

Land Acquisition and Resettlement Plan

Draft
Project Number: 47094-001
September 2013

PAK: Jamshoro Power Generation Project

CONTENTS

	Page
ABBREVIATIONS.....	3
DEFINITION OF TERMS.....	4
I. PROJECT DESCRIPTION	7
II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT	8
III. INFORMATION DISCLOSURE, CONSULTATION, AND PARTICIPATION	10
IV. LEGAL FRAMEWORK.....	11
A. Land Acquisition Act, 1894 (LAA)	11
B. Sindh Land Acquisition (Companies) Rules, 1963	12
C. ADB's Policy Principles for Involuntary Resettlement.....	12
D. Comparison of Key Features of LAA 1894 and ADB Policy Principles and Practices	14
V. ENTITLEMENTS, ASSISTANCE AND BENEFITS	16
A. Entitlements.....	16
B. Eligibility	16
VI. LARP BUDGET	17
VII. INSTITUTIONAL ARRANGEMENTS	17
VIII. IMPLEMENTATION SCHEDULE	18
IX. GRIEVANCE REDRESS MECHANISM	18
X. MONITORING AND REPORTING	20

List of Tables

Table 1: Land Size to be Purchased for Jamshoro TPS and Affected Landowners (DPs).....	9
Table 2: Salient Features of PAKISTAN'S Land Acquisition Act, 1894 (amended)	11
Table 3: Salient Features of Sindh Land Acquisition (Companies) Rules, 1963.....	12
Table 4: Involuntary Resettlement Principles Objectives in ADB's SPS 2009	12
Table 5: Comparison of Pakistan Land Acquisition Act 1894 and ADB Safeguard Policy Statement 2009 and Gap Filling Measures (LAA versus SPS).....	14
Table 6: Compensation Eligibility and Entitlement Matrix (PSRP).....	16
Table 7: LARP Budget for Jamshoro TPS (ash-pond)	17
Table 8: LARP Preparation and Implementation Schedule for TPS Jamshoro (Ash-Pond).....	18

List of Figures

Figure 1: Google Image of Ashpond Site H (will be updated).....	8
---	---

ABBREVIATIONS

ADB	Asian Development Bank
AH	Affected Household (see also DP)
AP	Affected Person (see also DP)
CEO	Chief Executive Officer
DC	Deputy Commissioner (District LAC)
DP	Displaced Person (see also AH & AP)
DOR	District Officer Revenue (see also LAC)
EA	Executing Agency (GHCL)
EIA	Environmental Impact Assessment
EPA	Environmental Protection Agency
ESC	Environmental and Social Cell (PMU)
GAP	Gender Action Plan
GHCL	GENCO Holding Company Limited
GENCO I	(Power) Generation Company No. 1 (Jamshoro, Sindh Province)
GENCO II	(Power) Generation Company No. 2 (Guddu, Sindh Province)
GM D&D	General Manager (Thermal), Design & Development (GHCL)
GRC	Grievance Redress Committee
IA	Implementation Agency (JPCL/GENCO-I)
IP	Indigenous People
IPSA	Initial Poverty and Social Assessment
IR	Involuntary Resettlement
JPCL	Jamshoro Power Company Limited
MD	Managing Director, GHCL - PEPCO
LAA	Land Acquisition Act, 1894 (amended to-date)
LAC	(District) Land Acquisition Collector (see also DC)
LAR	Land Acquisition and Resettlement (Impacts)
LARP	Land Acquisition and Resettlement Plan
MIS	Management Information System
MW	Mega Watt
MWP	Ministry of Water and Power
PEPCO	Pakistan Electric Power Company
PMU	Program Management Unit (PEPCO/GHCL)
PSRP	Power Sector Rehabilitation Project
RFS	Resettlement Field Survey (Inventory of Assets, Census, Consultations)
SAP	Social Augmentation Plan
SPS	Safeguard Policy Statement
TPS	Thermal Power Station
WAPDA	Water and Power Development Authority

This LARP is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature.

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

DEFINITION OF TERMS

Affected persons/households	mean all the people affected by land acquisition, relocation, or loss of assets or incomes and include any person/household, firms, or public or private institutions. APs/AHs therefore include: (i) people whose productive lands or other productive assets such as trees or crops are affected; (ii) people whose built-up structures (such as houses, shops, tube-wells, mosques, graves, etc.) are affected; (iii) people whose business is affected and who might experience loss of income due to project impact; (iv) people who lose work/employment as a result of project impact; and (v) people who lose access to their resources/property or established easements.
Compensation	means payment in cash or kind for an asset to be acquired or affected by a project at replacement cost at current market value.
Cut-off-date	Means the date after which people will NOT be considered eligible for compensation i.e. they are not included in the list of APs/AHs. The cut off date for this project will be called during updating of this LARP via direct communication with each of the APs.
Displaced persons	in the context of involuntary resettlement, displaced persons 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, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.
Economic displacement	means loss of land, assets, access to assets, income sources, or means of livelihoods as a result of (i) involuntary acquisition of land (by using eminent domain under the country's law, i.e.), or involuntary restrictions on land use or on access to legally designated parks and protected areas.
Encroachers	mean those people who extend their occupation beyond the lands they legally own, usually not entitled to compensation but sometimes provided with assistance if they are found vulnerable; they are, however, entitled to compensation for the loss of built-up structures, trees, crops and other assets.
Entitlement	means the range of measures comprising cash or in-kind compensation, relocation cost, income rehabilitation assistance, transfer assistance, income/livelihood restoration which are due to AHs, depending on the type and degree nature of their losses to restore their social and economic base.
Inventory of losses	means the pre-appraisal inventory of assets as a preliminary record of affected or lost assets.
Land acquisition	means the process whereby a person is compelled by a public agency by using eminent domain (under the Land Acquisition Act, 1894-amended) to alienate all or part of the land s/he owns or possesses, to the ownership and possession of the agency for public purposes in return for fair compensation.
Meaningful consultation	is a process that (i) begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is

undertaken in an atmosphere free of intimidation or coercion; (iv) gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues.

Non-titled	means those who have no recognizable rights or claims to the land that they are using and includes people using private or state land without permission, permit or grant i.e. those people without legal title to land and/or structures occupied by them. ADB's policy explicitly states that such people cannot be denied compensation and resettlement.
Physical displacement	means relocation, loss of residential land, or loss of shelter a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions or land use or on access to legally designated parks and protected areas.
Poor	means those falling below the official national poverty line (equivalent to 2,350 calories per day) of Rs 1,942.00 per person per month (June 2012).
Replacement cost	means the method of valuing assets to replace the loss at current market value, or its nearest equivalent, and is the amount of cash or kind needed to replace an asset in its existing condition, without deduction of transaction and depreciation costs or for any material salvaged.
Resettlement field survey	means the detailed inventory of losses that is completed after detailed design and marking of project boundaries on the ground, socioeconomic data on the affected households/families, and stakeholder consultations.
Sharecropper	means the same as tenant cultivator or tenant farmer, and is a person who cultivates land they do not own, for an agreed proportion of crop or harvest.
Significant impact	means 200 people or more will experience major impacts, which are defined as; (i) being physically displaced from housing, or (ii) losing ten per cent or more of their productive assets or income generating activities.
Squatters	mean those people who do not own the land but are possessing and using it for residential, commercial, agricultural or other economic purposes, and as such they usually not entitled to land compensation but sometimes provided with assistance if they are found vulnerable; they are, however, entitled to compensation for the loss of built-up structures, trees, crops and other assets.
Vulnerable person/people	means any people who might suffer disproportionately or face the risk of being
marginalized from the effects	of resettlement and includes; (i) female-headed households with dependents; (ii) disabled household heads; (iii) poor households (within the meaning given previously); (iv) landless; (v) elderly persons with no means of support; (vi) households without security of tenure; (vii) ethnic minorities; and (viii) marginal farmers (with landholdings of five acres or less).

