

Resettlement Framework

April 2017

PAK: Punjab Intermediate Cities Improvement Investment Project

Prepared by Local Government and Community Development Department, Government of Punjab for the Asian Development Bank.

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Land Acquisition and Resettlement Framework

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Pak: Punjab Intermediate Cities Improvement Investment Project (PICIIP)

Prepared by: Local Government and Community Development Department, Government of Punjab for the Asian Development Bank. This is a revised version of the draft originally prepared in August 2016.

CURRENCY EQUIVALENTS

(As of 31 March 2017)

Currency Unit	–	Pakistan rupee/s (PRs)
PRs1.00	=	\$0.0095
\$1.00	=	PRs 104.82

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ABBREVIATIONS

ADB	–	Asian Development Bank
AFs	–	Affected Families
BOR	–	Board of Revenue
DP	–	Displaced Person
DMS	–	Detailed Measurement Survey
DPCC	–	DPs Consultation Committee
EDO	–	Executive District Officer
FGD	–	Focus Group Discussion
GRM	–	Grievance Redress Mechanism
GRC	–	Grievance Redress Committee
IPs	–	Indigenous People
IR	–	Involuntary Resettlement
LAA	–	Land Acquisition Act, 1894
LAR	–	Land Acquisition and Resettlement
LARF	–	Land Acquisition and Resettlement Framework
LARP	–	Land Acquisition and Resettlement Plan
SWM	–	Solid Waste Management
UU		Urban Unit
VLA		Valuation of Lost Assets

GLOSSARY OF TERMS

Compensation	Payment in cash/voucher or kind to which the affected people are entitled in order to replace the lost asset, resource or income.
Cut-off date	The completion date of the census of project displaced persons is usually considered the cut-off-date. A cut-off-date is normally established by the borrower government procedures that establish the eligibility for receiving compensation and resettlement assistance by the project displaced persons. In the absence of such procedures, the borrower client will establish a cut-off-date.
Detailed measurement survey	Exact description and quantification of all lost assets by qualified appraisal experts.
Displaced person	In the context of involuntary resettlement, displaced persons are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihood) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.
Economic displacement	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.
Entitlements	All compensation, relocation and income restoration measures due to displaced persons, specified by their property status and particular losses.
Income rehabilitation	Assistance to restore and/or improve the incomes of displaced persons through allowances and provision of alternative means of income generation.

Non-titled displaced person	Displaced persons without formal legal rights to land or claims to land recognized or recognizable under national law; eligible for compensation of non-land assets.
Physical displacement	Relocation, loss of residential land, or loss of shelter as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or no access to legally designed parks and protected areas.
Relocation	Settlement of displaced persons in alternative location through relocation schemes organized by the project or government or through self-relocation.
Replacement cost	Replacement cost involves replacing an asset at a cost prevailing at the time of its acquisition. This includes fair market value, transaction costs, interest accrued, transitional and restoration costs, and any other applicable payments, if any. Depreciation of assets and structures should not be taken into account for replacement cost. Where there are no active market conditions, replacement cost is equivalent to delivered cost of all building materials, labor cost for construction, and any transaction or relocation costs.
Socio-economic survey	Assessment of the social and economic conditions of the displaced persons through a combination of quantitative and qualitative research methods, providing a baseline for monitoring and evaluation.
Temporary land occupation	The use of or impacts on land and immovable property outside the right of way of the project caused temporarily by civil works related activities.
Valuation of lost assets	Assessment of the value of all lost assets according to the principle of replacement cost by qualified appraisal experts.
Vulnerable person	The vulnerable persons are those who are landless or will become landless as a result of the project, marginal farmers, those who have no legal title over land, and/or structures (informal users of land and structures), people below poverty line, elderly, physically disabled, women and children, minority groups and indigenous peoples or other vulnerable group based on local context.

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A. INTRODUCTION

A.I Land Acquisition and Resettlement Framework (LARF)

1. **Project Background:** The Punjab Intermediate Cities Improvement Investment Project (PICIIP) aims to support urban planning, management and infrastructure investment for Punjab's intermediate cities of Sahiwal and Sialkot. It will assist Government of Punjab to develop intermediate cities with clear vision and with integrated, efficient and sustainable systems and services. The Punjab Cities will support more effective implementation and management arrangements including stronger municipal management, professionalized service providers and private sector partnerships.

