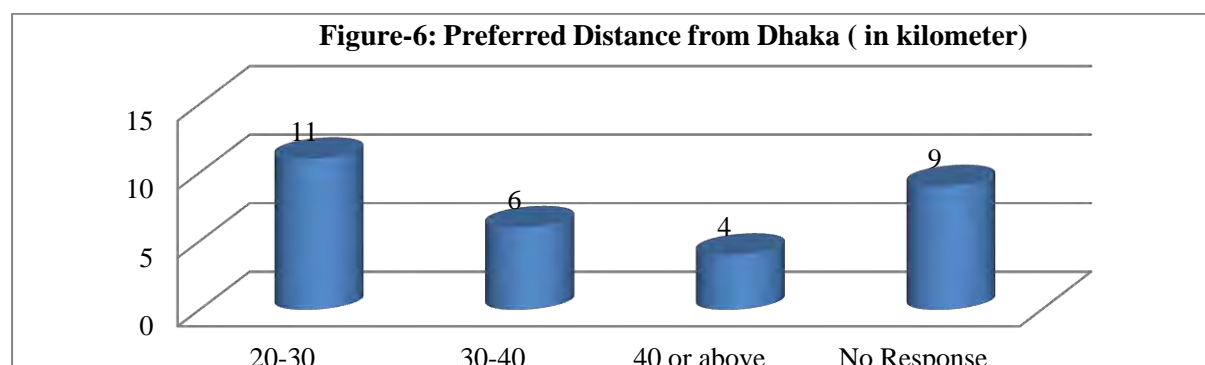
**Table-10: Preferred Location for EZs against Business Sector of Enterprise's**

Business Sector	Preferred Location			Total
	Within the outskirts of Dhaka city	Anywhere in Bangladesh	No specific choice for locations if utilities are available	
Automobile/ Motor cycle parts	1	1	0	2
Bi-cycle	0	1	1	2
Electrical and Electronics	1	0	1	2
Footwear and Leather Goods	1	0	1	2
Light Engineering	2	0	0	2
Agro-products, beverage	0	1	1	2
Ready Made Garments/ Apparels	1	0	1	2
Knitting and Textile, yarn, Spinning	1	0	1	2
Garment Accessories	1	0	1	2
Medical Equipment and Devices	2	0	0	2
Pharmaceutical and Healthcare Goods	2	0	0	2
Plastic and Rubber Products	0	1	1	2
Wooden Products/ Furniture	2	0	0	2
Cables, wire harness	1	0	1	2
Jute and Jute Goods Materials	1	1	0	2
<b>Total</b>	<b>16</b>	<b>5</b>	<b>9</b>	<b>30</b>

However, 11 respondents (36.67%) stated that a distance of 20-30 km from Dhaka is preferable whereas a distance of 30-40 km from Dhaka was reckoned manageable by 6 respondents (20.00%). A

<sup>11</sup>Outlying or bordering areas, districts etc. of Dhaka city

distance of 40 km or above is preferable to only 4 respondents (13.33%) and the remaining respondents do not have preference over the distance of the zone from Dhaka.



### b) *Project Site Selection Criteria*

In this study, an attempt has been made to outline the criteria based on which an investor makes his decisions or chooses a particular project site or zone for future investment. The following table shows that existence of sufficient infrastructures is the most critical factor in the investment decision in a zone whereas the existence of industrial clusters nearby the zone has been identified as the least important factor.

**Table-11: Project Site Selection Criteria (multiple reply)**

Criteria for Project Site Selection	Number of Respondents	
	High Priority Sector	Priority Sector
Existence of Sufficient Infrastructure	27	4
Efficient Management of Zone Developer	23	2
Proper Zone Development Plan	22	2
Availability of Adequate Human Resources	17	8
Markets for Products	15	4
Scope of linking with Value Chain	13	6
Availability of Raw Materials	12	5
Industrial cluster nearby	5	6

### c) *Availability of Facilities*

To attract industrial investors, it is imperative that required infrastructural, logistics and utility services are made available. However, the availability of some of the facilities/amenities in a zone was emphasized by the enterprises compared to others. Therefore, the study team attempted to rank the facilities or amenities the investors demand through this study. As the table presented below indicates, the availability of combined effluent treatment plant was identified as the most demanded facility in a zone consecutively followed by security & protection measures, nearby inland container terminal, common water treatment plant, availability of urban amenities and shared warehouse & logistics center.

**Table-12: Facilities/Amenities Required by Respondent Enterprises (multiple reply)**

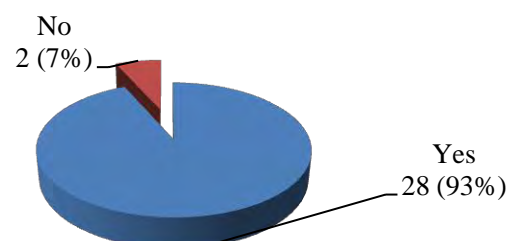
Required Facilities/Amenities	# of respondents	(%)
Existence of combined Effluent Treatment Plant	26	86.67%
Security and Protection Measures	24	80.00%
EZ locates nearest to the Inland Container Terminal (ICT)	23	76.67%
Common Water Treatment Plant	21	70.00%
Presence of Urban Amenities	21	70.00%
Shared Warehouse and Logistics Center	16	53.33%



#### d) Awareness on Incentives and Benefits Package

An important factor that influences the investment decisions of the enterprises in the EZs is there awareness on the incentive and benefit packages offered to the enterprises operating in those zones. However, as the study team found 93% enterprises are aware about the incentives and benefit packages those will be offered the enterprises in the EZs.

**Figure-7: Awareness of Enterprises on the Incentive and Benefits Packages**



## 4.0 Required Utility and Infrastructure Services

### a) Utilities

As mentioned previously, one of the major challenges the study team faced in conducting the survey was the unavailability of required information regarding the current utility consumption by the enterprises. Of the 30 enterprises surveyed, only 21 enterprises of different sectors provided information on their current electricity consumption rate on monthly basis whereas only 11 enterprises shared information on gas consumption. Similarly, only 9 enterprises of different sectors disseminated information on their current water consumption to the study team.

**Table-13: Current Utility Consumption by Enterprises/Month**

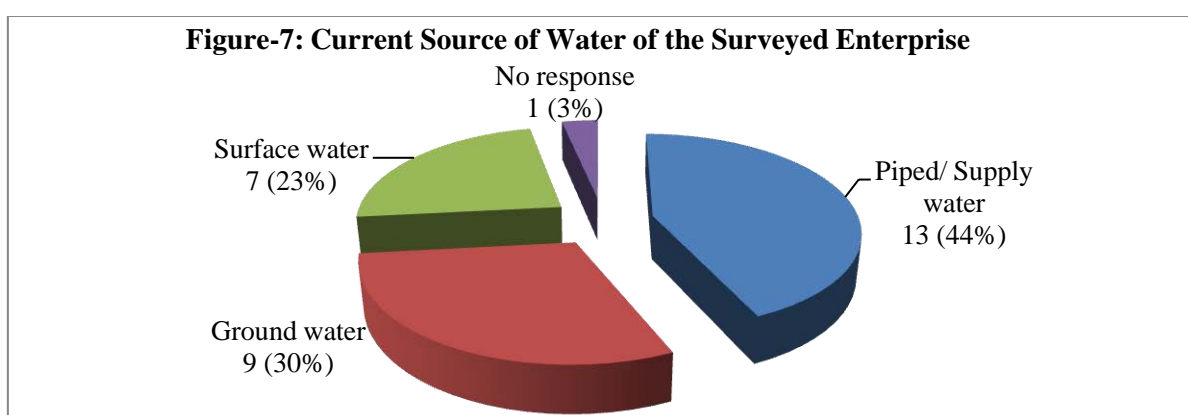
Sector	Type of Enterprise	Nature of Business	Electricity (kwh)	Gas (m <sup>3</sup> )	Water (L <sup>3</sup> )
Automobile /Motor cycle parts	Large	Manufacturing	445,633	26,408	N/A
Electrical and Electronics	Large	Manufacturing	222,816	36,092	N/A
Footwear and Leather Goods	Medium	Manufacturing	17,825	1,760	522,193
	Large	Manufacturing	255,000	135,000	5,000
Light Engineering	Large	Manufacturing	14,260	528.169	N/A
	Medium	Manufacturing	2,000	N/A	N/A
Agro-products, Beverage	Large	Manufacturing	71,301	N/A	N/A
	Large	Manufacturing	74,000	N/A	29,140,000
Ready Made Garments/Apparels	Large	Manufacturing	143,296	173,706	51,150,895
	Large	Manufacturing	53,476	N/A	1,305,483
Knitting and Textile, Yarn, Spinning	Large	Manufacturing	N/A	2,112,676	N/A
	Medium	Manufacturing	53,476	N/A	2,088,773
Garment Accessories	Large	Manufacturing	35,651	105,634	N/A
	Medium	Trading	3,565	176.1	52,219
Medical Equipment and Devices	Medium	Manufacturing	2,495	N/A	N/A
	Large	Manufacturing	606,061	N/A	17,240,000
Plastic and Rubber Products	Large	Manufacturing	52,600	N/A	N/A
	Medium	Manufacturing	133,690	7,042	1,305,483

<b>Furniture</b>	Large	Manufacturing	392,157	N/A	N/A
<b>Cables, wire harness</b>	Medium	Manufacturing	25,000	N/A	30,000
	Large	Manufacturing	106,465	3,004	N/A
<b>Jute and Jute Goods Materials</b>	Large	Manufacturing	106,951	N/A	N/A

However, no enterprises were able to answer the questions related to their possible demand for utilities as most of the enterprises do not yet have any concrete business plan for investing in the upcoming economic zones.

**b) Water**

Of the 30 enterprises surveyed, about 44% enterprise collects water from piped/supply water, 30% enterprise collect ground water, only 23% enterprise uses surface water and the remaining 1% enterprises were reluctant to provide such information.



**c) Land and Factory Building**

Only three enterprises could inform the study team on the land size and factory building size as presented in the below table:

**Table-14: Expected Land Size and Factory Building by Enterprises**

Sector	Type of Enterprise	Nature of Business	Plot Size (m <sup>2</sup> )	Factory Building (m <sup>2</sup> )
Footwear and Leather Goods	Large	Manufacturing	13,935	9,209
Cables, wire harness	Medium	Manufacturing	12,138	9,104
	Large	Manufacturing	14,182	8,500
Light Engineering	Large	Manufacturing	27,380	-
Automobile /Motor cycle parts	Large	Manufacturing	40,469	-

However, the large enterprise of the Footwear and Leather Goods sector also expressed that the expected monthly rental on land lease and factory building is BDT 696,750 and BDT 464,500 respectively.

**d) Business Development Services (BDS)**

As table-18 presented below reflects, the prospective investors in EZs necessitates the availability of 11 separate types BDS in the EZs. Of the all BDS the extensions of regulatory supports by the EZ authority has been given the highest importance by the prospective industrial investors followed by many other logistics and business support services.

**Table-15: Required BDS Services (multiple reply)**

No.	Business Development Services	High Priority Sector	Priority Sector
1	Regulatory support	25	2
2	Logistics Support including C&F services	21	3
3	Market access and market promotion	21	1
4	Business information support	21	-
5	Training and skill development	16	6
6	Legal and documentation	14	6
7	Printing and packaging	9	7
8	Operation and Maintenance	11	3
9	Recruitment and payroll management	9	3
10	Taxation services	9	2
11	Accounting and Auditing	4	7

## Section D

### Key Informant Interviews (KIIs): Summary of Discussions

#### 1.0 Profile of Key Informants Interviewed

In addition to the enterprise survey, the study team also conducted key informant interviews (KIIs) with 5 professionals such as Engineer, Scientist (Food & Nutrition), Healthcare Specialist and Doctor and Environmental cum Bio-technology Specialist in order to identify innovative potential investment sectors that may emerge to the upcoming economic zones (EZs) in Bangladesh. Table below shows the list of these key informants by category of profession:

**Table-16: List of Key Informants Interviewed**

SN	Sector	Profile of Key Informant
1.	Scientist (Food & Nutrition)	<b>1. Dr. Md. Zahurul Haque, Director</b> Institute of Food Science and Technology (IFST), BCSIR
		<b>2. Dr. Barun Kanti Saha , Principal Scientific Officer</b> Institute of Food Science and Technology (IFST), BCSIR
		<b>3. Md. Rezaul Karim, Senior Scientific Officer</b> Institute of Food Science and Technology (IFST), Bangladesh Council of Scientific & Industrial research (BCSIR)
		<b>4. Abu Tareq Mohammad Abdullah, Senior Scientific Officer</b> Institute of Food Science and Technology (IFST), BCSIR
		<b>5. Mohammad Shah Jamal, Senior Scientific Officer</b> Institute of Fuel Research & Development (IFRD), BCSIR
2.	Engineer	<b>Md. Monir Hossain Patwary, Executive Engineer</b> BCSIR, Ministry of Science and Technology, Dhaka
3.	Medical and Healthcare	<b>Dr. Sharmin Ahmed, Preventive &amp; Family Medicine Specialist</b> Certified Diabetologist , BCSIR, Dhaka
4.	Environmental Specialist	<b>Dr. Mustafa M. Kamal, Vice Chancellor</b> Civil and Environmental Engineering, America Bangladesh University

#### 2.0 Innovative Sectors having Investment Potential

Through the Key Informant Interviews (KIIs) the study team attempted to identify potential investment sectors for the upcoming EZs some of the may be innovative. After fruitful discussions with these Key Informants, the study team outlined the following sectors as the innovative and potential ones with future investment prospects in the upcoming EZs in Bangladesh:

Sl	Potential Sectors	Product Specification	Rational
1.	Electronics	-Semi-Conductor -Home appliances -Assembling Cell Phone	-Recent exponential growth trend in manufacturing industry -Rapidly growing urban population is expected to increase the demand for home appliances -Targeting the ever growing cell-phone market in Bangladesh new cell phone assembling industries can be established
2.	Auto Mills <sup>12</sup>	-Rice Auto Mills -Bricks Auto Mills	With the introduction of environment friendly technology these sectors are proving to be prospective business sectors in Bangladesh

<sup>12</sup> Mills or factories operated with automatic machine or machine tool for processing of agro products and others

3.	Information and Communication Technology (ICT)	-Data Processing -Software Development	Introduction of “Digital Bangladesh” concept has given momentum to the growth of the ICT sector
4.	Life Science	-Pharmaceuticals -Medical Equipment & Healthcare devices	Pharmaceutical sector in Bangladesh has proven business prospects in Bangladesh due to the availability of low cost raw materials and certain liberty that Bangladesh receives in terms of Patent as a LDC country.
5.	Ceramics	Tableware, Sanitary ware, Insulator	Availability of skilled but cheap labor force
6.	Natural Gas based Industries	Fertilizer, Petro-chemicals and chemical	Ever increasing demand in the domestic market
7.	Rice Bran Oil Industry	Rice Bran Oil	Availability of raw materials and increasing demand in the domestic market
8.	Shipbreaking/ Shipbuilding Industry	Ship breaking and Smaller ocean-faring ships	- Ample supply of skilled labor at low cost - Advantageous geographical location
9.	Genetically Modified Food /Agro-based Industry	Canned Juice / Fruit, Dairy and Poultry	- Availability of raw materials - Cultivable plane land - Favorable environment for agro activities
10.	Frozen Foods	Hatcheries, Sustainable aqua-culture technology, Feed meals plants, Processing unit for value-added products	- Significant prospect as an export oriented industry - Introduction of modern technology and equipment - Favorable geographical environment etc.
11.	Animal-Breeding & fattening Industry	Breeding, Fattening	Ever increasing demand in the domestic market
12.	Leather and Leather Goods	Finished Leather, Leather Goods	Availability of raw materials and low cost labor
13.	Light Engineering	Machinery Parts, Consumer Items, Toys	Recent increase in the number of affluent middle class rising the demand for durable consumer goods
14.	Textiles Industry	Fabric, Yarn	Availability manpower and low cost labor

### 3.0 Potential Sectors of Industry and Critical Success Factors for the Upcoming EZs

#### A. Development of Infrastructure:

- One factor that was identified as a critical success factor during the KII was the availability of off-site infrastructure in the EZs. The key informants highlighted the fact that if the EZs are going to be established all around the country especially outside Dhaka and Chittagong then developing customized EZ focused connectivity should be ensured in attracting FDI.
- It was also referred that in case of the construction of on-site infrastructure the developers cannot be held sole responsible. Proactive involvement of donor agencies and GoB in developing the EZs will expedite the establishment of EZs.
- The key informants also indicated that customized connectivity or communication infrastructure may be the construction of by-pass road, tunnel, development of water communication system, development of rail communication system etc.

**B. Economically Influential Factors:**

- d) In case of establishing EZs, it was recommended that developing EZs with specific focus on industrial clusters may prove crucial for the success of EZs.
- e) Moreover, it was identified that, in attracting FDI in the EZs, Bangladesh would have to compete with many other developing countries like Vietnam, Cambodia and Myanmar those has already established EZs successfully and has open lands for establishing many others.
- f) Finally, the key informants highlighted an interesting factor as the largest challenge for the success of the upcoming EZs. It was emphasized that if Bangladesh becomes a middle income country by 2021 then she would no longer be eligible for the benefits an LDC country receives which will hinder the inflow of FDI in Bangladesh.

## Section-E Summary of Key Findings and Conclusion

### 1.0 Key Findings of the Study

#### A. Level of Intention for Investment:

- a) About 17% (5) enterprises have strong intention for new investment in upcoming EZ as they have already developed concrete plan whereas 83% (25) enterprises although willing to invest but yet to develop any concrete plan for prospective investment. The five enterprises with concrete business plan are Energypac Power Generation Ltd, Macro Cable Ltd, Global Shoes Ltd, BBS Cables ltd, IFAD Autos Ltd.
- b) Most of the enterprises (73%) intend to invest in the upcoming EZs with a view to expand their existing production unit and the remaining 13% enterprises plans to invest to establish new production units in the upcoming EZs whereas 13% enterprises has willing to do both.

#### B. Probable Timing and Purpose of Investment:

- c) About 90% (27) enterprises said that they will invest within 1 to 3 years and the remaining 10% (3) enterprises responded that they are interested to invest within 3 to 5 years.
- d) Only 27% (8) enterprises would like to make business exposure to new sectors through new investment in EZs. For example, an enterprise currently operating in the Automobile/ Motor cycle parts would like make business exposure to the Electrical and Electronics sector.
- e) About 70% enterprises want to establish both domestic and export market oriented industry whereas 30% targets export market only.

#### C. Preferred Location for EZ:

- f) About 53% replied that if the zones were established within Dhaka city and its outskirts, it would have been more convenient and preferable for investment. About 17% enterprises are prepared to establish anywhere in Bangladesh whereas the remaining 30% enterprises have no specific choice on locations if utilities are available.
- g) Only 37% respondents stated that a distance of 20-30 km from Dhaka is preferable whereas 30-40 km distance from Dhaka manageable from the point of view of 6 respondents (20%).
- h) The location preferences of the enterprises are different as they are concerned about the availability of forwarded and backward linkage industries in or around the EZs. Hence, the availability of forward and backward industries in or around EZs may prove to be an crucial factor in attracting investors.

#### D. Required Infrastructure Facilities and Other Benefits:

- i) Existence of sufficient infrastructures is the most critical factor while making an investment decision followed by other factors like efficient management of zone developer, proper zone development plan, availability of adequate human resources, markets for products, scope of linking with value chain and availability of raw materials. Existence of industrial clusters nearby the zone has been identified as the least important factor.
- j) About 93% enterprises are aware about the incentives and benefit packages those will be offered to the enterprises in the EZs.

#### E. Environmental Compliance Issues:

- k) As per the Environment Conservation Rules, 1997 based on impact on environment the surveyed industries falls in the following categories:

List of Industries	Category
✓ Automobile/ Motor cycle parts	Green
✓ Medical Equipment and Devices	
✓ Bi-cycle	
✓ Footwear and Leather Goods	Orange A
✓ Agro-products and Beverage	
✓ Wooden Products/ Furniture	
✓ Plastic and Rubber Products	
✓ Ready Made Garments / Apparels	Orange B
✓ Cables, wire harness	
✓ Garment Accessories	
✓ Knitting and Textile, Yarn, Spinning	
✓ Jute and Jute Goods Materials	
✓ Light Engineering	Red
✓ Pharmaceutical and Healthcare Goods	
✓ Electrical and Electronics	

According to this rule, industries falling in Orange A, Orange B and Red categories must make effluent discharge arrangement and submit Layout Plan of Effluent Treatment Plant (ETP) for Environmental Clearance Certificate for both solid and liquid industrial wastes and therefore in establishing EZ this issue must be consider with significance. Therefore, the availability of combined effluent treatment plant was identified as the most demanded facility in a zone consecutively followed by security & protection measures, nearby inland container terminal, common water treatment plant, availability of urban amenities and shared warehouse & logistics center.

#### F. Required Utility Facilities:

- l) Only 21 enterprises of different sectors provided information on their current electricity consumption whereas only 11 and 9 enterprises shared information on gas consumption and water consumption respectively
- m) No enterprise could provide information related to the possible future demand for utilities as most of them do not yet have any concrete business plan for investment in the upcoming EZs.

#### G. Required Land and Factory Space:

- n) Only five (5) enterprises could provide information on the expected land size in EZs. Four (4) large enterprises replied that they would require a plot of 13,935 m<sup>2</sup>, 14,182 m<sup>2</sup>, 27,380 m<sup>2</sup> and 40,469 m<sup>2</sup>. On the other hand, a medium enterprise replied that it would require a plot of 12,138 m<sup>2</sup> for making new investment in the EZ.
- o) On the other hand, only three (3) enterprises shared information on the required size of factory building in the upcoming EZs. Two (2) large enterprises replied that they would require 9,209 m<sup>2</sup> and 8,500 m<sup>2</sup> of factory building in the EZs whereas the medium enterprise would require 9,104 m<sup>2</sup> of factory building.

#### h. Required Business Development Services (BDS):

- p) Opportunity for the extension of 11 separate types of business development services (regulatory support, logistics support including C&F services, market access and market promotion, business information support, training and skill development, legal and documentation, printing and packaging, operation and maintenance, recruitment and payroll management, taxation services, accounting and auditing) required by the industrial has been identified.



## 2.0 Concluding Remarks

The enterprises surveyed has shown positive attitude towards making future investment in the EZs. All the enterprises have plans to invest in the EZs although either short or medium term meaning the EZ should be in place to capture these investors. The enterprises are yet to come up with comprehensive business plans for future investment in EZs and therefore, unable to provide information or indication on all the facilities and services required by them. Moreover, the enterprises are not yet fully confident on the success of the EZs initiative in Bangladesh as the implementation is progressing much slowly than expected. However, if the EZ establishment process receives momentum, it is expected the industrial units will be encouraged to invest in the upcoming EZs.

Besides required infrastructure and utility facilities the development of any EZ should also ensure specific support services including BDS. Factors like existence of sufficient infrastructure, efficient management of zone developer and proper zone development plan seem to be higher priority to the prospective tenants compared to other factors. Likewise, provision of regulatory support, logistics support including Container Freight Station (CFS) service, market access and market promotion support and business information support are more important than other services for the prospective investors. Some sophisticated and faster communication infrastructure should be in place to improve movement of commercial and industrial vehicles.

This survey is for the potential needs for Economic Zones Development in general. Although the expected location area is Dhaka and outskirts, the preference and requirement for EZ location may vary from investor to investor and subject to the basic plan of EZ development.

Finally, issue of training and human resources development also gets importance while locating the enterprises in the EZs. Therefore, when JICA implements any EZ project in Bangladesh adequate care should be ensured on both hard and soft infrastructure facilities besides various government incentive and benefits.

Last but not the least, the Government of Bangladesh should not be complacent about its abundant and cheap human resources that may attract FDI, rather it should focus on expeditious implementation of EZs and its required off-infrastructure, improved governance situation and social security and higher degree of enforcement of laws and orders and access to energy (gas). Without ensuring these issues, the foreign investors may not be attracted to invest in the upcoming EZs in Bangladesh.

## Brief Profile of Young Consultants

<b>Organization Name</b>	<i>Young Consultants (YC)</i>
<b>Vision</b>	<b>Building Capacity to Enhance Growth and Competitiveness</b>
<b>History of Establishment</b>	<p>YC started its journey as a pioneer in business development services in the country <b>established in 1998</b> specializes in providing business advisory services to small, medium and large enterprises in the areas like finance, marketing, entrepreneurship development and training. Services ranging from project feasibility, institutional capacity building and up-to to project management and implementation.</p> <p>YC with the initiative of its founder and Chief Executive, M Zakir Hossain, whose work for several leading business support and financial organizations in the country, exposed him to the status of SME operations and convinced him of the urgent need that SMEs have for professional management assistance and institutional capacity building. He brings to the enterprises his extensive experience gained both locally and internationally in countries of Asia and European Union.</p> <p>From a modest operation of two consultants assisting individual SMEs, YC has since its inception in January 1998, grown to a mature consulting business house rendering professional services to a broad clientele that includes international donor agencies like the World Bank, JICA, Asian Development Bank, European Commission, USAID, ITC/UNCTAD-WTO and DANIDA and multinationals. Its range of services has also expanded from conducting simple project feasibility studies through business planning, project/program evaluation, project management &amp; implementation, training, re-structuring and institutional capacity building, trade policy analysis to event and media management. In the provision of its services, YC draws upon the knowledge and multidisciplinary skills of its many capable resource persons who are highly experienced professionals in their fields.</p> <p>Now, YC's mission is to provide effective and professional consultation to small, medium and large enterprises in a creative manner both in the country and internationally across the region that will promote sound and profitable business practices among these enterprises and foster their growth</p> <p>Finally, YC has formed strong professional linkages with many international consulting partners and trade promotion institutions in Asia, Europe, North and Latin America who support and contribute to its efforts towards the development of SMEs particularly for the export oriented enterprises.</p>
<b>Name of Contact Person</b>	<p><b>M. Zakir Hossain, Chief Executive</b>          Phone: 88-02-8834046, 01819-162727          Email: youngconsultants@gmail.com</p>
<b>Corporate Office and branch networks</b>	<p>House B-114 (3F) Lane 7 New DOHS, Mohakhali, Dhaka          Permanent Branch Network: Chittagong and Rangpur</p>

<b>Trade License Number</b>	0618488 under Dhaka North City Corporation, Dhaka
<b>URL</b>	<a href="http://www.youngconsultants-bd.org">www.youngconsultants-bd.org</a>
<b>Professional / Trade Membership</b>	<ul style="list-style-type: none"> <li>▪ Corporate Member, Institute of Management Consultants Bangladesh</li> <li>▪ Member, Dutch-Bangla Chamber of Commerce and Industry (DBCCI)</li> <li>▪ Member, Intellectual Property Association of Bangladesh (IPAB)</li> <li>▪ Member, Bangladesh Society for Total Quality Management (BSTQM)</li> </ul> <p>It may be mentioned here that the Chief Executive of YC, M. Zakir Hossain is currently the President of IMCB. IMCB is the apex body of Management Consultants in Bangladesh registered under the Ministry of Commerce, Government of Bangladesh. Also, he is the Secretary General of Dutch-Bangla Chamber of Commerce and Industry and Joint Secretary, Finance Alumni Association, Dhaka University, Bangladesh.</p>
<b>Manpower Strengths</b>	Professional: 15, Support staff: 6, Consultants: 50 plus (enlisted) Field Staff: 50 (enlisted).
<b>Core services</b>	<ul style="list-style-type: none"> <li>• Project Appraisal &amp; Industrial Feasibility Study</li> <li>• Baseline Survey, Research and Study</li> <li>• HR Consulting Services</li> <li>• Business Planning</li> <li>• Institutional Capacity Building</li> <li>• Training &amp; HR Development</li> <li>• Business Process Re-engineering</li> <li>• Project/Program Evaluation</li> <li>• Market Research &amp; Strategy Formulation</li> <li>• Project Management &amp; Implementation</li> <li>• Export Development Planning</li> <li>• Joint Venture Search &amp; Fund Placement</li> <li>• Quality Management System Development</li> <li>• Business Information Services</li> <li>• Business Support Services</li> </ul>
<b>Office Space</b>	Around 2,500 sft, at the heart of the Dhaka city easily accessible
<b>Information Cell for research support</b>	Mini Library and Information Cell for research information supports
<b>Computer and other equipment strength</b>	Desktop: 10 numbers, Laptop: 5 numbers, Printer: 5 numbers Scanner: 2 numbers, GPS device : 1, etc.
<b>Transport Facilities</b>	Car: 1 number, Micro bus: 2 numbers (rental), 1 Motor bike
<b>Secretarial Support</b>	3 well-equipped and dedicated staffs
<b>Communication Support</b>	Land phone: 2 numbers, Fax: 1 number , Mobile: available Internet: broad band collection, wireless connection, zooms, etc.
<b>Software &amp; Data Analysis Tools</b>	MS Access, SPSS, SAS, STATA, MS Project, Minitab, MS Visio, etc.
<b>Audio-Visual Equipment and Others</b>	Multi-media Projector (remote control), Digital Camera, Television, DVD Player, Video Camera, etc.
<b>Financial Strength</b>	Solvent and capable to take-up consulting projects and having overdraft facility with local commercial banks.

Young Consultants (YC) is a leading multidisciplinary consulting firm in Bangladesh operating since January 1998. YC extends various capacity building and business consulting services in the area of feasibility study, training and HR development, baseline survey, research, study, evaluation, institutional capacity building, industrial investment, social and environment management system, trade and investment policy research and analysis, entrepreneurship development, market and export development, and project management and implementation.

Since inception, YC has been operating with global network in an environment of multi-sector and multi-parties involvement like private, public, civil society, non-government organizations, think tanks, training and research institutes, etc. Its broad-based clientele include Ministries of Government of Bangladesh, Export Promotion Bureau, Board of Investment, Bangladesh Export Processing Zones Authority (BEPZA), local chambers of commerce, sector associations, trade and business associations, development programs and projects specialized in the private sector and enterprise development and institutional capacity building of SMEs of different bilateral and multilateral development partners (JICA, JICA-RI, ADB, WB, IFC, European Commission, DANIDA, USAID, SNV, GIZ, DEG, KFW, WTO-ITC, etc.), banks and financial institutions, private corporate and enterprises, NGOs, joint venture industries, business individuals including women entrepreneurs, etc.

For the last 17 years Young Consultants undertook many surveys for various international and national clients. Clients include The World Bank, IFC, JICA, JICA Research Institute, UNCTAD-WTO (ITC), European Commission, SNV, IDCOL, KFW, Always On Network Bangladesh Limited (AONB), Orascom Telecom Holdings Bangladesh and other multinational companies. YC has a pool of experts to conduct baseline survey, socio-economic analysis, Disaster Risk Reduction (DRR) analysis, review of Land laws, Database management, Environmental analysis, financial analysis and so on.

It is worthwhile to mention that Young Consultants conducted baseline study for JICA in “**Fact finding Survey on Agricultural Finance and Agricultural Technical Assistance in Bangladesh**” in 2013 in two phases. During the project, YC study team conducted survey, FGD and KII with the 1400 small, medium and large scale farmers, NGOs and agriculture extensions from 14 districts in Bangladesh, conducted study in the northern side of Bangladesh. The main objective of the study was to reduce the outrage of the middleman in selling products and easy access to market to get proper benefits on their products for the farmers and also to provide technical assistance to the farmer, agriculture extensions and the NGOs in agriculture finance of Bangladesh. Also, YC has conducted “**Job Preference Survey**” on 2,600 youth from NGOs and Universities in divisions of Bangladesh funded by JICA Research Institute.

**Attachment 2**  
**Final Enterprise Survey Questionnaire**

**JICA Study on FDI promotion and investment needs assessment in the  
upcoming Economic Zones (EZ) in Bangladesh**

(From May to July 2015)

**Questionnaire for Enterprise Survey**

**A. Basic Information of the Enterprise**

---

<b>1. Name of Enterprise :</b>	
<b>2. Name of Representative :</b>	
<b>3. Designation:</b>	
<b>4. E-mail and Mobile No.</b>	
<b>5. Office Address :</b>	
<b>6. Phone No./Fax No.:</b>	
<b>7. Year of Establishment::</b>	
<b>8. Legal Status:</b>	<input type="checkbox"/> 1. Sole Proprietorship <input type="checkbox"/> 2. Partnership <input type="checkbox"/> 3. Limited Company (Private /Public Limited) <input type="checkbox"/> 4. Others (Please specify _____)
<b>9. Nature of Business :</b>	<input type="checkbox"/> 1. Manufacturing <input type="checkbox"/> 2. Trading <input type="checkbox"/> 3. Others (Please specify _____)
<b>10. Number of Employees:</b>	_____persons a) Local .....b) Foreign:..... a) Male:..... b) Female: .....
<b>11. Size of Enterprise:</b>	<input type="checkbox"/> 1. Medium (number of employee: 20-99) <input type="checkbox"/> 2. Large (number of employee:100+ )
<b>12. Membership with Trade Bodies :</b>	a)..... b)..... c).....
<b>13. Nature of Ownership :</b>	<input type="checkbox"/> 1. 100% Local <input type="checkbox"/> 2. Joint Venture <input type="checkbox"/> 3. 100% foreign
<b>14. Products:</b>	Products 1: _____ Products 2: _____ Products 3: _____
<b>15. Classification of Sector as par draft National Industrial Policy 2015:</b>	<input type="checkbox"/> 1. Highly priority sector <input type="checkbox"/> 2. Priority sector <input type="checkbox"/> 3. Not in the priority sector

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**16. Primary market of your products :**

1. Domestic market  
 2. Export market  
 3. Both domestic and export

**17. Raw Materials of products:**

Products 1: \_\_\_\_\_  
 Products 2: \_\_\_\_\_  
 Products 3: \_\_\_\_\_

**18. Raw materials importing countries:**

Country 1: \_\_\_\_\_  
 Country 2: \_\_\_\_\_  
 Country 3: \_\_\_\_\_

**19. Clients of your enterprise:**

1. Individual Consumers  
 2. Wholesaler/ Retailers  
 3. Manufacturers  
 4. Affiliated Company/Enterprise  
 5. Government  
 6. Non-government organizations (NGOs)  
 7. Others, please specify .....

**20. Annual Sales / Turnover (in million BDT) :**

Year 2014 (BDT.....)  
 Year 2013 (BDT.....)  
 Year 2012 (BDT.....)

**21. Business sector to which your enterprise belongs:**

No.	Sector	No.	Sector
1	Automobile /Motor cycle parts	9	Garment Accessories
2	Bi-cycle	10	Medical Equipment and Devices
3	Electrical and Electronics	11	Pharmaceutical and Healthcare Goods
4	Footwear and Leather Goods	12	Plastic and Rubber Products
5	Light Engineering (Refer to below notes)	13	Wooden Products / Furniture
6	Agro-products, Beverage	14	Cables, wire harness
7	Ready Made Garments/Apparels	15	Jute and Jute Goods Materials
8	Knitting and Textile, Yarn, Spinning		

*Note: Light Engineering includes machinery parts, metal processing, metallic abrasive, metallic mold, casting, cutting work, welding, plate, heat treatment, coating, thermal spray etc.*

**B. Intention/ Plan for Investment in the Plot within any Economic Zones**

1.0 Are you aware about the Government's initiative of developing Economic Zones in Bangladesh?

No.	Opinion
1	Yes

2	No
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2.0 Would you please share your knowledge on the on-going initiative of the Government to develop EZs in Bangladesh?

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3.0 Do you want to invest or set-up industries within the upcoming Economic Zones in Bangladesh?

No.	Opinion
1	Yes
2	No

4.0 What is the purpose of your investment in the upcoming EZs in Bangladesh?

**No. Reason(s) of Investment**

1	Expanding the existing production unit
2	Establishing new production unit
3	Relocating the existing production units from other countries
4	Setting-up Operation and Maintenance (O&M) Unit
5	Others, if any please mention .....

5.0 If the respondent is a foreign entrepreneur/enterprise operating in Bangladesh, what is main reason(s) of investing in Bangladesh? (Multiple answers are allowed)

No.	Reasons/ Rationale	No.	Reasons/ Rationale
1	To take advantage of market access	7	Domestic market potential
2	To avoid legal barriers	8	Improvement of productivity
3	Environmental protection	9	Improvement of quality of products
4	Linking with global supply chain (Backward and Forward)	10	Cost reduction
5	Availability of labor force	11	Research & Development (R&D)
6	Scope of Regional markets	12	Others, please specify.....



6.0 What type of industry would you like to establish in the upcoming EZs in Bangladesh?

No.	Type of Industry (Target Market)
1	Domestic market oriented industry
2	Export market oriented industry
3	Both domestic and export market oriented industry

7.0 What particular sector you are planning for new investment in the upcoming EZ?

No.	Sector	No.	Sector
1	Automobile /Motor cycle parts	9	Garment Accessories
2	Bi-cycle	10	Medical Equipment and Devices
3	Electrical and Electronics	11	Pharmaceutical and Healthcare Goods
4	Footwear and Leather Goods	12	Plastic and Rubber Products
5	Light Engineering (Refer to below notes)	13	Wooden Products / Furniture
6	Agro-products, Beverage	14	Cables, wire harness
7	Ready Made Garments/Apparels	15	Jute and Jute Goods Materials
8	Knitting and Textile, Yarn, Spinning		

8.0 What is your preferred location for Economic Zones in Bangladesh?

No.	Location
1	Within the outskirts of Dhaka city
2	Within the outskirts of Chittagong city
3	Anywhere in Bangladesh
4	No specific choice for locations if utilities are available

9.0 According to your opinion, what should be the distance (km/drive hours) between Economic Zone and Dhaka?

.....km,

10.0 What is your preferred size of land or factory building within the EZs?

No.	Particulars	Size (Square meter)
1	Expected Size of Land for lease	
2	Expected Size of Factory Building	
3	No specific size in mind yet	

11.0 What is your desired amount of rentals and security deposits against land lease or factory building within the EZs?

No.	Particulars	Amount per Square Meter ( BDT)
1	Expected Rental for Land lease	
2	Expected Rental for Factory Building	
3	No specific idea in mind yet	
4	Expected Amount /Percentage of Security Deposit	

12.0 What is your expected mode of payments of rental lease of land or factory building?

No.	Particulars	Monthly/Quarterly/Half-yearly/Annually
1	Payment of rental against land lease	
2	Payment of rental against factory building	

13.0 What are the other issues that influence investment decision in a particular EZ?

No.	Other factors influencing investment decision in EZ
1	Existence of combined Effluent Treatment Plant
2	EZ locates nearest to the Inland Container Terminal
3	Shared Warehouse and Logistics Center
4	Common Water Treatment Plant
5	Security and Protection Measures
6	Presence of Urban Amenities (Housing, hospital, education, shopping centers, etc.)
7	Others, please specify if any.....

14.0 When is the tentative timing of your new capital Investment within the upcoming EZs?

No.	Timing for Investment
1	Within 1 year
2	Within 1 to 3 years
3	Within 3 to 5 years
4	Not foreseeable future

### C. Support Services Available

1.0 What are the key criteria for site that your company intends to select? (Multiple answers allowed)

No.	Criteria for Project Site Selection	High Priority Sector	Priority Sector
1	Markets for Products		

2	Scope of linking with Value Chain
3	Proper Zone Development Plan
4	Existence of Sufficient Infrastructure
5	Availability of Raw Materials
6	Availability of Adequate Human Resources
7	Efficient Management of Zone Developer
8	Industrial cluster nearby
9	Others, please specify.....

2.0 Are you aware about the following “**Incentives and Benefits Package**” available for the prospective investors in the upcoming EZs? Yes/ No. If you have any suggestions or proposals, please mention other than

Existing Incentive and Benefits in EZs	Proposed /Suggested
1) <b>Tax Holiday:</b> For all Economic Zones Income Tax Holiday (ITH)—1 <sup>st</sup> and 2 <sup>nd</sup> year 100%, 3 <sup>rd</sup> year 80%, 4 <sup>th</sup> 70%, 5 <sup>th</sup> 60%, 6 <sup>th</sup> 50%, 7 <sup>th</sup> 40%, 8 <sup>th</sup> 30%, 9 <sup>th</sup> 20% and 10 <sup>th</sup> year 10%.	
2) <b>Custom Duty:</b> Duty free import of raw materials, construction materials, capital machineries, finished goods.	
3) <b>Income Tax-others:</b> Exemption from dividend tax (After tax holiday over)	
4) <b>Repatriation:</b> Full repatriation of capital and dividend.	
5) <b>Free Flow FDI:</b> No ceiling of FDI.	
6) <b>Backward Linkage:</b> 100% backward linkage raw-materials and accessories to sell for export oriented industries (EOI) in Domestic Tariff Area (DTA).	
7) <b>Local Sale:</b> 20% sale of finished product to DTA (From Export Processing Area –EPA).	
8) <b>Sub-Contracting:</b> Sub-contracting with DTA allowed.	
9) <b>Stamp Duty:</b> 50% exemption of stamp duty and registration fees for registration of leasehold land/ factory space	
10) <b>VAT:</b> 80% exemption of VAT on all utility services consumed inside the zone.	
11) <b>Custom Duty:</b> Duty exemption on Export.	
12) <b>CD on Vehicle:</b> Exemption of CD for import of 2 vehicles within 1st 5 years for foreign investors (for one time).	
13) <b>Double Taxation:</b> Exemption of double taxation subject to Double taxation agreement.	
14) <b>IT Individual:</b> 50% Rebate of income tax on salary income of expatriates for 5 years	
15) <b>Custom Bond:</b> Consider EZ as custom bonded area.	
16) <b>Foreign Exchange:</b> FC loan availability (To ease business activity).	

17) <b>Foreign Exchange:</b> FC Account for Non-Resident.	
18) <b>Foreign Exchange:</b> FC Account for both local and joint venture industry.	
19) <b>Joint Venture:</b> Joint venture allowed	
20) <b>Royalties:</b> Royalty, technical fees will be exempted from income tax.	
21) <b>Capital Gains:</b> Tax exemption on capital gain.	
22) <b>Share Transfer:</b> Share transfer allowed.	
23) <b>Work Permits:</b> Work permits – No restrictions on issuance of work permits on project related foreign nationals and employees but limited up to 5% of total employees.	
24) <b>Re-Investment:</b> Re-investment of remittable dividend to be treated as new foreign investment.	
25) <b>Resident:</b> Resident visa for investment of US\$ 75000 or more.	
26) <b>Citizenship:</b> Citizenship for investment of US\$ 500000 or more	

3.0 What are the business development services (BDS) you expect form the EZ Developer?

No.	Business Development Services	High Priority Sector	Priority Sector
1	Regulatory support		
2	Business information support		
3	Legal and documentation		
4	Accounting and Auditing		
5	Logistics Support including C&F services		
5	Training and skill development		
6	Recruitment and payroll management		
7	Market access and market promotion		
8	Taxation services		
9	Printing and packaging		
10	Operation and Maintenance		
11	Others, please specify		

**D. Utilities Support Facilities**

1.0 What is the current consumption pattern of utility facilities for your existing factory?

---

No.	Element of required utility facilities	Current Monthly Consumption (Unit)
1	Electricity	
2	Gas	
3	Water	
4	Others, please specify	

---

2.0 What is the current source of water that you are using for your industries?

---

No.	Source of water
1	Piped / Supply water
2	Ground water
3	Surface Water
4	Others, please specify.....

---

3.0 Are you satisfied with the current supply of utility facilities? Yes/No. If no, what kind of problems you are facing?

---

No.	Problems/ difficulties
1	Frequent Fluctuation in supply (low voltage/ minimum flow)
2	Load shedding / power failure
3	Iron in water / inappropriate water for factory production
4	Others, please specify

---

4.0 What are the elements of utility facilities that you will need to set-up and run your factory at what quantity or volume?

---

No.	Element of required utility facilities	Required Quantity (Unit) / Per Month
1	Electricity	
2	Gas	
3	Water	
4	Telecommunication	
5	Others, please specify	

---

5.0 How much you are paying now as charges for utility consumption and how much you want to pay in future within EZ?

No.	Element of utility	Existing Unit Rate (in BDT)/Month	Expected Unit Rate (in BDT)/Month
1	Electricity		
2	Gas		
3	Water		
4	Telecommunication		
5	Others, please specify		

**Should you have any enquiry on the questionnaire, please feel free to contact to the following person in charge:**

The person in charge: .....  
Mail address: .....Telephone:.....

