

# Land Acquisition and Resettlement Plan (LARP)

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June 2018

## UZB: Second Tashkent Province Water Supply Development Project

Prepared by Communal Services Agency of the Ministry of Housing and Communal Services  
of the Republic of Uzbekistan for the Asian Development Bank.

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UY-JOY KOMMUNAL XIZMAT  
KO'RSATISH VAZIRLIGI  
HUZURIDAGI

“KOMMUNXIZMAT”  
AGENTLIGI

100035, O'zbekiston Respublikasi,  
Toshkent shahri, Niyozbek yo'li ko'chasi, 1:  
Tel.: 234-20-02



MINISTRY OF HOUSING AND  
COMMUNAL SERVICES OF  
THE REPUBLIC OF  
UZBEKISTAN

AGENCY

«KOMMUNHIZMAT»

1, Niyozbek yuli street, Tashkent city,  
Republic of Uzbekistan, index: 100035:  
Tel.: 234-20-02

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To: Mr. Yong Ye  
Director  
Urban Development and Water Division  
Central and West Asia Department  
Asian Development Bank

Subject: **Second Tashkent Water Supply Development Project –  
Initial Environmental Examination  
Land Acquisition and Resettlement Plan**

Dear Mr. Yong Ye,

We hereby endorse the Initial Environmental Examination (IEE) and (ii) Land Acquisition and Resettlement Plan (LARP) prepared for the Second Tashkent Water Supply Development Project. The IEE and LARP have been discussed and reviewed by “Kommunhizmat” Agency to be available to the project affected people. The Russian versions will be posted on the website of the Ministry of Housing and Communal Services of Uzbekistan.

Further hereby we submit the IEE and LARP to ADB for disclosure on the ADB website.

Sincerely Yours,

  
Zamzamboy Tadjibaev  
Director General



## CURRENCY EQUIVALENTS

(As of May 15, 2018)

Currency Unit	=	Sum (UZS)
\$1.00	=	UZS 8 025.83

## ABBREVIATIONS

ADB	-	Asian Development Bank
AP	-	Affected Person
AH	-	Affected Household
CC	-	Civil Code
CPR	-	Common Property Resource
CPS	-	Country Partnership Strategy
CSA	-	Communal Services Agency of the Ministry of Housing and Communal Services
DMS	-	Detailed Measurement Survey
DP	-	Displaced Person
EA	-	Executing Agency
FGD	-	Focused Group Discussion
GAP	-	Gender Action Plan
GFP	-	Grievance Focal Point
GRM	-	Grievance Redress Mechanism
HH	-	Household
ha	-	Hectare
IA	-	Implementing Agency
IOL	-	Inventory of Losses
IP	-	Indigenous Peoples
LAR	-	Land Acquisition and Resettlement
LARP	-	Land Acquisition and Resettlement Plan
LC	-	Land Code
MOF	-	Ministry of Finance
OCC	-	Operational Control Center
O&M	-	Operation and Maintenance
PCU	-	Project Coordination Unit
PMC	-	Project Management Consultant
PPTA	-	Project Preparatory Technical Assistance
RoW	-	Right of Way
SCLRGCS	-	State Committee on Land Resources, Geodesy, Cartography and State Cadastre
SPS	-	Safeguard Policy Statement
TC	-	Tax Code
ToR	-	Terms of Reference
TPS	-	Tashkent Provincial "Suvokova"
UZS	-	Uzbek Som
WDC	-	Water Distribution Center
WT	-	Water Tower

### NOTE

In this report,

- i. "\$" refers to United State Dollars (USD)
- ii. UZS refers to Uzbekistan Som



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## EXECUTIVE SUMMARY

i. This is a draft Land Acquisition and Resettlement Plan (LARP) prepared for the "Second Tashkent Province Water Supply Development Project" to be financed by the Asian Development Bank (ADB). The impact of the project will be improved living standards, environment and public health in the Yangiyul and Chinaz districts of Tashkent Province. The outcome of the project will be improved and expanded access to reliable, sustainable and affordable water supply services in the project areas. The project will have such outputs as improved water supply services within the districts of Yangiyul, Chinaz and a very small part of Zangiata district of Tashkent Province adjacent to Yangiyul district and connected to the water supply system of this district. Physical components of the project will consist of various water production, transmission and distribution systems, such as, 11 new and 11 rehabilitated water supply facilities including rehabilitation of a groundwater wellfield "VU-1" yielding 50,000 m<sup>3</sup>/day of drinking water, construction and rehabilitation of water distribution centers (WDC) and water pressure towers (WT), about 65-km length of drinking water transmission mains, 27.3 km of distribution main pipes, about 534 km of distribution pipe works, about 38,000 household water supply connections and various other associated facilities.

ii. This LARP is based on a feasibility study, preliminary lines route alignment. This LARP is in its draft form at the moment as it is based on inventory of losses which was carried out in January-February, 2018. Land for permanent acquisition due to expected construction of new facilities has been identified. Similarly, the line route for the transmission route is almost final and subject to final modifications during the detailed design. Exact route alignment distribution lines are not detailed and not final at this stage. Therefore, assessment has been done based on the inventory survey which is walkover surveys. The executive agency will be responsible for finalizing the route alignment prior the construction and the impacts will be updated accordingly. Temporary impacts in terms of loss of crops due to the transmission and distribution lines will be actually known during the final survey based on detailed design findings and prior to construction. Therefore, some assumption has been made to calculate the overall impact which is generic at this stage for the right of way. This draft LARP will be finalized and updated based on detailed design findings and prior to the project implementation and construction.

iii. The Project will have both permanent and temporary impacts due to land acquisition. Permanent impacts include land acquisition for proposed new water distribution centers. Temporary impacts will occur due to construction of water transmission mains. Both permanent and temporary impacts are expected in Yangiyul and Chinaz district. No impact is expected in Zangiata district. A total of 4 hectares of land will be acquired permanently for the project. Land is categorized in to two parts such as arable/crop cultivation land and orchard/garden land. Out of the total 4 ha of affected land, 3.3 ha is arable/crop cultivation land and 0.7 ha of land is classified as orchard/garden land. Similarly, 22.6 hectares of land is likely to be impacted temporarily due to construction of transmission main/trunk line out of which 20.66 ha is arable/crop cultivation land and 1.94 ha of land is classified as orchard/garden land. **There will be no physical displacement.** The total number of affected trees is 2,776 out of which 1,086 are fruit trees and 1,690 are non fruit trees. There is 1 severely affected household due to permanent land acquisition who will be losing more than 10% of its land. It is estimated that there are 364 number of agricultural laborers who work on the affected land (68 on the land for permanent acquisition and 296 on the land for temporary impact). However, it is not foreseen that these laborers will be affected in terms of loss of income, as they are all seasonal workers picked up from the labor market based on specific needs. The total number of affected households (as per the project census and inventory of assets survey) is approximately 68, which consists of 9 households in permanent land acquisition and 59 households in temporary impact. Total affected persons are approximately 376 (59 for permanent land acquisition and 317 for temporary impact) including male 192 and female 184. There are a total of 5 vulnerable affected households. The assessment is

based on a feasibility study which is subject to change during detailed design. The summary impact is shown in the below Table 1.

**Table 1. Summary Impacts Information**

#	Impacts	Permanent Impact	Temporary Impact	TOTAL
1	Affected land area (ha)	4	22.6	26.6
2	Affected land users/households	9	59	68
3	Affected households members	59	317	376
4	Affected rural settlements	8	18	26
5	Arable/crop cultivation land area	3.3	20.66	23.96
6	Orchard/garden land area (ha)	0.7	1.94	2.64
7	Severely affected households	1	--	1
8	Vulnerable households	--	5	5
9	Total number of trees, including	430	2,346	2,776
9.1	Fruit trees	230	856	1,086
9.2	Non-fruit trees	200	1,490	1,690
10	Seasonal agricultural laborers	68	296	364

iv. Consultations were carried out with stakeholders and affected persons at various stages of PPTA project implementation i.e., during the feasibility study, inventory of losses and census survey, during the environmental studies and social-economic impact assessment studies. It ensured that the affected people and other stakeholders are informed, consulted and allowed to participate in project preparation and implementation; reducing public resistance to the project; helping mitigate and minimize any probable negative impact and bringing in the benefit of the project to the people. Six public consultations were arranged in Yangiyul, Zangiata and Chinaz districts in January, March and May, 2018 where 231 people took part including 159 male and 72 female participants. Besides, meaningful consultations were carried out almost with all of the affected persons during inventory of losses and census survey process. During the consultations with the affected persons in project areas the APs were informed about the main features of the project, approximate scopes of project impact, local legal texts regulating LAR issues, ADB SPS 2009 principles, compensation payment at replacement cost measures, eligibility for compensation, grievance redress mechanisms (GRM), institutional set up of the project implementation, etc. In future, the project information will be disseminated through disclosure of resettlement planning documents. A resettlement information leaflet containing information on the project design, compensation, assistance, eligibility, entitlement, grievance redress mechanism, implementation schedule etc. will be prepared and will be translated in to Uzbek language and will be distributed to the affected persons during the detailed design stage. The draft LARP will be disclosed on the ADB website in English and on the website of the CSA in Uzbek upon approval. The same procedure will also be followed for the disclosure of the updated/final LARP subsequent to the detailed design.

v. A grievance mechanism will be established to allow affected persons appealing any disagreeable decision, practice or activity arising from land or other assets acquisition and compensation. APs will be fully informed of their rights and of the procedures for addressing complaints whether verbally or in writing during consultations, survey, and time of compensation. The grievance mechanism should not impede access to the country's judicial or administrative remedies. Affected persons can approach the country's courts of law at any time and independent of grievance redress process. The Communal Services Agency of the Ministry of Housing and Communal Services Agency of Uzbekistan (CSA) will ensure that grievances and complaints on any aspect of the land acquisition, compensation, and resettlement are addressed in a timely and satisfactory manner. Two levels of the grievance redress mechanism process have been proposed such as (i) District Branches of the Tashkent Province Water Supply Company "Suvokova", and (ii) Grievance Redress Committee under the Tashkent Province "Suvokova" (TPS). The CSA and its PCU will keep

record of complaints received for internal monitoring as well as for review by ADB during regular supervisions.

vi. The legal and policy framework of the project is based on national laws and legislations related to land acquisition and compensation policy in Uzbekistan and ADB's Safeguard Policy Statement 2009 (SPS). Based on the analysis of applicable laws and policies and ADB's policy requirements, project related LAR principles have been adopted. The core principles are: (i) land acquisition, and other involuntary resettlement impacts will be avoided or minimized through all viable alternative project designs; (ii) construction schedule shall be matched with off-the agricultural season for construction of water pipeline so that loss of crops can be avoided, (iii) consultations with APs on compensation, disclosure of resettlement information to APs, and participation of APs in planning and implementing sub-projects will be ensured; (iv) vulnerable and severely affected APs will be provided special assistance; (v) non-titled APs (e.g., informal dwellers or squatters, or APs without registration details) will receive a livelihood allowance in lieu of land compensation and will be fully compensated for losses other than land; (vi) this draft LARP needs to be finalized and updated during the detailed design stage, (vii) the LARP will be disclosed to the APs in Uzbek; (viii) payment of compensation at replacement cost, resettlement assistance and rehabilitation measures will be fully provided prior to the contractor taking physical possession of the land and prior to the commencement of any construction activities on a particular package, (ix) all compensation will be paid and other resettlement entitlements will be provided before physical or economic displacement. However, transmission and distribution subprojects, being liner in nature, also have temporary impacts in terms of loss of crops and also loss of trees which occur during construction. Therefore, phase wise approach may be adopted for construction and the contractor can start the construction on that particular stretch where compensation has been paid. This is only applicable for transmission and distribution pipeline having temporary impacts; (x) appropriate grievance redresses mechanisms will be established to solve the APs' grievance if occurs; (xi) the land needs to be restored to previous use and the farmers shall be allowed to continue their cultivation prior to start of civil work, (xii) people moving into the project area after the cut-off date will not be entitled to any assistance and (xiii) all common property resources (CPR) lost due to the project will be replaced or compensated by the project and the CSA will ensure that replacement of all utilities and CPRs are also undertaken consistent with ADB SPS, 2009.

vii. APs entitled for compensation or at least assistance provisions under the project are (i) all APs losing land either covered by legal title/traditional land rights, legalizable or without legal status; (ii) tenants and sharecroppers whether registered or not; (iii) owners of buildings, crops, plants, or other objects attached to the land; and (iv) APs losing business, income, and salaries. Compensation eligibility will be limited by a cut-off- date which will be the start of final AP census during the detailed design. The cut-off-date will be published and communicated to APs by the CSA prior to the start of final AP census survey during the detailed design. APs who settle in the affected areas after the cut-off date will not be eligible for compensation. They however will be given sufficient advance notice prior to construction. All the compensation will be based on replacement cost. Project works will not lead to any physical displacement.

viii. The land acquisition and resettlement cost estimate for the project includes eligible compensation, assistance and support cost for LARP implementation as per the entitlement matrix. Compensation payments under the project will include cost to be paid to the government for "land for land", land development cost to make the replaced land usable, compensation for trees and crops and other associated assets if any, hiring of evaluation firm. The estimated cost in this budget is indicative which needs further to be updated during the detailed design stage. Total indicative cost for land acquisition and resettlement is 4,012,915 UZS equivalent to 500,000 USD. This includes 17% of contingency to meet any additional cost to be incurred in the future. This indicative cost needs to be further updated and finalized by a licensed valuation firm, as required by the country's laws, subsequent to

the detailed design and the detailed measurement survey. The CSA will ensure that necessary fund allocation is done in advance in the overall project budget so that compensation is paid in a timely matter.

ix. The CSA will be the executing agency (EA) responsible for implementation of the project, "Second Tashkent Province Water Supply Development Project" with due participation and coordination from Tashkent Provincial Water Supply Company "Suvokova" (TPS) which will be acting as implementing agency related to construction. However, the CSA will be responsible for the land acquisition and resettlement (LAR) activities. A Project Coordination Unit (PCU) of the CSA with representation from TPS will be responsible for overall implementation including LAR activities of the project. The PCU will have a designated social and resettlement specialist as early as possible who will be responsible for ensuring that all the activities related to land acquisition and involuntary resettlement are being followed and implemented in accordance with Uzbekistan's legislation and policies and ADB's SPS, 2009. The social and resettlement specialist of the PCU will ensure that the draft Land Acquisition and Resettlement Plan (LARP) prepared under the Project Preparatory Technical Assistance (PPTA) and during feasibility study is finalized/updated during detailed design and implemented prior to the start of civil works. The PCU will be supported by a Project Management Consultant (PMC). The PMC will have social and resettlement specialist in its contract to support the PCU social and resettlement specialist. There will be several other government agencies that will also be responsible for the LAR activities such as (i) provincial/district governments (Khokimyat) and (ii) Goskomzemgeodezcadastre (State Committee on Land Resources, Geodesy, Cartography and State Cadastre (SCLRGCS) at district level. There will also be independent valuation firms, local self government bodies representatives of APs to be involved in to the LARP preparation.

x. The time for implementation of LARP will be scheduled as per the overall project implementation schedule. All activities related to the land acquisition and resettlement must be planned to ensure that compensation is paid prior to displacement and commencement of civil works. Public consultation, monitoring and grievance redress will be undertaken continually throughout the project duration. One of the core components of the project is construction of water distribution centers and reconstruction of transmission and distribution water pipelines which will have temporary impacts. This being a linear project, it might be difficult to complete the implementation of resettlement activities for the entire line section and right of way at one time which might delay the civil work construction, therefore, a phase wise approach can be adopted for civil work construction. Construction can be initiated in the section where compensation is paid. However, in case of permanent land acquisition, construction can only start once all the compensation and resettlement is done. Monitoring will be the responsibility of the CSA. The implementation of LARP will be closely monitored. The PCU will provide ADB with an effective basis for assessing land acquisition and resettlement progress and identifying potential difficulties and problems.

## 1. INTRODUCTION AND PROJECT BACKGROUND

### 1.1 Overview and Background of the Project

1. This Land Acquisition and Resettlement Plan (LARP) has been prepared for the "Second Tashkent Province Water Supply Development" project to be financed by the Asian Development Bank (ADB) and which includes construction and reconstruction of water intake and supply facilities, water transmission mains and water distribution networks in rural and urban settlements of two districts, Yangiyul and Chinaz districts of Tashkent Province of the Republic of Uzbekistan and a very small part of Zangiata district adjacent to Yangiyul district and connected to water supply system of this district.

2. The proposed project is being developed in accordance with the Decree of the President of Uzbekistan No.2910 dated 20.04.2017 "About drinking water supply and sewerage systems comprehensive development and modernization program during the period of 2017 - 2021". The project has been designed to address the water supply shortage, quality and operational maintenance issues in two districts of Tashkent Province of the Republic of Uzbekistan such as Yangiyul and Chinaz districts. Alternative technical options were analyzed and the optimum design solution for drinking water supply system was identified based on efficiency of investment and operational expenditures and reduction of social and environmental impacts.

3. The upgraded water supply systems will provide clean drinking water daily, sufficient to cover the projected water demand of a population of about 221,000 people which includes about 38,000 families living in 73 rural and 6 urban settlements of the project area. About 92 km of new trunk mains ranging from 800 to 300 mm in diameter, integrated with newly reconstructed 534 km small diameter distribution network system ranging from 250 to 100 mm in diameter will secure expanded distribution of safe drinking water on a permanent basis within the service area where according to official sources water supply services coverage ranges in the corridor from only 48% in Chinaz district to 64% in Yangiyul district resulting in a large percentage of inhabitants having to utilize alternative water supply sources such as shallow wells, standpipes, trucked water, and even untreated water from irrigation channels. Many rural centers and small towns also rely for their water supply on groundwater, which often exhibits dissolved solids content above norms. A list of settlements and population covered by the project is presented in the below Table 1.1.

**Table 1.1. List of Settlements and Number of Population Covered by the Project**

No	Settlements Covered by Yangiyul District Water Supply System	Population Size	Number of Families
1	Umid urbanized village	2,500	450
2	Dustlik	2,245	314
3	Galaba	3,395	611
4	Yangiobod	607	111
5	Markaz	2,996	549
6	Shuralisoy	2,011	369
7	Yangiyul (Ohunboboev)	1,985	279
8	Hakikat	3,015	424
9	Iftihor (Bobur)	2,385	342
10	Marifat	391	56
11	Vatan	2,263	325
12	Mirishkor	2,390	429
13	Halkobod	4,355	782
14	Olmazor (A.Ikramov)	3,880	696
15	Nihol (Navoi)	2,669	479
16	Nurobod	1,985	353
17	Keskan	3,845	685

18	Registon (Dangir)	3,260	580
19	Turkiz	393	70
20	Kaksha	380	68
21	Kushtepa	2,799	513
22	Changtepa	3,160	580
23	Honkurgon	4,617	814
24	Kengkechik	2,392	421
25	Mustakillik	2,220	400
26	Tuyabugiz	2,610	470
27	Yuksalish (Inogomov)	3,023	544
28	Uzbekiston	3,018	543
29	Said Ota	2,140	385
30	Mirzaboboiev	2,011	354
31	Galaba	287	51
32	Kanalbuyi	182	31
33	Yangi Mahalla	513	88
34	Chamanzor	2,610	510
35	Koratepa	3,246	610
36	Ankhor	5,325	997
37	Bogzor *	3,066	574
38	Urtaovul urban center *	19,399	3,632
39	Chinor *	2,393	448
40	Dehkonobod *	1,655	310
41	Madainyat (Botir) *	2,065	387
	<b>SUBTOTAL</b>	<b>115,681</b>	<b>20,634</b>
<b>№</b>	<b>Settlements Covered by Chinaz District Water Supply System</b>	<b>Population Size</b>	<b>Number of Families</b>
1	Chinoz city	27,526	4 451
2	Birlik urbanized village	2,900	476
3	Amir Temur urbanized village	5,104	975
4	Kir urbanized village	2,750	410
5	Uzbekiston	2,814	430
6	Galaba	524	80
7	Ittifok	436	67
8	Dustlik	372	57
9	Kanalobod	1,287	197
10	S.Rakhimov	911	146
11	Sutbulok	1,919	315
12	Hudayberganov (Tong Yulduzi)	1,704	280
13	Gayrat	3,385	542
14	Abzalobod	2,905	555
15	Olmos	2,012	384
16	Mevazor	1,924	368
17	Ohunboboiev	2950	564
18	Archazor	475	91
19	Tillaobod	1,640	313
20	Safarobod	1,009	193
21	Uchkun	1,600	271
22	Madaniyat	2,570	435
23	Norkuziev	1,104	127
24	Yangiobod	3,223	372
25	Kahramon	2,800	448
26	Islomobod	3,215	546



27	Birlik	1,602	272
28	Kutarma	2,623	446
29	Kerdara	900	153
30	Guliston	2,391	406
31	Ochamayli	2,069	308
32	Yollama	2,378	354
33	Dehkonobod	2,976	444
34	Erkin	1,700	253
35	Chinmasjid	2,925	436
36	S.Ayniy	1,650	264
37	Uzumzor	1,815	300
38	Samarkand	2,676	453
<b>TOTAL Chinaz District</b>		<b>104,764</b>	<b>17,182</b>
<b>GRAND TOTAL</b>		<b>220,445</b>	<b>37,816</b>

\* These settlements administratively belong to Zangiata district of Tashkent Province and connected to and served by Yangiyul district water supply system

Source: "Uzbekkommunalloyihakurilish" Design Institute under the Ministry of Housing and Communal Services of Uzbekistan

4. Practically all large and small groundwater production units in the two districts function at regimes significantly less than designed. Due to lack of maintenance, distribution systems are becoming progressively obsolete and need repairs. Chlorination systems either do not function or even exist in the smaller groundwater production systems, while many of the larger systems need substantial rehabilitation or replacement. Water production headworks, transmission and distribution facilities within the two districts increasingly face obsolescence due to maintenance deficiencies. Consequently, non-revenue water is estimated to be high.

5. The Tashkent Provincial "Suvokova" (TPS), which is responsible for water supply delivery for Tashkent Province, is however achieving strong progress in implementing the sector reforms. Having completed inventories of its 19 district branches, it has increased its domestic consumer base from 0.78 million to 1.17 million, and its commercial and institutional base to 4,700 entities. Also, primarily due to tariff increases, improved tariff collections, its expanded customer base, and by consolidating unregistered water supply systems, its revenues reportedly increased significantly: early indications that the reforms are delivering immediate, positive impacts, and inferring that this upward growth trend should continue. The TPS now also has the flexibility to restructure unprofitable district branches, improve operational efficiencies through automated billing and collection systems, consolidate financial management processes, provide centralized support to operation and maintenance (O&M), improve its profitability, build its balance sheet, and take on much needed capital investments through borrowing. The project will therefore also assist the TPS to further implement the institutional reforms and build its institutional capacity.

6. The project is consistent with the Asian Development Bank's (ADB) Country Operations Business Plan (COBP), 2017-2019 for Uzbekistan, the Country Partnership Strategy (CPS), 2012-2016, and more recent government initiatives in the sector.

## 1.2 Project Components

7. The main physical components of the water supply network system are described as below and the layout of the system is depicted in Figure 1.1. Some maps and pictures of relevant project components are provided in **Annexure 1**. Due diligence has been conducted and it is confirmed that IR issues are not present in other project components.

### i. Rehabilitation of the groundwater wellfield VU-1 including:

- drilling and equipment of 12 and rehabilitation of 3 existing, 60 m deep production wells each yielding 50 l/s, including submersible pumps, wellhead, electrical switches, transformer and controls, yielding an average of 48,000 m<sup>3</sup>/d up to a

maximum of 60,000 m<sup>3</sup>/d to cover the water demand of settlements in project areas;

- rehabilitation of existing one 2,000 m<sup>3</sup> reservoir;
  - new construction of one 2,000 m<sup>3</sup> reservoir;
  - reconstruction and equipment of the chlorination unit;
  - reconstruction of the 2nd lift pumping station;
  - reconstruction and equipping ancillary buildings such as operation office, laboratory, workshop and guardhouse;
  - reconstruction of administrative building;
  - rehabilitation of premises and fencing of the immediate protection area;
- ii. Construction and reconstruction of 22 water supply facilities including:
- Construction of 7 new water distribution centers;
  - Reconstruction of 10 existing water distribution centers;
  - Construction of 5 new water pressure towers;
- iii. Construction of a 65 km transmission main from the ground water wellfield VU-1 to the Chinaz city including:
- 17 km transmission main Dia – 700 from the ground water wellfield VU-1 to the water distribution center VU-3;
  - 48 km of main Dia 800 - 400 mm from the water distribution center (WDC) “VU-3” in Yangiyul district to the WDC “Chinaz” in Chinaz district;
  - Construction of 27,3 km of 400 to 100 mm distribution mains connecting off-takes in the transmission main to WDCs and water towers as well as;
  - Construction of 7 new WDCs and rehabilitation of 10 existing WDCs including rehabilitation and construction of chlorination devices, rehabilitation of reservoirs, guardhouses and sanitary perimeter fences;
  - Construction of 5 water pressure towers;
  - Construction and replacement of some 539 km of water distribution networks with Dia 250 to 100 mm;
  - Installation of about 38,000 house connections with water metering.
  - Installation of prefabricated small size (2m<sup>3</sup>) septic tanks to about 4 000 households.
- iv. Other physical components are the follows.
- Two existing administrative buildings, one at VU-1 ground water intake facility and one at Water Distribution Center “Chinaz” (Chinaz district branch of TPS is located inside this WDC “Chiaz”) will be re-constructed, including two laboratories (one at each location);
  - Two rooms will be reserved at the TPS building for the installation of monitoring devices as part of the Operation Control Centre;
  - Setup a project information center either at the TPS or at the warehouse of the TPS, equipped with audio-visual devices and other communication tools;
  - Installation of Operation Control System for day-to-day operations management which comprise of three level of automation and control including (i) equipment level automation and control; (ii) subsystem level automation and control; and (iii) SCADA control system;
  - Set up of training center in one of existing facilities of TPS (reconstruction of one of existing facilities of TPS to training center).

8. General layout of the transmission main and supply mains is given in the below Figure 1.1 where they are highlighted in red color.

9. Physical components and required physical work for distribution system development will require the acquisition of land, estimated to be 4 ha, including 3.14 in Yangiyul district and 0.86 ha in Chinaz district as per input received from technical team and are presented in Table 1.2.

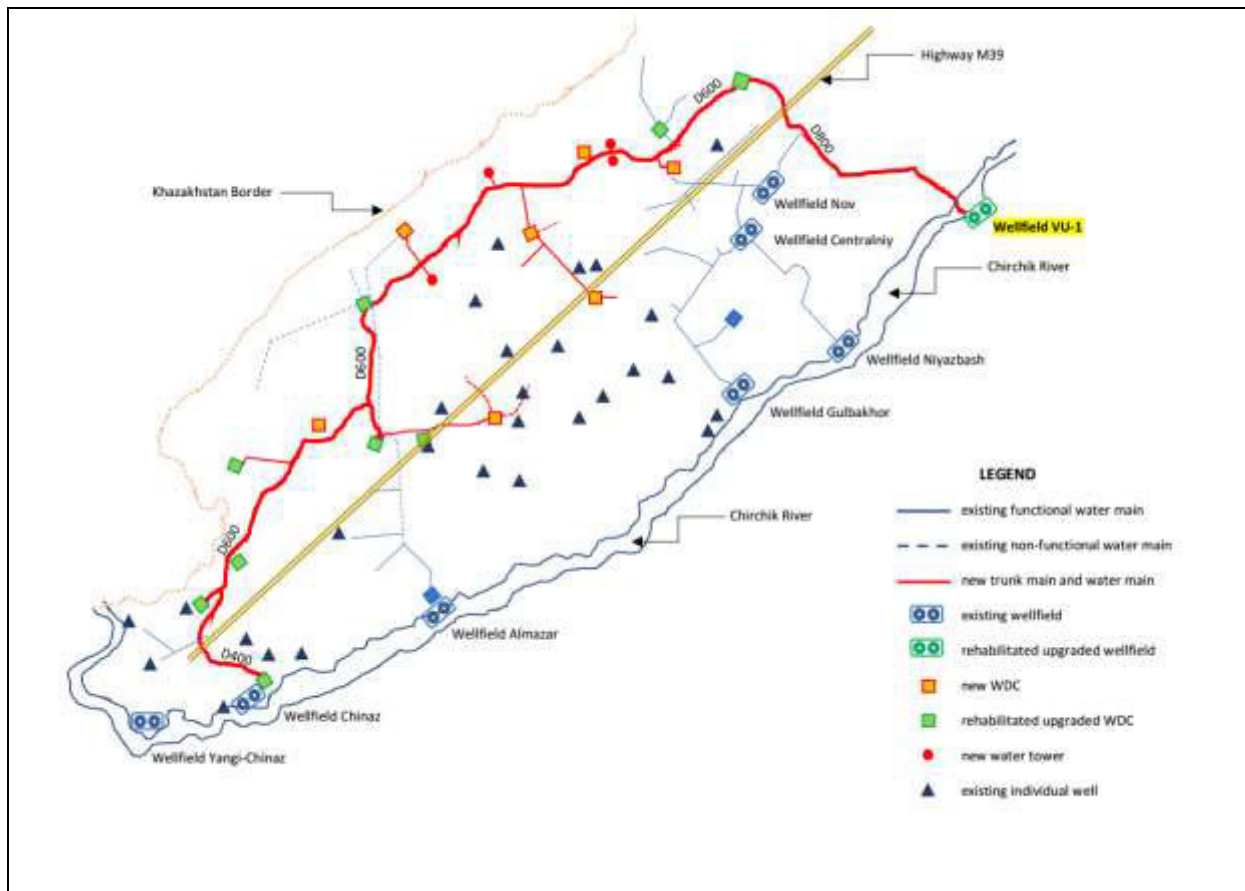
**Table 1.2. Summary of Project Components**

#	Project Components	Type of Works Required	Requirement of Permanent Land Acquisition
<b>Yangiyul district</b>			
1	Ground Water Intake Facility "VU-1"	Rehabilitation	No
2	Water Distribution Center (WDC) "VU-3"	Rehabilitation	No
3	WDC Khalkabad	Rehabilitation	No
4	WDC Chinor *	Rehabilitation	No
5	WDC Nurabad	New construction	Yes, 0.8 ha
6	WDC Bobur	New construction	Yes, 0.7 ha
7	WDC Shuralisay	New construction	Yes, 0.7 ha
8	WDC Okhunbabaev	New construction	Yes, 0.7 ha
9	WDC Boz Suv	New construction	No
10	Water Tower (WT) Galaba	New construction	Yes, 0.06 ha
11	WT Kanalbuyi	New construction	Yes, 0.06 ha
12	WT Yangiabad	New construction	Yes, 0.06 ha
13	WT Dustlik	New construction	Yes, 0.06 ha
<b>Chinaz district</b>			
1	WDC Eshonabad	Rehabilitation	No
2	WDC Sutbulok	Rehabilitation	No
3	WDC Madaniyat	Rehabilitation	No
4	WDC Amir Temur	New construction	Yes, 0.8 ha
5	WDC Gayrat	New construction	No
6	WDC Yangiobod	Rehabilitation	No
7	WDC Kutarma	Rehabilitation	No
8	WDC Yallama	Rehabilitation	No
9	WDC Chinaz	Rehabilitation	No
10	WT Uzumzor	New construction	Yes, 0.06 ha

\* This facility is located in Zangiata district and connected to and served by water supply system of Yangiyul district.

Source: "Uzbekkommunalloyihakurilish" Design Institute under the Ministry of Housing and Communal Services of Uzbekistan

**Figure 1.1. Layout of the Trunk Main to be Rehabilitated/Constructed**



### 1.3 Scope and Limitation of Land Acquisition and Resettlement Plan

10. This is a draft Land Acquisition and Resettlement Plan (LARP) has been prepared for the "Second Tashkent Province Water Supply Development Project". The LARP contains various physical components related to water supply such as transmission and distribution networks and associated facilities. The LARP contains the extent of permanent impact caused by land acquisition and temporary impacts due to the construction of transmission main and distribution main lines. The LARP identifies compensation at replacement cost and resettlement assistance for the project affected persons (APs). The LARP is based on a feasibility study findings and preliminary lines route alignments. Attempts have been made to minimize land acquisition and resettlement by adopting mitigation measures such as adjustment of existing lines, selection of WDC sites in agricultural lands which are free from residential habitats, selection of line alignments away from habitat areas and minimizing the right of way (RoW) in the populated area.

11. **Permanent impact.** The project components totally include 23 water production and distribution facilities such as ground water intake facility "VU-1", water distribution centers (WDCs) and water towers (WTs). Out of the total 23 water supply facilities, 10 facilities will require land acquisition. Total land requirement for acquisition is 4 hectares (ha) which includes 3.3 ha of irrigated agricultural land and 0.7 ha orchards. This is an estimation based on the technical input received from the engineering team. However, this is still draft and subject to change. District wise distribution of land acquisition shows that Yangiyul district requires maximum land acquisition which is 3.14 ha followed by Chinaz district having 0.86 ha. No permanent impact is expected in Zangiata district.

12. **Temporary impact.** Totally 22.6 hectares of land is likely to be impacted temporarily due to construction of transmission main and supply main. Land is categorized in to two parts such as arable/crop cultivation land and orchard/garden land. Out of the total 22.6 ha of

temporarily affected land, 20.66 ha is arable/crop cultivation land and 1.94 ha of land is classified as orchard/garden land. These lands will not be acquired permanently rather will be affected in terms of loss of crops and trees during construction. District wise break up of each category of affected land area is shown in the below Table 2.11. Temporary impact is expected in Yangiyul and Chinaz district. No temporary impact is expected in Zangiata district.