EXECUTIVE SUMMARY

Purpose of Land Acquisition: The construction of a new 600MW supercritical coal-fired power plant in TPS Jamshoro will require the construction of an ashpond for which additional land is being acquired from the adjacent private landowners.

Site Location and Land Status: The 100 acres (40.5 ha) of land being purchased for constructing a combined ash-pond for the coal-fired units of Jamshoro TPS is located at Deh Morho Jabbal in Kotri taluka of Jamshoro district. It is situated adjacent towards north of the Jamshoro TPS, and about one kilometer towards west of the Indus Highway. As per the land records and participant observation, almost all the land is barren and unproductive, except about 6 acres of it having been cultivated with sorghum and millet during monsoon season only. But then it was abandoned by the farmers because of low productivity and frequent crop failures caused by droughts in the past two decades. There are no built-up structures; no crop cultivation, valuable trees or other livelihood activities found on this land.

Site Ownership and Affected Persons: Land acquisition and resettlement (LAR) impacts in terms of payment of negotiated price to the DPs of this ash-pond construction are minimized by market value of the land and fair compensation. The land is being acquired against negotiated price from 18 landowners (DPs) with 106 family members. The overall significance of LAR impacts can safely be considered as “insignificant”, especially when the land is barren and unproductive, and not affecting the livelihoods of the DPs. In fact, it will rather benefit them with compensation money.

Expected Gender Impact: An adverse differential impact by the land acquisition and ashpond construction on either the men or the women of the affected household is not expected.

Consultation and Information Dissemination: Informal consultation meetings have been held with majority of the landowners. They are more than willing to let their lands be acquired by JPCL for constructing the ash-pond for Jamshoro TPS against a negotiated price with a request for providing them with job opportunities. However, formal consultation meeting/s will be held with them upon receipt of updated land records from the Jamshoro district’s Land Revenue department, after authentication by the Survey and Settlement department. The price negotiation and possible provision of jobs will be finalized with them, and grievances, if any, will be mutually resolved upfront in the same meeting/s.

Land Acquisition Process: JPCL has obtained verified and authenticated land records from the Deputy Commissioner, Jamshoro. Many of the landowners shown in the lists are reportedly no longer living, so their eligible heirs will need to get the land inheritance titles from the Land Revenue department before they could legally sell the land to JPCL and receive the price for it. Once they have received the land transferred to their names, JPCL will negotiate the land price with them, and purchase the land on a willing buyer – willing seller basis, and the deed with the District Revenue department. However, a tentative LARP budget has been prepared for an amount of PRs. 75 million, which will be updated by JPCL/GENCO-I upon completion of the price negotiation process. JPCL will pay the mutually agreed upon land price/compensation to all the DPs before getting the deed registered and taking physical possession of the land. Monitoring by an independent third party will require the provision of documents demonstrating the conclusion of negotiations with the DPs and payment of land price/compensation accordingly. An implementation schedule indicates milestones within an approximate timeframe for the necessary LARP activities prior to commencing civil works on the land.

I. PROJECT DESCRIPTION

1. Acute power shortage has crippled economic growth and caused social unrest in Pakistan.¹ The country needs affordable and dependable base load power to alleviate the shortage Pakistan is exploring all options to reduce load shedding and lower cost of power but it has few mid-term options for affordable and dependable power supply.

2. Natural gas was the main fuel for the base load power plants. Gas fired power generation overtook hydropower in 1996 to become the main power source. From 2006, the share of gas in the thermal generation fuel mix has gone down from 56.24% to 44.88% in 2011 whilst HFO has increased from 42.68% to 54.10% in the same period. However, as domestic reserves deplete, high cost imported fuel oil-powered generation has increasingly been used to fill the gap. This has increased the cost and exacerbated the financial situation of the sector and the economy. Coal fired power plants are secure source of cheap power and provide base load power in many countries. Higher efficiency generation units and diversification away from imported fuel oil will enable Pakistan to increase reliable electricity supply and lower costs as well as decrease greenhouse gas (GHG) emissions compared to the existing inefficient heavy fuel oil (HFO)-fired plants. The existing units at Jamshoro TPS uses HFO and emit 930 g/kWhe of carbon dioxide. The proposed super-critical coal fired power unit would emit 750g/kWhe. Also, back-up generators are less efficient and emit more carbon dioxide.

3. The project introduces supercritical coal-fired power generation which is the best-available technology for Pakistan. With this technology, the environmental impact would be less than the existing heavy fuel-oil fired power plants and the subcritical coal-fired power generation technology which is more commonly used. The project, which is the first stage of a multi-stage government plan for this site,² will (i) increase Jamshoro TPS capacity by installing one 600 MW (net) supercritical coal-fired unit³ using a blend of imported sub-bituminous coal and domestic lignite when available;⁴ (ii) provide 5 years operation and maintenance support; iii) improve compliance with international and national environmental standards by installing emission control devices for the existing units and remediating the site; (iv) enhance GHCL's and Jamshoro Power Company Limited's (JPCL) capacity by providing financial, technical and operational training; and (v) promote education on coal-fired plant operation by providing on-the-job training and integrating the same in technical school curriculum. In addition, the Project will construct hazardous waste storage facility, colony wastewater treatment and landfill as well as rehabilitate effluent pipeline and evaporation pond for the existing units. The infrastructure developed will also support government plans to have another 600MW unit at the same site.

¹ ADB, 2013. Asian Development Outlook 2013, Manila.

² The Government plans to have one more 600MW supercritical coal-fired unit and convert existing units to coal-fired.

³ A CDTA funded by the carbon capture and storage (CCS) fund to determine the potential for CCS and explore the technology in Pakistan is being prepared. A flue duct interface allocated for adding CCS when the technology is commercially available has been incorporated in the design for this project.

⁴ In Sindh Province, usable coal production is expected in the next five to seven years.

II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

4. All the rehabilitation, augmentation, conversion and new construction works will be carried out on available lands within the existing bounds of TPS Guddu and TPS Jamshoro, respectively. No additional lands are required for these development activities.

5. However, the construction of a combined ash-pond to safely deposit coal-ash coming out of the two converted units (Units 3 & 4) and the new 600MW plant at TPS Jamshoro requires land acquisition. Accordingly, a piece of private land, measuring 100 acres (40.5 ha), situated next to the northern end of TPS Jamshoro has been selected and is being processed for purchase against a negotiated price (Figure 1: Google Image of Ash-pond Site H).



Figure 1: Google Image of Ashpond Site H (will be updated)

6. The land is located at Deh Morho Jabbal in Kotri teluka of Jamshoro district, is owned by a total of 18 affected households with a total of 106 family members. This is unproductive barren land with no livelihood or relocation effects. Hence, the TPS Jamshoro (ash-pond) can be considered as IR Category “B”. Thus, the overall significance of LAR impacts can safely be considered as “insignificant”.

Table 1: Land Size to be Purchased for Jamshoro TPS and Affected Landowners (DPs)

Status of Land	Date Entry Made	Total Land Area (Acres)	Land Area to be Purchased (Acres)	Number of Landowners
Surveyed Land	02 May 1985	53-27	39-13	15
Un-surveyed Land	29 August 2007	67-20	60-27	3
Total:		111-07	100-00	18

Source: Land Revenue Department, District Jamshoro (Obtained on 6th September, 2012)

7. The land records (**Annex 1**) provided by the Land Revenue department (**Table 1**) are based on old entries (1985 & 2007), and when cross-checked in the communities it was found that most of the landowners shown therein are no longer living. The children did not get the land inheritance distribution completed after the deaths of their parents mainly because the land was unproductive and of almost no economic value to them. But now they have to obtain inheritance titles to be eligible for selling the land. Seeing a monetary benefit coming to them, they are now taking interest in getting their inheritance titles to the lands, and reportedly some of them have already initiated the process with the Land Revenue department.