**Thank you so much for your kind cooperation to this survey**

**Respondent's Contact Information**

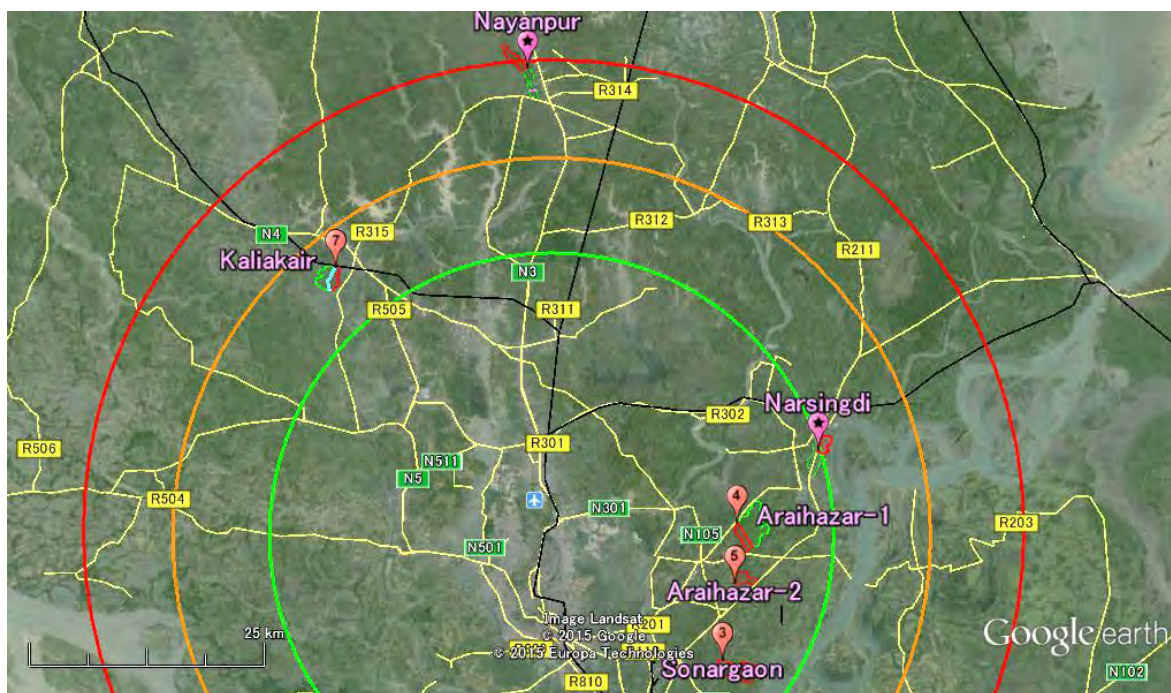
Name
Designation
Cell Phone No.
E-mail address

The End

## 付属書 5 : 短期的 EZ 候補地の概要

## 付属書 5 : 短期的 EZ 開発候補地の概要

短期的 EZ 開発候補地として、定性・定量評価を通過した 6 候補地（下記図参照）の概要を以下にまとめる。



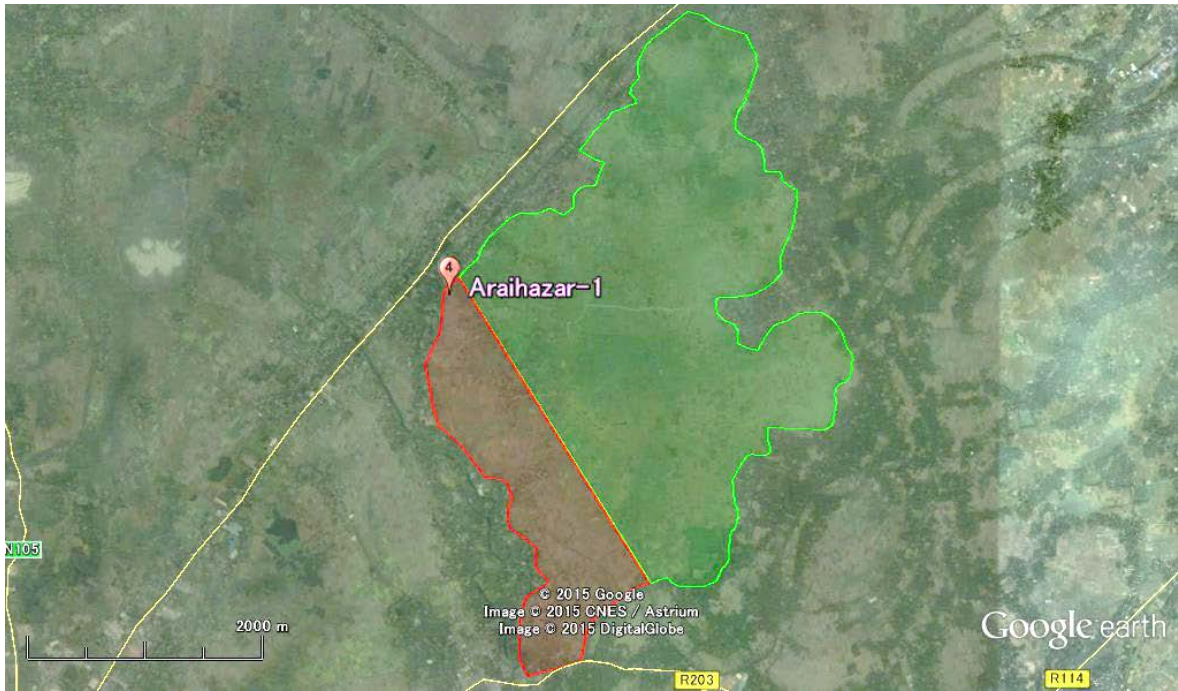
注) ○ : 30km 圏、○ : 40km 圏、○ : 50km 圏

図 1 : 基本計画 EZ 開発候補地位置図

### 1) Site-4 : Arai-hazar-1

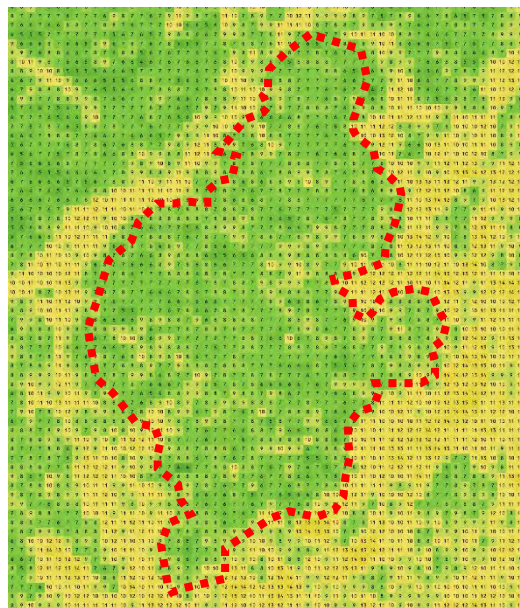
87 評点（第 1 位）の Arai-hazar-1 のサイトを図-2 に示す。





■ : 第1期 (14 + 130 ha)、■ 第2期 (820 ha)、計 1,050 ha

図 2 : Araihaazar-1 サイト



出所 : 衛星 SRTM 標高データ (精度 10m のため参考として利用)

図 3 : Araihaazar-1 地形状況

<Araihazar-1 候補地概要>

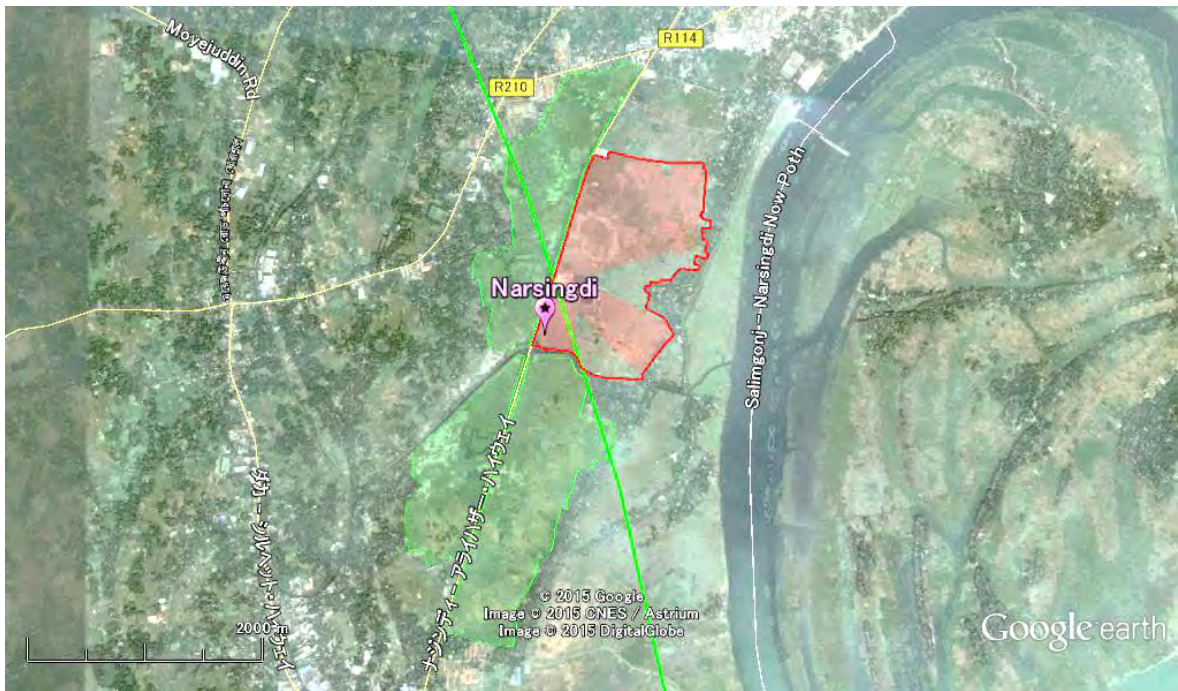
1. 位置	Dhaka より、直線距離 20 km。Araihazar Upazila, Narayanganj District。
2. サイズ	第 1 期開発：230 ha（国道沿線南側）、第 2 期開発：820 ha、計 1,050 ha
3. アクセス	Dhaka より道路距離 26.0 km、37 分。 Dhaka – Sylhet Highway 沿い。
4. 周辺インフラ	132kV/33kV 変電所まで 2.5 km。
5. 土地利用	農地。1 期作。
6. 土地造成（※）	0.6 – 2.6 m 盛土（平均 1.6m）。 - 計画範囲の低地部の大よその標高：6-8m。 - Shitalakshya 川・Meghna 川の 1/100 洪水による氾濫水位：約 7.52m。 - 平均造成高を 8.6m と設定。
7. 環境社会配慮	不法居住者なし。要移転者なし。

注) 6.については、現在の標高を SRTM 衛星データより参考設定。洪水氾濫水位については、調査団が既往資料をもとに概算洪水水位を推定。平均造成高については、0.5m の余裕高、雨水排水勾配に必要な平均造成高として 0.5m を考慮した。以下同（※）。

<p><b>有利な点</b></p> <ul style="list-style-type: none"> <li>・ ダッカに近く、国道沿いである。</li> <li>・ Purbachal 都市開発エリア（International School 予定）からも近く、その地区に居住した場合 30 分未満の通勤圏となる。</li> <li>・ 広大で開発しやすい土地が得られる。</li> <li>・ 洪水のリスクは、低い。</li> <li>・ 比較的高くない盛土造成ですむ。</li> <li>・ 住民の移転を必要としない。</li> </ul> <p><b>不利な点</b></p> <ul style="list-style-type: none"> <li>・ 土地収用費は、現在の市場価格だと 約 16\$/m<sup>2</sup> である。（政府が土地収用を行えば、その課題は解消する。）</li> </ul>
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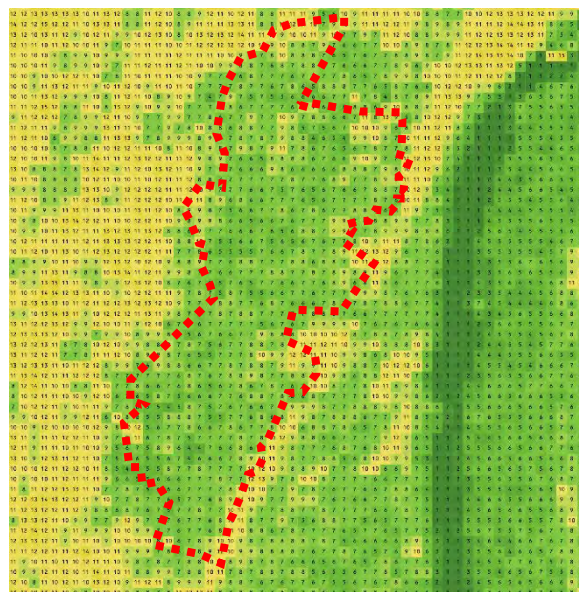
2) RD-3 : Narsingdi

74 評点（第 2 位）の Narsingdi のサイトを図-4 に示す。



: 第1期 (100 + 85 ha)
  : 第2期 (373 ha)、計 558 ha

図 4 : Narsingdi サイト



出所：衛星 SRTM 標高データ（精度 10m のため参考として利用）

図 5 : Narsingdi 地形状況

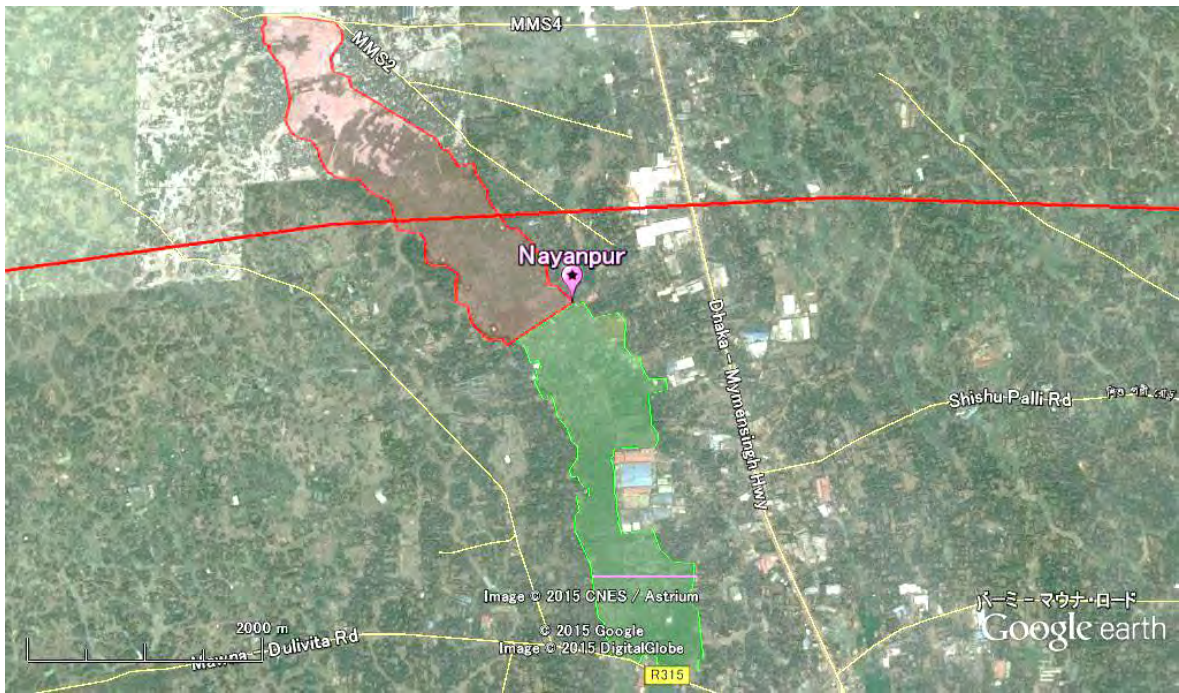
<Narsingdi 候補地概要>

1. 位置	Dhaka より、直線距離 30 km。Narsingdi Sadar Upazila, Narsingdi District。
2. サイズ	第 1 期開発：185 ha（北東側）、第 2 期開発：373 ha（西側、南側）、計 558 ha
3. アクセス	Dhaka より道路距離 39.7 km、1 時間 4 分。 Dhaka – Sylhet Highway より 2.5 km。
4. 周辺インフラ	132kV/33kV 変電所（Narsingdi、2 カ所）まで 3 - 4 km。 Dhaka – Sylhet Highway 沿いにガス管あり。
5. 土地利用	農地。1 毛作。
6. 土地造成 (※)	1.7 – 3.7 m 盛土（平均 2.7m）。 - 計画範囲の低地部の大よその標高：5-7m。 - Meghna 川の 1/100 洪水による氾濫水位：約 7.64m。 - 平均造成高を 8.7m と設定。 サイトより 1-2 km 地点に、Meghna 川の砂取場あり。
7. 環境社会配慮	不法居住者なし。要移転者なし。

<p><b>有利な点</b></p> <ul style="list-style-type: none"> <li>・ ダッカに近く、現時点でも 1 時間強で可能。バイパスが出来ると 1 時間以内が可能になる。</li> <li>・ Purbachal 都市開発エリア（International School 予定）からも近く、その地区に居住した場合 40 分程度の通勤圏となる。</li> <li>・ 広大で拡張可能な土地が得られる。</li> <li>・ 周辺インフラ整備が良好で、産業の集積もある。</li> <li>・ 住民の移転を必要としない。</li> </ul> <p><b>不利な点</b></p> <ul style="list-style-type: none"> <li>・ 河川が近く、洪水対策が必要で、十分な盛土も要する。</li> <li>・ 全体の土地が道路・小河川で区切られており、流域内排水処理や上下水処理に工夫が必要である。</li> </ul>
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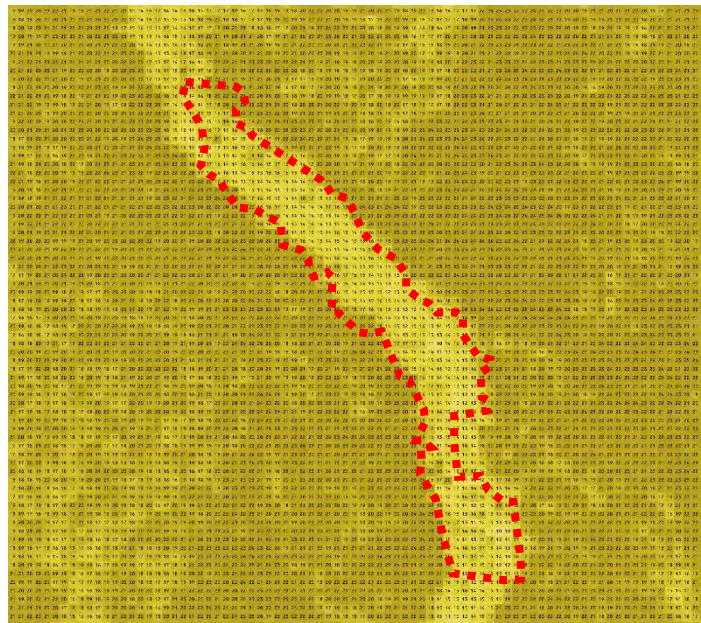
3) RD-1/2 : Nayanpur

73 評点（第 3 位）の Nayanpur のサイトを図 6 に示す。



: 第1期 (100 + 133 ha)、
  : 第2期 (208 ha)、計 441 ha、
  : Transmission Line

図 6 : Nayanpur サイト



出所：衛星 SRTM 標高データ（精度 10m のため参考として利用）

図 7 : Nayanpur 地形状況

<Nayanpur 候補地概要>

1. 位置	Dhaka より、直線距離 50 km。 Sreepur Upazila, Gazipur District。
2. サイズ	第 1 期開発：233 ha（北側）、第 2 期開発：208 ha（南側、by FDI Survey）、計 441 ha
3. アクセス	Dhaka より道路距離 60.8 km、1 時間 51 分。 Dhaka – Mymensingh Highway（国道 3 号線）より 1.2 km。
4. 周辺インフラ	132kV/33kV 変電所（Sreepur Sub-Sta. 1）まで 3.4 km。 サイトから東方 1.5 km、国道 3 号線沿いに既設 φ12'ガス管あり。
5. 土地利用	農地。2 毛作。
6. 土地造成 （※）	0.5 – 2.5 m 盛土（平均 1.5m）。 - 計画範囲の低地部の大よその標高：14-16m。 - Padma 川や Meghna 川の洪水の影響は受けない。 - 隣接地標高より最低 16m 以上にする必要があると判断し、雨水排水勾配を考慮し、平均造成高を 16.5m と設定。 サイトより当方約 17 km 地点 Barmi Bazar に砂取場あり。
7. 環境社会配慮	不法居住者なし。要移転者なし。敷地内を小河川が北西－南東方向に横切っている。

**有利な点**

- ・ 標高が高く、洪水からのリスクが極めて低い。
- ・ このサイトは、Dhaka – Mymensingh（国道 3 号線）開発回廊沿いに位置している。
- ・ Dhaka-Mymensingh 幹線道路が 4 車線に拡幅中である。
- ・ 住民の移転を必要としない。

**不利な点**

- ・ 利用できるコンテナ・ターミナルが遠い。（約 47 km 南の Tongi Terminal）
- ・ 近くに河が無いため、盛土に必要な砂の運搬（トラック搬送 or 17 km 配管圧送）が遠くなり、造成の費用が高くなる。
- ・ 盛土材をトラック搬送する場合、環境影響対策が必要。

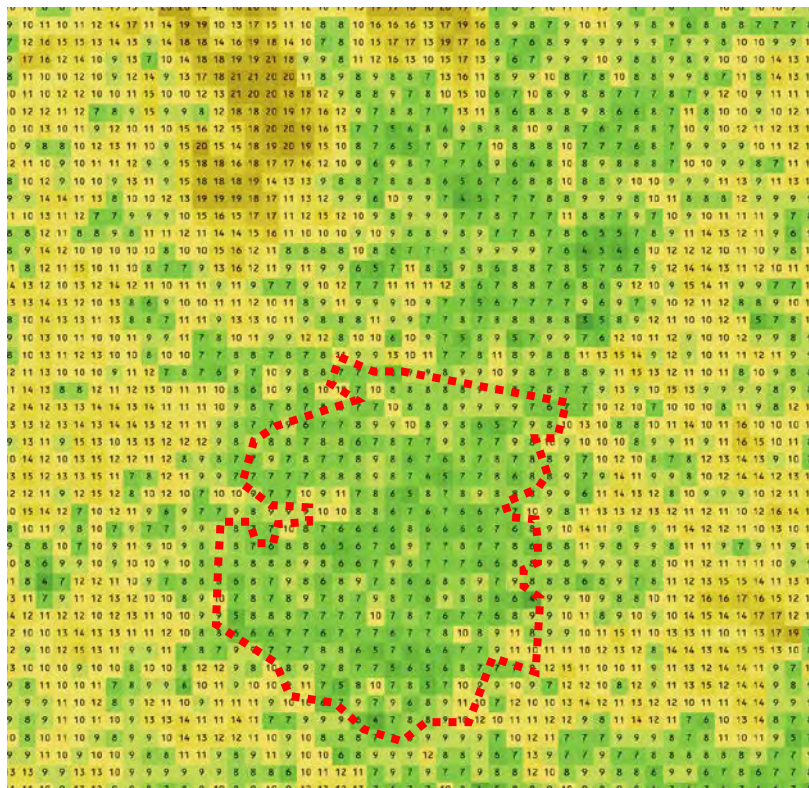
4) Site-7 : Kaliakair

73 評点（第 3 位）の Kaliakair のサイトを図 8 に示す。



■ : 第1期 (190 ha)、■ : 第2期 (295 ha)、計 485 ha、— : River

図 8 : Kaliakair サイト



出所：衛星 SRTM 標高データ（精度 10m のため参考として利用）

図 9 : Kaliakair 地形状況

<Kaliakair 候補地概要>

1. 位置	Dhaka より、直線距離 36 km。Kaliakair Upazila, Gazipur District。
2. サイズ	第 1 期開発：190 ha、第 2 期開発：295 ha、計 485 ha
3. アクセス	Dhaka より道路距離 54.5 km、1 時間 47 分。 Dhaka – Aricha Highway (国道 4 号線) から、3 km 以内。
4. 周辺インフラ	132kV/33kV 変電所まで 7 km。(3 年以内に約 3 km に変電所予定)
5. 土地利用	農地、湖沼地。1 期作未満。
6. 土地造成 (※)	3.6 – 5.6 m 盛土 (平均 4.6m)。 - 計画範囲の低地部の大よその標高：6-8m。 - Dhaleshwari/川の 1/100 洪水による氾濫水位：約 10.56m。 - 平均造成高を 11.6m と設定。
7. 環境社会配慮	不法居住者なし。要移転者なし。湖沼地帯あり。

**有利な点**

- ・ 国道 4 号線に近く、国道沿いに産業が発展してある。
- ・ 労働力のポテンシャルは高い。
- ・ 広く開発地を取れる。

**不利な点**

- ・ 湖沼地が中を通っており、十分な河川断面を取る必要がある。
- ・ 湖沼地の地盤改良を含み、高い土地造成が必要である。

5) Site-5 : Araihasar-2

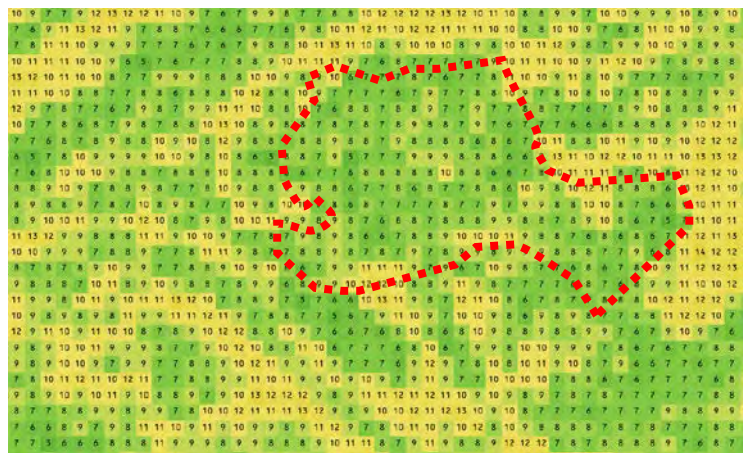
72 評点 (第 5 位) の Araihasar-2 のサイトを図 10 に示す。





□ : 全体 223 ha (第 1 期 100 ha を含む)

図 10 : Araihaazar-2 サイト



出所：衛星 SRTM 標高データ（精度 10m のため参考として利用）

図 11 : Araihaazar-2 地形状況

<Araihazar-2 候補地概要>

1. 位置	Dhaka より、直線距離 20 km。Araihazar Upazila, Narayanganj District。
2. サイズ	第 1 期開発：100 ha（幹線道路沿い）、第 2 期開発：123 ha、計 223 ha
3. アクセス	Dhaka より道路距離 28.6 km、51 分。 Dhaka – Sylhet Highway から、4 km 以内。
4. 周辺インフラ	132kV/33kV 変電所まで 5.0 km。
5. 土地利用	農地。1 期作。
6. 土地造成 (※)	0.4 – 1.4 m 盛土（平均 0.9m）。 - 計画範囲の低地部の大よその標高：7-8m。 - Shitalakshya 川・Meghna 川の 1/100 洪水による氾濫水位：約 7.36m。 - 平均造成高を 8.4m と設定。
7. 環境社会配慮	不法居住者なし。一部移転が必要。

**有利な点**

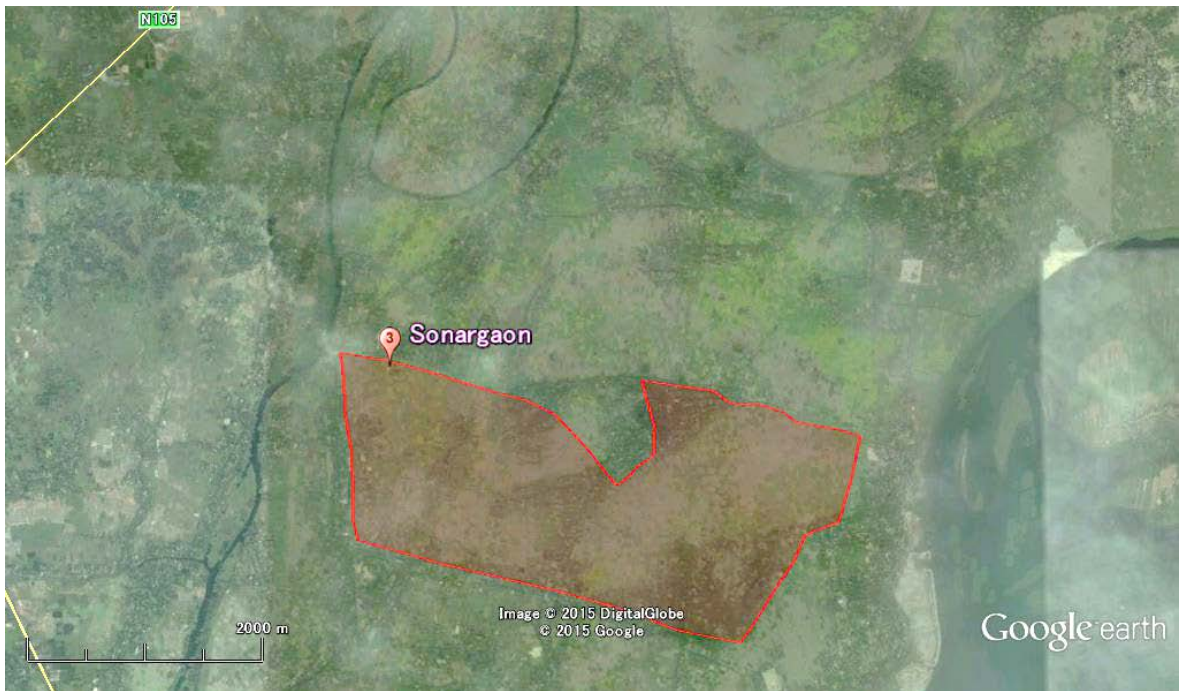
- ・ ダッカに近く、国道に近い場所である。
- ・ Purbachal 都市開発エリアからも近く、40 分程度の通勤圏。
- ・ 地方政府の計画である。
- ・ 洪水のリスクは、低い。
- ・ 比較的高くない盛土造成ですむ。

**不利な点**

- ・ 拡張可能性が、他地域に比較し、限られている。
- ・ 効率的な開発地域を確保するためには、一部住民移転が必要である。

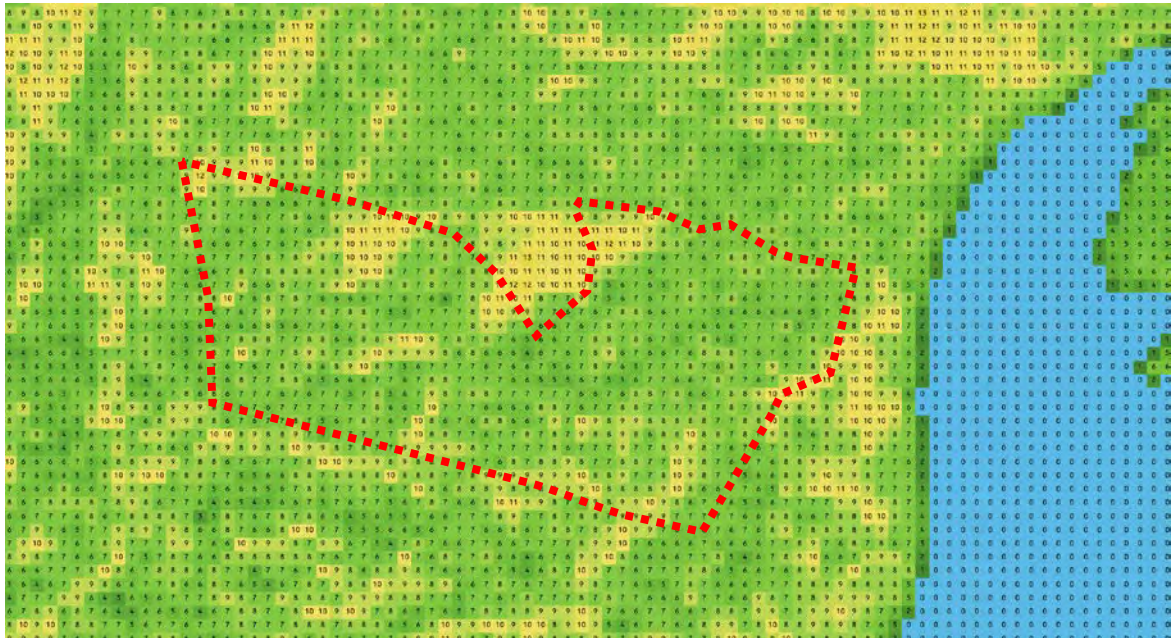
6) Site-3 : Sonargaon

71 評点（第 6 位）の Sonargaon のサイトを図 12 に示す。



□ : 全体 652 ha (第 1 期 185 ha を含む)

図 12 : Sonargaon サイト



出所：衛星 SRTM 標高データ（精度 10m のため参考として利用）

図 13 : Sonargaon 地形状況

< Sonargaon 候補地概要 >

1. 位置	Dhaka より、直線距離 22 km。Sonargaon Upazila, Narayanganj District。
2. サイズ	第 1 期開発：185 ha（北東側）、第 2 期開発：467 ha（西側、南側）、計 652 ha
3. アクセス	Dhaka より道路距離 35.8 km、1 時間 04 分。 Dhaka – Chittagong Highway（国道 1 号線）より 2.5 km。
4. 周辺インフラ	132kV/33kV 変電所まで 9 km。 Dhaka – Chittagong Highway 沿いにガス管あり。
5. 土地利用	農地。1 毛作。
6. 土地造成 (※)	1.2 – 2.2 m 盛土（平均 1.7m）。 - 計画範囲の低地部の大よその標高：6-7m。 - Meghna 川の 1/100 洪水による氾濫水位：約 7.19m。 - 平均造成高を 8.2m と設定。 サイトより 1 km 以内に、Meghna 川がある。
7. 環境社会配慮	不法居住者なし。一部移転が必要。

**有利な点**

- ・ ダッカに近く、現時点でも 1 時間弱で車移動が可能である。
- ・ 広大で拡張可能な土地が得られる。
- ・ 河川近くの道路が、堤防の役割を果たす。

**不利な点**

- ・ 河川が近く、洪水対策を考慮する必要があり、高い盛土も要する。

## 付属書 6 : 環境ガイドライン比較表

# **Profile on Environmental and Social Considerations in Bangladesh**

## **Supplement**

<b>付属書 6</b>
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(注：この資料は、世界の国際的なドナーの「環境のガイドライン」を比較したもので、JICAより貸与された資料（2012年7月作成）をレビューし、さらに、ADBの環境ガイドラインを追記したものである）

December 2015

**Japan International Cooperation Agency  
Bangladesh Profile on Environmental and Social Considerations**

**Reviewed and Revised in December 2015 by JICA Study Team**

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TABLE G-1

**Gaps between Relevant Regulations in Bangladesh, JICA Guidelines, ADB Safeguard Policy Statement (2009), and the World Bank Safeguard Policies – Environmental Impact Assessment (EIA)**

Aspect	JICA Guidelines for Environmental and Social Considerations (April 2010)	World Bank OP 4.01	ADB Guideline	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
<b>Objectives</b>	To ensure transparency, predictability, and accountability in its support for an examination of environmental and social considerations.	To ensure that they are environmentally sound and sustainable, and thus to improve decision making.	The objectives are to ensure the environmental soundness and sustainability of projects, and to support the integration of environmental considerations into the project decision-making process.	To make decisions in respect to the following: i) Whether site clearance could be given to the project, given the residual significant project impacts on the various environmental components (physical, biological, and socio-economic); and, ii) Which conditions may be prescribed for compliance by the project proponents during design, construction, and operation of the project.	The governmental laws pay less attention to transparency, predictability, and accountability. Because the EIA is conducted within the framework of the Environmental Clearance Certificate (ECC), the EIA tends to be accepted due to its consistency with the ECC.	When policies in Bangladesh do not meet the requirements of the financial institutions, a harmonized framework should be prepared, following the financial institutions' guidelines.
<b>Procedure of EA</b>	JICA supports and examines appropriate environmental and social considerations undertaken by project proponents etc. to avoid or minimize development projects'	EA evaluates a project's potential environmental risks and impacts for preventive measures over migratory or compensatory measures, whenever	Depending on the significance of project impacts and risks, the assessment may comprise a full-scale environmental impact assessment (EIA) for category A projects,	An EIA is conducted within the framework of the Environmental Clearance Certificate (ECC). The project proponent's application of ECC initiates the EA process	Although over classification used to screen the development projects exist, the procedure of EA is relatively vague because it is	For the Padma project, as an example that shows mechanisms to bridge the gaps, a harmonized policy was



Aspect	JICA Guidelines for Environmental and Social Considerations (April 2010)	World Bank OP 4.01	ADB Guideline	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
	impacts on the environment and local communities, and to prevent the occurrence of unacceptable adverse impacts.(1.4)	feasible.	an initial environmental examination (IEE) or equivalent process for category B projects, or a desk review.		conducted within the framework of ECC issuance.	created to ensure that the project was designed and carried out in compliance with environmental laws and regulations of the country where the operation is being implemented, including national obligations established under ratified Multilateral Environmental Agreements (MEAs).
<b>Criteria of EA</b>	“Environmental and social considerations” means considering environmental impacts including air, water, soil, ecosystem, flora, and fauna, as well as social impacts including	EA takes into account the natural environment (air, water, and land); human health and safety; social aspects (involuntary resettlement,	The Environmental Assessment process will be based on current information, including an accurate project description, and appropriate environmental and	i) Are the beneficial and adverse impacts properly explained? ii) What are the risks (probability of occurrence and magnitude of consequences) of	Less focus is placed on social consideration.	To bridge the gap, project proponents should include social considerations in the assessment. As an example,

Aspect	JICA Guidelines for Environmental and Social Considerations (April 2010)	World Bank OP 4.01	ADB Guideline	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
	<p>involuntary resettlement, respect for the human rights of indigenous people, and so on.(1.3.1) JICA confirms that projects comply with the laws or standards related to the environment and local communities in the central and local governments of host countries; it also confirms that projects conform to those governments' policies and plans on the environment and local communities. (2.6.2). JICA confirms that projects do not deviate significantly from the World Bank's Safeguard Policies, and refers as a benchmark to the standards of international financial organizations; to internationally recognized standards, or international standards, treaties, and declarations, etc.; and to</p>	<p>indigenous peoples, and physical cultural resources); and trans-boundary and global environmental aspects. EA considers natural and social aspects in an integrated way. It also takes into account environmental action plans; the country's overall policy framework, national legislation, and institutional capabilities related to the environment and social aspects; and obligations of the country, pertaining to project activities, under relevant international environmental treaties and agreements.</p>	<p>social baseline data. The environmental assessment will consider all potential impacts and risks of the project on physical, biological, Socioeconomic (occupational health and safety, community health and safety, vulnerable groups and gender issues, and impacts on livelihoods through environmental media and physical cultural resources in an integrated way. The project's potential environmental Impacts and risks will be reviewed against the requirements presented in this document and applicable laws and regulations of the jurisdictions in which the project operates that pertain to environmental</p>	<p>adverse impacts; are they properly evaluated?  iii) What impacts would the project have on environmentally sensitive areas, endangered species and their habitats, and recreational as well as aesthetic areas?  iv) Is the "No Project" scenario acceptable?  v) Are any of the alternative sites that are suggested in the report considered suitable from an environmental angle, though it may increase the cost of the project?  vi) Did similar projects implemented earlier cause significant adverse impacts and, if so, have the present proposals incorporated adequate measures to minimize adverse impacts at the proposed site?  vii) Which are the</p>		<p>the Padma Multipurpose project prepared a full assessment that met both the environmental and social requirements of all financial institutions.</p>

Aspect	JICA Guidelines for Environmental and Social Considerations (April 2010)	World Bank OP 4.01	ADB Guideline	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
	the good practices etc. of developed nations including Japan, when appropriate. (2.6.3)		matters, including host country obligations under international law. The assessment will identify potential trans boundary effects, such as air pollution, Increased use or contamination of international waterways, as well as global impacts.	unavoidable adverse impacts? viii) Are the concerns expressed by likely affected people genuine, and has the EIA/Initial Environmental Examination (IEE) project addressed these concerns adequately? ix) Are the mitigation measures, as proposed, reasonably feasible, and are they likely to be implemented (particularly those which have to be implemented during the operational phase)? x) What are the parameters that need to be monitored during project construction and operation so that the state of the environment can be studied throughout the project life?		
<b>EA Instruments</b>	JICA conducts an environmental review in accordance	A range of instruments can be environmental impact assessment	The ADB project conducted depending on the significance of	The required documents include: feasibility report, IEE	No significant gaps were identified between JICA	As an example, for the Padma project, a

Aspect	JICA Guidelines for Environmental and Social Considerations (April 2010)	World Bank OP 4.01	ADB Guideline	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
	with the project category, and refers to the corresponding environmental checklists for each sector when conducting that review as appropriate.	(EIA), regional or sectorial EA, environmental audit, hazard or risk assessment, and environmental management plan (EMP).	project impacts and risks, the assessment may comprise a full-scale environmental impact assessment (EIA) for category A projects, an initial environmental examination (IEE) or equivalent process for category B projects, or a desk review.	report, EIA report, Environmental Management Plan (EMP), No Objection Certificates (NOC), emergency plan, and relocation/ rehabilitation plan.	Guidelines and governmental laws.	Management Plan was prepared that included the following: -identifying responses to potentially adverse impacts; - determining requirements for ensuring that those responses are made effectively and in a timely manner; and – describing the means for meeting those requirements.
<b>Environmental Screening</b>	Category A: Project proponents etc. must submit EIA reports. JICA publishes the status of host countries' submission of major documents on environmental and social considerations on its website. Prior to its environmental review, JICA also discloses the	Category A: A proposed project is classified as Category A if it is likely to have significant adverse environmental impacts that are sensitive, diverse, or unprecedented. For a Category A project, the borrower is responsible for preparing a report, normally an EIA (or	Category A: Projects with potential for significant adverse environmental impacts. An environmental impact assessment (EIA) is required to address significant impacts. Category B: Projects judged to have some adverse	Industrial projects have been divided into four categories: Green, Orange-A, Orange-B, and Red, according to the environmental significance and the location of proposed development. Green projects do not require either an IEE or an EIA. At the other extreme	The category equivalent to the JICA's FI Category does not exist in governmental legislation.	To bridge the gaps between the JICA Guidelines and GoB policies, for the Padma Project, donors used both category A, in line with donor's policies, and Category Red, in

Aspect	JICA Guidelines for Environmental and Social Considerations (April 2010)	World Bank OP 4.01	ADB Guideline	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
	<p>following:            (1) EIA reports and environmental permit certifications, (2) RAPs for projects that will result in large-scale involuntary resettlement, and (3) IPPs for projects that address issues of indigenous people. Specifically, JICA discloses EIA reports 120 days prior to concluding agreement documents. JICA undertakes its environmental reviews based on the EIA and other documents submitted by project proponents etc. Category B: The scope of environmental reviews for Category B projects may vary from project to project, but it is narrower than that of Category A projects. JICA discloses the following: (1) EIA reports and environmental permit certifications, (2) RAPs for projects, and</p>	<p>suitably comprehensive regional or sectorial EA). Category B: A proposed project is classified as Category B if its potential adverse environmental impacts on human populations or environmentally important areas – including wetlands, forests, grasslands, and other national habitats – are less adverse than those of Category A projects. The findings and results of Category B EA are described in the project documentation (Project Appraisal Document and Project Information Document). Category C: A proposed project is classified as Category C if it is likely to have minimal or no adverse environmental impacts. Beyond screening, no further</p>	<p>environmental impacts, but of lesser degree and/or significance than those for category A projects. An initial environmental examination (IEE) is required to determine whether or not significant environmental impacts warranting an EIA are likely. If an EIA is not needed, the IEE is regarded as the final environmental assessment report. Category C: Projects unlikely to have adverse environmental impacts. No EIA or IEE is required, although environmental implications are still reviewed. Category FI: Projects are classified as category FI if they involve a credit line</p>	<p>are the Red category projects, for which both IEE and EIA are necessary.</p>		<p>order to get the ECC according to the requirements of the Government of Bangladesh: - examination of financially and technically feasible alternatives to the project location, design, technology and components, their potential environmental and social impacts; and - documentation of the rationale for selecting a particular alternative(s) proposed, where relevant. For the Padma project, alternatives should be examined for alignment, bridge design,</p>

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	(3) IPPs for projects that will require measures for indigenous people, when these documents are submitted by project proponents etc. Category C: For projects in this category, environmental review will not proceed after categorization. Category FI: JICA examines the related financial intermediary or executing agency to see whether appropriate environmental and social considerations as stated in the guidelines are ensured for projects in this category.	EA action is required for a Category C project. Category FI: A proposed is classified as Category FI if it involves investment of Bank funds through a financial intermediary, in subprojects that may result in adverse environmental impacts.	through a financial intermediary or an equity investment in a financial intermediary. The financial intermediary must apply an environmental management system, unless all subprojects will result in insignificant impacts.			construction methods, river training works, etc.
<b>EA for Special Project Types</b>	Category FI projects JICA examines the related financial intermediary or executing agency to see whether appropriate environmental and social considerations as stated in the guidelines are ensured for projects in this category. JICA also examines institutional	<i>Sector Investment Lending (SIL)</i> During the preparation of each proposed subproject, the project coordinating entity or implementing institution carries out appropriate EA according to	The determination of the environment category is to be based on the most environmentally sensitive component of the project. This means that if one part of the project is with potential for significant adverse	No specification.	No specification is identified under Bangladeshi law.	When policies in Bangladesh do not meet the requirements of the financial institutions, a harmonized framework should be prepared following the

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	<p>capacity in order to confirm environmental and social considerations of the financial intermediary or executing agency, and, if necessary, requires that adequate measures be taken to strengthen capacity. The financial intermediary or executing agency examines the potential positive and negative environmental impacts of sub-projects and takes the necessary measures to avoid, minimize, mitigate, or compensate for potential negative impacts, as well as measures to promote positive impacts if any such measures are available. (3.2.1(4))</p> <p>Measures Taken in an Emergency In an emergency—which means a case that must be dealt with immediately, such as restoration after natural</p>	<p>country requirements and the requirements of this policy. The Bank’s judging criteria are as follows:</p> <p>(a) screen subprojects (b) obtain the necessary expertise to carry out EA (c) review all findings and results of EA for individual subprojects (d) ensure implementation of mitigation measures (including, where applicable, an EMP) (e) monitor environmental conditions that</p> <p>(a) the extent to which the emergency was precipitated or exacerbated by inappropriate environmental practices be determined as part of the preparation of such projects (b) any necessary corrective measures be</p>	<p>environmental impacts, then project is to be classified as Category A regardless of the potential environmental impact of other aspects of the project. Similarly, if the most sensitive component is classified B, then the project is to be classified B. Of course only those aspects of the project with potential for significant adverse environmental impacts need to be assessed in detail. The scoping for the environmental assessment and the terms of reference (TOR) for the environmental assessment report should focus on the significant environmental issues.</p>			<p>financial institutions’ guidelines and in accordance with those of Bangladesh. As of production of the subject document, no specific mechanism to bridge the gap has been identified in EA for the special project type.</p>

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	<p>disasters or post-conflict restoration—when it is clear that there is no time to follow the procedures of environmental and social considerations mentioned in the guidelines, JICA reports at an early stage to the Advisory Committee for Environmental and Social Considerations on categorization, judgment of emergency, and procedures to follow, and discloses a result. JICA asks advice from the Advisory Committee when it is necessary.</p>	<p>built into either the emergency operation or a future lending</p>				
<b>Institutional Capacity</b>	<p>JICA provides support for and examinations of the environmental and social considerations that project proponents etc. implement in accordance with Sections 2 and 3 of the guidelines, depending on the nature of cooperation projects.</p>	<p>When the borrower has inadequate legal or technical capacity to carry out key EA related functions (such as review of EA, environmental monitoring, inspections, or management of migratory measures) for a proposed project,</p>	<p>The borrower/client will use qualified and experienced experts to prepare the environmental assessment and the EMP. For highly complex and sensitive projects, independent advisory panels of experts not affiliated with the project will</p>	<p>Department of Environment (DOE) has the responsibility of conducting EA within the frame of an ECC issuance.</p>	<p>No indication of request for external resources has been noted in the Governmental Laws.</p>	<p>When Bangladeshi legal provisions do not meet the requirements of the financial institutions, a project-specific framework should be prepared based on the financial</p>



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		the project includes components to strengthen that capacity.	be used during project preparation and implementation.			institutions' guidelines. In addition, use of external resources is crucial when determined necessary, given the limited resources in the governmental sector.
<b>Public Consultation</b>	Project proponents etc. consult with local stakeholders through means that induce broad public participation to a reasonable extent, in order to take into consideration the environmental and social factors in a way that is most suitable to local situations, and in order to reach an appropriate consensus. JICA encourages project proponents etc. to publicize in advance that they plan to consult with local stakeholders, with	For all Category A and B projects proposed for IBRD or IDA financing, during the EA process, the borrower consults project-affected groups and local nongovernmental organizations (NGOs) about the project's environmental aspects and takes their views into account. The borrower initiates such consultations as early as possible. For Category A projects, the borrower consults these groups at least	The borrower/client will carry out meaningful consultation with affected people and other concerned stakeholders, including civil society, and facilitate their informed participation. Consultation will be carried out in a manner commensurate with the impacts on affected communities. The consultation process and its results are to be documented	Although providing information to local residents, community consultation, and public involvement has been recognized as important in major documents, specific legislation to implement such processes is yet to be enacted.	Significant gaps are found.	In line with their policy, project proponents will consult with local stakeholders through means that induce broad public participation. As an example, the Padma project's harmonized policy provides for community engagement free of external manipulation, interference,

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	<p>particular attention to directly affected people, in order to have meaningful meetings. In the case of Category A projects, JICA encourages project proponents etc. to consult with local stakeholders about their understanding of development needs, the likely adverse impacts on the environment and society, and the analysis of alternatives at an early stage of the project, and assists project proponents as needed. (2.4) Consultations with relevant stakeholders, such as local residents, should take place if necessary throughout the preparation and implementation stages of a project. Holding consultations is highly desirable, especially when the items to be considered in the EIA are being selected, and when</p>	<p>twice: (a) shortly after environmental screening and before the terms of reference for the EA are finalized; and (b) once a draft EA report is prepared. In addition, the borrower consults with such groups throughout project implementation as necessary to address EA-related issues that affect them.</p>	<p>and reflected in the environmental assessment report.</p>			<p>coercion, or intimidation, and is conducted on the basis of timely, relevant, understandable, and accessible information. For the Padma Project, stakeholder (expert) consultation, focus group discussion, and two-stage formal public consultations have been adopted.</p>

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	the draft report is being prepared. (Appendix 2) In the case of Category B projects, JICA encourages project proponents etc. to consult with local stakeholders when necessary. (2.4)					
<b>Disclosure</b>	Information about the environmental and social considerations of their projects. JICA encourages project proponents etc. to disclose and present information about environmental and social considerations to local stakeholders. Project proponents etc. disclose information well in advance when they have meetings with local stakeholders in cooperation with JICA. On these occasions, JICA supports project proponents etc. in the preparation of documents in an official or widely used language and in a form understandable by local	For meaningful consultations between the borrower and project-affected groups and local NGOs on all Category A and B projects proposed for IBRD or IDA financing, the borrower provides relevant material in a timely manner prior to consultation and in a form and language that are understandable and accessible to the groups being consulted. For a Category A project, the borrower provides for the initial consultation a summary of the proposed project's objectives, description,	Environmental assessment reports are accessible to interested parties and the general public. The SIEE and SEIA reports are required to be circulated worldwide, through the depository library system and on the ADB web site. The full EIA or IEE reports are also made available to interested parties on request. ADB's "120 day rule" requires that the SEIA, or in the case of Category B projects that are deemed environmentally sensitive, the SIEE, is available to the	No overt requirements of information disclosure let alone public hearings or comments. GoB passed the Environment Court Act, 2000 (Act No. 11 of 2000) to allow appeals to be made by the public on non-compliance with the ECA (1995) and ECR (1977).	No legal requirements on disclosure of information are present in government laws, while others set clear recommendations/ requirements for information disclosure; significant gaps are identified.	The borrower should support the documentation of monitoring results, including the development and implementation of corrective actions for disclosure through periodic progress reports. The bridge mechanism for the Padma Multipurpose Project included disclosure in local languages with

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	<p>people. (2.1/1, 6,7)</p> <p>For Category A project, JICA publishes the status of host countries' submission of major documents on environmental and social considerations on its website. Prior to its environmental review, JICA also discloses EIA reports and environmental permit certifications 120 days prior to concluding agreement documents. JICA discloses a translated version of EIA reports, subject to approval by project proponents etc.</p> <p>For Category B project, JICA discloses EIA reports and environmental permit certifications, when these documents are submitted by project proponents etc. (Sec.3/3.2/3.2.1/(1), (2))</p>	<p>and potential impacts. In addition, for a Category A project, the borrower makes the draft EA report available at a public place accessible to project-affected groups and local NGOs. Any separate Category B report for a project proposed for IDA financing is made available to project-affected groups and local NGOs.</p>	<p>general public at least 120 days before ADB's Board of Directors considers the loan, or in relevant cases, before approval of significant changes in project scope or subprojects. The 120-day rule applies to all public and private sector category A projects and to those categories B projects deemed to be environmentally sensitive. To facilitate the required consultations with project-affected groups and local nongovernment organizations, the Borrower will provide information on the project's environmental issues in a form and language(s) accessible to those being consulted.</p>			<p>understandable content during public consultation.</p>

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<b>Monitoring Implementation</b>	<p>JICA confirms with project proponents etc. the results of monitoring the items that have significant environmental impacts. This is done in order to confirm that project proponents etc. are undertaking environmental and social considerations for projects that fall under Categories A, B, and FI. The information necessary for monitoring confirmation by JICA must be supplied by project proponents etc. by appropriate means, including in writing. When necessary, JICA may also conduct its own investigations. JICA discloses the results of monitoring conducted by project proponents etc. on its website to the extent that they are made public in project proponents etc. (3.2.2/1,2, 7)</p>	<p>The borrower reports on (a) compliance with measures agreed with the Bank on the basis of the findings and results of the EA, including implementation of any EMP (b) the status of migratory measures (c) Findings of monitoring programs The Bank bases measures set out in the legal agreements, any EMP, and other project documents.</p>	<p>The borrower/client will monitor and measure the progress of implementation of the EMP. The extent of monitoring activities will be commensurate with the project's risks and impacts. For projects likely to have significant adverse environmental impacts, the Borrower/client will retain qualified and experienced external experts or qualified NGOs to verify its monitoring information. The borrower/client will prepare periodic monitoring reports that describe progress with Implementation of the EMP and compliance issues and corrective actions, if any.</p>	<p>There is a process of ECC renewal that requires monitoring and assessment. DOE has the responsibility of following up and monitoring ECC conditions. DOE makes the proponent compliance reports available to the public on its website. There are no formal provisions to obtain independent assessment of EIA reports if found necessary. There is also no formal mechanism or programme at DOE that conducts an independent audit of approved projects. Third-party monitoring is recommended through approved laboratories.</p>	<p>No legal requirements on monitoring are present in government laws, while others define monitoring as a part of their assessment activities.</p>	<p>Compliance with measures agreed upon with the Bank on the basis of the findings and results of the EA, including implementation of any EMP, as set out in the project documents; Status of migratory measures and endings of monitoring programs. Monitoring the effectiveness of the Environmental Management Program implementation.</p>

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Source: JICA. 2010. Japan International Cooperation Agency (JICA) Guidelines for Environmental and Social Considerations; World Bank. 2012. Operational Policies; BBA. 2010. BAN: Padma Multipurpose Bridge Project (Environment Assessment Report).						