13. This LARP is in its draft form at the moment as it is based on preliminary design and surveys. Land for permanent acquisition has been identified and the sites have been finalized. Similarly, the line route for the transmission route is almost final subject to some modification during the detailed design. Exact route alignments of distribution lines are not detailed and not final at this stage. Therefore, the impact assessment has been done based on the inventory survey which is walkover surveys. The executive agency will be responsible for finalizing the route alignments based on detailed design findings and the impacts will be updated accordingly. Temporary impacts in terms of loss of crops for the transmission and distribution lines will be actually known during the final survey and prior to the construction. Therefore, some assumption has been made to calculate the overall impact which is generic at this stage for the right of way. This draft LARP will be finalized and updated prior to implementation and construction. Also, real owners may change at a later stage which needs to be updated during the updating process. The following steps will be taken by the executing agency (CSA) to finalize and update the draft LARP:

- finalization of route alignment design to the detailed extent during detailed design in order to identify the actual owners to be affected temporarily for loss of crops and other assets;
- collection of land details including ownership and a list containing the amount of land being affected by each plot;
- collection of land details if there is any change in the location of WDCs or other structures and accordingly carrying out census survey for the new affected persons;
- based on the final alignment, detailed assessment on loss of crops and trees need to be enumerated and recorded.
- Upon collection of all necessary data, the draft LARP needs to be updated/finalized and sent to ADB for review and acceptance and disclosure on the ADB website.

#### 1.4 Approach and Methodology

14. This LARP is based on a comprehensive study of the impacts of land acquisition. In order to accurately assess the impacts of land acquisition, the following activities have been undertaken:

- **Inventory of Losses (IoL)** is aimed to measure the size and type of land and other assets as well as identify households that will be affected by the permanent land acquisition; the IoL will be updated with a detailed measurement survey (DMS) upon the availability of the detailed project design.
- **AH/AP census** aimed to gather the socioeconomic conditions of the affected households and affected persons. The census covered all the households (100%) proposed to be affected due to permanent land acquisition and was carried out in the months of January-February 2018;
- **AH/AP census** survey was also carried out among the households who are likely to be affected temporarily due to construction of transmission and distribution main/pipeline and especially during construction. The census survey for this component is approximate;
- **Walkover survey** has also been carried out for the distribution pipe line to assess the overall impact on loss of crops and trees etc.;
- **Consultations** with all project stakeholders, including AHs, governmental agencies and other affected parties;

- **Preliminary estimation** of compensation rates aimed to provide an initial cost estimate for the LARP implementation, based on the proposed entitlement matrix.

15. Inventory of losses has been done to assess the impact on land acquisition and resettlement for permanent and temporary land acquisition especially for WDCs and trunk mains etc. Census of all affected households was conducted for the same. The settlements' maps were collected, and project alignment was superimposed in the digitized cadastral map in order to identify the number of land parcels and their demarcation including the quantification. Based on the cadastral details, a team of survey enumerators were engaged to carry out the Inventory of Losses and AP Census Survey.

## 2. SCOPE OF LAND ACQUISITION AND INVOLUNTARY RESETTLEMENT

### 2.1 General

16. Impacts on land acquisition and involuntary resettlement are categorized in to two parts such as permanent impacts and temporary impacts. Permanent impacts include permanent land acquisition for the proposed new WDCs. Assessment was done for proposed new WDCs where land is to be acquired. An inventory of losses and census survey have been completed for these components having permanent and temporary land acquisition.

17. Temporary impacts include loss of crops along the Right of Way (RoW) of transmission mains and supply mains connecting new WDCs to new transmission main. According to existing construction standards, 20 meters of right of way has been considered for the transmission main in the agricultural area and the RoW has been minimized in the congested area. Assessment for transmission mains and supply mains alignment has been done through an inventory of losses (IOL) of the affected land parcels, compensations calculations were also carried out for those affected households who were not available during the survey. The census survey of affected households along the transmission line is still preliminary which will be updated further. Assessment on loss of crops and trees along the RoW of transmission has also been calculated approximately. Water distribution network pipelines will have minimum disruption during construction. No significant LAR impact identified during survey water distribution networks alignments.

### 2.2 Scope of Permanent Impact Due to Land Acquisition

18. The following section describes the findings of the IOL and census survey. As per the IOL, the total number of affected land parcel is 10 having 9 land users, and the quantum of the affected land is 4 ha. The census survey was conducted among all 9 land users.

#### 2.2.1 Affected Rural Settlements

19. There are 8 villages/locations which will be affected due to permanent land acquisition. Yangiyul district has the highest number of affected villages (6 villages) followed by Chinaz district (2 villages). A list of the affected villages in each district is shown in Table 2.1.

**Table 2.1. List of Affected Rural Settlements (Permanent Impact)**

Name of the District	Name of the settlement	Total
Yangiyul	1. Nurobod	6
	2. Vatan	
	3. Bobur	
	4. Shuralisoy	
	5. Ohunboboev	
	6. Dustlik	
Chinaz	1. Amir Temur	2
	2. Uzumzor	
<b>Total</b>		<b>8</b>

*Source: IOL and Census Survey, January-February 2018*

#### 2.2.2 Affected Land Parcels

20. There are a total of 10 land parcels being affected by land acquisition out of which Yangiyul district has 8 affected land parcels (80%) and Chinaz district has 2 affected parcels (20%). District wise break up of affected land parcel is shown in Table 2.2.

**Table 2.2: Affected Land Parcels**

#	Name of the District	Number of Affected Land Parcel	Number of Affected Land User	Quantum of Affected Land (ha)
1	Yangiyul	8	7	3.14
2	Chinoz	2	2	0.86
<b>Total</b>		<b>10</b>	<b>9</b>	<b>4</b>

Source: IOL and Census Survey, January-February 2018

### 2.2.3 Affected Land Area

21. Totally 4 hectare of land will be acquired permanently for the project. Land is categorized in to two parts such as arable/crop cultivation land and orchard/garden land. Out of the total 4 ha of affected land, 3.3 ha is arable/crop cultivation land and 0.7 ha of land is classified as orchard/garden land. District-wise break up of each category of affected land area is shown in the below Table 2.3.

**Table 2.3. Affected Area under Permanent Land Acquisition**

#	Name of the District	Total Affected Land Area (hectare)		
		Arable/Crop Cultivation	Orchard/Garden	Total
	<b>Yangiyul district</b>	<b>2.44</b>	<b>0.7</b>	<b>3.14</b>
1	WDC Nurabad	0.8	-	
2	WDC Bobur	-	0.7	
3	WDC Shuralisay	0.7	-	
4	WDC Ohunbabaev	0.7	-	
5	WT Galaba	0.06	-	
6	WT Kanalbuyi	0.06	-	
7	WT Dustlik	0.06	-	
8	WT Yangiobod	0.06	-	
	<b>Chinoz district</b>	<b>0.86</b>	<b>0</b>	<b>0.86</b>
9	WDC Amir Temur	0.8	-	
10	WT Uzumzor	0.06	-	
<b>TOTAL</b>		<b>3.3</b>	<b>0.7</b>	<b>4</b>

Source: IOL and Census Survey, January-February 2018

### 2.2.4 Severity of Impact

22. According to ADB's SPS/Operational Manual Section F1, severity of impact occurs when 10% or more of the total productive asset such as land, in this case, is affected. Data on total land holding has been collected and accordingly, the severity of impact has been calculated. As per the census survey, there is one severely affected household due to permanent land acquisition which is expected to lose about 16% of its total land holding. Details are shown in Table 2.4.

**Table 2.4. Severity of Impact**

#	Affected Person	Name of Facility	Impacted Area (hectares)	Total Land Holding of AP (hectares)	Percent of Total
<b>Yangiyul District</b>					
1	Asamov Nizomiddin	WDC Bobur	0.7	4.33	16 %
2	Utanbaev Akmal	WDC Shuralisay	0.7	7.45	9.3 %
3	Qudratov Begzod	WDC Ohunbabaev	0.7	11.5	6 %
4	Baxromova Guzal	WDC Nurabad	0.8	37.7	2.12 %
5	Ruziev Ziyodulla	WT Dustlik	0.06	2.86	2.1 %
6	Kattaboboiev Rasulion	WT Yangiabad	0.06	7.40	0.8 %
7	Kamolov Ergashali	WT Galaba	0.06	66.82	0.18 %



#	Affected Person	Name of Facility	Impacted Area (hectares)	Total Land Holding of AP (hectares)	Percent of Total
		WT Kanalbuvi	0.06		
<b>Chinaz District</b>					
8	Shoyoqubova Marguba	WDC Amir Temur	0.8	42	1.9 %
9	Kukuzov Kembay	WT Uzumzor	0.06	76	0.08 %
<b>TOTAL</b>			<b>4</b>	<b>256.06</b>	

Source: IOL and Census Survey, January-February 2018

### 2.2.5 Loss of Crops due to Land Acquisition

23. As per the census survey, it is found that there are various types of crops being cultivated which will be potentially affected due to permanent land acquisition. These crops are cotton, wheat, tomato, cabbage, carrot, corn, triticale, lentil and alfa-alfa. As the IOL was carried out during the off-season such cultures were reported by land users to be planted in 2017. Details on affected crop area along with types of crops and the yield are shown in the below Table 2.5.

**Table 2.5. Loss of Crops due to Permanent Land Acquisition**

Type of Crop	Name of District	Affected Irrigated Cultivated Area (Hectare)	Total yield from affected cultivated area (tons)
Cotton	Chinoz	0.8	2.16
	Yangiyul	-	-
<b>Total (Cotton)</b>		<b>0.8</b>	<b>2.16</b>
Wheat	Chinoz	0.06	0.24
	Yangiyul	2.2	10.4
<b>Total (Wheat)</b>		<b>2.26</b>	<b>10.64</b>
Vegetables (tomato, cabbage, carrot, paprika)	Chinoz	-	-
	Yangiyul	1.68	65.35
<b>Total (Vegetable)</b>		<b>1.68</b>	<b>65.35</b>
Corn	Chinoz	-	-
	Yangiyul	0.06	1.8
<b>Total (Corn)</b>		<b>0.06</b>	<b>1.8</b>
Triticale	Chinoz	-	-
	Yangiyul	0.06	3.3
<b>Total (Triticale)</b>		<b>0.06</b>	<b>3.3</b>
Lentil	Chinoz	-	-
	Yangiyul	0.7	4.2
<b>Total (Lentil)</b>		<b>0.7</b>	<b>4.2</b>
Alfa alfa	Chinoz	-	-
	Yangiyul	0.7	1.47
<b>Total (alfa alfa)</b>		<b>0.7</b>	<b>1.47</b>
<b>GRAND TOTAL:</b>			<b>88.92</b>

Source: IOL and Census Survey, January-February 2018

### 2.2.6 Loss of Trees

24. Loss of trees has been estimated due to permanent land acquisition. These trees exist on the affected land. A total of 430 number of trees will be affected out of which 230 are fruit trees such as plum and 200 are non fruit trees which are poplar. These trees are privately owned by 2 households. Details on the loss of trees are shown in Table 2.6.

**Table 2.6. Loss of Trees**

Name of the Species of Trees	Name of the Region	Quantity (Number)	Type of Trees	Number of households losing trees
Plum	Yangiyul	230	Fruit	1
<b>Total (Plum)</b>		<b>230</b>		
Poplar	Yangiyul	200	Non Fruit	1
<b>Total (Poplar)</b>		<b>200</b>		
<b>Total Fruit Trees = 230, Total Non Fruit Trees = 200</b>				
<b>Total Number of Trees = 430</b>				
<b>Total Households Losing Trees = 2</b>				

Source: IOL and Census Survey, January-February 2018

### 2.2.7 Affected Households

25. The project census survey reveals that totally there are 59 family members (13 in Chinaz district and 46 in Yangiyul district) in 9 households which are under permanent impact including 27 males and 32 females. Details of the affected households' gender composition is provided in the below Table 2.7.

**Table 2.7. Gender Composition of the Affected Households**

Districts	Households	Male	Female	Total
Chinaz	2	7	6	13
Yangiyul	7	20	26	46
<b>Total</b>	<b>9</b>	<b>27</b>	<b>32</b>	<b>59</b>

Source: IOL and Census Survey, January-February 2018

### 2.2.8 Agricultural Laborers

26. The project census survey revealed that in 2017 totally there were 68 agricultural labourers who worked on the land to be permanently affected, 15 in Chinaz district and 53 in Yangiyul district. These were seasonal laborers, not fixed to one land owner and who were hired during crop planting/harvesting seasons and sometimes between these two seasons to weed and water crops. Such seasonal agricultural labourers are not expected to lose their source of livelihood due to permanent land acquisition, as they are not hired on a permanent basis and may not be hired if it is clear that crops will be lost. It is being clarified that all agricultural laborers are seasonal, and they are not affected by the loss of livelihood due to the project. The seasonal laborers are picked up from the labor market by potential employers based on their needs. Hence, the EA has no responsibility to compensate for their possible loss of income, and the issue of using the 17% contingency for compensating them does not arise. For this reason, compensation for the seasonal laborers is not included in the LAR budget. No cases on tenants or share croppers are found in the affected land. Details on associated people in the affected land are shown in the below Table 2.8.

**Table 2.8. Associated Agricultural Laborers in the Affected Land**

#	Name of the District	Number of Agricultural Laborers		
		Men	Women	Total
1	Yangiyul	33	20	53
2	Chinaz	7	8	15
<b>Total</b>		<b>40</b>	<b>28</b>	<b>68</b>

Source: IOL and Census Survey, January-February 2018

## 2.3 TEMPORARY IMPACT ON LAND DUE TO CONSTRUCTION OF WATER TRANSMISSION MAINS

### 2.3.1 General

27. This section deals with the temporary impacts which are likely to occur during the construction of transmission main and supply mains. The impacts are temporary in terms of loss of crops during the construction period. However, loss of trees is significant in numbers. There will be no permanent land acquisition for the pipe line components either for transmission or for distribution. Land will be restored to its previous use by contractors and the users will be allowed to cultivate their land after the construction. Careful scheduling of the construction activities may further reduce the impact in terms of loss of crops. It is proposed that the construction schedule may follow the off-season where no cultivation or standing crops are there. However, it may happen that loss crop may become unavoidable; therefore, an assessment was done through IOL and census survey. The length of the transmission main is approximately 65 kilometers and the right of way for the transmission main in agricultural field and other plain area is 20 meters. However, the construction activities may not disturb the crop area for entire 20 meters of right of way. The route alignment was done carefully to minimize the damage. Settlement areas have been avoided. All the cadastral details were collected by the survey team on which the alignment was adjusted to have minimum damage. The following section describes various temporary impacts likely to occur during the construction.

### 2.3.2 Affected Villages (Temporary Impact)

28. There are 18 villages/locations which will be affected due to temporary impacts to be caused by construction of transmission pipe line. Yangiyul district has highest number of affected (12 villages) followed by Chinaz district (6 villages). List of affected villages in each district is shown in the below Table 2.9.

**Table 2.9. List of affected Villages due to Temporary Impacts**

Name of the District	Name of the Village	Total Number of Rural Settlements
Yangiyul	1. Bobur	12
	2. Boz Suv	
	3. Changtepa	
	4. Dustlik	
	5. Halkobod	
	6. Honkurgon	
	7. Markaz	
	8. Ortikov	
	9. Shuralisoy	
	10. Tinchlik	
	11. Vatan	
	12. Yangiobod	
Chinaz	1. Eshonobod	6
	2. Junariq	
	3. Ohunboboev	
	4. Ozbekiston	
	5. Sobir Rahimov	
	6. Sutbulok	
<b>TOTAL:</b>		<b>18</b>

Source: IOL and Census Survey, January-February 2018

### 2.3.3 Affected Land Parcels (Temporary)

29. Totally there are 59 land users to be affected temporarily out of which Yangiyul district has 53 affected land users (89.83%) and Chinaz district has 6 affected land users (10.17%). District-wise break up of the affected land parcels is shown in the below Table 2.10.

**Table 2.10. Affected Land Parcels Information**

#	Name of the District	Number of Affected Land Parcels/Users	Percent	Temporarily affected area (ha)
1	Yangiyul	53	89.83	17.36
2	Chinoz	6	10.17	5.24
<b>Total</b>		<b>59</b>	<b>100</b>	<b>22.6</b>

Source: IOL and Census Survey, January-February 2018

### 2.3.4 Affected Area Considered for Temporary Impact

30. A total of 22.6 hectares of land is likely to be impacted temporarily due to the construction of transmission main and supply main. Land is categorized into two parts, such as, arable/crop cultivation land and orchard/garden land. Out of the total 22.6 ha of temporarily affected land, 20.66 ha is arable/crop cultivation land and 1.94 ha of land is classified as orchard/garden land. These lands will not be acquired permanently; rather, will be affected in terms of loss of crops and trees during the project construction. District-wise break up of each category of affected land area is shown in the below Table 2.11.

**Table 2.11. Affected Area under Temporary Impact**

#	Name of the District	Total Affected Land Area (hectare)		
		Arable/Crop Cultivation	Orchard/Garden	Total
1	Yangiyul	15.42	1.94	17.36
2	Chinaz	5.24	0	5.24
<b>Total</b>		<b>20.66</b>	<b>1.94</b>	<b>22.6</b>

Source: IOL and Census Survey, January-February 2018

### 2.3.5 Loss of Crops Likely to Occur During Pipeline Construction

31. As per the census survey, it is found that there are various types of crops being cultivated which may be temporarily affected during construction of transmission main and supply main. These crops are: cabbage, alfa-alfa, carrot, corn, dill, eggplant, garlic, lentil, melon, paprika, tomato, triticale, wheat, bean, potato, parsley, turnip, cotton. These crops were reported by land users to be planted in 2017. However, these are not necessarily to be affected if these crops are not found during the project construction. Details on crops which are likely to be affected are shown in the below Table 2.12.

**Table 2.12. Types of Crops Likely to be Affected Due to Tempory Land Acquisition**

Type of Crops	Name of the District	Affected Cultivated Area (hectare)	Total Yield or harvest (ton) From affected cultivated area
Cotton	Chinaz	0.76	2.28
	Yangiyul	-	-
<b>Total (Cotton)</b>		<b>0.76</b>	<b>2.28</b>
Cabbage	Chinaz	-	-
	Yangiyul	0.66	23.1
<b>Total (Cabbage)</b>		<b>0.66</b>	<b>23.1</b>
Alfa-alfa	Chinaz	-	-
	Yangiyul	0.6	1.4
<b>Total (Alfa-alfa)</b>		<b>0.6</b>	<b>1.4</b>

Type of Crops	Name of the District	Affected Cultivated Area (hectare)	Total Yield or harvest (ton) From affected cultivated area
Carrot	Chinaz	-	-
	Yangiyul	0.87	11.25
<b>Total (Carrot)</b>		<b>0.87</b>	<b>11.25</b>
Corn	Chinaz	0.05	0.8
	Yangiyul	4.04	71.05
<b>Total (Corn)</b>		<b>4.09</b>	<b>71.85</b>
Dill	Chinaz	-	-
	Yangiyul	0.265	3.76
<b>Total (Dill)</b>		<b>0.265</b>	<b>3.76</b>
Eggplant	Chinaz	-	-
	Yangiyul	1.05	78.75
<b>Total (Eggplant)</b>		<b>1.05</b>	<b>78.75</b>
Garlic	Chinaz	-	-
	Yangiyul	2.75	93.95
<b>Total (Garlic)</b>		<b>2.75</b>	<b>93.95</b>
Lentil	Chinaz	-	-
	Yangiyul	1.61	39.5
<b>Total (Lentil)</b>		<b>1.61</b>	<b>39.5</b>
Melon	Chinaz	-	-
	Yangiyul	0.15	2.4
<b>Total (Melon)</b>		<b>0.15</b>	<b>2.4</b>
Paprika	Chinaz	-	-
	Yangiyul	1.65	197.22
<b>Total (Paprika)</b>		<b>1.65</b>	<b>197.22</b>
Tomato	Chinaz	-	-
	Yangiyul	0.69	68.7
<b>Total (Tomato)</b>		<b>0.69</b>	<b>68.7</b>
Triticale	Chinaz	-	-
	Yangiyul	0.2	11
<b>Total (Triticale)</b>		<b>0.2</b>	<b>11</b>
Wheat	Chinaz	5.07	97.25
	Yangiyul	8.40	523.97
<b>Total (Wheat)</b>		<b>13.47</b>	<b>621.22</b>
Bean	Chinaz	-	-
	Yangiyul	1.59	14.7
<b>Total (Bean)</b>		<b>1.59</b>	<b>14.7</b>
Potato	Chinaz	2.43	97.2
	Yangiyul	2.75	211.75
<b>Total (Potato)</b>		<b>2.18</b>	<b>308.95</b>
Parsley	Chinaz	-	-
	Yangiyul	0.95	5.7
<b>Total (Parsley)</b>		<b>0.95</b>	<b>5.7</b>
Turnip	Chinaz	-	-
	Yangiyul	0.6	18
<b>Total (Turnip)</b>		<b>0.6</b>	<b>18</b>
<b>GRAND TOTAL</b>			<b>1,573.73 tons</b>

Source: IOL and Census Survey, January-February 2018

### 2.3.6 Loss of Trees Due To Construction of Transmission Main and Supply Main

32. Loss of trees has been estimated due to temporary land acquisition. These trees exist along the right of way of transmission main line and supply mains. A total of 2,346 numbers of trees will be affected out of which 856 are fruit trees and 1,490 are non-fruit trees. Details on the loss of trees are shown in the below Table 2.13.

**Table 2.13. Details on Loss of Trees due to Construction Transmission Main and Supply Mains**

Name of species of Trees	Name of the District	Quantity (Number of Affected Units)
<b>Fruit Trees</b>		
Apple	Chinaz	-
	Yangiyul	288
Apricot	Chinaz	-
	Yangiyul	170
Cherry	Chinaz	-
	Yangiyul	17
Quince	Chinaz	-
	Yangiyul	5
Pear	Chinaz	-
	Yangiyul	1
Plum	Chinaz	-
	Yangiyul	374
Nut	Chinaz	-
	Yangiyul	1
<b>Non-Fruit Trees</b>		
Poplar	Chinaz	-
	Yangiyul	1,490
<b>Total Fruit Trees</b>		856
<b>Total Non-Fruit Trees</b>		1,490
<b>Grand Total</b>		<b>2,346</b>

Source: IOL and Census Survey, January-February 2018

### 2.3.7 Affected Households

33. The project census survey reveals that totally there are 317 family members (27 in Chinaz district and 290 in Yangiyul district) in the surveyed 56 households (from total affected 59 households) which are under temporary impact including 165 males and 152 females. Details of the affected households' gender composition is provided in the below Table 2.14.

**Table 2.14. Affected Households' Gender Composition**

#	Name of the District	Affected Households	Affected Households Members		
			Men	Women	Total
1	Yangiyul	50	152	138	290
2	Chinaz	6	13	14	27
<b>Total</b>		<b>56</b>	<b>165</b>	<b>152</b>	<b>317</b>

Source: IOL and Census Survey, January-February 2018

### 2.3.7 Agricultural Laborers

34. The project census survey revealed that in 2017 totally there were 296 agricultural labourers who worked on the land to be temporarily affected, 72 in Chinaz district and 224 in Yangiyul district. These were seasonal laborers, who were hired during the crop planting/harvesting seasons and sometimes between these two seasons to weed and water

crops. Such seasonal agricultural labourers are not expected lose their source of livelihood as they are not hired on a permanent basis and may not be hired if it is clear that crops will be lost. It is being clarified that all agricultural laborers are seasonal, and they are not affected by the loss of livelihood due to the project. The seasonal laborers are picked up from the labor market by potential employers based on their needs. Hence, the EA has no responsibility to compensate for their possible loss of income, and the issue of using the 17% contingency for compensating them does not arise. For this reason, compensation for the seasonal laborers is not included in the LAR budget. No cases on tenants or share croppers are found in the affected land. Details on associated people in the affected land are shown in the below Table 2.15.

**Table 2.15. Associated Agricultural Laborers in the Affected Land**

#	Name of the District	Number of Agricultural Laborers		
		Men	Women	Total
1	Yangiyul	124	100	224
2	Chinaz	37	35	72
<b>Total</b>		<b>161</b>	<b>135</b>	<b>296</b>

Source: IOL and Census Survey, January-February 2018

## 2.4 TEMPORARY IMPACT ON LAND DUE TO CONSTRUCTION OF WATER DISTRIBUTION LINES

35. The construction of distribution of pipeline will not have any significant impact. It is proposed that there will be construction and reconstruction of dome 534 km (approximately) of water distribution networks with Dia 300 to 100 mm. Most of the impacts will be possible to be avoided during construction by the contractor. The exact line route for these small distribution lines are not yet firm and these have various flexibility during laying of the line where adverse impacts can be avoided. During the survey no impact was identified due to construction of water distribution networks. Anyway, some additional provision (17%) will be made in to the resettlement budget to cover any unanticipated impacts during the project implementation.

## 2.5 SUMMARY IMPACT

36. The Project will have both permanent and temporary impacts in terms of loss of land, crops, trees, income etc. Summary details on various impacts are shown in the below Table 2.16.

**Table 2.16. Summary Impacts**

#	Impacts	Permanent Impact	Temporary Impact	TOTAL
1	Affected land area (ha)	4	22.6	26.6
2	Affected land users/households	9	59	68
3	Affected households members	59	317	376
4	Affected rural settlements	8	18	26
5	Arable/crop cultivation land area	3.3	20.66	23.96
6	Orchard/garden land area (ha)	0.7	1.94	2.64
7	Severely affected households	1	--	1
8	Total number of trees, including	430	2,346	2,776
8.1	Fruit trees	230	856	1,086
8.2	Non-fruit trees	200	1,490	1,690
9	Seasonal agricultural laborers	68	296	364

Source: IOL and Census Survey, January-February 2018

### 3. SOCIO ECONOMIC INFORMATION AND PROFILE

#### 3.1 General

37. This chapter deals with the socio-economic profile of the project affected households and project affected persons. Socio economic details of the affected households were collected through the social and census surveys. The surveys were conducted during the months of January-February, 2018. Socio-economic information consists of affected households which would be permanently affected due to permanent land acquisition as well as temporarily affected households which are likely to be affected during the construction of the transmission line. The information was collected along with the census survey. Totally, 9 households comprising 100% of the permanently affected households and 56 households comprising 96.5 % of the temporarily affected households have been covered for socio-economic analysis.

#### 3.2 Affected Households

38. Yangiyul district has the highest number of affected households 60 (88.2 %) and Chinaz district having 8 (11.8 %) affected households. Details on affected households are shown in the below table 3.1.

**Table 3.1. Affected Households**

Name of the District	Number of Households (Permanent Impact)	Number of Households (Temporary Impact)	Total Number of Households	Percentage
Chinaz	2	6	8	11.8 %
Yangiyul	7	53	60	88.2 %
<b>Total</b>	<b>9</b>	<b>59</b>	<b>68</b>	<b>100</b>

Source: IOL and Census Survey, January-February 2018

#### 3.3 Affected Persons

39. The total number of affected persons is 376 which include 59 APs for permanent land acquisition and 317 APs for temporary impact. Total male APs are 192 (51.06%) and total female APs are 184 (48.94%). The average family size of affected household is 5.55 persons. District-wise and component wise distribution of male and female APs are shown in the below Table 3.2.

**Table 3.2. Details on Affected Persons**

District	Permanent Impact			Temporary Impact			Grand Total			Average family size (Total)	Male (%)	Fem. (%)	Total (%)
	Male	Fem.	Total	Male	Fem.	Total	Male	Fem.	Total				
Chinaz	7	6	13	13	14	27	20	20	40	5	50.0	50.0	100
Yangiyul	20	26	46	152	138	290	172	164	336	5.63	51.2	48.8	100
<b>Total</b>	<b>27</b>	<b>32</b>	<b>59</b>	<b>165</b>	<b>152</b>	<b>317</b>	<b>192</b>	<b>184</b>	<b>376</b>	<b>5.55</b>	<b>51.06</b>	<b>48.94</b>	<b>100</b>

Source: IOL and Census Survey, January-February 2018

#### 3.4 Vulnerable Households

40. Vulnerable households include women headed household, poor household, household headed by elderly with no support, household having physically challenged people, and landless or households without legal title to land. The category mentioned under the vulnerability is generally based on ADB's general parameter. The legislation of Uzbekistan (Decree of the Cabinet of Ministers of Uzbekistan No.44 dated 15 February, 2013 "About approval of procedure of assignment and payment of social allowances and financial assistance to low income families") identifies vulnerable households as (i) households where children without parents are brought up by relatives; (ii) households where one or two of



parents are disabled; (iii) widow (widower) who live separately from other relatives and brings up two or more children younger than 14; (iv) households having disabled child (children); (v) incomplete families where mother (father) alone brings up a child (children); (vi) single pensioners and (vii) low income households where monthly per capita income of a family does not exceed 1.5 times of monthly minimum wage (172 240 UZS x 1.5 = 258 360 UZS equal to about 32 USD). As it is seen, the way of identification of vulnerability according to the legislation of Uzbekistan is similar to that ADB.

41. The socio-economic details of the affected households reveal that there are a total of 5 affected households that fall under the category of vulnerability. Out of the 5 vulnerable households, 1 is a woman headed household and 4 are households having physically challenged persons. Details on vulnerability are shown in the below Table 3.3.

**Table 3.3. Vulnerable Household**

Name of the District	Women Headed HH	Poor HH	Physically Challenged HH	Elderly HH	Landless HH	Indigenous People HH	Squatter HH	Total Vulnerable HH
Chinaz	1	0	0	0	0	0	0	1
Yangiyul	0	0	4	0	0	0	0	4
<b>Total</b>	<b>1</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5</b>

Source: IOL and Census Survey, January-February 2018

### 3.5 Primary Occupation of Heads of the Affected Households

42. Agriculture is the primary occupation of heads of the affected households in both districts. Details of primary occupation of heads of households are shown in the below Table 3.4.

**Table 3.4. Primary Occupation**

Name of the District	Main Occupation of head of the households				Total
	Agriculture		Others		
	Number	%	Number	%	
Chinaz	6	9.2	2	3.08	8
Yangiyul	46	70.8	11	16.92	57
<b>Total</b>	<b>52</b>	<b>80</b>	<b>13</b>	<b>20</b>	<b>65</b>

Source: IOL and Census Survey, January-February 2018

### 3.6 Annual Income and Expenditure of Affected Households

43. The average annual income is homogenous among the affected household in the two districts. However, Yangiyul district has been reported to have higher annual income (78,747,642 UZS) followed by Chinaz district (52,175,000 UZS). The total average annual income of affected household is 65,461,321 UZS and the total average annual expenditure per household is 45,004,369 UZS. Details on average annual income and expenditure are shown in the below Table 3.5. Details on average annual income and expenditure composition by main sources are shown in the below Table 3.5.

**Table 3.5. Annual Income and Expenditure Information**

District	Average Annual Income.UZS	Average Annual Expenditure. UZS
Chinaz	52,175,000	44,595,000
Yangiyul	78,747,642	45,413,737
<b>Total</b>	<b>65,461,321</b>	<b>45,004,369</b>

Source: IOL and Census Survey, January-February 2018

**Table 3.6. Average Annual Income and Expenditure Information**

<b>Average Annual Income of Affected Household by Main Sources, UZS</b>		
<b>Main Income Sources</b>	<b>Yangiyul District</b>	<b>Chinaz District</b>
a. Government Job	24,426,667	18,720,000
b. Agriculture	64,244,107	33,535,500
c. Business, Trade, Private Jobs, Small Entrepreneurship	15,432,500	7,200,000
d. Remittances	8,000,000	--
e. Pension	10,333,684	9,675,200
<b>Average Annual Main Expenditures of Affected Household, UZS</b>		
<b>Main Expenditure Items</b>	<b>Yangiyul District</b>	<b>Chinaz District</b>
a. Food	14,759,649	21,975,000
b. Utilities (gas, electricity,	5,399,298	2,620,000
c. Clothing	5,954,545	5,675,000
d. Healthcare, medicines	4,037,709	2,645,000
e. Education	5,047,270	6,505,000
f. Communication (telephone, internet)	2,711,111	1,468,571
g. Entertainment	3,113,333	2,000,000
h. Social Functions (wedding, birthdays, parties and etc.)	5,843,750	4,653,333

Source: IOL and Census Survey, January-February 2018

### 3.7 Education Status of Affected Persons

44. Most of the affected persons have a secondary school degree (N=227 persons which makes 60.3% of total affected persons). The number of affected persons with a university degree is also significant, 73 persons which is 19.4% of total number. There is one affected person with a postgraduate degree which is 0.26% of total affected persons. Various educational levels of the affected persons are shown in the below Table 3.7.

**Table 3.7. Educational Level of Affected Persons**

<b>Education</b>	<b>Chinaz</b>		<b>Yangiyul</b>		<b>Total</b>	
	<b>Number</b>	<b>%</b>	<b>Number</b>	<b>%</b>	<b>Number</b>	<b>%</b>
Elementary	6	1.6 %	69	18.35 %	75	19.94 %
Secondary school	28	7.44 %	199	52.93 %	227	60.4%
University/Institute	6	1.6 % %	67	17.82 %	73	19.4 %
Postgraduate	0	0 %	1	0.27 % %	1	0.26 %
<b>Total</b>	<b>40</b>	<b>10.64 %</b>	<b>336</b>	<b>89.36 %</b>	<b>376</b>	<b>100 %</b>

Source: IOL and Census Survey, January-February 2018

### 3.8 Occupation Pattern of Affected Persons

45. The findings of the project census of the affected persons show that children who attend schools or childergardens are the major group which makes 32.44%. The second major occupation pattern of the affected persons is agriculture where totally 108 persons are involved which is 28.72% of total affected persons. Housewives another major group who equals 12.23% of total number of working affected persons. Pensioners make a significant portion of working affected persons and equal to 8.78% followed by persons who work on government jobs – 7.99 %. Details of occupational pattern of affected persons are given in the below Table 3.8.

**Table 3.8. Occupation Pattern of Affected Persons**

Occupation	Chinaz District		Yangiyul District		Total	
	Number	% of Total	Number	% of Total	Number	%
Agriculture	10	2.66 %	98	26.06 %	108	28.72 %
Business	0	0 %	6	1.6 %	6	1.6 %
Government Jobs	3	0.79 %	27	7.2 %	30	7.99 %
Private Jobs	2	0.53 %	6	1.6 %	8	2.13 %
Pensioner	5	1.33 %	28	7.45 %	33	8.78 %
Student	1	0.26 %	7	1.86 %	8	2.12 %
Housewife	7	1.86 %	39	10.37 %	46	12.23 %
Unemployed	2	0.53 %	13	3.45 %	15	3.98 %
Attending school/ childerganrden	13	3.46 %	109	28.98 %	122	32.44 %
<b>Total</b>	<b>43</b>	<b>11.44 %</b>	<b>333</b>	<b>88.56 %</b>	<b>376</b>	<b>100 %</b>

Source: IOL and Census Survey, January-February 2018

### 3.9 Skilled and Unskilled APs

46. According to the survey findings, it is found that 20.1 % of the APs are skilled having some kind of professional degrees and the remaining 79.9% does not acquire any skill related degree. Yangiyul district is reported to have most APs having a skilled degree. Details are given in the below Table 3.9.