8. This land is all barren with wild bushes grown on, which are reportedly too bitter for animals' grazing, and nor a good fire-wood. Only a total of 6 acres of this land shows scars of plowing for cultivation in the past. But reportedly cultivation was abandoned by the landowners some two decades ago for being an uneconomic activity because of low crop productivity and frequent crop failures caused by the droughts. They had been trying to grow sorghum and millets on these fields by water harvesting techniques in the monsoon season only, but the crops often dried up mid-season or if matured had low production.

9. So, the best use of this land for the landowners is to sell it out to any willing buyer/s to make some money out of it. Thus, they have welcomed the JPCL's offer for buying the land for extending the TPS Jamshoro jurisdiction for any development works. In fact, this will be a willing buyer - seller deal, not an involuntary land acquisition, as JPCL is planning to purchase it directly from the landowners against a negotiated and mutually agreed upon price, and get the deed registered with the District Land Revenue department. It will not cause any adverse impacts to the landowners or their communities, as the deal will not affect any livelihoods, not block access to their other lands. Rather, the landowners consider it an opportunity from which they can benefit themselves by earning money out of this unproductive land. Monitoring by an independent third party will require the provision of documents demonstrating the conclusion of negotiations with the DPs and payment of land price/compensation accordingly.

III. INFORMATION DISCLOSURE, CONSULTATION, AND PARTICIPATION

10. In 2012 JPCL initiated informal consultations with the majority of landowners for land purchase for some extension and development works in the Jamshoro TPS, including the construction of an ash-pond for safely depositing in the coal-ash that will be produced by the coal-fired power plants. In response, the landowners have been showing a high level of willingness to sell their lands to JPCL, for a negotiated market price and requesting JPCL for providing them with job opportunities on a priority basis. Moreover, they requested for actively involving at least one of their political leaders for assisting them in the price negotiation meeting/s. JPCL has informally assured them of paying them a negotiated price for their lands, involving of a local political leader of their choice, and possible placement on the jobs they are qualified for during the project's construction and installation period.

11. During preparation of the draft Land Acquisition and Resettlement Action Plan (LARP) was prepared in September 2012. The draft LARP covered the 100 acres of land that is to be acquired for the construction of ash pond-a component of the proposed project. A total of 18 families were identified by the revenue authorities as legal owners of this piece of land. Most of these land owners are deceased, and their legal heirs have not mutated the land in their name. JPCL carried out negotiations with the legal heirs and shared the translated copies of the draft LARP (Copy attached as Annex 2). The representatives of the legal heirs were also asked to get the land mutated in their names so that the status of actual ownership can be established. The APs started the process of getting the land records updated and a certificate of heir ship was issued in February 2013 (Copy attached as Annex 3). It is expected that the ownership records will be formalized by mid September 2013.

12. JPCL will hold formal consultation and price negotiation meeting/s with the landowners to make firm decisions when the eligible heirs of the expired landowners have obtained formal land inheritance titles from the Land Revenue department, at the soonest possible. JPCL has also offered them all possible assistance in this regard.

13. In July 2013, consultations were carried out with the legal heirs of the APs (List attached as Annex 4). As per advice of the district revenue officials, the APs/land owners are in the process of mutating their land and updating the land records. The APs are willing to sell their lands on a negotiated price (to be negotiated between the APs and EA) as this will give them the much required cash for establishing regular source of income such as small businesses and purchase of productive land elsewhere in the province. The APs also expected that the project will bring much required employment opportunities for the area and they demanded that the locals especially the APs should be given preference while hiring people for the project.

14. JPCL team will conduct additional formal consultation and price negotiation meeting/s with the landowners in the most transparent manner, with the participation of all the landowners and/or their formally authorized representatives, a local political leader and/or a lawyer of the landowners' choice, a representative from the DC office, i.e., Assistant Commissioner or *Mukhtiarekar* (*Tehsildar*), and an independent observer, consultant or a Press representative. JPCL will give equal opportunity to the landowners and their representative/s to express their viewpoints and honor the same in the land price negotiations and their requests for other possible benefits, like provision of job opportunities. Similarly, the grievances, if any, should be resolved satisfactorily in the same meeting/s.

15. The decisions reached will be documented in the form of Formal Agreement on Stamp Paper, signed by the representatives of both the parties and witnessed by the local leader or lawyer and independent observer, and countersigned by the representative from Deputy Commissioner's office, i.e., Assistant Commissioner or *Mukhtiarekar*. Both the parties will be bound by this Agreement to accept and implement the decision/s, especially prompt payment of land price and job placements.

16. This version of the LARP will be translated into Sindhi language and will be disclosed by 17th September 2012 (Monday). The updated LARP will also be disclosed.

IV. LEGAL FRAMEWORK

A. Land Acquisition Act, 1894 (LAA)

17. The Pakistan law governing land acquisition is Land Acquisition Act, 1894 (LAA) with successive amendments. LAA regulates the land acquisition process and enables the federal and provincial governments to acquire private land for public purposes and for companies through the exercise of the right of eminent domain. Land acquisition is a provincial responsibility and each province has province specific implementation regulations and rules. The law deals with matters related to the acquisition of private land and other immovable assets required for a public purpose and companies.

18. A brief explanation and salient features of different sections of LAA are given in **Table 2**. The right to acquire land for public purposes is established when Section 4 of LAA is triggered. The LAA specifies a systematic approach for acquisition and compensation of land and other properties for development projects. It stipulates various sections pertaining to notifications, surveys, acquisition, compensation and apportionment awards, along with disputes resolution, penalties and exemptions. Surveys for land acquisition are to be disclosed to the displaced persons.

Table 2: Salient Features of PAKISTAN'S Land Acquisition Act, 1894 (amended)

Key Section	Salient Features of Pakistan's LAA
Section 4	Publication of preliminary notification and power for conducting survey and investigation.
Section 5	Formal notification of land needed for a public purpose.
Section 5A	Providing right of complaints to APs for review/enquiry of quantities and compensations
Section 6	The Government makes a more formal declaration of intent to acquire land.
Section 7	Land Commissioner shall direct Land Acquisition Collector (LAC) to take order for the acquisition of land.
Section 8	The LAC to direct the land required to be physically marked out, measured and planned.
Section 9	The LAC gives notice to all affected/displaced persons (APs/DPs) that the Government intends to take possession of the land and if they have any claims for compensation then those claims are to be made to him at an appointed time.
Section 10	Delegates power to the LAC to record statements of APs/DPs in the area of land to be acquired or any part thereof as co-proprietor, sub-proprietor, mortgagee, and tenant or otherwise.
Section 11	Enables the LAC to make enquiries into the measurements, value and claim and then to issue the final "award". The award includes the land's marked area and the valuation of compensation.
Section 16	When the LAC has made an award under Section 11, he will then take possession and the land shall thereupon vest absolutely in the Government, free from all encumbrances.
Section 17	Urgency acquisition whereby land possession is taken prior to payment of compensation
Section 18	In case of dissatisfaction with the award, DPs may request the LAC to refer the case onward to the court for a decision. This does not affect the Government taking possession of the land.
Section 23	The award of compensation for the owners for acquired land is determined at its market value plus 15% in view of the compulsory nature of the acquisition for public purposes.
Section 28	Relates to the determination of compensation values and interest premium for land acquisition
Section 31	Authorizing LAC, instead of awarding cash compensation in respect of any land, to make any arrangement with APs having an interest in such land, including grant of other lands in exchange.

Source: Pakistan Land Acquisition Act, 1984 (amended to-date)

B. Sindh Land Acquisition (Companies) Rules, 1963

19. In addition, the provincial government of Sindh has framed land acquisition rules for companies, to further elaborate the application of LAA for companies. The salient features of the same are summarized in **Table 3** and explained in the next paragraph.