TABLE G-2

**Gaps between Relevant Regulations in Bangladesh, JICA Guidelines, the World Bank Safeguard Policies (OP 4.12 Involuntary Resettlement, Revised (April 2013)) and ADB Safeguard Policy Statement (2009) – Involuntary Resettlement**

Aspect	JICA Guidelines for Environmental and Social Consideration (April 2010)	World Bank OP 4.10 - Involuntary Resettlement	ADB	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
<b>Avoid involuntary resettlement</b>	Involuntary resettlement and loss of means of livelihood are to be avoided when feasible by exploring all viable alternatives.	Involuntary resettlement should be avoided where feasible.	Involuntary resettlement proposes the alternatives considered to avoid or minimize resettlement.	The 1982 Ordinance (with its focus on mitigation rather than avoidance) does not specifically address resettlement	Gaps in regard to use of alternative options to avoid resettlement impacts.	Case example: Padma Bridge project The Resettlement Framework (RF) adheres to the harmonized policy. Avoid involuntary resettlement and adverse impacts on people and communities, wherever feasible.
<b>Minimize involuntary resettlement</b>	When, after such an examination, avoidance is proved unfeasible, effective measures to minimize impact and to compensate for losses must be agreed upon with the people who will be affected.	Minimize involuntary resettlement by exploring all viable alternative project designs	To avoid involuntary resettlement wherever possible; minimize involuntary resettlement by exploring project and design alternatives; enhance, or at least restore, the livelihoods of all displaced persons	The 1982 Ordinance implicitly discourages unnecessary and excess land acquisition; excess land remains idle and unused, and lands acquired for one purpose cannot be used for a different purpose. Land that remains unused should be returned to	The 1982 Ordinance requires notification only; no consultation is required while other guidelines are generally implemented based on consultation.	Case example: Padma Bridge project <ul style="list-style-type: none"> <li>• Minimize displacement of people as much as possible by exploring all viable design alternatives.</li> <li>• If unavoidable, provide for prompt payment of Just compensation, replacement costs (for lost assets and income) and rehabilitation and livelihood assistance toward improved conditions (as compared to conditions before relocation) for all displaced households regardless of (land) tenure.</li> <li>• Return unused land to the original owners through reacquisition.</li> </ul>

Aspect	JICA Guidelines for Environmental and Social Consideration (April 2010)	World Bank OP 4.10 - Involuntary Resettlement	ADB	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
				the original owner(s).		
<b>Mitigate adverse social impacts</b>	People who must be resettled involuntarily and people whose means of livelihood will be hindered or lost must be sufficiently compensated and supported by project proponents etc. in a timely manner.	Where it is not feasible to avoid resettlement, resettlement activities should be conceived and Executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits.	Resettlement is considered involuntary when displaced individuals or communities do not have the right to refuse land acquisition that result in displacement.	Mitigation measures involve cash-only compensation for lost assets. The Ordinance does not address complexities of resettlement.	Only cash-based compensation for acquired assets without consideration of impacts of loss of land, houses and the need for resettlement.	Case example: Padma Bridge project: The harmonized policy prepared for the project was: Where IR is unavoidable, effective measures to mitigate adverse social and economic impacts on affected persons by: (a) providing compensation for loss of assets at replacement cost; (b) ensuring that resettlement activities are implemented with appropriate disclosure of information, consultation, and the informed participation of those affected (c) Improve or at least restore the livelihoods and standards of living of displaced persons, and (d) Improve living conditions among displaced persons through provision of adequate housing with security of tenure at resettlement sites. According to the above policy, the project plans to: <ul style="list-style-type: none"> <li>• Provide replacement value for assets lost (i.e. land, structures, trees etc.) at replacement cost.</li> <li>• Resettlement in project-sponsored sites with civic</li> </ul>



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						<p>amenities.</p> <ul style="list-style-type: none"> <li>• Apply separate Livelihood and Income Restoration Plans (RP).</li> <li>• Disclose RPs to the community and make available in Bangla. The “good practices” are derived from the resettlement “model” of the Jamuna Bridge project.</li> </ul>
<b>Screening</b>	<p>JICA classifies projects into four categories according to the extent of environmental and social impacts, taking into account an outline of project, scale, site condition, etc. JICA requests that Project proponents etc. fill in the screening form found in Appendix 4; the information in this form will be a reference for the categorization of proposed projects.</p>	<p>Undertakes environmental screening of each proposed project to determine the appropriate extent and type of Environmental Assessment (EA). The Bank classifies the proposed project into one of four categories, depending on the type, location, sensitivity, and scale of the project and the nature and magnitude of its potential environmental impacts.</p>	<p>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.</p>	<p>The Bangladesh environmental impact assessment (EIA) System has four project categories: Red, Orange A, Orange B and Green.</p>	<p>No significant gaps identified between JICA guidelines and Government laws.</p>	<p>Case example: Padma Bridge project The harmonized policy was: Every development intervention will be screened, as early as possible in the project cycle, to identify the people who may be beneficially and adversely affected, and to determine the scope of a social assessment to assess those affects and impacts.</p>

Aspect	JICA Guidelines for Environmental and Social Consideration (April 2010)	World Bank OP 4.10 - Involuntary Resettlement	ADB	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
<b>Categorization</b>	Projects that are likely to have a significant adverse impact on the environment and society are categorized as “Category A” even if they are not included in the sectors, characteristic, or areas on the list. Sensitive Characteristics Large-scale involuntary resettlement	Project displaces fewer than 200 people & entails Minor Resettlement impacts namely – a) all the DPs lose less than 10% of their land, regardless of the number of APs b) the remainder of their land is economically viable; c) they have no need for physical relocation Project that displace more than 200 people and entail major impacts	Categorization is undertaken using Rapid Environmental Assessment (REA) Checklists consist of questions relating to (i) the Sensitivity and vulnerability of environmental resources in project area, and (ii) the potential for the project to cause significant adverse environmental impacts.	The content of the Project determines its category.	No significant gaps were identified between JICA guidelines and government laws.	Case example: Padma Bridge project The harmonized policy was: Categorize impacts by “significance” and define the scale of impacts – both direct and indirect – with particular attention to economic and livelihood impacts Plan mitigations for all types of losses in the RP.
<b>Resettlement Plan (supervision)</b>	For projects that will result in large-scale involuntary resettlement, resettlement action plans must be prepared and made available to the public. In preparing a resettlement action	To cover the direct social and economic impacts that are caused by the involuntary taking of land and/or the involuntary restriction of access to legally	A resettlement plan will be based on the social impact assessment and through meaningful consultation with the affected persons. A	No provision in the 1982 Ordinance.	No law or directives on the supervision of land-acquisition process by Deputy Commissioner	Case example: Padma Bridge project The harmonized policy was: For all interventions that involve resettlement or physical or economic displacement, a resettlement plan will be prepared which will establish the entitlements of all categories of affected persons (including host

Aspect	JICA Guidelines for Environmental and Social Consideration (April 2010)	World Bank OP 4.10 - Involuntary Resettlement	ADB	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
	<p>plan, consultations must be held with the affected people and their communities based on sufficient information made available to them in advance.</p>	<p>designated parks and protected areas, the borrower will prepare a Resettlement plan or resettlement policy framework. The RP or framework will include measures to ensure that the displaced persons are provided assistance during relocation; provided with residential housing, or housing sites, or as required agricultural sites; offered transitional support; provided with development assistance in addition to compensation.</p>	<p>resettlement plan 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.</p>			<p>communities), with particular attention paid to the needs of the poor and the vulnerable. The RP will lay down appropriate time-bound actions and budgets, and the full costs of resettlement, compensation, and rehabilitation will be included in the presentation of the costs and benefits of the development intervention. According to the above policy, the resettlement supervision in the Padma was planned to follow the Jamuna model, including: 1) periodic co-financier “milestone” meeting, 2) supervision by CSC safeguard specialist, 3) mid-term review of resettlement performance and 4) regular supervision of resettlement operations by the BBA Resettlement Unit.</p>
<b>Alternatives</b>	<p>Involuntary resettlement and loss of means of</p>	<p>Assess all viable alternative project designs to avoid,</p>	<p>ADB will explore to the maximum extent possible</p>	<p>Feasibility studies including social,</p>	<p>No specific laws for considering project design to avoid or</p>	<p>Padma RF considers feasible alternative project design to avoid or at least minimize physical or</p>

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	livelihood are to be avoided when feasible by exploring all viable alternatives	where feasible, or minimize involuntary resettlement.	alternative project designs to avoid physical relocation of Indigenous Peoples that will result in adverse impacts on their identity, culture, and customary livelihoods	political, cultural and EIAs and detailed engineering surveys as basis for acquisition of private property or rights.	minimize involuntary resettlement. Feasibility study considers cost-benefits from technical rather than socio-cultural considerations.	economic displacement, while balancing environmental, social, technical and financial costs and benefits.
<b>Social assessment</b>	The impacts to be assessed with regard to environmental and social considerations. These also include social impacts, including migration of population and involuntary resettlement, local economy such as employment and livelihood, utilization of land and local resources, social institutions such as social capital and local decision-making institutions, existing social	Through census and socio-economic surveys of the affected population, identify, assess, and address the potential economic and social impacts of the project that are caused by involuntary taking of land (e.g. relocation or loss of shelter, loss of assets or access to assets, loss of income sources	ADB will conduct socioeconomic survey(s) and a census, with appropriate socioeconomic baseline data to identify all persons who will be displaced by the project and to assess the project's socioeconomic impacts on them. For this purpose, normally a cut-off date will be established by the host government procedures.	1982 Ordinance requires preparation of a plan covering land acquisition and compensation purposes (LAP). However, government of Bangladesh (GoB) environmental rules/guidelines (1997) synchronize various applicable laws and policy frameworks of the country for	Impact assessments are typically done in the case of externally funded projects; otherwise, a land-acquisition plan (LAP) is prepared for acquisition purposes. IEE/EIA reports discuss project impacts on properties, livelihoods and employment, health and environment but do not provide enough information to determine losses	Case example: Padma Bridge project The harmonized policy was: Assess at an early stage of the project cycle the potential social and economic impacts caused by involuntary taking of land (e.g. relocation or loss of shelter, loss of assets or access to assets, loss of income sources or means of livelihood, whether or not the affected person must move to another location) or involuntary restriction of access to legally designated parks and protected areas and to determine who will be eligible for compensation and assistance. According to the above policy, • RF requires identification of impacts caused by displacement

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	infrastructures and services, vulnerable social groups such as poor and indigenous peoples, equality of benefits and losses and equality in the development process, gender, children's rights, cultural heritage, local conflicts of interest, infectious diseases such as HIV/AIDS, and working conditions including occupational safety.	or means of livelihood, whether or not the affected person must move to another location) or involuntary restriction of access to legally designated parks and protected areas.		early identification of impact on and mitigation of Biophysical, socioeconomic and cultural environment of a project. Requires the assessment of technical alternatives, including a no-action alternative to minimise adverse Environmental impacts, including human health and safety. The EIA system identifies measures to minimize the problems and recommends ways to improve project sustainability.	and basis for Compensation. Existing laws do not provide for identification of indigenous people to recognize their particular problems and inconveniences due to a project.	whether or not through land acquisition (maintaining the principle that lack of formal title to land should not be a bar to compensation and resettlement assistance), including number of affected persons (APs). • Framework also addresses both direct and indirect impacts.
<b>Involvement</b>	Appropriate	Consult project-	Information	The 1982	No provision in the	Case example: Padma Bridge

Aspect	JICA Guidelines for Environmental and Social Consideration (April 2010)	World Bank OP 4.10 - Involuntary Resettlement	ADB	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
<b>of stakeholders</b>	participation by affected people and their communities must be promoted in the planning, implementation, and monitoring of resettlement action plans and measures to prevent the loss of their means of livelihood.	affected persons, host communities and local nongovernmental organizations, as appropriate. Provide them opportunities to participate in the planning, implementation, and monitoring of the resettlement program, especially in the process of developing and implementing the procedures for determining eligibility for compensation benefits and development assistance (as documented in a resettlement plan), and for establishing appropriate and accessible	Disclosure, Consultation, and Participation: (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) describes the activities undertaken to disseminate project and resettlement information during project design and preparation for engaging stakeholders; (iv) summarizes the results of consultations with affected persons (including host communities), and	Ordinance makes provisions (Sections 3 and 3/2) to notify the owners of property to be acquired. Any party having objections can appear to DC for a hearing with 15 days of notification.	law for consulting the stakeholders but the land allocation committees at district, division and central government level. People have limited scope to negotiate with the government on the price of land, but have no right to refuse acquisition.	project The harmonized policy was: Consult project-affected persons, host communities and local nongovernmental organisations, as appropriate. Provide them opportunities to participate in the planning, implementation, and monitoring of the resettlement program, especially in the process of developing and implementing the procedures for determining eligibility for compensation benefits and development assistance (as documented in a resettlement plan), and for establishing appropriate and accessible grievance mechanisms. Pay particular attention to the needs of vulnerable groups among those displaced, especially those below the poverty line, the landless, the elderly, women and children, Indigenous Peoples, ethnic minorities, or other displaced persons who may not be protected through national land compensation legislation. According to the above policy, the project provides for community consultation and public disclosure of impacts as well as mitigation

Aspect	JICA Guidelines for Environmental and Social Consideration (April 2010)	World Bank OP 4.10 - Involuntary Resettlement	ADB	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
		grievance mechanisms. Pay particular attention to the needs of vulnerable groups among those displaced, especially those below the poverty line, the landless, the elderly, women and children, Indigenous Peoples, ethnic minorities, or other displaced persons who may not be protected through national land compensation legislation.	discusses how concerns raised and recommendations made were addressed in the resettlement plan; (v) confirms disclosure of the draft resettlement plan to affected persons and includes arrangements to disclose any subsequent plans; and (vi) describes the planned information disclosure measures (including the type of information to be disseminated and the method of dissemination) and the process for consultation with affected persons during project			measures, including disclosure of RP. Further, it establishes grievance-redress procedures involving a cross-section of people, including representatives of APs, address accountability and democratisation of development process.

Aspect	JICA Guidelines for Environmental and Social Consideration (April 2010)	World Bank OP 4.10 - Involuntary Resettlement	ADB	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
			implementation.			
<b>Existing social and cultural institutions</b>	The impacts to be assessed with regard to environmental and social considerations. These also include social impacts, including social institutions such as social capital and local decision-making institutions, existing social infrastructures and services	To the extent possible, the existing social and cultural institutions of resettlers and any host communities are preserved and resettlers' preferences with respect to relocating in pre-existing communities and groups are honoured.	Existing social and cultural institutions of resettlers and their hosts should be supported and used to the greatest extent possible, and resettlers should be integrated economically and socially into host communities. (ADB 1998)	No specification under Bangladesh national laws.	No provision in any existing laws.	Ensure that the existing social and cultural institutions of the resettlers and any host communities are supported and used to the extent possible, including legal, policy and institutional framework of the country to the extent that the intent and spirit of the IR policy is maintained. Projects must be adequately coordinated so that they are accepted in manner that is socially appropriate to the country and locality in which the Project is planned. The Jamuna resettlement project established this as a "good practice" in its resettlement operation. Affected households received options for relocation in accordance with their choices and support available from existing social networks. Providing civic amenities and infrastructure services to the host villages enhanced host-resettler relations. Padma RF has similar provisions to enhance carrying capacity of the host villages during post-relocation period.
<b>Definition of</b>	People who must be	1) those who have	Displaced persons	No specification	Not applicable	When Bangladesh national laws do



Aspect	JICA Guidelines for Environmental and Social Consideration (April 2010)	World Bank OP 4.10 - Involuntary Resettlement	ADB	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
<b>displaced persons</b>	resettled involuntarily and people whose means of livelihood will be hindered or lost must be sufficiently compensated and supported by project proponents etc. in a timely manner.	formal legal rights to land (including customary and traditional rights recognized under the laws of the country); 2) those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets—provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan 3) those who have no recognizable legal right or claim to the land they are occupying.	are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources.	under Bangladesh national laws.		not meet the requirements of the financial institutions' safeguard policies, the project framework should meet the financial institutions' guidelines.
<b>Vulnerable group</b>	Appropriate consideration must	Particular attention must be	Vulnerable groups, especially	No specification Under	Not applicable	When Bangladesh national laws do not meet the requirements of the

Aspect	JICA Guidelines for Environmental and Social Consideration (April 2010)	World Bank OP 4.10 - Involuntary Resettlement	ADB	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
	be given to vulnerable social groups, such as women, children, the elderly, the poor and ethnic minorities, all members of which are susceptible to environmental and social impacts and may have little access to decision-making processes within society.	paid to the needs of the vulnerable groups among those displaced, especially those below the poverty line, landless, elderly, women and children, ethnic minorities etc.	those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land.	Bangladesh national laws.		financial institutions' safeguard policies, the project framework should meet the financial institutions' guidelines.
<b>Replacement cost</b>	Prior compensation, at full replacement cost, must be provided as much as possible.	The methodology to be used in valuing losses to determine their replacement cost	The client will provide adequate and appropriate replacement land and structures or cash compensation at full replacement cost for lost land and structures, adequate compensation for partially damaged structures, and relocation assistance.	No specification under Bangladesh national laws.	Not applicable	Project proponent should follow the institutional guidelines.
<b>Capacity</b>	JICA makes efforts to	Financing of	The ADB funded	No specification	Not applicable	Case example: Padma Bridge

Aspect	JICA Guidelines for Environmental and Social Consideration (April 2010)	World Bank OP 4.10 - Involuntary Resettlement	ADB	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
<b>building</b>	enhance the comprehensive capacity of organizations and operations in order for project proponents etc., to have consideration for environmental and social factors, appropriately and effectively, at all times	technical assistance to strengthen the capacities of agencies responsible for resettlement, or of affected people to participate more effectively in resettlement operations.	Resettlement Project would ensure institutional capacity building program, including technical assistance, if required.	under Bangladesh national laws.		project The harmonized policy was: Assist in building capacity of DMCs on best practice on involuntary resettlement planning and implementation Financing of technical assistance to strengthen the capacities of agencies responsible for resettlement, or of affected people to participate more effectively in resettlement operations.
<b>Grievance procedures</b>	Appropriate and accessible grievance mechanisms must be established for the affected people	A grievance redress mechanisms for simplicity, accessibility, affordability, and accountability	A grievance mechanism will establish to receive and facilitate the resolution of affected persons' concerns and grievances about physical and economic displacement and other project impacts, paying particular attention to the impacts on vulnerable groups.	No specification under Bangladesh national laws.	Not applicable	To bridge the gap, establish a grievance mechanism to receive and facilitate resolution of affected communities' concerns and grievances about the borrower's environmental performance.

Aspect	JICA Guidelines for Environmental and Social Consideration (April 2010)	World Bank OP 4.10 - Involuntary Resettlement	ADB	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
<b>Information disclosure</b>	For projects that will result in large-scale involuntary resettlement, resettlement action plans must be prepared and made available to the public. In preparing a resettlement action plan, consultations must be held with the affected people and their communities based on sufficient information made available to them in advance.	Disclose draft resettlement plans, including documentation of the consultation process, in a timely manner, before appraisal formally begin, in an accessible place and in a form and language that are understandable to key stakeholders.	ADB will disclose draft resettlement plans, the resettlement monitoring reports etc., which provide relevant resettlement information, including information in a timely manner, in an accessible place and in a form and language(s) understandable to affected persons and other stakeholders. For illiterate people, suitable other communication methods will be used.	The 1982 Ordinance requires displaying a notice at convenient places on or near the property in a prescribed form and manner stating that the property is proposed to be acquired (u/section 3).	Disclosure takes place in case of donor-funded projects.	Padma RF requires disclosure of draft RPs to the affected communities in a form or language(s) understandable to key stakeholders, civil society, particularly affected groups and the general public in a national workshop. Further, updated RPs will be disclosed based on material changes as a result of the concerns of affected families.
<b>Monitoring</b>	After projects begin, project proponents etc. monitor whether any unforeseeable situations occur and whether the performance and effectiveness of	The borrower is responsible for adequate monitoring & evaluation of the activities set forth in the resettlement	The ADB will monitor and measure the progress of implementation of the resettlement plan. The extent of monitoring	The 1982 Ordinance II provides that the DC will monitor and submit a statement to the government	Existing laws have no provision for rehabilitation of project-affected persons, and, therefore, no monitoring is done.	Case example: Padma Bridge project The harmonized policy was: The borrower is responsible for adequate monitoring & evaluation of the activities set forth in the resettlement instrument. It is desirable that the project

Aspect	JICA Guidelines for Environmental and Social Consideration (April 2010)	World Bank OP 4.10 - Involuntary Resettlement	ADB	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
	mitigation measures are consistent with the assessment's prediction. They then take appropriate measures based on the results of such monitoring.	instrument.	activities will be commensurate with the project's risks and impacts. In addition to recording the progress in compensation payment and other resettlement activities, the borrower/client will prepare monitoring reports to ensure that the implementation of the resettlement plan has produced the desired outcomes.	annually about 1) properties acquired for different requiring bodies and 2) mode of land use.		proponents monitor: (i) whether any situations that were unforeseeable before the project began have arisen; (ii) the implementation situation and the effectiveness of the mitigation measures prepared in advance, and that they then take appropriate measures based on the results of such monitoring (iii) involve independent external experts for resettlement monitoring (iv) monitoring reports must be made public and additional steps to be taken, if required. According to the above policy, the Padma RF provides for internal and external monitoring, plus periodic monitoring by independent POE to be hired by co-financiers' fund. Monitoring results will be shared and findings used for enhancement if needed.
Source: JICA. 2010. Japan International Cooperation Agency (JICA) Guidelines for Environmental and Social Considerations; World Bank. 2012. Operational Policies; BBA. 2010. BAN: Padma Multipurpose Bridge Project (Environment Assessment Report); BBA. 2011. Padma Bridge Project: Updated RAP III (River Training Works).						

**TABLE G-3**

**Gaps between Relevant Regulations in Bangladesh, JICA Guidelines, World Bank Safeguard Policies (OP 4.10 Indigenous People, Revised 2013) and ADB Safeguard Policy Statement (2009)**

Aspect	JICA Guidelines for Environmental and Social Consideration (April 2010)	World Bank OP 4.10 - Indigenous Peoples	ADB Safeguard Policy Statement (2009)	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
<b>Term</b>	No relevant statements were identified	Indigenous Peoples may be referred to in different countries by such terms as 'indigenous ethnic minorities', 'aboriginals', 'hill tribes', 'minority nationalities', 'scheduled tribes', 'tribal groups.' 'Indigenous People' is used in a generic sense to refer to a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees: (a) self-identification as members of a distinct indigenous cultural group and recognition of this	Indigenous Peoples may be referred to in different countries by such terms as indigenous ethnic minorities, indigenous cultural communities, aboriginals, hill tribes, minority nationalities, scheduled tribes, or tribal groups. For operational purposes, the term Indigenous Peoples is used 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	Bangladesh national laws define only minority 'ethnic groups'	Not applicable	Not applicable

Aspect	JICA Guidelines for Environmental and Social Consideration (April 2010)	World Bank OP 4.10 - Indigenous Peoples	ADB Safeguard Policy Statement (2009)	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
		<p>identity by others</p> <p>(b) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories:</p> <p>(c) customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and</p> <p>(d) an indigenous language, often different from the official language of the country or region</p>	<p>distinct indigenous cultural group and recognition of this identity by others;</p> <p>(ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories;</p> <p>(iii) customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and</p> <p>(iv) a distinct language, often different from the official language of the country or region.</p>			

Aspect	JICA Guidelines for Environmental and Social Consideration (April 2010)	World Bank OP 4.10 - Indigenous Peoples	ADB Safeguard Policy Statement (2009)	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
Objective	Any adverse impacts that a project may have on indigenous people are to be avoided when feasible by exploring all viable alternatives. When, after such an examination, avoidance is provide unfeasible, effective measures must be taken to minimize impacts and to compensate	To include measures to (a) avoid potential adverse effects on the Indigenous Peoples' communities; or (b) when avoidance is not feasible, minimize, or compensate for such effects.	The objective is to design and implement projects in a way that fosters full respect for Indigenous Peoples' identity, dignity, human rights, livelihood systems, and cultural uniqueness as defined by the Indigenous Peoples themselves so that they (i) receive culturally appropriate social and economic benefits, (ii) do not suffer adverse impacts as a result of projects, and (iii) can participate actively in projects that affect them.	No Specification under Bangladesh National Laws	Not applicable	Not applicable



Aspect	JICA Guidelines for Environmental and Social Consideration (April 2010)	World Bank OP 4.10 - Indigenous Peoples	ADB Safeguard Policy Statement (2009)	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
Screening	JICA respects International Convention on Human Rights, and gives special attention to the human rights of vulnerable social groups including IPs. JICA integrates local human rights situations into decision - making processes that relate to environmental and social considerations	Early in project preparation, the Bank undertakes a screening to determine whether Indigenous Peoples are present in, or have collective attachment to, the project area. The Bank may follow the borrower's framework for identification of Indigenous Peoples during project screening, when that framework is consistent with this policy.	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.	No specification under Bangladesh National Laws	Not applicable	When Bangladesh policies do not meet requirements of the financial institutions (JICA, World Bank, ADB etc.) a harmonized framework should be prepared following the financial institution's guidelines and in accordance with the GoB. As an example, ADB's Second Chittagong Hill Tracts Rural Development Project prepared and IPP in which screening helped determining the presence of indigenous groups and/or any collective attachment to the area. The IPP followed ADB guidelines.
Categorization	Projects that are likely to have a significant adverse	No categorization system	Proposed projects are screened according to type,	No specification under Bangladesh national Laws	Not applicable	When Bangladesh policies do not meet requirements of the

Aspect	JICA Guidelines for Environmental and Social Consideration (April 2010)	World Bank OP 4.10 - Indigenous Peoples	ADB Safeguard Policy Statement (2009)	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
	<p>impact on the environment and society are categorized as 'Category A' even if they are not included in the sectors, characteristic, or areas on the list. Sensitive Areas b) Areas inhabited by ethnic minorities, indigenous peoples, or nomadic peoples with traditional ways of life, and other areas with special social value. Projects are classified as Category B if their potential adverse impacts on the environment and society are less adverse than those of Category A projects. Generally, they are site-specific; few if any are irreversible; and</p>		<p>location, scale, and sensitivity and the magnitude of their potential environmental impacts, including direct, indirect, induced, and cumulative impacts. categories:</p> <p><b>Category A.</b> A proposed project is likely to have significant adverse environmental impacts that are irreversible, diverse, or unprecedented. These impacts may affect an area larger than the sites or facilities subject to physical works. An environmental impact assessment (EIA), including an environmental management plan (EMP), is required.</p>			<p>financial institutions (JICA, World Bank, ADB etc.) a harmonized framework should be prepared following the financial institution's guidelines and in accordance with the GoB. As an example, ADB's Second Chittagong Hill Tracts Rural Development Project prepared and IPP in which screening helped determining the presence of indigenous groups and/or any collective attachment to the area. The IPP followed ADB guidelines.</p>

Aspect	JICA Guidelines for Environmental and Social Consideration (April 2010)	World Bank OP 4.10 - Indigenous Peoples	ADB Safeguard Policy Statement (2009)	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
	in most cases, normal mitigation measures can be designed more readily		<p><b>Category B.</b> The proposed project's potential adverse environmental impacts are site-specific, few if any of them are irreversible, and in most cases mitigation measures can be designed more readily than for category A projects. An initial environmental examination (IEE), including an EMP, is required.</p> <p><b>Category C.</b> A proposed project is likely to have minimal or no adverse environmental impacts. An EIA or IEE is not required, although environmental implications need to</p>			

Aspect	JICA Guidelines for Environmental and Social Consideration (April 2010)	World Bank OP 4.10 - Indigenous Peoples	ADB Safeguard Policy Statement (2009)	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
			<p>be reviewed.</p> <p><b>Category FI.</b> A proposed project involves the investment of ADB funds to or through a financial intermediary. The financial intermediary must apply and maintain an environmental and social management system, unless all of the financial intermediary's business activities have minimal or no environmental impacts or risks.</p>			

Aspect	JICA Guidelines for Environmental and Social Consideration (April 2010)	World Bank OP 4.10 - Indigenous Peoples	ADB Safeguard Policy Statement (2009)	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
Indigenous Peoples' Plan (IPP)	For some Category A projects that will require the measures for indigenous people, an IPP must be submitted. It is desirable that the IPP include the elements laid out in the World Bank Safeguard Policy, OP4.10, Annex B. JICA's funding of projects is provided to a financial intermediary or executing agency; the selection and appraisal of the sub-projects is substantially undertaken by such an institution only after JICA's approval of the funding. In such cases, JICA examines the related financial intermediary to see whether appropriate environmental and	The borrower prepares an Indigenous Peoples Plan (IPP) that sets out the measures through which the borrower will ensure (a) Indigenous Peoples affected by the project receive culturally appropriate social and economic benefits; and (b) where potential adverse effects on Indigenous Peoples are identified, those adverse effects are avoided, minimized, mitigated, or compensated for. Some projects involve the preparation and implementation of annual investment programs for multiple subprojects. In such cases, the borrower prepares	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	No specification	No specification	To bridge the gap, project proponents prepare an IPP according to 1) the financial institutions' safeguard policies for projects that require it, 2) an Indigenous Peoples' Planning Framework that details screening and 3) a review of all subprojects in a manner consistent with this policy

Aspect	JICA Guidelines for Environmental and Social Consideration (April 2010)	World Bank OP 4.10 - Indigenous Peoples	ADB Safeguard Policy Statement (2009)	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
	social considerations as stated in the guidelines are ensured for projects in this category. JICA also examines institutional capacity in order to confirm environmental and social considerations of the financial intermediary.	an Indigenous Peoples Planning Framework (IPPF). The IPPF provides for the screening and review of these programs or Sub projects in a manner consistent with this policy.	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.			
Social assessment	When projects may have adverse impacts on indigenous peoples, all of their rights in relation to land and resources must be respected in accordance with the spirit of relevant international declarations and treaties, including the United Nations Declaration on the Rights of Indigenous Peoples. Efforts must be made to obtain the consent of	The borrower undertakes a social assessment to evaluate the project's potential positive and adverse effect on the Indigenous Peoples, and to examine project alternatives where adverse effects may be significant. To carry out the social assessment and prepare the IPP/IPPF, the borrower pays particular attention	Socioeconomic assessment would be undertaken to identify the potential impacts through (i) socioeconomic surveys, censuses, inventories of losses, and assessments of land losses; (ii) explains the methods for valuing affected assets; and (iii) describes the methods for determining replacement costs of acquired assets.	No specification under Bangladesh national laws.	Not applicable	The resettlement Framework requires identification of impacts caused by displacement whether or not through land acquisition (maintaining the principle that lack of formal title to land should not be a bar to compensation and resettlement assistance), including number of APs. The Framework also addresses both direct and indirect

Aspect	JICA Guidelines for Environmental and Social Consideration (April 2010)	World Bank OP 4.10 - Indigenous Peoples	ADB Safeguard Policy Statement (2009)	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
	indigenous peoples in a process of free, prior, and informed consultation. Measures for the affected indigenous peoples must be prepared as an indigenous peoples plan (which may constitute a part of other documents for environmental and social consideration). It is desirable that the indigenous peoples plan include the elements laid out in the World Bank Safeguard Policy, OP4.10, Annex B	to: (a) the customary rights of the Indigenous Peoples, both individual and collective; (b) the need to protect such lands and resources against illegal intrusion or encroachment; (c) the cultural and spiritual values; and (d) Indigenous Peoples' natural resources management practices and the long-term sustainability if such practices.				impacts and applies to indigenous peoples.
Free, prior, and informed consultation	When the projects may have adverse impacts on indigenous peoples, efforts must be made to obtain the consent of indigenous peoples in a process of free, prior, and informed	Where the project affects Indigenous People, the borrower engages in free, prior, and informed consultation with them. To ensure such consultation, the borrower:(a) establishes an	The borrower/client will undertake meaningful consultation with affected Indigenous Peoples to ensure their informed participation in every steps of the project life cycle. To	No specification under Bangladesh national laws.	Not applicable	To bridge the gap between local policies and those of the financial institution, an Indigenous Peoples' Planning Framework is created when a development project involves indigenous

Aspect	JICA Guidelines for Environmental and Social Consideration (April 2010)	World Bank OP 4.10 - Indigenous Peoples	ADB Safeguard Policy Statement (2009)	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
	consultation.	appropriate gender and intergenerational Inclusive framework; (b) uses consultation methods appropriate to the social and cultural values of the affected Indigenous Peoples' communities and their local conditions; and (c) Provides the affected Indigenous Peoples' communities with all relevant information about the project in a culturally appropriate manner at each stage of project preparation and implementation. Where the affected Indigenous Peoples' communities provide their broad support to the project, the borrower prepares a	carry out meaningful consultation with affected Indigenous Peoples, the borrower/client will establish a context-specific strategy for inclusive and participatory consultation, including approaches of identifying appropriate Indigenous Peoples representatives, and consultation methods appropriate to the social and cultural values of the affected Indigenous Peoples communities			groups. The ADB's Second Chittagong Hill Tracts Rural Development Project established consultation and communication with all stakeholders during the preparation stage of the subprojects. The Indigenous Peoples' Planning Framework was disclosed to the affected community in Bangla in workshops in each of the three districts to obtain the views of APs and other stakeholders on the compensation and resettlement provisions as per government laws and ADB guidelines.



Aspect	JICA Guidelines for Environmental and Social Consideration (April 2010)	World Bank OP 4.10 - Indigenous Peoples	ADB Safeguard Policy Statement (2009)	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
		detailed report.				
Preparation of program and subproject IPPs	In principle, JICA undertakes environmental reviews for the sub-projects prior to their implementation in a same manner as specified for Category A projects, if those sub-projects are likely to be under the cooperation projects.	Some projects involve the preparation and implementation of annual investment programs or multiple subprojects. When the Bank's screening indicates that Indigenous Peoples are likely to be present in, or have collective attachment to, the project area, but their presence or collective attachment cannot be determined until the programs or subprojects are identified, the borrower prepares an Indigenous Peoples Planning Framework (IPPF) to guide subproject selection, screening	The borrower ensures that, before the individual program or Sub project is implemented, a social assessment is carried out and IPP is prepared in accordance with the requirement of this policy.	No specification under Bangladesh national laws.	Not applicable	When GoB policies do not meet the requirements of the financial institutions (JICA, World Bank, ADB etc.) prepare a harmonized framework following the financial institutions' guidelines and in accordance with the GoB. In projects such as ADB's in Chittagong, an IPP was prepared with ADB safeguard policies as guidelines for all subprojects.

Aspect	JICA Guidelines for Environmental and Social Consideration (April 2010)	World Bank OP 4.10 - Indigenous Peoples	ADB Safeguard Policy Statement (2009)	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
		and categorization , social impact assessment				
Disclosure	Prior to its environmental review, JICA disclose IPPs for projects that address issues of indigenous people. Measures for the affected indigenous peoples must be prepared as an IPP and must be made public in compliance with the relevant laws and ordinances of the host country.	The borrower makes the social assessment report and draft IPP/IPPF available to the affected Indigenous Peoples' communities in an appropriate form, manner, and language.	The borrower/client will submit to ADB the following documents to disclose on ADB's website: (i) a draft IPP and/or Indigenous Peoples planning framework, including the social impact assessment, endorsed by the borrower/client, before appraisal; (ii) the final IPP upon completion; (iii) a new or updated IPP and a corrective action plan prepared during implementation, if	No specification under Bangladesh national laws.	Not applicable	Disclose information to the public according to the financial institutions' safeguard policies. Further, make available the IPP at HDC offices, and on the project (in English and Bangla) and ADB (in English) websites. As appropriate, the contribution of APs and beneficiary groups will be included in the subproject/district IPPs.

Aspect	JICA Guidelines for Environmental and Social Consideration (April 2010)	World Bank OP 4.10 - Indigenous Peoples	ADB Safeguard Policy Statement (2009)	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
			any; and (iv) monitoring report disclose. The borrower/client will provide relevant information, including information from the above documents in a timely manner, in an accessible place and in a form and language(s) understandable to the affected Indigenous Peoples and other stakeholders. If the Indigenous Peoples are illiterate, other appropriate communication methods will be used.			
Monitoring	After projects begin, project proponents etc. monitor whether any unforeseeable situations occur and whether the performance and effectiveness of	Free, prior, and informed consultation with and participation by Indigenous Peoples' communities during monitoring is recommended.	The borrower/client will monitor and measure the progress of implementation of the IPP. The extent of monitoring activities will be	No specification under Bangladesh national laws.	Not applicable	To bridge the gap between local policies and those of the financial institution, an Indigenous Peoples' Planning Framework is created when a

Aspect	JICA Guidelines for Environmental and Social Consideration (April 2010)	World Bank OP 4.10 - Indigenous Peoples	ADB Safeguard Policy Statement (2009)	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
	mitigation measures are consistent with the assessment's prediction. They then take appropriate measures based on the results of such monitoring.		commensurate with the project's risks and impacts. The borrower/client will prepare periodic and submit semi-annual monitoring reports on the progress of IPP implementation, highlighting compliance issues and corrective actions.			development project involves indigenous groups. The ADB's Second Chittagong Hill Tracts Rural Development Project established consultation and communication with all stakeholders during the preparation stage of the subprojects. The Indigenous Peoples' Planning Framework was disclosed to the affected community in Bangla in workshops in each of the three districts to obtain the views of APs and other stakeholders on the compensation and resettlement provisions as per government laws and ADB guidelines.
Commercial development of natural and cultural resources	When projects may have adverse impacts on indigenous	If the project involves the commercial development of	If the project involves the commercial development of	No specification under Bangladesh national laws.	Not applicable	Not applicable

Aspect	JICA Guidelines for Environmental and Social Consideration (April 2010)	World Bank OP 4.10 - Indigenous Peoples	ADB Safeguard Policy Statement (2009)	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
	<p>peoples, all of their rights in relation to land and resources must be respected in accordance with the spirit of relevant international declarations and treaties, including the United Nations Declaration on the Rights of Indigenous Peoples. Efforts must be made to obtain the consent of indigenous peoples in a process of free, prior, and informed consultation. language that are understandable to the people concerned.</p>	<p>natural resources, the borrower includes in the IPP arrangements to enable the Indigenous Peoples to share equitably in the benefits to be derived from such commercial development. The project of the commercial development of Indigenous Peoples' cultural resources and knowledge is conditional upon their prior agreement to such development.</p>	<p>natural resources (such as minerals, hydrocarbons, forests, water, or hunting or fishing grounds) within customary lands under use by Indigenous Peoples, the borrower/client will ensure that the affected communities are informed of (i) their rights to such resources under statutory and customary law; (ii) the scope and nature of the proposed commercial development and the parties interested or involved in such development; and (iii) the potential effects of such development on the Indigenous Peoples' livelihoods, environment, and use of such</p>			

Aspect	JICA Guidelines for Environmental and Social Consideration (April 2010)	World Bank OP 4.10 - Indigenous Peoples	ADB Safeguard Policy Statement (2009)	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
			resources. The borrower/client will include in the IPP arrangements to enable the Indigenous Peoples to receive in a culturally appropriate manner an equitable share of the benefits to be derived from such commercial development that is at least equal to or higher than that of any other affected landowners.			
Physical relocation of indigenous peoples	Involuntary resettlement and loss of means of livelihood are to be avoided when feasible by exploring all viable alternatives. When, after such an examination, avoidance is proved unfeasible, affected people must be sufficiently	When it is not feasible to avoid relocation, the borrower prepares a resettlement plan in accordance with the requirement of OP 4.12, Involuntary Resettlement. Involuntary restrictions on Indigenous Peoples' access to legally	The borrower/client will explore to the maximum extent possible alternative project designs to avoid physical displacement of Indigenous Peoples that will result in adverse impacts on their identity, culture, and customary livelihoods. In	No specification under Bangladesh national laws.	Not applicable	When policies in Bangladesh do not meet the requirements of the financial institutions, prepare a specific project framework using the financial institutions' guidelines. The project proponent should avoid restrictions on indigenous peoples'

Aspect	JICA Guidelines for Environmental and Social Consideration (April 2010)	World Bank OP 4.10 - Indigenous Peoples	ADB Safeguard Policy Statement (2009)	Government Laws	Gaps between JICA Guidelines and Government Laws	Mechanisms to Bridge Gaps
	compensated and supported by project proponents etc. in a timely manner. Prior compensation, at full replacement cost, must be provided as much as possible.	designated parks and protected areas, in particular access to their sacred sites, should be avoided. Where it is not feasible to avoid restricting access, the borrower prepares a process framework in accordance with the provisions of OP 4.12.	exceptional circumstances, when avoidance is impossible, the borrower/client will prepare an IPP that could be combined with a resettlement plan.			access to legally designated parks and protected areas, in particular access to sacred sites.
Indigenous peoples and development	JICA makes efforts to enhance the comprehensive capacity of organizations and operations in order for project proponents etc., to have consideration for environmental and social factors, appropriately and effectively, at all times.	In furtherance if the project of this policy, the Bank may, at a member country's request, support the country in its development planning and poverty reduction strategies by providing financial assistance for a variety if initiatives.	In furtherance of the objectives to benefit Indigenous Peoples, developing member countries can ask ADB to support them in their development planning and poverty reduction strategies by providing financial assistance for a variety of initiatives.	No specification under Bangladesh national laws.	Not applicable	Project borrowers should follow their policy to ensure the full implementation of actions for indigenous peoples and development.
Source: JICA. 2010. Japan International Cooperation Agency (JICA) Guidelines for Environmental and Social Considerations; World Bank. 2012. Operational Policies.						

## 付属書 7 : 環境社会配慮データ収集調査レポート



**Project for Development of Economic Zones and Capacity Enhancement of Bangladesh  
Economic Zones Authority**



**付属書 7**

**Report  
On  
Collection of Environmental and Social Data and Information for  
Economic Zones (EZ) Candidate Sites**

*Submitted to:*

**JICA Study Team  
World Business Association  
& Oriental Consultants Co., Ltd.**

*Prepared by:*



**Site Assessment Team  
YOUNG CONSULTANTS**

**Environmental and Social Data and Information  
For JICA EZ Survey Team, 2015**

Table of Contents  
**Items of Environmental and Social Data and Information**

Item No	Description	Remarks
<b>1. Latest Applicable Legal, Regulatory and Policy Frameworks in Bangladesh</b>		
1.1	Environmental laws, rules and regulations	State them briefly and applicable laws and rules and regulation shall be listed.
1.2	Environmental norms and criteria	
1.2.1	Ambient air	State them briefly on tables, etc. If not available in Bangladesh, state applicable ones applied by the World Bank or other international authorities.
1.2.2	Waters – Rivers, lakes, seas, groundwater, etc.	
1.2.3	Soils	
1.2.4	Noise and vibration	
1.3	Emission and discharge norms and criteria	
1.3.1	Exhausted gases	
1.3.2	Waste water	
1.3.3	Solid wastes	
1.4	Health and safety systems	
1.5	SEA, IEE and EIA systems	
1.6	CDM system including JI, JCM, etc.	Who are competent authorities? What are their roles? International treaties participated by Bangladesh and bilateral agreement between Bangladesh and Japan. Policies, rules and regulation on CO <sub>2</sub> emission in Bangladesh
1.7	Official information disclosure and community participations	State briefly about their laws rules and regulations in Bangladesh
1.8	Land acquisition and resettlement	Who are competent authorities? What are their roles? What are the stakeholders' obligations and responsibilities?
1.9	Material dredging from rivers and sea	Licenses, pollution controls, avoidance of riverside & coastal changes, competent authorities, sand discharge pipenetworks, etc. In Bangladesh
1.10	Updating of Profile on Environmental and Social Considerations	
1.10.1	Updating of "Profile on Environmental and Social Considerations in Bangladesh, July 2012, JICA" and its Supplement	Review and renewal of the following documents: a. Profile on Environmental and Social Considerations in Bangladesh, July 2012, JICA; and b. Profile on Environmental and Social Considerations in Bangladesh, Supplement, July 2012, JICA
1.10.2	Gaps among JICA, WB and Bangladesh environmental laws, rules and regulations	Review and renewal of Tables-G1, G2 and G3 on Profile on "Environmental and Social Considerations in Bangladesh, Supplement, July 2012, JICA"

Item No	Description	Remarks			
<b>2. Existing and Present Natures and Social Environments at Project Sites</b>					
2.1	Physical Environment Baseline Conditions				
2.1.1	Ambient Air	Polluted conditions and pollutants including odor in/near each project site			
2.1.2	Meteorology and Climate	Ambient air temperature, humidity, rain, wind, thunder, etc. in each project site. Design rainfall and wind speed in Bangladesh.			
2.1.3	Extreme Weather Events such as heavy rain, flood, storm surge, etc.	100-years storms in each project site Previous large storm and frequency in each site			
2.1.4	Seismicity	Design seismic factors, previous large earthquake, frequency, seismic intensity, magnitude, damages, etc. in each project site			
2.1.5	Topography and land use	Description of topographies and land use maps for each project site			
2.1.6	Geology and Soils	Polluted conditions and pollutants in each project site			
2.1.7	Hydrology and Water Resources – Surface water/Groundwater	Polluted conditions and pollutants in each projects site; Groundwater well spacing and water development regulations in Bangladesh; Land subsidence due to pumping groundwater			
2.2	Biological Environmental Baseline Conditions				
2.2.1	Vegetation and Flora	Brief descriptions and distribution maps			
2.2.2	Protected Areas such tidal flats, primitive forests, bird sanctuaries, game reserves, national parks, historic sites & ruins, etc.	Protected area and species distribution maps. Are the project sites inside or adjacent to areas established/protected by fishery rights and piscaries?			
2.2.3	Fauna	Brief descriptions and distribution maps			
2.3	Socio-Economic Environment Baseline Conditions				
2.3.1	Population and Demography	Divisions, districts and upazula which each project site belong to.			
2.3.2	Aboriginal/indigenous peoples	Populations and maps showing areas which such peoples are living.			
2.3.3	Livelihood and Poverty	Brief description of inhabitants living in/around each project site			
2.3.4	Noise	Noise in each project site			
2.4	Existing (and planned) infrastructures				
2.4.1	Roads	Road maps around each project site			
2.4.2	Railway	Railway maps and nearest stations around each project site			
2.4.3	Ports and harbors	Port and harbor maps and nearest export and inland port and harbors each project site			
2.4.4	Water supply system	Water sources and water treatment and supply systems. Nearest connection points of existing water systems, available water rate, etc.			
2.4.5	Natural gas pipeline	Gas pipeline route maps: Pipe diameters, design pressures of pipelines, booster compressor stations, etc. in Bangladesh including planned energy infrastructures such as LNG import terminals (Land-based, etc.),			

Item No	Description	Remarks
		pipelines, etc.)
2.4.6	Power plants and power transmission lines	Existing/planned electricity grid maps near each EZ site and tie-in/connection points of 33 kV for supplying to each EZ project site.
2.4.7	Industrial and industrial parks	Maps showing industries and industrial parks in Bangladesh
2.4.8	Waste treatment plants and facilities	Available industrial waste treatment plants and facilities such as oily wastes, medical and toxic, hazardous & radioactive materials near each project sites including nearest cement plants
2.5	Houses and people to be resettled including involuntarily resettlement	Estimated nos. of houses and people to be resettled by each EZ project. Any other compensation assets except lands.