**Table 3.9. Skilled and Unskilled APs**

Skilled or Unskilled	Chinaz		Yangiyul		Total	
	Number	% of Total	Number	% of Total	Number	%
Skilled	6	1.6 %	68	18.08	74	19.68 %
Unskilled	34	9.04 %	268	71.28	302	80.32 %
<b>Total</b>	<b>40</b>	<b>10.64 %</b>	<b>336</b>	<b>89.36 %</b>	<b>376</b>	<b>100</b>

Source: IOL and Census Survey, January-February 2018

### 3.10 Age Structure of Affected Persons

47. Age structure analysis shows that the persons between 26-44 is the major group among the affected persons (28%) followed by the age group of 17-25 (21%). The third major group is the age group of 45-60 which makes about 17%. These three groups from 26 to 60 who is considered economically active group of people make 66 % of total affected persons. Details of age structure of affected persons is given in the below Table 3.10.

**Table 3.10. Age structure of affected persons**

Impact category	Districts	0 - 7	8-16	17-25	26-44	45-60	61-75	76 +	TOTAL
Temporary	Yangiyul	45	32	65	78	50	16	4	290
	Chinaz	3	6	5	9	4	0	0	27
	Subtotal	48	38	70	87	54	16	4	317
Permanent	Yangiyul	11	5	6	13	6	4	1	46
	Chinaz	1	0	3	5	4	0	0	13
	Subtotal	12	5	9	18	10	4	1	59
<b>TOTAL:</b>		60	43	79	105	64	20	5	376
<b>%</b>		16	11.4	21	28	17	5.3	1.3	100%

Source: IOL and Census Survey, January-February 2018

### **3.11 Women's Issues**

48. Women have been considered as an integral part of the stakeholders. During the resettlement planning and social due diligence exercise, women have been made aware about the project and due participation for women was ensured in the consultations. The project will pay particular attention to ensure that women are the recipients of the compensation pertaining to their activities and to ensure that women who are de-facto household heads are clearly listed as beneficiaries of compensation and rehabilitation proceedings under the loan. Special attention will be given to the impact of resettlement on women and other vulnerable groups during monitoring of the LARP implementation. The project will have positive impacts on gender because of improved water supply. Additionally, women headed households have been considered as a vulnerable group and are eligible for special additional assistance as provided in the entitlement matrix of the LARP. The Project will attempt to benefit the women; and a gender action plan (GAP) has also been prepared as part of social assessment.

### **3.12 Indigenous People**

49. No ethnic groups maintaining cultural and social identities separate from the mainstream Uzbekistan's society fitting the ADB definition of Indigenous Peoples were identified during the census survey. Therefore, the ADB's indigenous peoples policy, as described in ADB's SPS, 2009 is not triggered. No special action is required for this LARP.

## 4. INFORMATION DISCLOSURE, CONSULTATIONS AND PARTICIPATION

### 4.1 General

50. Consultations were carried out with stakeholders and project affected persons at various stages of the PPTA exercise, i.e., during the feasibility study, during carrying out environmental studies and social-economic assessment studies. It ensured that the affected people and other stakeholders are informed, consulted and allowed to participate in project preparation and implementation; reducing public resistance to the project; helping mitigate and minimize any probable negative impact and bringing in the benefit of the project to the people.

51. Public consultations were also carried out in the project affected district's hokimiats during the census and socio-economic survey. The participants in these public consultations included representatives of local communities, water users' associations and officials of government organizations.

### 4.2 Objectives of Consultations

52. The main objectives of the consultations are as follows:

- to make people aware about the project and let the beneficiaries know about the positive outcome of the project in terms of reliable water supply;
- to disseminate information to the people about the project in terms of its activities and scope of work; and understand the views and perceptions of the people affected and local communities with reference to acquisition of land or loss of property and its due compensation;
- to involve them as stakeholders in project planning and further during implementation;
- to seek local peoples' views on minimizing probable adverse impacts on land acquisition and involuntary resettlement;
- to understand views of affected people on resettlement options and generate idea regarding the expected demand of the affected people;
- to make people aware about the future plan of action;
- to seek peoples' participation and involvement during collection of actual information during the detailed surveys;
- to assess the local people's willingness to get involved with the project, and enumerate the measures to be taken during the implementation of the project;
- to discuss about the general policy principles of national laws and ADB Safeguard Policy Statement, 2009 and to make them aware about the broad eligibility and entitlements;
- to discuss about the nature of the project induced impacts such as permanent and temporary in terms of land acquisition and involuntary resettlement for the permanent facilities and transmission and distribution lines.

### 4.3 Methods of Consultations

53. Various methods used for public consultation and participation with concerned stakeholders are described in the below Table 4.1.

**Table 4.1. Method of Consultations**

Stakeholders	Purpose	Method
Communal Services Agency (Executing Agency)	<ul style="list-style-type: none"> <li>• To discuss about the potential impact of the projects on land acquisition and involuntary resettlement.</li> <li>• To discuss about the progress of social safeguards planning activities and the broad policy principles, eligibility and entitlements etc.</li> </ul>	<ul style="list-style-type: none"> <li>• Frequent individual meetings and presentation with the relevant officials CSA.</li> </ul>

Stakeholders	Purpose	Method
	<ul style="list-style-type: none"> <li>To discuss about the institutional arrangements and to share the experience of ongoing projects being implemented by the CSA.</li> </ul>	
Local Cadastral Departments and Local Governments	<ul style="list-style-type: none"> <li>To discuss the institutional responsibility of the cadastral department during land acquisition and resettlement.</li> </ul>	<ul style="list-style-type: none"> <li>Consultation and discussion with officials.</li> </ul>
Affected People and Local Communities	<ul style="list-style-type: none"> <li>For information sharing about the project, expected impacts, compensation, entitlement matrix, GRM etc.</li> </ul>	<ul style="list-style-type: none"> <li>Focused group Discussions and village meetings.</li> <li>100% of proposed permanently affected households and 97% of temporarily affected households.</li> </ul>

#### 4.4 Public Consultations

54. Public consultations were arranged in the project districts in January, March and May, 2018 as follows: on 12 January, 10 March and 17 March 2018 in Yangiyul district; 18 January and 17 March, 2018 in Chinaz district; and 7 May, 2018 in Zangiata district. Details of the public consultations are given in the below Table 4.2.

**Table 4.2. Venue, Date and Participants of Public Consultations Meetings**

№	Consultations place	Number of meetings	Total number of participants	Including		Date of Consultations
				Male	Female	
1	Yangiyul district Hokimiyat	3	92	72	19	12 January, 2018
						10 March, 2018
						17 March, 2018
2	Chinaz district Hokimiyat	2	121	78	44	18 January, 2018
						17 March, 2018
3	Zangiata district academic lyceum	1	18	9	9	7 May, 2018
<b>Total</b>		<b>6</b>	<b>231</b>	<b>159</b>	<b>72</b>	

55. Totally 231 people including 159 male and 72 female participated in public consultations in the three districts. The list of participants included representatives of all the settlements to be covered by the project. Most part of participants were presented by heads of rural communities, citizens, representatives of local government, NGOs, schools, hospitals etc. Representatives of IA attended each meeting. Scanned copy of the list of participants is presented as **Annex 2**.

56. During the consultations, the participants were informed about the main features of the project, approximate scopes of project LAR impact, local legal texts regulating LAR issues, ADB SPS 2009 policy principles, compensation payment measures, eligibility for receiving compensation, grievance redress mechanisms (GRM), institutional set up of the project implementation etc. The information was presented using Microsoft Power Point presentation facility. A copy of the presentation is included as **Annex 4** to this report.



**Figure 4.1. Public consultations in progress in Yangiyul district, 12 January, 10 March and 17 March 2018**

57. During the consultations, the stakeholders and participants were informed that project contractors would develop an informative banner including information on project objectives, activities, implementers, schedule of construction works, deadlines, contact information and logbooks for complaints and suggestions on each construction site.

58. The participants also were given a project information booklet which contained summary information on the project including goals of the project, sources and period of the project implementation, physical components of the project, expected adverse impacts of the project, grievance redress mechanisms, entitlements, national legal provisions and principles of ADB regulating land acquisition and resettlement issues and contact details. A sample of the booklet distributed during the consultations exercise is attached as **Annex 3**.





**Figure 4.2. Public consultations in progress in Chinaz district, 18 January and 17 March 2018**

59. People were requested to forward their questions, opinions and suggestions. In addition, participants were provided with the contact information of Tashkent Province “Suvokova” and district branches, Communal Services Agency, ADB’s Uzbekistan Resident Mission and the PPTA team for further suggestions and questions.

#### **4.5 Findings of the Public Consultations**

60. Summary of questions received from participants and answers provided are given in the below table.

**Table 4.5: Summary of questions received from participants and replied answers**

	<b>Questions</b>	<b>Answers</b>
<b>Yangiyul district including part of Zangiata district</b>		
1.	What is the source of drinking water supply for the new project water supply system?	The new project system will be supplied by the existing ground water intake facility VU-1 located on the bank of Chirchik river. This water supply facility will be also rehabilitated by the project where new ground intake wells will be drilled, new water intake and supply equipment will be installed to increase supply capacity of the ground water intake facility.
2.	When detailed design works will start?	We expect that detailed design works will start on second half of the year 2019.
3.	Who will be contractor for the project works?	At the moment we do not know who will be contractor for the project works. Based on the practice we can tell that project works will be divided in to several components and several contractors will be hired for implementation of these components. Contractors will be hired according to procurement principles of Asian Development Bank. Both national and international will be able to participate in the bidding processes.
4.	Which settlements in Yangiyul district will be covered by the project?	Detailed list of the settlements had been explained.



5.	Can you please explain compensation payment procedures in more detail please?	Compensation payment procedures were explained in detail.
6.	How many kilometers of water distribution networks will be reconstructed and constructed by the project?	Totally, about 424 kilometers of networks will be reconstructed and newly constructed under the project.
7.	Will the project also provide good quality water supply to schools or other social institutions?	Yes. After the project completion, not only people but also schools and other social institutions in the project areas will have good quality drinking water supply.
8.	What about quality of soil after completion of pipe laying works, what will be the quality of the land temporarily acquired for the project?	Lands of land users which will be temporarily acquired by the contractors for the project needs will be restored to their original conditions and then returned to owners.
9.	Will water meters be installed for each consumer or tariffs will be calculated according to per capita/day/consumption standard?	Every consumer will be equipped with water meter. Procedure of water meter installation will be clarified later, during the project implementation period. It is sure that per capita/day/consumption standard will not be used for tariff setting.
10.	If not registered auxiliary structures such as barn or shelter are affected by the project will they be compensated?	Yes. If such structures are affected by the project they will be compensated at replacement project cost based on the valuation made by a licensed valuation firm. The valuation firm will evaluate the real price to replace a structure based on the used materials, type of structure, labor cost and other expenditures incurred. The owner of a household will be allowed to retain the materials after demolition.
11.	What will be the diameters of pipelines for water distribution networks inside settlement and what kind of impacts are expected during pipe-laying works inside settlements?	Small diameter pipelines will be used for water distribution networks inside settlements. Diameters of pipelines will range from 100 mm to 250 mm. No significant impacts are expected during the pipe-laying works inside the settlements, because, pipes will be laid within the right of way of existing roads. Temporary blocking of passages to houses or shops may take place. In such cases the construction contractor will be obliged to install bridges over trenches to ensure free access to houses or shops. Construction contractors will be provided sufficient budget for such purposes in their contracts.
12.	What the pipes will be made of?	Polyethylene pipelines will be used both for big diameter transmission main and small diameter water distribution networks.
13.	How many houses or other structures are expected to be impacted during construction works?	No houses or structures are expected to be impacted during construction works. Usually, drinking water supply projects do not impact structures because of flexibility of alignment of the pipelines which allows to bypass houses or other structures.

14.	When exact alignment of pipelines will be designed?	Exact alignment of pipelines will be designed during detailed design stage, most probably in 2020.
15.	Can rural settlements located outside the project area join this new water supply system after project completion?	After the project completion the new infrastructure will be handed over to local water supply company and this issue will be decided by the water supply company together with the local government.
16.	Could you please explain project implementation milestones in more detail please?	Project implementation milestones were explained in detail.
17.	How compensation will be paid to affected persons? In cash or through bank transfer?	Cash compensations will be paid to the affected persons through bank transfer to bank accounts. Then the affected persons will be able to take cash from their banks.
<b>Chinaz district</b>		
1.	What about waste water disposal? Will the project also construct new sewerage systems or reconstruct existing sewerage systems?	No. Unfortunately the project has not sewerage component and sewerage systems construction/reconstruction works will not be implemented by this project.
2.	What will be tariffs for water after new water supply system will be commissioned?	At this stage we do not know what will be tariffs for water supply services. This will be known later during the project implementation period.
3.	Which settlements will be covered by the project?	Detailed list of the settlements had been informed.
4.	What is the source of drinking water supply for the new project water supply system?	The new project system will be supplied by the existing ground water intake facility VU-1 located on the bank of Chirchik river. This water supply facility will be also be rehabilitated by the project where new ground intake wells will be drilled, new water intake and supply equipment will be installed to increase supply capacity of the ground water intake facility.
5.	How construction works will be implemented? By one contractor or by several contractors working in parallel?	It is expected that the project works will be divided to several lots and they will be implemented by several contractors simultaneously.
6.	When construction works will be started exactly?	Now we cannot tell exactly when construction works will start. We expect that such works will start earliest in the second half of the year 2020.
7.	Who will be contractor for the project? Local or international company?	We do not know it yet. Contractor can be either international or local company. This will be known based on the bidding results. Bidding will be carried out according to the ADB standards.
8.	When water will start supplying to people in project areas by new water supply system?	Water will start supplying to people in project areas after the year 2024 or earlier.
9.	How people will be billed? Based on water meter indicators or other standards?	During the project, water meters will be installed for each consumer. So, water consumers will be billed based on actual water consumption volumes.

10.	What about existing old trunk main in our district? How it will be utilized?	Actually, there is no old water trunk main in Chinaz district. It was taken out by local people many years ago.
11.	Which entity will be responsible for monitoring work of contractor?	Communal Services Agency under the Ministry of Housing and Communal Services of Uzbekistan through its Project Coordination Unit will be responsible for monitoring work of contractors. Local communities are also welcome to help to monitor work of contractors to prevent or minimize any negative impacts.

#### 4.6 Meaningful Consultations with Affected Persons

61. Meaningful consultations were carried out with almost all of the affected persons during the inventory of losses survey and census survey process. From among 68 potentially project affected persons, 65 were consulted, and the remaining 3 affected persons were not available. During the consultations with the affected persons in the project areas they were informed about main features of the project, approximate scopes of project impact, local legal texts regulating LAR issues, ADB SPS 2009 principles, compensation at replacement cost payment measures, eligibility for receiving compensation, grievance redress mechanisms (GRM), and institutional set up of the project implementation, etc.

62. A booklet containing the abovementioned information was given to each affected household head. Questions received from the affected persons during the consultations were answered. Summary questions received during such consultations and answers provided are given in the below Table 4.6.

63. Consultations with the affected households during the census survey showed a great interest of the people into implementation of this drinking water supply systems development project. People in the project areas are supportive of the project as they do not have good quality and reliable drinking water supply, and the improved drinking water supply will improve their health standard, will ease the burden of people, and create new opportunities for new businesses, new workplaces, etc.





**Figure 4.3. Consultations with affected persons in project areas**

64. The proposed project affected people informed the project team that they are not against temporary or permanent acquisition of their land if they are provided fair compensation. Most of the people admitted that they know local legislations which require land users' provision of land to the government for social project needs with proper compensation by the latter. Most of the land users in the project areas are new and used their lands only one year or even less. Before taking the land from the government they were familiarized with the land lease requirements of the government which say that a land user is obliged to provide his/her land on temporary or permanent basis to the project with proper compensation by the latter.

**Table 4.6: Summary of questions received from participants and replied answers**

#	Question	Answer
1.	In early 2016 the project consultants informed us that the project would start in 2017. Now, it is the year 2018 and the project has not been started yet. What is the reason the project did not start in 2017?	As you might be informed in 2016 the project was prepared for four districts including Kibray, Zangiata, Yangiyul and Chinaz districts. The main reason of the project delay is that the project cost at that project preparatory stage significantly increased than expected, and, in this regard the Government of Uzbekistan decided to give priority to Kibray and Zangiata districts and start the project in Yangiyul and Chinaz districts at a later stage. Currently the project is being prepared solely for Yangiyul and Chinaz districts and we hope that this time the project will start timely.
2.	Where the transmission main starts and where it ends?	The transmission main starts at VU-1 ground water supply facility located on the bank of Chirchik river and will end in Chinaz city. Exact location of VU-1 facility was explained on map.
3.	What is exact date of start of construction works?	Expected time to start pipe laying construction works is second half of 2020. Exact schedule of construction works will be known during the detailed design process. At that time another detailed measurement survey and census will be carried out.
4.	Will damaged crops be compensated fully?	Yes, all damages will be compensated fully at replacement cost based on real market prices.
5.	Is it possible to plan construction works to off-season period for example to late autumn - winter period in order not to	All measures will be taken to plan the works for late autumn-winter period in order not to damage crops. However, such works can be implemented during

	damage crops?	agricultural period. In this case all losses related to damage of standing crops will be compensated fully.
6.	What technology will be used for joining together plastic pipes?	Technology of joining big diameter polyethylene pipes was explained.
7.	Through which part of our settlement the pipe will go? Can you please explain direction of pipeline of your map?	Location and direction of trunk main was explained on map. The draft design was also explained. Exact alignment will be known after completion of the detailed design which will be based on a series of special technical studies.
8.	What will be the duration of pipe laying construction works on our fields?	The duration of pipe-laying construction works on agricultural fields will not exceed one crop season. All measures will be taken to do the works in no-crop season.
9.	What about rehabilitation of soil after completion of pipe paying? Will it be rehabilitated fully after completion of construction works?	Yes. The project will ensure that before returning their land to the land owners/users the soil will be restored fully to its original condition.
10.	How can we know about start of construction works? Will we be informed in advance about the start of works?	Schedule of construction works will be intimated to all land owners/users in advance. All measures will be taken to allow land owners/users to harvest standing crop.
11.	What about the existing pipeline? Will it be taken out or left on the ground?	If the condition of the existing pipeline is good it will be removed from the field and it will be used for the needs of water supply company. If the condition of the existing transmission main is not good it will be left on the ground because excavation works are not cheap.
12.	At this stage of the project, is the design final or it will change later?	At this stage, it is only a preliminary design and it is a draft. A specialized design company will be engaged after the start of project implementation and the design company will prepare a detailed design. That design will be final and construction works will be implemented based on that detailed design. The detailed design process will require a lot of detailed technical surveys and studies. The location of the project facilities or alignment of pipelines can be changed based on the detailed design findings. After completion of the detailed design a new survey will be carried out to identify and inform the affected persons. This will happen probably in the second half of 2019.
13.	What is alignment of transmission main?	Alignment of trunk main was explained on a map.
14.	Which construction company will construct water distribution centers?	The procedures regarding selection and engagement of construction companies under the project were explained.
15.	Will there be employment opportunities in the new water distribution centers?	Yes. Staff will be required for operation of new water distribution centers. Such staff will include mostly operators and guards.
16.	How deep will the trunk main be laid in to ground?	The pipeline will be laid at about 1.5 meters underground.

17.	Why ADB needs to know the socio-economic conditions of the affected households?	ADB needs to know the socio-economic conditions of the affected households to assess the household and pay additional allowances in case a household is found to be vulnerable.
18.	Which organization will pay compensation to the affected persons?	Compensation to persons who will suffer permanent or temporary impact will be paid by the project namely by the Project Coordination Unit of CSA. The leaflet which is given to you contains contact details of the Project Coordination Unit.
19.	How pipelines will be connected to each other?	Pipelines will be connected to each other using a special technology where ends of pipelines will be heated and joined to each other. For this purpose, a special welding apparatus will be used.

#### 4.7 Future Consultation Strategy

65. Consultation will be continued throughout all the project cycle. Additional rounds of consultations with APs will be required while updating the LARP during the detailed design and before LARP implementation. The next rounds of consultations will occur during the detailed design exercise and when compensation and assistance are provided. For future consultations, the following steps are envisaged in the project:

- CSA will organize public meetings and will apprise the communities about the progress in the updating of LARP.
- CSA will organize public meetings to inform the community about the compensation and assistance to be paid. Regular update of the progress of the resettlement component of the project will be placed for public display at local government office.
- Key features of the entitlements will be disclosed along the project corridor.
- Attempts will be made to ensure that vulnerable groups understand the process and to take their specific needs into account.

#### 4.8 Disclosure

66. Disclosure about the project has already been made through public consultations and by distributing a project information booklet. In the future, project information will be disseminated through disclosure of resettlement planning documents. Resettlement information leaflet containing information on project design, compensation, assistance, eligibility, entitlement, grievance redress mechanism, implementation schedule etc. will be prepared and translated into the Uzbek language and will be distributed to the project affected persons during the process of updating the LARP by CSA at the detailed design stage. The draft LARP (full report) will be translated into the Uzbek language and will be made available at district level especially in the local Hokimyats upon approval. The detailed report will be available for the APs as and when asked for. The draft LARP will be disclosed on ADB's website in English and on the website of CSA in the Uzbek language upon approval. The same procedure will also be followed for the disclosure of the updated/final LARP during the detailed design exercise.

## 5. GRIEVANCE REDRESS MECHANISMS

### 5.1 Objectives

67. The ADB safeguards procedures require an EA to establish a project level Grievance Redress Mechanism (GRM) having a suitable grievance redress procedure to receive and facilitate resolution of the affected peoples' concerns, complaints, and grievances. A grievance redress mechanism will be established to allow affected persons appealing any disagreeable decision, practice or activity arising from land or other assets compensation or even construction related grievances, such as, dust and noise and vibration. APs had been fully informed of their rights and of the procedures for addressing complaints, whether verbally or in writing during inventory of losses and census survey. The same process will be carried out during the detailed measurement survey and census survey when the LARP is updated based on the detailed design findings. Care will always be taken to prevent grievances rather than going through a redress process. The grievance mechanism will not impede access to the country's judicial or administrative remedies. Affected persons can approach a court of law at any time and independent of the project level grievance redress process. Along with the ADB requirements on development and approval of grievance redress mechanism by implementation of investment projects, grievance redress procedure in Uzbekistan is also regulated by the national legislation, in particular by the law "On appeals of individuals and legal entities" (No. ZRU-378 issued on 3 December 2014 and amended on 11 September, 2017). The CSA will establish a project level appeal mechanism based on the national legislation of Uzbekistan.

### 5.2 Grievance Redress Mechanism (GRM)

68. The APs will have the right to file complaints and queries on any aspect of land acquisition compensation and resettlement as well as construction related grievances. The CSA will ensure that grievances and complaints on any aspect of the land acquisition, compensation, and resettlement are addressed in a timely and satisfactory manner. All possible avenues are made available to the APs to resolve their grievances at the project level. Under the proposed project level grievance mechanism, affected households may appeal any decision, practice or activity connected with the assessment or valuation of land or other assets, acquisition and compensation. All APs will be made aware of the procedures they can follow to seek redress, including, if necessary resort to the courts through the Government's grievance mechanism. During the detailed design stage the Project Grievance Mechanism will be disseminated via the LARP leaflet that will be distributed by EA to affected households through the mahalla or village assembly of citizens or farmers councils during the disclosure workshops. The Project Coordination Unit (PCU) of CSA will establish a simple and accessible Grievance Redress Mechanism. The GRM provides a number of avenues and levels for grievance resolution and appeals process. A multi level GRM is proposed for the project and is described below in **Table 5.1**.

**Table 5.1: Grievance Redress Mechanism and Levels**

Level/Steps	Process
<b>Level-1.</b> District Branches of the Tashkent Province Water Supply Company "Suvokova".	The aggrieved person applies to relevant district branch of TPS. After registration of received complaints the relevant branch of TPS will review nature/specificity of the complaint and will forward it to relevant party for resolving. In parallel, the branch of TPS shall inform its headquarter in Kibray city and the PCU coordinator about the received complaint. Depending on the nature of complaint it may go to project contractor, land cadaster department, makhalla or other local entity. During implementation of the GRM the branch of TPS will be assisted by the Project Management Consultant and social safeguards specialist of PCU. At this level, the complaint should be resolved within 2 weeks. The local branch of TPS will inform the

	aggrieved person and PCU coordinator about the measures undertaken and the outcome of the submitted question or complaint. APs also may submit their appeals to TPS through the following e-government sites: <a href="http://www.my.gov.uz">www.my.gov.uz</a> or <a href="http://www.pm.gov.uz">www.pm.gov.uz</a> .
<b>Level – 2. Grievance Redress Committee under the Tashkent Province “Suvokova” (TPS)</b>	In case the grievance was not redressed on the first stage or an applicant is not satisfied with the decision made/solution, she/he can submit the grievance directly to Grievance Redress Committee (GRC) under TPS in Kibray city which will consist of officials of Hokimiyat, coordinator of PCU on site, officers of IA and PMC. The committee will review the complaint and make a decision on its redress. Complaints shall be resolved in 15 days, and in case additional details are required, a maximum of 30 days will be used to resolve and close the complaint. In case this additional time is necessary, the complainant will be informed of the additional delay in writing. In case the grievance is not related directly to the project, the further instance will be recommended to the applicant where she/he should apply for the decision making. The EA through its PCU coordinator on a regular basis will check with the TPS whether any complaint is received by district branches. At this stage APs also may submit their appeals to EA through the following e-government sites: <a href="http://www.my.gov.uz">www.my.gov.uz</a> or <a href="http://www.pm.gov.uz">www.pm.gov.uz</a> .
<b>The legal system of the country</b>	If the issue was not resolved or the applicant is not satisfied with the decision/resolution at either stage of the project level grievance redress process, the aggrieved person may submit grievance to a local Economic Court where decision will be made in accordance with relevant national legislation. This decision will be final.

69. The aggrieved persons can also use the ADB Accountability Mechanism (AM) through the direct citizens' application to the Headquarter in Manila, particularly to Complaints Receiving Officer, Accountability Mechanism Asian Development Bank Headquarters, 6 ADB Avenue, Mandaluyong City 1550, Philippines Email: [amcro@adb.org](mailto:amcro@adb.org), Fax +63-2-636-2086.

70. AM is the last resort and ADB has its availability as a recourse in case other mechanisms for dealing with harmful project effects are not successful. GRM is required by SPS and the use of project level GRM should be encouraged first. The Accountability Mechanism is not a responsibility of an EA; it is the responsibility of ADB.

### 5.3 GRM Records and Documentation

71. The Communal Services Agency and its PCU will keep record of complaints received for its use as well as for review by ADB during regular supervisions. The grievance mechanism applies equally to all affected households. When a reference is made to the Mahalla, it is to the mahalla that the affected households' lands or orchards are located in. The PCU will be responsible for recording the complaint, the step taken to address grievance, minute of the meetings, and preparation of a report for each complaint. The complaint handling process will be reported to ADB through project progress reports, and this will be a subject matter of the monitoring exercise as well.



## 6. POLICY AND LEGAL FRAMEWORK

### 6.1 General

72. The legal and policy framework of the Project is based on national laws and legislations related to land acquisition and compensation policy in Uzbekistan and ADB's Safeguard Policy Statement 2009 (SPS). Based on the analysis of applicable laws and policies and ADB's Policy requirement, the project related LAR principles have been adopted.

### 6.2 Laws, Regulation and Provision relating to LAR in Uzbekistan

#### 6.2.1 The Constitution of the Republic of Uzbekistan

73. The Constitution of the Republic of Uzbekistan adopted on 08.12.1992 with the latest amendment on 07.04.2017 provides that:

- everyone shall have the right to own property (Article 36). The economy of Uzbekistan, evolving towards market relations, is based on various forms of ownership. The state shall guarantee freedom of economic activity, entrepreneurship and labour with due regard for the priority of consumers' rights, equality and legal protection of all forms of ownership (Article 53);
- an owner, at his discretion, shall possess, use and dispose of his property. The use of any property must not be harmful to the ecological environment nor shall it infringe on the rights and legally protected interests of citizens, juridical entities and the state (Article 54);
- the land, its mineral resources, waters, fauna and flora, other natural resources shall constitute the national wealth and shall be rationally used and protected by the state (Article 55).

74. The Constitution guarantees the rights of its citizens and their equality before the law. In accordance with the Constitution, all citizens of Uzbekistan have equal rights and freedoms and are equal before the law without distinction of sex, race, nationality, language, religion, social origin, convictions, personal or social status (Article 18).

#### 6.2.2 The Land Code of the Republic of Uzbekistan

75. The Land Code of the Republic of Uzbekistan was adopted on 30.04.1998 with amendments as of 30.08.2003 and 03.12.2004. The code regulates the issues of withdrawal and provision of land plots for non-agricultural needs, compensation of losses of agricultural production, defines ownership and rights on land. It describes responsibilities of different state authorities of Uzbekistan related to land management; rights and obligations of land possessor, user, tenant and owner; land category types, land acquisition and compensation, resolution of land disputes and land protection. The Land Code also defines the terms of rights termination on land plot, seizure and land acquisition of land plot for state and public needs, and terms of seizure of land plot in violation of land legislation.

76. According to the Land Code of the Republic of Uzbekistan, all land in Uzbekistan is state property and permits for use of land are granted and monitored by the State through the district and province administrations. National legislation envisages the following types of land transfers: for use, lease, or ownership by legal entities (only with objects of trade and services infrastructure), and for lifelong inheritable ownership (with housing), use, or lease by individuals. While all land transactions are subject to state regulation some transactions occur with special permission of the state. The laws and procedures for expropriating agricultural and urban land are treated differently under Uzbek Law. While agricultural land issues are covered and treated under the Land Code, urban land issues are covered under the Civil Code, the Housing Code, and the Urban Construction Code.

77. The Land Code identifies several categories of land users, who are eligible for compensation for losses and damages in connection with land acquisition:

- Land tenants – citizens who were allocated land plots for individual housing construction and/or dehkan farming on the basis of life-long tenure

- Lessees (leaseholders) – farmers, who were allocated land plots for agricultural production purposes, on the basis of a long-term lease
- Land owners – users of land plots occupied by trade and services infrastructure, which are used as private property. Land, occupied by trade and services infrastructure, however, may not be sold separately from the latter
- Land users – all other enterprises, organizations and institutions, which are entitled to use non-agricultural lands. This is the largest category, which includes enterprises and institutions of all types (private and public). Examples include hospitals, schools, private enterprises, and factories.

78. The land legislation envisages compensation for damages to land users in full, including lost profits, in the following instances: (a) seizure, purchase or temporary occupation of land; (b) limitation of the rights of users; (c) deterioration of land quality due to the effects of construction works, servicing, and other activities that lead to reductions in the quantity or quality of agricultural products. According to the legislation, compensation for loss of agricultural production is not provided if: (i) land is acquired for the construction and servicing of individual housing; (ii) land is acquired for the construction of schools, boarding-schools, orphanages, preschool and healthcare establishments; and (iii) land was allocated for water management purposes and for the construction of irrigation and water related facilities.

### **6.2.3 Housing Code of the Republic of Uzbekistan**

79. The Housing Code of the Republic of Uzbekistan was adopted on 24.12.1998 with amendment as of 20.08.2015. This housing legislation regulates the relations of citizens, legal entities, public bodies and local governments on such issues as emergence, implementation, change and termination of the property right, the right of possession and use of premises; registration of housing, maintenance and repair of housing stock, monitoring of observance of housing rights of citizens and proper use of housing stock.

80. Article 27 ensures that affected persons whose houses are demolished will be provided with equal value housing in case their residential lands are acquired for public needs. The article ensures that such affected persons are compensated for lost facilities, constructions, crops, trees and other damages.

81. Article 28 of the Code identifies conditions for “land for land” compensation for acquisition of residential lands for state and public needs. The article says that in case of demolition of residential houses in connection with land acquisition for state or public needs the affected citizens, members of their families and also the citizens which permanently live in these houses shall be provided land for individual housing construction based on the existing standards. The affected persons should be provided temporary housing for the period of new house construction on new land up to three years including full compensation of demolished premises, facilities, constructions and plantings as well as other related expenditures.

82. Article 29. Compensation of losses of legal entities due to acquisition of their lands for state and public needs. Legal entities who own residential houses, other constructions, facilities, plantings located on land to be acquired shall be compensated with equal value property and paid other incurred losses due to acquisition of land parcel due to state and public needs.

83. Article 30. According to this article residential houses, constructions and facilities located on acquired land can be moved to new location. Procedure of movement of houses, constructions and facilities shall be determined by the Cabinet of Ministers of Uzbekistan.

### **6.2.4 Civil Code of the Republic of Uzbekistan**

84. The Civil Code of the Republic of Uzbekistan was approved by the Laws of the Republic of Uzbekistan No.163-I dated 21.12.1995 and No.256-I dated 29.08.1996 with the last amendments No. ZRU-260 dated 22.09.2010. The Civil Code provides definition of

property, main concepts to property objects, basics of termination of the property rights and the right for compensation payments in view of the property right loss, rights on intellectual property, regulates the contractual and other obligations, as well as other property and related personal non-property relations. The Code defines general rules of property seizure, determination of property cost and rights for compensation, terms of rights termination.

85. The Code provides that: a person whose right has been violated may demand full compensation for damages, unless the law or the contract provides compensation for losses in a smaller size (Article 14, Clause 1). The Civil Code (Article 14, Clause 2) also specifies that losses are understood as:

- expenses that the person whose right is violated, made or must make to restore the violated right;
- the loss of or damage to property (real damage);
- the revenues that this person would have received under normal conditions of civil turnover if his right had not been violated (lost profits).

86. According to Article 14, Clause 3 “If the person has violated law, revenues received as a result of this, the person whose rights were violated, has the right to demand compensation along with other losses, lost profits in the amount not less than such profits”.

87. According to Article 7 “If an international treaty or agreement stipulates other rules than those stipulated by civil legislation, rules of the international treaty or agreement shall be applied”. This rule is a common rule for all Uzbekistan’s laws.