Table 3: Salient Features of Sindh Land Acquisition (Companies) Rules, 1963

Rule No.	Salient Features of Sindh Land Acquisition (Companies) Rule
3 (1)	Constitution of Land Acquisition Committee for evaluating suitability and value of land being acquired
4 (1) (ii)	The company acquiring the land is authorized to negotiate land price with the landowners
4 (4) (i)	Declaration LAA Section 6 (Award) after satisfactory report on Section 5A (Complaints Resolution)
9	Ordinary acquisition of land for Companies (Not to apply LAA Section 17 – Urgency acquisition)

Source: Sindh Land Acquisition (Companies) Rules, 1963.

20. The above stated Rules are found quite in line with ADB's Safeguard Policy, explained below. These Rules:

- (i) encourage suitability and valuation of land by a committee, rather than one officer;
- (ii) authorize the company to negotiate land price with the landowners, rather than compensation assessment by LAC only;
- (iii) provide right of complaints and their satisfactory resolution under LAA section 5A, prior to declaration of award for land possession under section 6; and,
- (iv) favor ordinary acquisition of land for companies, as against applying LAA section 17 (urgency acquisition) bypassing section 5A (right of complaints and their satisfactory resolution).

C. ADB's Policy Principles for Involuntary Resettlement

21. The ADB's Safeguard Policy Statement, 2009 (ADB SPS 2009), provides policy principles and objectives for Involuntary Resettlement (IR), as described in **Table 4** below. When private land, other than the unencumbered government-owned land, is to be acquired then preparation of a LARP is required.

Table 4: Involuntary Resettlement Principles Objectives in ADB's SPS 2009

Objectives: To avoid involuntary resettlement wherever possible; to minimize involuntary resettlement by exploring project and design alternatives; to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and to improve standards of living of the displaced poor and other vulnerable groups.

Scope and Triggers: The involuntary resettlement safeguards covers physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.

Policy Principles:

1. **Screen the project early on** to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
2. **Carry out meaningful consultations with displaced persons, host communities, and concerned non-government organizations.** Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line. These include the landless, the elderly, women and children. Specific safeguards cover Indigenous People, including those without statutory title to land, including those having communal rights, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the displaced persons' concerns. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.
Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based and where it is possible to give cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) **prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where these are possible.**
3. **Provide physically and economically displaced persons with needed assistance**, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
4. **Improve the standards of living of the displaced poor and other vulnerable groups**, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.
5. Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
6. **Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.**
7. **Prepare a resettlement plan** elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
8. **Disclose a draft resettlement plan**, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to displaced persons and other stakeholders. Disclose the resettlement plan and its updates to displaced persons.
9. **Conceive and execute involuntary resettlement as part of a development project or program.** Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
10. **Pay compensation and provide other resettlement entitlements before physical or economic displacement.** Implement the resettlement plan under close supervision throughout project implementation.
11. **Monitor and assess resettlement outcomes**, their impacts on the standards of living of displaced persons and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of the resettlement monitoring. **Disclose monitoring reports.**

D. Comparison of Key Features of LAA 1894 and ADB Policy Principles and Practices

22. A comparison between the LAA and ADB safeguard policy statement's principles (SPS) with regard to key land acquisition and resettlement (LAR) aspects is shown in **Table 5**. The object of this exercise is to identify if and where the two sets of procedures are in conformity with each other and more importantly where there are differences and gaps. The key ADB Policy Principles are:

- (i) the need to screen the project early on in the planning stage;
- (ii) carry out meaningful consultation and establish a grievance redress mechanism;
- (iii) at the minimum, restore livelihood levels to what they were before the project and improve the livelihoods of affected vulnerable groups;
- (iv) prompt compensation, at full replacement cost, is to be paid before physical and economic displacement;
- (v) provide displaced people with adequate assistance;
- (vi) ensure that displaced people who have no statutory rights to the land that they are working are eligible for resettlement assistance and compensation for the loss of non-land assets; and,
- (vii) disclose the LARP endorsed by government.

Table 5: Comparison of Pakistan Land Acquisition Act 1894 and ADB Safeguard Policy Statement 2009 and Gap Filling Measures (LAA versus SPS)

Pakistan's Land Acquisition Act 1894	Gap Filling Measures (ADB's SPS 2009 requirements)
Only titled landowners or customary rights holders are recognized for compensation.	Lack of title should not be a bar to resettlement and rehabilitation support. Requires equal treatment of those without clear land titles (for example, squatters or other informal settlers) in terms of their entitlements for resettlement assistance and compensation for the loss of non-land assets.
Only registered landowners, sharecroppers and lease holders are eligible for compensation of crop losses.	Crop compensation is to be provided irrespective of the land registration status of the affected farmer/share cropper.
Tree losses are compensated based on outdated officially fixed rates by the relevant forest and agriculture departments.	Tree losses are to be compensated according to market rates based on productive age or wood volume, depending on tree type.
Negotiated Purchase, no LARP required. Procedures available through instructions and agreement signed.	Prepare LARP in accordance with the provisions detailed in the SPS (2009).
Land valuation is based on the median registered land transfer rate over the 3 years prior to Section 4 of the LAA being invoked. A 15% compulsory acquisition charges are paid over and above the assessed compensation. However, recent practice is that prices based on the average over the last one year prior to acquisition commencing is applied. Provinces have also issued instructions for assessing compensation to ensure displaced persons receive compensation at market price.	Replacement cost surveys undertaken by the EA and shared with assessors when determining compensation.

Pakistan's Land Acquisition Act 1894	Gap Filling Measures (ADB's SPS 2009 requirements)
The valuation of structures is based on official rates, with depreciation deducted from gross value of the structure and also 15% of the value of salvaged materials.	The valuation of built-up structures is based on current market value but with consideration of the cost of new construction of the structure, with no deduction for depreciation.
The decisions regarding land acquisition and the amounts of compensation to be paid are published in the official Gazette and notified in accessible places so that the people affected are well informed.	Carry out consultations to inform potentially displaced persons about the likely impacts, finalization of award and payment of compensation. Disclose draft LARPs and their updates, as applicable.
There is no provision for income and livelihood rehabilitation measures. There are also no special allowances for vulnerable groups. There are no requirements to assess opportunities for benefit sharing. Untitled DPs are not entitled to rehabilitation support.	The ADB policy requires rehabilitation of livelihoods, and support during the relocation process. There are also provisions to be made to cover transitional period costs, and livelihood restoration. Particular attention must be paid to the poor and vulnerable groups, including women. A guiding principle is that DPs should at least be able to reach a defined minimum livelihood standard. In rural areas DPs should be provided with legal access to replacement land and resources to meet the defined minimum livelihood level. In urban areas provision should be made for appropriate income sources and the legal and affordable access to adequate housing. Untitled DPs have rights.
Prepare and disclose land acquisition and resettlement plans LARPs. There is no law or policy that requires preparation of LARPs.	Resettlement plans are prepared and disclosed.
Grievance redress is established through the formal land acquisition process at a point in time or through appeals to the court	Provide mechanisms that are accessible locally and available throughout project implementation.
Only compensation is paid but not resettlement allowances, there is no mechanism to ensure payment is made before displacement	All compensation and allowances to be paid prior to physical or economic dislocation.
No requirements to prepare and disclose monitoring reports	Prepare and disclose monitoring reports
No special provisions to deal with support to displaced, vulnerable, and tribal groups.	Combined resettlement and indigenous peoples plan prepared

V. ENTITLEMENTS, ASSISTANCE AND BENEFITS

A. Entitlements

23. The entitlements for Compensation may be enhanced to mitigate and improve livelihoods of the DPs but not be reduced or lowered in any case in the LARP. Compensation and rehabilitation entitlements are summarized in **Table 6**.