## 1. Latest Applicable Legal, Regulatory and Policy Frameworks in Bangladesh

### 1.1 Environmental laws, rules and regulations

Table 1.1 (a) Laws, Rules & Regulation Related to the Environment

Statute	Outline
<b>National Environmental Policy, 1992</b>	The policy sets out the basic framework for environmental action together with a set of broad sectoral guidelines for action. Maintaining ecological balance of the country biodiversity and environment for sustainable development. Ensure sustainable and environmentally sound measurement of natural resources.
<b>EIA Guidelines for Water Resources, 1992</b>	
<b>The National Forest Policy, 1994</b>	The National Forestry Policy of 1994 is the revised version of the National Forest Policy of 1977 in the light of the National Forestry Master Plan. The major targets of the Policy are to conserve the existing forest areas; bring about 20% of the country's land area under the forestation program, and increase the reserve forest land by 10% by the year 2015 through coordinated efforts of GO-NGOs and active participation of the people. The need for amendments of the existing forestry sector related laws and adopt new laws for sector activities has been recognized as important condition for achieving the policy goals and objectives. The Forest Policy also recognizes the importance of fulfilling the responsibilities and commitments under international multilateral environmental agreements.
<b>Environmental Conservation Act, 1995</b>	Conservation of environment, improvement of environmental standards and control, mitigate environmental pollution. This Act authorizes the Department of Environment (DoE) as the regulatory body and enforcement agency of all environmental related activities. The act addresses the issues like declaration of Ecologically Critical Areas, Procedure for obtaining Environmental Clearance Certificates, Environmental regulations for development activities, Standards for quality of air, water, noise, and soils for different areas and for different Purposes, Acceptable limits for discharging and emitting waste, Formulation of environmental guidelines to control and mitigate environmental pollution, conservation and improvement of environment.
<b>National Environmental Management Action Plan, 1995</b>	NEMAP was developed to identify of key environmental issues affecting Bangladesh and actions requires halting or reducing the rate of environmental degradation. Besides, NEMAP also developed to identify the natural environment and conservation of habitats and bio-diversity. Overall, the improvement of the quality of life of the people could be achieved.
<b>Environmental Conservation Rules (ECR), 1997</b>	The Environment Conservation Rules provides rules under the Environment Conservation Act, 1995. The ECR prescribes guidelines for development project categorization based on anticipated impacts or pollution load, processes and requirements for obtaining environmental clearance, through an Environmental Clearance Certificate (ECC), Initial Environmental Examination (IEE) and Environmental Impact Assessment (EIA), as well as formulating an Environmental Management Plan (EMP), Environmental quality standards for air, surface water, groundwater, drinking water, industrial effluents, emissions,

Statute	Outline
	noise and vehicular exhausts.
<b>EIA Guidelines for Industries, 1997</b>	This guideline has been prepared by DoE on the basis of the work done by various types of Industry projects as well as on the requirements of the Environment Conservation Rules (1997). On ground of this, the EIA Guidelines specifically covers industry projects and shows how the EIA for Industry projects in Bangladesh should be implemented. The EIA guidelines comprises contents like: introduction to EIA in Bangladesh, criteria for locating industrial plants, steps involved in conducting IEE, steps involved in conducting EIA, review of an EIA report.
<b>The National Water Policy, 1999</b>	The National Water Policy of 1999 was adopted to ensure 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 resources management. It has also addressed issues like river basin management, water rights and allocation, public and private investment, water supply and sanitation and water needs for agriculture, industry, fisheries, wildlife, navigation, recreation, environment, preservation of wetlands, etc.
<b>Environmental Court Act, 2000</b>	Establishes environmental courts and procedure to make rules for the protection of environmental pollution. Environmental Courts are set up at district level constitute by one judge and upon consultation with supreme court. However, the Government may establish courts outside the districts. The Court has the power to penalize under section 5A of this Act for offenses relating to pollution.

**Table 1.1 (b): Other Relevant Legislations**

Act/ Law/ Audience	Brief description	Responsible agency
Environment Court Act, 2000 and subsequent amendments in 2002	Describes environment related legal proceedings	Ministry of Environment and Forest (MOEF)
The Vehicle Act, 1927 The Motor Vehicles Ordinance, 1983	Provides rules for exhaust emission, air and noise pollution and road and traffic safety	Bangladesh Road Transport Authority (BRTA)
The Removal of Wrecks and Obstructions in inland Navigable Water Ways Rules 1973	Rules for removal for wrecks and obstructions	Bangladesh Water Transport Authority
Water Supply and Sanitation Act, 1996	Regulate the management and control of water supply and sanitation in urban areas	Ministry of Local Government, Rural Development and Cooperatives
The Ground Water Management Ordinance 1985	Describe the management of ground water resources and licensing of tube wells	Upazilla Parishad
The Forest Act, 1927 and subsequent amendments in 1982 and 1989	Regulates the protection of forests reserves, protected forests and village forests	Ministry of Environment and Forest
The Private Forests Ordinance Act, 1959	Deals with the conservation of private forests and afforestation of wastelands.	Ministry of Environment and Forest
Bangladesh Wild Life (Preser-	Describes the preservation of wildlife	Ministry of Environ-

vation) Act, 1974	sanctuaries, parks, reserves	ment and Forest
The Protection and Conservation of Fish Act 1950 subsequent amendments in 1982	Deals with the protection/ conservation of fishes in Government owned water bodies	Department of Fishery
The Embankment and Drainage Act 1952	Describes the protection of embankments and drainage facilities	Ministry of Water Resources
The Antiquities Act 1968	Describes the preservation of cultural heritage, historic monuments and protected sites.	Department of Archaeology.
The Land Acquisition Act, 1894 and The Acquisition and Requisition of Immovable Property Ordinance 1982 and subsequent amendments in 1994, 1995 and 2004	Describes procedures and provides guidelines to acquisition and requisition of land	Ministry of Land
Bangladesh Labour Law, 2006	Deals with the occupational rights and safety of factory workers; provision of comfortable work environment and reasonable working conditions	Ministry of Labor

**Table 1.1 (c): Relevant Occupational Health and Safety Laws and Rules**

<b>Title</b>	<b>Overview</b>
Bangladesh Labor Act, 2006	Provides for safety of work force during construction period. The Act provides guidance of employer's extent of responsibility and the workmen's right to compensation in case of injury caused by accident while working.
Water Supply and Sewerage Authority Act, 1996	The Act calls for ensuring water supply and sewerage system to the public, preservation of system, and other related health and environmental facilities for the community.
Labor Relations under Labor Laws, 1996 (Revisions to scattered Acts and Ordinances to formulate a unified code.)	General concerns during the Project implementation that the project manager must recognize labor unions.
Public Health (Emergency Provisions) Ordinance, 1994	Calls for special provisions with regard to public health. In case of emergency, it is necessary to make special provisions for preventing the spread of disease, safeguarding the public health, and providing adequate medical service, and other services essential to the health of respective communities and workers during the construction related work.
Bangladesh Factory Act, 1979	Workplaces provisions, this Act and Labor Laws require medical facilities, first aid, and accident and emergency arrangements, and childcare services to be provided to the workers at workplace.
The Employees State Insurance Act, 1948	Health, injury and sickness benefit should be paid.
The Employer's Liability Act, 1938	Covers accidents, risks and damages with respect to employment injuries.
Maternity Benefit Act, 1950	Framed rules for female employees entitled to various benefits for maternity

**Source:** Bangladesh Government Rules and Regulation book

**Table 1.1 (d): Compliance under national law**

<b>Wildlife (protection and</b>	The Wildlife (protection and safety) Act 2012, passed in Parliament on
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<b><i>safety) Act 2012</i></b>	8th July, 2012. Under this act, the hunting, trapping, killing of wildlife are strictly prohibited. After the establishment of this Act, a board will be formed with the concerned members recommended by the Government. There are certain provisions kept in this Act, e.g. entrance, management, rules and regulation of the protected area etc. If any person without license performs any kind of trade, he will be jailed for at least a year. The details of the Act shall be further discussed in the EIA report.
<b><i>The Forest Act, 1927 and Amendment Act 2000</i></b>	<p>The Forest Act of 1927 provides for reserving forests over which the government has an acquired property right. This act has made many types of unauthorized uses or destruction of forest produce punishable. The Government may assign any village community its right to or over any land, which has constituted a reserved forest.</p> <p>According to the Act the government may prohibit certain activities in the declared reserved forest area such as any intervention kindles, keeps or carries any fire; trespasses or pastures cattle, or permits cattle to trespass; causes any damage by negligence in felling any tree or cutting or dragging any timber; etc.</p> <p>The Supplementary Rules of 1959 empowered the concerned governmental bodies to restrict totally and for a specified period, the shooting, hunting or catching of various birds, animals and reptiles in the controlled and vested forests. The Private Forest Ordinance of 1959 provides for the conservation of private forests and for the forestation, in certain cases, of wastelands in Bangladesh.</p>
<b><i>The Penal Code, 1860</i></b>	<p>The Penal Code of 1860 has some valid provisions related to pollution management, environment protection and protection of health and safety. Some of these are: Section 277: Falling Water or Public Spring or Reservoir; Section 278: Making Atmosphere Noxious to Health; Section 284: Negligent Conduct with Respect to Poisonous Substance; Section 285: Negligent Conduct with Respect to Fire or Combustible Matter; and Section 286: Negligent Conduct with Respect to Explosive Substance. (Chapter XIV of offences affective Public health, safety, convenience, decency and morals).</p>
<b><i>The Acquisition and Requisition of Immovable Property Ordinance (1982)</i></b>	<p>This Ordinance has replaced the Land Acquisition Act of 1894 and the East Bengal (Emergency) Requisition of Property Act of 1948. The Ordinance governs acquisition and requisition by the government of immovable property for any public purpose or in the public interest. It may be noted that contrary to the previous Acts (i.e. Act XIII of 1948), this Ordinance deals only with immovable property.</p> <p>The Ordinance has well-defined procedures regarding payment of compensation for an acquired piece of land. If, for example, the land is used for rice growing, then an amount equivalent to approximately 1.5 times the market value of a given variety of rice (e.g., paddy) that is currently being (or could be) produced annually is fixed as a yearly lease value. In case of outright purchase (carried out on a 99-year lease), the compensation-value of acquired land varies widely according to the locality, soil fertility, and access to transportation and related infrastructure factors. The current compensation and resettlement provisions are however inadequate both in terms of timing of payments and quantum. The procedures involved are cumbersome and time consuming and often causes hindrance to the smooth execution of the project. Legal provisions covering adequate compensation to the project affected persons, particularly disadvantaged groups such as women and squatters and such other vulnerable groups are yet to be framed.</p>



<b>The Protection and Conservation of Fish Rules, 1985</b>	These are a set of rules in line with the overall objectives of the Fish Act. Section 5 of the Rules requires that “No person shall destroy or make any attempt to destroy any fish by explosives, gun, bow and arrow in inland waters or within coastal waters”. Section 6 of the Rules states:-“No person shall destroy or make any attempt to destroy any fish by poisoning of water or the depletion of fisheries by pollution, by trade effluents or otherwise in inland waters”. Therefore, the new bridge construction will need to be carried in such a manner that the activities do not cause damage to the inland waters or within coastal waters fisheries.
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## 1.2 Environmental Norms and Criteria

### 1.2.1 Ambient Air

#### Air Quality

Following table shows the air quality standard in Bangladesh as well as the IFC/ EHS (2007) Air quality standard.

**Table 1.2.1 (a): Ambient Air Quality Standards**

Parameter	IFC/WB guidelines ( $\mu\text{g} / \text{m}^3$ )	Bangladesh guidelines <sup>2</sup> ( $\mu\text{g} / \text{m}^3$ )
SPM	-	200 (8 hr average)
PM10	150 (24 hours average)	50 (Annual average) 150 (24 hours average)
PM25	75 (24 hours average)	15 (Annual average) 65 (24 hours average)
SO <sub>2</sub>	125 (24 hours average)	365 (24 hours average) 80 (Annual average)
NO <sub>2</sub>	200 (1 hour average)	100 (Annual average)
Pb	-	0.5 (Annual average)
O <sub>3</sub>		235 (1 hour average) 157 (8 hours average)

Note:

1New version of the World Bank Group EHS Guidelines for General Environmental Guidelines, April 2007

2Ministry of Environment and Forest, Notification related Environment Conservation Rules, 1997, Schedule 2, 16th July 2005

**Table 1.2.1 (a): DoE Standards for Ambient air quality**

Pollutants	Objective	Average
CO	10 mg/m <sup>3</sup> (9 ppm)	8 hours(a)
	40 mg/m <sup>3</sup> (35 ppm)	1 hour(a)
Pb	0.5 $\mu\text{g}/\text{m}^3$	Annual
NO <sub>x</sub>	100 $\mu\text{g}/\text{m}^3$ (0.053 ppm)	Annual
PM10	50 $\mu\text{g}/\text{m}^3$	Annual (b)
	150 $\mu\text{g}/\text{m}^3$	24 hours (c)
PM2.5	15 $\mu\text{g}/\text{m}^3$	Annual
	65 $\mu\text{g}/\text{m}^3$	24 hours

O3	235 µg/m <sup>3</sup> (0.12 ppm)	1 hour (d)
	157 µg/m <sup>3</sup> (0.08 ppm)	8 hours
SO <sub>2</sub>	80 µg/m <sup>3</sup> (0.03 ppm)	Annual
	365 µg/m <sup>3</sup> (0.14 ppm)	24 hours (a)

(Source: [http://case.doe.gov.bd/file\\_zone/reports\\_publications/monthly\\_reports/Monthly\\_Report\\_August\\_15.pdf](http://case.doe.gov.bd/file_zone/reports_publications/monthly_reports/Monthly_Report_August_15.pdf))

### Air Quality Standard

In accordance with standards specified Schedule-2 (Environmental Conservation rule- 1997) the Air Quality Standards for Bangladesh describes on the below table:

**Table 1.2.1 (c): Area Wise Standards for Air**

(Density unit: µg / m<sup>3</sup>)

Categories of Area	Suspended Particulate Matters (SPM)	Sulphur dioxide (SO <sub>2</sub> )	Carbon Monoxide (CO)	Oxides Nitrogen
Industrial and mixed	500	120	5000	100
Commercial and mixed	400	100	5000	100
Residential and rural	200	80	2000	80
Sensitive	100	30	1000	30

Notes:

(1) At national level, sensitive area includes monuments, health centre, hospital, archaeological site, educational institution, and government designated areas.

(2) Industrial units located in areas not designated as industrial areas shall not discharge pollutants which may contribute to exceeding the standard for air surrounding the areas specified at residential and sensitive categories.

### 1.2.2 Water Quality Standard

**Table: 1.2.2 (a): Standards for inland surface water**

Best Practice based classification	Parameter			
	pH	BOD mg/l	DO mg/l	Total Coliform number/100
a. Source of drinking water for supply only after disinfecting:	6.5-8.0	5 or less	6 or above	50 or less
b. Water usable for recreational activity :	6.5 – 8.5	3 or less	5 or more	200 or less
c. Source of drinking water for supply after conventional treatment :	6.5 – 8.5	6 or less	6 or more	5000 or less
d. Water usable by fisheries:	6.5 – 8.5	6 or less	5 or more	---
e. Water usable by various process and cooling industries :	6.5 – 8.5	10 or less	5 or more	5000 or less
f. Water usable for irrigation:	6.5 – 8.5	10 or less	5 or more	1000 or less

(Source: ECR, 97)

**Table 1.2.2 (b): Water quality standard (EHS)**

Pollutant	General EHS guideline of IFC (Indicative Values for Treated Sanitary Sewage Discharges) (mg/l)
pH	6-9
BOD	30
COD	125
SS	150
n-hexane (mineral oil)	-
n-hexane (animal and vegetable fats)	10
Residual chlorine	-
Phenols	-
Copper	-
Zinc	-
Dissolved iron	-
Dissolved manganese	-
Chromium	-
Cadmium	-
Total cyanogen	-
Total coliform bacteria	
Nitrogen	10 MPN6/100ml
Phosphorus	2 MPN6/100ml

(Source: ECR, 97)

### 1.2.3 Soils

There is no standard published in ECR like other environmental elements. However this can be referred to Physiographic map of Bangladesh showing soil characteristics (Fig. 2.16 a).

### 1.2.4 Noise Standards

The standards for Noise in Bangladesh shall be determined in accordance with standards specified in Schedule-4 (Environmental Conservation Rule-1997) which is revised by GOB in 2006 and published as gazette form.

**Table 1.2.4 (a): Noise Standards**

Sl. No.	Category of areas	Standards determined at dBase unit	
		Day (from 6 am to 9 pm)	Night (from 9 pm to 6 am)
	Silent zone	50	40
	Residential area	55	45
	Mixed area (mainly residential area, and also simultaneously used for commercial and industrial purpose)	60	50
	Commercial area	70	60
	Industrial area	75	70

1. Area up to a radius of 100 m around hospitals or educational institutions or special institutions/ establishments identified / to be identified by the Government is designated as Silent Zones where use of horns of vehicles or other audio signals, and loudspeakers are prohibited.
2. The standards shown in the table are based on revised data published by GoB in September 2006 as a gazette (Regd. No. DA-1)

**Table 1.2.4 (b): Noise quality standard (EHS guideline)**

Receptor	One hour Laeq (dB)	
	Daytime (007.00-22.00)	Nighttime (22.00-07.00)
Residential, institutional and educational	55	45
Industrial and commercial	70	70

Source: IFC.2007.Environmental, Health, and Safety (EHS) Guidelines GENERAL EHS GUIDELINE

### 1.3 Emission and Discharge Criteria

#### 1.3.1 Exhausted Gasses

Standards for Gaseous Emission from Industries or Projects

Sl.No.	Parameters	Standard present in a unit of mg/Nm <sup>3</sup>
	1. Particulate	
(a)	Power plant with capacity of 200 Megawatt or above.	150
(b)	Power plant with capacity less than 200 Megawatt.	350
2.	Chlorine	150
3.	Hydrochloric acid vapor and mist	350
4.	Total Fluoride F	25
5.	Sulfuric acid mist	50
6.	Lead particulate	10
7.	Mercury particulate	0.2
8.	Sulfur dioxide	kg/ton acid
(a)	Sulfuric acid production (DCDA* process)	4
(b)	Sulfuric acid production (SCSA* process)	10

(\* DCDA: Double Conversion, Double Absorption; SCSA: Single Conversion, Single Absorption.)

Lowest height of stack for dispersion of sulfuric acid (in meter).

(a)	Coal based power plant	
(1)	500 Megawatt or above	275
(2)	200 to 500 Megawatt	220
(3)	Less than 200 Megawatt	14(Q) <sup>0.3</sup>
(b)	Boiler	
(1)	Steam per hour up to 15 tons	11
(2)	Steam per hour more that 15 tons	14(Q) <sup>0.3</sup>

[Q = Emission of Sulfur dioxide (kg/hour)].

Sl.No.	Parameters	Standard present in a unit of mg/Nm <sup>3</sup>
1	2	3
1.	Particulate	
	(a) Power plant with capacity of 200 Megawatt or above.	150
	(b) Power plant with capacity less than 200 Megawatt.	350
2.	Chlorine	150
3.	Hydrochloric acid vapor and mist	350
4.	Total Fluoride F	25
5.	Sulfuric acid mist	50
6.	Lead particulate	10
7.	Mercury particulate	0.2
8.	Sulfur dioxide	kg/ton acid
	(a) Sulfuric acid production (DCDA* process)	4
	(b) Sulfuric acid production (SCSA* process)	10
(* DCDA: Double Conversion, Double Absorption; SCSA: Single Conversion, Single Absorption.)		
Lowest height of stack for dispersion of sulfuric acid (in meter).		
(b)	Coal based power plant	
	(1) 500 Megawatt or above	275
	(2) 200 to 500 Megawatt	220
	(3) Less than 200 Megawatt	14(Q) <sup>0.3</sup>
(c)	Boiler	
	(1) Steam per hour up to 15 tons	11
	(2) Steam per hour more than 15 tons	14(Q) <sup>0.3</sup>
[Q = Emission of Sulfur dioxide (kg/hour)].		

## 1.3.2 Waste Water

Table 1.3.2 (a): Standards for Sewage Discharge

Parameter	Unit	Standard Limit
BOD	miligram/l	40
Nitrate	“	250
Phosphate	“	35
Suspended Solids (SS)	“	100
Temperature	Degree Centigrade	30
Coliform	number per 100 ml	1000

(Source: ECR, 97)

Notes:

- (1) This limit shall be applicable to discharges into surface and inland waters bodies.
- (2) Sewage shall be chlorinated before final discharge.

Table 1.3.2 (b): Standards for Waste from Industrial Units or Projects Waste

Sl. No.	Parameter	Unit	Places for determination of		
			Inland Surface Water	Standards Public Sewerage system connected to treatment at second stage	Irrigated Land
1	2	3	4	5	6
1	Ammonical Nitrogen (as elementary N)	mg/l	50	75	75
2	Ammonia (as free ammonia)	„	5	5	15
3	Arsenic (as)	„	0.2	0.05	0.2
4	BOD <sub>5</sub> at 20°C	„	50	250	100
5	Boron	„	2	2	2
1	2	3	4	5	6
6	Cadmium (as CD)	„	0.50	0.05	0.05
7	Chloride	„	600	600	600
8	Chromium (as total Cr)	„	0.5	1.0	1.0
9	COD	„	200	400	400
10	Chromium (as hexavalent Cr)	„	0.1	1.0	1.0
11	Copper (as Cu)	„	0.5	3.0	3.0
12	Dissolved Oxygen (DO)	„	4.5 – 8	4.5 – 8	4.5 – 8
13	Electro-conductivity (EC)	micro mho/cm	1200	1200	1200
14	Total Dissolved Solids	„	2,100	2,100	2,100
15	Fluoride (as F)	„	2	15	10
16	Sulfide (as S)	„	1	2	2
17	Iron (as Fe)	„	2	2	2
18	Total Kjeldahl Nitrogen	„	100	100	100
19	Lead (as Pb)	„	0.1	1.0	0.1
20	Manganese (as Mn)	„	5	5	5
21	Mercury (as Hg)	„	0.01	0.01	0.01

22	Nickel (as Ni)	„	1.0	2.0	1.0
23	Nitrate (as elementary N)	mg/l	10.0	Not yet Fixed	10
24	Oil and Grease	„	10	20	10
25	Phenolic Compounds (as C <sub>6</sub> H <sub>5</sub> OH)	„	1.0	5	1
26	Dissolved Phosphorus (as P)	„	8	8	15
27	Radioactive substance To be specified by Bangladesh Atomic Energy Commission				
28	pH		6 – 9	6 – 9	6 – 9
29	Selenium (as Se)	mg/l	0.05	0.05	0.05
30	Zinc (as Zn)	Degree	5	10	10
31	Total Dissolved Solids	„	2,100	2,100	2,100
32	Temperature	Centigrade	40-45	40-45	40- Summer 45- Winter
33	Suspended Solids (SS)	mg/l	150	500	200
34	Cyanide (as Cn)	„	0.1	2.0	0.2

(Source: ECR, 97)

**Notes:**

- (1) These standards shall be applicable to all industries or projects other than those specified under the heading “Standards for sector-wise industrial effluent or emission.”
- (2) Compliance with these standards shall be ensured from the moment an industrial unit starts trial production, and in other cases, from the moment a project starts operation.
- (3) These standards shall be inviolable even in case of any sample collected instantly at any point of time. These standards may be enforced in a more stringent manner if considered necessary in view of the environmental conditions of a particular situation.
- (4) Inland Surface Water means drains/ponds/tanks/water bodies/ ditches, canals, rivers, springs and estuaries.
- (5) Public sewerage system means treatment facilities of the first and second stage and also the combined and complete treatment facilities.
- (6) Irrigable land means such land area which is sufficiently irrigated by waste water taking into consideration the quantity and quality of such water for cultivation of selected crops on that land.
- (7) Inland Surface Water Standards shall apply to any discharge to a public sewerage system or to land if the discharge does not meet the requirements of the definitions in notes 5 and 6 above.

### 1.3.3 Solid Waste

It is estimated that approximately 13,332 tons of waste is produced per day in the urban areas of Bangladesh, which is over 4.86 million tons annually. It is projected that this amount will grow up to 47,000 tons/day and close to 17.2 million tons per year by 2025, due to growth both in population and the increase in per capita waste generation. Waste collection rate ranges from 44.30% to 76.47% in major cities. Based on the present total urban population, per capita waste generation rate is found at 0.41 kg/capita/day in urban area. (Source: National 3R Strategy of Bangladesh, 2010)

Table 1.3.3: Waste Scenarios of Bangladesh – at a Glance

Category	Statistics	Data Source
<b>TOTAL VOLUME OF WASTES (tons/year)</b>		
Total volume of municipal solid wastes	4,866,505 (2005) = 13,332.89tons/day x 365 3,000 tons/day in Dhaka (2005)	Waste Concern (2005) JICA (2005)
Agricultural Waste	65 million metric ton per year	Waste Concern and Swiss
Industrial waste (hazardous) from seven	109.47 million/cubic meter/year ( waste water) 0.113 million ton/year ( sludge) and 26, 884 tons/year (	Waste Concern and ADB (2008)
Hazardous Medical Waste	12,271 metric ton per year (2007)	Waste Concern and ADB
<b>WASTE PER CAPITA (kg/per/day)</b>		
	Urban: 0.41 (2005) Dhaka City: 0.56 (2005) Agricultural:1.68 (based on 2008 rural	Waste Concern (2008) JICA (2005)
<b>FUTURE WASTE PROJECTIONS (Total Waste Generation)</b>		
By 2025 (solid waste) 2012 (hazardous waste)	17,155,000 tons/year = 47,000tons/day x 365 0.60 kg/per/day in Urban Areas 2472.07 million/cubic meter/year (waste water), 2.81 million metric ton/year (sludge) and	UMP (1999), as cited by Waste Concern (2008) Waste Concern and ADB (2008)
<b>SOLID WASTE MANAGEMENT</b>		
Collection of waste (% of waste generated)	44.30% - 76.47% in major urban cities 43.5% for Dhaka City	Waste Concern (2005) JICA (2005)
Solid waste disposal facilities	Mainly uncontrolled land-filling (except for the sanitary landfill at Matuail site in Dhaka, supported by JICA). No site or facility for	JICA (2005)
<b>E-WASTES</b>		
Use of electronic goods in year 2006	Mobile phones: 22,000,000 Personal computers: 600,000 Televisions: 1,252,000	Waste Concern (2008)
<b>RECYCLE</b>		
Informal Sector	120,000 urban poor from the informal sector are involved in the recycling trade chain of Dhaka City.15% of the total generated waste in Dhaka	Waste Concern (2005)

(Source: National 3R Strategy of Bangladesh, 2010) \*These are textile, hospital clinics, tannery, pesticides, fertilizer, oil refinery and paper and pulp)

### 1.4 Health and Safety System

- Existing Act, Rules and Regulation



The legal basis of the Medical waste management is the Bangladesh Environmental Conservation Act 1995 and Environmental Conservation Rules 1997 under which the Medical Waste (Management and Processing) Rules 2008 has been framed. In the Health Policy 2011, the hospital waste management has been given importance along with the infection control programme of healthcare facilities. A guideline has been prepared by Department of Environment in 2011 for issuing and renewal of Environmental Clearance Certificate for the healthcare facilities where some checklists are fixed both for in-house and out-house medical waste management.

**☑ Key features of the Medical Waste (Management and Processing) Rules 2008**

- (a) The Rules categorize medical waste into 11 types and recommend specific treatment for each type. Six color coding are recommended for storage and disposal of different types of medical waste. It also describes the standards of incineration, emission, autoclaving, effluent, microwaving, and deep burial of medical waste and disposal of radioactive materials.
- (b) The Rules give detailed instruction on segregation, packaging, transport and storage and treatment of medical waste.
- (c) Waste generator will train their staff to safely handle medical waste and inform them about the hazardous nature of these materials.
- (d) Waste generator shall be liable financially and legally to ensure proper handling and treatment of medical waste.
- (e) Rules give formats for application of license, approval of license, accident reporting, annual reporting, and appeal against the authority's decision.
- (f) Rules provide that in all six divisions of the country, an authority comprised of representatives nominated by the directorate of health services, divisional commissioner and DoE shall approve, renew or cancel license to agencies engaged in medical waste management.
- (g) Approved agencies shall ensure that all the steps in managing medical wastes do not harm public health or the environment.
- (h) The Rules provide penalties for violating the Rules including imprisonment and fines.
- (i) Rules recommend the formation of an advisory committee at the national level composed of representatives of the Ministry of Forest and Environment, the Ministry of Health and Family Welfare, specialists on healthcare, environmental management, and municipal governance, and private sector organizations to review policies and other aspects of medical waste management, and advise the government.

### **1.5 SEA, IEE and EIA System**

Strategic Environmental Assessment (SEA) is undertaken much earlier in the decision -making process than EIA -it is therefore seen as a key tool for sustainable development. Strategic Environmental Assessment aims to incorporate environmental and sustainability considerations into strategic decision making processes, such as the formulation of policies, plans and programs."

The SEA Directive sets out the information to be included in the environmental report of the Strategic Environmental Assessment, namely:

- An outline of the contents, main objectives of the plan or programme and relationship with other relevant plans and programs.
- The relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan or programme.
- The environmental characteristics of areas likely to be significantly affected.
- Any existing environmental problems which are relevant to the plan or programme including, in particular, those relating to any areas of a particular environmental importance, such as areas designated pursuant to Directives 79/409/EEC and 92/43/EEC (the Birds and Habitats Directives).

- The environmental protection objectives, established at international, Community or Member State level, which are relevant to the plan or programme and the way those objectives and any environmental considerations have been taken into account during its preparation.
- The likely significant effects on the environment, including issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the inter-relationship between the above factors.
- The measures envisaged to prevent, reduce and, as fully as possible, offset any significant adverse effects on the environment of implementing the plan or programme.
- An outline of the reasons for selecting the alternatives dealt with and a description of how the assessment was undertaken, including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information. A description of the measures envisaged concerning monitoring.

### **A typical EIA report contain the following**

#### **Introduction**

This chapter contains the general outline of the project including

- Project Background:
- Project related information
- Objectives
- Methodology
- Study Areas with Location and Map
- Scope of Work
- The EIA Team:
- Limitations
- Acknowledgement

#### **Policy and legal consideration**

In a complete EIA report, relevant national and international laws, policies and guidelines need to be addressed.

#### **Description of the project**

This chapter mainly contained the detailed of the project including

- Types of project
- Project proponent
- Project location with layout of the project
- Operational procedure
- Site description
- Project activity
- Types of material used and the tentative outcome

#### **Baseline Information**

This chapter discussed the detailed of the project site including site assessment, present environmental condition such as Air, water, soil, and their pollution status, Status of biodiversity both flora and fauna, list of endangered species, list of historical and archeological sites in and around the project area etc. The Environmental Impact Assessment report must present relevant baseline information pertaining to the geo-physical, biological, socio-economic and cultural situation of the area under study, including any changes anticipated prior to project implementation.

The types of baseline data to be presented must be correlated to the environmental and social issues that have been identified during Scoping as being significant. For example, if the project affected area

is mainly farmland and grazing land then presenting the results of an intensive bird census might make little sense. On the other hand, if the project affected area consists of relatively undisturbed natural habitats then a bird census might be the most effective tool for evaluating the conservation value of those habitats. Similarly, if certain cultural or religious artifacts or historical sites have been identified in Scoping, then a cultural inventory is a useful tool.

Different levels of detail for certain types of baseline data will be project specific. For example, for a small run-of-the-river project on a small river a simple species list of the fishes might be sufficient for impact evaluation. On the other hand, a large-scale storage project might require a detailed study of fisheries and fish migrations, as well as the socio-economic impacts of change of lifestyle among Persons dependent on fishing.

The section on baseline data should describe the methodologies and tools used for information collection. It should differentiate between secondary and primary source of information, and it should state clearly where there were data gaps and any other limitations.

In an EIA report following items are discussed

- General Consideration
- Study Area
- Map of the study area
- Physico-Chemical Environment
- Biological Environment
- Socio-economic Condition

### **Environmental Impacts and Mitigation Measure**

This chapter discussed the possible impacts that could be raised from the project activity in the construction and operation phase and their mitigation measure. It also includes the scoping of Impact and Impact Checklist. Based upon the issues identified in the Scoping document, the probable mitigation measures should be summarized, and their budgetary requirements should be estimated. The roles and responsibilities of concerned agencies at the central and local levels of administration in the implementation of mitigation measures proposed must also be included.

### **Environmental Management Plan (EMP)**

A completed EMP is Essential for Taking Environmental Clearance Certificate (ECC). Detailed Environmental Mitigation Plan and Monitoring Plan also incorporate with the Environmental Management Plan.

- **Auditing Plan**

It should also be pointed out that in EPR54 Schedule -4 there is no mention of auditing. However, in EPR54 Schedule -6 it is mentioned that the EIA report should contain an auditing plan. Therefore, this should also be included in the TOR document.

- **Monitoring Plan**

This section of the TOR must outline how the monitoring plan of project construction and operation will be elaborated. Using the results from Scoping, the list of indicators for each of the potential parameters to be monitored, together with the probable roles and responsibilities of the concerned agencies, should be listed. This information can be presented in a chart. A monitoring schedule should also be included. The cost required for conducting monitoring activities should also be indicated.

- **Costs and Benefits**

This section must summarize the basic development issues or the problems that will address by the proposed activities. If possible, it should characterize the issues or the problems in a broader national context. The way in which the proposed project is expected to address and resolve issues, or solve or

alleviate problems, should be explained, with emphasis on sustainability. The critical requirements for the proposed activity to be successful in the long term should be described, with emphasis on the major risks and benefits involved.

### **Emergency Response and Disaster Management Plan**

This chapter incorporated with the possible accidental events caused by both natural and human origin and the necessary initiatives that need to be taken to combat with these events. Disaster management plan including pre disaster, disaster and post disaster should also discuss. The necessary safety measure, safety instruments, training module, worker safety and safe working practices are also enlisted.

- Emergency Response
- Six Steps in Emergency Response
- Reporting Incidents and Accidents
- Approaches to Emergency Response
- Disaster Management Plan
- Environment, Health and Safety (EHS)

### **Alternative Analysis**

Alternate analysis of a project need to be done to compared the project with traditional one. This chapter discussed the following items.

- The “no build” scenarios
- Consideration of alternatives
- Site alternative

### **Stakeholder Consultation and Disclosure**

This chapter discussed the following topics

- Objectives of Stakeholders Consultation
- Consultation Process
- Stakeholder Consultation Technique
- Stakeholders Consulted
- Stakeholder Concerns and Recommendations including Community Concerns and Local Government Representatives
- Disclosure

### **Grievance Redress Mechanism**

A grievance redress mechanism and procedures is setup to provide opportunity for project affected persons to settle their complaints and grievances amicably. The established grievances redress procedures and mechanism ensures that project affected persons are provided with the appropriate compensations and that all administrative measures are in line with the law. It also allows project affected persons not to lose time and resources from going through lengthy administrative and legal procedures. Grievances are first preferred to be settled amicably.

### **Conclusion and Recommendation**

Conclusion and Recommendation are conducted based on project findings.

### **Appendix**

The following should be included in appendices

- Maps related to the study;
- Aerial photographs if possible;
- Sample questionnaires, checklists, matrices, charts and photographs;
- Information on the hydrology, meteorology and geology of the project area;

- Information on vegetation, forest and fauna of the project area;
- Location and brief description of sensitive sites;
- Information on water quality, noise intensity and air quality of the project area;
- Audio-visual records of the area if any;
- Information pertaining to agriculture, livestock, soil and use of fertilizers in the area;
- Information on socio-economic and cultural impacts;

## Annexes

### 1.6 CDM System Including JI, JCM etc.

Since 2000, the CDM has allowed crediting of project-based emission reductions in developing countries. By 1 January 2005, projects submitted to the CDM amounted to less than 100 MtCO<sub>2</sub>e of projected savings by 2012. The EU ETS started in January 2005, and the following month saw the Kyoto Protocol enter into force. The EU ETS allowed firms to comply with their commitments by buying offset credits, and thus created a perceived value to projects. The Kyoto Protocol set the CDM on a firm legal footing.

By the end of 2008, over 4,000 CDM projects had been submitted for validation, and of those, over 1,000 were registered by the CDM Executive Board, and were therefore entitled to be issued CERs (Carbon Trust, 2009, p. 19). In 2010, the World Bank estimated that in 2012, the largest potential for production of CERs would be from China (52% of total CERs) and India (16%). CERs produced in Latin America and the Caribbean would make up 15% of the potential total, with Brazil as the largest producer in the region (7%).

By 14 September 2012, 4626 projects had been registered by the CDM Executive Board as CDM projects. These projects are expected to result in the issue of 648,232,798 certified emissions reductions. By 14 September 2012, the CDM Board had issued 1 billion CERs, 60% of which originated from projects in China. India, the Republic of Korea, and Brazil were issued with 15%, 9% and 7% of the total CERs.

The Himachal Pradesh Reforestation Project is claimed to be the world's largest CDM.

#### **Competent Authorities for Implementing CDM and Their Roles**

Usually in Bangladesh, the government is responsible for the implementing the CDM. Government formed Designated National Authority (DNA) that comprises of National CDM Committee and National CDM board.

**a. National CDM Committee:** The total member of this committee was 22 where the Secretary of Ministry of Environment and Forest (MoEF) was President and DG of Department of Environment (DoE) was the Member Secretary. The Responsibility of that Committee was

1. Compiles the National CDM Strategy
2. Implement the Decision taken on CDM Board
3. Compiles Sustainable Development Standard
4. Compiles CDM Project Evaluation Guidelines
5. Give proper guideline and monitoring to CDM Secretariat
6. Give guideline for selecting CDM related project
7. Preliminary sanction of all projects developed by CDM secretariat for getting financial assistance from CDM fund and sent to the National CDM board.
8. Committee sitting on meeting in every two months but the president have right to call a meeting at any time he want.

**b. National CDM Board:** The national CDM Board was form with 5 members where principal secretary of govt. as a secretary and DG of DoE as Member secretary. The responsibility of that

committee was

1. Coordinate and giving force of all national phase CDM activities that taken under Kyoto Protocol.
2. Give proper guideline and monitoring to National CDM Committee
3. Approval of CDM projects after final checking that are approved by National CDM Committee
4. Ensure coordination between CDB project development and related Implementing Ministries/ organizations.
5. Committee sitting on meeting in every 3 months but the president have right to call a meeting at any time he want.

#### **Approval Process of CDM Projects**

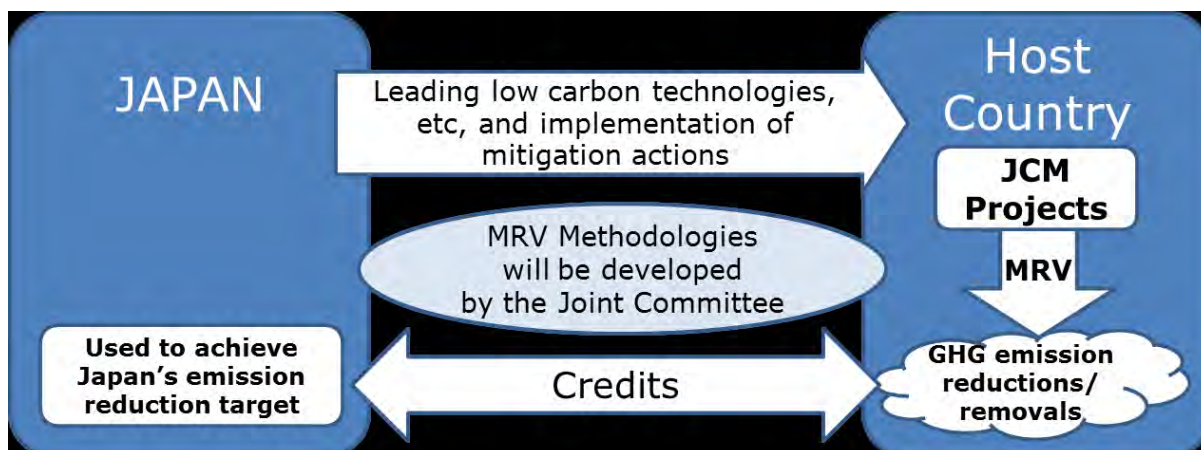
- Entrepreneurs submit Project Idea Note (PIN)/Project Design Document (PDD) to Department of Environment (DoE) or Ministry of Environment (MoEF)
- DoE evaluates the project; Check location and Environmental Clearance, Seek clarification (if needed)
- Prepare a summary and place it before the National CDM Committee
- Invite the Project proponent to defend their project before the National CDM Committee
- If the PDD is recommended by the National CDM Committee, then it is placed before National CDM Board for approval.
- Host Country approval letter is provided to the local entrepreneurs (by Dept. of Environment) after the approval by board.
- Entrepreneurs take initiative for validation and registration at CDM Executive Board under UNFCCC.
- No fee is charged to the Project proponents.

#### **Joint Crediting Mechanism (JCM)**

The Joint Crediting Mechanism (JCM) is one of the various approaches based on Decision 1/CP.18, developed and implemented by Japan and partner countries. Japan is willing to share its experience gained through the implementation of the JCM and to make further contributions to the elaboration of the FVA under the work programme conducted by the Subsidiary Body for Scientific and Technological Advice.

The JCM aims at facilitating diffusion of leading low carbon technologies, products, systems, services, and infrastructure as well as implementation of mitigation actions, and contributing to sustainable development of developing countries. The JCM also aims at appropriately evaluating contributions made by Japan to GHG emission reductions or removals in a quantitative manner, by applying robust measurement, reporting and verification (MRV) methodologies. Japan will use the emission reductions or removals achieved through the JCM to meet part of its emission reduction target.

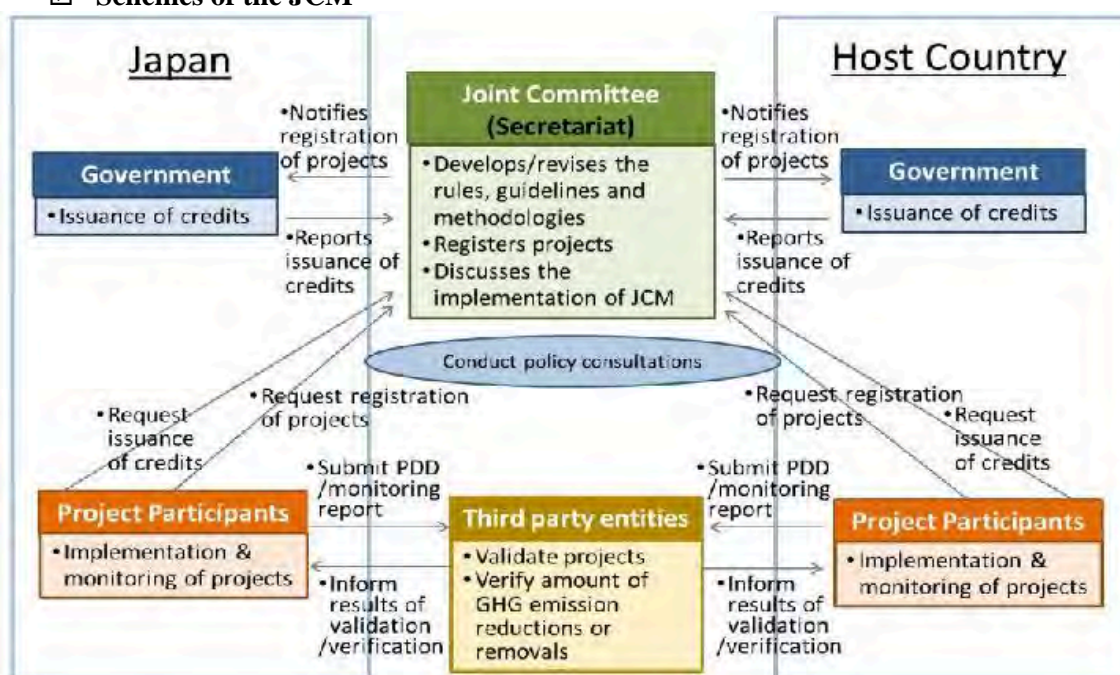
#### **Basic Concept of JCM**



Source:

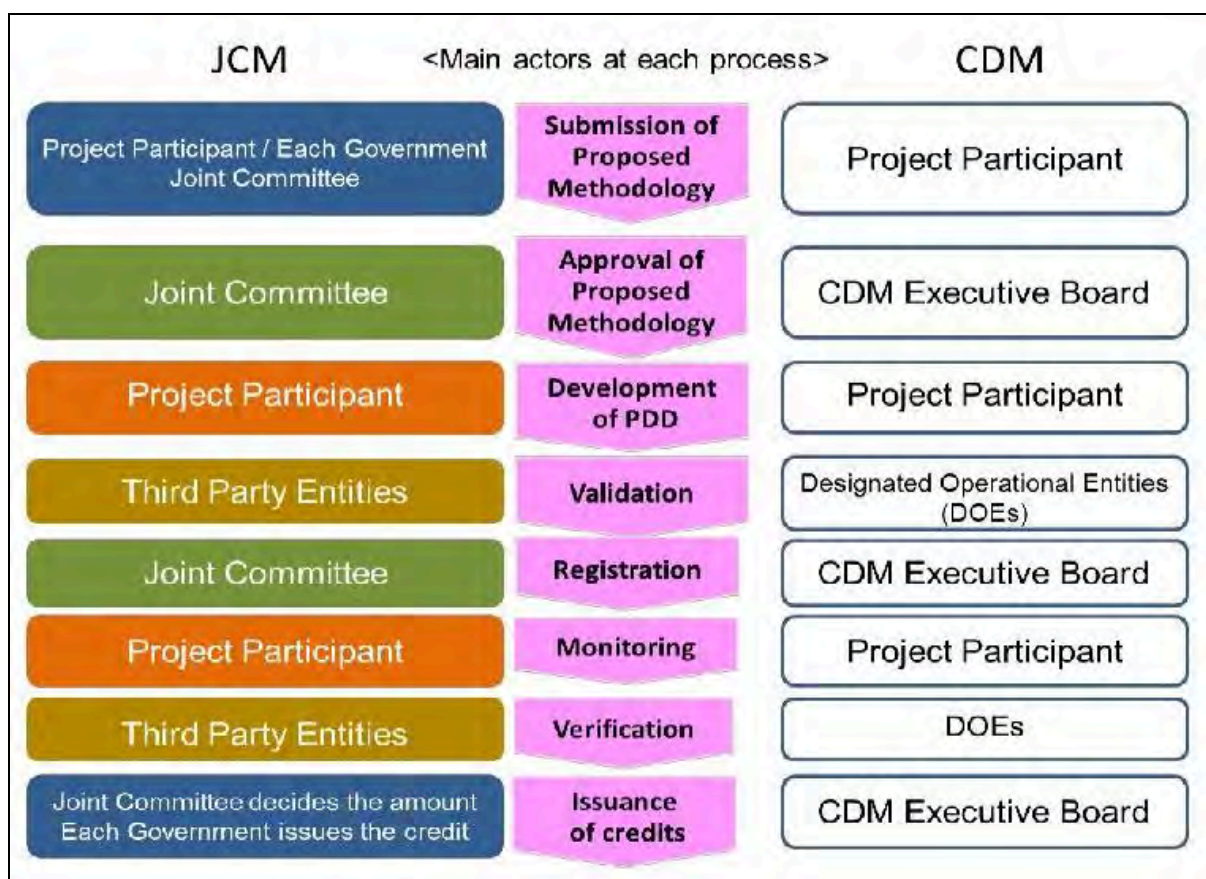
[http://www4.unfccc.int/submissions/Lists/OSPSubmissionUpload/53\\_87\\_130571694875317894-FVA\\_Japan.pdf](http://www4.unfccc.int/submissions/Lists/OSPSubmissionUpload/53_87_130571694875317894-FVA_Japan.pdf)

☑ Schemes of the JCM



Source: [http://www4.unfccc.int/submissions/Lists/OSPSubmissionUpload/53\\_87\\_130571694875317894-FVA\\_Japan.pdf](http://www4.unfccc.int/submissions/Lists/OSPSubmissionUpload/53_87_130571694875317894-FVA_Japan.pdf)

☑ Project Cycle of the JCM and the CDM



Source: [http://www4.unfccc.int/submissions/Lists/OSPSubmissionUpload/53\\_87\\_130571694875317894-FVA\\_Japan.pdf](http://www4.unfccc.int/submissions/Lists/OSPSubmissionUpload/53_87_130571694875317894-FVA_Japan.pdf)

**Joint Implementation (JI)**

According to the Kyoto Protocol Article-VI, one Annex- B country can collect Emission Reduction Unit (ERU) from another Annex- B country under the CDM project. For achieve targeted emission reduction, the mutual trading of ERU between two Annex- B countries are known as Joint Implementation (JI).