88. According to the Article 8, Clause 3, the rights to the property which are subject to state registration shall arise upon the registration of the relevant rights to it, unless otherwise provided by law. Article 84, Clause 1 provides that the right of ownership and other real property rights, creation, transfer, restriction and termination of these rights are subject to state registration. This means that without registration the right to real estate property does not enter into the force. This statement is very important for the further understanding of LAR processes related to land acquisition and building’s demolition.

#### **6.2.5 The Resolution of the Cabinet Ministers of the Republic of Uzbekistan "About Approval of the Regulations on Procedure of Compensations Payments to Citizens and Legal Entities for Withdrawal of Land Plots for the State and Public Needs"**

89. The resolution with the reference number 97 was adopted on 29 May, 2006. This resolution sets out the procedures for the compensation individuals and legal entities in the event that the urban land they occupy or use is needed to be acquired for state and public needs. This regulation is mainly dealing with land plots, houses, building and structures of individuals and legal entities.

90. The following are the general principles and procedures of the resolution that will be carried out for acquiring a land plot or portion of it and compensating individuals and legal entities for residential, manufacturing, or other special purpose buildings, facilities, and plantings subject to demolition in connection with land withdrawal for government or public needs.

- (a) Withdrawal (or acquisition) of a land plot for public needs shall be carried out with landowner’s consent or upon agreement with the land-user/tenant, by a resolution of the Hokim of a particular jurisdiction (district, town, city, province), or by the resolution of the Cabinet of Ministers of the Republic of Uzbekistan.
- (b) If the landowner, land-user, or landholder disagrees with the resolution of the Hokim of the relevant jurisdiction or the Cabinet of Ministers on withdrawal of a land plot, then the resolution may be appealed in a court.
- (c) A resolution on the withdrawal of a land plot and demolition of residential, manufacturing, or other assets (that is, buildings, facilities, and plantings) shall be

made in accordance with the general layouts, as well as the detailed plans for the development of residential areas and neighborhoods in cities and settlements.

- (d) Unjustified demolition of residential, manufacturing, or other buildings, facilities, or plantings shall be prevented.
- (e) Based on a resolution of the Cabinet of Ministers, the Hokims of the respective districts/towns shall adopt their own resolutions on withdrawing a land plot and demolishing residential, manufacturing, and other buildings, facilities, and plantings.
- (f) The Hokimiyats of the respective districts/towns shall notify the owners of relevant residential, manufacturing and other buildings, facilities, and plantings in writing and against a receipt about the resolution at least six months before the targeted demolition date. The notification shall be supported by copies of the respective resolutions on withdrawal of the land plot and demolition of residential, manufacturing, and other buildings, facilities, and plantings located on the land plot.
- (g) Landowners may appeal the Resolution of the respective District/Town Hokim on demolition and approval of the value of residential, manufacturing, and other-purpose buildings, facilities, and plantings subject to demolition in the Hokimiyats of the Provinces as well as in the court system.
- (h) The value of residential, manufacturing, or other-purpose buildings and facilities built without proper authorization shall not be reimbursed.
- (i) If the withdrawn lands are allocated to enterprises, institutions, or agencies, those entities will be responsible for the payment of compensation, provision of houses or apartments, and temporary housing, as well as the reimbursement of all relocation costs based on the decision of the respective District/Town Hokim.

91. The following are the specific procedures and terms for compensating individuals and legal entities for houses, buildings, facilities, and plantings to be demolished.

- (a) The respective Hokimiyats shall establish commissions (hereafter referred to as the "Commission") to determine the size and type of compensation. The Commission will be headed by the Deputy Hokim of the district/town and include the representatives of financial and other departments of Hokimiyats, the State Inspector for Supervision over Land Use and Protection, local authorities, landowner (that is, land-user or landholder) in charge of the land plot to be withdrawn, representative of the enterprise, institution, or agency to which the land plot is to be allocated, as well as representatives of other relevant authorities at the discretion of Hokimiyats.
- (b) The technical condition of houses or apartments, buildings, and facilities are appraised, and the value of plantings to be withdrawn will be determined by the District/Town Land Resource and State Cadaster Departments at the expense of the applicant. In case of disagreement with the results of the appraisal by the District/Town Land Resource and State Cadastre Departments, the owner has the right to contract independent licensed appraisers which will be paid for by the applicant. The appraisal materials are to be submitted to the Commission.
- (c) If the land plot to be withdrawn is owned by an individual who has acquired a lifetime ownership with the right of inheritance through an auction, the individual will be provided with lifetime ownership to an equivalent new land plot with the right of inheritance. The appraisal will be performed by the licensed appraisers of the District/Town Land Resource and State Cadaster Departments in current prices at the expense of the applicant.
- (d) Any materials resulting from the dismantlement of houses or apartments, other buildings, and facilities (except unauthorized constructions) shall remain at the

disposal of the developer or landowner (land-user, landholder) who pays full-scale compensation to the owner. In specific cases, at the request of the owner of the demolished property or plantings, and by the decision of the respective Hokim, the materials resulting from the dismantling of the property may be transferred to the owner. In this case, the Commission shall determine the value of the materials transferred to the owner at current market prices, taking into account wear-and-tear.

- (e) The specific timing and procedures of monetary compensation payment shall be set forth by resolutions of the relevant jurisdiction. However, monetary compensation is to be paid prior to commencement of demolition process.

92. Procedure and Terms for the Provision of Housing to the Owners of Houses to be demolished.

- (a) If privately owned are to be demolished, the individuals, members of their families, as well as the individuals permanently residing in these houses or apartments at their own choice and subject to agreement of the parties, will be provided with an equivalent suitable dwelling with the floor space meeting the public norms on an ownership basis, and will receive compensation for the value of the plantings, or will get compensated for the value of demolished houses or apartments, other buildings, facilities, and plantings. Equivalence is determined as being an amount equal to the value of the house or apartment to be demolished. If the value of the house or apartment to be demolished is higher than the value of the housing provided, the owner will be compensated for the difference.
- (b) The respective District/Town Hokimiyats will be responsible for providing housing and/or paying other types of compensations to the owners of the demolished houses or apartments out of the funds from local budget revenues.
- (c) In order to get living quarters, the owner of the residential house or apartment to be demolished after receipt of a notification about the upcoming demolition shall, within a month's time, file an application agreed with family members and other people residing (registered) in the house or apartment to the respective District/Town Hokimiyat requesting assignment of living quarters in exchange for the housing to be demolished, specifying family members, number of permanently residing persons, as well as any available benefits which entitle them to extra housing floor space in addition to the public norm.
- (d) After the respective District/Town Hokimiyats approve the Commission resolution on the size and type of compensation, assignment of living quarters in exchange for the demolished residential house or apartment, or, at the request of the owner, on provision of monetary compensation, the owner shall file with the Hokimiyat a letter providing a guarantee to vacate the residential house (apartment) subject to demolition.
- (e) A house or apartment may only be demolished subject to agreement of the parties and after the owner was provided with living quarters in exchange for the house or apartment to be demolished.
- (f) In specific cases, subject to agreement of the owner of the house or apartment to be demolished, the District/Town Hokimiyat may provide living quarters in houses, which are in the course of construction, specifying in the resolutions the exact timing when the house is to be commissioned. If the living quarters in the houses being constructed are not provided by the established date, the Hokimiyat shall be responsible for providing the living quarters within a month's time.

- (g) (Belongings of the owner of the residential house (apartment) to be demolished shall be moved to a new location at the expense of the developer or landowner (land-user, landholder) to whom the plot was allocated.
- (h) The respective District/Town Hokimiyats will compensate the owner of the house to be demolished due to the withdrawal of the land plot.

93. Procedure and terms for provision of land plots for private housing construction to individuals in exchange for residential houses (apartments) to be demolished.

- (a) In case of demolition of privately owned residential houses or apartments in connection with a land plot acquisition for public purposes, the owners of the properties, their family members, as well as individuals permanently residing in these houses or apartments at their request could be provided with a land plot for private housing construction within the established norms. Here, temporary housing under the terms of a lease shall be provided for the development period of up to two years along with full-scale compensation for the value of the houses or apartments, buildings, facilities, and plantings to be demolished.
- (b) A land plot for private housing construction and monetary compensation shall be provided to the owner of the demolished houses or apartments by the respective District/Town Hokimiyat. If the withdrawn land plots are to be allocated to enterprises, institutions, or agencies, these entities will be responsible for providing compensation land plots for private housing construction and compensation payments to the owners of the demolished residences.
- (c) To obtain a land plot, the owner of a house or apartment to be demolished after receipt of notification on the upcoming demolition shall, within a month's time, file with the respective District/Town Hokimiyat an application for assignment of a land plot for private housing construction specifying the family members, number of permanently residing persons, and the need for temporary housing.
- (d) After the respective District/Town Hokimiyat approves the Commission resolution on the size and type of compensation, the owner shall file with the Hokimiyat a letter providing a guarantee to vacate the house (apartment) subject to demolition within the term specified by the respective District/Town Hokimiyats.
- (e) A house or apartment may be demolished only after the owner is provided with a land plot for private housing construction and with temporary housing on terms of a lease for the period of development of the land plot of up to two years.

94. Procedure for compensating legal entities for damages resulting from land withdrawal for government and public needs.

- (a) In the case of withdrawal of a land plot that accommodates residential, manufacturing, or other buildings, facilities, or plantings owned by a legal entity, the legal entity is to be provided with equivalent property and is fully compensated for all damages due to the withdrawal of land plot for public needs.
- (b) Land-owners/users/tenants/proprietors of land plots in urban areas shall be compensated for the damages in agriculture and forestry-based production in accordance with the land laws of the Republic of Uzbekistan.
- (c) Legal entities shall be compensated for damages resulting from withdrawal of land plots by the respective district/Town Hokimiyat. If the withdrawn land plots are to be allocated to enterprises, institutions, or agencies, then payment of compensation, provision of living quarter and temporary housing, as well as moving the property to the new location shall be carried out at the expense of such enterprises, institutions, and agencies according to the resolution of the respective District/Town Hokimiyat.
- (d) To be compensated for the withdrawal of a land plot, the legal entity following the receipt of notification of the upcoming demolition shall, with a month's time, file

an application specifying the type of compensation with the respective District/Town Hokimiyat.

- (e) (After the respective District/Town Hokimiyat approve the resolution of the Commission, the legal entity shall file with the Hokimiyat a letter providing a guarantee to vacate the residential house, other buildings, and facilities subject to demolition within the term specified by the respective District/Town Hokimiyats.
- (f) Residential, manufacturing, and other special purpose buildings as well as facilities belonging to a legal entity may be demolished only after the type and size of compensation and timing of payment thereof are agreed to with the owner.

95. Procedure and terms of movement and restoration in a new location of residential houses, buildings, and facilities subject to demolition.

- (a) At the request of individuals and legal entities, the residential, manufacturing, and other purpose buildings and facilities owned by them, which are subject to demolition may be moved and restored in a new location in accordance with a resolution of the respective District/Town Hokimiyats and shall be funded out of local budget revenues. The individuals and legal entities who own the housing shall be provided with temporary housing under a lease for the period of land plot development up to two years.
- (b) The property will be moved and restored within the limits of a given locality on land plots assigned in accordance with the established norms, subject to a condition that the technical state of houses, buildings, and facilities allows for their movement, i.e. the condition of the engineering structures and structural components must be able to withstand disassembly, transport, and reassembly in a new location. The Commission will determine the feasibility of moving the houses, buildings, and facilities based on a feasibility study and design estimates developed by specialized design agencies at the expense of the developer to whom the withdrawn land plot is allotted. The movement of residential, industrial, or other buildings and facilities and their restoration in a new location shall be carried out within the timeframe set forth by the respective District/Town Hokimiyats. However, the term should not exceed a period of one year.
- (c) All costs associated with the movement of residential, manufacturing, and other buildings and facilities and restoration thereof in a new location, rent of temporary housing, movement of property of individuals or legal entities to the temporary housing and from there to the restored buildings/facilities based on the decision of the respective District/Town Hokimiyats shall be borne by the developer or land owner (land-user, landholder) to whom the plot was allocated.
- (d) Relocation of equivalent residential, manufacturing, or other-purpose buildings and facilities owned by a legal entity shall be carried out only after the type, the size, and the timing of payment of compensation are agreed to with the owner.

96. Procedure and terms of settlement in cases of construction of houses and buildings in a new location for individuals and legal entities whose residential houses (apartments) are subject to demolition.

- (a) At the request of individuals and legal entities whose houses or apartments are subject to demolition, residential houses and buildings may be constructed in a new location and transferred to their ownership. In this case, no monetary compensation for the demolished residential houses or apartments is paid.
- (b) Construction of residential houses and buildings in a new location and their transfer to the ownership of individuals and legal entities whose residential

houses or apartments are subject to demolition shall be carried out by the respective District/Town Hokimiyats.

- (c) If the withdrawn land plots are to be allocated to enterprises, institutions, or agencies, then the construction of residential houses and buildings in a new location and transfer thereof to the ownership of individuals and legal entities, whose residential houses or apartments are subject to demolition, will be carried out at the expense of such enterprises, institutions, or agencies.
- (d) Construction of residential houses and buildings in a new location for individuals and legal entities, whose residential houses or apartments are subject to demolition shall be carried out within the limits of a given locality (population center). Here, for the period of construction of residential house/building at the new location, the respective District/Town Hokimiyats will provide the individuals and legal entities concerned with temporary housing on terms of a lease.
- (e) All costs related to the leasing of temporary housing, movement of property of the individuals and legal entities to the temporary housing, and from there to the residential houses built in a new location based on the decision of the respective District/Town Hokimiyats, shall be borne by the developer or land owner (that is, land-user, landholder) to whom the withdrawn land plot was allocated.
- (f) In order to get the residential house/building constructed in the new location in exchange for the house or apartment to be demolished, the individuals and legal entities, owning houses or apartments subject to demolition shall, within one month after receipt of notification about demolition, file an application specifying the family members, number of permanently residing persons, as well as the available housing benefits with the respective District/Town Hokimiyats.

#### **6.2.6 Resolution of Cabinet of Ministers “About the Measures of Improvement the Order of Provision of Land Plots for Implementation of Urban Development Activity and for Other Non-Agricultural Needs”**

97. Being adopted on 25 May 2011 with the reference number 146 the resolution is aimed to improve the procedure of providing land plots, protect the rights of legal entities and individuals on land, improve the architecture of settlements and the efficient use of their land for construction in accordance with the land code and the town planning code. This resolution has approved two regulations: (i) regulation on the procedure for providing land plots for urban development and other non-agricultural purposes, (ii) regulation on the procedure of compensation for land possessors, users, tenants and owners, as well as losses of agriculture and forestry:

98. The Regulation on the procedure for providing land plots for urban development and other non-agricultural purposes contains the following provisions:

- Order of land plot location, preparation and approval of site selection and land allocation documents without approved planning documentation;
- Order of placement, selection and land allocation with approved planning documentation,
- Order for rejection in the selection and land allocation for construction;
- Provision(sale) of land plots for individual housing construction;
- Elements of urban planning documents and development regulation lines.

99. The Regulation on the procedure of compensation for possessors, users, tenants and land owners, as well as losses of agriculture and forestry includes the following:

- Compensation for losses of owners, users, tenants and land owners;
- Compensation for losses of agriculture and forestry;
- cost of irrigation and developing equal new land plot in return for seized irrigated agricultural land;
- Cost of fundamental improvement of grassland and pasture;



- Scheme for determination of losses of land possessors, users, tenants and owners, as well as losses of agriculture and forestry;
- Coefficients on location of seized land plots.

100. The losses of land possessors, users, tenants and owners, as well as losses of agriculture and forestry should be compensated before granting of documents certifying rights on land plot. The regulation also orders that demolition of house, or building shall be done only after agreeing on compensation and providing replacement premises. The regulation orders that compensation has to be paid before starting any construction work. The land possessors, users, tenants and owners, whose land plots are seized and to whom land plots are granted, in case of disagreement with defined amount of losses, can appeal to court. In case of acquisition and temporary occupation of land plot or part thereof, the following would be subject to compensation:

- Cost of land plot, owned by individuals and legal entities;
- Cost of residential houses, constructions and installations, including incomplete constructions, and also located outside of allocated plot, if its further utilization is impossible due to seize of land plot.
- Cost of fruits and berries, protection and other perennial plants;
- Cost of incomplete agricultural production;
- Lost profit.

101. Above described Laws and Regulations mention that non-titled and squatters on land and building/structures are ineligible for any compensation.

102. Collectively, these regulations provide a sound basis for acquiring land for public purposes and for compensating land users according to the registered use of the land in Uzbekistan.

### **6.2.7 Additional Procedures or Principles Relating to Expropriation of Urban Land**

103. Based on the Civil Code, the Housing Code, and the Urban Construction Code, the real estate value and corresponding compensation are determined on the basis of the registered price in the Cadastre. However, this price may be an underestimation of the real price of the property. In some cases, the registered price can be several times below a real estate's actual market value. The real estate owner is given a choice between cash compensation or the provision of real estate of equal value on a different plot of land. Given that all land in Uzbekistan is state owned, loss of land is not compensated in cash. Enterprises or businesses that are expropriated will be compensated by a new plot of land and building, thus allowing affected people to pursue their activities.

104. There is no provision for compensation for loss of income or profits. This is in contrast to the Land Code, according to which farmers are compensated for lost income. It is important to note that because of State ownership of lands in Uzbekistan, land use is only possible with the permission of local authorities on the basis of a lease or on other terms. Accordingly, land use issues are fully covered by land legislation and are not governed by provisions of customary law, traditional practices, or neighborhood relationships, etc. Thus, according to Uzbek laws, those who use or occupy land without a lease or other type of official permission will not be entitled to legal compensation. The State will have the right to seize the land from those "illegal land users".

105. Within implementation of this project the order of compensations payment to these persons in case of loss of property and other objects of property is also governed by the following standard and legal documents:

- i. Law of the Republic of Uzbekistan "On Evaluation Activity" as for 19.08.1999. No. 811-I;

- ii. Decree of the President of the Republic of Uzbekistan "On further improvement of activity of evaluation companies and increases of their responsibility for the quality of rendered services" (No. PP-843 as for 24.04.2008).

### **6.2.8 Construction Standard and Rules No. KMK 2.10.03-97**

106. The KMK Instruction regulates construction norms for temporary and permanent allocation of land plot to main water and sewerage pipelines. This construction norm is issued by State Committee on Architecture and Construction of Uzbekistan which is the controlling authority for all type of constructions within Uzbekistan. According to this KMK permanent land acquisition will be allowed for on ground pipelines only and in case there will be underground pipeline laying down then temporary land acquisition will be applied only.

### **6.2.9 Resolution of Cabinet of Ministers “On Approval of the Regulations on the Procedure of Assignment and Payment of Social Benefits and Material Assistance to Low-Income Families”**

107. This resolution with reference number 44 dated 15 February 2913 determines the procedure for the appointment and payment by Makhalla allowances for families with children under the age of 14 years, allowances for child care until the age of two years and allowance for low income families. According to this resolution the following types of families are entitled for allowances:

- families who have lost both parents and children involved in family education;
- families where one or both parents are disabled children;
- widow (er), raising two or more children under the age of 14, living separately from other relatives;
- family with disabled children;
- mothers or fathers who are bringing up the children in a single-parent family. In this case the fact of child rearing mother (father) in an incomplete family established by Makhalla;
- families in which one or both parents are unemployed who has been registered at centers to promote employment and social protection of the population as job-seekers;
- single retired persons.

108. The Uzbekistan’s legislation does not define compensation as targeting the rehabilitation of the APs livelihood. It instead focuses on the mere compensation of directly measurable physical impacts or incomes. This may create some reconciliation problem with ADB requirements especially for what concerns the compensation of indirectly affected items that become unusable after impacts or for the provision of severe impacts, vulnerable APs and relocation allowances. The legislation, however, has enough span (for instance indicates that the poor, the disadvantaged and the people leaving in frontier areas require special attention during LAR) to allow an interpretation of its mandates to cover ADB requirements without the need of legal reform.

### **6.3 ADB Involuntary Resettlement Safeguard Policy review**

109. ADB adopted its Safeguard Policy Statement (SPS) in 2009 including safeguard requirements for environment, involuntary resettlement and indigenous people. The objective of the involuntary resettlement safeguard policy is 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 the standards of living of the displaced poor and other vulnerable groups.

110. The involuntary resettlement safeguards cover physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. It covers them whether such losses and involuntary restrictions are full or partial, permanent or temporary. The three important elements of ADB's SPS are: (i) compensation at replacement cost for lost assets, livelihood, and income prior to displacement; (ii) assistance for relocation, including provision of relocation sites with appropriate facilities and services; and (iii) assistance for rehabilitation to achieve at least the same level of well-being with the project as without it. The SPS gives special attention to poor and vulnerable households to ensure their improved well-being as a result of project interventions

111. As per SPS, the rate of compensation for acquired housing, land and other assets will be calculated at full replacement costs. The calculation of full replacement cost will be based on the following elements: (i) fair market value; (ii) transaction costs; (iii) interest accrued, (iv) transitional and restoration costs; and (v) other applicable payments, if any. Where market conditions are absent or in a formative stage, the borrower/client will consult with the displaced persons and host populations to obtain adequate information about recent land transactions, land value by types, land titles, land use, cropping patterns and crop production, availability of land in the project area and region, and other related information.

112. The borrower/client will also collect baseline data on housing, house types, and construction materials. Qualified and experienced experts will undertake the valuation of acquired assets. In applying this method of valuation, depreciation of structures and assets should not be taken into account. The following are the basic policy principle of ADB's SPS, 2009:

- (i) Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
- (ii) Carry out meaningful consultations with affected persons, host communities, 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, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.
- (iii) Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
- (iv) Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to

- employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- (v) Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. 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.
  - (vi) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
  - (vii) Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
  - (viii) Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
  - (ix) Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.
  - (x) Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
  - (xi) Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
  - (xii) Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

#### **6.4 Comparison of Policies**

113. The legislation of Uzbekistan and involuntary resettlement safeguards policy of ADB provide for compensation to affected persons who have losses because of land/assets acquisition under a public interest project. However, both differ substantially on how the matter is conceptualized and resolved in practice. ADB policy requires that the actual income lost by affected persons is fully reimbursed to them. This approach covers temporary and permanent losses and is generally implemented through an allowance providing the affected persons their declared monthly salary (what should be substantiated by the supporting documents) for the number of months of business stoppage up to a maximum of 12 months which is accepted as benchmark for permanent job loss. For informal permanent jobs without declared salaries the approach is the same but based on national minimum salary. To guarantee proper policy application the payment of the job loss allowances are to be directly disbursed to the APs by the project proponent.

114. The national legislation, instead, limits the matter to the payment as mandated by the Labor Code of fixed employment termination indemnities due by an employer to his

employees and to the obligation of the project proponent to reimburse the employer of the cost of those indemnities mandate by the Civil Code. Such an approach excludes from job loss compensation informal employees without a declared salary, applies only to permanently affected jobs and does not automatically guarantee that the APs receive their job termination dues. Based on the Labor Code of 1996, last amended in 2015 (Article 67) loss of employment is to be compensated with 2 months average salary plus a severance pay of a maximum of 1 month average salary depending on the length of the employment lost. Also according to the Civil Code (Article 14) all losses (including real damage, lost profits) are to be compensated.

115. Comparison of the Uzbekistan LAR Policy with the ADB Involuntary Resettlement Safeguard Policy indicates that key elements of the ADB Policy are present - particularly those related to valuation of immovable property. The ADB's principle of avoidance or minimization of resettlement is reflected in the Uzbekistan legislation (Civil and Land codes, related governmental resolutions). The key policy difference relate to AP's without title, or registration (businesses and structures. However, the LARP ensures that: (a) compensation is provided at replacement cost for market value for all items, (b) non-titled APs are eligible for compensation for non-land assets, provision for additional assistance especially severe impacted households and APs who are vulnerable.

116. A policy comparison between ADB's SPS and Uzbekistan's national legislation is presented in the below Table 6.1.

**Table 6.1. Comparison of LAR provisions between ADB Policy and the National Legislation**

Issues	ADB's SPS (2009) and ADB practice for application	Republic of Uzbekistan	Reconciliation Needs
1. Livelihood rehabilitation	ADB Policy requires rehabilitation/ improvement of AP livelihood standards.	Notion of livelihood rehabilitation not sanctioned by national law.	Application already reconciled in previous ADB projects but to be formalized regarding <i>indirect/livelihood impacts rehabilitation for severely affected APs</i> .
2. Compensation entitlements	A. APs with formal title have to be compensated for lost land/other assets.  B. APs with legalizable title have right to be compensated for lost land and assets after the EAs helps them in legalizing their assets.  APs with no legal title are compensated for lost non-land assets.	A. APs with formal title are compensated for lost land/other assets.  B/C. APs with legalizable or no legal title. Legalizable are not distinguished and considered non-legal as legalization is a burden of the APs. Non-legal APs have no right to be compensated for land and non-land assets.	A. Same in principle/application. No reconciliation needed. B/C. Critically different in principle and application. Application already reconciled in previous ADB projects but formal Reconciliation on both counts is needed through a Decree for ADB projects as well as through inclusion of additional safeguard covenants into the loan agreements which are equivalent of the international treaty or agreement.
3. Compensation	A. Permanent loss of land. Replacement land as preferred option or cash compensation at full market rate. At least for legal/legalizable APs.	A. Permanent loss of land. Replacement land for legal APs.	A. Same in principle/application for legal APs. <u>Reconciliation needed both for principle and application</u> to allow the compensation all non-land losses of legalizable and non-legal APs, which shall be covenanted.
	B. Replacement of leased land. Based on replacement of lost income through cash	B. Replacement of leased land. Based on lease replacement and compensation in cash all	B. Same in principle. Application to be further improved. <u>No reconciliation needed.</u>

	compensation of gross income x the remaining lease years or through a replacement land lease	losses including lost profit.	<i>To be reflected through an instruction for ADB projects.</i>
	C. Loss of structures/buildings. Cash compensation at replacement cost for lost item free of depreciation, transaction costs, and other deductions.	C. Loss of structures/buildings. Cash compensation at replacement cost for lost item free of depreciation, transaction costs, and other deductions.	<u>C. No reconciliation of principles and application needed.</u> However, it is required the establishment of a protocol allowing the compensation of structures/ building at replacement cost, when the salvaged materials remain with the developer or landowner provides full reimbursement to the owner. It is hoped that this can be formalized without legal reform but only a Decree for ADB projects or through inclusion of additional safeguard covenants into the loan agreements which are equivalent of the international treaty or agreement.
	D. Loss of indirectly affected items. Non-affected parts of an asset no longer usable after impact will have to be compensated as well.	D. Loss of indirectly affected assets. Law requires that all losses including lost profits is to be compensated to all legal APs	<u>D. No reconciliation of principles and application needed.</u>
	E. Business losses. Reimbursement of actual losses + business re-establishment costs. For application based on tax declared income for period of business stoppage. In absence of tax declaration based on maximum non-taxable salary.	E. Loss of business. Cash compensation at market value for all damages/opportunity costs incurred. Burden of proving opportunity costs rest on the AP based on recognized documented evidence but no clear methodology.	E. Same in principle but ADB does not consider opportunity cost. <u>Application reconciliation needed</u> to define a clear methodology and distinguish short- and long- term losses.
	F. Loss of trees: i) Unproductive. Irrespective of legal land occupancy status compensation at market rate. Application based on tree type/wood volume or other methods ensuring AP rehabilitation. ii) Productive. Compensation at replacement cost based on application of various methods: tree reproduction cost, income lost (x tree type x market value of 1 year income x full production years lost).	F. Loss of unproductive and productive trees. Unproductive as well as productive trees affected by a public project are to be compensated. There are different approaches using in evaluation of unproductive and productive trees but they are in general comparable to the tree valuation methods allowed under the SPS 2009. Compensation for the lost trees is separated from compensation for lost profits.	F. Same in principle, different in application. Already adjusted for previous ADB projects but <u>Application reconciliation shall be covenanted</u> , ensuring systematic law implementation and also cash compensation is provided by default, ensuring and use of valuation standards fitting SPS.
	G. Loss of crops. Compensation of crop in cash at market price.	G. Loss of crops. Loss of crops to be compensated. There are two forms of compensation of loss of crops: i) compensation of uncompleted agriculture production and ii)	<u>G. No reconciliation for policy is needed but</u> shall be covenanted to ensure that crops are compensated at the moment close as much as possible to the date of calculation of lost profit.

		compensation of lost profit as average income for the last three years.	
	H. Loss of jobs. Indemnity for lost income ensuring AP rehabilitation. Based for application on stoppage period up to a maximum of 12 months of declared salary (formal employees) or minimum salary (informal employees.) Compensation directly disbursed to APs.	H. Loss of jobs. Loss of employment is to be compensated with 2 months average salary plus a severance pay of a maximum of 1 month average salary depending on the length of the employment lost. All losses (including real damage, lost profits) are to be compensated.	H. <u>No reconciliation is needed for principles But shall be covenanted</u> : a) ensure the rehabilitation of both formal and informal permanent employees; b) provide compensation parameters ensuring the compensation of actual income losses of both temporarily and permanently affected employees and c) guarantee that the APs automatically receive their compensation. Application has been already reconciled on a case by case basis for previous projects but needs to be mainstreamed through a relevant Decree for ADB projects.
4. LAR Planning, assessment and valuation of impacts	A. Resettlement Plan (LARP). LARP preparation includes: a) impacts assessment/AP census; b) definition of entitlements, income/livelihood restoration strategy, compliance & grievance mechanisms, institutional arrangements; c) consultation results; d) monitoring schemes; e) budget and implementation schedule. RP requires the following surveys: i. Measurement survey. Measures all affected items. ii. AP Census. Identifies all APs and establishes legitimate beneficiaries based on legal status. iii. Socio-economic survey. Provides background information on AP' socio-economic features. iv. Valuation survey a) Land: If land market exist based on a survey of recent transactions; without land market based on land productivity/income; b) Buildings and structures. Replacement cost of materials, labor and transport and special features of building/structure without discounting depreciation, salvaged materials and transaction costs; c) Trees/crops. Based on the methodology detailed	A. Resettlement Plan. There are no requirements to prepare integrated and stand-alone LARPs. LAR planning entails similar but less extensive/simpler assessment/survey efforts than ADB Policy, as detailed below: i. Measurement survey. Land and buildings impacts measured. Other impacts identified but not measured. ii. APs Identification. Identifies only legal APs iii. Socio-economic survey. <u>No comparable requirements exist.</u> iv. Valuation survey a) Land: valued at market rate based on a transactions survey. Valuation includes transaction costs/third party liabilities. b) Buildings and structures. Replacement cost but the salvaged materials remain with the developer or landowner provides full reimbursement to the owner; c) Trees/crops. If compensated is provided based on the methodology detailed in section 3.F. and 3.G. or based on an agreed lump sum.	A. Partly different in principle and application. No reconciliation needed as law/regulation is silent on this matter and SPS requirements have been already applied in previous ADB projects. Still, clear instructions regarding ADB projects ensuring the measurement of all impacts and the counting of all AP are needed for mainstreaming purposes. i. Detailed Measurement Surveys to be mainstreamed for all impacts. ii. Detailed count of individuals to be mainstreamed. iii. The execution of the survey is to be mainstreamed. iv. Valuation survey a) Land is not valued because of compensation land to land; there is only measuring land area and valuation of land quality (productivity/soil quality) in order to compensate land to equal land. b) Already reconciled for previous ADB projects. c) Already reconciled for previous ADB projects (See 3.F. and 3.G. above.) Detailed valuation for each tree based on SPS requirements to be mainstreamed.

	in section 2.		
5. Procedural mechanisms	A. Information disclosure. Resettlement-related documents to be timely disclosed in the AP language.	A. Information disclosure. No disclosure requirement exists.	A. Different in principle and application. <u>Already reconciled for ADB projects.</u>
	B. Public consultation. Meaningful public consultations are to be held with the APs. APs should be informed about their entitlements and options, as well as resettlement alternatives	B. Public consultation. Matters of local importance to be publicly discussed with local authorities. But no requirement to consult directly the APs	B. Same in principle but different in application. Already reconciled for ADB projects.
	C. Grievance procedure. A Grievance Redress Mechanism (GRM) is to be established for each project. Information on GRM to be communicated to the APs	C. Grievance Procedures. Each state agency/ministry must follow to detail instructions (approved by government) on registering and reviewing the concerns and claims from citizens.	<u>C. No reconciliation is needed</u>
	D. Asset acquisition conditions. Property can be acquired only after full compensation is paid to the APs	D. Asset acquisition conditions. Property can be acquired only after full compensation is paid to APs	D. Same in principle, but unsystematic in application. <u>Application to be improved.</u>
6. Assistance to vulnerable and severely affected AP	A. These APs are to be identified and special assistance is provided to restore/ improve their pre-project level of livelihoods.	A. There are no special laws or regulations for livelihood restoration due to land acquisition and involuntary resettlement impact. However, there are a number of legislative documents related to social support and livelihood improvement measures considered by the government of Uzbekistan to consider social allowances and needy families through two Cabinet of Ministers resolutions (#350, 12 December 2012 and #44, 15 December 2013) and to consider disabled people through the Law on social protection of disabled people (#422-XII, 18 November 1991). Thus, support of vulnerable segments of the population is provided on the regular base by the Government on central and local levels and does not require additional payments in connection with the project implementation.	A. Critically different in application. <u>Formal reconciliation of the application mechanisms details may be needed. To be elaborated in a Decree for ADB projects.</u>

## 6.5 Core LAR Policy Principle for the Project

117. Based on the above and in case after completion of detailed design any LAR impact is found, the core involuntary resettlement principles to be applied to the project are as follows:

- land acquisition, and other involuntary resettlement impacts will be avoided or minimized through all viable alternative project designs;



- construction schedule shall be matched with off-the agricultural season for construction of water pipeline so that loss of crops can be avoided
- land for land compensation will be opted for permanent land acquisition
- consultation with APs on compensation, disclosure of resettlement information to APs, and participation of APs in planning and implementing sub-projects will be ensured;
- vulnerable and severely affected APs will be provided special assistance;
- non-titled APs (e.g., informal dwellers or squatters, or APs without registration details) will receive a livelihood allowance in lieu of land compensation and will be fully compensated for losses other than land;
- This LARP needs to be finalized and updated following the detailed design;
- Relevant information from the LARP will be disclosed to the APs in the Uzbek language;
- Payment of compensation, resettlement assistance and rehabilitation measures will be fully provided prior to the contractor taking physical acquisition of the land and prior to the commencement of any construction activities on a particular package;
- All compensation will be paid and other resettlement entitlements will be provided before physical or economic displacement. However, transmission and distribution subprojects, being linear in nature, a phased approach can be adopted for construction and the contractor can start the construction on that particular stretch where compensation has been paid. This is only applicable for transmission and network pipeline.
- Appropriate grievance redresses mechanisms will be established to resolve APs' grievances, if they occur.
- The land needs to be restored to previous use and the farmers shall be allowed to continue their cultivation prior to start of civil work;
- People moving in the project area after the cut-off date will not be entitled to any assistance.