Table 6: Compensation Eligibility and Entitlement Matrix (PSRP)

Assets lost	Specification	Displaced Persons	Compensation Entitlements
Barren/abandoned agricultural land, including wasteland / grazing land	All land losses irrespective of impact severity	Landowners	<ul style="list-style-type: none">▪ Payment of negotiated / mutually agreed price of land (not less than the current market price), without deduction of taxes and transaction fees; or▪ Cash compensation at (market value replacement cost, free of taxes, or registration and transfer costs.

B. Eligibility

24. The DPs eligible for payment of land price/compensation are all landowners selling land whether covered by legal title or traditional land rights, whether for temporary or permanent acquisition. In order to avoid an influx of outsiders, compensation eligibility will be limited by a cut-off date. For this project the cut-off date will be fixed on the day of holding the formal land price negotiation meeting and agreement, i.e., o/a 30th November 2012. The cut-off date will be announced in the meeting, and after it, no additional claims or change in land use will be accepted nor any compensated paid for.

VI. LARP BUDGET

25. There have been only a few land sales in the area only for housing and/or commercial purposes alongside the Indus Highway. Based on the a few sales of land during this year and discussions with Patwaris and DC office staff, the land prices in Jamshoro area range from PRs. 0.3 to 2.5 million per acre, depending on the topography, location and distance from the Indus Highway. The remote, hilly and uneven lands have the lowest prices ranging from PRs. 0.3 to 0.5 million per acre, while, the prices of lands relatively plain and near to a road, especially the Indus Highway, range from PRs. 0.6 to 0.8 million per acre. The only one piece an acre of land reportedly purchased recently by an industrialist intending to put up a small industrial unit on the Indus Highway, is an exceptional case of PRs. 2.5 million per acre, and it cannot be considered as usual rate.

26. As the land being purchased is relatively and about one kilometer away from the road, an approximate price of PRs. 0.6 million has tentatively been taken for this LARP's budgeting purposes (see **Table 7**). The final price will be based on the negotiations with the landowners and approval of the Deputy Commissioner / District LAC, who holds the powers to challenge and change even the negotiated land prices.

27. The total LARP implementation costs, including land price, transfer fee and tax (10%), and contingency (15%) are tentatively estimated at PRs. 75.00 million (US\$ 0.79 million).

28. These costs will be updated in the revised LARP and submitted to ADB for approval. JPCL is committed to set aside this amount, prior to holding negotiation meetings with the landowners (DPs). That is, when the revised LARP is approved by ADB, the money will be readily available with JPCL to pay to the DPs, prior to taking physical possession of the land.

Table 7: LARP Budget for Jamshoro TPS (ash-pond)

No.	LARP Activity	Unit	Quantity	Rate	Amount (PRs)
1	Negotiated Land Price (Current Market Rate)	Acre	100	600,000	60,000,000
2	Transfer Fees & Taxes (10% of No. 1)	-	-	-	6,000,000
3	Contingency (15% of No. 1)	-	-	-	9,000,000
4	Total LARP Budget (Pak. Rupees)	-	-	-	75,000,000
5	Total LARP Budget (US Dollars)*	-	-	-	792,812

* Exchange Rate: US\$ 1.00 = PRs. 94.60

VII. INSTITUTIONAL ARRANGEMENTS

29. To address the institutional requirements for PSRP, GENCO Holding Company Limited (GHCL) will establish a Project Management Unit (PMU) in Lahore, headed by the General Manager (Thermal), Design & Development (GM D&D) and Project Implementation Units (PIU) in GENCO I and GENCO II. He will be assisted by the Chief Executive Officers (CEOs) in project implementation works, including LARP and social development activities under PSRP.

30. The PMU will maintain a computerized database as verified and confirmed with revenue officials and MIS to ensure all details regarding LARP preparation and implementation are tracked and accessible. Information disclosure will be systematically implemented and ADB's requirements for disclosure will be followed by the PMU.

VIII. IMPLEMENTATION SCHEDULE

31. The land is not required to facilitate the construction of the power plant as the actual power plant will be constructed on land already in the ownership of the JPCL. The land will be required prior to commissioning of the project in 2016. Therefore, unlike many projects of this type, the land acquisition is not on the early critical path.

32. The following is an indicative schedule of LARP planning and implementation activities (**Table 8**). This will need to be updated in the updated LARP to reflect the actual project timing.

Table 8: LARP Preparation and Implementation Schedule for TPS Jamshoro (Ash-Pond)

LARP Activity/Task		Months from Commencement								
		1	2	3	4	5	6	7	8	9
LARP Preparation	Site Selection for Ash-pond by JPCL-ADB-Consultants									
	Request to Deputy Commissioner Jamshoro for Land									
	Deputy Commissioner's Approval in Principle									
	Collection of Existing Land Records from Revenue Department									
	Contacts with Landowners by JPCL									
	Land Survey / Record Verification by Revenue Department									
	Land Survey/Authentication by Land Settlement Department									
	Issuance of Revised/Updated Land Records by Revenue Deptt.									
	Preparation of Draft LARP and Approval by ADB									
	Obtaining Inheritance Titles by Heirs of Dead Landowners									
Implementation	JPCL Negotiates Land Price Directly with Landowners									
	Obtaining Approval of Negotiated Land Price from District LAC									
	Updation of LARP and Approval by ADB									
	Land Purchase/Acquisition Process by JPCL									
	Payment of Compensations by LAC									
	Physical Possession of Land by JPCL									
	Internal Monitoring by JPCL/GENCO I									

IX. GRIEVANCE REDRESS MECHANISM

33. The land acquisition and resettlement impacts and other project related potential social issues and appropriate mitigation measures have been provided in the LARP. However, there could be a chance that an individual or a group may be unsatisfied with the measures adopted to address any such or unforeseen LAR issues of the project.

34. In order to ensure smooth and timely implementation of LARP timely redressal of LAR issues and complaints or concerns of displaced persons (DPs) would proper Grievance Redress Mechanism both at Project Management Unit (PMU) and Village Level (VL) have been formed. The two fold GRM will be linked up through village level Project Affectees Persons Committee (PARC) and Grievance Redress Committee (GRC).

35. The GRC will provide a public forum to the aggrieved persons to raise their concerns or objections at PARC, which will be given full consideration for resolution at this level. The main objective of the GRM will be to investigate concerns, issues and complaints received from the DP/APs and provide an early, transparent and fair resolution.

36. The complaints will be registered by maintaining a community complaints register (CCR) at PMU, where the name & address of complainant, date, description of complaint and actions taken will be entered.

37. composition of the GRC formed at Project Management Unit (PMU) is given as below:

<i>Designation</i>	<i>Position</i>	<i>Department/ Address</i>
Chief Engineer JPCL	Convener	JPCL Jamshoro
Executive Engineer, MMS	Focal Person/ Member	JPCL Jamshoro
Tehsildar	Member	Bajaur/ Orakzai Agency
Chairman of Project Affected Person Committee (PAPC)	Member	Concerned Village

The composition GRC formed at village level is given as below:

- i. SDO/ Sub Engineer of concerned agency
- ii. Patwari
- iii. Chairperson of PAPC/ and or Jirga
- iv. Contractor focal point on social safeguards

Process of Community Complaints/ Grievance Redress

- Step 1:** First, complaint resolution will be attempted at village level through the involvement of local people especially village elders.
- Step 2:** If the issue remains un-settled, grievance can be lodged to the GRC at Village Level (VL) through entering the complaints/ concerns in a Community Complaints Register (CCR) at VL GRC, who will resolve the issues/ concerns within 7 days.
- Step 3:** If the issue still un-settled, grievance can be lodged to the GRC at PMU Level through entering the complaints/ concerns in a Community Complaints Register (CCR) at PMU, who will resolve the issues/ concerns within 7 days. The GRC decision should be in compliance with the LARP and ADB safeguards policies.
- Step 4:** If issue is un-resolved, then case can be forwarded to the Chief Engineer (JPCL, Jamshoro) through the Project Director (PMU), where decision will be made within 7 days.
- Step 5:** If the grievance redress system does not satisfy the DPs/APs, then the DPa/APs

will enter the reference in the office of the District Commissioner, where the issue (s) will be settled through “Negotiations”, within a period of 10 days.