**Table 1.6 (a): Relevant International Treaties, Conventions and Protocols Signed by Bangladesh**

Treaty or Convention	Date	Brief Description	Responsible Agency
<b>On Protection of birds, Paris</b>	1950	Protection of birds in wild state	Department of Environment/ Department of Fisheries
<b>International Plant Protection Convention (Rome)</b>	1951	Protection and Conservation of Plant	Department of Environment/ Ministry of Environment and Forest
<b>Convention on oil pollution damage (Brussels)</b>	1969	Civil liability on oil pollution damage from ships	Department of Environment/ Ministry of Shipping
<b>Ramsar Convention</b>	1971	Protection of wetlands	Department of Environment/ Department of Fisheries
<b>World Cultural and Natural Heritage (Paris)</b>	1972	Protection of major cultural and natural monuments	Department of Archaeology
<b>CITES Convention (Washington)</b>	1973	Ban and restrictions on international trade in endangered	Department of Environment/ Department of Fisheries



species of wild fauna and flora			
<b>Bonn Convention</b>	1979	Conservation of migratory species of wild animals	Department of Environment/ Department of Fisheries
<b>Prevention and Control of Occupational hazards (Geneva)</b>	1974	Protect workers against occupational exposure to carcinogenic substances and agents	Ministry of Health and Family Welfare
<b>Occupational hazards due to air pollution, noise &amp; vibration (Geneva)</b>	1977	Protect workers against occupational hazards in the working environment	Ministry of Health and Family Welfare
<b>Occupational safety and health in working environment (Geneva)</b>	1981	Prevent accidents and injury to health by minimizing hazards in the working environment	Ministry of Health and Family Welfare
<b>Occupational Health Services (Geneva)</b>	1985	To promote a safe and healthy working environment	Ministry of Health and Family Welfare
<b>Vienna convention</b>	1985	Protection of ozone layer	Department of Environment/ Ministry of Environment and Forest
<b>Civil liability on transport of dangerous goods (Geneva)</b>	1989	Safe methods for transport of dangerous goods by road, railway and inland vessels	Ministry of Communication
<b>Convention on oil pollution (London)</b>	1990	Legal framework and preparedness for control of oil pollution	Department of Environment/ Ministry of Shipping
<b>London Protocol</b>	1990	Control of global emissions that deplete ozone layer	Department of Environment/ Ministry of Environment and Forest
<b>UN framework convention On climate change (Rio de Janeiro)</b>	1992	Regulation of greenhouse gases emissions	Department of Environment/ Ministry of Environment and Forest
<b>Convention on Biological Diversity (Rio de Janeiro)</b>	1992	Conservation of bio-diversity, sustainable use of its components and access to genetic resources	Department of Environment/ Ministry of Environment and Forest
<b>International Convention on Climate Changes (Kyoto Protocol)</b>	1997	International treaty on climate change and emission of greenhouse gases	Department of Environment/ Ministry of Environment and Forest
<b>Protocol on biological Safety (Cartagena protocol)</b>	2000	Biological safety in transport and use of	Department of Environment/ Ministry of Environment and Forest

**Agreements/MoUs between Bangladesh and Japan:**

Over the years, Bangladesh and Japan has signed a number of agreements to strengthen and institutionalize cooperation between them. The important documents signed between the two countries are mentioned below:

- 1973: Exchange of Notes on the Dispatch of Japan Overseas Cooperation Volunteers

- 1978: Agreement for the Exchange of International Money Orders
- 1980: Agreement for Air Services
- 1980: Agreement on Air Services
- 1982: Cultural Agreement
- 1991: Convention for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income
- 1999: Agreement concerning the Promotion and Protection of Investment
- 2002: Agreement on Technical Cooperation
- 2004: Exchange of Notes on Debt Relief Measure
- 2005: Cultural Exchange Program
- 2005: JITCO and MOEWE signed a record of discussion on apprentice trainee.
- 2010: Joint Statement
- 2012: Exchange of Notes on Improvement of the Capacity of Public Food Storage
- 26 May 2014: Exchange of notes between the two countries were signed regarding the 35th package of the Official Development Assistance (ODA), under which Bangladesh is receiving \$1.18 from Japan for a number of major projects.
- 27 May 2014: A Memorandum of Understanding (MoU) between Bangladesh Export Processing Zone Authority (BEPZA) and JETRO (Japan External Trade Organization) was signed on allocating plots for Japanese investors in EPZs. 40 industrial plots in the Export Processing Zones (EPZ) will be kept reserved exclusively for the Japanese investors.

### 1.7 Official Information Disclosure and Community Participations.

Check if government has made any rules under ECR 1997 for official disclosure and community participation. Otherwise the guidelines of JICA, WB and ADB direct on the issue in a following way:

**Public Consultation:**

Public participation in the planning process is essential. The consultation process provides an ideal forum for checking that the affected public has been adequately consulted and their views taken into account in project preparation. The purpose of environmental screening/scoping and ESIA is to improve projects, and this, to some extent can only be achieved by involving those people directly or indirectly affected. A project that will involve temporary displacement of people from their source of livelihood will require the most extensive public participation. It will reveal new information, improve understanding and enable better choices to be made. Without consultation, legitimate issues may not be heard, leading to conflict and unsustainability of the project. There are no clear rules about how to involve the public and it is important that the process remains innovative and flexible. In practice, the views of people affected by the plan are likely to be heard through some form of representation rather than directly. It is therefore important to understand how decisions are made locally and the methods of communication in use. The views of racial minorities, women, religious minorities, political minorities and lower cast groups are commonly overlooked (World Bank, 1991). Public participation and consultation in the project was undertaken through like meetings with likely project affected persons and regulatory officials and planned project was discussed and their inputs were documented. Techniques used involved open meetings to enable public participation. Relocating or compensating people implies effective communication or dialogue with all stakeholders. It also implies the free flow

of information between project sponsors and the PAPs to promote effective consultation and participation so as to achieve the objectives of the temporary relocation.

#### **Stakeholder Consultation Process**

The procedure provides a framework for achieving effective stakeholder involvement and promoting greater awareness and understanding of issues among all the stakeholders. The spectrum begins with informing stakeholders then escalates through consulting, involving, collaborating and finally empowering participants in consultations. Each level has a different goal and makes a correspondingly bigger promise to participants, as shown in the figure below:

##### **-Inform**

Information bulletin and meetings will be used to keep the public informed about the project. The aim is to provide the public with balanced and objective information to assist them in understanding the project, alternatives and/or solutions.

##### **-Consult**

These would be used at the start of the EIA to canvass opinion, identify issues, seek feedback and collect data. Specific techniques include:

- ✓ Seek inputs of local NGOs, experts, opinion leaders and other relevant stakeholders during scoping to streamline issues and ensure inclusiveness of all vulnerable groups;
- ✓ Involve community in reconnaissance survey;
- ✓ Conduct focus group discussions using standard Participatory techniques during baseline data collection;
- ✓ Seek inputs of local NGOs and experts when finalizing questionnaires and other survey instruments that will be used for baseline data collection;
- ✓ Conduct key informer interviews for scoping and baseline data collection

##### **-Involve**

This category involves an exchange of ideas, discussions of options and strategies rather than just a presentation of positions. The advantage is that participants can respond to new information to develop clearer understanding of the issues and needs and concerns of other participants, and the stakeholder can actually see that their input is being acted on.

##### **-Collaboration**

This embraces the above three categories. It involves an exchange of ideas, but extends stakeholder involvement to decisions. Its advantages include better solutions, acceptance and commitment to the solution by all, and greater accountability to the interested parties.

- ✓ Participation of representatives of local NGOs and interests in the impact rating process
- ✓ Participation of representatives of local NGOs and interests in the progress briefing exercise
- ✓ Participation of representatives of local NGOs and interests during the EIA review

## **1.8 Land Acquisition and Resettlement**

### **Authorities for Land Acquisition & Their Role**

Ministry of Land is responsible for the land acquisition and resettlement of a large project. The ministries implementing this process by engaging of respective DC as well as the local government of that region.

Necessary land for development of EPZ was made available through 'Acquisition' under Acquisition and Requisition of Immovable Property Ordinance, 1982 (Ordinance No. II of 1982). The quantum of land made available for Chittagong, Dhaka and Comilla EPZ through acquisition is 450 acres, 414 acres and 133 acres respectively.

The land Acquisition Process for EPZ is explained below:

- The Requisitioning body (Here BEPZA) with the permission from its Board of Governors will write to the concerned Deputy Commissioner (DC) of the district where the earmarked land is located to express the desire for acquisition of land.
- The DC will instruct his Land Acquisition Office/ Land Acquisition Officer to start the process of Acquisition. Part of the process will include; survey of the land, identification of the owners as per land records as available, valuation of land, structures, trees, plantations as per Land acquisition norms
- Notice will be served to the land owners and other stake holders about the intention and necessity of the land acquirement under section 3 of the Ordinance which will be followed by section 4 for filling Objection against Acquisition by the land owner, section 5 Final Decision of Acquisition by the DC, section 6 for serving Notice to Persons Interested i.e., individual interest against ownership by other heirs/amount of compensation and all other stake holders, section 7 for Award of Compensation by the Deputy Commissioner, section 10 for Payment of Compensation and section 11 for Acquisition and possession.
- As per section 4 of the Ordinance, if the asking property is more than 50 bigha (16.33 acres) of land, the Deputy Commissioner need to move for getting Government approval before proceeding for Acquisition.
- As per section 8 of the Ordinance the Compensation of the land shall be determined on the basis of average price of other land in the vicinity of earmarked land with 50% compensation as TOP UP on the actual price.
- The price assessment of other structures, trees, plantation shall have to be made on market price basis by the Department of Public Works (PWD) as per requisition of DC.
- As per section 7, the Requisitioning body shall have to deposit the assessed amount of compensation with the DC within 60 days of the assessment of compensation.
- As per section 14 and 15 of the Ordinance the Government will facilitate Acquisition of land for a person/body other than the Govt. body, in this case the requiring private sector or others need to pay the entire cost of acquisition including normal administrative charge imposed by the DC. As per section 17 of the said Ordinance, in future the Acquired Property cannot be used other than the purpose it was acquired. **(Information source: Acquisition and Requisition of Immovable Property Ordinance, 1982 (Ordinance No. II of 1982)).**

As per Acquisition and Requisition of Immovable Property Ordinance 1982 (Ordinance No. II of 1982), if a requiring body of land could not use the acquired land purpose fully as it was predetermined for long time, the Govt. can take back the land on de-requisition basis and can use the said land in the same manner for other purpose as suits (section 17).

### 1.9 Material Dredging From River and Sea

Dredging is a fundamental activity for most, but not all, ports and harbors. The Central Dredging Association states that "in its simplest form dredging consists of the excavation of material from the sea, river or lakebed, and the relocation of the excavated material elsewhere for disposal" (IADC/CEDA 1997). In ports and harbors dredging can be undertaken to meet a number of different objectives, which include the following:

- Navigation: to maintain or improve/extend navigable depths in ports, harbors, marinas and shipping channels which is usually a statutory requirement for port and harbor authorities.
- Flood control: to improve drainage or sea defense.
- Construction and reclamation: in support of coastal development or for the provision of foundations for civil engineering works, for example barrages, bridge piers and pipelines.
- Mining/Aggregate: to win minerals and aggregate materials from underwater locations (Aggregate extraction is the subject of a further report of the UK Marine SACs Project).

- Beach nourishment: to supply material to reinstate or improve the performance of a beach as a sea defense or an amenity.
- Environmental: to improve and clean up the environment, generally for the removal of contaminated sediments which is commonly called remedial dredging

The regulatory authority for dredging and extraction of soil lies with the Ministry Of Land. The government department for the development work can go for dredging like bringing navigability in the river channel, damming river for protection work, etc. The stake holder for the dredging is the following:

**-Inland Water Transport Authority (IWTA):** maintenance of navigational channel and improvement.

**-Bangladesh Water Development Board (BWDB):** River protection, embankment and irrigation projects.

Moreover department of environment has overall responsibility to approve projects and recommend mitigation measure if any project propose to dredge river and sea. The other concern is the use of spoils if it be used for filling purpose and rising of land without degrading the formation of river channel. Most restriction lies with the degradation of environment. Permission is sought from the Ministry Of Land for on Project to Project basis. EIA is must for dredging projects.

## 2. Existing and Present Natures and Social Environments at Project Sites

### 2.1 Physical Environment Baseline Conditions

#### 2.1.1 Ambient Air

Nayanpur site under Gazipur district is situated near the urban settlement area of Gazipur and adjacent to the Dhaka-Mymensingh highway. A lot of industries are developed based on the suitable infrastructural facilities. The main sources of air pollutant emissions in adjacent are small and large industries, domestic biomass burning (such as wood, dung, and straw) and brick kilns. Other contributors to air pollution include vehicular traffic, re-suspended road dust to make bricks. Also, Trucks those carrying industrial goods, Bus & Minibus, Auto CNG, Tempo, Votvoti (old fashioned auto's), Motorcycles etc. move on the subproject road which pollute air. The same situation was observed in the Araihasar Site under Narayanganj district. Upon consultation with the local people informed that they did not have feeling for bad air quality and people of the area have not wear masks like some of the people in Dhaka city.

Table 2.1.1 (a): Summary Air Quality and Meteorological data measured during August, 2015 at different CAMS operated under DoE

Parameter	unit	NAAQS	Summery	Dhaka (Farmgate)	Gazipur	Narayanganj
<b>SO<sub>2</sub> -24 hr</b>	ppb	140	Average	DNA*	DNA*	DNA*
			Maximum	DNA*	DNA*	DNA*
			Minimum	DNA*	DNA*	DNA*
			Data Capture (%)	DNA*	DNA*	DNA*
<b>NO<sub>2</sub>- 24 hr</b>	ppb	53 (annual)	Average	DNA*	DNA*	10.3
			Maximum	DNA*	DNA*	19.9
			Minimum	DNA*	DNA*	3.55
			Data Capture (%)	DNA*	DNA*	80
<b>CO- 1 hr</b>	ppm	35	Average	1.73	DNA*	0.62
			Maximum	5.4	DNA*	1.31
			Minimum	0.05	DNA*	0.34
			Data Capture	74	DNA*	80

			(%)			
<b>CO-8hr</b>	ppm	9	Average	1.78	DNA*	0.61
			Maximum	4.29	DNA*	1.12
			Minimum	0.23	DNA*	0.37
			Data Capture	71	DNA*	76
			(%)			
<b>O<sub>3</sub>- 1hr</b>	ppb	120	Average	4.87	2.07	DNA*
			Maximum	18.8	16.8	DNA*
			Minimum	0.57	0.09	DNA*
			Data Capture	89	94	DNA*
			(%)			
<b>O<sub>3</sub>-8hr</b>	ppb	80	Average	4.89	2.05	DNA*
			Maximum	11.3	10.3	DNA*
			Minimum	1.09	0.15	DNA*
			Data Capture	89	96	DNA*
			(%)			
<b>PM<sub>2.5</sub> -24hr</b>	µg /m <sup>3</sup>	65	Average	39.4	31.8	26.7
			Maximum	49.2	60.0	39.3
			Minimum	29.3	13.6	13.7
			Data Capture	46	83	40
			(%)			
<b>PM<sub>10</sub> -24hr</b>	µg /m <sup>3</sup>	150	Average	58.1	60.8	98.9
			Maximum	84.6	98.2	134
			Minimum	34.4	34.5	59.7
			Data Capture	30	83	75
			(%)			

(Source:

[http://case.doe.gov.bd/file\\_zone/reports\\_publications/monthly\\_reports/Monthly\\_Report\\_August\\_15.pdf](http://case.doe.gov.bd/file_zone/reports_publications/monthly_reports/Monthly_Report_August_15.pdf))

CAMS= Continuous Air Monitoring Station, PM= Particulate Matter, NAAQS=National Ambient Air Quality Standard, \*=DNA due to malfunction of the analyzer/sensor or poor data capture rate

### 2.1.2 Meteorology and Climate

The climate of Bangladesh is subtropical and influenced by the annual south west monsoon. The project area lies in the South-central climate zone of the country (Map.....) and shows tropical monsoon climate with three prominent seasons - Summer/Pre-monsoon - March to May; Rainy season/monsoon - June to October; and winter season - November to February. Monsoon comes in the month of June and recedes in the month of late October. During this period, air becomes more humid, rainfall increases, and heavy rains with thunderstorm occur. This period is locally called as "Kalbaaishakhi". Sometimes the rain falls with hail. The monsoon period is considered to last from the May to October when more than 85% of the total annual rainfall occurs.

The responsible authority for collecting climate data is Bangladesh Meteorological Department and the department has several data collection station that collects data for temperature, rainfall, wind speed etc. The nearest climatic data collection point of the project area of Nayanpur Site is Dhaka & Mymensingh, and for Araihasar Site is Dhaka & Comilla. Based on these station following data was achieved for assessing the climatic condition of selected project site.

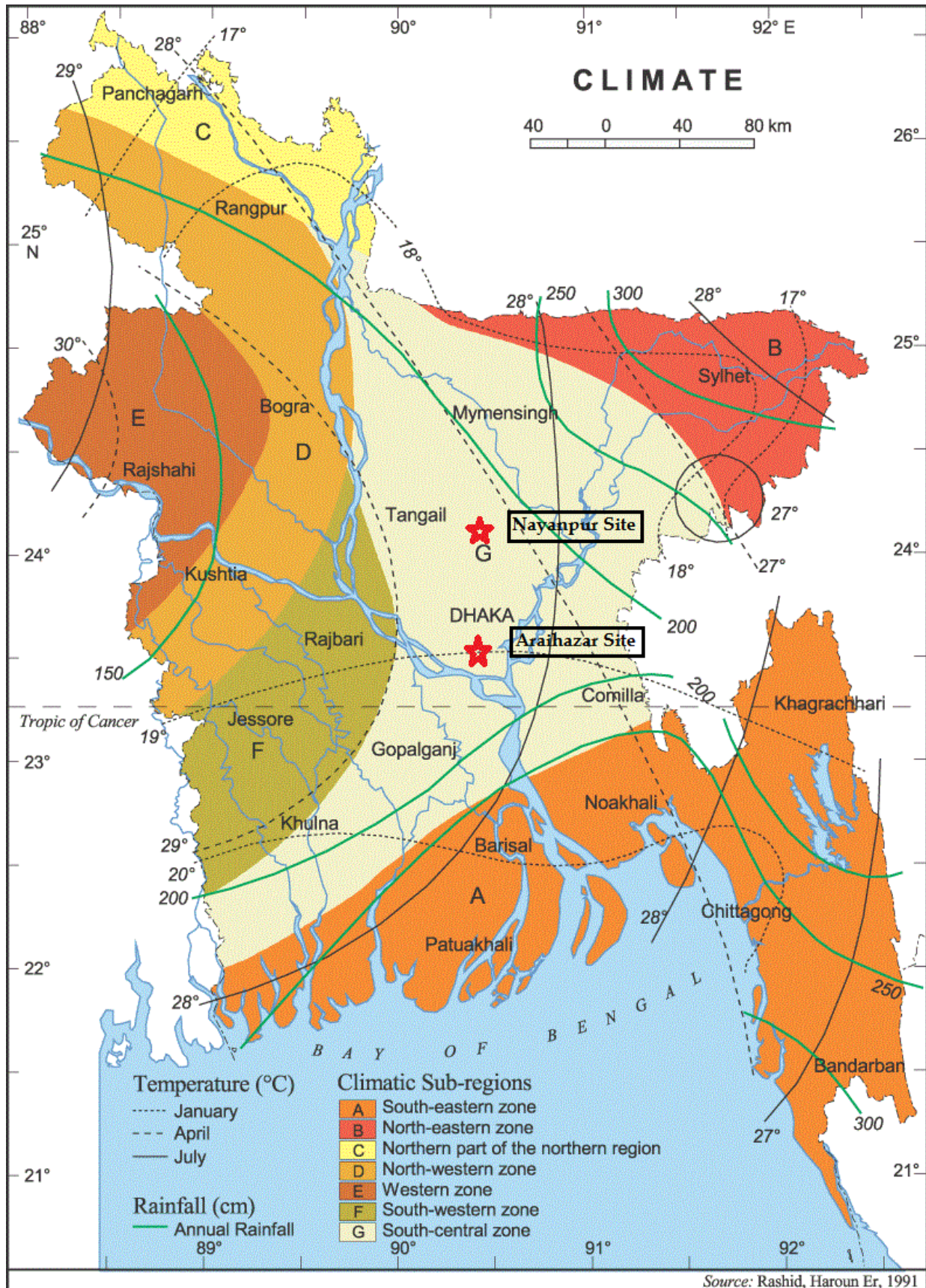


Figure 2.1.2 (a): Map showing the climatic region of Bangladesh  
 (Source: <http://lib.pmo.gov.bd/maps/images/bangladesh/Climate.gif>)

☑ *Ambient Air Temperature*

Bangladesh have six season and based on these season its temperature is varies with the season. The average minimum and maximum range of temperature in winter (dry season) is 13°C to 29°C. March and April consider as pre-monsoon season when highest temperature reached, average 34°C. The nearest data collection point of BMD near Nayanpur sites is Dhaka & Mymensingh and for Araihaazar site is Dhaka & Comilla. The normal maximum and minimum temperature of that place are showing in the following table.

**Table 2.1.2 (b): Normal Maximum & Minimum Temperature (°C) for Nayanpur Site**

Station Name	January		February		March		April		May		June		July		August		September		October		November		December	
	Max	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max	Min
Dhaka	25.4	12.7	28.1	15.5	32.5	20.4	33.7	23.6	32.9	24.5	32.1	26.1	31.4	26.2	31.6	26.3	31.8	25.9	31.6	23.8	29.6	19.2	26.4	14.1
Mymensingh	24.7	11.8	27.1	14.1	31.0	18.3	32.3	22.2	31.4	23.6	31.5	25.5	31.1	25.8	31.7	26.0	31.3	25.4	31.5	23.4	29.5	18.4	26.3	13.3
Country	25.2	12.5	27.8	15.1	31.6	19.6	33.2	23.1	32.9	24.5	31.9	25.6	31.1	25.6	31.4	25.7	31.5	25.4	31.5	23.6	29.5	19.2	26.4	14.2

(Source: Bangladesh Meteorological Department)

**Table 2.1.2 (c): Normal Maximum & Minimum Temperature (°C) for Araihaazar Site**

Station	January		February		March		April		May		June		July		August		September		October		November		December	
	Max	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max	Min
Dhaka	25.4	12.7	28.1	15.5	32.5	20.4	33.7	23.6	32.9	24.5	32.1	26.1	31.4	26.2	31.6	26.3	31.8	25.9	31.6	23.8	29.6	19.2	26.4	14.1
Comilla	25.4	12.1	27.7	15.2	31.0	19.7	32.2	22.8	32.2	24.2	31.6	25.3	30.9	25.4	31.3	25.4	31.6	25.2	31.4	23.4	29.6	18.7	26.6	13.3
Country	25.2	12.5	27.8	15.1	31.6	19.6	33.2	23.1	32.9	24.5	31.9	25.6	31.1	25.6	31.4	25.7	31.5	25.4	31.5	23.6	29.5	19.2	26.4	14.2

(Source: Bangladesh Meteorological Department)



**Humidity**

In the monsoon season the air becomes more humid due to the heavy rainfall and in the dry season the humidity found low. The average humidity of the country is around 75%. Data from BMD station near the project site of Nayanpur revealed that the humidity found higher in the month of July and lowest in the month of March. This situation some sort of similar for the Araihasar site.

**Table 2.1.2 (d): Monthly Normal Humidity (%) For Nayanpur Site**

Station	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec
Dhaka	71	64	62	71	76	82	83	82	83	78	73	73
Mymensingh	77	72	71	77	81	86	87	86	86	83	79	79
<b>Country</b>	76	72	71	75	79	85	86	86	85	83	79	77

(Source: Bangladesh Meteorological Department)

**Table 2.1.2 (e): Monthly Normal Humidity (%) For Araihasar Site**

Station	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec
Dhaka	71	64	62	71	76	82	83	82	83	78	73	73
Comilla	77	75	77	81	82	86	87	86	86	84	80	79
<b>Country</b>	76	72	71	75	79	85	86	86	85	83	79	77

(Source: Bangladesh Meteorological Department)

**Rainfall**

Rainy season is prominent in this region like other parts of the country. The data collection point of BMD near Nayanpur site revealed that in the month of May to September rainfall is more frequent due to the presence of monsoon air and around 85% rainfall occurs in these months. Among the BMD data, extreme rainfall recorded for Dhaka station was 341 mm that occurs in 13 September 2004. 508 mm rainfall recorded in Mymensingh station in 26 September 1971 that was extreme for that station. The monthly normal rainfall for the stations adjacent to the Nayanpur & Araihasar site is shown in the table below.

**Table 2.1.2 (f): Monthly Normal Rainfall in mm for Nayanpur Site**

Station	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec
Dhaka	7.7	28.9	65.8	156.3	339.4	340.4	373.1	316.5	300.4	172.3	34.4	12.8
Mymensingh	10.0	20.5	35.8	128.6	356.9	394.3	436.3	318.1	335.3	190.9	17.5	8.7
<b>Country</b>	9.0	25.5	52.4	130.2	277.3	459.4	523.0	420.4	318.2	160.3	42.3	9.6

(Source: Bangladesh Meteorological Department)

**Table 2.1.2 (g): Monthly Normal Rainfall in mm for Araihasar Site**

Station	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec
Dhaka	7.7	28.9	65.8	156.3	339.4	340.4	373.1	316.5	300.4	172.3	34.4	12.8
Comilla	7.5	28.8	66.2	153.9	329.6	329.8	415.5	316.0	226.6	141.6	41.6	8.6
<b>Country</b>	9.0	25.5	52.4	130.2	277.3	459.4	523.0	420.4	318.2	160.3	42.3	9.6

(Source: Bangladesh Meteorological Department)

**Wind Speed and Direction**

Like the country’s wind characteristics the project regions is characterized by Southerly wind from the Bay of Bengal during monsoon and Northwesterly wind from Himalaya during winter. BMD data shows that annual wind speed in nearest weather station for Nayanpur site 2.45 m/s & 2.12 m/s respectively for Dhaka and Mymensingh station. The average wind speed becomes high in the monsoon season and low in the dry season. The monthly average wind speed is 2.4Km/day in the summer, 3.5Km/hr in the Monsoon and 2.9Km/hr in winter. The maximum wind speed occurs in April to July that shown in the following table for both sites.

**Table 2.1.2 (h): Normal Wind Speed (m/s) For Nayanpur Site**

Station	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sep	Oct	Nov	Dec	Annual
Dhaka	1.23	1.60	2.59	4.21	3.80	3.70	3.64	3.21	2.24	1.28	0.93	0.92	2.45
Mymensingh	1.07	1.45	2.18	3.21	3.21	3.21	3.01	2.68	2.10	1.32	0.87	0.78	2.12

(Source: Bangladesh Meteorological Department)

**Table 2.1.2 (i): Normal Wind Speed (m/s) For Arai hazar Site**

Station	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sep	Oct	Nov	Dec	Annual
Dhaka	1.23	1.60	2.59	4.21	3.80	3.70	3.64	3.21	2.24	1.28	0.93	0.92	2.45
Comilla	1.16	1.58	2.81	4.30	4.36	4.64	4.73	4.10	2.69	1.44	0.89	0.88	2.82

(Source: Bangladesh Meteorological Department)

**2.1.3 Extreme Weather Events**

**Storm Surges & Cyclone**

Due to the geographical setting of our country, Storm surge and cyclones is more frequent in the coastal region of Bangladesh but not in the project sites. But the central region of the country faced some severe local seasonal storms, popularly known as Nor’westers (kalbaishakhi) in almost every year. Severe nor’westers is generally associated with tornadoes. Tornadoes are embedded within a mother thundercloud, and moves along the direction of the squall of the mother storm. The frequency of devastating nor’westers usually reaches the maximum in April, while a few occur in May, and the minimum in March. Nor’westers and tornadoes are more frequent in the afternoon. Nor’westers may occur in late February due to early withdrawal of winter from Bangladesh, Bihar, West Bengal, Assam, and adjoining areas. The occasional occurrence of nor’westers in early June is due to the delay in the onset of the southwest monsoon over the region (Source: Hazard profile of Bangladesh 2009).

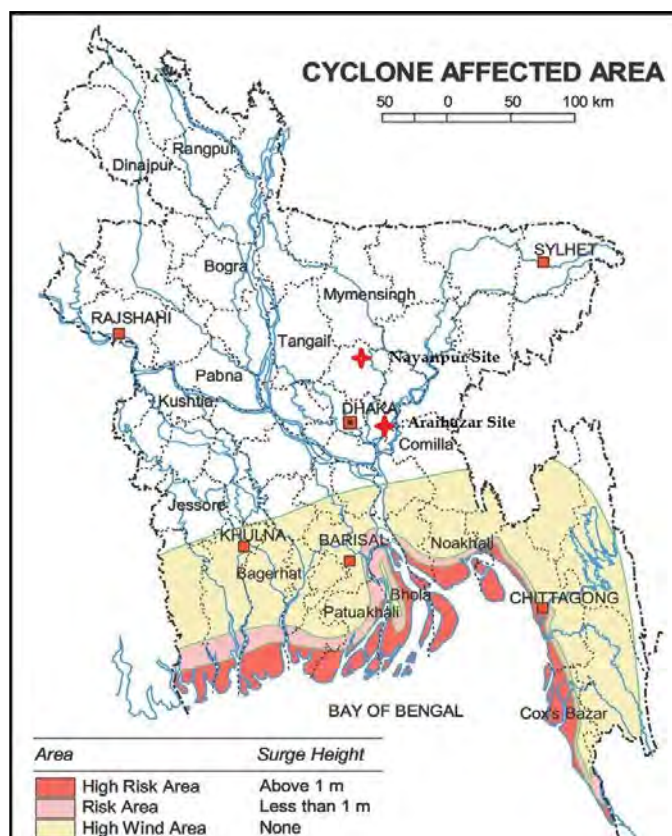


Figure: Cyclone prone region of Bangladesh (Source: SPARSO)

**Table 2.1.3 (a): List of Cyclones and Storm Surges**

Date of Landfall	Nature of Phenomenon	Landfall Area	Max. Wind Speed in kph	No. of Death	Surge Heights
26.10.1996	C.S	Sundarban	70	09	1.5-2.0 m
19.05.1997	S.C.S with a core of hurricane winds	Sitakundu	232	15	4.55 in
27.09.1997	S.C.S with a core of hurricane winds	Sitakundu	150	67	3.0-4.55m
20.05.1998	S.C.S with core of hurricane winds	Chittagong Coast near Sitakundu	173	14	0.9m
17.10.1999	S.C.S of hurricane intensity	Orissa Coast	-	-	-
25.10.1999	S.C.S of hurricane intensity	Orissa Coast	-	-	-
28.10.2000	Deep (probably Storm)	Depression Cyclonic near Mongla	50-60	3	0.6-1.2m
16-10.2001	S.C.S	Andhra coast	65-85	-	-
12.11.2002	C.S	Sundarban coast near Raimangal river	65-85	2	1.5-2.1m
20.5.2003	C.S	Myanmar	65-85	-	0.9-1.5m
16.12.2003	S.C.S	Andhra coast	98-115	-	-
19.05.2004	C.S	Cox's Bazar & Akyab Coast	65-90	-	0.6-1.2m
28.10.2005	C.S	Andhra coast near Ongole.	-	-	-
10.12.2005	Cyclonic Storm (crossed land as a depression)	Tamilnadu co. near Nagapattnam.	-	-	-
29.04.2006	S.C.S with a core of Hurricane 'Mala'	Arakan coast of Myanmar between Akyab . Sandoway	-	-	-
15.05.2007	C.S "AKASH"	Chittagong & Cox's Bazar	83	-	-
15.11.2007	S.C.S "SIDR" with a core of hurricane winds	Khulna-Barisal coast near Baleshuvar river	223	3.363	4.6-6.1 m
02.05.2008	S.C.S "NARGIS" with a core of hurricane winds	Myanmar coast near Bassein	-	-	-
26.10.2008	C.S "Rash."	Khulna-Barisal coast near Patharghata	-	-	1.5-2.1m
27.11.2008	C.S 'Nisha'	Tamilnadu co. near NagapatImam.	-	-	-
17.04.2009	C.S "BIJII"	Chittagong-Cox's Bazar coast near Ctg.	90	-	-
25.05.2009	C.S "AHA"	West Bengal-Khulna (Bangladesh) coast near Sagar inland of India.	92	190	2.1-2.4m
20.05.2010	S.C.S "LAILA"	NE Andhra coast of India	-	-	-
22.10.2010	V.S.C. S "GIRI"	Crossed Myanmar			

		coast east-southeast of Sittwe			
07.11.2010	S.C.S "JAL"	Crossed north Tamilnadu and south Andhra Pradesh coast	-	-	-
30.12.2011	V.S.C.S "THANE"	Crossed the Tamil Nadu coast close to south of Cuddalore	-	-	-
31.10.2012	C.S "NILAM"	crossed north Tamilnadu coast near Mahabalipuram, south of Chennai	-	-	-
16.05.2013	C.S "VIARU"	Crossed Bangladesh coast between Chittagong and Feni	-	-	-
12.10.2013	V.S.C.S "PHAILIN"	Odisha & adjoining north Andhra Pradesh coast near Gopalpur	-	-	-
22.11.2013	S.C.S "HELEN"	Crossed Andhra Pradesh coast close to south of Machilliptnam	-	-	-

(Source: Bangladesh Meteorological Department). [C.S= Cyclone Storm, S.C.S= Severe Cyclone Storm, V.S.C.S= Very Severe Cyclone Storm]

#### Extreme Rainfall

Bangladesh has a subtropical monsoon climate characterized by wide seasonal variations in rainfall and about 80 percent of Bangladesh's rain falls during the monsoon season. Excessive rainfall is the driving force of flood in all over the country and landslides in the hilly areas. Following table revealed the extreme rainfall of respective stations of Bangladesh Meteorological Department (BMD).

**Table 2.1.3 (b): List of Recorded Extreme Rainfall in all over Bangladesh**

Stations	Amount of Rainfall (mm)	Date
Dhaka	341	13 September 2004
Mymensingh	508	26 September 1971
Tangail	305	2 September 1993
Faridpur	370	26 September 1986
Madaripur	243	12 June 1995
Chittagong	511	3 August 1983
Ambagan (Chittagong)	438	26 June 2012
Sandwip	590	14 June 2001
Sitakunda	329	9 October 1990
Rangamati	352	25 July 1960
Comilla	442	2 August 1958
Chandpur	334	15 June 1983
Maijdi Court	520	17 July 1981
Feni	420	15 July 2005
Hatiya	337	14 June 2001
Cox's Bazar	467	24 June 2015
Kutubdia	422	15 July 1998
Teknaf	481	14 June 2010
Sylhet	362	12 June 2000
Srimangal	514	6 September 1976
Rajshahi	247	21 June 2004
Ishurdi	351	10 July 1976
Bogra	279	23 June 1988
Rangpur	294	24 September 2002
Dinajpur	508	28 September 1996
Sayedpur	341	9 September 1991
Khulna	430	26 September 1986
Mongla	204	26 September 1997
Satkhira	302	26 September 1986
Jessore	281	29 June 1965
Chuadanga	257	20 July 2007
Barisal	258	10 October 1967
Patuakhali	312	9 June 1982
Khepupara	373	1 July 1995
Bhola	564	6 November 1971

(Source: Bangladesh Meteorological Department)

### 2.1.4 Seismicity

Selected project sites has fallen under the Zone-II that comprising the central part of Bangladesh represents the regions of recent uplifted Pleistocene blocks of the Barind and Madhupur Tracts, and the western extension of the folded belt. The region is also at medium risk from seismic events as it lies at the junction of three tectonic plates. In the earthquake zoning map 2.1.4 (a) 26 percent of Bangladesh falls in high risk, 38 percent moderate and 36 percent in low risk zone in terms of earthquake vulnerability. The distribution of recorded earthquakes indicate a major clustering of seismicity around the Dauki Fault and scattering of other events along other major fault systems of Bangladesh. The magnitude of the earthquakes are moderate (4-6) and majority of them are shallow depth. The historical records show that there have been some major earthquakes in Bangladesh. The 1548 earthquake had affected Sylhet and Chittagong with reports of ground rupture and hydrological changes. The 1762 earthquake had raised the Foul Island by 2.74 meters and the northwest coast of Chedua by 6.71 meters above the MSL and had caused permanent submergence of part of Chittagong. The 1897 Great India earthquake had caused extensive damage to parts of Mymensingh, Dhaka and Rajshahi. Among the recent major earthquakes, the 1997 Chittagong earthquake caused extensive damage to the adjacent areas. In the context of human exposure in seismically hazardous zones, nearly 1,330,958 people are present in these zones and Bangladesh ranks 17th among 153 nations. Similarly, the modeled amount of GDP in seismically hazardous zones puts Bangladesh 42nd among 153 countries. (Source: Bangladesh Hazard Profile, 2009)

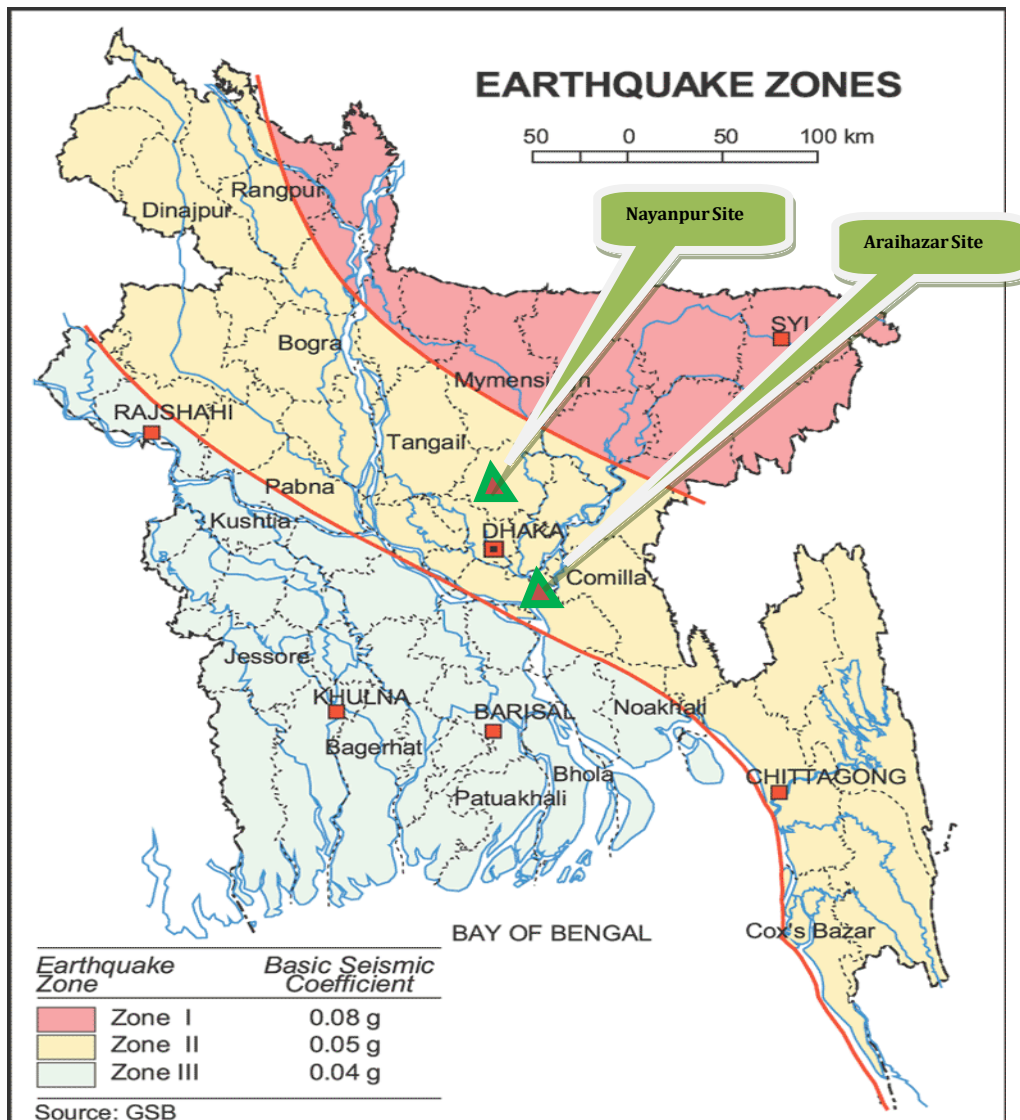


Figure 2.1.4 (a): Earthquake Zoning Map of Bangladesh, (source: GSB)

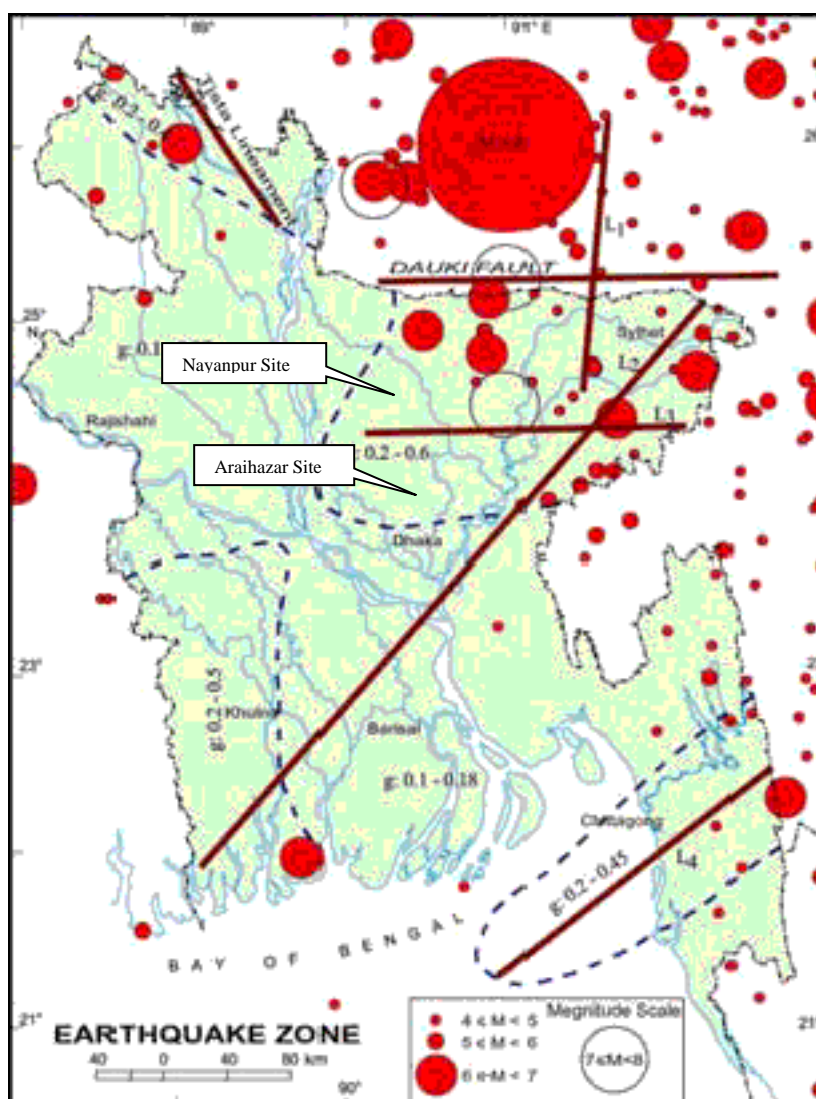


Figure 2.1.4 (b): Earthquake Distribution Map of Bangladesh

Table 2.1.4 (a): List of Recent Earthquake

Date	Time of occurrence (UTC) Hrs. Mts. Secs	Location of Epicenter		Magnitude (Richter Scale)	Distance from Dhaka (Km)	Region
		Latitude Deg. Mts.	Longitude Deg. Mts.			
28/06/2015	01 05 26.00	26° 38.40' N	90° 27.00' E	5.4	318	Assam, India
25/04/2015	06 11 27.20	28° 04.80' N	84° 51.60' E	7.5	745	Barpak, Nepal
20/04/2015	01 43 02.00	24° 07.80' N	122° 20.40' E	6.5	3,238	Taiwan
17/04/2015	22 05 50.00	26° 30.60' N	92° 36.60' E	4.9	382	Rangapara, India
15/04/2015	17 57 02.00	24° 04.20' N	95° 34.80' E	4.2	529	Myanmar
13/04/2015	07 39 27.00	39° 45.96' N	106° 25.50' E	5.3	2,327	Wuhai, China
08/04/2015	01 43 49.46	21° 46.2' N	89° 52.80'	4.6	228	Sharankhola,

5			E			Khulna
30/03/2015	23 48 31.00	04° 45.6' S	152° 33.36' E	7.5	7,435	Papua New Guinea
16/03/2015	23 17 20.80	00° 31.2' N	122° 19.80' E	6.0	4,246	Luwuk, Indonesia
23/02/2015	08 17 43.98	23° 56.24' N	91° 34.48' E	3.8	128	Tripura Region, India
22/02/2015	02 50 31.37	25° 29.24' N	91° 54.36' E	3.5	245	Assam Region, India
17/02/2015	23 06 28.80	39° 34.12' N	142° 50. 24' E	6.6	5,701	Honshu, Japan
12/02/2015	14 33 07.00	24° 4.48' N	93° 42.0' E	4.8	339	Churachandpur, India
04/02/2015	10 43 56.65	34° 9.0' N	83° 10.12' E	5.2	1,320	China Region
24/01/2015	16 11 42.50	24° 57.00' N	094° 51.00' E	4.7	470	Myanmar-India Border Region.
15/01/2015	01 33 09.30	22° 52.80' N	092° 19.20' E	4.2	220	Rangamati Region, Bangladesh
10/01/2015	19 32 01.20	14° 46.20' N	120° 16.20' E	5.8	3,283	Philippines Region
09/01/2015	02 20 42.93	26° 44.40' N	090° 50.26' E	3.8	56	Bhairab Bazar
07/01/2015	04 48 32.00	24° 16.80' N	121° 39.60' E	5.1	3,168	North of Hualian Taiwan
05/01/2015	03 19 28.00	30° 36.00' N	142° 12.60' E	5.3	5,135	Japan region
04/01/2015	05 51 27.00	29° 18.00' N	130° 38.88' E	5.1	4,029	Japan region

(Source: Bangladesh Meteorological Department)

**Table 2.1.4 (b): List of Major Earthquake**

Date	Magnitude (Richter Scale)	Source Area
10/01/1869	7.5	Cachar, India
14/07/1885	7.0	Sirajganj, Bangladesh
12/06/1897	8.7	Great Indian Earthquake
08/07/1918	7.6	Srimangal, Bangladesh
02/07/1930	7.1	Dhubri, India
15/08/1950	8.5	Assam, Himalaya
21/03/1954	7.4	Monipur, India
08/07/1975	6.7	Assam, India
18/09/2011	6.8	Sikkim, India
25/04/2015	7.8	Pokhra, Nepal

(Source: Bangladesh Meteorological Department)

### 2.1.5 Topography and Land Use

In Nayanpur site, the current land use pattern is mixed types. The project site is currently used for agricultural purposes and produces 2/3 crops per year. Paddy is the main crops of that and due to the low land area the site remains under water in the rainy season for at least two month. The surrounding areas cover with industrial and residential building and some cultivable land also. A lot of small and large industries were found in the 15 km radius of the site.

In Araihasar site, the area is mainly a swamp land and remains under water in rainy season in at least 4 month in every year. Currently the land is used for agricultural purposes and produces two crops per year. But in the rainy season that area is used for catching fish. Jute and paddy is the main crops and in winter farmers cultivate vegetables. On the other hand, some industrial activity is also found in the adjacent area of project site. A lot of small and large industries were found in the 15 km radius of the site.

### 2.1.6 Geology and Soils

Gazipur City, in the vicinity of Dhaka, is situated in the Madhupur tract. Two characteristic geological units cover the city and surroundings, including Madhupur Clay or clay loam in red brown trace soils formed in Pleistocene age and alluvial deposits of recent age. The Madhupur Clay is the oldest sediment exposed in and around the city area having characteristic topography and drainage. The major geomorphic units of the city are the high land or the Dhaka terrace, the low lands or floodplains and depressions and abandoned channels. Low-lying swamps and marshes located in and around the city are other major topographic features. On the other hand, the topographic feature of the proposed EZ site is comparatively low land area and a depressions and abandoned channels.

In case of Araihasar, the project area is known as Modhupur tract. There are compact clays, previously called Pleistocene clays, but now called Modhupur clay. These clays have been uplifted tectonically.

Soils of the project impact area are mainly old Brahmaputra and old Meghna flood plain deposits. Flood plain soils generally show a pattern of friable silt loams or silty clay loams on the ridges and clays in the basins. Some clay is commonly dark gray but others flood plain soils are mainly mid gray and finely mottled yellow and brown. Because of these mottling, soils of the old Brahmaputra and old Meghna flood plain have an overall yellow-brown or olive brown appearance. The majority are neutral to moderately alkaline in reaction.



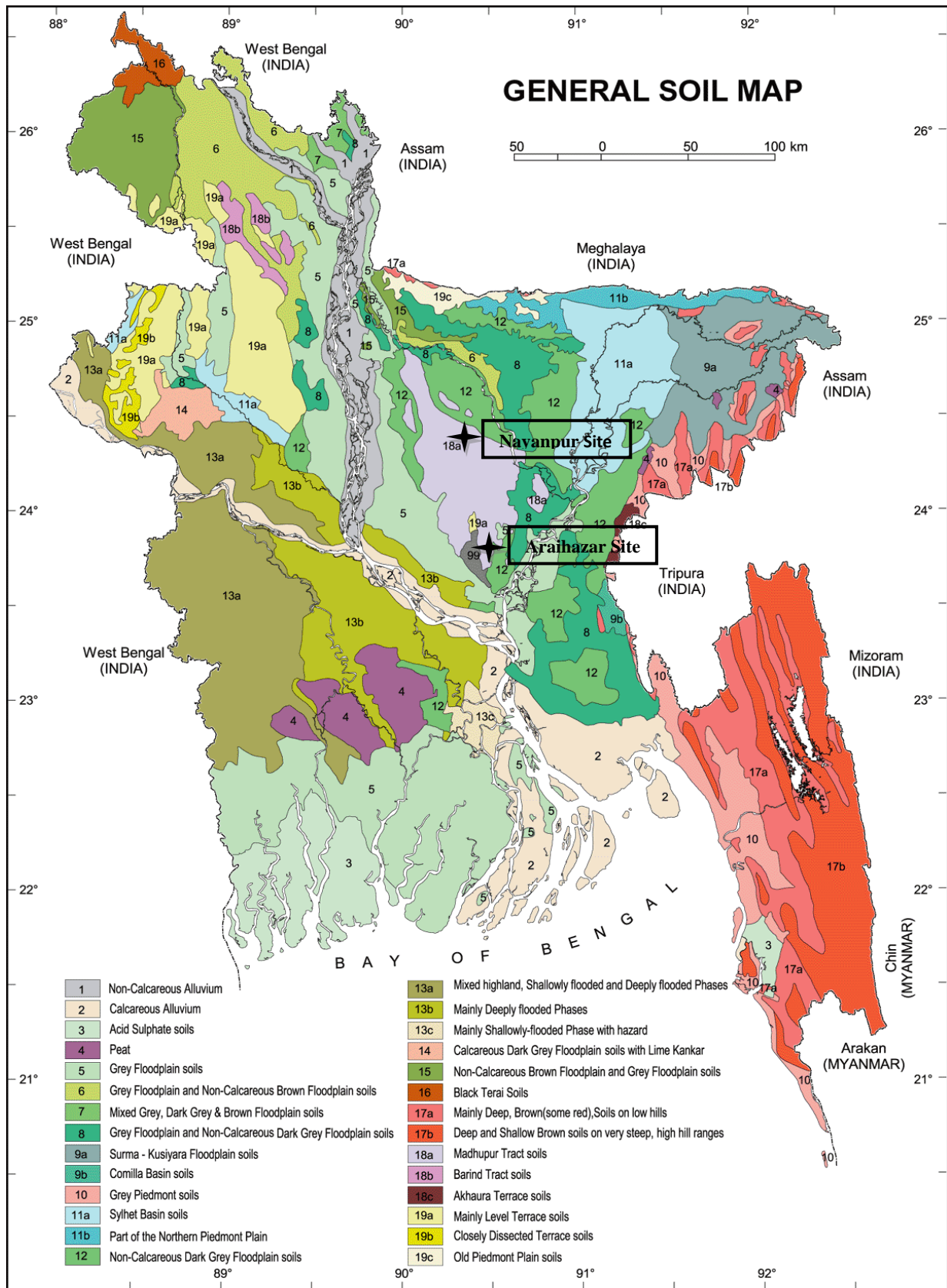


Figure 2.1.6 (a): General soil map of Bangladesh

### 2.1.7 Hydrology and Water Resources

#### ☑ Surface Water

There are few rivers namely old Brahmaputra, Shitalakshya, Turag, Bangshi, Balu, Banar and plenty of rivulets flowing through the Gazipur district. The nearest river is Shitalakhaya is about 20 km far from the site. However, within the site a canal crossed the site from the north to the south direction and this canal is the only drainage system that also carries the effluents of the adjacent industries, (dying, knitting, chemical, plastic, agro and food processing) and household wastewater. Irrigation is mostly done from by adding deep tube well/ shallow pumps. Water is available for construction activities. Site is not affected by the flood water, whereas during heavy rainfall water logged on the site for few days.