## **7. ENTITLEMENT, ASSISTANCE AND BENEFITS**

### **7.1 Eligibility**

118. APs entitled for compensation or at least assistance provisions under the project are:
- (i) all APs losing land either covered by legal title/traditional land rights, legalizable, or without legal status;
  - (ii) tenants and sharecroppers whether registered or not;
  - (iii) owners of buildings, crops, plants, or other objects attached to the land; and
  - (iv) APs losing business, income, and salaries.

### **7.2 Cut-off-Date**

119. Compensation eligibility will be limited by a cut-off- date which will be the start of final AP census during the detailed design. The cut-off-date will be published and communicated to APs by the EA prior to the start of final AP census survey during detailed design. APs who settle in the affected areas after the cut-off date will not be eligible for compensation. They however will be given sufficient advance notice prior to construction.

### **7.3 Compensation and Valuation of Assets**

#### **7.3.1. Compensation for Land**

120. Compensation for permanent acquisition of agricultural land will be on a “land for land” basis, with land being provided to land users by the respective District Hokimiyat following assessment. Such land will be of equal value/productivity in a nearby location and with comparable associated services/facilities, or compensation to provide such services. The compensation land will be provided from the relevant district/state land reserve. According to the Land Code of Uzbekistan the state land reserve is formed at the expense of the following: i. voluntary refusal of land plots by owners; ii. expiration of land rent contract between government and land user; iii. liquidation of legal entity; iv. termination of labor agreement under which a land plot was provided to land user; v. inappropriate use of land; vi. inefficient use of agricultural land which resulted in decrease of soil quality; vii. chemical, radioactive and other pollution of land; viii. systematic non-payment of land tax; ix. non-use of agricultural land more than one year. As per EA/IA/district hokimiyats, alternative land plots are available for “land for land” compensation. If not available, the land owners are allotted land in a different area close to their homes. The Project will pay the cost to the special account of Tashkent Province Cadastre Department. Transaction costs, registration fees, if any, will be born by the Project. In cases where in all or parts of the lease holding become unviable, unaffected portions of a plot will also be compensated.

121. Alternatively, cash compensation for agricultural land at replacement cost can also be provided in case the affected households refuse “land to land” compensation. The amount cash compensation for the permanent loss of land use rights over the affected agricultural land will shall be determined by evaluation entity based on market price of land at the moment of land acquisition.

122. In the case of severe impact, where more than 10% of a productive asset (leased and unleased land) is to be acquired permanently, a severe impact allowance will be paid. This will be equal to the net income from an annual crop production (inclusive of winter and summer crop in addition to standing crop compensation). This is in addition to the compensation for land loss. In case there will be no crops on agricultural land then one-time additional allowance equivalent to 3-month minimum wage income will be paid for AHs.

#### **7.3.2. Compensation for Structures**

123. The project does not envisage any physical displacement and if occurs, will be avoided during the detailed design. However, in case of unavoidable impact in the future, the same will be compensated at replacement cost. Buildings (registered or not) will be compensated at replacement cost irrespective of the title. For partial impacts (structure wall,

fences etc.), cash compensation at replacement rates will be paid to restore the remaining structure to its original state. Unaffected portions of a structure will also be compensated if they become unlivable after impact occurs.

### **7.3.3. Compensation for Crops and Trees**

124. Loss of income from crops planted on the affected land will be compensated in cash at replacement cost based on 1 year average net income computed based on the average income over the past 3 years. Loss income from fruits trees will be compensated in cash based on the average annual income for the past 3 years multiplied by productivity age of affected tree to reflect the duration from planting to reach the productive stage. In the case of loss of timber trees, compensation will be based on the market value of their dry wood volume. The compensation for trees will be free of deduction for the value of the wood left to the affected households.

### **7.3.4. Loss of Income/Livelihood**

125. No loss of business has been reported during the census survey. However, for the future eventuality, any affected household losing business will be paid cash compensation for the period of business interruption. This will be calculated based on the estimated average monthly income in the past 3 years multiplied by the number of months of business interruption. Workers from the affected businesses will be paid for lost wages for the duration of business interruption up to 6 months, or 6 months cash compensation in case of permanent closure of business. It is noted that there are agricultural labourers being affected due to land acquisition. In case of agricultural workers/labourers losing their employment as a result of land acquisition, cash compensation will correspond to their salary (in cash and in kind) for the remaining part of the agricultural year or contractual period whichever is higher.

### **7.3.5. Shifting and Rental Allowances**

126. As mentioned earlier, the project will not cause any physical displacement. However, during the detailed and final design, if this becomes unavoidable then shifting and relocation allowances will be paid by the Project to the affected households. Affected household losing structures/ buildings who need to relocate will each be provided with a rental allowance that includes (a) 200 USD per month up to a maximum of 2 years while the new house or building is being erected; (b) 200 USD for the transportation of the family members, goods and chattels to temporary and permanent relocation sites.

### **7.3.6 Allowance for Vulnerable Household**

127. Vulnerable households will be provided with a one-time additional allowance equivalent to 3 month minimum wage income in accordance with proof provided by Mahalla. In addition, members of vulnerable households will also be prioritized (applicants should meet eligibility requirements in terms of qualification and skills) in project related employment. The Mahallas and district governments have a record of all households in the communities and will be tapped in identifying and certifying vulnerable households. Vulnerable households include those which belong to women headed households, poor households, households headed by elderly with no support, households having physically challenged people and households which are landless or without legal title to land.

### **7.3.7 Common Property Resources**

128. Any impact to the social and other infrastructures of local communities will be rehabilitated as of pre-project condition. The Project will provide cash compensation to the local communities or other agency responsible to maintain any affected social infrastructures.

### **7.3.8 Loss of Crops Due to Temporary Land Acquisition Along the Right of Way of Transmission Mains and Distribution Pipelines**

129. Affected households will be paid cash compensation at replacement cost for primary (and secondary crops if any) on affected land based on 1 year of production costs (inputs)

plus an allowance equivalent to 1 year average net income based on the average income over the past 3 years. Advance notice will be served to the APs to harvest the crops if possible prior to construction. Where feasible, schedule of construction will be adjusted to avoid crop season. Restoration of land will be done by the contractor to previous use and farmers will be allowed to continue their cultivation post the construction. Duration of construction shall not exceed more than one crop season at that particular stretch.

#### 7.4 Entitlement Matrix

130. Based on the above, a detailed entitlement matrix is presented in the below Table 7.1. The entitlement matrix is broad and all the likely losses as mentioned in the entitlement matrix may not appear currently, however, in order to address any future unanticipated impact during detailed design, the same may be triggered. The entitlement matrix takes into consideration the gap analysis in the previous chapter.

**Table 7.1. Entitlements Matrix**

Type	Specifications	Entitled Persons	Entitlement
<b>A. Impact on Land (Permanent Land Acquisition)</b>			
A.1. Agriculture land/Orchard Land	All land losses independent of impact severity.	Leaseholders/Land user having user permit	<ul style="list-style-type: none"> <li>Land for land compensation with plots of equal value/productivity class, comparable location, and agricultural support services which includes land development cost to provide such services.</li> <li>Or Cash Compensation at replacement cost by providing compensation for loss of land use rights where compensation amount shall be determined by evaluation entity at the time of land acquisition.</li> <li>Unaffected portions of an affected arable plot will also be compensated, if the same becomes unviable after impact.</li> <li>Transaction cost, registration fee, related to new plot allotted, to be will be borne by the Project.</li> </ul>
	Additional provision in case of severe impacts (10% or more loss of productive assets)	Leaseholders	<ul style="list-style-type: none"> <li>Severe impact allowance equal to the net income from annual crop production (inclusive of winter and summer crop in addition to standing crop compensation)</li> <li>In case there is no crop on agricultural land and on in case of residential land then one-time additional allowance equivalent to 3-month minimum wage income.</li> </ul>
A2. Unregistered agricultural land	Land loss	Unregistered lessee but willing to pay unpaid land taxes and become a leaseholder.	<ul style="list-style-type: none"> <li>All entitlements for agricultural land losses as stated above for lease holder.</li> </ul>
A3. Unregistered agricultural land	Land loss	Non-titled or non-legalizable affected household	<ul style="list-style-type: none"> <li>Non legalizable affected households will be entitled for compensation for non land assets in terms of allowances equivalent to 3 months of minimum wage.</li> </ul>
<b>B. Impact on Structures</b>			
B.1 Structures	Full or partial loss of structures if to be displaced	All affected households irrespective of title	<ul style="list-style-type: none"> <li>Cash compensation at full replacement rate for affected structure/ fixed assets free of salvageable materials,</li> </ul>

Type	Specifications	Entitled Persons	Entitlement
		and irrespective of nature of impact whether permanent land acquisition or temporary acquisition	depreciation and transaction costs. <ul style="list-style-type: none"> <li>Household losing structures/buildings who need to relocate will each be provided with a relocation allowance that includes (a) 200 USD per month up to a maximum of 2 years while the new house or building is being erected; (b) 200 USD for the transportation of the family members, goods and chattels to temporary and permanent relocation sites.</li> </ul>
<b>C. Impact on Crops and Trees</b>			
C1. Agriculture land, orchard, within residential complex	Loss of crops for permanent land acquisition	All affected Households	<ul style="list-style-type: none"> <li>Cash compensation at replacement cost for primary (and secondary crops if any) on affected land based on 1 year of production costs (inputs) plus an allowance equivalent to 1 year average net income based on the average income over the past 3 years.</li> <li>Advance notice to harvest the crops</li> <li>Schedule of construction to avoid crop season</li> </ul>
	Loss of crops along the right of way of transmission and distribution line which is considered to be temporary	All affected households	<ul style="list-style-type: none"> <li>Cash compensation at replacement cost for primary (and secondary crops if any) on affected land based on 1 year of production costs (inputs) plus an allowance equivalent to 1 year average net income based on the average income over the past 3 years.</li> <li>Advance notice to harvest the crops</li> <li>Schedule of construction to avoid crop season</li> <li>Restoration of land to previous use and farmers will be allowed to continue their cultivation post the construction</li> <li>Duration of construction shall not exceed more than one crop season at that particular stretch.</li> </ul>
	Loss of fruit Trees	All affected households (including non leased land owner)	<ul style="list-style-type: none"> <li>Cash compensation for fruit trees will be based on the average annual income for past 3 years multiplied by 4 times (years) to reflect the duration from planting to reach the productive stage</li> <li>Felled fruit trees will be kept by the AHs.</li> </ul>
	Loss of timber trees	All affected households	<ul style="list-style-type: none"> <li>Cash compensation for timber trees will be compensated based on market value of dry wood volume.</li> <li>Felled trees will be kept by the AHs.</li> </ul>
<b>D. Impact on Income and Livelihood</b>			
D1. Employment from affected agricultural land	Loss of employment from affected agricultural land	Agricultural workers losing their contract	<ul style="list-style-type: none"> <li>Cash indemnity corresponding to their salary (in cash and in kind) for the remaining part of the agricultural year/or contractual period whichever is higher in monetary value</li> <li>In case of informal agricultural workers those work without any agreement will be paid an allowance equivalent to 3 months</li> </ul>

Type	Specifications	Entitled Persons	Entitlement
			of minimum wage.
<b>E. Vulnerable Households</b>			
E1. Vulnerable Affected Households	All Impacts	Women headed household, poor household, household headed by elderly with no support, household having physically challenged people, and landless or households without legal title to land	<ul style="list-style-type: none"> <li>• One-time additional allowance equivalent to 3-month minimum wage income</li> <li>• Priority for employment in project-related jobs, training opportunities, self-employment and wage employment assistance.</li> </ul>
<b>F. Impact on Community Structures and Assets</b>			
F1. Community structures and assets	Loss or damage to public infrastructure and utility	Community owned assets	<ul style="list-style-type: none"> <li>• Rehabilitation/replacement of affected structures/utilities (i.e. roads, pavements, pipelines) to pre-project level.</li> </ul>
<b>G. Temporary Impacts during construction</b>			
G1. Temporary impact on private or public land, assets and/or Income		All affected households and assets	<ul style="list-style-type: none"> <li>• Any kind of temporary land acquisition or impact on private and public assets during project implementation for civil work purposes will be compensated by contractor based on replacement value for structures, rentals for land use, replacement value for crop and tree loss as stated above in the entitlement matrix.</li> </ul>
<b>H. Any unanticipated Impacts</b>			
Any unanticipated impacts identified during Project implementation will be compensated in full at replacement cost and the entitlement matrix shall be revised if required in case major unanticipated impacts occur during detailed and final design.			

## 8. RESETTLEMENT BUDGET AND FINANCING PLAN

### 8.1 General

131. This section provides an itemized budget for all resettlement activities, including all compensation and assistance and cost for implementation of LARP.

132. The land acquisition and resettlement cost estimate for the project includes eligible compensation, assistance and support cost for LARP implementation as per the entitlement matrix. Compensation in the project will include cost to be paid to the government for land for land, land development cost to make the replaced land usable, compensation for trees and crops, other associated assets if any and hiring of evaluation firm.

133. The estimated cost in this budget is indicative which needs further to be updated during the detailed design stage as well as validated by a licensed valuation firm, as required by the country's laws. The unit cost and the evaluation is done based on the inventory of assets. The assessment is done keeping in consideration the current market value/replacement cost of each lost assets. Payments to the Government have been calculated in accordance with the national regulation No. 146 dated 25 May 2011 "About the measures on improvement of the procedure allocation land plots for town construction activities and other non-agricultural needs". A draft ToR for engaging a licensed valuation firm is appended as Annexure 5 and the cost has been budgeted (Table 8.6).

134. In order to ensure that sufficient funds are available for land acquisition and resettlement tasks the EA will ensure allocation of 100% of the cost of compensation at replacement cost and expected allowances estimated in the LARP plus contingencies before LARP implementation. As the EA, the Communal Services Agency will approve the budgets and facilitate the release of funds for implementing the LAR activities. The LARP which will be updated based on detail design findings will describe the flow of funds including the accounting systems required for it as this is part of the overall Development Expenditures of the Project for which ADB will monitor the disbursements for LARP.

135. The details of the compensation cost for each category of impact are provided in the following sections.

### 8.2 Compensation to Affected Households for Permanent Land Acquisition

136. Permanent land acquisition will be needed for construction of Water Distribution Centers (WDCs) and Water Towers (WT) from irrigated agricultural lands of farmers and governmental non-agricultural barren lands.

137. The compensation to farmers for the permanent loss of land use rights over the affected agricultural land has been determined using the following formula:

$$\text{Compensation} = \text{total agricultural area affected} \times \text{1 year average net income} + \text{replacement cost for affected crops based on 1 year production costs}$$

138. Compensation for loss of fruit trees due to permanent and temporary acquisition of orchard lands is calculated based on the average annual income during productivity age (currently fruit trees on affected land are 3 years' old. If taken in to account that trees will be cut after two years when the trees enter their productivity age, then the age of trees is considered as 5) multiplied by productivity age of affected trees to reflect the duration from planting to reach the productive stage plus cost of young plant trees and cost of delivering and planting each new tree. Totally, 1,086 fruit trees are expected to be affected. It should be noted that such crop as alfa-alfa is also planted on permanently and temporarily affected orchard land compensation for which is calculated based on the above formula.

139. Compensation for timber trees is based on the market value of their dry wood volume plus cost of young plant trees and cost of delivering and planting each new tree. Totally 1,690 poplar trees are expected to be affected.

140. Data for calculation of compensation is obtained from the proposed affected farmers, District Land Resources and Cadastral Department. Based on the same, the compensation for cropping farms is enumerated in following tables below.

**Table 8.1. Compensation Estimates for Permanent Land Acquisition to be Paid to the Affected Farmers**

#	Districts	Land user	Soil Quality (Bonitet Indicator)	Total affected land, ha	Including		Average net profit from 1 ha, thousand UZS	Net profit from affected land, thousand UZS	Average replacement cost for crop on 1 ha, thousand UZS	Replacement cost for affected crops, thousand UZS	Compensation for affected trees, thousand UZS	Total loss, thousand UZS
					Cultivated, ha	Orchards, ha						
1	2	3	4	5	6	7	8	9	10	11	12	
1	Yangiyul	Asamov Nizomidin	55	0.7	-	0.7	2,750	2,000	250	175	121,900	124,075
2	Yangiyul	Baxromova Guzal	60	0.8	0.8	-	12,140	9,710	9,980	7,984	-	17,694
3	Yangiyul	Kamolov Ergash	68	0.12	0.12	-	17,310	2,077	17,160	2,059	14,000	34,788
4	Yangiyul	Kattaboboev Rasuljon	60	0.06	0.06	-	225,000	13,500	25,000	1,500	-	15,000
5	Chinoz	Kukuzov Kembay	60	0.06	0.06	-	5,500	330	1,903	114	-	444
6	Yangiyul	Qudratov Begzod	60	0.7	0.7	-	21,300	14,900	3,714	2,599	-	17,499
7	Yangiyul	Ruziev Ziyodulla	54	0.06	0.06	-	162,900	9,774	10,300	618	-	10,392
8	Chinoz	Shoyoqubova Mar.	57	0.8	0.8	-	11,583	9,266	567	454	-	9,720
9	Yangiyul	Utanbaev Akmal	68	0.7	0.7	-	7,700	5,390	4,600	3,220	-	8,610
		Chinoz District		0.86	0.86	-						10,164
		Yangiyul District		3.14	2.44	0.7						228,058
		<b>TOTAL UZS</b>		<b>4</b>	<b>3.3</b>	<b>0.7</b>						<b>238,222</b>
		<b>TOTAL USD (1 USD = 8,025.83 UZS)</b>										<b>29,682 \$</b>

### 8.3 Compensation for Land for Land (Land Development Cost) to be paid to Government for Permanent Land Acquisition

141. As per Resolution 146 of the Cabinet of Ministers dated 25 May, 2011 compensation needs to be paid to special account of Tashkent Province Cadaster Department for lost of agricultural land for non-agricultural needs. Compensation amount is calculated according to the requirements of this Decree. This compensation payment will be used to develop new land suitable for agriculture and restore the pre-project amount of land suitable for implementation agricultural activity (Table 8.2).

**Table 8.2. Compensation for Reclamation and Development of New Land**

#	Districts	Name of land user	Soil Quality (Bonitet Indicator)	Total Affected Land, ha	including		Land replacement cost of 1 ha, UZS	Affected land replacement cost, UZS	Location multiplier	Total replacement cost, thousand UZS
					Cultivated Lands	Orchards				
1	2	3	4	5	6	7	8	9	10	
1	Yangiyul	Asamov Nizomidin	55	0.7		0.7	41,888,000	29,321,600	1.3	38,118
2	Yangiyul	Baxromova Guzal	60	0.8	0.8		45,696,000	36,556,800	1.3	47,524
3	Yangiyul	Kamolov Ergashali	68	0.12	0.12		51,788,800	6,214,656	1.3	8,079
4	Yangiyul	Kattaboboev Rasul	60	0.06	0.06	-	45,696,000	2,741,760	1.3	3,564



№	Districts	Name of land user	Soil Quality (Bonitet Indicator)	Total Affected Land, ha	including		Land replacement cost of 1 ha, UZS	Affected land replacement cost, UZS	Location multiplier	Total replacement cost, thousand UZS
					Cultivated Lands	Orchards				
5	Chinoz	Kukuzov Kembay	60	0.06	0.06		45,696,000	2,741,760	1.3	3,564
6	Yangiyul	Qudratov Begzod	60	0.7	0.7		45,696,000	31,987,200	1.3	41,583
7	Yangiyul	Ruziev Ziyodulla	54	0.06	0.06		41,126,400	2,467,584	1.3	3,208
8	Chinoz	Shoyoqubova Marguba	57	0.8	0.8		43,411,200	34,728,960	1.3	45,147
9	Yangiyul	Utanbaev Akmal	68	0.7	0.7		51,788,800	36,252,160	1.3	47,128
1		Chinoz District		0.86	0.86	-				48,711
2		Yangiyul District		3.14	2.44	0.7				189,204
		<b>TOTAL UZS</b>		<b>4</b>	<b>3.3</b>	<b>0.7</b>				<b>237,915</b>
<b>TOTAL USD (1 USD = 8,025.83 UZS)</b>										<b>29,644 \$</b>

#### 8.4 Compensation for Temporary Land Acquisition

142. Construction and reconstruction of transmission pipelines will require temporary land acquisition of agricultural land for temporary period. In practice, this period does not exceed one crop season. In this report this period was taken as one 1 year in order to provide additional budget in case if duration of pipe related construction works will exceed on crop season. The compensation for the temporary loss of land use rights over the affected agricultural land is determined by the following formula:

$$\text{Compensation} = (\text{total affected agricultural area} \times \text{1 year's average net income}) + (\text{total affected agricultural area} \times \text{1 year's crop production cost}).$$

143. Compensation for fruit trees is calculated at cost equivalent to the average year net income multiplied by productivity age of affected trees to reflect the duration from planting to reach the productive stage plus replacement cost for each tree including cost of young plant tree, young plant trees transportation and planting costs. Compensation for not yet fruit bearing trees was calculated at cost of fruit bearing trees taking in to consideration that land acquisition will happen after the year 2020 when the trees will reach fruit bearing age. The estimate has taken into account the views of the affected households through consultation, information from valuers and other relevant authorities.

144. Details of compensation estimates for temporary acquisition of lands for construction and reconstruction of water supply pipelines including compensation estimates for affected crops, fruit trees and timber trees are given in the below Table 8.3.

#### 8.5 Additional Allowances to Vulnerable Affected Households

145. Additional allowance for vulnerable households is based on three months of minimum wage which is currently equal to 516 720 UZS (172 240 UZS x 3 months = 516 720 UZS). Totally there are 5 vulnerable affected households who will receive in total 2 583 600 UZS which means 320 USD. Details are shown in the below Table 8.3.

**Table 8.3. Additional Allowances to Vulnerable Affected Households**

#	AHs	Type of Vulnerability	Allowance Period	Unit Price, UZS	Total, UZS	Total, USD
1	Askarov Ulugbek	Disability	3	172 240	516 720	64
2	Asamov Nuriddin	Disability	3	172 240	516 720	64
3	Buhortoyeva Zulkhumor	Woman Headed	3	172 240	516 720	64
4	Rahimov Rustam	Disability	3	172 240	516 720	64
5	Zoirov Sultonmurod	Disability	3	172 240	516 720	64
<b>TOTAL</b>					<b>2 583 600</b>	<b>322</b>

### 8.6 Additional Allowances to Severely Affected Households

146. Allowance for severely affected household is based on one year net income from affected land plot including net income from affected trees and winter and summer crops in addition to standing crop compensation. Totally there is one severely affected household which is expected to lose 16% of its total land holding. Details are given in the below Table 8.4

**Table 8.4: Calculation of Allowance for Severely Affected Household**

#	Affected Person	District	One Year Net Income from Crops on Affected Land (thnd.UZS)	One Year Net Income from Trees on Affected Land (thnd.UZS)	Total Allowance (thnd.UZS)	Total Allowance (USD)
1.	Asamov Nizomiddin	Yangiyul	175	23,000	23,175	2,887
		<b>Total</b>	<b>175</b>	<b>23,000</b>	<b>23,175</b>	<b>2,887</b>

Table 8.5. Compensation Estimates Due To Temporary Land Acquisition

№	District	Land user	Total land holding land, ha	Total affected land, ha	Including		Average net profit from 1 ha, thousand UZS	Average production cost for 1 ha, thousand UZS	Loss profit from affected land, thousand UZS	Replacement cost for affected crops, thousand UZS	Loss profit from affected trees, thousand UZS	Total loss profit, thousand UZS	Replacement cost for trees, thousand UZS	Total compensation for temporary acquisition, thousand UZS
					cultivated	orchards								
	1	2	3	4	5	6	7	8	9	10	11	12	13	14
1.	Yangiyul	Hakimov Kozim	9.68	0.66	0.66	0	37,600	22,000	24,816	14,520	0	24,816	0	39,336
2.	Yangiyul	Utanbaev Akmal	7.45	0.09	0.09	0	2,132	2,667	192	240	0	192	0	432
3.	Yangiyul	Bahtiyorov Ikrom	10.28	0.29	0.29	0	5,750	4,000	1,667	1,160	0	1,667	0	2,827
4.	Yangiyul	Hushnazarov Vahob	10.8	0.45	0.45	0	63,800	9,200	28,710	4,140	0	28,710	0	32,850
5.	Yangiyul	Karimova Jumagul	5.5	0.10	0.10	0	300	1,500	300	150	0	300	0	450
6.	Yangiyul	Hasanboev Abdurahmon	7.25	0.18	0.18	0	12,000	1,800	2,160	324	0	2,160	0	2,484
7.	Yangiyul	Donaev Alisher	10.96	0.24	0	0.24	0	0	0	0	10,000 x 4	40,000	42,700	82,700
8.	Yangiyul	Askarov Ulugbek	9.65	0.22	0.22	0	24,505	3,600	5,391	792	0	5,391	0	6,183
9.	Yangiyul	Ariphujaev Abdurauf	12	0.16	0.15	0.01	2,948	211	442	32	0	442	0	474
10.	Yangiyul	Askarov Sherzod	8.5	0.30	0.3	0	3,780	1,470	1,134	441	0	1,134	0	1,575
11.	Yangiyul	Valiev Akhror	8	0.3	0.3	0	1,200	2,100	360	630	0	360	0	990
12.	Yangiyul	Sulaymonov Gayrat	8.5	0.46	0.46	0	3,780	1,470	1,739	676	0	1,739	0	2,415
13.	Yangiyul	Artigaliyev Rustam	7.5	0.29	0.29	0	24,000	18,000	6,960	5,220	0	6,960	3,000	15,180
14.	Yangiyul	Normatov Karim	7.42	0.20	0.20	0	2,400	6,000	480	1,200	0	480	0	1,680
15.	Yangiyul	Rahimov Rustam	7	0.24	0.24	0	46,900	2,100	11,256	504	0	11,256	0	11,760
16.	Yangiyul	Abdullaev Akmal	8	0.23	0.23	0	32,000	6,000	7,360	1,380	0	7,360	0	8,740
17.	Yangiyul	Manasov Nursaid	7.2	0.06	0.06	0	39,293	5,250	2,357	315	0	2,357	0	2,672
18.	Yangiyul	Nurmatov Abduvohid	5.5	0.36	0.36	0	53,200	6,300	19,152	2,268	0	19,152	0	21,420
19.	Yangiyul	Mansurov Fazliddin	5.43	0.12	0.12	0	16,800	4,164	2,016	499	0	2,016	0	2,515
20.	Yangiyul	Yuldashev Gulomjon	0.19	0.085	0.08	0.005	16,860	4,140	1,349	21	470 x 4	3,250	20,210	23,460
21.	Yangiyul	Yunusov Kuchkor	5	0.27	0	0.27	240	2,003	65	541	24,500 x 5	122,565	2,940	126,046
22.	Yangiyul	Tugalov Zokir	35	0.32	0.32	0	3,086	1,200	987	432	0	987	0	1,419
23.	Yangiyul	Abdushukurova Zilola	11.5	0.88	0.88	0	3,800	1,500	3,344	1,320	0	3,344	0	4,664
24.	Yangiyul	Rahmonov Adham	3.23	0.13	0.13	0	11,000	9,500	1,430	1,235	0	1,430	0	2,665
25.	Yangiyul	Rahmonov Akmal	3.20	0.09	0.09	0	37,600	3,750	3,384	338	0	3,384	0	3,722
26.	Yangiyul	Mirzahamidov Rayim	7.25	0.10	0.10	0	8,500	5,310	850	531	0	850	0	1,381
27.	Yangiyul	Kuchkaralievva Buhalima	3.5	0.38	0.38	0	11,560	4,500	4,390	1,710	0	4,390	0	6,100
28.	Yangiyul	Shayzakov Ravshan	13.8	0.63	0.63	0	28,495	5,495	17,952	3,461	0	17,952	0	21,413
29.	Yangiyul	Hudaynazarov Zubaydulla	52	0.04	0.04	0	45,000	15,000	1,800	600	0	1,800	0	2,400
30.	Yangiyul	Kamolov Ergashali	66.8	0.2	0.2	0	17,317	8,785	3,463	1,757	0	3,463	6,000	11,220
31.	Yangiyul	Kuvatov Bakhrom	15	0.65	0.65	0	542	833	352	541	0	352	0	893
32.	Yangiyul	Kuvatov Hikmat	11	0.66	0.66	0	6,140	2,865	4,052	1,891	0	4,052	0	5,943
33.	Yangiyul	Razzakov Jasur	9.7	0.23	0.23	0	27,800	5,500	6,395	1,265	0	6,395	0	7,660

№	District	Land user	Total land holding land, ha	Total affected land, ha	Including		Average net profit from 1 ha, thousand UZS	Average production cost for 1 ha, thousand UZS	Loss profit from affected land, thousand UZS	Replacement cost for affected crops, thousand UZS	Loss profit from affected trees, thousand UZS	Total loss profit, thousand UZS	Replacement cost for trees, thousand UZS	Total compensation for temporary acquisition, thousand UZS
					cultivated	orchards								
34.	Yangiyul	Sagdiev Ikrom	0.14	0.027	0.027	0	25,480	56,250	688	1,518	0	688	2,075	4,281
35.	Yangiyul	Nishonov Zokir	3.40	0.14	0.14	0	29,000	5,000	4,060	700	0	4,060	0	4,760
36.	Yangiyul	Tursunov Holdor	2.5	0.21	0.21	0	20,998	6,500	4,409	1,365	0	4,409	5,600	11,374
37.	Yangiyul	Kodirov Abdumajid	5.70	0.11	0.11	0	15,000	6,000	1,650	660	0	1,650	0	2,310
38.	Yangiyul	Rustamov Shukhrat	4.20	0.08	0.08	0	14,000	6,000	1,120	480	0	1,120	0	1,600
39.	Yangiyul	Sodikova Lazokat	10.2	0.14	0.14	0	18,000	4,493	2,520	629	0	2,520	0	3,149
40.	Yangiyul	Musaeva Gulnoza	3	0.13	0.13	0	1,620	2,500	211	325	0	211	0	536
41.	Yangiyul	Marakhimov Shavkat	25.6	1.15	1.15	0	121,000	45,100	139,150	51,865	0	139,150	0	191,015
42.	Yangiyul	Agrover Urugchilik *	585	1.8	1.8	0	76,850	27,000	138,330	48,600	0	138,330	0	186,900
43.	Yangiyul	Shakirov Alimdjan	9	0.32	0	0	0	0	0	0	0	0	2,000	2,000
44.	Yangiyul	Abdusalomov Hamidulla	13.7	0.27	0.27	0	229,535	53,450	61,975	14,432	0	61,975	0	76,407
45.	Yangiyul	Zoirov Abdulkodir	0.22	0.08	0	0.08	0	0	0	0	300 x 3	900	57,885	58,785
46.	Yangiyul	Zoirov Sultonmurod	0.09	0.03	0.03	0	1,617	520	48	16	0	48	0	64
47.	Yangiyul	Adbulhay Adbulhak *	10	0.27	0	0.27	0	0	0	0	0	0	6,825	6,825
48.	Yangiyul	Jahongirov Bahtiyor	2	0.045	0	0.045	0	0	0	0	1 040 x 5	5,200	35,525	40,765
49.	Yangiyul	Fayziev Ilhom	1.04	0.12	0	0.12	14,800	12,000	1,776	1,440	0	1,776	8,890	12,106
50.	Yangiyul	Mirahmedov Abdulhamid	7.68	0.73	0.73	0	23,600	7,000	17,228	5,110	0	17,228	0	22,338
51.	Yangiyul	Mahmadmurodov Ahtam	7.2	0.6	0.6	0	143,100	48,000	104,463	28,800	0	104,463	3,075	136,338
52.	Yangiyul	Mirzayakubova Dilfuza	14	0.6	0.6	0	155,000	10,000	93,000	6,000	0	93,000	1,300	100,300
53.	Yangiyul	Gold Dried Fruits LLC *	800	0.9	0	0.9	0	0	0	0	724,200	724,200	16,320	740,520
54.	Chinoz	Ahmadjonov Ibromim	54.3	0.98	0.98	0	58,850	23,500	57,673	23,030	0	57,673	0	80,703
55.	Chinoz	Rahmatov Zayniddin	74.6	1.45	1.45	0	36,850	23,800	53,432	34,510	0	53,432	0	87,942
56.	Chinoz	Suvonov Ortiqboy	0.25	0.05	0.05	0	6,800	6,000	340	300	0	340	0	640
57.	Chinoz	Juraev Ravshan	106.8	1.45	1.34	0	330	1,500	443	2,010	0	443	0	2,453
58.	Chinoz	Holdorov Azizbek	41	0.54	0.54	0	1,700	1,500	920	810	0	920	0	1,730
59.	Chinoz	Buhortoyeva Zulkhumor	58	0.76	0.76	0	2,485	3,000	2,280	1,888	0	1,888	0	4,168
		Yangiyul												2,058,042
		Chinoz												177,636
		<b>Total</b>												<b>2,235,678</b>
		<b>TOTAL USD ( 1 UZS = 8 025.83 USD)</b>												<b>278,560\$</b>

\* These affected persons were not available during the survey, however their lands were surveyed and compensations calculated

## 8.7 Summary Budget

147. The tentative LARP Budget is approximately **500,000 USD**. This budget is tentative and it is based on the feasibility study findings where alignments of transmission mains, supply mains, distribution networks and location of water supply facilities are not final and subject to changes. Exact alignments of pipelines and location of water supply facilities will be known after completion of detailed design. Exact scope of losses also will be known at that stage. In this regard and taking into consideration scope of the project it is proposed to add 17% reserve to guarantee coverage of all LAR costs during the project implementation. The detailed budget items are summarized in the below Table 8.6 below.