38. Nothing in this project grievance redress mechanism precludes a complainant from seeking to resolve their complaint via the local legal system and processes.

X. MONITORING AND REPORTING

39. The land purchase/acquisition for constructing an ash-pond for TPS Jamshoro will be a one-time activity. Therefore, the processes of land purchase/acquisition and payment land price/compensation will be monitored only for a few months until its satisfactory completion. PMU will submit a one-time report to GHCL and ADB confirming that all payments have been made and there are no outstanding issues related to LARP implementation. Physical possession of land will be contingent on the submission of the internal monitoring report. Any unavoidable impacts or concerns regarding the acquisition will be conveyed to ADB for guidance and remedial actions.

Annex 1: Land Records



NO. / DC / OS/ 1394 / 2012

**OFFICE OF THE
DEPUTY COMMISSIONER,
JAMSHORO**

DATED: 07 / 09 / 2012

To,

The Chief Executive Officer,
(JPCL), GENCO-I
Jamshoro.

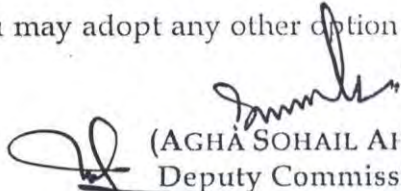
Subject: REQUIREMENT OF LAND FOR EXTENTION OF JPCL
JAMSHORO.

Reference: Your letter No.CEOJ/MMMM/9728-31 dated 18-07-2012.

With reference to your letter No. cited above, the Mukhtiarkar Taluka Kotri was directed to identify the suitable land to the piece of 100 acres for extension of JPCL.

The Mukhtiarkar Taluka Kotri vide his letter No.Mukh/675 dated 06-09-2012 contains the endorsement No.AC/1471 dated 07-09-2012 of Assistant Commissioner Kotri has reported that in connection with the above subject matter a joint survey with technical team of Survey & Settlement Department has been conducted & a piece of land measuring 60-27 acres for unsurvey land of Makan Porachh and an area of 39-13 acres comprising S.Nos. 07, 08, 27 28 29 30 & 31 of deh Morho Jabal was identified & found to be suitable for extension of JPCL. The Mukhtiarkar has further reported that verification of record shows that the survey land measuring 39-13 acres is entered in favour of Rab Dino s/o Gul Khan & 14 others vide entry No.06 dated 02-05-1985 of VF-VII-A of deh Morho Jabal whereas the unsurveyed land measuring 60-27 acres is entered in favour of Tahir s/o Qadir Bux , Uris s/o Qadir Bux & Mst.Ragh Bai D/o Qadir Bux vide entry No.67 dated 29-08-87 of VF-VII-B of deh Morho Jabal.

From the above, you are advised if the afore said land is suitable for extension of JPCL, then you please engage into private agreement with the afore mentioned khatedars with amicable settlement and produce the same for further action into the matter or get the said land purchased under registered sale deed from the above khatedars, as you like or you may adopt any other option which you feel suitable to you.


(AGHA SOHAIL AHMED)
Deputy Commissioner,
Jamshoro
719112



OFFICE OF THE MUKHTIARKAR TALUKA, KOTRI

No: Mukh:/ 675 2012 Kotri dated 6 / 09 /2012

To,

The Deputy Commissioner,
Jamshoro.


Through: The Assistant Commissioner, Kotri

SUBJECT: REQUIREMENT OF LAND FOR EXTENSION OF JPCL JAMSHOSO.

It is submitted that the Tapedar of the beat, alongwith Team of survey Tapedars deputed by Director Settlement Survey & Land Record of Sindh, Hyderabad determined the land measuring 100-00 acres of Makan Porachh Deh Morho Jabal Taluka Kotri, required for extension of JPCL Jamshoro, according to joint survey report and report of Supervising Tapedar Bada an area of 60-27 acres Un-survey and an area of 39-13 acres from S.No: 7, 8, 27, 28, 29, 30, & 31 of Deh Morho Jabal Taluka Kotri, is involved in the subject matter, the details of Khatedars are as under:-

S.NO:	NAME OF KHATEDARS	ENTRY NO	S.NOS	TOTAL AREA	AREA TO BE ACQUIRED
01	Rab Dino S/o Gul Khan & 14 Others	E No: 06 Dated: 02-05-1985 V.F VII-A	7, 8, 27, 28, 29, 30, & 31	53-27	39-13
02	1) Tahir S/o Qadir Bux 2) Uris S/o Qadir Bux 3) Mst: Ragh Bai D/o Qadir Bux	E.NO: 67 Dated: 29-08-2007	Un-Survey	67-20	60-27
	Total Area				100-00

The original site sketch alongwith joint survey report and relevant photo copies of submitted herewith for kind perusal and further order as deemed proper.


MUKHTIARKAR TALUKA,
KOTRI
6/9/2012 16/9/12

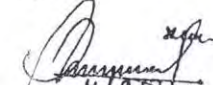
سرزمين جي گڏيل ماپ جي رپورٽ

اڄ تاريخ 4-09-2012 تي ديهه موڙهو جبل / مڪان ڪچو پوراڇ
تعلقو ڪوٽڙي ضلعو ڄامشورو ۾ پريوزڊ ٿيل ايراضي (100-0^{A-G}) ايڪسيشن JPCL
ڄامشورو جي ڊيمارڪيشن ڪئي وئي. مذڪوره ڊيمارڪيشن بابت اهڙو لئس
جناب مختيارڪار صاحب ڪوٽڙي $\frac{Mukh/660\ of\ 2012}{30-08-2012}$ ۽ جناب اسسٽنٽ ڪمشنر
جو لئس $\frac{AC/1457\ of\ 2012}{3-9-2012}$ جاري ٿيل هو.


مذڪوره ڊيمارڪيشن جناب مختيارڪار صاحب جي جاري ٿيل صورت حال
اسڪيچ موجب سرزمين تي ڪئي وئي. اهڙا حد نشان پريوزڊ ايراضي (100-0^{A-G})
ايڪڙن جي ڇهڻي طرفن لڳايا ويا.
سرزمين تي ٽرمپل پاور اسٽيشن ڄامشورو جا آفيسر موجود هئا جنهن
جي روبرو مذڪوره ڊيمارڪيشن ڪيل آهي.


سيد ممتاز علي لڪياري

سروي پيڊار
(روينيو عملي تي ٽيڪنيڪل
مدد ڏنل)



4/9/2012
بخت علي ولسٽو

سروي پيڊار
(روينيو عملي تي
ٽيڪنيڪل مدد ڏنل)


سيد لياقت شاهه

پيڊار موڙهو جبل
سٽي مروٽر
ڊائريڪٽر ميٽرلينٽ سروي
حيدرآباد

(روينيو عملي تي ٽيڪنيڪل
مدد ڏنل)


4/9/2012
سبيل احمد سومرو

XEN, JPCL
ٽرمپل پاور اسٽيشن
ڄامشورو

فارم VII ب

حقن جو ڪارڊ ۽ ڦير ڦار جو رجسٽر ديھ جو وصول ٿيڻ جو حوصلو تعلقو ڪوھستان ضلع جا سر



جيان نمبر	داخلجي تاريخ	پراڻي دفترا ديھ جي فارم 100/100 يا "ب" جي	انتقال ڪندڙ جو نالو پٽ جي نالي، ذات ۽ حصي سميت	ظاهر ملڻ تي ڏاڍا ڪرڻ وارا	حق حاصل ڪندڙ جو نالو پٽ جي نالي، ذات ۽ حصي سميت	حقن جو قسم	سروي نمبر ۽ پيشي يا ڳاھر ڪ جي ايراضي	معاڪل ايراضي	صديق ۽ پيشي ڪندڙ هلاڪ ڪندڙ جي نالي ۽ پيشي ۽ تاريخ
67	25-8-77	11915 عد ڏکڻ ڏکڻ وٿو ڪوھستان	خاندان ڪوھستان	ظاهر ملڻ تي ڏاڍا ڪرڻ وارا	ظاهر ملڻ تي ڏاڍا ڪرڻ وارا	صديق - ڏکڻ ڏکڻ وٿو ڪوھستان	اڻ - ڏکڻ ڏکڻ وٿو ڪوھستان	اڻ - ڏکڻ ڏکڻ وٿو ڪوھستان	اڻ - ڏکڻ ڏکڻ وٿو ڪوھستان