#### ☑ Ground Water

Groundwater is the main source of water for drinking and irrigation in Bangladesh and most of cases people relies on groundwater for industrial purposes also. Due to the dependency on groundwater and excessive withdrawal the level of groundwater table is decreasing day by day in the central region especially in Dhaka region. On the other hand the groundwater of coastal region is seriously affected by salinity. Also the ground water is affected by arsenic contamination and at some places it found many times higher than the threshold limit (WHO standards).

But fortunately, Araihaazar and Nayanpur site area is not affected by salinity and there is little possibility of salinity intrusion in the near future. Ground water is the main source of domestic, irrigation and industrial water supply in the project area. All households in the project area are using ground water to fulfill their daily requirement. Hand tube wells (depth of pipe 100-900 ft) are used in households for domestic water supply. Other Industries in the study area use Deep Tube-Wells (DTW) for water supply in their factory. The level of arsenic was found in the project area was below the 10 microgram per liter for average 150 m deep tube well.

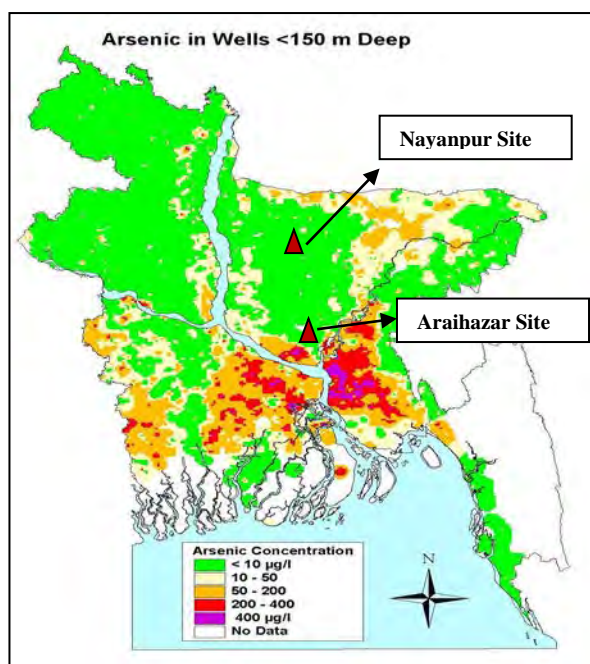


Figure 2.1.7 (a): Map showing the level of Arsenic in Bangladesh

#### ☑ License for tube well<sup>1</sup>

5. (1) No tube well shall be installed in any place without a license granted by the Upazila Parishad.
- (2) An application for license for installation of a tube well shall be made to the Upazila Parishad in such form as may be prescribed.
- (3) No application shall be entertained by the Upazila Parishad unless it is accompanied by such fee as may be prescribed.
- (4) On receipt of an application for license, the Upazila Parishad shall direct the Committee Parliamentary to hold a local enquiry and submit a report on the following points, namely:-
  - (a) The aquifer condition of the soil where the tube well is to be installed;
  - (b) The Justice distance of the nearest existing tube well;
  - (c) The area likely to be benefited by the tube well;
  - (d) The likely effect on the existing tube wells including tube wells used for domestic purpose;
  - (e) The suitability of the site for installation of the tube well;
  - (f) The conditions on which a license, if any, may be granted.

(5) If, on consideration of the report of the Committee, the Upazila Parishad is satisfied that the installation of tube well applied for-

- (a) Will be beneficial to the areas for which it is to be installed, or
- (b) Will not have any adverse effect upon the surrounding area, or
- (c) Is otherwise feasible,

It may grant the license applied for.

(6) A license granted under sub-section (5) shall be in such Bangladesh form as may be prescribed and shall be subject to such conditions as may be specified therein.

(7) Any person aggrieved by the decision of the Upazila Parishad may file an application to such authority as may be prescribed for review of the decision and the decision of that authority on such review shall be final.

<sup>1</sup> The Ground Water Management Ordinance, 1985

### 2.2.1 Vegetation and Flora

Within the Nayanpur site, there are very few natural terrestrial habitats, because in most cases vegetation was cleared many years ago to provide land for housing construction, industrial building construction, development local markets and other schools and collage's, and for agriculture in the suburbs. The project area is similar to the character to many areas of alluvial delta in Bangladesh with mixed crop vegetation. Rice, other grains and seasonal vegetables are the main crops in this area. Other than agriculture no forestland is involved in this area. Terrestrial habitats, in the surrounding highland of the proposed Nayanpur EZ site, are now mainly limited to trees, shrubs and flowers grown alongside roads and gardens, and the crops and fruit trees planted in agricultural areas. The composition of plant community includes low growing grasses and herbaceous vegetation as well as other flora.

Araihazar site is mainly a swamp land which remains under water in the rainy season. But in the adjacent area some local plant species was found and there is no forest cover or planned tree plantation area adjacent to the project site. The common plant species that found in Nayanpur and Araihazar area are listed below.

Table 2.2.1 (a): List of Flora of Nayanpur & Araihazar site

	Scientific Name	Common Name	Status (T: Threatened, E: Endangered)
<b>Flora</b>	<i>Artocarpus heterophyllus</i>	Jackfruit	-
	<i>Magifera indica</i>	Mango	-
	<i>Syzgium cumini</i>	Black Berry	-
	<i>Aegle Marmelos</i>	Bel	-
	<i>Cocos nucifera</i>	Coconut	-
	<i>Psidium guajava</i>	Guava	-
	<i>Citrous decumana</i>	Jambura	-
	<i>Shorea robusta</i>	Sal	-
	<i>Albizzia procera</i>	Koroy	-
	<i>Butea monosperna</i>	Palash	-
	<i>Moringa obifera</i>	Sajna	-
	<i>Tamarandis indica</i>	Tetul	-
	<i>Azadirachta indica</i>	Neem	-
	<i>Barringtonia acutangula</i>	Hijol	-
	<i>Erythrina veriegata</i>	Mandar	-

<i>Anthocephalus cadamba</i>	Kadam	-
<i>Ficus bengalensis</i>	Banyan	-
<i>Delonix regia</i>	Krishnachura	-
<i>Polyalthia longifolia</i>	Debdaru	-
<i>Tecona grandis</i>	Segun	-
<i>Telenthera philoxeroides</i>	Kachuripana	-
<i>Lemna paucicastata</i>	Khudipana	-

**Source: Site observation, Discussed with the local people and secondary data Banglapedia & BBS,2010**

### 2.2.2 Protected areas such tidal flats, Primitive Forests, Bird Sanctuaries, Game Reserves, National parks, Historic sites & ruins

Bangladesh has nineteen nationally designated protected areas comprising approximately 2,458 km, which is 1.66 percent of land area of the country. These include ten national parks, eight wildlife sanctuaries and one game reserve (CBD, 2010). There is no protected area in 15 km radius of project sites. However the nearest protected area is the Bhawal National Park that located 21 km to the south of the Nayanpur project area. The Bhawal National Park in Dhaka Forest Division is easily accessible throughout the year by road. It has been kept under International Union for Conservation of Nature (IUCN) management category as a protected landscape. This Bhawal National park (24°01'N, 90°20'E), Gazipur was established in 1974, and had been maintained as a national park since then. However the part had not declared officially until 1982 under the Bangladesh Wildlife Act, 1974. This national park covers 5,000 ha but sometimes for development works it extends to the middle of the park's core area of 940 ha because of construction of road and other facilities. In addition there are illegal industrial and household occupants inside the park. . The present feature of the forest area is actually honeycombed with habitations and rice fields. The topography is characterized by low hills, which rise 3.0 m to 4.5 m above the surrounding paddy fields locally known as 'chalias' are intersected by numerous depressions. The dominant forest trees Sal (*Shorea robusta*) of the national park have been almost completely removed, but now protection programs have planted Sal which covers 90% of the area.



Figure 2.2.2 (a): Map showing the protected areas of Bangladesh, (Source: CBD 4<sup>th</sup> assessment report, 2010)

List of Protected areas in Bangladesh

Table 2.2.2 (a): Protected areas of Bangladesh

Name of Protected Areas	Habitat Types	Area (ha.)	Year of Notification
<b>National Parks</b>			
1. Ramsagar National Park	Wetland	28	2001
2. Himchari National Park	Mixed Evergreen	1,729	1980
3. Bhawal National Park	Deciduous Forest	5,022	1974/1982
4. Madhupur National Park	Deciduous Forest	8,436	1962/1982
5. Lawachara National Park	Mixed Evergreen	1,250	1996
6. Kaptai National Park	Wetland	5,464	1999
7. Nijhum Dweep National Park	Mangrove Forest	16,352	2001
8. Meda Kacchapia National Park	High Hill Mixed Forest	396	2004
9. Shatchari National Park	Evergreen	243	2006
10. Khadim Nagar National Park	Mixed Evergreen	679	2006
<b>Wildlife Sanctuary</b>			
11. Char Kukri-Mukri Wildlife Sanctuary	Char land & Mangrove Forest	40	1981
12. Pablakhali Wildlife Sanctuary	High Hill Mixed Forest	42,087	1962/1983
13. Chunati Wildlife Sanctuary	Mixed Evergreen Forest	7,764	1986
14. Sundarban East Wildlife Sanctuary *	Mangrove Forest	31,227	1960/1996
15. Sundarbans South Wildlife Sanctuary *	Mangrove Forest	36,970	1996
16. Sundarbans West Wildlife Sanctuary *	Mangrove Forest	71,502	1996
17. Rema-Kalenga Wildlife Sanctuary	Mixed Evergreen forest	1,796	1996
18. Fasiakhali Wildlife Sanctuary	Mixed Forest	1302	2007
<b>Game Reserve</b>			
19. Teknaf Game Reserve	Mixed forest	11,615	1983

\*= also designated as RAMSAR site, (Source: CBD 4<sup>th</sup> assessment report, 2010)

### 2.2.3 Fauna

The biodiversity condition of the selected sites is poor and the species diversity is also low because of the absence of forest cover in and at the 15 km radius of both sites. Another factor behind this is the aggression of industrial activity. However a few faunal species can able to survive that are enlisted below

Table 2.2.3 (a): List of Fauna of Nayanpur & Araihasar site

	Scientific Name	Common Name	Types of Fauna
<b>Fauna</b>	<i>Hesperotenus tickli</i>	Bat	Mammals
	<i>Canis aureus</i>	Jackal	“
	<i>Herpestes auropunctatus</i>	Benji	“
	<i>Bandicata bengalensis</i>	Rat	“
	<i>Mus musculus</i>	House mouse	“
	<i>Mus booduga</i>	Field mouse	“
	<i>Corvus splendens</i>	Crow	Birds
	<i>Passer domesticus</i>	Charui	“
	<i>Orthotomus sutorius</i>	Tuntuni	“
	<i>Acridotheres tristis</i>	Bhat Shalik	“
	<i>Copsychus saularis</i>	Doel	“
	<i>Streptopelia chinensis</i>	Tila ghugu	“
	<i>Psillacula krameri</i>	Tia	“
	<i>Haliaster indus</i>	Kite	“
	<i>Alcedo atthis</i>	Machranga	“

<i>Ardeola grayii</i>	Pond heron	“
<i>Cuculus micropterus</i>	Cuckoo	“
<i>Oriolus xanthornus</i>	Haldey pakhi	“
<i>Amaurorinus phoenicurus</i>	Dahuk	“
<i>Picus myrmecophoneus</i>	Kath thokra	“
<i>Hemidactylus brooki</i>	Monitor Lizard	Reptiles
<i>Ensybris enhydris</i>	Water Snakes	“
<i>Lycodon jara</i>	Ghargini snakes	“
<i>Naja naja</i>	Cobra	“
<i>Rana trigrina</i>	Bull frog	Amphibian
<i>Rana cyanophlyctis</i>	Skipper frog	“
<i>Bufo melanostictus</i>	Common toad	“
<i>Labeo ruhita</i>	Ruhi	Fishes
<i>Cirrhinus mrigala</i>	Mrigel	“
<i>Catla catla</i>	Catla	“
<i>Labeo calbasu</i>	Kalbaush	“
<i>Pangasius pangasius</i>	Pangash	“
<i>Heteropneustes fassilis</i>	Shing	“
<i>Anabus testudineus</i>	Koi	“
<i>Channa striaxtus</i>	Shoil	“
<i>Mystus vittatus</i>	Tengra	“
<i>Oreochromis mossambicus</i>	Tilapia	“
<i>Oreochromis nailoticas</i>	Nailotica	“

(Source: Site observation, Discussed with the local people and secondary data Banglapedia & BBS, 2010)

## 2.4 Existing (and planned) infrastructures

### 2.4.1 Roads

Development of a country depends on its good infrastructural facilities and as for transport road network is crucial.

Nayanpur site at Gazipur situated close proximity to the Dhaka-Mymensingh 4 lane national highway. It takes around one hour to reach the site from Dhaka airport and the road condition is also good. Scattered road network also present around the site and most of them are *pacca* road.

Araihazar site also bound by established road network and Dhaka-Sylhet national highway passes near to the site. Proposed Bhulta flyover would be constructed at the close proximity of the EZ site. A branch of local road network is also present at around the site. The road network for both site are shown in the map below.

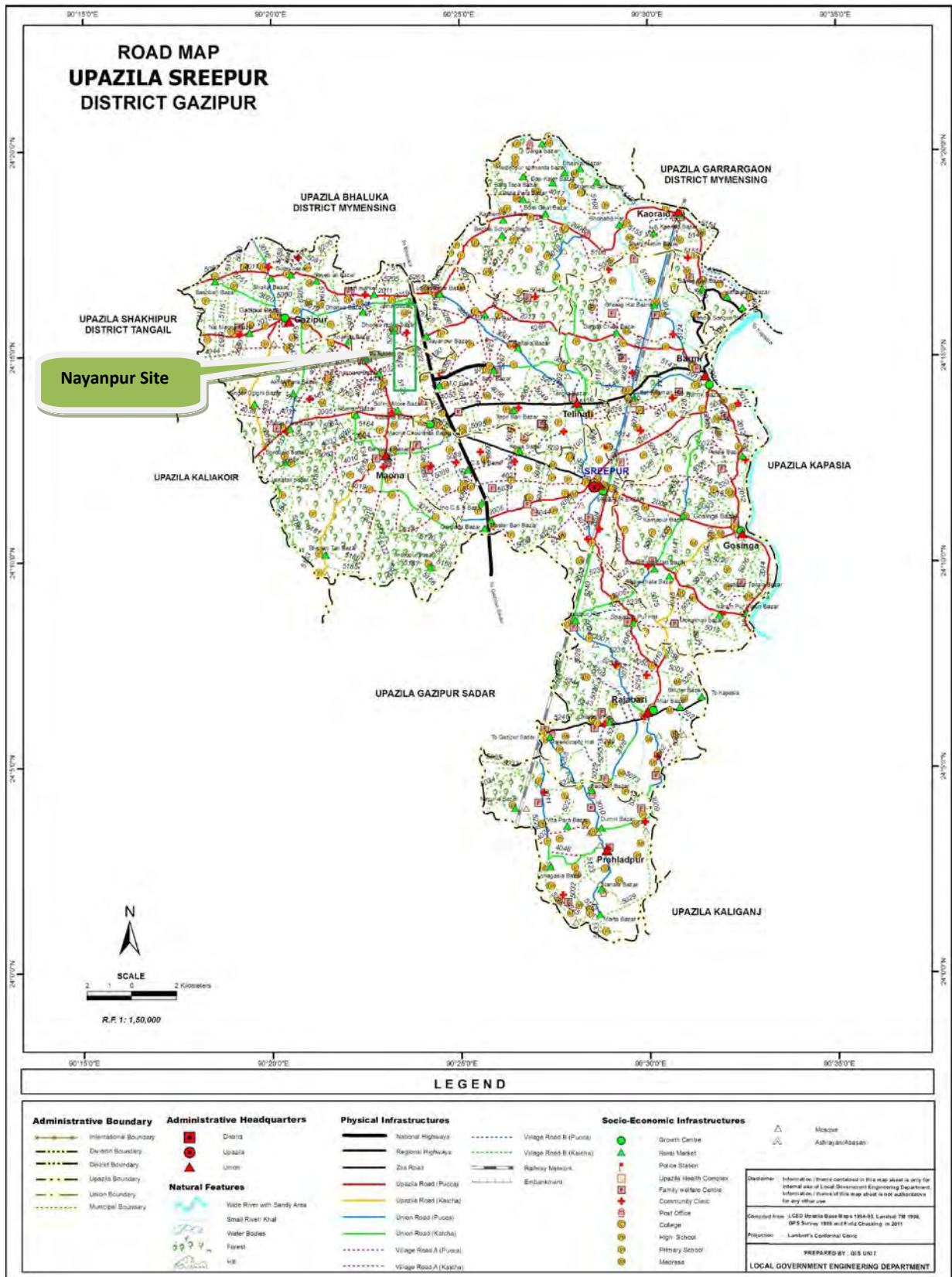


Figure 2.4.1 (a): Road Network around Nayanpur Site, Source: [www.lged.gov.bd](http://www.lged.gov.bd)





### 2.4.2 Railway

Bangladesh Railway is the state-owned rail transport agency of Bangladesh. It operates and maintains the entire railway network of the country since 15 November 1862.

For Nayanpur site the nearest rail station is Joydebpur and both meter gauge and broad gauge rail track is available. That is also available for Araihaazar site and the nearest station of Araihaazar site is Narayanganj.



Figure 2.4.2 (a): Map shows the railway network of Bangladesh, (Source: www.railway.gov.bd)



Figure 2.4.2 (b): Proposed MRT in Dhaka city

### 2.4.3 Ports and Harbors

No country can live in isolation in the advent of globalization and port is used as the medium to entrance in a global market by import & export of necessary goods. Currently in Bangladesh, there are 20 land ports and 3 sea ports. Government planned to establish a deep sea port in Sonadia Island. Along with the land and sea port, Bangladesh has some river port and container terminal also. For Nayanpur site, the nearest sea port is Chittagong sea port that distance is 290km. Akhaura land port is 135 km from the Nayanpur site. For Araihaazar site, distance of Chittagong sea port is 240 km and Akhaura land port is around 100 km.



Figure 2.4.3 : Map showing the ports of Bangladesh, (source: blpa.gov.bd)

### 2.4.4 Water Supply System

#### Policy implementation

Drinking water supply and sanitation is a sub sector within the broader sector of health, environment and water and as such the National Policy in this sub sector shall be made consistent with the national policy for health, environment and water.

Future investment projects in the public sector shall be made within the framework of this policy as far as practicable. Endeavours will be made to coordinate the activities of private sector and NGOs through the Policy. Projects or activities undertaken at the level of the individual, community or organization will be coordinated by the Local Government Division within the framework of the Policy. In particular foreign aided projects where it is specifically required as a component of overall infrastructure package; LGED may undertake water supply and sanitation related activities. In such project-based cases LGED shall assist the concerned Paurasabha in the implementation and provide technical assistance.

Relevant WASAs will be responsible for water supply and sanitation in Dhaka and Chittagong city areas. Involvement of the private sector in these activities will be explored and examined.

Local Government bodies like Zilla Parishad, Upazila Parishad, Union Parishad and Gram Parishad will be gradually provided with more scope to contribute in the activities of this sub sector.

### **Institutional arrangement**

As regards water supply and sanitation sub-sector the Local Government Division will be responsible for overall planning, identification of investment projects and coordination of activities of agencies under it (viz. DPHE, LGED, WASAs) and local government bodies, private sector, NGOs and CBOs (community Based Organizations). But each of the relevant organizations/institutions will be responsible for its own activities. To coordinate, monitor and evaluate the activities of the sector and to determine future work programme Local Government Division will constitute a forum with representatives from relevant organizations.

Except Dhaka and Chittagong city areas DPHE will be responsible for the water supply and sanitation of the whole country. In other urban areas the Department of Public Health Engineering will solely or jointly with the Paurasabha be responsible for such services. In urban areas DPHE will be responsible for assisting the Paurasabhas and City Corporations (except in the cities of Dhaka and Chittagong) through infrastructures development and technical assistance as may be necessary. Besides, both in rural and urban areas, DPHE will increasingly collaborate with private sector, NGOs and CBOs.

### **2.4.5 Natural Gas Pipeline**

The natural gas transmission pipeline infrastructure in Bangladesh represents a complex mechanical system that delivers about 1900 MMSCF of natural gas per day, and is made up of over 1400 km (870 miles) of pipe. This system has been developed over the last few years, and is controlled at a very low level of sophistication. (Source: GTCL.gov.bd)

Currently four companies of Petro Bangla are responsible for transmission and distribution:

1. Jalalabad Gas Transmission and Distribution Company limited (JGTDGL).
2. Titas Gas Transmission and Distribution Company limited (TGTDC)
3. Bakharabad Gas System Limited (BGS)
4. Paschimanchal Gas Company Limited (PGCL)

Over the last five years about 393 KM high pressure pipe line has been laid in different areas of the country. A compressed station has been installed at Muchai for boosting pressure of transmission pipe line. This has improved the pipe line pressure as well as enables the network to transmit gas from the upstream. Besides a compressor station is being commissioned and installation of another compressor station will be completed very soon.

**Table 2.4.5 (a): Existing Gas Transmission and Condensate Pipelines:**

Sl No.	Pipeline Name	Length (KM)	Diameter (INCH)	Transmission Capacity (MMCFD)	Pressure (PSIG)
1	North-South Gas Transmission Pipeline	175	24	330	1050
2	A-B Gas Transmission Pipeline	58.50	30	425	1000
3	Western Gas Transmission Pipeline	9.00	30	300	1000

	(a) Bangabandu Bridge	28.50	24	250	
	(b) Elenga-Nalka	35.50	20	250	
	(c) Nalka-Baghabari				
4	Beanibazar- kailashtila Gas Transmission Pipeline	18	20	250	1050
5	Rasidpur-Ashugang Gas Transmission Pipeline	54.00	30	500	1050
	(a) Ashuganj-Habiganj	28.00	30	500	1050
	(b) Rasidpur-Habiganj				
6	Nalka-Bogra Gas Transmission Pipeline(a)	6.00	30	425	1000
	Nalka-Hatikumrul	54.00	20	225	1000
	(b) Hatikumrul-Bogra				
7	Monohordi-Dhanua Elenga Pipeline (1st Phase)	51.00	30	750	1000
8	Bakhrabad-Demra Gas Transmission Pipeline	68.72	20	250	1000
9	Bakhrabad-Chittagong Gas Transmission Pipeline	174.65	24	300	1000
10	Ashugang-Elenga Gas Transmission Pipeline	124.00	24	330	960
11	Ashugang-Monohardi Gas Transmission Pipeline	37.00	30	425	1000
12	Dhaka Clean Fuel (GTCL Part) Gas Transmission Pipeline	60.00	20	425	1000
13	Bonpara-Rajshahi Gas Transmission Pipeline Project.	53.00	12	450	1000
14	Hatikumrul-Bheramara Gas Transmission Pipeline Project (Section A & B)	78	30	400	1000
15	Construction of 24" Dia 8 km Gas Transmission Pipeline from Titas Gas Field to AB Pipeline Project	8.00	24	330	1050
16	Construction of Gas Transmission Pipeline from Srikail Gas Field (Location-2) to A-B Pipeline Project	1.50	20	250	1000
17	Construction of Bibiyana-Dhanua Gas Transmission Pipeline.	137	36	640	1000
18	Bakhrabad-Siddhirganj Gas Transmission Pipeline Project.	60.00	30	450	1000
19	Construction of Gas Transmission Pipeline from Titas Gas Fields (Location C-B-A) to intake point of Titas-AB Pipeline at Chayabaria.	7.7	10	250	1000
20	Gas Transmission Capacity Expansion-(Ashuganj to Bakhrabad).	61	30	450	1000
21	<b>Total</b>	<b>1388.07</b>	-	-	-

(Source: [www.gtcl.org.bd/about\\_pipeline.php](http://www.gtcl.org.bd/about_pipeline.php))

**Table 2.4.5 (b): Existing Condensate Pipeline:**

Sl No.	Pipeline Name	Length (KM)	Diameter (INCH)	Transmission Capacity (Barrel/Day)	Pressure (PSIG)
1	North-South Condensate Pipeline	175	6.625	5000	150-250
1	Beanibazar- kailashtila Condensate Pipeline	18	4	2000	150-250

(Source: www.gctl.org.bd/about\_pipeline.php)



Figure 2.4.5 (a): Gas Transmission Pipeline System in Bangladesh, (Source: www.gctl.org.bd)

**☑ Planned LNG Terminal**

Import of LNG Expedited Power & Energy Supply Augmentation (special act) Act 2010 the Government has taken necessary steps for installation of a Floating storage and Regasification Unit (FSRU) at Moheshkhaly on Built-Own Operate -Transfer (BOOT). This FSRU we have an LNG storage capacity of 13800 Cubic meters which will be able to supply about 500 MMscf of gas per day. Presently negotiation is in progress for finalizing contract with a qualified LNG terminal developer. It is expected that on completion of negotiation terminal use agreement will be sign soon and it will be possible to comments supplying re-gasified LNG through this facilities by middle of the year 2016. A 30" dia 90 km long high pressure gas transmission pipeline will be constructed for transport that gas from Moheshkhaly to Chittagong Ring-main. (Source: Petro Bangla)

**2.4.6 Power Plants and Power Transmission Lines**

**☑ Power Generation Company in Bangladesh**

- ✓ Bangladesh Power Development Board (BPDB)
- ✓ Ashuganj Power Station Company Ltd. (APSCL)
- ✓ Electricity Generation Company of Bangladesh (EGCB)
- ✓ North West Power Generation Company Ltd. (NWPGL)
- ✓ Independent Power Producers (IPPs)

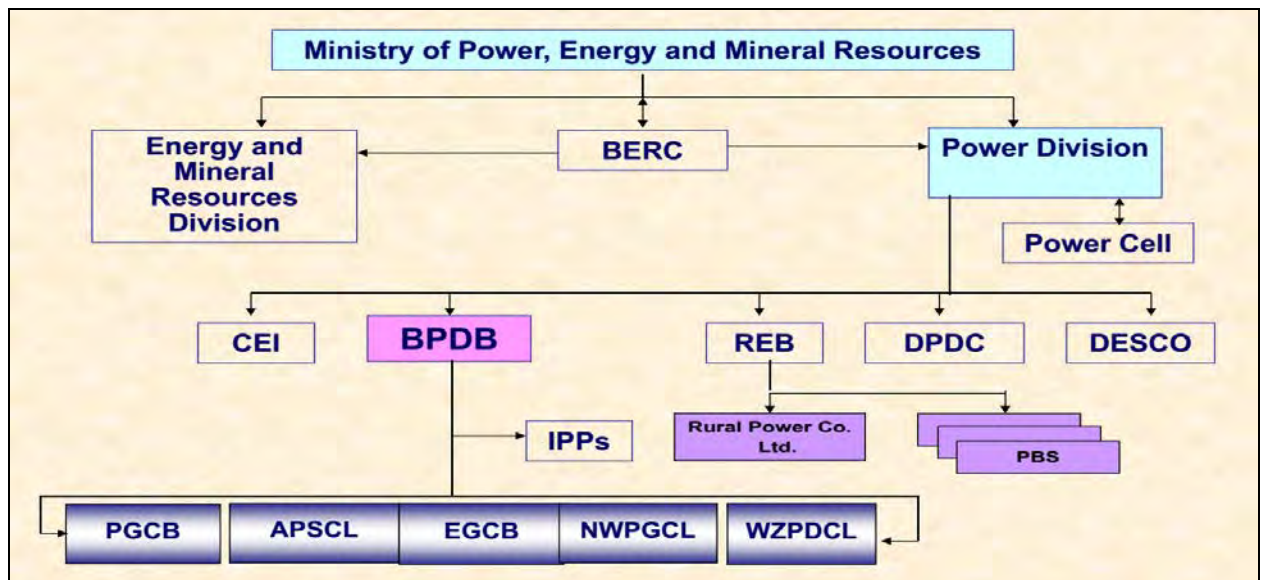
**☑ Transmission**

- ✓ Power Grid Company of Bangladesh Ltd (PGCB)

**☑ Distribution**

- ✓ Bangladesh Power Development Board (BPDB)
- ✓ Dhaka Power Distribution Company (DPDC)
- ✓ Dhaka Electric Supply Company Ltd (DESCO)
- ✓ West Zone Power Distribution Company (WZPDC)
- ✓ Rural Electrification Board (REB) through Rural Co-operatives

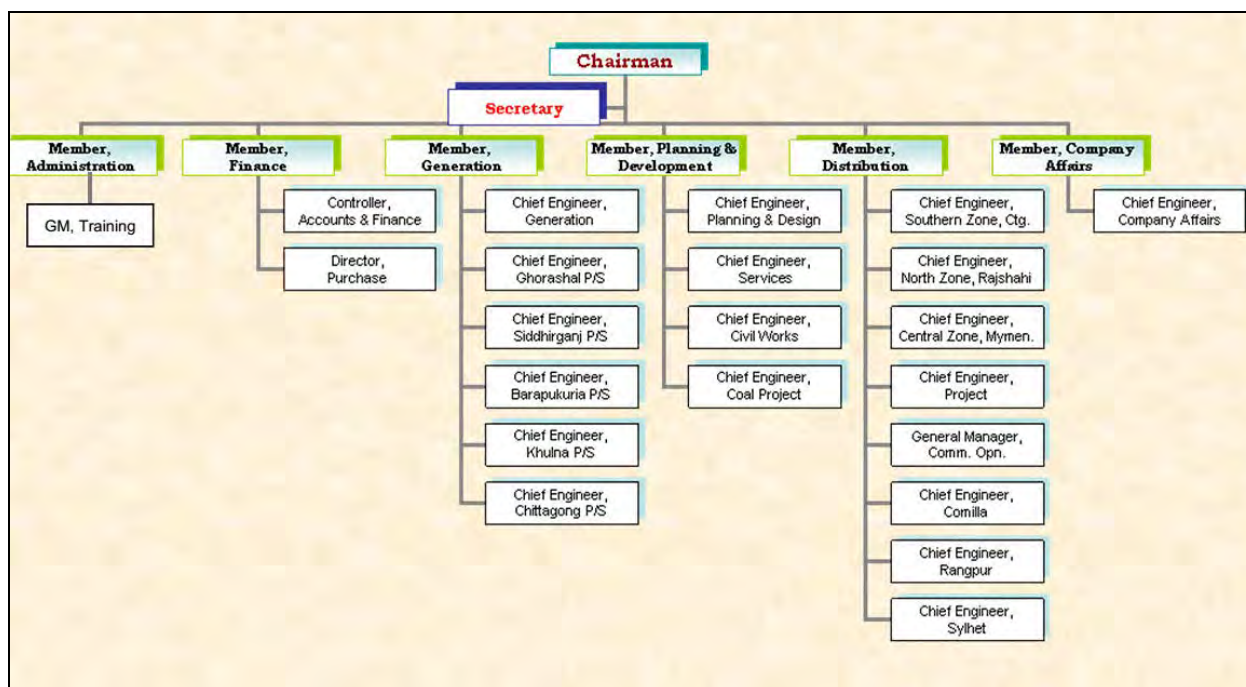
**☑ Present Structure of Power Sector**





(Source: BPDB, 2011)

☑ **Management Structure of BPDB**

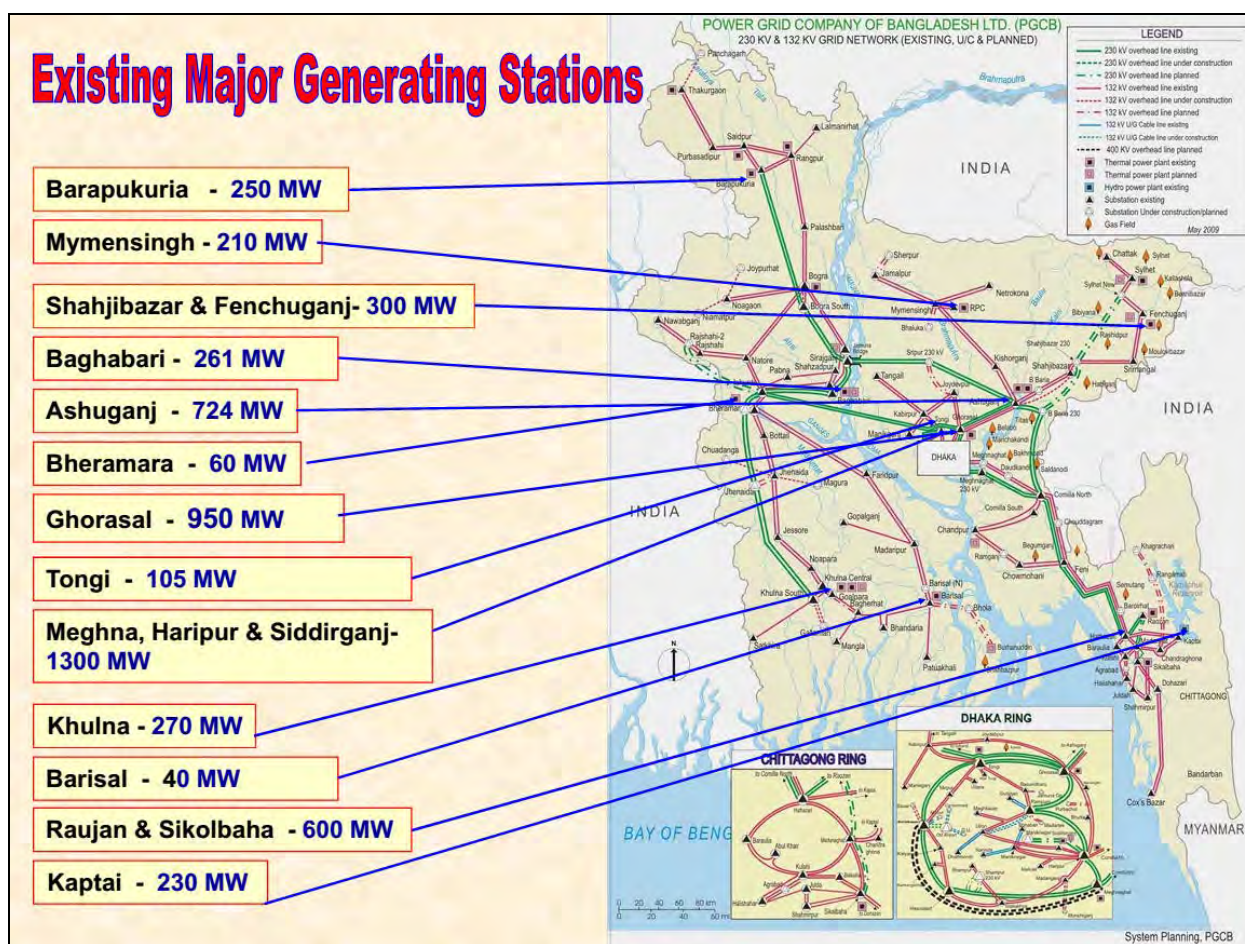


(Source: BPDB, 2011)

☑ **Functions of BPDB**

- ✓ Partially integrated public utility
- ✓ Generates power
- ✓ Purchaser & seller of power as a “Single Buyer”
  - Prepare least cost generation expansion plan
  - Construct most of public sector power plants according to least cost plan
  - Conduct procurement process for Private Power (IPPs)
  - Purchase electricity from generators (public and private)
  - Sell to distributors
- ✓ Distribution business in nation-wide urban areas, except Dhaka and West Zone

☑ **Power Generating Stations of Bangladesh**



(Source: BPDB, 2011)

## 2.4.7 Industries and Industrial Park

Nayanpur area under Gazipur district is mainly an industrial area. There are ample of industrial clusters with the five km<sup>2</sup> of the site. Those are basically Knitting, Dying, Denim, Textile, Spinning, Ceramics, Chemical industries, Bicycle manufacturing industry, electrical cable/wire manufacturing industry, Agri-based (feed mills, etc.) and Agri Food Processing industry. The nearest industrial park is Savar EPZ that is around 30 km from the project site. The following table listed the name of industries around the site:

01. Redisha Knit Textile	25. Auto Spinning
02. Hong Kong Shanghai Textile	26. Mir Ceramics
03. Kazi Farms Ltd	27. Century Spinning
04. DBL Ceramics	28. Mondol Industries
05. Confidence Knitwear Ltd	29. Artisan Ceramics
06. Salvo Chemical Industry	30. Apex Jersey Textile
07. Jabra Textile	31. Square Industry
08. AAA Textile	32. Givenchy Textile
09. Noman Group	33. C A Knitwear
10. Greatwall Ceramics	34. Paramount Textile
11. Lira Polymer Industry	35. Denim Textile
12. Crown Cotton	36. Paradise Cables
13. Sufia Cotton	37. Adib Dying
14. Tanisa Knitwear Ltd	38. Uniglory Cycle
15. A Plastic Factory	39. Sufia Cotton

16. Crown Old wear Industry	40. Monica Fashion
17. Hamim Denim	41. Yasmin Textile
18. Zaber Spinning	42. Uttara Group
19. AKCL	43. Saad Sun Textile
20. Alamin Food Industries	44. Talha Spinning
21. Sreepur Textile	45. Sufia Textile
22. Monica Fashion	46. Yan Dye Unit
23. Summit Power	47. Samsuddin Knitwear
24. Donua Gas Transmission	48. Chaity Fashion

**N.B. Most of the above listed industries are located within 5 km<sup>2</sup> of the site.**

Araihazar under Narayanganj is also a hub of textile dyeing and printing industries, however, there are other industries as well. Narayanganj was famous for cotton production and also for handloom industries. But with the time these area is captured by the textiles and garments industries. The nearest industrial park is the Adamzee EPZ that is around 15 km from the project site. During field visit the following industry was found

1. Hashem Flour Mills	2. Hinde Group
3. Palli Textiles	4. A. F Steels Ltd.
5. Ifad Industries	6. Setu International
7. Desh Tank	8. Anik Textiles
9. Ma Door World	10. ZX Steel Mills

#### 2.4.8 Waste Treatment Plants and Facilities

Textile industries (fabric dyeing and chemical treatment industries) are classified according to the Environmental Conservation Rules 1997 as Red category industries, and therefore an ETP must be designed and constructed to treat plant effluent. The effluent from the plant must meet the national effluent discharge quality standards, including the “Quality Standards for Classified Industries”, before discharge to the environment. These quality standards must be ensured at the moment of beginning trial production. The waste discharge standards differ according to the final disposal place of the effluent. It is the DOE’s mandate to enforce this legislation, and this guide provides the tools required to assess the ETPs proposed by textile industries in the EMP/EIA.

There are various types of ETPs and their design will vary depending on the quantity and quality of the effluent, amount of money available for construction, operation and maintenance, and the amount of land available. There are three mechanisms for treatment which are: Physical, Chemical and Biological. These mechanisms will often be used together in a single ETP. There are generally four levels of treatment, as described below:

- **Preliminary:** Removal of large solids such as rags, sticks, grit and grease that may result in damage to equipment or operational problems (Physical);
- **Primary:** Removal of floating and settleable materials, i.e. suspended solids and organic matter (Physical and Chemical);
- **Secondary:** Removal of biodegradable organic matter and suspended solids (Biological and Chemical); and
- **Tertiary:** Removal of residual suspended solids / dissolved solids (Physical, Chemical and Biological)

There are many ways of combining the operations and processes in an ETP:

- A properly designed biological treatment plant, which typically includes screening, equalization, pH control, aeration, and settling, can efficiently satisfy BOD, pH, TSS, oil and grease requirements. However the compounds in industrial effluent may be toxic to the microorganisms so pretreatment may be necessary. Most dyes are complex chemicals and are difficult for microbes to degrade so there is usually very little colour removal.

- Another option is a physico-chemical treatment plant, which typically includes screening, equalization, pH control, chemical storage tanks, mixing unit, flocculation unit, settling unit and sludge dewatering. This type of treatment will remove much of the colour depending on the processes used. It can be difficult to reduce BOD and COD to meet effluent standards and it is not possible to remove TDS.

- Most often, physico-chemical treatment will be combined with biological treatment. The typical components of such a plant are screening, equalization, pH control, chemical storage, mixing, flocculation, primary settling, aeration, and secondary settling. The physico-chemical treatment always comes before the biological treatment units. Using a combination of treatments will generally reduce pollutant levels to below the discharge standards

- Another form of biological treatment is the reed bed, which can be used with a settling tank, or in combination with other treatment processes. It presents a natural method of treating effluent which is often lower in capital, operation and maintenance costs. Reed beds can contribute to a reduction in colour, a decrease in COD, an increase dissolved oxygen and a reduction in heavy metals, but function best with some form of pretreatment.