**Table 8.6. Summary Budget**

No	Description	Cost Estimate, thnd. UZS	Cost Estimate, USD
<b>Direct Cost (A)</b>			
1.	Permanent loss of crops and trees for farmers	238,222	29,682
2.	Temporary loss of crops and trees for farmers	2,235,678	278,560
<b>Sub Total (A)</b>		<b>2,473,900</b>	<b>308,242</b>
<b>Indirect cost (B)</b>			
3.	Allowance for Vulnerable HH	2,584	322
4.	Allowance for Severely Affected HH	23,175	2,887
5.	Compensation for Tashkent Province Cadastre Department for new land reclamation (Permanent Land of Agricultural Land)	237,915	29,644
6.	Estimate Cost of Valuation	200,646	25,000
7.	Unallocated costs (unexpected/additional activities)	401,292	50,000
<b>Sub Total (B)</b>		<b>865,612</b>	<b>107,853</b>
<b>Total of (A) and (B)</b>		<b>3,339,512</b>	<b>416,095</b>
8.	Contingency Cost (17% of total cost)	673,403	83,905
<b>Grand Total</b>		<b>4,012,915</b>	<b>500,000</b>

## **9. INSTITUTIONAL ARRANGEMENTS**

### **9.1 General**

148. This section describes institutional arrangements for preparing, implementing and monitoring involuntary land acquisition and resettlement activities for the project including description of organizational procedures for delivering entitlements, implementation process, including how resettlement preparation, approval, and implementation will be linked to contract awards and commencement of the project civil works.

149. The Communal Services Agency (CSA) under the Ministry of Housing and Communal Services of Uzbekistan (MHCS) will be the executing agency (EA) responsible for implementation of the "Second Tashkent Province Water Supply Development Project" project with due participation and coordination from Tashkent Provincial Suvokova (TPS) which will be acting as implementing agency related to construction. However, the CSA will be responsible for the land acquisition and resettlement (LAR) activities. A Project Coordination Unit of the CSA with representation from TPS will be responsible for overall implementation including LAR activities of the project. Social and resettlement specialist of the PCU will be responsible for ensuring that all the activities related to land acquisition and involuntary are being followed and implemented in accordance with Uzbekistan's legislation and policies and ADB's SPS, 2009. The social and resettlement specialist in the PCU will ensure that the draft land acquisition and resettlement plan (LARP) prepared under the Project Preparatory Technical Assistance (PPTA) and during feasibility study is finalized/updated during detailed design stage and implemented prior to start of civil works. The PCU will be supported by a Project Management Consultant (PMC). The Project Management Consultant will have social and resettlement specialist in its contract to support the PCU social and resettlement specialist. There will be several other government agencies that will also be responsible for the LAR activities such as (i) Provincial/District Governments (Khokimyats) and (ii) Goskomzemgeodezcadastre (State Committee on Land Resources, Geodesy, Cartography and State Cadastre (SCLRGCS) at district level. There will also be independent valuation firms, local self government body representatives to be involved in to LAR activities.

### **9.2 Executing Agency (EA)**

#### **9.2.1 Communal Services Agency "Kommunkhizmat" (CSA) under the Ministry of Housing and Communal Services of the Republic of Uzbekistan**

150. As the project's EA, tasks of the Communal Services Agency under the Ministry of Housing and Communal Services Ministry of Uzbekistan related to implementation of LAR activities will cover the following aspects: (i) engagement of PMC composed of international and national consultants with clear description of skills and tasks, numbers and period of recruitment, (ii) identification of subprojects; (iii) approval of adequate budgetary support on land allocation, and release of permission for disbursement of funds for implementation of LAR activities by PCU prior to marking of land boundaries, (iv) facilitate coordination by PCU with the SCLRGCS of Tashkent Province and its district offices on LAR activities; and (v) endorsement of LARP which will be developed after completion of detailed design and which will be submitted to ADB for review and approval.

#### **9.2.2 Project Coordination Unit (PCU)**

151. As the executing arm of the CSA for the project, the PCU will be headed by the national project director who will be assisted by a team of assigned staff and consultants. The PCU responsibilities include: (i) assist the CSA in identifying and processing of the project and other subprojects; (ii) contracting a Project Management Consultant – an international consulting firm with international social safeguards consultant and local resettlement specialist for preparation of final LARP based on detailed design findings and its implementation during the whole project implementation period; (iii) advance informing of APs on land acquisition and initiating public consultations and information dissemination; (iv) filing application on land acquisitions with the Tashkent Province SCLRGCS and its respective district branches; (v) facilitating transfer of funds from the EA to authorized bank for payment of compensations to APs; (vi) coordination with district administrations bringing the temporarily acquired land to the pre project condition; (vii) design and implementation of internal monitoring for LARP implementation; (viii) submission of

report to ADB upon completion of LARP implementation; (ix) assist external monitoring agent during the process of monitoring of LARP compliance; (x) coordination on the status of LARP compliance to facilitate request to ADB for release of relevant subproject loan; (xi) day to day management of the project including cross-agency coordination, and compensation and disbursement for LARP implementation and monitoring.

### **9.2.3 Project Management Consultant (PMC)**

152. PCU will be supported by the Project Management Consultant which will be responsible for consultancy support to EA/PCU during the project implementation period. The PMC will have international and national resettlement experts in the contract. The international and national resettlement experts of the PMC will be directly involved in all LAR activities including planning, implementation, inter-agency coordination, monitoring and reporting. They shall have sufficient qualification and enough number of inputs. They will receive support from relevant project officer and consultants of PCU, PMC and Design Company, district executive authorities and SCLRGCS as appropriate.

153. The work for resettlement specialists of the PMC will be broadly segregated in two parts such as updating of draft LARP based on the detailed design findings and assisting the implementation of LARP including preparation of monitoring reports. The resettlement specialists of the PMC will assist EA/PUC in the overall supervision of the project and ensure that LAR activities are implemented in a smooth and timely manner in accordance with the provisions of the LARP. They will closely work with PCU to ensure impacted persons are compensated before start of construction works, including ongoing rehabilitation measures.

### **9.3 Design Company**

154. Design Company, local or international, will be contracted by PCU to elaborate design drawings and other construction documents for the project. It will collaborate and work closely with the PCU/PMC to:

- (i) look for measures and alternatives to avoid and minimize land acquisition and resettlement impacts during detail design;
- (ii) assemble all documents required for compensation if any impact is determined during detail design;
- (iii) carry out topographic surveys of the expropriated land and replacement lands, if any;
- (iv) elaborate layouts indicating the location of worksites, permanent infrastructures and perimeter of required surfaces differentiating the land use patterns in the areas being occupied to serve as a base for the selection of compensation land;
- (v) conduct land marking and pegging of the land assigned for temporary use of land acquired, if any.

### **9.4 Departments of the State Committee on Land Resources, Geodesy, Cartography and State Cadastre for Tashkent Province and project districts.**

155. This is a permanent body at Tashkent Province and project districts level. However, it plays an enhanced role throughout implementation. It is responsible for: (i) identifying land losses incurred by land owners and land users plus agricultural output losses; (ii) determining the degree and area of land restitution, including removal and temporary storage of productive soil layer; (iii) determining the need for protective sanitary and water protection zones around constructions; (iv) preparing proposals on allocation of land plots of equal value under land for land; (v) investigating alternatives to acquiring currently used land through developing unused land; (vi) amending government edicts on land use and land ownership as well as other cadastre documents.

### **9.5 Hokimiyat of Tashkent Province and Project District Hokimiyats (Local Governments)**

156. Hokimiyat of Tashkent Province and project district hokimiyats will be closely involved in implementation of LARP. Hokimiyats are local government bodies. Their role will include but not limited to:

- (i) review and ratify design documents, LARP and other project documents as needed;

(ii) make a decision on acquisition of land plots with indication: a. to whom, for what purposes and what terms a land plot is seized and also name of owners, users and tenants whose land plots are seized; b. total area of allocated land plots according to its owners, users and tenants and also quality of seized land plots; c. the amount of losses that should be compensated to owners, users and tenants of land plots; d. the amount of losses of agricultural and forestry production; e. necessity of reclamation of a land plot, the order of its return to owners, users and tenants whose land plots will be seized;

(iii) make a decision on structures to be affected with indication: a. to whom they belong, reason, scope and during which period they will be impacted; b. total number of affected structures according to its owners; c. the amount of losses due to impact on structures; d. necessity of removing/reinstalling or rebuilding the affected structures; e. measures for compensations for affected structures and reinstalling/rebuilding affected structures; g. safety protection, environmental, fireproof, sanitary and other requirements;

(iv) establish special commissions such as Commission on Land Acquisition and Evaluation Commission which will be closely involved during implementation of land acquisition and resettlement process and which include representatives of different relevant offices; (v) other roles and responsibilities deriving from nature and functions of hokimiyats.

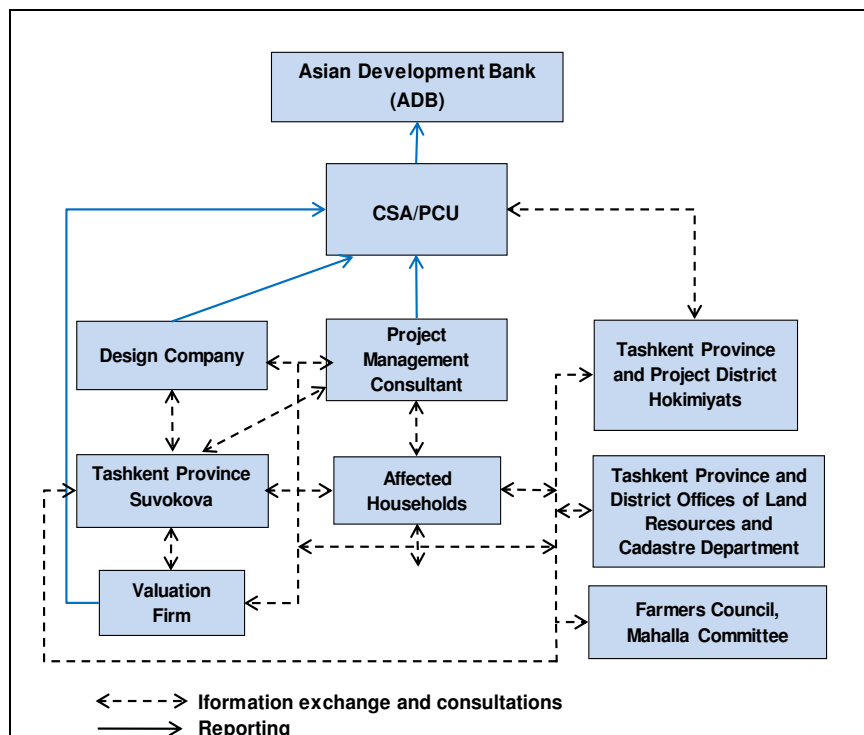
## 9.6 Self-Government Representatives

157. Self-government representatives will be involved with the resettlement activities to ensure the rights and interests of affected households. Implementation of LARP will require close coordination with the local makhallas and farmers councils. This coordination will help EA in the following: (i) dissemination of information related to LARP; (ii) checking timely disbursement of compensation to affected households and (iii) obtaining early warnings on the grievances of APs, (iv) verifying as to whether the vulnerable households were identified according to requirement laid down in LARP; and (v) obtaining information regarding any unexpected impacts, if any, being incurred by affected households.

## 9.7 Valuation Firms

158. The valuation firm will comprise an accredited private firm with valid license for valuation activities. This firm will be involved in estimating the replacement cost of the affected assets.

**Figure 9.1. Institutional Arrangements**





## **10. IMPLEMENTATION SCHEDULE**

### **10.1 General**

159. The time for implementation of LARP will be scheduled as per the overall project implementation schedule. All activities related to the land acquisition and resettlement must be planned to ensure that compensation is paid prior to displacement and commencement of civil works. Public consultation, monitoring and grievance redress will be undertaken intermittently throughout the project duration. One of the core components of the project is construction of and reconstruction of transmission and distribution water pipelines which will have temporary impacts. This being a liner project components, it might be difficult to complete the implementation of resettlement activities for the entire line section and right of way at one time which might delay the civil work construction, therefore, a phase wise approach can be adopted for civil work construction. Construction can be initiated in the section where compensation is paid. However, in case of permanent land acquisition, construction can only start once all the compensation and resettlement is done.

### **10.2 Detailed Design Stage (Finalizing and Updating the Draft LARP)**

160. Setting up relevant institutions for the LAR activities will be the major task during the detailed design. Additionally, the Project Management Consultant (PMC) to be appointed for design and management will be responsible for updating this draft LARP. The social safeguard and resettlement specialists in the PMC will update the draft LARP based on final detailed design findings which shall include final impact assessment, detailed measurement surveys, preparation of individual parcel maps and updating of compensation rates etc. The updated LARP will be sent to ADB for approval and upon the approval, the LARP will be disclosed. The pre implementation aspects of LAR activities during the detailed design stage will be the following:

- establishment of LAR Institutions;
- finalizing and updating the draft LARP;
- updating of LAR budgets;
- confirmation of updated impact data and of compensation amounts;
- approval of LARP by ADB and Government and subsequent disclosure;
- identification of alternate land for “land for land” compensation.

### **10.3 LARP Implementation Stage**

161. Upon approval of final/updated LARP, all the arrangements for fixing the compensation and the disbursement needs shall be done which includes payment of all eligible compensation and assistances; initiation of land development process; site preparation for delivering the site to contractors for construction and finally commencement of the civil work. Payment of compensation and allowances under updated final LARP will commence after a number of preparatory tasks have been completed. These tasks are:

- disclosure and consultation;
- grievance resolution;
- transfer of compensation and assistance;
- disbursement of compensation and assistance;
- compliance review and reporting;
- notice to proceed for civil works construction;
- monitoring of land restoration.

### **10.4 Implementation Schedule**

162. This is a tentative schedule for LARP implementation for the project. However, section wise implementation mechanism may be followed in order to start the civil work in the completed section and to simultaneously proceed with the implementation of LARP for other sections. The schedule can be adjusted during detailed design. The tentative implementation Schedule is given in the following Table 10.1.



## 11. MONITORING AND REPORTING

163. Monitoring will be the responsibility of the Communal Services Agency. The implementation of LARP will be closely monitored. Regular monitoring activities will be carried out internally by PCU with assistance from PMC. The PCU will provide ADB with an effective basis for assessing land acquisition and resettlement progress and identifying potential difficulties and problems. The extent of monitoring activities, including their scope and periodicity, will be commensurate with the project's risks and impacts. Monitoring will involve (i) administrative monitoring to ensure that implementation is on schedule and problems are dealt with on a timely basis; and (ii) overall monitoring to assess status of affected persons. The CSA is required to implement safeguard measures and relevant safeguard plans, as provided in the legal agreements, and to submit semi-annual monitoring reports on their implementation performance. The CSA through its PCU will (i) monitor the progress of implementation of safeguard plans, (ii) verify the compliance with safeguard measures and their progress toward intended outcomes, (iii) document and disclose monitoring results and identify necessary corrective and preventive actions in the periodic monitoring reports, (iv) follow up on these actions to ensure progress toward the desired outcomes, and (v) submit semi-annual monitoring reports on safeguard measures as agreed with ADB.

164. Monitoring will include daily planning, implementation, feedback and trouble shooting, individual affected person file maintenance, community relationships, dates for consultations, number of appeals placed and progress reports. The CSA through its PCU will be responsible for managing and maintaining APs databases, documenting the results of the APs census. Monitoring reports documenting progress on resettlement implementation and resettlement plan completion reports will be provided by the CSA through its PCU to ADB for review. ADB will review the monitoring reports and post these on the ADB website. The indicators for achieving the proposed objectives during the implementation of the LARP of two types: (i) process indicators (indicating project inputs, expenditure, staff deployment, etc.) and (ii) output indicators (indicating results in terms of numbers of APs compensated, and assistances provided).

165. More specifically, LARP implementation monitoring will:

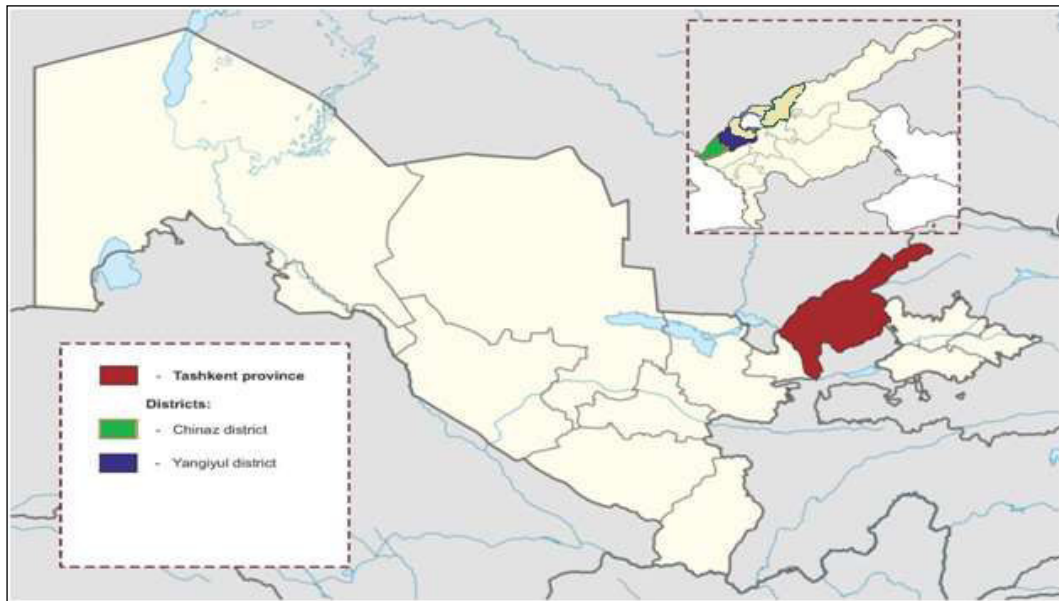
- (i) Verify that the baseline information of all PAPs has been secured and that the valuation of assets lost or damaged, the provision of compensation and other entitlements, has been carried out.
- (ii) Formulate performance indicators, benchmarks and success/hurdle rates for the project.
- (iii) Oversee that the LARP is implemented as designed and approved.
- (iv) Verify that funds for implementing the LARP are provided by the CSA in a timely manner and in amounts sufficient for their purposes, and that such funds are used in accordance with the provisions of the LARP.
- (v) Record all grievances and their resolution and ensure that complaints are dealt with in timely manner.

166. Key points for monitoring are provided, though not limited to these:

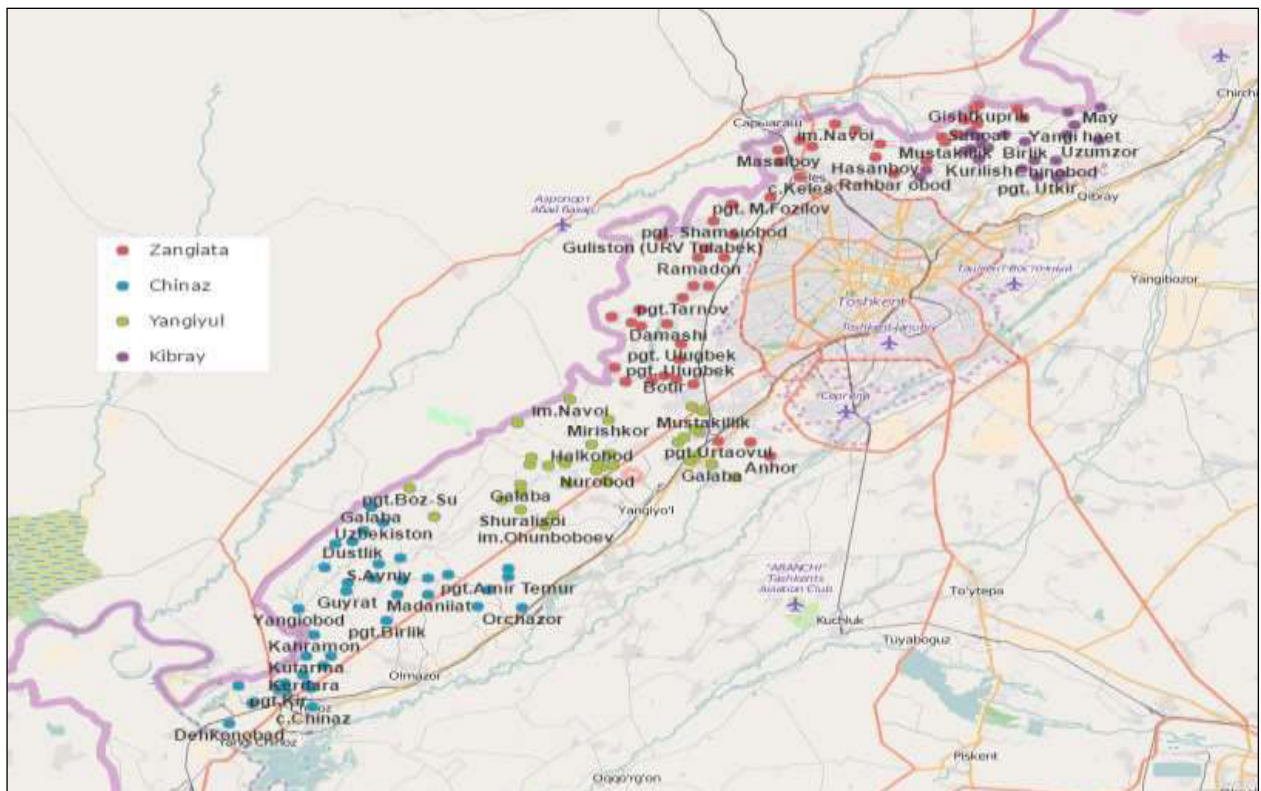
- (i) Payment of compensation to all APs in various categories, according to the compensation policy indicated in the entitlement matrix.
- (ii) Public information dissemination and consultation procedures.
- (iii) Adherence to grievance procedures and outstanding issues requiring management's attention.
- (iv) The benefits provided from the project.

## ANNEXURE 1: MAPS AND PICTURES OF PROJECT COMPONENTS

### 1. Location of the project's districts



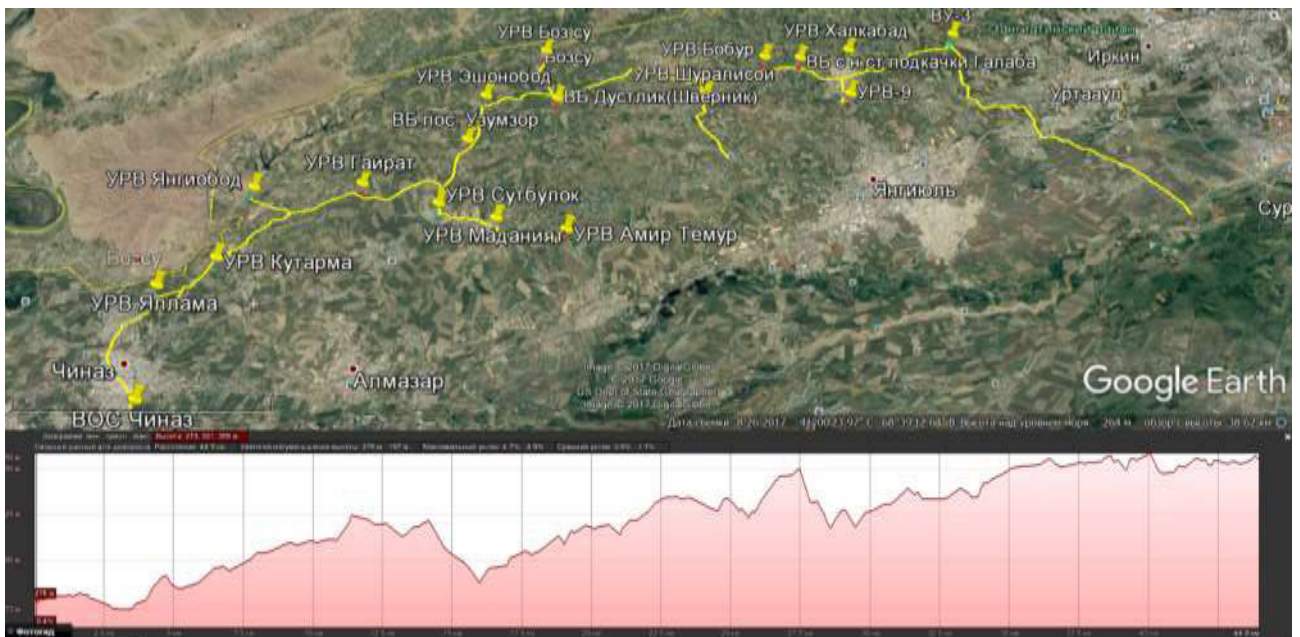
### 2: Settlements covered by the project, Phase I (Kibray and Zangiota) and Phase II (Yangiyul and Chinaz)



### 3. Transmission Main Layout



### 4. Trace and profile of the project transmission main from ground water intake facility VU-1 to Chinaz city



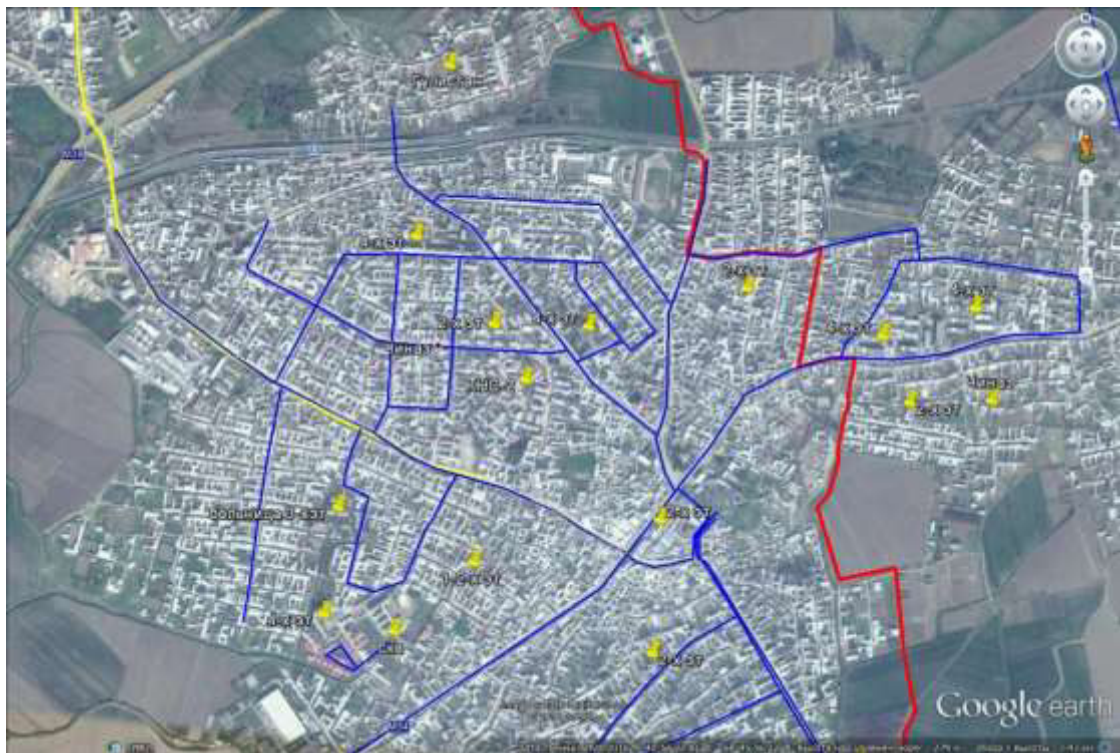
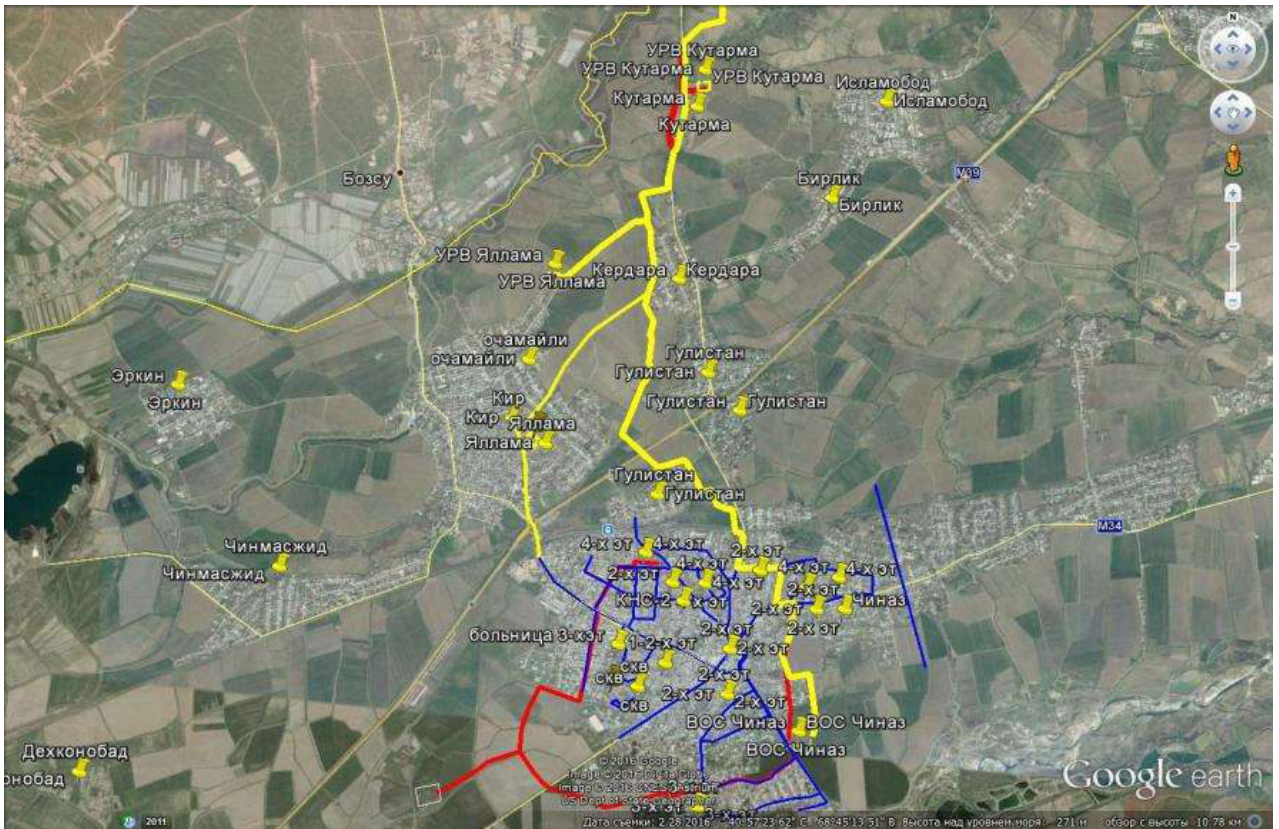
**5. Picture Showing Type of Replacement of Transmission Line**



**6. Picture showing the land where new water supply facilities will be constructed**



### 7. Layouts of a Sample Water Distribution Networks in Project Settlements



**ANNEXURE 2: LIST OF PUBLIC CONSULTATIONS' PARTICIPANTS**  
**YANGIYUL CITY, 12 January, 2018**

12.01.2018 Янминов, Давра суҳбати

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1	Мухаммадов Ф	55	Эркак	Янминов МФЙ	раис	янминов ед. қирв	90 322-5343
2	Насриддинов Р			Нуробод МФЙ	раис	Янминов хб қирв	94 419-82-58
3	Умаров А	63	Эркак	Космон МФЙ	раис	Янминов хб қирв	94 776 80 01
4	Бобоев Ш	42	аёл	Космон МФЙ	маслаҳатчи	Янминов хб қирв	94 740 69 80
5	Серибаев У	52	эркак	Бейтмухаммедов МФЙ	раис	Космон хб қирв	94 934-29-76
6	Рахмонов У	55	1	Янминов МФЙ	раис	Янминов	93 58442 05
7	Рахмонов Ш	37	1	Янминов МФЙ	коғиб	мактаб	94 674-51-74
8	Алимовна М	58	2	Космон МФЙ	маслаҳатчи	янминов хб	94 761 27 60
9	Абдураҳимов Г	56	2	Нуробод МФЙ	маслаҳатчи	тадбиркор	94 633 01 62
10	Содиқов Р	51	2	Янминов МФЙ	коғиб	коғиб	97 604 34 18
11	Алиев Ш	28	1	Янминов МФЙ	коғиб	коғиб	97 604 34 09
12	Умаровна А	60	2	Халифот МФЙ	маслаҳатчи	маслаҳатчи	94 414 81-56
13	Мухомедов Х	60	1	Халифот МФЙ	раис	раис	97-604 56 24
14							

12.01.2018 Янминов, Давра суҳбати

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21	Бодобова Шахло	43	аёл	Космон МФЙ	маслаҳатчи	кўчмувожатчи	
22	Маммаданов Ш	41	аёл	Космон МФЙ	маслаҳатчи	кўчмувожатчи	
23	Рахмонов Ш	41	аёл	Космон МФЙ	маслаҳатчи	кўчмувожатчи	93-600-26-54
24	Алимовна	43	эркак	Космон МФЙ	раис	М.Х.В. миллионер	97 434 02 45
25	Содиқов Ш	44	аёл	Космон МФЙ	маслаҳатчи	М.Х.В. миллионер	97 434 02 45
26	Содиқов Ш	45	эркак	Космон МФЙ	раис	С.У.Тодоров дўрғаз	91 460-33-43
27	Алимовна Ш	46	аёл	Космон МФЙ	маслаҳатчи	Содиқов Ш	94 850 24 94
28	Умаров А	60	эркак	Космон МФЙ	раис	М.Х.В. миллионер	97 776 84 41
29	Содиқов Ш	45	эркак	Космон МФЙ	раис	Космон	97 604 60 72
30	Умаровна Ш	52	аёл	Космон МФЙ	маслаҳатчи	Космон	93-601-52-26
31	Умаровна Ш	54	аёл	Космон МФЙ	раис	Космон	94-946-27-56
32	Умаровна Ш	56	эркак	Космон МФЙ	раис	Космон	90-882-14-82
33	Умаровна Ш	41	эркак	Космон МФЙ	раис	Космон	90-882-14-82
34	Умаровна Ш	40	аёл	Космон МФЙ	раис	Космон	90-882-14-82
35	Умаровна Ш	40	аёл	Космон МФЙ	раис	Космон	90-882-14-82
36	Умаровна Ш	56	аёл	Космон МФЙ	раис	Космон	90-882-14-82
37	Умаровна Ш	58	эркак	Космон МФЙ	раис	Космон	90-882-14-82
38	Умаровна Ш	54	аёл	Космон МФЙ	раис	Космон	90-882-14-82
39	Умаровна Ш	52	аёл	Космон МФЙ	раис	Космон	90-882-14-82
40	Умаровна Ш	32	эркак	Космон МФЙ	раис	Космон	90-882-14-82
41	Умаровна Ш	24	эркак	Космон МФЙ	раис	Космон	90-882-14-82
42	Умаровна Ш						
43							

12.01.2018 Янминов, Давра суҳбати

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25	Умаровна Ш	48	аёл	Космон МФЙ	маслаҳатчи	маслаҳатчи	90 983-27-91
26	Умаровна Ш	54	аёл	Космон МФЙ	маслаҳатчи	маслаҳатчи	90 986-35-86
27	Умаровна Ш	55	эркак	Космон МФЙ	раис	раис	94-698-5545
28	Умаровна Ш	66	аёл	Космон МФЙ	маслаҳатчи	маслаҳатчи	99-876-73-45
29	Умаровна Ш	48	эркак	Космон МФЙ	раис	раис	90-921-65-68
30	Умаровна Ш	53	аёл	Космон МФЙ	раис	раис	90-819-58-74
31	Умаровна Ш	60	эркак	Космон МФЙ	РАИС	РАИС	97-604-5545
32	Умаровна Ш	41	эркак	Космон МФЙ	раис	тадбиркор	93-533 0876
33	Умаровна Ш	53	эркак	Космон МФЙ	раис	раис	97-721-65-04
34	Умаровна Ш	47	аёл	Космон МФЙ	раис	Космон	99-406-15-28
35	Умаровна Ш	59	эркак	Космон МФЙ	раис	Космон	90 2104376
36							





LIST OF PUBLIC CONSULTATIONS PARTICIPANTS,  
CHINAZ CITY, 18 January, 2018

Крулевский суд., Чиназь 18.01.2018.