Amni

25-8-77

Amni



Munir Khan
KOTRI

25-8-77

Amni

Annex 2: Translated Draft LARP



JAMSHORO POWER COMPANY LIMITED
(A Government of Pakistan Owned Corporate Entity)

MMM

NO. CEO/JPC/L/MM/Projects/13376

Dated: 20 Sep, 2012

اطلاع

(الف) پروجيڪٽ

گذريل ٽيهن سالن کان بجلي جي پيداوار جي گهٽتائي جو ڳوڙهو مسئلو ٿي ترقي ۽ نوڪرين جي انهن جو اصل ڪارڻ رهيو آهي. ملڪ بجلي پيداوار جي بھران جو شڪار آهي ڇو ته بجلي پيداوار جا ذريعا صحيح طرح ڪتب نه پيا آندا وڃن جنهن ڪري نه ته کوٽ کي منهن ڏئي ٿو سگهجي ۽ نه ئي ترقي ڪري ٿي سگهجي.

ان ڳالهه کي نظر ۾ رکندي پاڪستان سرڪار ايشياڻي ترقياتي بينڪ Asian Development Bank کان ٺاهي ۽ فني سهڪار لاءِ مدد گهري. جنهن تحت ايشياڻي ترقياتي بينڪ قرض ڏيڻ لاءِ راضي ٿي ته جيئن ٿرمل پاور جي بجلي پيداواري سگهه کي وڌائي سگهجي. شروعاتي طور تي سنڌ ۾ ٻه ٿرمل پاور گھر ٿي پي ايس ڄامشورو TPS Janashoro ۽ ٽي پي ايس گڊو (TPS Guddu) مرمت ۽ پيداواري سگهه وڌائڻ لاءِ چونڊيا ويا آهن.

(1) پروجيڪٽ ۾ ڄاڻايل ڪم هيٺ ڏجن ٿا.

- » ٿرمل پاور اسٽيشن گڊو جي نئين سير مرمت.
- » ٿرمل پاور اسٽيشن ڄامشورو جي نئين سير مرمت.
- » ڄامشورو پاور هائوس جي چئن يونٽن مان ٻه يونٽ گھٽ سلفر واري ڪوئلي جي ٻارڻ تي تبديل ڪيا ويندا.
- » 600 ميگا واٽ جو نئون پاور پلانٽ جنهن جو ٻارڻ درآمدي ڪوئلو هوندو پڻ شامل آهي.

(ب) زمين حاصل ڪرڻ جو مقصد

- (2) ڄاڻايل، مرمت، گيس کان ڪوئلي تي تبديلي ۽ 500 ميگا واٽ جي نئين پاور پلانٽ جو سمورو ڪم موجوده پاور پلانٽ جي سر زمين تي ئي ڪيو ويندو ۽ ان مقصد لاءِ ڪا به نئين سر زمين گهريل ڪون آهي. تڏهن به گيس کان ڪوئلي تي مٽايا ويندڙ يونٽ (3-4) ۽ 600 ميگا واٽ جي نئين پاور پلانٽ (جيڪو پڻ ڪوئلي تي هلندو) مان خارج ٿيندڙ خاڪي احتياط سان گڏ ڪري هنڌاڻو ڪرڻ لاءِ سرزمين گهريل هوندي. ان ڳالهه کي نظر ۾ رکندي موجوده پاور هائوس جي آترين ڪنڊ جي ڀرسان تقريبن 100 ايڪڙ زمين جو ٽڪر نظر ۾ رکندي خريداري جي عمل تي ڪم شروع ڪيو ويو آهي.

(3) ڄاڻايل سرزمين جيڪا مڪان پوراڇ، ديهه موڙهو جبل، تعلقو ڪوٽڙي، ضلع ڄامشورو ۾ موجود آهي. ان جي مالڪي تقريباً 106 ماڻھون ظاهر ڪن ٿا. جيئن ته هي سرزمين مڪمل طور تي غير آباد آهي جنهن ڪري ڪنهن به قسم جي لڏپلاڻ جو ڪو به سوال نه آهي.

ضلعي جي روينيو کاتي جي ڏنل رڪارڊ 2007 ۽ 1985 جي پراڻي داخلا ٿي ٻڌل آهي ۽ وڌيڪ پاڙي اوڙي جي چنڊ ڇاڻ مان معلوم ٿيو آهي ته زمين جي مالڪي ڄاڻايل اڪثر ماڻھون فوت ٿي چڪا آهن ۽ جيئن ته سرزمين غير آباد هجڻ ڪري ڪا به اپٽ ڪون ٿي ڏني ان ڪري فوت ٿي ويل مالڪن جي پوئين زمين جا ڪا به ڀاڻ ڏي ڪون مٽايا آهن.

(4) جيئن ته ڄاڻايل سرزمين فروخت ڪرڻ لاءِ ضروري آهي ته ڪيائين واري وٽ مالڪاڻا حق هجن، ان ڪري ڄاڻايل ماڻھون ڪا مٽاڻ جي ڪوشش ۾ آهن. ڄامشورو پاور ڪمپني چاهي ٿي ته ڄاڻايل سرزمين سڌي ريت ڪا تدارن کان باههجي رضامندي سان خريد ڪري ۽ ان ٺاهه کي ضلعي روينيو ڊپارٽمينٽ وٽ رجسٽر ڪرائي.

ٽيبل (1)

ٽرمل پاور اسٽيشن پاران خريد ٿيندڙ سرزمين جي ماپ ۽ ڪا تدار:

سرزمين جي حالت	داخلا جي تاريخ	ڪل سرزمين	خريداري لاءِ گهريل سرزمين (ايڪڙ)	ڪا تدارن جو تعداد
سروي زمين	1985 مئي 02	53-27	39-13	15
اڻ سروي زمين	2007 آگسٽ 29	67-20	60-27	3
ٽوٽل:		111-07	100-00	18

معلومات جو ذريعو: روينيو ڊپارٽمينٽ ضلع ڄامشورو (06 سيپٽمبر 2012)

(پ) اطلاع جي جان، مشاورت ۽ شموليت

(5) ڄامشورو پاور ڪمپني خاڪي جمع ڪرڻ خاطر سرزمين حاصل ڪرڻ لاءِ ڪا تدارن سان رابطا شروع ڪري چڪي آهي جنهن جي ڪا تدار هاڪاري موٽ پڻ ڏني رهيا آهن ۽ ڪا تدارن کي نه صرف سرزمين جو مناسب اڳ ڏيڻ جي پڪ ڏيارائي وئي بلڪه پاور هائوس جي تعمير دوران قانوني تقاضائون پوريون ڪرڻ بعد نوڪري ڏيڻ جي خاطري پڻ ڪرائي وئي آهي. ڪا تدارن کي اهو به ٻڌايو ويو آهي ته سر زمين جي خريداري ڄامشورو پاور ڪمپني جي زميداري آهي، ايشين ڊولپمينٽ بينڪ ان منجهه ڪا به مالي مدد نه ڪندي.