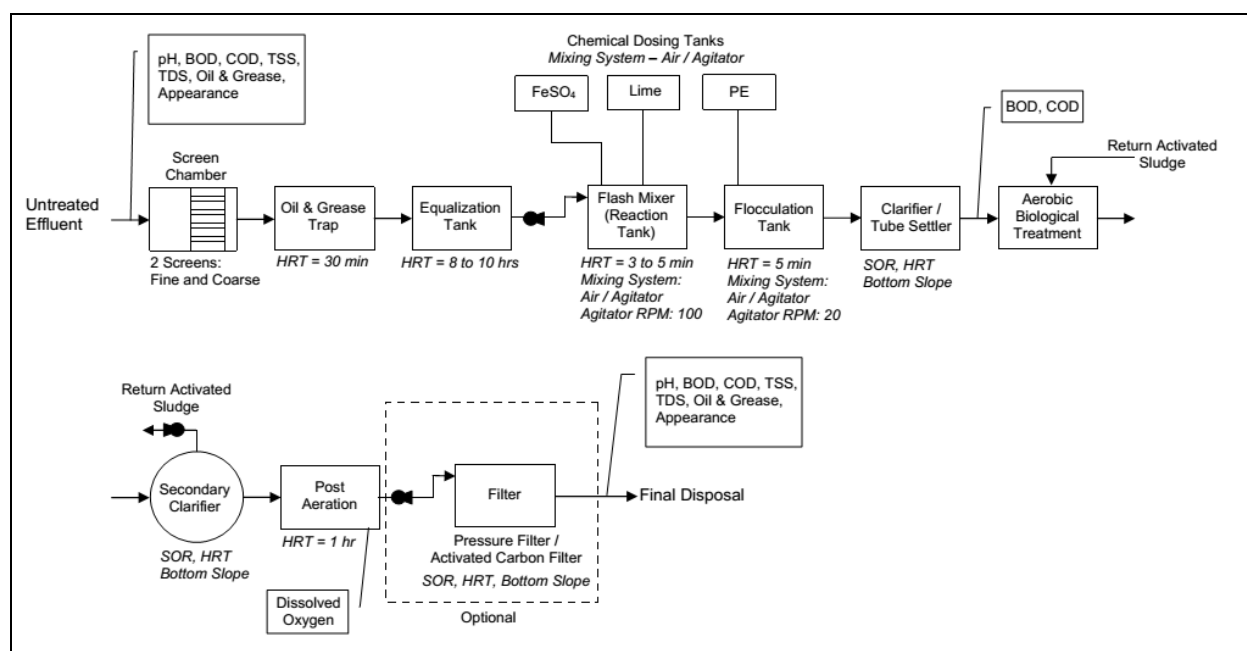


Figure 2.4.8 (a): Flow Diagram for Effluent Treatment Plant and Parameters – Dyeing, Printing Cotton and Blended Textile Products. (Source: ETP Assessment Guideline, DoE)

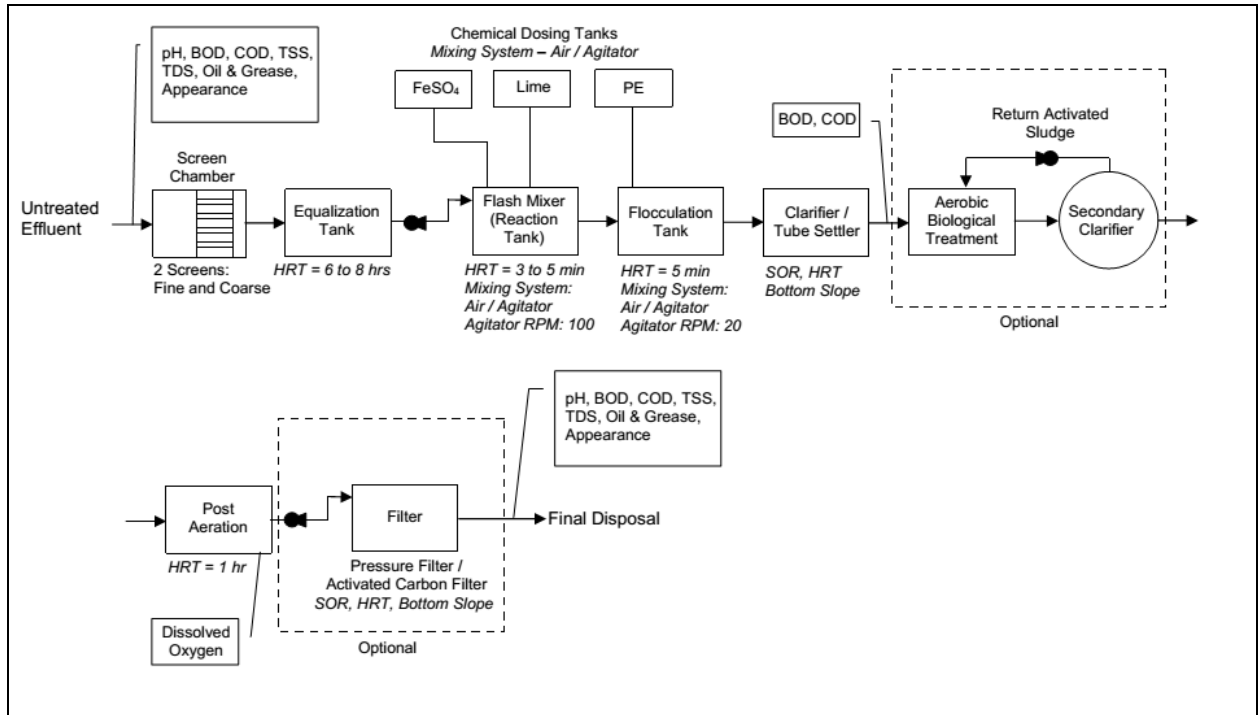


Figure 2.4.8 (a): Flow Diagram for Effluent Treatment Plant and Parameters – Garment Washing Unit, (Source: ETP Assessment Guideline, DoE)



Table Comparison between GoB , World Bank, JICA and ADB Guidelines

Sl. No.	Criteria	Requirements as per GoB	Requirements as per Word Bank	Requirements as per JICA	Requirements as per ADB
1	Environmental Analysis	Project specific	Project specific, regional and sectoral	Project specific, regional and sectoral	
2	Basis for Categorization	<p>Currently, screening criteria available only for industrial projects, where assessment is done based on:</p> <ul style="list-style-type: none"> <li>• Level of pollution emission</li> <li>• Type of project and location</li> <li>• Scale of project</li> <li>• Operational activities</li> </ul> <p>Non-industrial projects are re-viewed on a case by case basis by DOE</p>	<p>Detailed screening criteria for all projects based on</p> <ul style="list-style-type: none"> <li>• Sensitivity</li> <li>• Nature and magnitude of potential impacts</li> </ul>	<p>JICA Classifies projects into four category according to the extent of environmental and social impacts, scale and site condition</p> <ul style="list-style-type: none"> <li>➤ Category A: Projects like to have significant adverse impacts on the environment and society.</li> <li>➤ Category B: Projects have potential impacts on the environment and society but less adverse than Category A projects</li> <li>➤ Category C: Projects have minimal o little adverse impact on the environment and society</li> <li>➤ Category FI: Financial support would be awarded to an executing agency, the selection and appraisal of sub-projects is substantially undertaken by such and institution only after JICA's approval of the funding.</li> </ul>	

3	EA Outputs	<p>Since detailed rules and regulations for EA have not been prescribed, EA outputs are not specified. However, the industrial sector guidelines, the water sector guidelines and the road sector guidelines have specific EA output requirements, such as:</p> <ul style="list-style-type: none"> <li>• Baseline survey</li> <li>• IEE/EIA Report</li> <li>• Site clearance</li> <li>• Risk analysis and management</li> <li>• Analysis of alternatives</li> </ul>	<ul style="list-style-type: none"> <li>• EA Report</li> <li>• Analysis of alternatives</li> <li>• Environmental Management Plan</li> </ul>	<ul style="list-style-type: none"> <li>• Environmental Permit Certifications</li> <li>• RAPs for projects that will result in large-scale involuntary resettlement Alternative analysis</li> <li>• Impact Evaluation</li> <li>• Environmental Management Plan</li> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>
4	Public Consultation	<p>No special mention is made for public consultation in BECA. Sectoral guidelines mentioned above have prescribed consultation.</p>	<p>Mandatory at the stage of</p> <ul style="list-style-type: none"> <li>• Preparation of EA</li> <li>• Project appraisal</li> <li>• Project design</li> <li>• Project implementation and monitoring</li> </ul>	<p>Mandatory at the stage of</p> <ul style="list-style-type: none"> <li>➤ Preparation</li> <li>➤ Screening</li> <li>➤ Project Design</li> <li>➤ Implementation</li> <li>➤ Monitoring</li> </ul>	
5	Disclosure of Information	<p>BECA makes no reference to disclosure. The Sectoral guidelines prescribe some provisions for disclosure</p>	<p>Mandatory at</p> <ul style="list-style-type: none"> <li>• Summary of project description an potential adverse impact</li> <li>• Summary of EA report and conclusion</li> <li>• EA report</li> </ul>	<p>In accordance with the guidelines principal information including environmental and social considerations of the project discloser in local and international language publicly is essential JICA disclose information on its website in Japanese, English or local languages. Disclose reports</p>	



References:

[http://www4.unfccc.int/submissions/Lists/OSPSubmissionUpload/53\\_87\\_130571694875317894-FVA\\_Japan.pdf](http://www4.unfccc.int/submissions/Lists/OSPSubmissionUpload/53_87_130571694875317894-FVA_Japan.pdf)

[http://case.doe.gov.bd/file\\_zone/reports\\_publications/monthly\\_reports/Monthly\\_Report\\_August\\_15.pdf](http://case.doe.gov.bd/file_zone/reports_publications/monthly_reports/Monthly_Report_August_15.pdf)

[http://www.petrobangla.org.bd/petro\\_success.pdf](http://www.petrobangla.org.bd/petro_success.pdf)

## 付属書 8 : 短期EZ候補地の地形図関連資料

## 付属書 8 : 選定された短期 EZ 候補地 2 カ所の地形図関連資料

### 作業工程

2015 年 8 月の後半から 11 月下旬までの期間内にベンチマーク (BM) の設置、GPS 測量、水準測量などの現地作業とデジタル図化、デジタル地形データの生成などの作業を実施し、縮尺 1 : 2,000 の地形図に纏めた。

### 地上測量とデジタルマッピング

#### 1) 測量基準

測量基準の概要を以下に示した。

- 座標系 (投影法) BUTM2010
- 参照楕円体 WGS-84
- 標高基準面 バングラデシュ国の平均海水面高 (MSL± 0.00m)
- 地図の標記単位 メートル単位
- 縮尺 1 : 2,000
- 図枠の大きさ A3 サイズ(297mm x 420mm)
- A3 サイズでの図版縮尺 1 : 5,000

#### 2) 測量標定点

測量基準は、バングラデシュ国が整備した基準点 (Ground Control Point, BUTM2010, Benchmarks MSL m) を基に GPS 測量と水準測量結果を用いて空中三角測量を実施し、各標定点の座標を求めた。Araihazar と Nayanpur 両サイトの標定点の配置図、座標、標高を以下の図 3.3~4 と表 3.1~2 に示した。

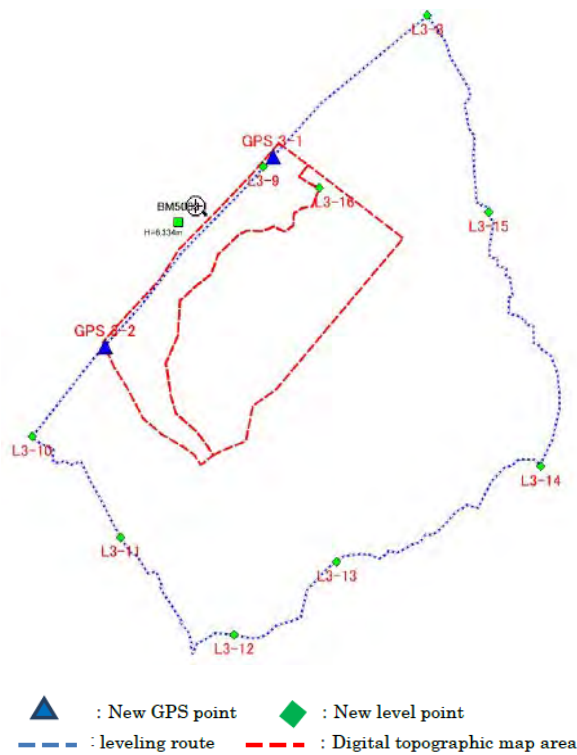
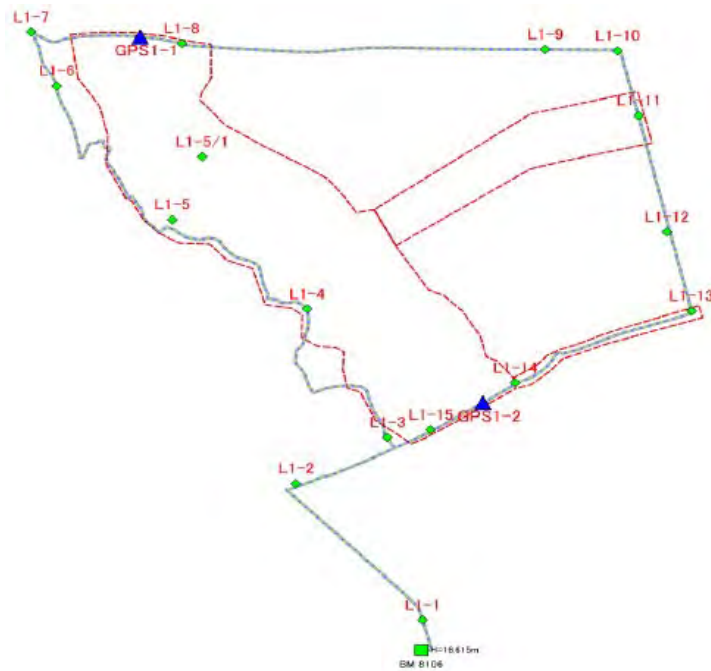


図1 Arai hazard の標定点の配置図とデジタルマッピング測量範囲

表1 Arai hazard の GPS 新点の座標 (BUTM) と水準点標高

測点番号	X(Easting) (m)	Y(Northing) (m)
GPS3-1	562551.275	2636022.294
GPS3-2	560913.959	2634155.801

測点番号	標高 Z(MSL)m
GPS3-1	6.800
GPS3-2	10.205
L3-8	7.094
L3-9	6.727
L3-10	6.315
L3-11	5.493
L3-12	8.795
L3-13	6.809
L3-14	7.596
L3-15	5.701
BM5003	6.334



▲ : New GPS point      ◆ : New level point  
--- : leveling route      --- : Digital topographic map area

図 2 Nayanpur の標定点の配置図とデジタルマッピング測量範囲

表 2 Nayanpur の GPS 新点の座標 (BUTM) と水準点標高

測点番号	X(Easting)m	Y(Northing)m
GPS1-1	537051.341	2684939.116
GPS1-2	539151.014	2682344.185

測点番号	標高 Z(MSL)m
GPS1-1	12.957
GPS1-2	12.601
L1-1	16.485
L1-2	15.504
L1-3	15.440
L1-4	13.227
L1-5	14.295
L1-5/1	12.613
L1-6	14.474
L1-7	16.468
L1-8	14.008
L1-9	14.582
L1-10	17.855
L1-11	17.388
L1-12	17.289
L1-13	17.700

L1-14	12.855
L1-15	13.650
BM8106	16.615

今後の事業実施の際の工事基準点としての用に供するために、上述の各測点の保存に努められたい。なお、これらの測点は、各 Upazila が実施している地籍測量とは、関連づけられていないので、事業実施に先立って、地籍測量・確認測量を実施するのが望ましい。

#### デジタル図化と成果物

既存の航空写真データと空中三角測量の成果を基にデジタル図化機を用いてデジタル地形図を作成した。等高線間隔は **0.5m** で、標高点は **10 cm** 単位で表示した。

デジタル地形図は、地物（家屋・道路などの構造物）や標高・等高線などの全ての地形情報を表示した版と、地形判読を容易とするため地物を非表示として地形情報のみを表示した版の **2** 種類を作成した。また等高線が密でも判読が容易となるように、**Araihazar** の **MSL+3m** 等高線と **Nayanpur** の **MSL+13 m** 等高線を黒色表示とした。

デジタルマッピングの成果物としてデジタル地形図のリストを以下に示した。このリストに示した **A-3** サイズのデジタル地形図は、添付の「デジタル地形図」に纏めた。

#### 1) アライハザール **EZ** 候補地の **1 : 2,000** 縮尺デジタル地形図のリスト

注) Tag No. 5～7 は、地形情報のみを示した版である。

Tag No1, Araihazar Release scale 1/11,000 (A3 paper size)

Tag No2, Araihazar Release scale 1/5,000 (A3 paper size)

Tag No3, Araihazar Release scale 1/5,000 (A3 paper size)

Tag No4, Araihazar Release scale 1/5,000 (A3 paper size)

Tag No5, Araihazar Release scale 1/5,000 (A3 paper size) [Contour line and elevation point]

Tag No6, Araihazar Release scale 1/5,000 (A3 paper size) [Contour line and elevation point]

Tag No7, Araihazar Release scale 1/5,000 (A3 paper size) [Contour line and elevation point]

#### 2) ナヤンプルール **EZ** 候補地の **1 : 2,000** 縮尺デジタル地形図のリスト

注) Tag No.7～11 は、地形情報のみを示した版である。

Tag No1, Nayanpur Release scale 1/13,000 (A3 paper size)

Tag No2, Nayanpur Release scale 1/5,000 (A3 paper size)

Tag No3, Nayanpur Release scale 1/5,000 (A3 paper size)

Tag No4, Nayanpur Release scale 1/5,000 (A3 paper size)

Tag No5, Nayanpur Release scale 1/5,000 (A3 paper size)

Tag No6, Nayanpur Release scale 1/5,000 (A3 paper size)

Tag No7, Nayanpur Release scale 1/5,000 (A3 paper size) [Contour line and elevation point]

Tag No8, Nayanpur Release scale 1/5,000 (A3 paper size) [Contour line and elevation point]

Tag No9, Nayanpur Release scale 1/5,000 (A3 paper size) [Contour line and elevation point]

Tag No10, Nayanpur Release scale 1/5,000 (A3 paper size) [Contour line and elevation point]

Tag No11, Nayanpur Release scale 1/5,000 (A3 paper size) [Contour line and elevation point]

候補地サイトの地形

### 1) Nayanpur

本 EZ 候補用地は、東西幅 500m～800m、北西から南東の南北方向長約 4km で、水田などの農地に利用されている。標高は、MSL+11.3m～+11.5m で略平坦な地形である。用地内北側の 2 期拡張予定地内の MSL+11.8m 地点が域内最高点で、これが分水嶺となって南北に分流する小川（幅数 1～数 m 程度）が存在する。南流する小川は、その下流では、ダッカ市の南側の Buriganga 川に合流し、北流する小川は、Shitalaksha 川に合流しており、本候補地サイトがダッカ市とその北側を含む広い地域の南北分水嶺となっている。

用地の東西端は数m高さの段丘を形成しており、候補地東側は標高 MSL+13m から +17m 程度の疎林・家屋・畑作地・貯水池（養魚場）が散在しており、国道 N3 を標高の最高点として国道から東側の分水嶺となっている。候補地西側も同様に数mの高さの段丘を介して+13m～20m 未満の丘状地を形成している。丘状地は、候補地西側端部から 1 km 程度で西側の分水嶺を形成しており、これより西側の雨水は、候補地に流れ込むことなく、西外側に流出する。よって東西方向の集水区域幅は、最大でも 3～5 km である。

本候補地の地盤標高は、周辺の Padma 川、Buriganga 川、Shitalakshya 川などの大河の既往洪水位より上位にあるので、これらの河川洪水の影響を受けることは無いが、上述の候補地周辺東西 3～5 km の範囲に位置する丘状地から流出する雨水の影響を受ける。現状では、本 EZ 候補地である東西幅 500m～800m の農地が排水路の役割をしているが、本件実施に伴い、この農地を盛土することになるので、東西方向からの雨水集水量を排水するための水路を候補地の東西両側に確保する必要がある。

### 2) Araihasar

Araihasar 候補地は、略全域が標高 MSL+2.5m の農地（水田）で、雨期には、水没する。農地内には、周辺農地高さより数 m 程度の深さの小水路が設けられ、小舟による農作物・肥料の運搬などに用いられている。候補地の北西側の国道 N2 と南西側直近の河川に沿った、標高 MSL+4 m～+5.5m 程度の一段高くなった帯状地に村落道路と民家・用水池が散在する。国道 N2 の舗装面標高は、村落用地より高く、南西側の橋梁部分で MSL+10m 程度で北東側に向けて MSL+7m 程度に下がっている。場内の雨水は、北東から南西に向かって流れて南西側河川を経て Meghna 川に流出する。

本候補地は、周辺の Meghna 川、Shitalakshya 川などの大河の洪水高さよりも低い

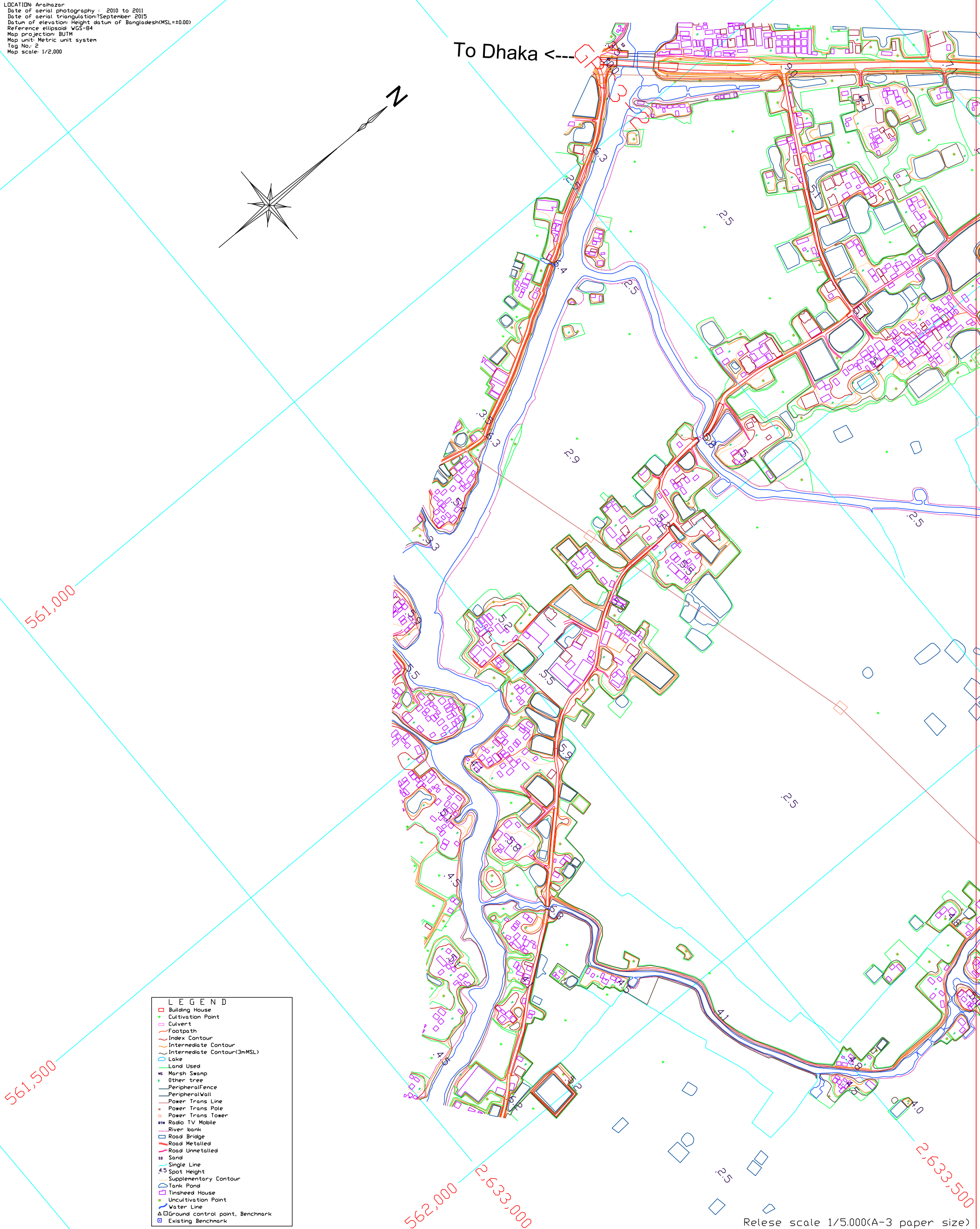
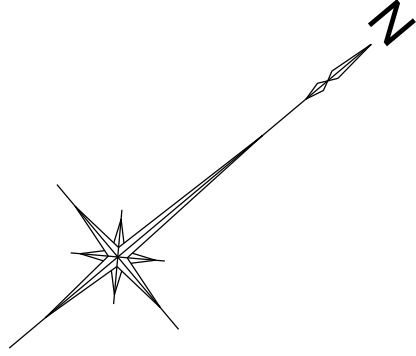
で、盛土によって用地造成することになるが、現況の雨水流出水域を造成用地に沿って切り回し、確保する必要がある。





LOCATION: Araihaazar  
 Date of aerial photography : 2010 to 2011  
 Date of aerial triangulation: September 2015  
 Datum of elevation: Height datum of Bangladesh (MSL±0.00)  
 Reference ellipsoid: WGS-84  
 Map projection: BUM  
 Map unit: Metric unit system  
 Tag No.: 2  
 Map scale: 1/2,000

To Dhaka ←

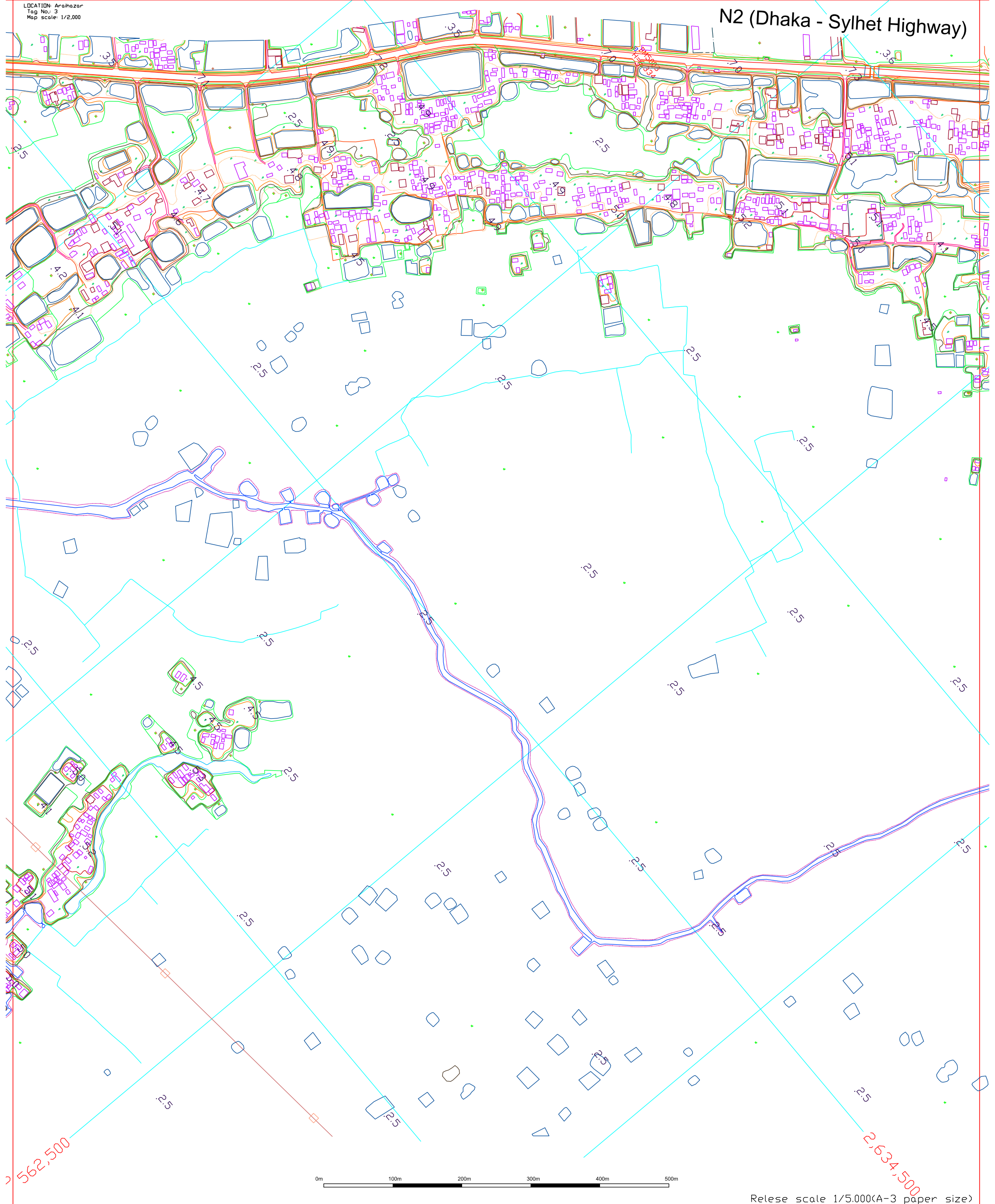


LEGEND	
[Red square]	Building House
[Green square]	Cultivation Point
[Pink square]	Culvert
[Red line]	Footpath
[Red line]	Index Contour
[Red line]	Intermediate Contour
[Red line]	Intermediate Contour (3m MSL)
[Blue line]	Lake
[Green line]	Land Used
[Green line]	Marsh Swamp
[Green line]	Other tree
[Black line]	Peripheral Fence
[Black line]	Peripheral Wall
[Red line]	Power Trans Line
[Red line]	Power Trans Pole
[Red line]	Power Trans Tower
[Red line]	Radio TV Mobile
[Red line]	River bank
[Blue line]	Road Bridge
[Red line]	Road Metalled
[Red line]	Road Unmetalled
[Red line]	Sand
[Red line]	Single Line
[Red line]	Spot Height
[Red line]	Supplementary Contour
[Red line]	Tank Pond
[Red line]	Tinsheed House
[Red line]	Uncultivation Point
[Red line]	Water Line
[Red line]	Ground control point, Benchmark
[Red line]	Existing Benchmark

Release scale 1/5,000 (A-3 paper size)

LOCATION: Araihaazar  
Tag No. 3  
Map scale: 1/2,000

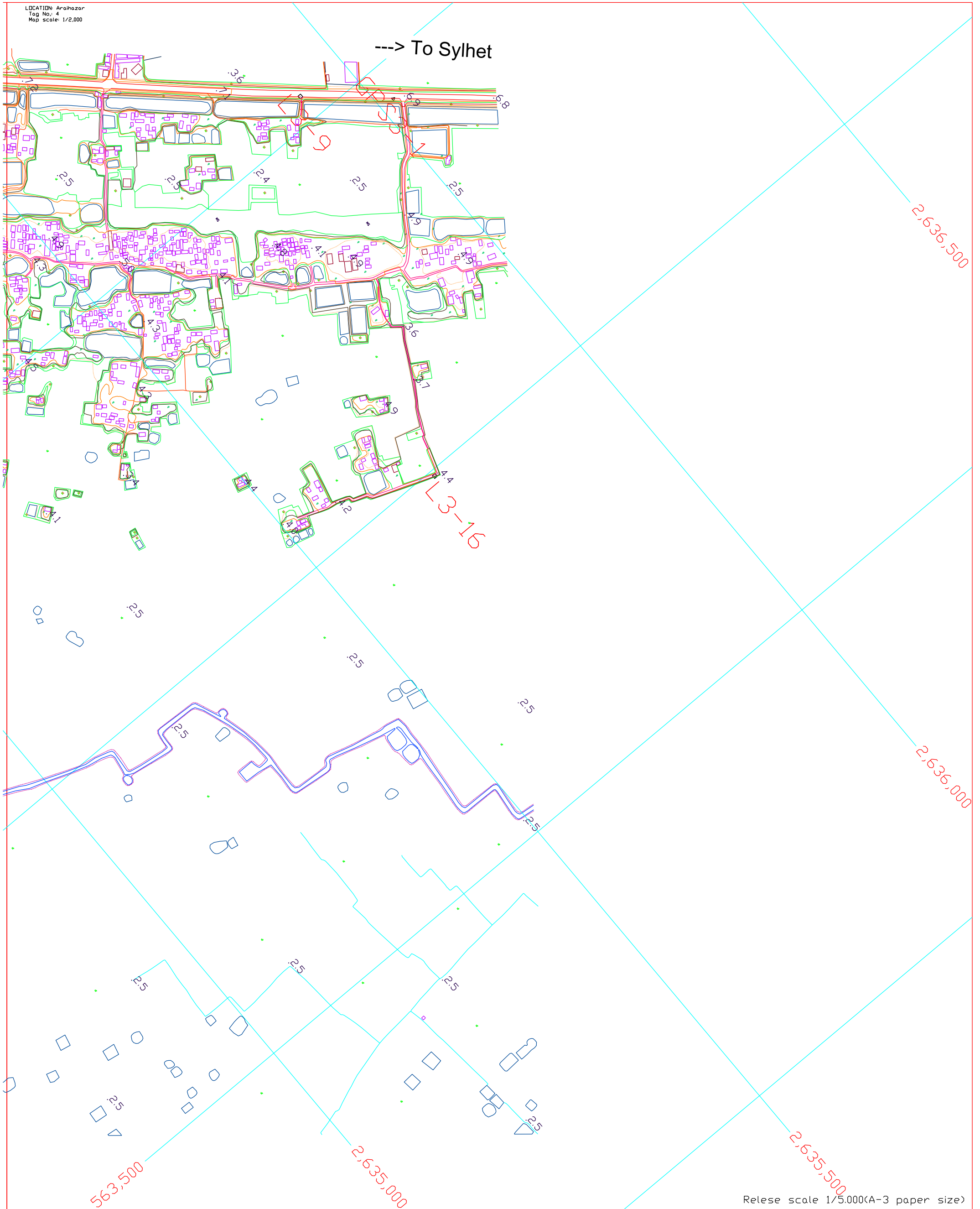
# N2 (Dhaka - Sylhet Highway)



Release scale 1/5,000(A-3 paper size)

LOCATION: Araihaaz  
Tag No. 4  
Map scale: 1/2,000

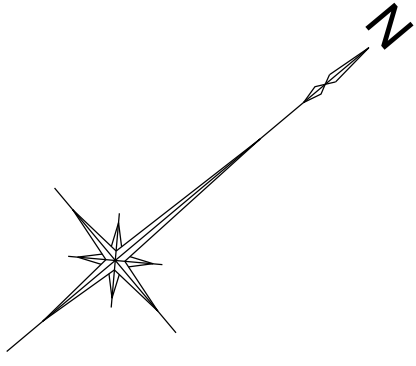
---> To Sylhet



Release scale 1/5,000(A-3 paper size)

LOCATION: Araihaaz  
Date of aerial photography : 2010 to 2011  
Date of aerial triangulation: September 2015  
Datum of elevation: Height datum of Bangladesh MSL=±0.00  
Reference ellipsoid: WGS-84  
Map projection: BUTM  
Map unit: Metric unit system  
Tag No.: 5  
Map scale: 1/2,000

To Dhaka <---



561,000

561,500

562,000 2,633,000

2,633,500

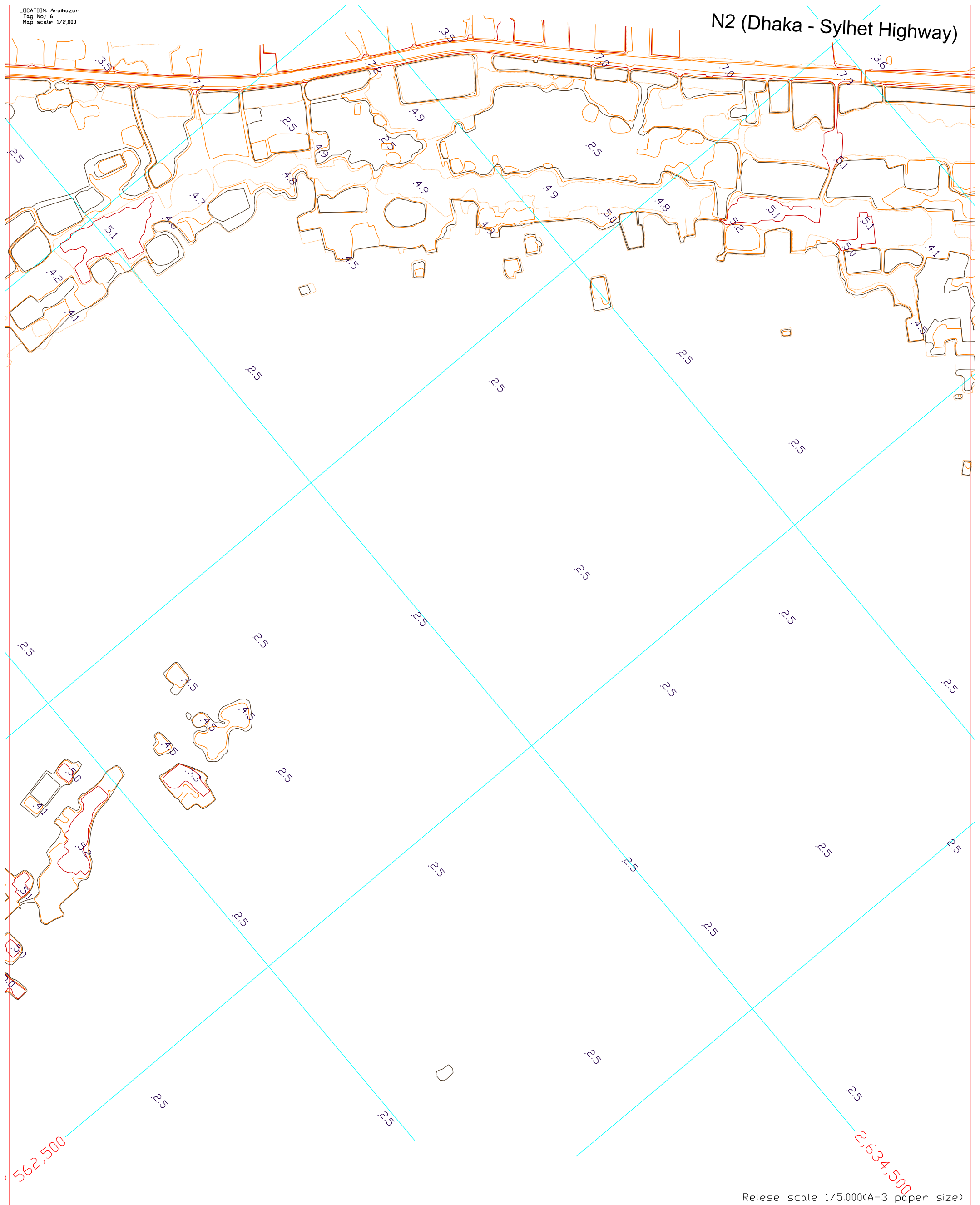
**LEGEND**

- ~ Index Contour
- ~ Intermediate Contour
- ~ Intermediate Contour(3mMSL)
- 4.5 Spot Height
- Supplementary Contour

Release scale 1/5,000(A-3 paper size)

LOCATION: Araihaazar  
Tag No: 6  
Map scale: 1/2,000

N2 (Dhaka - Sylhet Highway)

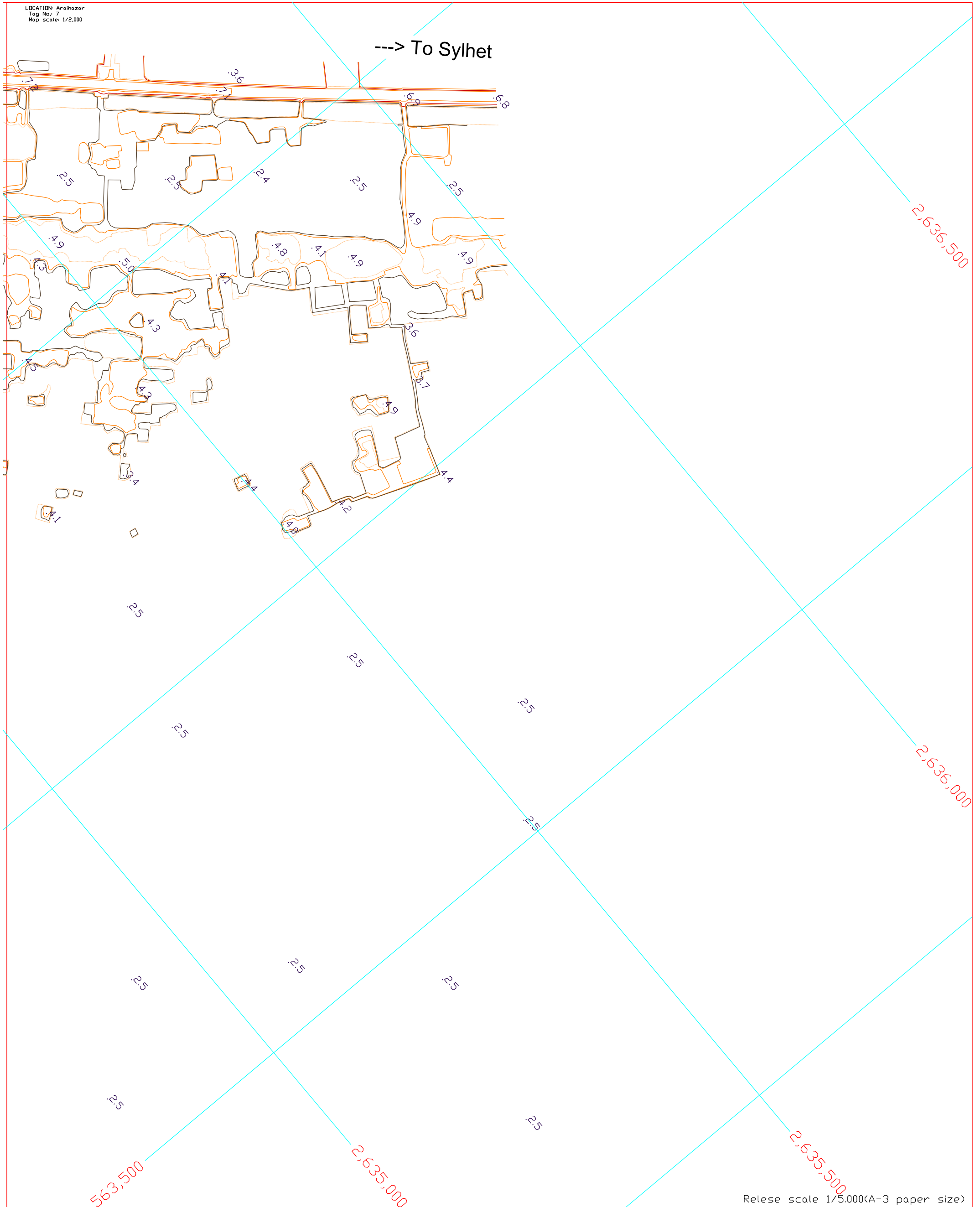


Release scale 1/5,000(A-3 paper size)

Tag No.6 Araihaazar

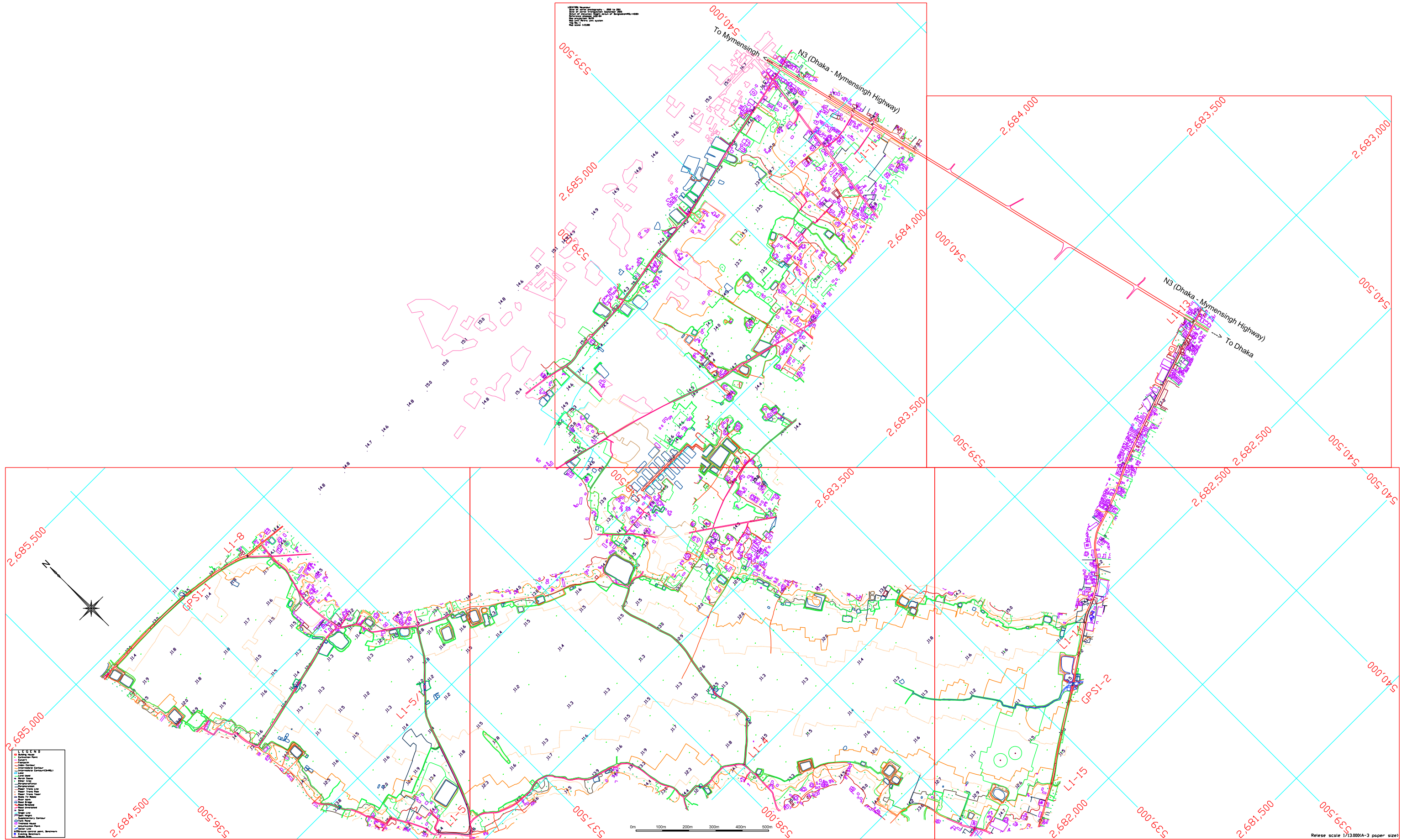
LOCATION: Araihaaz  
Tag No. 7  
Map scale: 1/2,000

---> To Sylhet



Release scale 1/5,000(A-3 paper size)

Tag No.7 Araihaaz



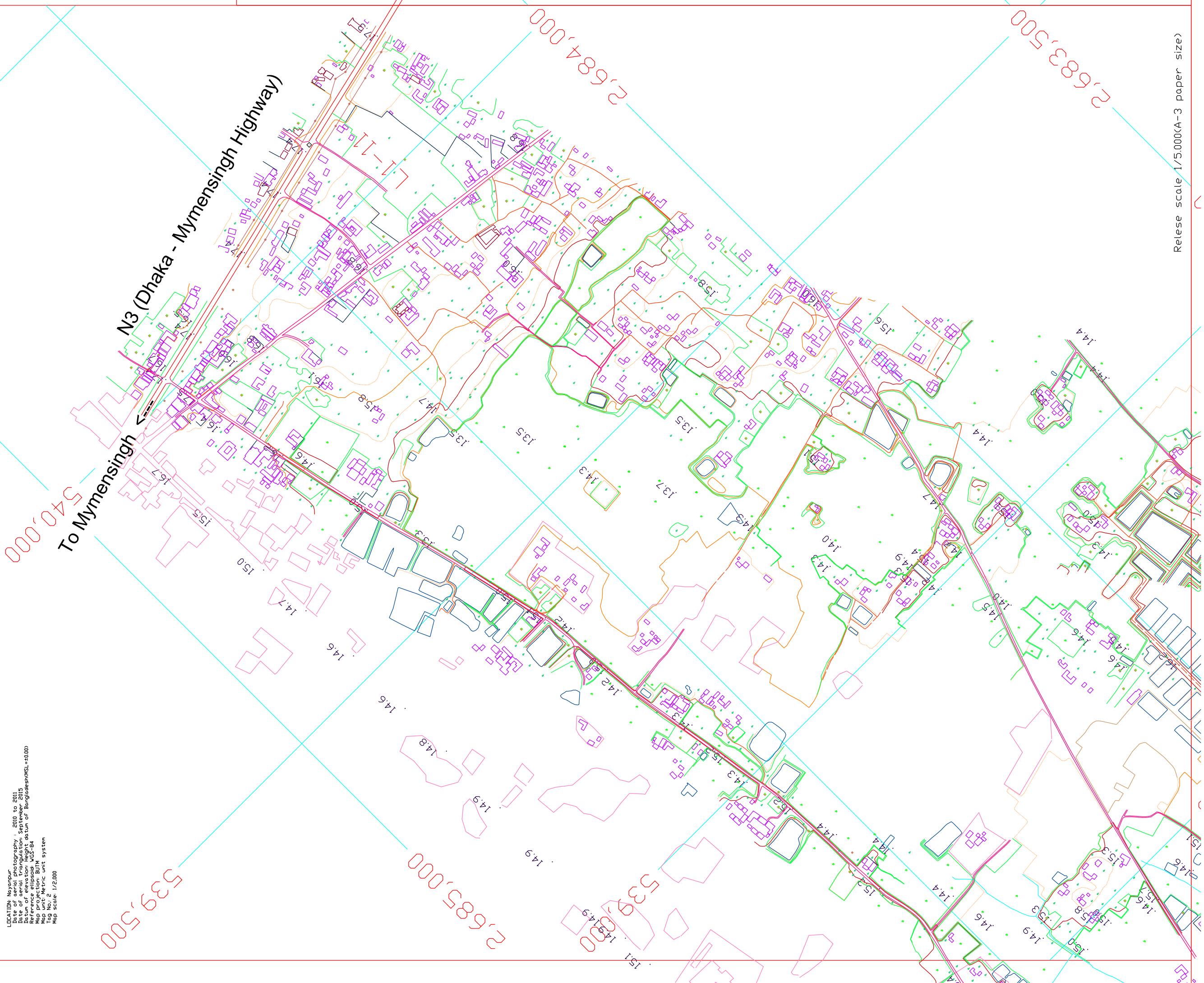
Release scale 1/13.000(A-3 paper size)



LOCATION: Nayanpur  
Date of aerial photography : 2010 to 2011  
Date of aerial triangulation: September 2015  
Reference ellipsoid: Everest  
Reference spheroid: WGS-84  
Map projection: UTM  
Map unit: Metric unit system  
Map scale: 1/2,000

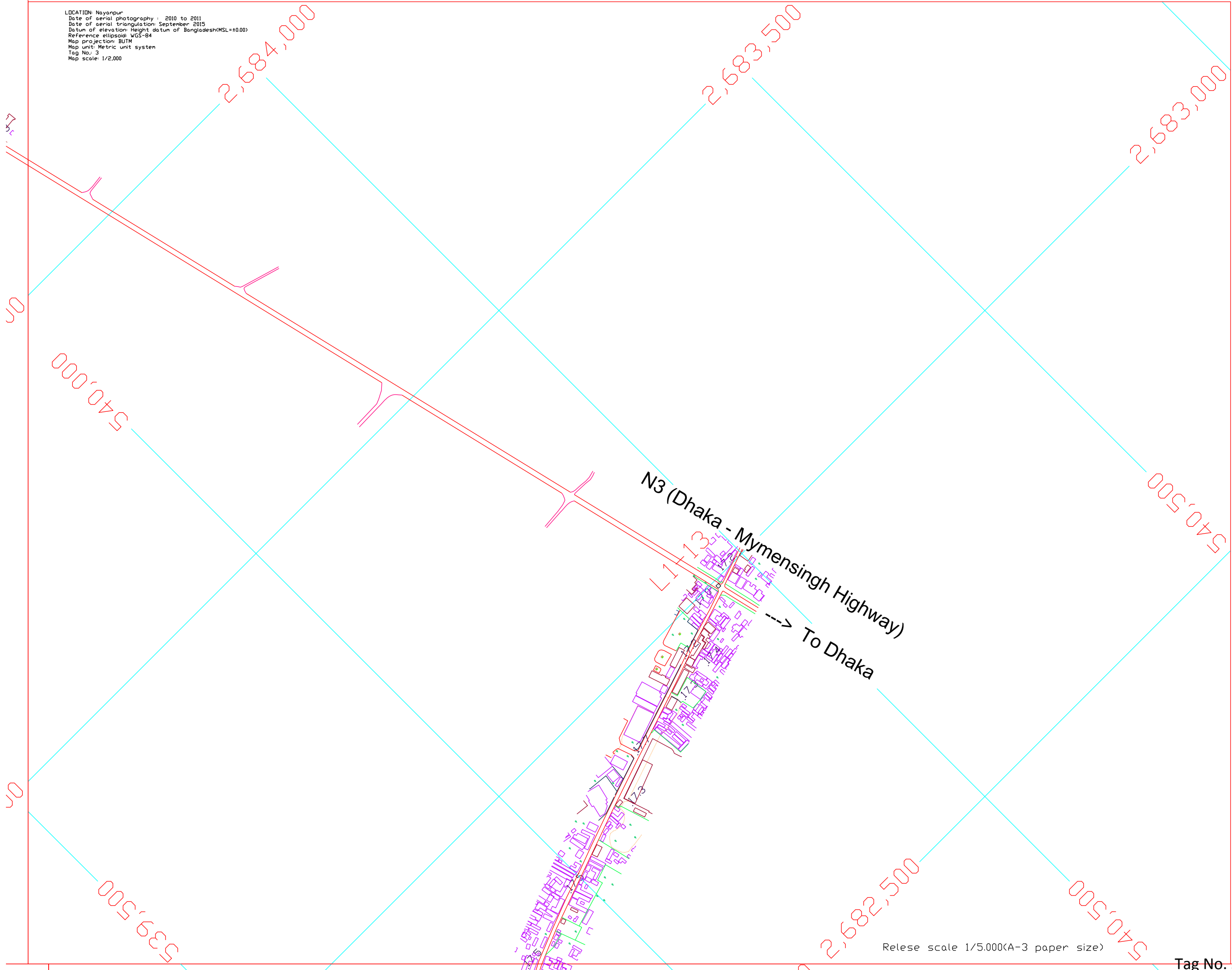
To Mymensingh

N3 (Dhaka - Mymensingh Highway)



Release scale 1/5,000(A-3 paper size)

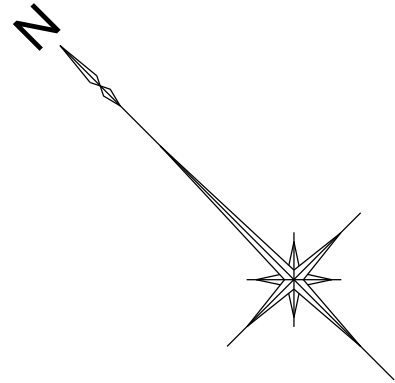
LOCATION: Nayanpur  
Date of aerial photography : 2010 to 2011  
Date of aerial triangulation: September 2015  
Datum of elevation: Height datum of Bangladesh(MSL=±0.00)  
Reference ellipsoid: WGS-84  
Map projection: BUTH  
Map unit: Metric unit system  
Tag No.: 3  
Map scale: 1/2,000



Release scale 1/5,000(A-3 paper size)

LOCATION: Nayanpur  
 Date of aerial photography : 2010 to 2011  
 Date of aerial triangulation: September 2015  
 Datum of elevation: Height datum of Bangladesh(MSL=±0.00)  
 Reference ellipsoid: WGS-84  
 Map projection: BUTM  
 Map unit: Metric unit system  
 Tag No.: 4  
 Map scale: 1/2,000