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1	Абдиев М. А.	49	аёл	5-М.Т.М	муҳаррир	муҳаррир	4-641-27-60
2	Имомқодирова Д	49	аёл	11-М.Т.М	муҳаррир	муҳаррир	4-414-15-513
3	Мухоммадова З	60	аёл	12-М.Т.М	муҳаррир	муҳаррир	4-68-158-07
4	Абдуваҳидова М	55	аёл	28-М.Т.М	муҳаррир	муҳаррир	4-936-14-85
5	Қўлимаева Ф.	45	аёл	4-М.Т.М	муҳаррир	муҳаррир раҳбари	90-331-33-40
6	Қўлимаева Д	44	аёл	1-М.Т.М	муҳаррир	муҳаррир	3-615-54-41
7	Раҳмонова Д	65	аёл	18-М.Т.М	муҳаррир	муҳаррир	4-925-00-30
8	Раҳмонова Д	46	аёл	13-М.Т.М	муҳаррир	муҳаррир	4-851-74-28
9	Қарамов Д	25	аёл	20-М.Т.М	муҳаррир	муҳаррир	4-462-54-92
10	Қўлимаева М	37	аёл	36-М.Т.М	муҳаррир	муҳаррир	4-944-0086
11	Зулхаджаева Ч	40	аёл	33-М.Т.М	муҳаррир	муҳаррир	4-920-90-30
12	Қўлимаева М	52	аёл	13-М.Т.М	муҳаррир	муҳаррир	4-934-66-24
13	Раҳмонова Е	54	аёл	1-М.Т.М	муҳаррир	муҳаррир	9-269-84-12
14	Содиқов И.	66	эркак	Давлатчилик	наам	наам	24102316
15	Қўлимаева Д	40	аёл	6-М.Т.М	муҳаррир	муҳаррир	4140-52-03
16	<del>Қўлимаева Д</del>	<del>3</del>	<del>аёл</del>				
17							

Крулевский суд., Чиназь 18.01.2018.

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1	Магомедов М.	51	эркак	35-мактаб	директор	35-мактаб директори	(4) 4295758
2	Содиқов М	42	эркак	38-мактаб	директор	38-мактаб директори	(4) 413-95-07
3	Магомедов А	41	эркак	47-мактаб	директор	47-мактаб директори	91 402-03-47
4	Шамиева Ф	34	аёл	34-мактаб	директор	34-мактаб директори	981 410 42 62
5	Мухоммадова Т	48	аёл	41-мактаб	директор	41-мактаб директори	2 225 84 68
6	Бекбаева А	55	эркак	46-мактаб	директор	46-мактаб директори	7-411-64-64
7	Қўлимаева Б	39	эркак	16-мактаб	директор	16-мактаб директори	99 813-31-36
8	Қўлимаева С	43	эркак	30-мактаб	директор	30-мактаб директори	94-934-44-33
9	Қўлимаева С	43	эркак	Р.Ф.Б.О.Р.М.Б. қўлимаева	директор	Қўлимаева	5-512-05 80
10	Қўлимаева М	25	эркак	ДСУ	қўлимаева	қўлимаева	97 844 56 85
11	Қўлимаева А	52	эркак	12-мактаб	директор	12-мактаб директори	901 364 70 96
12							

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22	Қўлимаева Ф	60	аёл	3-сонли мактаб	директор	мактаб директори	90 847 05 13
23	Қўлимаева Т	52	аёл	4-сонли мактаб	директор	мактаб директори	941 322 41 62
24	Қўлимаева Д	37	эркак	8-сонли мактаб	директор	мактаб директори	97 344 81 05
25	Қўлимаева В.М.	45	эркак	28-сонли мактаб	директор	мактаб директори	97 600 16 07
26	Қўлимаева З	35	эркак	6-сонли мактаб	директор	мактаб директори	97 736 40 21
27	Қўлимаева Б	38	эркак	13-сонли мактаб	директор	мактаб директори	97 872 44 62
28	Қўлимаева Я	21	эркак	21-сонли мактаб	директор	мактаб директори	97 70 9 35 15
29	Қўлимаева Ч	29	эркак	20-сонли мактаб	директор	мактаб директори	94 886-91-68
30	Қўлимаева О	29	эркак	3-мактаб	директор	мактаб директори	97-221-47-03
31	Қўлимаева С	32	эркак	4-мактаб	директор	мактаб директори	97 868 00 01
32	Қўлимаева У	52	эркак	27-мактаб	директор	мактаб директори	97 201 7 03

Кўришги сўраш. Ченасу. 18.01.2018.

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1	Шарифов И	53	2	24-мартаб	директор	24 мартаб директор	4-362-91-46
2	Сайдобов Ф	39	1	27-мартаб	директор	27-мартаб директор	7-251-76-30
3	Сейтов Б	56	1	17-мартаб	директор	17 мартаб директор	7-490-77-12
4	Исмаилов И	54	1	15-мактаб	мураббий	15-мактаб раис	7-240-25-64
5	Абдуширков И	50	2	14-мактаб	директор	мактаб раис	7-604-86-92
6	Ибрагимов И	55	2	10-мактаб	директор	мактаб директор	7-716-59-53
7	Чирақов И	56	2	42-мактаб	директор	мактаб директор	7-252-96-40
8	Шакарбаев О	45	2	25-мактаб	директор	мактаб директор	4-264-67-72
9	Абдулов У	57	1	29-мактаб	директор	мактаб директор	7-712-60-24
10							

Кўришги сўраш. Ченасу. 18.01.2018.

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22	Ахмедов И	45	аёл	Кўришги сўраш раис	раис	раис	4-218-08-23
23	Талипов И	53	аёл	Кўришги сўраш раис	раис	раис	4-682-29-11
24	Абдулов И	61	эркак	Кўришги сўраш раис	раис	раис	4-644-88-22
25	Абдулов И	62	эркак	Кўришги сўраш раис	раис	раис	7-232-29-15
26	Абдулов И	51	эркак	Кўришги сўраш раис	раис	раис	4-214-58-02
27	Абдулов И	39	аёл	Кўришги сўраш раис	раис	раис	4-430-78-00
28	Абдулов И	64	эркак	Кўришги сўраш раис	раис	раис	4-429-93-26
29	Абдулов И	60	аёл	Кўришги сўраш раис	раис	раис	4-935-22-77
30	Абдулов И	39	эркак	Кўришги сўраш раис	раис	раис	9-834-31-34
31	Абдулов И	58	эркак	Кўришги сўраш раис	раис	раис	7-432-76-15
32	Абдулов И	60	эркак	Кўришги сўраш раис	раис	раис	93-548-04-46
33	Абдулов И	40	эркак	Кўришги сўраш раис	раис	раис	97-731-53-70
34							

Кўришги сўраш. Ченасу. 18.01.2018.

ДАВРА СУҲБАТИ ҚАТНАШЧИЛАРИ УЧУН АНКЕТА

№	Қатнашчининг ФИО	Ёши	Жинси 1=эркак 2=аёл	Сиз ишлаётган ташкилотнинг тўлиқ номи	Лавозими	Охириги иш жойи бўйича касби	Қатнашчининг телефони, коди билан
1	Назаров З	57	эркак	"Кўришги сўраш" МФЙ	раис	РАИОНУ-сўраш	7-2497701
2	Ибрагимов И	63	эркак	"Кўришги сўраш" МФЙ	раис	Кўришги сўраш	4-421-41-62
3	Сайдобов О	45	эркак	Кўришги сўраш раис	раис	Кўришги сўраш раис	9-8436172
4	Абдулов И	40	аёл	Кўришги сўраш раис	раис	Кўришги сўраш раис	
5	Абдулов И	63	эркак	Кўришги сўраш раис	раис	Кўришги сўраш раис	
6	Абдулов И	64	эркак	Кўришги сўраш раис	раис	Кўришги сўраш раис	4-689-07-23
7	Абдулов И	38	эркак	Кўришги сўраш раис	раис	Кўришги сўраш раис	
8	Абдулов И	54	эркак	Кўришги сўраш раис	раис	Кўришги сўраш раис	4-629-85-21
9	Абдулов И	38	эркак	Кўришги сўраш раис	раис	Кўришги сўраш раис	3-588-24-79
10	Абдулов И	45	эркак	Кўришги сўраш раис	раис	Кўришги сўраш раис	7-219-10-22
11	Абдулов И	32	аёл	Кўришги сўраш раис	раис	Кўришги сўраш раис	97-572-43-85

Илгиривчи сирас Чисмат 18.01.2018

ДАВРА СУҲБАТИ ҚАТНАШЧИЛАРИ УЧУН АНКЕТА

№	Қатнашчининг ФИО	Еши	Жинси 1=эркак 2=аёл	Сиз ишлаётган ташкилотнинг тўлиқ номи	Лавозими	Охириги иш жойи бўйича касби	Қатнашчининг телефони, коди билан
22	Ҳайитилов У.А.	50	эркак	"Бирмакс" МФЙ	қосдов	МФЙ	94/887-32-04
23	Эришларов Б.Н.	60	1	"Мадаминот" МФЙ	раис	МФЙ раис	94/924-58-45
24	Ҳасанов С.	56	1	Ҳайрат МФЙ	раис	МФЙ раис	71/946-46-81
25	Усмонов Б.	60	1	Аҳмадли МФ	раис	МФЙ раис	71/729-54-01
26	Богачев А.	54	1	Қар МФ	раис		7-332-09-03
27	Муродов А.	60	1	Фарҳадов МФ	раис	МФЙ раис	7-157-16-07
28	Ҳамраев С.	59	1	Саломқор	қосдов	МФЙ раис	3-602-3355
29	Ҳамраев Х.	55	1	Янги ҳўят МФ	раис	МФЙ раис	94/600-27-01
30	Қалмоқов Т.	39	1	Қатталомали МФ	раис	МФЙ раис	94/920-07-1
31	Ҳамраев М.	60	2	"Қосмет" МФ	раис	МФЙ раис	94/226-7161
32	Ҳамраев Т.	53	1	Ҳўят МФ	раис	МФЙ раис	94/920-764
33	Ҳамраев Т.	57	2	А.Навои	қосдов	М.Ф.В. раис	7-462-5708
34	Ҳамраев Т.	48	2	Қутариш МФ	қосдов	Қ.мамаев	4-609-2465

Илгиривчи сирас Чисмат 18.01.2018

ДАВРА СУҲБАТИ ҚАТНАШЧИЛАРИ УЧУН АНКЕТА



№	Қатнашчининг ФИО	Еши	Жинси 1=эркак 2=аёл	Сиз ишлаётган ташкилотнинг тўлиқ номи	Лавозими	Охириги иш жойи бўйича касби	Қатнашчининг телефони, коди билан
22	Ҳамраев А.Р.	54	эркак	Қутариш МФ	раис	МФЙ раис	94/7329-04
23	Ҳамраев Р.Х.	60	аёл	Ҳўят МФ	қосдов	Ҳўят МФ	014-2009-071
24	Ҳамраев С.	48	аёл	Ҳўят МФ	раис	Ҳўят МФ	4328-7541
25	Ҳамраев Б.	60	2	Ҳўят МФ	раис	Ҳўят МФ	7912-0140
26	Ҳамраев Ш.	54	эркак	Ҳўят МФ	раис	Ҳўят МФ	7944-3806
27	Ҳамраев Т.	50	аёл	33-сони	қосдов	қосдов	94-635-215

Илгиривчи сирас Чисмат 18.01.2018

ДАВРА СУҲБАТИ ҚАТНАШЧИЛАРИ УЧУН АНКЕТА

№	Қатнашчининг ФИО	Еши	Жинси 1=эркак 2=аёл	Сиз ишлаётган ташкилотнинг тўлиқ номи	Лавозими	Охириги иш жойи бўйича касби	Қатнашчининг телефони, коди билан
22	Содиқов А.Б.	38	1	22-сонли мактаб	директор	22-016 директор	94-563-89-44
23	Ҳамраев И.	38	1	11-сонли мактаб	директор	11-мактаб директор	94-850-15-79
24	Ҳамраев Ш.	29	2	19-сонли мактаб	директор	19-мактаб директор	94-403-54-64
25	Ҳамраев Ш.	51	2	20-сонли мактаб	директор	20-сонли мактаб	94-378-92-92
26	Ҳамраев Ш.	49	1	26-сонли мактаб	директор	26-сонли мактаб	94-401-80-82
27	Ҳамраев Б.	60	1	8-мактаб	директор	8-мактаб	93-689-47-70
28							
29							
30							
31	Ҳамраев Б.	51	1	31-сонли мактаб	директор	31-мактаб директор	94-917-33-92
32	Ҳамраев Ш.	55	2	32-сонли мактаб	директор	32-мактаб директор	97-715-28-23
33	Ҳамраев Ш.	38	1	33-сонли мактаб	директор	33-мактаб директор	97-460-84-39
34							
35							
36							
37							
38							
39							
40	Ҳамраев Ш.	54	1	40-сонли мактаб	директор	40-мактаб директор	93-506-71-19
41							
42	Ҳамраев Ш.	55	2	Ҳўят МФ	раис	Ҳўят МФ	94-8234-85
43							

## CHINAZ CITY, 17 March, 2018


 Регистрационный лист  
 Общественные слушания по проекту: «Реконструкция водозаборных сооружений для водоснабжения сельского населения Чиназского и Янгиюльского районов Ташкентской области». Март 17, 2018
 

Chinaz district / Чиназский район

No.	Full Name / Ф. И. О.	Worked place / Наименование места работы	Address / Адрес (КВН, МФУ)	Signature/ Подпись
1	Ишмаев Д.	Чиназ И.	Чиназ	[Signature]
2	Саримсотова М.	МФУ котибаси	Деконство МФУ	[Signature]
3	Зиурова М.	МФУ котибаси	"Шола" МФУ	[Signature]
4	Зиурова М.	МФУ котибаси	"Султамат" МФУ	[Signature]
5	Турмунова Н.	МФУ котибаси	"Султамат" МФУ	[Signature]
6	Муратова К.	МФУ котибаси	"Волга" МФУ	[Signature]
7	Эшматова У.	МФУ котибаси	"Кози" МФУ	[Signature]
8	Абдурашимова Б.	МФУ котибаси	"Дети Махал" МФУ	[Signature]
9	Абдурашимова Р.	МФУ котибаси	"Точиллик" МФУ	[Signature]
10	Гайбуллаев Б.	МФУ котибаси	"Каналабор" МФУ	[Signature]
11	Мадиева С.	МФУ котибаси	"Лохтабор" МФУ	[Signature]
12	Бобурова Ш.	МФУ котибаси	"Зиурова" МФУ	[Signature]
13	Ходирова Т.	МФУ котибаси	"Азиз" МФУ	[Signature]
14	Турмунова Ш.	МФУ котибаси	"Дарин" МФУ	[Signature]
15	Султанов Н.	МФУ котибаси	"Султамат" МФУ	[Signature]
16	Камалова О.	МФУ фаолли	"Афзон" МФУ	[Signature]
17	Махмудова Р.	МФУ фаолли	"Афзон" МФУ	[Signature]
18	Махмудова Р.	МФУ фаолли	"Султамат"	[Signature]
19	Камалова Р.	МФУ фаолли	Султамат	[Signature]
20	Бобурова С.	Транс Коммуна Казали	Чиназ Бундаси	[Signature]
21	Эшматова Б.	Мадешият МФУ	Мадешият Чиназ	[Signature]
22	Ишмураев Ш.	Тухон Экология		[Signature]
23				
24				
25				

ZANGIATA DISTRICT, 7 May, 2018

50 ADB  
«Осиё Тарракият банки» Тошкент вилоятининг шаҳар ва туманларида ичимлик суви ва канализация тизимларини қуриш ва реконструкция қилиш» лойиҳаси

МАЖЛИС ҚАТНАШЧИЛАРИНИНГ РЎЙХАТИ

Санаси: 07.05.2018 Жойи: Зангиота тумани

Т/р.	Ф.И.Ш.	Вилоят/Туман номи	Ташиқлот номи	Лавозими	Телефон, электрон почта, факс	Имзо
1	Тоҳиров Рустам	Зангиота тумани	35-маҳалла	директор	97 440 60 01	[Signature]
2	Қудратов Абдураҳмон	Зангиота тумани	35-маҳалла	директор	97 512 98 09	[Signature]
3	Қимматов Замират	Зангиота тумани	Давлатбойи	номибон	94 638 10 44	[Signature]
4	Болоқиров Шайхон	Зангиота тумани	Зангиота	директор	90 320 19 16	[Signature]
5	Зайнаб Тўраева	Зангиота тумани	35-маҳалла	директор	90 650 07 95	[Signature]
6	Маматов Бақир	Зангиота тумани	Маъини 27	Масъул	84 610 21 72	[Signature]
7	Савабалиев М	Зангиота тумани	4-маҳалла	директор	97 50 99 01	[Signature]
8	Абдулқодир А. Батир	Зангиота тумани	Чўпон 10	директор	97 707 45 94	[Signature]
9	Хайрулло С. ЗИЙ	Зангиота тумани	3-МТ	директор	301 19 51	[Signature]
10	Ураев Е. А	Зангиота тумани	16-маҳалла	директор	93 542 81 66	[Signature]
11	Зайнаб Н. Ш.	Зангиота тумани	35-маҳалла	директор	90 928 50 94	[Signature]
12	Абдуваҳидов Ш. Ш.	Зангиота тумани	Чўпон 10	директор	91 163 22 57	[Signature]
13	Қудратов Ш. Ш.	Зангиота тумани	Чўпон 10	директор	90 188 42 58	[Signature]
14	Шарифов Д	Зангиота тумани	Хокимият	Куратор		[Signature]
15	Абдуваҳидов А	Зангиота тумани	Хокимият	Куратор		[Signature]

ADB  
«Осиё Тарракият банки» Тошкент вилоятининг шаҳар ва туманларида ичимлик суви ва канализация тизимларини қуриш ва реконструкция қилиш» лойиҳаси

Р.И.Ш.

Т/р.	Ф.И.Ш.	Туман	Ташиқлот номи	Лавозими	Телефон	Имзо
16	Низода Норзали	Зангиота тумани	Суджана	директор		[Signature]
17	Хотимжонбеков Дилшод	Зангиота тумани	2-МТ	директор	90 320 04 08	[Signature]
18	Ураев Е. А	Зангиота тумани	16-маҳалла	директор		[Signature]
19						
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## ANNEXURE 3: LEAFLET DISCLOSED DURING CONSULTATIONS

**“ЯНГИЙЎЛ ВА ЧИНОЗ ТУМАНЛАРИ АҲОЛИ ПУНКТЛАРИНИ ТОЗА ИЧИМЛИК СУВИ БИЛАН ТАЪМИНЛАШ”**

**1. Лойиҳадан қўзланган асосий мақсад.**

Лойиҳанинг асосий мақсади Янгийўл ва Чиноз туманларининг ичимлик суви танкис бўлган аҳоли пунктларини тоза ичимлик суви билан таъминлашдир. Ҳозирги кунда танкис бўлган куйидаги аҳоли пунктларида яшовчи 160 мингдан зиёд аҳоли (37 мингдан зиёд хонадон) тоза ва давлат стандартлари талабларига тўлиқ жавоб берувчи ичимлик суви билан таъминланади:

**Янгийўл туманида:** Бозсув, Дўстлик, Галаба, Янги маҳалла, Марказ, Шўралисой, Охунбобоев, Ҳақиқат, Бобур, Маърифат, Шарафобод, Каналбўйи, Ватан, Миришкор, Халқобод, Навоий, Нуробод, Кескан, Дангир, Туркис, Какша, Янгибод, Коштепа, Чангтепа, Хонқўрғон, Кенгекчиқ, Мустикашлиқ, Туябўғиз, Иноғомов, Ўзбекистон, Галаба, Мирзабобоев, Саид ота.

**Чиноз туманида:** Чиноз шаҳри, Бирлик, А.Темур, Қир, Ўзбекистон, Галаба, Иттифок, Дўстлик, Каналобод, С.Рахимов, Сутбулоқ, А.Худойбердиев, Ғайрат, Абзалобод, Олмос, Мевазор, Охунбобоев, Арчазор, Тиллабод, Сафаробод, Учқун, Маданият, Норқўзиев, Янгибод, Қахрамон, Исломобод, Бирлик, Кўтарма, Қердара, Гулистон, Очамайли, Ёллама, Дехқонобод, Эркин, Чинмасжид, С.Айний, Узумзор, Самарқанд.

**2. Лойиҳа ким томонидан молиялаштирилади ва қайси даврда амалга оширилади?**

Лойиҳа Оснб Тараққиёт Банки томонидан молиялаштирилиши ва 2019 – 2024 йилларда амалга оширилиши кутилмоқда. Лойиҳани амалга оширувчи ташкилот: Ўзбекистон Республикаси Уй-жой коммунал хизмат кўрсатиш вазирлиги қошидаги “Коммунизмат” Агентлиги ва Тошкент вилояти “Сувокава” давлат унитар корхонаси.

**3. Лойиҳа доирасида қандай ишлар амалга оширилади?**

Лойиҳа доирасида жами 90 километрга яқин катта диаметрик магистрал қурувлар (қуйидаги расмда кизил билан белгиланган), аҳоли пунктларида 420 километрдан зиёд кичик диаметрик сув тарқатини қурувлари ётказилади. 10 дан зиёд мавжуд сув олиш, тозалаш ва тарқатини ишюотлари қайта қурилиб, 10 дан зиёди янгитдан қурилиши режалаштирилган.

**Янгийўл ва Чиноз туманлари ичимлик суви таъминини ривожлантириш схемаси**

Лойиҳани амалга оширувчи ташкилот: Ўзбекистон “Коммунизмат” Агентлиги қошидаги Оснб Тараққиёт Банки Лойиҳавазирли қоридан қарор қабул қилган. Тошкент ш., Навоибек йўли 1-кўча, 1. Тел: +998 71 235-26-76

2-бет

**4. Лойиҳани амалга ошириш даврида қутилаётган нојўя таъсирлари нимадан иборат?**

Лойиҳани амалга ошириш даврида баргараф бўлмайдиган нојўя таъсирлари бўлиши кутилмоқда. Янги сув қурувларининг асосий қисми буйлаб қурилмоқда. Лекин сув қурувларининг қисми қишлоқ хўжалиги ерларидан ўтиши ҳам қуйидаги пунктларида амалга белилган. Сув оширилиши кутилмоқда; қурувларининг аниқ йўналишларини ва янги ишюотларини аниқ батафсил маҳалла, Бобур, ўрнилари Шўралисой, Охунбобоев, лойиҳалаш даврида Янгибод ва Чиноз белгиланади (тахминан Чиноз туманида: Узумзор ва 2019 йилнинг иккинчи Амир Темур, Ҳозирги ярми).

**5. Агар қопланган компенсацияга рози бўлмасам ёки бошқа турдаги норозилигим бўлса? Шикоятларни кўриб чиқиш тартиби қандай?**

Оснб Тараққиёт Банки лойиҳани амалга оширувчи ташкилотдан лойиҳага мўлжалланган “Шикоятларни кўриб чиқиш механизми”ни жорий этишини талаб қилади. Бундай механизмдан мақсад зарар қўрган одамларнинг арзларини ва шикоятларини қабул қилиб олиш ва уларни ҳал қилиб беришдир. Ушбу механизм ер ёки бошқа нарсаларига етказилган зарар учун тўланган компенсация бўйича қоникарсиз қарор ёки фаолият юзасидан қилинган шикоятларни кўриб чиқиш ва ечиш учун ўрнатиладиган механизмдир. Бундай механизм билан бир қаторда зарар қўрган томон миллий қонуқчилик ва административ инструментлардан фойдаланишига тўла ҳаққидир. Зарар қўрган томон параллель равишда тегишли судга ёки бошқа шикоятларни кўриб чиқадиган мувожаат ташкилотга қилишни мумкин бўлади.

<b>Босқич-1. Тошкент вилояти “Сувокава”нинг туман бўлимлари</b>
Шикоти бор одам вилоят “Сувокаваси”нинг тегишли филиалига мувожаат қилиши мумкин. Мавжуд шикоятни рўйхатдан ўтказгандан сўнг туман филиали шикоятни кўриб чиқади ва уни тегишли томонга ҳал қилиш учун юборади. Шу билан бирга туман филиали “Сувокава”нинг бош бошқармасини ва Оснб Тараққиёт Банкнинг Лойиҳа координаторини тушган шикоят тўғрисида огоҳ қилади. Шикоят мавзусига кўра лойиҳа пуаратчисига, ер кадастри бўлимига, маҳалла ёки бошқа тегишли ташкилотга юборилиши мумкин. Бу босқичда шикоят 2 hafta ичида ҳал этилиши лозим. Сувокаванинг тегишли туман филиали фуқарони амалга оширилган ишлар ва унинг натижалари тўғрисида хабардор қилади. Фуқаролар Тошкент вилояти “Сувокаваси”га ўз шикоятларини қуйидаги электрон интернет сайтларни орқали юборишлари ҳам мумкин: <a href="http://www.ty.gov.uz">www.ty.gov.uz</a> ёки <a href="http://www.pn.gov.uz">www.pn.gov.uz</a> .
<b>Босқич – 2. Тошкент вилояти “Сувокава”си қошидаги шикоятларни кўриб чиқиш бўйича комиссия</b>
Агар шикоят биринчи босқичда ҳал этилмаса ёки шикоти бор фуқаро қабул қилинган қарор бўйича қоникши ҳосил қилмаса у шикоятини тўғридан тўғри Тошкент вилояти “Сувокаваси” қошидаги Шикоятларни кўриб чиқувчи комиссияга юбориши мумкин. Бу комиссия ҳокимият, жойдаги лойиҳа координатори, “Сувокава” ва Лойиҳани амалга оширувчи консультант ташкилот расмийларидан ташкил топади. Комиссия шикоятни кўриб чиқади ва уни ҳал этиш бўйича қарор қабул қилади. Бу босқичда шикоят 15 кун ичида ҳал этилиши лозим бўлади ва шикоят иши бўйича қўшимча маълумот керак бўлса шикоят энг кўпи билан 30 кунда ҳал этилиши лозим бўлади. Агар шикоят лойиҳага алоқаси бўлмаса у ҳолда фуқаро тегишли ташкилотга мувожаат қилишига тавсия этилади. Бу босқичда шикоти бор фуқаро Лойиҳани амалга оширувчи бош ташкилот – “Коммунизмат” Агентлигига шикоятини қуйидаги электрон интернет сайтлар орқали ҳам юбориши мумкин: <a href="http://www.ty.gov.uz">www.ty.gov.uz</a> ёки <a href="http://www.pn.gov.uz">www.pn.gov.uz</a> .
<b>Босқич - 3. Хўжалик суди</b>
Агар шикоят ҳал этилмаган бўлса ёки фуқаро қабул қилинган қарор бўйича қоникмаган бўлса фуқаро ўз шикоти бўйича маҳаллий хўжалик судига мувожаат қилиши мумкин. Мазкур хўжалик судида шикоят мавжуд миллий қонуқчилик доирасида ҳал этилади.
<b>ШУНИНГ ДЕК</b>
Шикоти бор фуқаро Оснб Тараққиёт Банкнинг Тошкент шаҳрида жойлашган ваколатхонасига қуйидаги манзил бўйича мувожаат қилиши: Тошкент шаҳри, Қоратон кўчаси, 1. Тел: 140-19-20, 140-19-21
<b>ЁКИ</b> Оснб Тараққиёт Банкнинг Жаёвбаргарлик механизмидан фойдаланса бўлади. Бу ҳолда фуқаро ўз шикоятини Оснб Тараққиёт банкнинг Манила шаҳрида жойлашган бош қароргоҳига, хуеусан шикоятларни қабул қилувчи масъул мутахассисга қуйидаги манзил бўйича юбориши мумкин: Accountability Mechanism Asian Development Bank Headquarters, 6 ADB Avenue, Mandaluyong City 1550, Philippines. Электрон почта: <a href="mailto:amcro@adb.org">amcro@adb.org</a> , Факс: +63-2-636-2086

Лойиҳани амалга оширувчи ташкилот: Ўзбекистон “Коммунизмат” Агентлиги қошидаги Оснб Тараққиёт Банки Лойиҳавазирли қоридан қарор қабул қилган. Тошкент ш., Навоибек йўли 1-кўча, 1. Тел: +998 71 235-26-76

### 6. Етказилган зарар компенсация қилинадими?

Албатта, Оснѐ Тараққиѐт Банки талаблари ва Ўзбекистон Республикаси қонунчилигига мувофиқ лойиҳани амалга ошириш натижасида етказилган ҳар қандай зарар (пайхон қилинган экин, бузилган иштиѐт, қирқилган дарахт ва ҳ.к.) компенсация қилинади. Компенсация қурилиш ишлари бошланганига қадар тўлиқликча тўлаб берилади. Қурилиш ишлари тугагач ер эгаларига тўлиқликча тиклаб берилган ҳолда қайтарилади.

<b>А. Ернинг доимий олинishi (Сув тарқатиш иштиѐтларининг қурилиши учун)</b>	
<b>Ер тури</b>	Экинзорлар/боғлар
<b>Зарар тури</b>	Ҳамма кўринишдаги етказилган зарарлар
<b>Ким ҳақли</b>	Ерни ижарага олувчилар/руҳсатномаси бор ердан фойдаланувчи
<b>Компенсация тури</b>	"Ер ўрнига ер" компенсация тури. Бу ҳолда олинган ер ўрнига тенг бонитет балли, олинаѐт - ган ерга энг яқин жойда жойлашган ер ажратиб берилади ва пайхон бўладиган экин учун компенсация тўлаб берилади. Нобуд бўладиган экин ва дарахтлар учун компенсация миқдори қуйидаги В бандда кўрсатилган миқдорга тенг миқдорда тўлаб берилади. Доимий олинмаѐтган бошқа ерга лойиҳа томонидан зарар етказилса унга ҳам компенсация тўлаб берилади. Янги ерни рўйхатдан ўтказиш ва шунга ўхшаш бошқа харажатлар лойиҳа томонидан қоплаб берилади
<b>Зарар тури</b>	Жиддий зарар (ер эгасига тегишли ернинг 10% дан кўпроғи лойиҳа учун доимий олинса)
<b>Ким ҳақли</b>	Ерни ижарага олувчилар
<b>Қўшимча компенсация тури</b>	Жиддий зарар учун тўланадиган қўшимча тўлов тури зарар етказилаѐтган ер майдонидан бир йиллик эқиндан олинадиган соф фойда миқдорига тенгдир (буни ичига мавжуд экин учун тўланадиган компенсацияга қўшимча равишда қиш ва ѐз мавсумларида эқиндан эқиндан олиннадиган даромад ҳам қиради). Агар ерда экин мавжуд бўлмаса бир марталик қўшимча (иш ҳаққининг 3 ойлик миқдорига тенг) тўлов.
<b>А2. Рўйхатдан ўтказилмаган қишлоқ хўжалигида ишлатиладиган ер</b>	
<b>Зарар тури</b>	Ернинг доимий олинishi
<b>Ким ҳақли</b>	Рўйхатдан ўтмаган ер эгаси, лекин тўланмаган солиқларни тўлаб тўлақонли ижарачи бўлишни истаганлар
<b>Компенсация тури</b>	Юқорида зикр этилган ҳамма компенсация турларига ҳақли
<b>А3. Рўйхатдан ўтказилмаган қишлоқ хўжалигида ишлатиладиган ер</b>	
<b>Зарар тури</b>	Ернинг йўқотилиши
<b>Ким ҳақли</b>	Фойдаланаѐтган ерини расмийлаштирмаган ва расмийлаштириш иложиси бўлмаган хонадонлар
<b>Компенсация тури</b>	Ер устида мавжуд бўлган нарсаларга етказилган зарар учун компенсация ва 3 ойлик минимал иш ҳақига тенг қўшимча тўлов
<b>Б. Қурилма ва иштиѐтларга етказиладиган зарар</b>	
<b>Иштиѐтлар</b>	Қурилма ва иштиѐтлар
<b>Зарар тури</b>	Иштиѐтнинг тўлиқ ѐки қисман бузилиши (агар иштиѐт эгаси бошқа жойга кўчирилса)
<b>Ким ҳақли</b>	Расмий мақоми ва етказилган зарар туридан қатъий қатъий назар барча зарар кўрганлар
<b>Компенсация тури</b>	Зарар етказилган иштиѐт ва активларини тўлиқ қоплашга етарли пул кўринишидаги компенсация. Бузилган иштиѐт материаллари иштиѐт эгаси ихтиѐрида қолдирилади
<b>В. Экинларнинг пайхон бўлиши, мевали ва мевасиз дарахтларнинг кесилиши (лойиҳа доирасида амалга ошириладиган қурилиш ишлари билан боғлиқ ерларнинг доимий ва вақтинча олинishi натижасида)</b>	
<b>Зарар тури</b>	Экинларнинг пайхон қилиниши, мевали ва мевасиз дарахтларнинг кесилиши
<b>Ким ҳақли</b>	Барча зарар кўрадиганлар
<b>Компенсация тури</b>	Бирламчи ва (агар эқилган бўлса иккиламчи экинлар учун) пул кўринишидаги компенсация. Бу компенсация миқдори зарар кўрган экинлар учун сарфланган 1 йиллик ишлаб чиқариш харажатлари ва 1 йиллик ўртача соф фойда миқдорига тенгдир (давоми кейинги бетда).