(6) جيتوڻيڪ ڄامشورو پاور ڪمپني کان سان باهمي رابطي منجهه آهي ته جيئن سرزمين جو مناسب اڳهه ان وقت مقرر ڪري سگهجي جڏهن سڀ ار سندن اباڻي ملڪيت جو ڪاٽو پنهنجي نالي تبديل ڪرائي چڪا هجن، ان عمل منجهه ڄامشورو پاور ڪمپني کي تيارن جي جائز مدد پڻ ڪندي. زمين مالڪن سان ملاقاتون تمام شفاف نموني ڪيون وينديون، ڄامشورو پاور ڪمپني جي نمائندي کان سواءِ زمين جي مالڪن جي مرضي سان سندن مقرر ڪيل سياسي اڳواڻ، هڪ عدد ڊپٽي ڪمشنر آفيس جو نمائندو جيڪو اسسٽنٽ ڪمشنر يا اختيار ڪار هوندو ۽ هڪ عدد غير جانبدار نظر رکندڙ پڻ موجود رهندو. ڄامشورو پاور ڪمپني هر کاتيدار کي پوري طرح موقعو فراهم ڪندي ته هو پنهنجي ڪا به راءِ آزادانه نموني ٻڌائي سگهي ۽ سندن جائز گهرجن جو پورو پورو خيال پڻ رکيو ويندو ۽ پوري طرح سندن هر جائز مطالبو پورو ڪيو ويندو.

(7) انجام تي پهل ٺاهه کي تصديق ڪرڻ سان سڀني جي شڪل ۾ آندو ويندو جنهن تي سڀني مٿي ڄاڻايل نمائندن جون صحيحون پڻ هونديون، جيڪو بعد ۾ اسسٽنٽ ڪمشنر / اختيار ڪار کان ڪاٽون مٿس ڪرايو ويندو. ٻئي ڌرين ڄامشورو پاور ڪمپني ۽ ٻي ڌر پابند هوندا ته آگريمنٽ جي هر صورت پابندي ڪئي ويندي خاص طور تي زمين جي قيمت جي جلد ادائگي ۽ سندن لاءِ نوڪرين جو بندوبست پڻ ڪيو ويندو.

(8) قانوني حيثيت ۽ حقداري
معاوضي جي رقم کي وڌائي بهتر ڪري سگهجي ٿو ته جيئن قانوني مالڪن جي رهڻي ڪهڻي کي بهتر ڪري سگهجي ۽ مقرر ڪيل معاوضو ڪنهن صورت نه لارڻ ۾ ڏنل کان گهٽ ڪون هوندو.

ٽيبل (2)

ٽرم پاور اسيشن پاران خريد ٿيندڙ سرزمين جي ماپ ۽ کاتيدار:

سرزمين جي حالت	حالت	بي دخل ٿيندڙ	معاوضي جي اهليت
غير آباد / ڇڏيل زمين زرعي زمين بيڪار / چراگاه	ڄاڻايل ڪل زمين زيان / استعمال هيٺ ايندي	کاتيدار يا پونڊير	مقرر ٿيل معاوضو (موجوده رائج مارڪيٽ اڳهه مطابق) ڪنهن به ٽيڪس يا مؤقتي فيس جي ڪوتاهي کان آجو هوندو.

(9) ڪنهن به غير ضروري ٻاهرين ماڻهن جي پيهه کان بچڻ ۽ زميني استعمال واري صورت جي تبديلي ۽ معاوضي جي حقداري جي تبديلي کان بچڻ خاطر هڪ مخصوص تاريخ 24 سيپٽمبر 2012 مقرر ڪئي وئي آهي. اها تاريخ سنڌي ۾ لکي کاتيدارن تي ظاهر ڪئي ويندي، ۽ ڄاڻايل تاريخ بعد ڪوبه ٽون ڪليم يا زميني استعمال جي تبديلي قبول نه ڪئي ويندي ۽ ڄاڻايل ڪليم يا تبديلي لاءِ ڪوبه معاوضو نه ادا ڪيو ويندو.

(10) تمام زمين جي مالڪن / وارثن کي پنهنجو پنهنجو معاوضو ڪر اس چيڪ جي صورت ۾ ادا ڪيو ويندو ۽ هر هڪ ڪاٽيدار کي پنهنجو الڳ بينڪ اڪائونٽ کولرائڻ پوندو ته جيئن چيڪ ملڻ جي صورت ۾ جلد کان جلد بينڪ ۾ جمع ڪرائي ۽ معاوضو حاصل ڪري سگهجي.

ڄاڻايل مقصد خاطر ضروري هوندو ته هر ڪاٽيدار وٽ پنهنجو شناختي ڪارڊ هجڻ لازمي آهي ته جيئن ڪاٽو پنهنجي نالي ڪرائڻ بعد بينڪ اڪائونٽ کولرائي ۽ پنهنجي مقرر ڪيل رقم آساني سان حاصل ڪري سگهن.

ڪنهن به ڪاٽيدار / وارث جي غير موجودگي ۾ سندس نالي ڪيل رقم ضلعي جي ٽريزري ۾ رهجي ويڪل زمين جو معاوضي جي صورت ۾ موجود رهندي.



Chief Engineer / Tech. Director
JPCL (GENCO-I) Jamshoro

20/07/17

ڪاپي براءِ اطلاع:

- (1) جنرل مينيجر (D&D) واڊا هائوس لاهور.
- (2) جنرل مينيجر ٽرمڊ، واڊا هائوس لاهور.
- (3) چيف ايگزيڪيوٽو آفيسر، ڄامشورو پاور ڪمپني لميٽيڊ، ڄامشورو.
- (4) ڊپٽي ڪشنر، ضلعو ڄامشورو.
- (5) مينيجر ميٽريل مينيجمينٽ، ڄامشورو پاور ڪمپني لميٽيڊ، ڄامشورو.
- (6) محترم اقبال نيازي، ڪنسلٽنٽ.
- (7) ڄاڻايل زمين جا ڪاٽيدار.

Annex 3: Heirship certificate issued by the District Revenue Authority

PEPCO

PAKISTAN ELECTRIC POWER COMPANY (PVT) LIMITED



Manager (Material Management)

JAMSHORO POWER COMPANY LIMITED, JAMSHORO
A GoP/Wapda owned Corporate Entity

NO. CEOJ/MMM/ 22819

Dated 07-02-13

The Deputy Commissioner,
Distt: Jamshoro,
Sindh.

SUBJECT:- PURCHASE OF LAND FOR EXTENSION OF JPCL, JAMSHORO.

Reference:- This office letter No. CEOJ/MMM/13132 dated 17.09.2012

Dear Sir,

In context with the above cited reference letter, enclosed is the photo copy of the heirship certificate from the owners of the subject land.

You are therefore requested to please verify the conformity of this certificate so as to identify the genuine owners of subject land for further process of purchasing the land.

Matter Most Urgent.

c.c.to:-

01. Chief Engineer/Tech: Director, JPCL, Jamshoro.
02. Manager (Material Mgt:) JPCL, Jamshoro.
03. Master File.

Chief Executive Officer
JPCL (Genco-I) Jamshoro.

3.2.13

7/2/13

Mohra Jabal Dadu Road, Jamshoro. Phone: 022- 2021238 Fax : 022- 2021141 PARX No. 022-2021252-55. Web: www.jpcl.com.pk
Email: ceo.jpcl@hyd.paknet.com.pk

[illegible]

Annex 4: List of APs consulted

1. Mr. Anwar Barohi, CEO JPCL
2. Mr. Skindar Ali Hakro, Technical Director, JPCL
3. Mr. Abdul Rahim Memon, Director MMS, JPCL
4. Mr. Jumman, Affected person
5. Mr. Muhammd Musa, Affected person.
6. Mr. Muhammad Uras, Affected person
7. Mr. Abdul Ghaffar, Affected person
8. Mr. Chuttan, Affected person
9. Mr. Dildar Haleem, Affected person