2,685,500

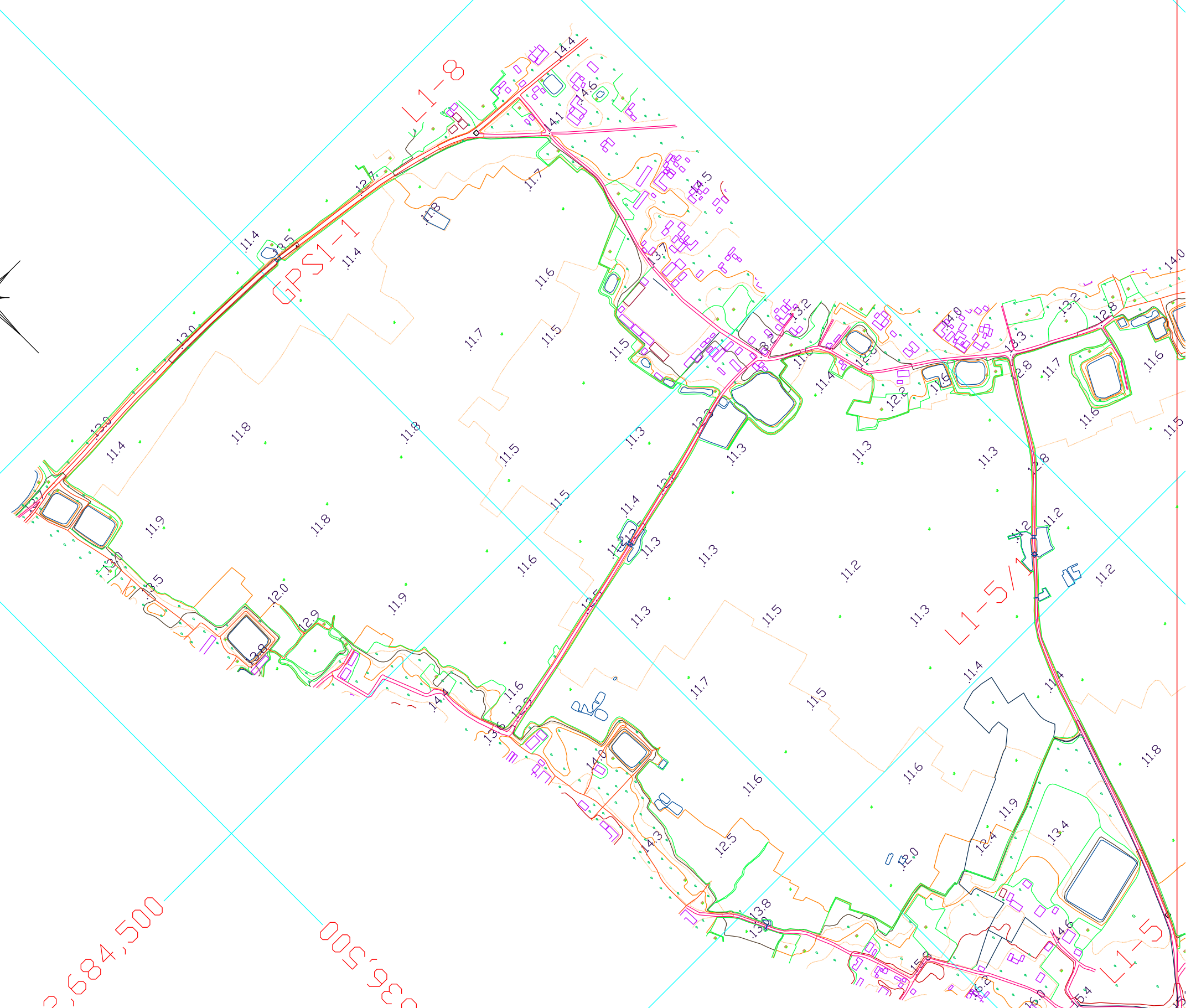


2,685,000

2,684,500

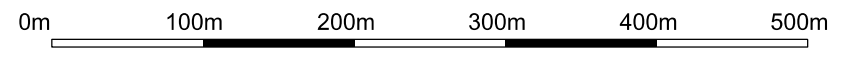
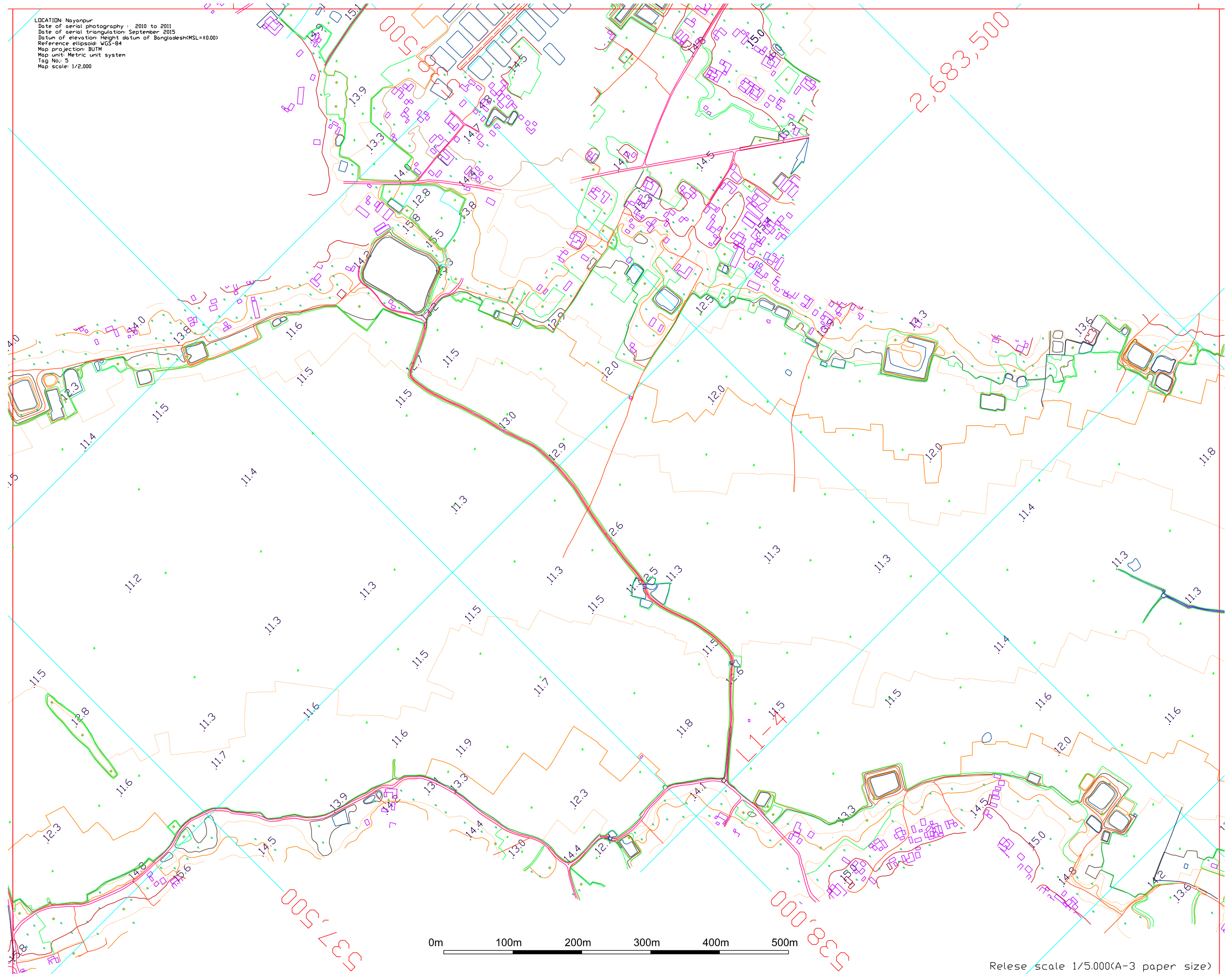
536,500

- LEGEND**
- Building House
  - Cultivation Point
  - Culvert
  - Footpath
  - Index Contour
  - Intermediate Contour
  - Intermediate Contour(13mMSL)
  - Lake
  - Land Used
  - Marsh Swamp
  - Other tree
  - Peripheral Fence
  - Peripheral Wall
  - Power Trans Line
  - Power Trans Pole
  - Power Trans Tower
  - Radio TV Mobile
  - River bank
  - Road Bridge
  - Road Metalled
  - Road Unmetalled
  - Sand
  - Single Line
  - Spot Height
  - Supplementary Contour
  - Tank Pond
  - Tinsheed House
  - Uncultivation Point
  - Water Line
  - Ground control point, Benchmark
  - Existing Benchmark
  - House Area



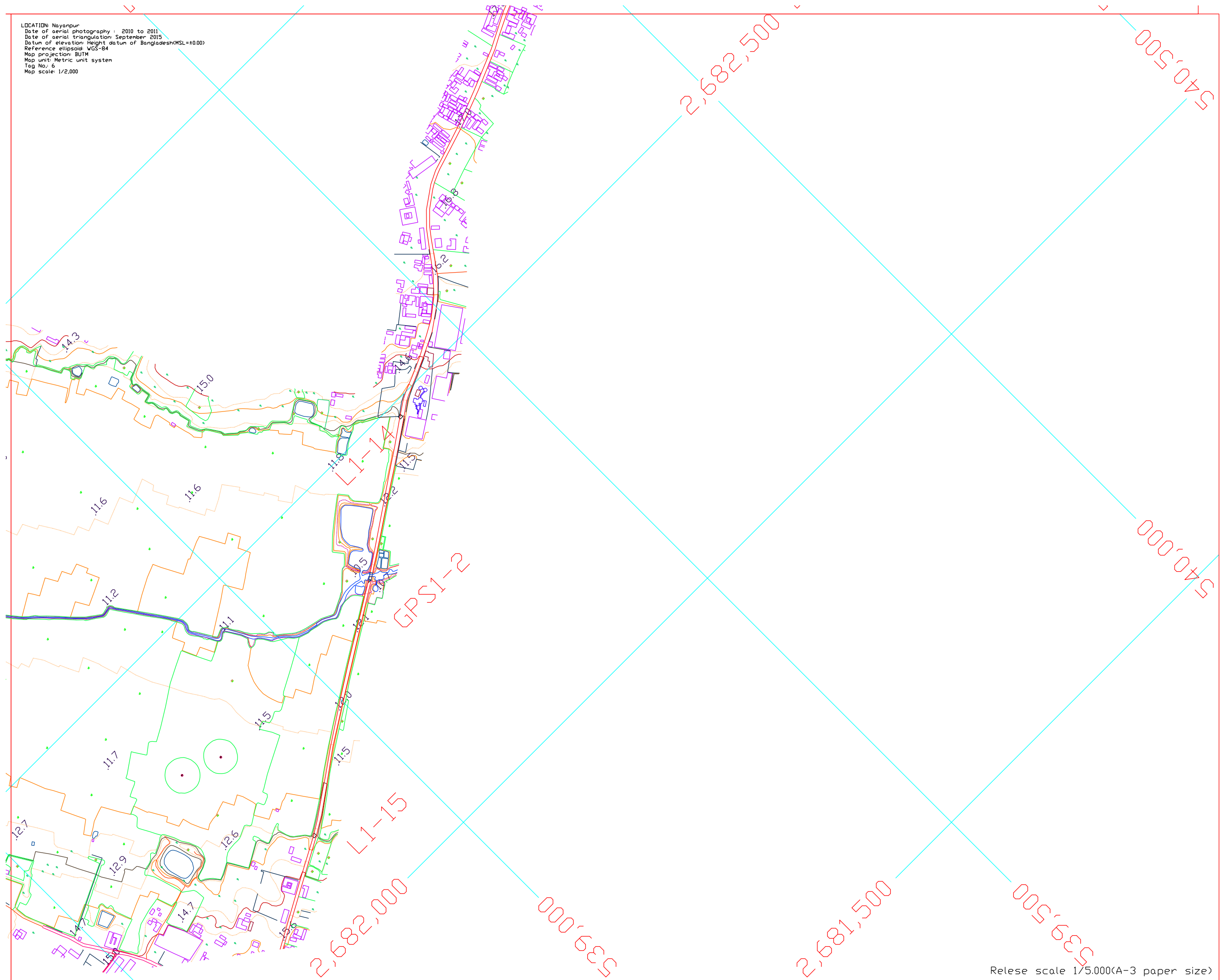
Release scale 1/5,000(A-3 paper size)

LOCATION: Nayanpur  
Date of aerial photography : 2010 to 2011  
Date of aerial triangulation: September 2015  
Datum of elevation: Height datum of Bangladesh(MSL=±0.00)  
Reference ellipsoid: WGS-84  
Map projection: BTM  
Map unit: Metric unit system  
Tag No: 5  
Map scale: 1/2,000



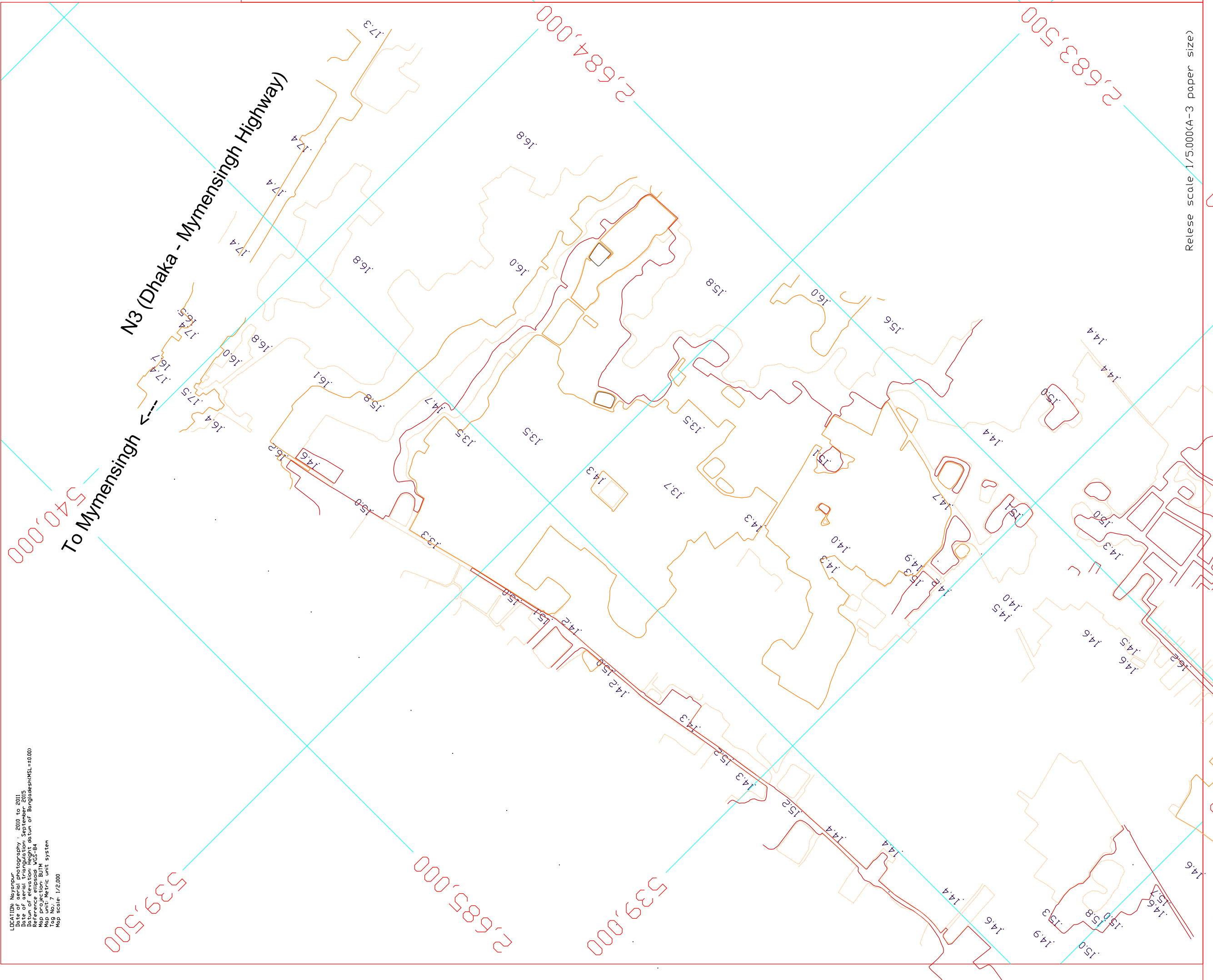
Release scale 1/5,000(A-3 paper size)

LOCATION: Nayanpur  
Date of aerial photography : 2010 to 2011  
Date of aerial triangulation: September 2015  
Datum of elevation: Height datum of Bangladesh(MSL=+0.00)  
Reference ellipsoid: WGS-84  
Map projection: BUTM  
Map unit: Metric unit system  
Tag No.: 6  
Map scale: 1/2,000



Release scale 1/5,000(A-3 paper size)

LOCATION: Nayanpur  
Date of aerial photography: 2010 to 2011  
Date of aerial triangulation: September 2015  
Datum of elevation height datum of Bangladesh: MSL +40.00  
Reference ellipsoid: WGS-84  
Map unit: Meter  
Map unit metric unit system  
Tag No.: 7  
Map scale: 1/2,000



N3 (Dhaka - Mymensingh Highway)  
To Mymensingh

Release scale 1/5,000(A-3 paper size)

LOCATION: Nayanpur  
Date of aerial photography : 2010 to 2011  
Date of aerial triangulation: September 2015  
Datum of elevation: Height datum of Bangladesh(MSL=+0.00)  
Reference ellipsoid: WGS-84  
Map projection: BUTM  
Map unit: Metric unit system  
Tag No: 8  
Map scale: 1/2,000

2,684,000

2,683,500

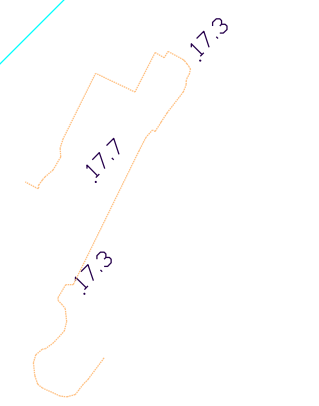
2,683,000

540,000

540,500

N3 (Dhaka - Mymensingh Highway)

---> To Dhaka



539,500

17.5

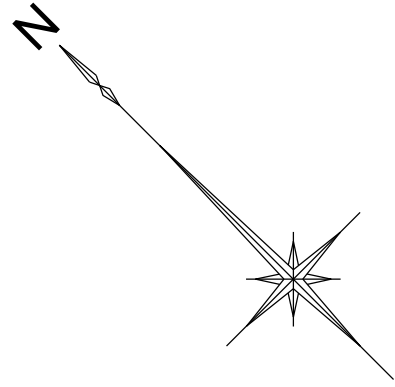
2,682,500

540,500

Release scale 1/5,000(A-3 paper size)

LOCATION: Nayanpur  
Date of aerial photography : 2010 to 2011  
Date of aerial triangulation: September 2015  
Datum of elevation: Height datum of Bangladesh(MSL=±0.00)  
Reference ellipsoid: WGS-84  
Map projection: BTM  
Map unit: Metric unit system  
Tag No: 9  
Map scale: 1/2,000

2,685,500



2,685,000

LEGEND

- Index Contour
- Intermediate Contour
- Intermediate Contour(13mMSL)
- 4.5 Spot Height
- Supplementary Contour

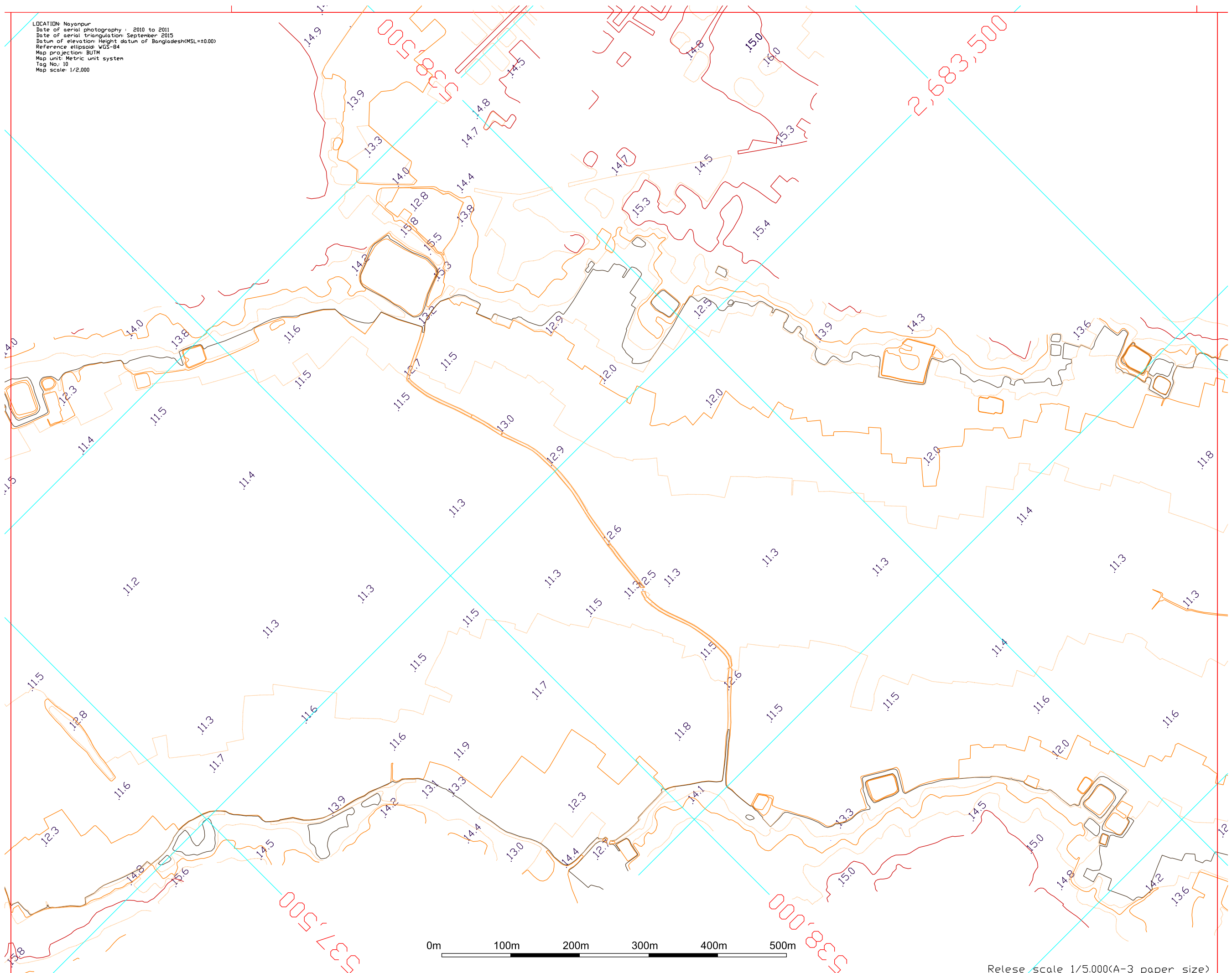
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536,500

Release scale 1/5,000(A-3 paper size)



LOCATION: Nayanpur  
Date of aerial photography : 2010 to 2011  
Date of aerial triangulation: September 2015  
Datum of elevation: Height datum of Bangladesh(MSL=+0.00)  
Reference ellipsoid: WGS-84  
Map projection: BUTM  
Map unit: Metric unit system  
Tag No: 10  
Map scale: 1/2,000



537,500

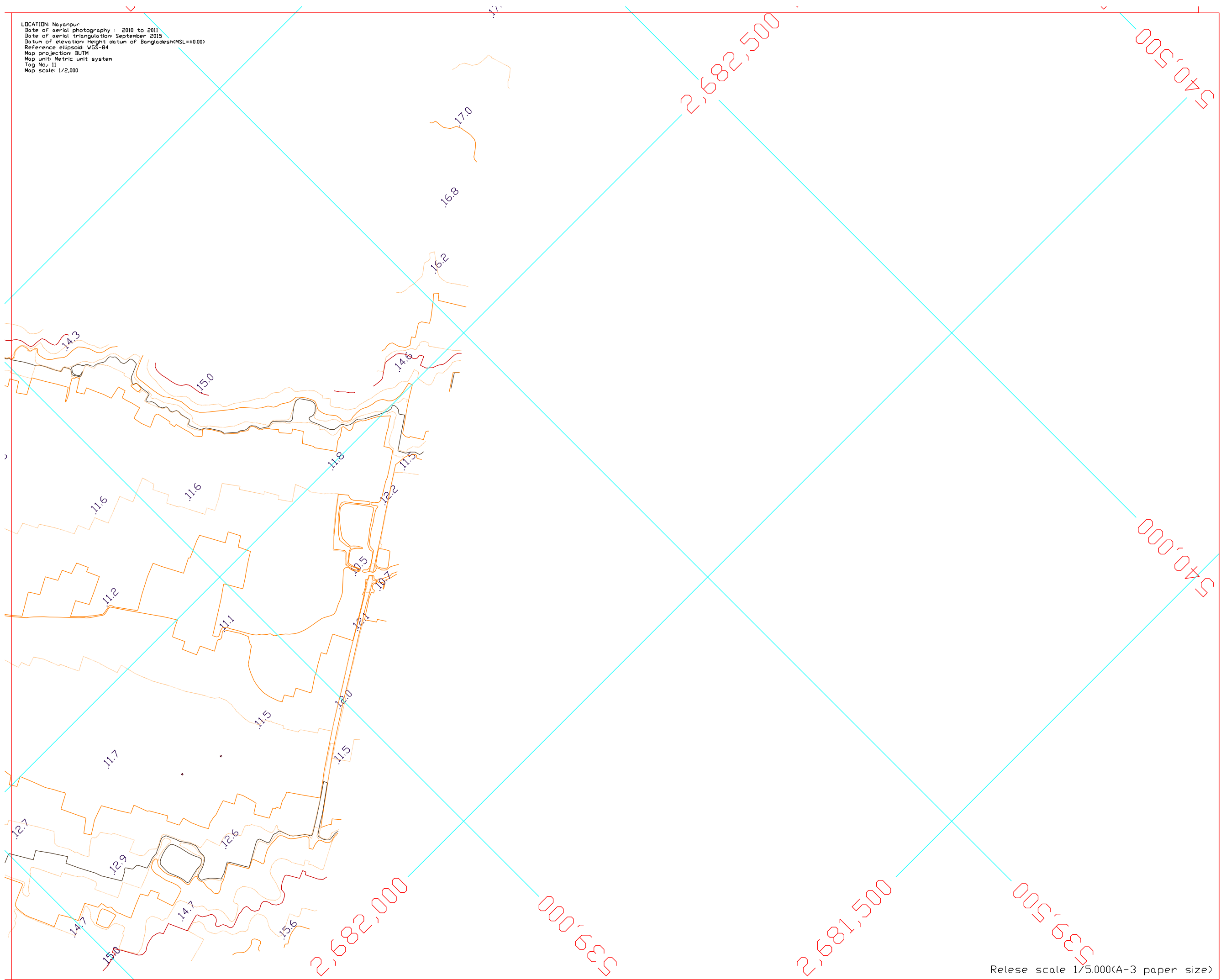
2,683,500

538,000



Release scale 1/5,000(A-3 paper size)

LOCATION: Nayanpur  
Date of aerial photography : 2010 to 2011  
Date of aerial triangulation: September 2015  
Datum of elevation: Height datum of Bangladesh(MSL+0.00)  
Reference ellipsoid: WGS-84  
Map projection: BUTM  
Map unit: Metric unit system  
Tag No: 11  
Map scale: 1/2,000



Release scale 1/5,000(A-3 paper size)

**付属書 9 : 短期 EZ 開発に係る事業費概算資料**

付属書 9 : 短期 EZ 開発に係る事業費概算資料

建設労務単価表 1

Unit Rate for Manpower												
Office Staff												
Item No.	Description	Quantity	unit	Local Currency Tk (rate : 1\$ =78.15Tk)			US\$ Currency			Unit Price		Remarks
				Employ	allowance (over time)	Others (Tax)	Employ	allowance	Others	Tk	US\$	
1	Japanese Manager	1	Man-month	-	-	-	18,000	-	-	0	18,000	
2	Japanese Engineers	1	Man-month	-	-	-	15,000	-	-	0	15,000	
3	Japanese Administrator	1	Man-month	-	-	-	15,000	-	-	0	15,000	
4	Local Engineers	1	Man-month	50000	11667	5000	-	-	-	66.667	853	
5	Local Surveyors	1	Man-month	30000	7000	3000	-	-	-	40,000	512	
6	Local Administrator	1	Man-month	30000	7000	3000	-	-	-	40,000	512	
7	Local CAD Operator	1	Man-month	35000	8167	3500	-	-	-	46.667	597	
8	Local Office boys	1	Man-month	11000	2567	1100	-	-	-	14.667	188	
9	Local Drivers	1	Man-month	11000	2567	1100	-	-	-	14.667	188	
10	Checker /Store keeper	1	Man-month	11000	2567	1100	-	-	-	14.667	188	
11	Laboratory Staff	1	Man-month	40000	9333	4000	-	-	-	53.333	682	

建設労務単価表 2

Unit Rate for Manpower												
Manpower for Land Works												
Item No.	Description	Quantity	unit	Local Currency Tk (rate : 1\$ =78.15Tk)			US\$ Currency			Unit Price		Remarks
				Employ	allowance (over time)	Others (Tax)	Employ	allowance	Others	Tk	US\$	
1	Foreman	1	daily	567	284	56	-	-	-	906.5	11.6	
2	Skilled Labor	1	daily	303	152	30	-	-	-	484.5	6.2	
3	Un-skilled Labor	1	daily	245	123	25	-	-	-	392.5	5.0	
4	Heavy Equipment Operator	1	daily	732	366	73	-	-	-	1171	15.0	
5	Equipment Operator	1	daily	423	212	42	-	-	-	676.5	8.7	
6	Re-bar Bender	1	daily	421	211	42	-	-	-	673.5	8.6	
7	Carpenter	1	daily	423	212	42	-	-	-	676.5	8.7	
8	Mechanical technician	1	daily	700	350	70	-	-	-	1120	14.3	
9	Electrical technician	1	daily	493	247	50	-	-	-	789.5	10.1	
10	Truck Driver	1	daily	423	212	42	-	-	-	676.5	8.7	

### 建設資材単価表 1 (コンクリート等)

Unit Rate for Materials												
Schedule of Rates 2014 ( Public Works Department)												
Item No.	Description	Quantity	unit	Local Currency Tk (rate : 1\$ =78.15Tk)			US\$ Currency			Unit Price		Remarks
				Material	Transport	Tax	Material	Transport	Tax	Tk	US\$	
1	Concrete Grade E (Type I, 32MPa stone aggregate )	1	m3	10,970	-	-	-	-	-	10970	140.4	
2	Concrete Grade A (Type I, 25MPa stone aggregate)	1	m3	10,526	-	-	-	-	-	10526	134.7	
3	Concrete Grade B (Type I, 22 Mpa stone aggregate )	1	m3	10,203	-	-	-	-	-	10203	130.6	
4	Concrete Grade A-1 (Type I, 21 MPa brick aggregate)	1	m3	7,982	-	-	-	-	-	7982	102.1	
5	Concrete Grade C (Type I, 19MPa brick aggregate)	1	m3	7,319	-	-	-	-	-	7319	93.7	
6	Concrete Grade D (Type I, 12MPa : 1:3:6 brick aggregate)	1	m3	6,319	-	-	-	-	-	6319	80.9	
7	Mortar (1:3 )	1	m3	5,500	-	-	-	-	-	5500	70.4	
8	Ordinary Portland Cement	1	kg	9.5	-	-	-	-	-	9.5	0.12	
9	CTB (12MPa : 1:3:6 brick aggregate)	1	m3	6,319	-	-	-	-	-	6319	80.9	
10	Asphalt Concrete including installation ( asphalt plant use ) (50mm thickness with 12mm stone aggregate)	1	m2	1,308	-	-	-	-	-	1308	16.7	
11	Asphalt Concrete including installation ( asphalt plant use ) (38 mm thickness with 10mm stone aggregate)	1	m2	1,073	-	-	-	-	-	1073	13.7	
12	Tack coat including instalation	1	m2	87	-	-	-	-	-	87	1.1	
13	seal coat including insteration	1	m2	235	-	-	-	-	-	235	3.0	

### 建設資材単価表 2 (鉄筋)

Unit Rate for Materials												
Reinforcing Bar												
Item No.	Description	Quantity	unit	Local Currency Tk (rate : 1\$ =78.15Tk)			US\$ Currency			Unit Price		Remarks
				Material	Transport	Tax	Material	Transport	Tax	Tk	US\$	
1	DB 10 (SD40)	1	ton	61,000	-	-	-	-	-	61000	780.6	
2	DB12~20 (SD40)	1	ton	59,000	-	-	-	-	-	59000	755.0	
3	DB 20~35(SD40)	1	ton	59,000	-	-	-	-	-	59000	755.0	
4	RB 6~10 (RD24)	1	ton	61,000	-	-	-	-	-	61000	780.6	
5	RB 16~25 (RD24)	1	ton	61,000	-	-	-	-	-	61000	780.6	

### 建設資材単価表 3 (石材、砂、盛土)

Unit Rate for Materials												
Rock, Stone, Sand, Soil												
Item No.	Description	Quantity	unit	Local Currency Tk (rate : 1\$ =78.15Tk)			US\$ Currency			Unit Price		Remarks
				Material	Transport	Tax	Material	Transport	Tax	Tk	US\$	
1	Granite Rocks (100kg ~300kg)	1	m3	4,464	-	-	-	-	-	4464	57.1	on site
2	Granite Stone (20mm)	1	m3	5,178	-	-	-	-	-	5178	66.3	on site
3	Granite Stone (12mm)	1	m3	4,821	-	-	-	-	-	4821	61.7	on site
4	1st class jhama brick chip (62mm~40mm)	1	m3	3,068	-	-	-	-	-	3068	39.3	on site
5	1st class jhama brick chip (40mm~25mm)	1	m3	3,172	-	-	-	-	-	3172	40.6	on site
6	Filling Soil (material cost without excavation and transportation)	1	m3	25	-	-	-	-	-	25	0.3	
7	Sand Aggregate (FM 0.8)	1	m3	321	-	-	-	-	-	321	4.1	for Concrete
8	Sand Aggregate (FM 1.2)	1	m3	607	-	-	-	-	-	607	7.8	for Concrete
9	Transportation Cost of Stons, Soil and Sand	1	/km /m3	73	-	-	-	-	-	73	0.9	up to 30km Over 30km : 0.4\$/km

建設資材単価表 3 (フィルターシート、インターロッキングブロック)

Unit Rate for Materials												
Filter Sheet, Interlocking Blocks												
Item No.	Description	Quantity	unit	Local Currency Tk (rate : 1\$ =78.15Tk)			US\$ Currency			Unit Price		Remarks
				Material	Transport	Tax	Material	Transport	Tax	Tk	US\$	
1	Geo-Textile (Filter Sheet)	1	m2	-	-	-	12	1	-	0	13	
3	Sand-bags	1	bags	8	-	-	-	-	-	8	0.1	
1	Heavy Duty Interlocking Block (T=100, 500kg/cm2)	1	m2	-	-	-	17	1	-	0	18	
2	Walkway Interlocking Block (T=50, 350kg/cm2)	1	m2	-	-	-	8	0.5	-	0	8.5	
3	Road Interlocking Block (T=80, 500kg/cm2)	1	m2	-	-	-	13	1	-	0	14	

建設資材単価表 4 (鋼材)

Unit Rate for Materials												
Steel Products												
Item No.	Description	Quantity	unit	Local Currency Tk (rate : 1\$ =78.15Tk)			US\$ Currency			Unit Price		Remarks
				Material	Transport	Tax	Material	Transport	Tax	Tk	US\$	
1	H-shaped Steel (SS400)	1	ton	62500	-	-	-	-	-	62500	799.7	
2	Steel Sheet Pile SP-III, IV, V (SY296)	1	ton	-	-	-	1350	-	-	0	1,350	
3	I Shaped Steel	1	ton	62500	-	-	-	-	-	62500	799.7	
4	Structural Steel	1	ton	62500	-	-	-	-	-	62500	799.7	
5	Steel Plate	1	ton	85000	-	-	-	-	-	85000	1087.7	

建設資材単価表 5 (木材)

Unit Rate for Materials												
Wood												
Item No.	Description	Quantity	unit	Local Currency Tk (rate : 1\$ =78.15Tk)			US\$ Currency			Unit Price		Remarks
				Material	Transport	Tax	Material	Transport	Tax	Tk	US\$	
1	Playwood (t= 12mm)	1	m2	520	-	-	-	-	-	520	6.7	
4	Timber	1	m3	16785	-	-	-	-	-	16785	214.8	
5	Wooden board (T= 20mm )	1	m3	16785	-	-	-	-	-	16785	214.8	

建設資材単価表 6 (燃料)

Unit Rate for Materials												
Oil												
Item No.	Description	Quantity	unit	Local Currency Tk (rate : 1\$ =78.15Tk)			US\$ Currency			Unit Price		Remarks
				Material	Transport	Tax	Material	Transport	Tax	Tk	US\$	
1	Light Diesel Oil	1	litter	65	-	-	-	-	-	65	0.831734	
3	Gasoline	1	litter	94.5	-	-	-	-	-	94.5	1.209213	
4	Engine Oil	1	litter	-	-	-	-	-	-	0	-	

建設資材単価表 7 (水道管)

Unit Rate for Materials												
Water pipe												
Item No.	Description	Quantity	unit	Local Currency Tk (rate : 1\$ =78.15Tk)			US\$ Currency			Unit Price		Remarks
				Material	Transport	Tax	Material	Transport	Tax	Tk	US\$	
1	CPVC Pipe VU (φ25)	1	m	353	-	-	-	-	-	353	4.52	
2	CPVC Pipe VU (φ50)	1	m	1077	-	-	-	-	-	1077	13.78	
3	CPVC Pipe VU (φ37)	1	m	650	-	-	-	-	-	650	8.32	
4	Iron Water Pipe GI (φ100)	1	m	2520	-	-	-	-	-	2520	32.25	
5	Iron Water Pipe GI (φ50)	1	m	642	-	-	-	-	-	642	8.21	
6	Iron Water Pipe GI (φ75)	1	m	1086	-	-	-	-	-	1086	13.90	
7	HDPE Pipe (φ50)	1	m	-	-	-	9.5	-	-	-	9.5	Import
8	HDPE Pipe (φ75)	1	m	-	-	-	14.8	-	-	-	14.8	Import
9	HDPE Pipe (φ100)	1	m	-	-	-	17.8	-	-	-	17.8	Import
10	HDPE Pipe (φ150)	1	m	-	-	-	28.8	-	-	-	28.8	Import
11	HDPE Pipe (φ200)	1	m	-	-	-	44.3	-	-	-	44.3	Import

建設資材単価表 8 (排水・下水管)

Unit Rate for Materials												
Drainage pipe												
Item No.	Description	Quantity	unit	Local Currency Tk (rate : 1\$ =78.15Tk)			US\$ Currency			Unit Price		Remarks
				Material	Transport	Tax	Material	Transport	Tax	Tk	US\$	
1	Concrete Pipe ( Type I, φ300 )	1	m	2743	109	-	-	-	-	2852	36.5	including installation fee
2	Concrete Pipe ( Type I, φ400 )	1	m	3580	132	-	-	-	-	3712	47.5	including installation fee
3	Concrete Pipe ( Type I, φ500 )	1	m	5012	195	-	-	-	-	5207	66.6	including installation fee
4	Concrete Pipe ( Type I, φ600 )	1	m	7518	195	-	-	-	-	7713	98.7	including installation fee
5	Concrete Pipe ( Type I, φ800 )	1	m	11277	235	-	-	-	-	11512	147.3	including installation fee
6	Concrete Pipe ( Type I, φ900 )	1	m	13190	295	-	-	-	-	13485	172.6	including installation fee
7	Concrete Pipe ( Type I, φ1000 )	1	m	17147	321	-	-	-	-	17468	223.5	including installation fee
	PVC Pipe VP (φ25)	1	m	92	-	-	-	-	-	92	-	
10	PVC Pipe VP (φ50)	1	m	150	-	-	-	-	-	150	-	
11	PVC Pipe VP (φ75)	1	m	245	-	-	-	-	-	245	-	
12	PVC Pipe VP (φ100)	1	m	347	-	-	-	-	-	347	-	
13	PVC Pipe VP (φ150)	1	m	695	-	-	-	-	-	695	-	
14	PVC Pipe VP(φ200)	1	m	951	-	-	-	-	-	951	-	

建設資材単価表 9 (ガス管)

Unit Rate for Materials												
Gas pipe												
Item No.	Description	Quantity	unit	Local Currency Tk (rate : 1\$ =78.15Tk)			US\$ Currency			Unit Price		Remarks
				Material	Transport	Tax	Material	Transport	Tax	Tk	US\$	
1	75mm N.D (88.9mm O/D) M.S	1	m	1509	-	-	-	-	-	1509	19.3	
2	50mm N.D (60.3mm O/D) M.S	1	m	927	-	-	-	-	-	927	11.9	
3	25mm N.D (33.4mm O/D) M.S	1	m	728	-	-	-	-	-	728	9.3	
4	20mm N.D (26.7mm O/D) M.S	1	m	418	-	-	-	-	-	418	5.3	
5	Backfilling	1	m3	644	-	-	-	-	-	644	8.2	

建設機械単価表 1 (事務所関連機器)

Unit Rate for Equipment												
Office Equipment												
Item No.	Description	Quantity	unit	Local Currency Tk (rate : 1\$ =78.15Tk)			US\$ Currency			Unit Price		Remarks
				Purchase/Depreciation year fee	Rental	Tax	Purchase/Depreciation year fee	Rental	Tax	TK	US\$	
1	Computer	1	unit	-	-	-	1,100	-	-	-	1,100	
2	Printer (A3 color)	1	unit	-	-	-	3,000	-	-	-	3,000	
2	Plotter (A1)	1	unit	-	-	-	5,000	-	-	-	5,000	
3	Copy Machine (A3 Black)	1	unit	-	-	-	2,000	-	-	-	2,000	
4	Refrigerator	1	unit	-	-	-	500	-	-	-	500	
5	Office furniture	1	L.S	-	-	-	5,000	-	-	-	5,000	
6	Survey Equipment (land)	1	year	-	-	-	3,500	-	-	-	3,500	
8	Laboratory Equipment	1	year	-	-	-	5,000	-	-	-	5,000	
9	Car (4WD)	1	Month	-	-	-	1,500	-	-	-	1,500	
10	Car (sedan)	1	Month	-	-	-	1,200	-	-	-	1,200	
11	Pick-up truck	1	Month	-	-	-	1,000	-	-	-	1,000	
12	Minibus	1	Month	-	-	-	1,500	-	-	-	1,500	

建設機材単価表 2 (建設機械：浚渫埋め立て機械除く)

Unit Rate for Equipment												
Equipment for Land Works												
Item No.	Description	Quantity	unit	Local Currency Tk (rate : 1\$ =78.15Tk)			US\$ Currency			Unit Price		Remarks
				Purchase/Depreciation year fee	Rental	Tax	Purchase/Depreciation year fee	Rental	Tax	TK	US\$	
1	Bulldozer (21ton)	1	daily	-	12774	-	-	-	-	12774	163	
2	Pay-loader (2.5m3)	1	daily	-	25000	-	-	-	-	25000	320	
2	Excavator (1m3)	1	daily	-	25000	-	-	-	-	25000	320	
3	Excavator (0.4m3)	1	daily	-	12000	-	-	-	-	12000	154	
4	Vibro-Roller	1	daily	-	15000	-	-	-	-	15000	192	
5	Macadam Roller	1	daily	-	12000	-	-	-	-	12000	154	
6	Tier roller	1	daily	-	8000	-	-	-	-	8000	102	
7	Motor Grader	1	daily	-	20000	-	-	-	-	20000	256	
8	Track Crane 25ton	1	daily	-	35000	-	-	-	-	35000	448	
9	Crawler Crane 150 ton	1	daily	-	-	-	1,000	-	-	-	1,000	
10	Crawler Crane 100 ton	1	daily	-	-	-	800	-	-	-	800	
11	Crawler Crane 50ton	1	daily	-	50000	-	-	-	-	50000	640	
12	Dump truck (20ton)	1	daily	-	15000	-	-	-	-	15000	192	
14	Welder	1	daily	-	700	-	-	-	-	700	9	
15	Bar Bender	1	daily	-	1000	-	-	-	-	1000	13	
16	Concrete vibrator	1	daily	-	500	-	-	-	-	500	6	
17	Generator 200 KVA	1	daily	-	-	-	150	-	-	-	150	
18	Generator 100 KVA	1	daily	-	-	-	80	-	-	-	80	
19	Generator 50KVA	1	daily	-	-	-	60	-	-	-	60	
20	Truck 10 ton	1	daily	-	8000	-	-	-	-	8000	102	

河川浚渫、埋め立て単価は、以下の代価表を参照



河川砂の浚渫・埋め立て関連代価表 1 (浚渫単価)

Dredging river sand										
Dredging and loading (1000m3)										
Item No.	Description	Quantity	unit	Local Currency Tk (rate : 1\$ =78.15Tk)		US\$ Currency		Work Cost (m3)		Remarks
				Unit Rate	Total Cost	Unit Rate	Total Cost	Tk	US\$	
1	Fuel	150	litter	65	9750	-	-	9750.00	124.76	
2	Operator	3	man-day	677	2029.5	-	-	2029.50	25.97	
3	Sand Pump	1	day	30,000	30000	-	-	30000.00	383.88	
4	Pump Barge	1	day	40,000	40000			40000.00	511.84	
5	Royalty	1000	m3	9	9000			9000.00	115.16	
	Sub Total							90779.50	1,161.61	
	Dredging and loading 1 m3	1	m3					m3 90.78	1.16	

河川砂の浚渫・埋め立て関連代価表 2(砂運搬単価)

Excavation and Transportation by Dump truck										
Excavation and transportation (300m3)/2km										
Item No.	Description	Quantity	unit	Local Currency Tk (rate : 1\$ =78.15Tk)		US\$ Currency		Work Cost (m3)		Remarks
				Unit Rate	Total Cost	Unit Rate	Total Cost	Tk	US\$	
1	Fuel	90	litter	65	5850	-	-	5850.00	74.86	
2	Operator	1	man-day	677	676.5	-	-	676.50	8.66	
3	Excavator (1.0m3)	1	day	25,000	25000	-	-	25000.00	319.90	
	Sub Total							31526.50	403.41	
	Transportation 1 m3 /km	1	km					m3 105.09	1.34	
4								m3 73	0.93	
1	Loading + Transportation 1km~3km	1	m3						1.26	
2	Loading + Transportation 3km~5km	1	m3						2.75	
3	Loading + Transportation 5km~8km	1	m3						7.88	
4	Loading + Transportation 8km~11km	1	m3						10.69	

Transportation sand by River Barge										
Transportation by Barge (300 m3/2km)										
Item No.	Description	Quantity	unit	Local Currency Tk (rate : 1\$ =78.15Tk)		US\$ Currency		Work Cost (m3)		Remarks
				Unit Rate	Total Cost	Unit Rate	Total Cost	Tk	US\$	
1	Fuel	50	litter	65	3250	-	-	3250.00	41.59	
2	Operator	1	man-day	677	676.5	-	-	676.50	8.66	
3	Barge	0.5	day	40,000	20000	-	-	20000.00	255.92	
	Sub Total							23926.50	306.16	
								m3 79.76	1.02	
1	Loading + Transportation 1km~2km	1	m3						1.02	
2	Loading + Transportation 2km~5km	1	m3						1.53	
3	Loading + Transportation 5km~8km	1	m3						3.06	

河川砂の浚渫・埋め立て関連代価表 3(砂埋め立て単価)

Sand Filling by Pump (<3km)										
Filling Work (3000m3/day)										
Item No.	Description	Quantity	unit	Local Currency Tk (rate : 1\$ =78.15Tk)		US\$ Currency		Work Cost (m3)		Remarks
				Unit Rate	Total Cost	Unit Rate	Total Cost	Tk	US\$	
1	Fuel	150	litter	65	9,750	-	-	9,750	124.76	
2	Operator	3	man-day	677	2,030	-	-	2,030	25.97	
3	Sand Pump	1	day	40,000	40,000	-	-	40,000	511.84	
4	Pump Barge	1	day	30,000	30,000			30,000	383.88	
5	Pipe (300) including setting	3000	m	60	180,000			180,000	2,303.26	
	Sub Total							261,780	3,349.71	
	Filling sand 1 m3	1	m3				m3	87	1.12	

Sand Filling by Pump (<6km)										
Filling Work (3000m3/day)										
Item No.	Description	Quantity	unit	Local Currency Tk (rate : 1\$ =78.15Tk)		US\$ Currency		Work Cost (m3)		Remarks
				Unit Rate	Total Cost	Unit Rate	Total Cost	Tk	US\$	
1	Fuel	300	litter	65	19,500	-	-	19,500	249.52	
2	Operator	4	man-day	677	2,706	-	-	2,706	34.63	
3	Sand Pump	1	day	40,000	40,000	-	-	40,000	511.84	
	Booster Bump	1	day	40,000	40,000	-	-	40,000	511.84	
4	Pump Barge	1	day	30,000	30,000			30,000	383.88	
5	Pipe (300) including setting	6000	m	60	360,000			360,000	4,606.53	
	Sub Total							492,206	6,298.22	
	Filling sand 1 m3	1	m3				m3	164	2.10	