### Маълумот учун мурожаат қилиш мумкин бўлган Оснѐ Тараққиѐт Банкининг ва Ўзбекистон Республикасининг асосий қонуний ҳужжатлари

- Оснѐ Тараққиѐт Банкининг "Химоя сиѐсати тўғрисида тартиби", Июнь 2009 й. (Қуйидаги электрон манзил орқали юклаб олинса бўлса: <https://www.adb.org/tu/documents/safeguard-policy-statement>);
- Ўзбекистон Республикасининг Ер кодекси;
- Ўзбекистон Республикасининг Фуқаролик кодекси;
- Ўзбекистон Республикаси Вазирлар Маҳкамасининг "Давлат ва жамоат эҳтиѐжлари учун ер участкаларининг олинб қўйилиши муносабати билан фуқароларга ва юридик шахсларга етказилган зарарларни қоплаш тартиби тўғрисида низомни тасдиқлаш ҳақида" 29.05.2006 й. 97-сонли қарори;
- Ўзбекистон Республикаси Вазирлар Маҳкамасининг "Шаҳарсозлик фаолиятини амалга ошириш ҳамда қишлоқ хўжалигида оид бўлмаган бошқа эҳтиѐжлар учун ер участкалари бериш тартибини тақомиллаштириш чора-тадбирлари тўғрисида" 25.05.2011 й. 146-сонли қарори;
- Ўзбекистон Республикасининг "Баҳолаш фаолияти тўғрисида" 811-1-сон 19.08.1999 й.
- Ўзбекистон Республикаси Вазирлар Маҳкамасининг "Қам таъминланган оилаларга ижтимоий нафақалар ва моддий ѐрдам таъинлаш ва тўлаш тартиби тўғрисидаги низомни тасдиқлаш ҳақида" 44-сон 15.02.2013 й. қарори.

<b>Компенсация тури</b>	Фойда миқдори охириги 3 йил давомида олинган ўртача соф фойда миқдорида ҳисобланади. Экинларни йиғиб олиш учун олдиндан хабар берилади ва қурилиш ишлари жадвали олдиндан ѐллон қилинади. Зарар кўрган ерлар аввалги ҳолатига келтириб қайтариб берилади ва фермер хўжалиқларига қишлоқ хўжалиқ ишларини давом эттиришга руҳсат берилади. Қурилиш ишлари тегишли қувур участкасида қўли билан бир экин мавсуми даврида амалга оширишга улгуришига ҳаракат қилинади
<b>Зарар тури</b>	Мевали дарахтларнинг нобуд қилиниши
<b>Ким ҳақли</b>	Барча зарар кўрганлар
<b>Компенсация тури</b>	Зарар кўрган мевали дарахтлар учун пул кўринишидаги компенсация. Компенсация, 3 йиллик соф фойда миқдори мевали дарахт мева берадиган ѐшга тенг миқдорга кўпайтириб берилади. Шунингдек кесилган дарахт ўрнига экин учун ѐш ниҳол сотиб олинга ва уни олиб келиб экишга кетадиган харажатлар ҳам компенсация қилиб берилади. Кесилган дарахтлар хонадон эгасига қолдирилади.
<b>Зарар тури</b>	Мевасиз (қурилиш материаллари учун эқилган) дарахтлар
<b>Ким ҳақли</b>	Барча зарар кўрганлар
<b>Компенсация тури</b>	Пул кўринишидаги компенсация қуруқ дарахтнинг бозордаги нархи бўйича ҳисобланади. Шунингдек кесилган дарахт ўрнига экин учун ѐш ниҳол сотиб олинга ва уни олиб келиб экишга кетадиган харажатлар ҳам компенсация қилиб берилади. Кесилган дарахтлар зарар кўраѐтган хонадон эгасига қолдирилади.
<b>Г. Даромад ва тирикчилик манбага етказиладиган зарар</b>	
<b>Зарар тури</b>	Қишлоқ хўжалиги ерининг зарар кўриши оқибатида иш ўрниларининг йўқотилиши
<b>Ким ҳақли</b>	Иш ўрнини йўқотаѐтган қишлоқ хўжалиги ишчилари
<b>Компенсация тури</b>	Экин йилининг қолган қисми ѐки контрактда белгиланган вақтнинг қолган қисми учун белгиланган ойланинг йўқотилган қисми учун тўланадиган пул кўринишидаги ѐки натурал маҳсулотлар кўринишидаги компенсация. Агар ишчилар контрактсиз ишлаѐтган бўлсалар уларга энг кам иш ҳаққининг 3 ойлигига тенг миқдорда тўлов тўлаб берилади
<b>Д. Зарар кўрган қам таъминланган ва заиф хонадонлар</b>	
<b>Зарар тури</b>	Барча турдаги хонадонлар
<b>Ким ҳақли</b>	Қўмақчиси бўлмаган оила раҳбари аѐл киши бўлган хонадонлар, қам таъминланган хонадонлар, оила бошлиғи кекса одам бўлган хонадон ва оиласида жисмонан мажруҳ одам бўлган хонадонлар
<b>Компенсация тури</b>	Бир марта тўланадиган 3 ойлик энг кам иш ҳаққи миқдоридидаги ѐрдам пули. Шунингдек лойиҳа бўйича жойлардаги қурилиш ишларига, ўқув машғулотларига биринчи бўлиб қам таъминланган оила аъзолари олинади
<b>Е. Жамоат инфраструктураси ва активларига етказиладиган зарар</b>	
<b>Зарар тури</b>	Жамоат инфраструктурасига етказиладиган зарар
<b>Ким ҳақли</b>	Жамоат мүлки ҳисобланган активлар
<b>Компенсация тури</b>	Зарар етказилган инфраструктураларга (йўллар, пиѐдалар йўлакчалари, қурурлар ва ҳ.к.) лойиҳадан аввалги ҳолат ражажасига тиклаб берилади
<b>А. Бошқа кўринишдаги қўзда тутилмаган зарар турлари</b>	
<b>Зарар тури</b>	Лойиҳани амалга ошириш даврида аниқланган ҳар қандай қўзда тутилмаган бошқа зарар турлари тўлиқ қиймати бўйича компенсация қилиб берилади. Агар батаѐиел лойиҳалаш даврида қўзда тутилмаган йирик ўзгаришлар вужудга келса мазкур компенсациялар жадвали зарур бўлса қайта кўриб чиқилиб ўзгарилади.



## ANNEXURE 4. COPY OF PRESENTATION USED DURING PUBLIC CONSULTATIONS

ОСИЁ ТАРАҚҚИЁТ БАНКИ ИШТИРОКИДАГИ «ЯНГИЙЎЛ ВА ЧИНОЗ ТУМАНЛАРИ АҲОЛИ ПУНКТЛАРИНИ ТОЗА ИЧИМЛИК СУВИ БИЛАН ТАЪМИНЛАШ»

**ЛОЙИХАСИНИ АМАЛГА ОШИРИШ ДАВРИДА ЕР ЗАГАЛАРИГА ЕТИШИ МУМКИН БУЛГАН САЛБИЙ ТАЪСИРЛАР ВА УРАРНИ КОМПЕНСАЦИЯ ҚИЛИШ ЧОРАЛАРИ**



**АҲОЛИ БИЛАН ЙИГИЛИШ ЎТКАЗИШДАН МАҚСАД**

- Аҳолини лойиҳа ва унинг ноҳўя таъсирлари кўлами тўғрисида хабардор қилиш;
- Аҳолининг лойиҳани амалга ошириш оқибатида юзага келши мумкин бўлган ноҳўя таъсирлари тўғрисида фикрини ўрганиш;
- Аҳолини Осие Тараққиёт Банки ва республиканинг мавжуд ер муносабатлари тўғрисидаги қонун қоидалари тўғрисида хабардор этиш

**ЛОЙИХАНИНГ АСОСИЙ МАҚСАДИ**

- Лойиҳанинг асосий мақсади Тошкент вилоятининг Янгийўл ва Чиноз туманларининг ичимлик суви танқис бўлган аҳоли пунктларини тоза ичимлик суви билан таъминлаш
- Ҳозирги кунда Янгийўл ва Чиноз туманларининг ичимлик суви танқис бўлган аҳоли пунктларида яшовчи **180 мингга яқин аҳоли (30 мингдан зиёд хонадон)** тоза ва давлат стандартлари талабларига тўлиқ жавоб берувчи ичимлик суви билан ҳафтасига: 7 кун, кунига 24 соат таъминлаш

**ЛОЙИХАНИ АМАЛГА ОШИРИШ ДАВРИ ВА ҚИЙМАТИ**

- Лойиҳани амалга ошириш даври: **2019 – 2024 йиллар**
- Лойиҳа доирасида қурилиш ишларининг бошланиши: **2020 йилнинг иккинчи ярми**
- Лойиҳанинг умумий қиймати: **140 млн.АҚШ долларидан зиёд**
- Лойиҳа жами **69 та аҳоли пунктларини** қамраб олиши режалаштирилган: Янгийўл туманида **31 та** ва Чиноз туманида **38 та аҳоли пунктлари**

**ЛОЙИХА КИМ ТОМОНИДАН МОЛИЯЛАШТИРИЛАДИ ВА ҚАЙСИ ДАВРДА АМАЛГА ОШИРИЛАДИ**

- Лойиҳа Осие Тараққиёт Банки томонидан молиялаштирилади
- Лойиҳани амалга оширувчи ташкилотлар:
- Ўзбекистон Республикаси Уй-Жой ва Коммунал Хизмат Вазирлиги Қошидаги "Коммунизмат" Агентлиги
- Тошкент Вилояти "Сувоқова" Давлат Унитар Корхонаси



**ЛОЙИХА ДОИРАСИДА АМАЛГА ОШИРИЛАДИГАН ИШЛАР**

- Лойиҳа доирасида қуйидаги ишлар амалга оширилиши кўтилмоқда
- Янгийўл туманидан Чиноз шаҳригача узунлиги **65 километрга** яқин қатта диаметрлик магистрал қувурлар ётқизилади (диаметри 1000 мм - 300 мм),
- аҳоли пунктларида **420 километрдан** зиёд юрак диаметрлик сув тарқатиш қувурлари ётқизилади,
- **11 дон** мавжуд сув олиш, тозалаш ва тарқатиш иншоотлари таъмирланади ёки қайта қурилади,
- **10 дан** зиёд янги сув олиш, тозалаш ва тарқатиш иншоотлари қурилади



### Шуралисой ҚФЙнинг сув тарқатиш тизимини реконструкция қилиш чизмаси



### Чиноз шаҳри ичимлик суви тизимини ривожлантириш схемаси



### АҲОЛИ БИЛАН ЙИГИЛИШ ЎТКАЗИШДАН МАҚСАД

- Аҳолини лойиҳа ва унинг ножўя таъсирлари кўлами тўғрисида хабардор қилиш;
- Аҳолининг лойиҳани амалга ошириш оқибатида юзага келши мумкин бўлган ножўя таъсирлари тўғрисида фикрини ўрганиш;
- Аҳолини Осиё Тараққиёт Банки ва республиканинг мавжуд ер муносабатлари тўғрисидаги қонун қоидалари тўғрисида хабардор этиш

### ЛОЙИҲАНИ АМАЛГА ОШИРИШ НАТИЖАСИДА НОЖЎЯ ТАЪСИРЛАР

- Лойиҳани амалга ошириш натижасида ер эгаларига нисбатан ножўя таъсирлари бўлиши кутилмоқда;
- Янги қуриладиган магистрал сув қувурлари фермер хўжалиқларининг ерларидан ўтиши кутилмоқда;
- Сув тақсимлаш объектларини қурилиши натижасида баъзи фермер хўжалиқларининг ерларининг доқимий оқиниши кутилмоқда;
- Сув қувурлари ўтishi натижасида фермер хўжалиқларининг экинлари лавҳон бўлиши мумкин



### ОЧИҚ ЖОЙДА ҚУВУР ЁТҚИЗИШ БИЛАН БОҒЛИҚ ҚУРИЛИШ ИШЛАРИ ОЛИБ БОРИЛАДИГАН ЙЎЛАК КЕНГЛИГИ

## 20 метр

Ўзбекистон Республикаси қурилиш меъёрлари ва қоидаларига асосан (ҚМҚ 2.04.02-97) қувур ётқизиладиган чуқур четидан ҳар икки тарафга 10 метрдан

### КАТТА ДИАМЕТРЛИК ҚУВУР ЁТҚИЗИШ ЖАРАЁНИДАН ЛАВҲА



### ЛОЙИҲА ДАВРИДА ЗАРАР КЎРИШИ ЭХТИМОЛИ БЎЛГАН ЕРНИНГ ТАСВИРИ



### ЛОЙИҲА ДАВРИДА ЗАРАР КЎРИШИ ЭХТИМОЛИ БЎЛГАН ЕРНИНГ ТАСВИРИ



### ЛОЙИХА ДАВРИДА ЗАРАР КЎРИШИ ЭХТИМОЛИ БЎЛГАН ЕРНИНГ ТАСВИРИ



### ЯНГИ СУВ ТАРҚАТИШ ИНШООТИНИ ҚУРИШ УЧУН ДОИМИЙ ОЛИНАДИГАН ЕРНИНГ ТАСВИРИ



### ЯНГИ СУВ ТАРҚАТИШ ИНШООТИНИ ҚУРИШ УЧУН ДОИМИЙ ОЛИНАДИГАН ЕРНИНГ ТАСВИРИ



### АҲОЛИ БИЛАН ЙИГИЛИШ ЎТКАЗИШДАН МАҚСАД

- Аҳолини лойиҳа ва унинг ноҳўя таъсирлари кўлами тўғрисида хабардор қилиш;
- Аҳолининг лойиҳани амалга ошириш оқибатида юзага келши мумкин бўлган ноҳўя таъсирлари тўғрисида фикрини ўрганиш;
- Аҳолини Осиё Тараққиёт Банки ва республиканинг мавжуд ер муносабатлари тўғрисидаги қонун қоидалари тўғрисида хабардор этиш

### ЕТКАЗИЛГАН ЗАРАР ҚОПЛАНАДИМИ?

- Осиё Тараққиёт Банки талаблари ва Ўзбекистон Республикаси қонунчилигига мувофиқ лойиҳани амалга ошириш натижасида етказиладиган ҳар қандй зарар (пайхон қилинган экин, бузилган иншоот, қирқилган дарахт ва ҳ.к) тўлиқлигича компенсация қилинади. Компенсация қурилиш ишлари бошланишига қадар тўлаб берилади. Вақтинча эгалланган ерлар қурилиш ишлари тугагач ер эгаларига тўлиқлигича тиланган ҳолда қайтарилади.



### КОМПЕНСАЦИЯ ТУРЛАРИ

- Ер доимий равишда олиб қўйилса, олинган ер эгасига тенг қийматли ер таъминлаб берилади ёки олинган ер учун пул кўринишидаги компенсация тўлаб берилади;
- Иншоот ёки бошқа қурилмаларга зарар етказилса ёки улар бутунлай бузилса тенг қийматли пул кўринишидаги компенсация тўлаб берилади;
- Доимий ёки вақтинча ер олиниши оқибатида экинлар пайхон бўлса ёки дарахтлар кесилса улар компенсация қилиб берилади;
- Даромад ёки тирикчилик манбаига зарар етказилса ёки лойиҳа оқибатида ў ёқотилса компенсация тўлаб берилади;
- Компенсация миқдори бозор нархига асосланган бўлади ва батафсил ўрганиш ва баҳолаш натижаларига асосланади.

### КОМПЕНСАЦИЯ ТУРЛАРИ

- Иншоот ёки қурилмалар бузилса, янги иншоот қуриш учун қурилиш материалларини транспортировка қилиш учун қўшимча компенсация тўлаб берилади;
- Қан таъминланган оилаларга қўшимча тўловлар белгиланади;
- Қаттиқ зарар кўраётган хонадонларга (10% дан зиёд активларини йўқотган хонадонлар) қўшимча компенсация тўлаб берилади.

### КОМПЕНСАЦИЯ ОЛИШГА КИМ ҲАҚЛИ?

- Лойиҳа натижасида ерлари зарар кўраётган ҳамма ер эгалари, ер тегишли тартибда рўйхатга олинган ёки олинмаганидан қатъий назар;
- Ерни арендага олиб ишлатаётганлар, тегишли равишда рўйхатга олинган ёки олинмаганидан қатъий назар;
- Иншоотларнинг эгалари, қишлоқ хўжалиги экинлари ва ер билан боғлиқ бошқа объектларнинг эгалари, ва
- Ўз бизнесини, даромадини ва иш ҳақларини йўқотган одамлар.

#### ЎЗБЕКИСТОН РЕСПУБЛИКАСИНING ЕР МУНОСАБАТЛАРИНИ ТАРТИБГА СОЛУВЧИ АСОСИЙ ҚОНУН ҲУЖЖАТЛАРИ

- Ўзбекистон Республикасининг Ер кодекси;
- Ўзбекистон Республикасининг Фуқаролик кодекси;
- Ўзбекистон Республикаси Вазирлар Маҳкамасининг "Давлат ва жамоат эҳтиёжлари учун ер участкаларининг олиб қўйилиши муносабати билан фуқароларга ва юридик шахсларга етказилган зарарларни қоплаш тарғиби тўғрисида низомни тасдиқлаш ҳақида" 29.05.2006 й. 97-сонли қарори;
- Ўзбекистон Республикаси Вазирлар Маҳкамасининг "Шаҳарсозлик фаолиятини амалга ошириш ҳамда ишлак хўжалигига оид бўлмаган бошқа эҳтиёжлар учун ер участкалари бериш тарғибини тақриллаштириш чора-тадбирлари тўғрисида" 25.05.2011 й. 146-сонли қарори;
- Ўзбекистон Республикасининг "Баҳолаш фаолияти тўғрисида" 8.11.4-сон 19.08.1999 й.
- Ўзбекистон Республикаси Вазирлар Маҳкамасининг "Қам таъминланган оилаларга ижтимоий нафақалар ва моддий ёрдам тайинлаш ва тўлаш тарғиби тўғрисидаги низомни тасдиқлаш ҳақида" 44-сон 15.02.2013 й. қарори.

#### ОСИЁ ТАРАҚҚИЁТ БАНКИНИНГ 2009 ЙИЛДА ҚАБУЛ ҚИЛИНГАН ИЖТИМОЙ ХИМОЯ БОРАСИДА ҚАБУЛ ҚИЛИНГАН ҚОНУН ҚОНДАЛАРИ

##### Мақсадлари:

- Илоҳи бор жойда ерга зарар етказиши ва оқибатини бартараф этиш.
- Ер оқибатини қўпайими лойиҳани ўрнатилиши ва альтернатив вариантларни қидириш орқали минимал даржага тушириш.
- Зарар етказилган ерларни аввалли ҳолатига, яъни лойиҳа бошланғичда бўлган ҳолатига тилаб эвасига қайтариш, зарар етган кам таъминланган оилаларнинг турмуш даражасини яқинлаштириш қўллаш.

##### Таъсир этиш доираси

- (i) ернинг мажбурий олинмаган лойиҳалар, ёки (ii) ердан фойдаланиш учун чеклов қилиш.
- Таъсир этиш доираси тўлиқ ёки қisman, долмай ёки вақтинча бўлиши мумкин.

#### ШИКОЯТЛАРНИ КЎРИБ ЧИҚИШ ВА ҲАЛ ҚИЛИШ МЕХАНИЗМИ

- **Босқич 1.** Шикоятчи бор одам **вилоят "Сувоқаваси"нинг тегишли туман филиалига мурожаат қилиши мумкин.** Мавжуд шикоятчи рўйхатдан ўтказилган сўнг туман филиали шикоятчи кўриб чиқади ва уни тегишли тумонга ҳал қилиш учун юборади. Шикоят мавзусига кўра лойиҳа лудратчисига ер кадастри бўлимига, маҳалла ёки бошқа маҳаллий ташкилотга юборилиши мумкин. **Бу босқичда шикоят 2 hafta ичида ҳал этилиши мумкин.**
- Сувоқаванин туман филиали фуқарони ва Лойиҳа координаторини шикоят бўйича амалга оширилган ишлар ва унинг натижалари тўғрисида хабардор қилади. Бу босқичда фуқаролар Тошкент вилояти Сувоқавага ўз шикоятларини қуйидаги электрон ҳукумат интернет сайти орқали юборишлари мумкин: [www.tmy.gov.uz](http://www.tmy.gov.uz).

#### ШИКОЯТЛАРНИ КЎРИБ ЧИҚИШ ВА ҲАЛ ҚИЛИШ МЕХАНИЗМИ

- **Босқич 2.** Агар шикоят биринчи босқичда ҳал этилмаса ёки шикоятчи бор фуқаро қабул қилинган қарор бўйича қониқиб хосил қилмаса у шикоятчини тўғридан тўғри Қўрай шаҳрида жойлашган вилоят Сувоқаваси қоидадаги **Шикоятларни ҳал қилувчи комиссияга** юбориши мумкин. Бу комиссия ҳокимият, жойдаги лойиҳа координатори, Сувоқава ва лойиҳани амалга оширувчи консультант ташкилот расмийларидан ташкил топади. Комиссия шикоятчи кўриб чиқади ва уни ҳал этиш бўйича қарор қабул қилади. Бу босқичда шикоят **15 кун ичида ҳал этилиши лозим бўлади.** Бу босқичда шикоятчи бор фуқаро Лойиҳани амалга оширувчи бosh ташкилот – Коммунизат Агентлига шикоятини қуйидаги электрон ҳукумат интернет сайти орқали юбориши мумкин: [www.tmy.gov.uz](http://www.tmy.gov.uz).

#### ШИКОЯТЛАРНИ КЎРИБ ЧИҚИШ ВА ҲАЛ ҚИЛИШ МЕХАНИЗМИ

- **Босқич 3.** Агар шикоят ҳал этилмаган бўлса ёки фуқаро қабул қилинган қарор бўйича қониқмаган бўлса фуқаро ўз шикояти бўйича маҳаллий хўжалик судига мурожаат қилиши мумкин. Мазкур **хўжалик судида** шикоят мавжуд миллий қонунчилик доирасида ҳал этилади.

#### ШИКОЯТЛАРНИ КЎРИБ ЧИҚИШ ВА ҲАЛ ҚИЛИШ МЕХАНИЗМИ

- **ШУНИНГДЕК** Шикояти бор фуқаро **Осиё Тараққиёт Банкининг Тошкент шаҳрида жойлашган ваколатхонасига** қуйидаги манзил бўйича мурожаат қилиши: Тошкент шаҳри, Қоратўш кўчаси, 1. Тел: 140-19-20, 140-19-21
- **ЁКИ** Осиё Тараққиёт Банкининг Жавобгарлик механизмидан фойдаланса бўлади. Бу ҳолда фуқаро ўз шикоятини Осиё Тараққиёт Банкининг Манила шаҳрида жойлашган бosh қароргоҳга, хусусан шикоятларни қабул қилувчи масъул мутахассисга қуйидаги манзил бўйича юбориши мумкин: Accountability Mechanism Asian Development Bank Headquarters, 6 ADB Avenue, Mandaluyong City 1550, Philippines. Электрон почта: [amcro@adb.org](mailto:amcro@adb.org). Факс: +63-2-636-2086

#### ЛОЙИҲАНИ АМАЛГА ОШИРУВЧИ ТАШКИЛОТЛАР ТЕЛЕФОН РАҚАМЛАРИ

1. Ўзбекистон Республикаси Уй-Жой ва коммунал хизмат вазирлиги қоидадаги "Коммунизат" Агентлиги.  
Телефон: (371) 235-26-78, e-mail: [adbcouycam@gmail.com](mailto:adbcouycam@gmail.com)
2. Тошкент вилояти "Сувоқава" Давлат Унитар Корхонаси  
Телефон: (371) 150-56-00, e-mail: [tashkentsovoqava@gmail.uz](mailto:tashkentsovoqava@gmail.uz)
3. Янгийўл тумани «Сувоқава» ташкилоти  
Телефон: (370) 6031534; 6033359
4. Чиноз тумани "Сувоқава" ташкилоти  
Телефон: (370) 5938172.

**ЭЪТИБОРИНГИЗ УЧУН КАТТА РАҲМАТ!**

## ANNEXURE 4. TERMS OF REFERENCE FOR LARP COMPENSATION VALUATION CONSULTANT

### A. INTRODUCTION

The Asian Development Bank (ADB) has agreed to provide the Republic of Uzbekistan (RoU) with a loan of US\$ 127.4 million for the Second Tashkent Province Water Supply Development Project (the Project). The principal goal of the Project is to provide drinking water supply in the districts of Yangiyul and Chinaz, the two districts of Tashkent Province targeted by this project. Physical components of the project will consist of various water production, transmission and distribution systems, such as, 11 new and 11 rehabilitated water supply facilities including rehabilitation of a groundwater wellfield “VU-1” yielding 50,000 m<sup>3</sup>/day of drinking water, construction and rehabilitation of water distribution centers (WDC) and water pressure towers (WT), about 65-km length of drinking water transmission mains, 27.3 km of distribution main pipes, about 534 km of distribution pipe works, about 38,000 household water supply connections and various other associated facilities.

The civil works for the Project will cause both permanent and temporary impacts due to land acquisition. A total of 4 hectares of land will be acquired permanently for the project. Land is categorized into two parts, such as, arable/crop cultivation land and orchard/garden land. Out of the total 4 ha of affected land, 3.3 ha is arable/crop cultivation land and 0.7 ha of land is classified as orchard/garden land. Similarly, 22.6 hectares of land is likely to be impacted temporarily due to construction of transmission main/trunk line out of which 20.66 ha is arable/crop cultivation land and 1.94 ha of land is classified as orchard/garden land. The total number of affected trees is 2,776 out of which 1,086 are fruit trees and 1,690 are non-fruit trees. The total number of affected households is approximately 68, which consists of 9 households in permanent land acquisition area and 59 households in temporary impact area in a total of 26 rural settlement in the two project districts.

Per the country’s legal requirement [“The Resolution of the Cabinet of Ministers of Uzbekistan “About the Measures for Improvement the Procedure of Provision of Land Plots for Implementation Urban Activities and for Other Non-Agricultural Needs” No. 146 dated 25 May 2011 and “The Resolution of the Cabinet Ministers of Uzbekistan “About Approval of the Regulation on Procedures of Compensations to Citizens and Legal Entities Due To Acquisition of Land Plots for the State and Public Needs”], the amount of compensation for these losses will need to be ascertained by a licensed valuation firm in a valuation report, and these terms of reference have been prepared for engaging such a firm. A licensed valuation firm will be selected through tender, based on technical and financial proposals.

This terms of reference (ToR) covers the tasks and scope as presented in table 1 below.

**Table 1. Summary of assignment under the ToR**

Task #	Description	Permanent Impact	Temporary Impact	TOTAL
1	Preparation of compensation packages for identified affected land plots	9	59	68
1.1	Affected land area (ha)	4	22.6	26.6
1.2	Arable/crop cultivation land area (ha)	3.3	20.66	23.96
1.3	Orchard/garden land area (ha)	0.7	1.94	2.64
1.4	Total number of trees, including	430	2,346	2,776
	Fruit trees	230	856	1,086
	Non-fruit trees	200	1,490	1,690

It is estimated that total 2 person-months of Consultant's services would be required by the Client to accomplish the tasks. The requirement of various experts and the duration of their engagement are indicated below. However, the Consultant may propose additional staff, within the budget, that may be required to accomplish the tasks.

## B. PURPOSE OF THE ASSIGNMENT

The purpose of the assignment is preparation of compensation packages for identified affected land plots.

The Client requires to engage a licensed, qualified and experienced national valuation consulting firm to prepare a valuation report following ADB's Safeguards Policy Statement (SPS) (2009)<sup>1</sup> and guidelines<sup>8</sup>, all related laws of the Republic of Uzbekistan and the LARP of the Project, and the Project's final detailed design.

The consultancy services are required for 1 calendar months in total. The consultancy services contract is expected to commence in XXXXX 2020.

## C. SCOPE OF WORK

The Consultants will be responsible for the preparation of a compensation valuation report to be approved by ADB and by the Government of Uzbekistan (GoU). To be in acceptable format, it should be written in accordance with: (i) relevant RoU law, (ii) Handbook of Style and Usage (ADB)<sup>2</sup>. The roughly estimated quantum of potentially affected land plots is 26.6 ha, which shall be verified based on the detailed design.

The specific tasks for the preparation of the compensation valuation include:

- (i) Prepare a methodology for assets valuation in accordance with RoU valuation law and standard and ADB's SPS (2009) in line with the LARP of the project.
- (ii) Evaluate all affected assets - lands, improvements fixed on the land.
- (iii) Evaluate trees, crops existing on the lands of the affected assets.
- (iv) Determine a detailed compensation budget according to estimated market value of identified trees and crops to be compensated (both in case the trees/crops on the whole land plot or on the affected part of it are taken).
- (v) Determine a detailed administrative budget for the LARP implementation.
- (vi) Prepare Valuation Reports for each affected property according to the RoU valuation standard.
- (vii) Carry out a valuation of newly identified affected assets, if any, during the project implementation, and determine the compensation budget.

**Preparation of compensation packages for each affected land plot.** All collected data and documents (land drawing, valuation report etc.) developed as a result of measurement, inventory, valuation, and other needed activities for each case (hereinafter: Unit) should be properly documented in one package. The submitted documents should be in compliance with the requirements of RoU legislation. The detailed description of package (required documents) is described in section "E. Reporting requirements", clause 2 of this ToR.

All collected data (measurement inventory, valuation, documents and related data) should be entered into an Excel database. The roughly estimated number of land plots potentially affected

<sup>1</sup> ADB Safeguards Policy Statement (June 2009): <http://www.adb.org/documents/safeguard-policy-statement>; and ADB Operations Manual OM F1 (BP and OP issued on 1 Oct. 2013).

<sup>2</sup> <http://www.adb.org/sites/default/files/institutional-document/31385/hsu.pdf>

by relocated/to be relocated utilities is 68 (9 permanently affected and 59 temporarily affected), which shall be verified by the Consultant.

The Consultant shall work closely with the Safeguard Specialist of the Project Coordination Unit of CSA.

#### **D. TEAM COMPOSITION AND QUALIFICATION REQUIREMENTS FOR THE KEY EXPERTS**

The implementation of the assignment assumes involvement of the following main key expert (KE).

1. Valuator (KE): S/he should have at least 5 years of professional experience and qualification certificate from authorized state body. Experience in relevant programs is required.

During implementation of this assignment the Consultant shall use its office, vehicles and equipment.

#### **E. REPORTING REQUIREMENTS AND TIME SCHEDULE FOR DELIVERABLES**

The following deliverables have to be submitted to the client:

1. Inception report describing all methodologies, actions and time schedules for the assignment, manpower deployment and outline of the reports to be submitted within 15 days of the commencement of the assignment. The methodology and work plan should be submitted based on prior consultations with CSA/PCU.
2. Compensation packages for each affected asset (land plot). The package should include:
  - (i) Description of the affected asset signed by APs (the minimum number of copies should be the number for owners, plus 1 for EA) along with supporting documents, including cases of the absent APs, if applicable;
  - (ii) The layout of the affected asset. Drawings of each affected land plot for the total area of the land as well as for separated parts, both in hard copy and on the CD in 2 copies.
  - (iii) 2 copies of Valuation reports signed and sealed in accordance with requirements of the RoU valuation law and standard;

The Consultant shall report directly to the CSA/PCU. The Consultant shall submit the deliverables in Uzbek and in English in electronic and two hard copies along with a cover letter (if not specified in the list of deliverables).

Consultant shall ensure the regular photography for each affected land plot and properly document these for further monitoring and reporting purposes. All written documents (including the photos), maps/plans, as well as other related materials should be properly documented and provided with 1 copy for each item.

**Table 1. Time Schedule for Deliverables**

<b>Deliverable</b>	<b>Due Date of Issue</b>
Inception Report	Within two weeks of commencement of services
Compensation packages for each affected asset/unit	Within one calendar month after commencement.
Progress reports	As agreed

**ANNEX 1. INFORMATION TO BE REFERENCED AND CONFIRMED**

<b>Indicator</b>		<b>Source of information</b>
<b>A</b>	<b>Description of land</b>	
1	Land surface according to the certificate	Documents (Cadastré certificate)
2	The surface of the land plot according to the actual coordinates of angles of refraction (measurement)	DMS
3	Affected area	DMS
4	Actually used area	DMS
5	Used area of the affected land plot	DMS
6	Land significance according to the certificate on the state registration of rights	Cadastré certificate
7	Operational significance of the land (actual)	Assets Inventory, DMS
<b>B</b>	<b>Crops</b>	
1	Type of crop	Assets inventory
2	Area (total and affected)	DMS
3	Name of AP in case of non-registered user	Census
4	Productivity from 1 m <sup>2</sup>	Official sources
5	Trees	Assets inventory
6	Names of fruit bearing trees	Assets inventory
7	N of fruit bearing trees per type (seedlings, not yet productive, productive) on the land	Assets inventory, DMS
8	N of Fruit bearing trees per type (seedlings, not yet productive, productive) on the affected part of the land	Assets inventory, DMS
<b>C</b>	<b>Non-fruit trees</b>	
1	Name of tree	Assets inventory
2	Volume of wood per tree with identification of its location (on the total land plot and affected part)	Assets inventory, DMS