2. PICIIP will support the cities of Sahiwal and Sialkot with a total project amount of \$250 million, of which ADB will finance \$200 million and the government will provide \$50 million equivalent as counterpart funds. It will have 3 outputs: i) improved access to clean water, ii) improved sanitation operation and iii) improved access to urban public spaces and transport services. More specifically the scope of the project is as follows:

Output 1: Improved water supply systems. This will be achieved through installation/rehabilitation of 114 boreholes and tubewells, 22 water reservoirs, 20 water pumping stations, approximately 350 kilometers (kms) of water pipes, 1,400 water meters, and new supervisory control and data administration (SCADA) systems.

Output 2: Improved sanitation systems. This will be achieved through installation and rehabilitation of 18 disposal stations, replacement of approximately 42 kms of sewer pipes, provision of missing equipment for sewage water management, dredging of local drains, construction of a centralized sewerage treatment plant of 27 million gallons per day capacity. Equipment will be procured to improve collection and segregation of solid waste management.

Output 3: Improved urban public spaces. This will be achieved through rehabilitation of 11 parks and 7-km green belts improvement of major streets, footpaths, and 3 bus terminals, which serve as critical hubs for regional transport systems.

Output 4: Institutional support and capacity development. This will strengthen government's capacity to create an enabling environment for a sustainable urban service delivery, including the development of 23 training modules for technical, financial and customer management, assistance in establishment of customer care units, and implementation of computerized financial management system. This component will also include support for behavior change on hygiene practices and environment, through partnership with schools, youth groups, and civil society organizations. Targeted public awareness campaigns will be organized.

3. **Purpose of LARF:** Preliminary design for a number of subprojects proposed under PICIIP is still being finalized. Draft resettlement plans have been prepared for the Sahiwal sewerage subproject and the Sahiwal and Sialkot subprojects which would likely cause IR impacts. Designs for these subcomponents are still being revised. These draft LARPs will be finalized following detailed design. Likewise, specific locations and alignments of some activities of PICIIP (i.e. urban road sections to be upgraded and footpaths to be upgraded or constructed) are still being finalized and may not be ready at the time of ADB Board approval. The need for a land This Land Acquisition and Resettlement Framework (LARF) has been prepared to provide

guidance to the EA¹ in land acquisition process and preparation and implementation of Land Acquisition and Resettlement Plan (LARP) for subproject activities that are expected to have Land Acquisition and Resettlement (LAR) impacts. The purpose of this LARF is to ensure adequate, fair and timely compensation, and proper relocation and rehabilitation of physically and/or economically displaced persons (DPs). The LARF defines the institutional arrangements (details provided in section H of LARF), legal and policy framework, eligibility criteria and entitlements for displaced persons. It sets out procedures for LARP planning and implementation, including project screening, categorization and selection; social impact assessment; consultation, participation and disclosure; grievance redress; monitoring and reporting; as well as the institutional and financial arrangements for LAR.

4. This LARF has been prepared by the Punjab Local Government and community Development Department (LG&CDD) (with coordination of Urban Unit) in accordance with the requirements of ADB's Safeguard Policy Statement 2009 (SPS) pertaining to the Involuntary Resettlement (IR) policy; the policy principles, objectives and implementation procedures; Pakistan's Land Acquisition Act 1894 (LAA) and Punjab Land Acquisition Rules 1983. The LARF has been endorsed by EA (LG&CDD) for application and implementation in project that has LAR impacts and requires preparation and implementation of LARPs. Although the design and alignment of some activities is being finalized therefore LAR related impacts of these activities can only be determined at a later stage thus when required this LARF will be further reviewed, updated and disclosed, before loan appraisal/ADB's Management Review Meeting (MRM). However all the anticipated LAR impacts have been covered in the EM.

B. SCOPE OF LAR IMPACTS

B.1 Types and Severity of Potential LAR Impacts

5. A due diligence review was conducted in February 2017 to assess potential impacts and recommend appropriate measures to address the potential LAR impacts. The DDR is attached as Appendix 6.

6. Based on preliminary design, three subprojects were identified as likely to involve IR impacts: (a) Sahiwal waste water treatment plant along with sewage conveyance system, (b) Sahiwal Bus Terminal Upgrading and (c) Sialkot Bus Upgrading. IR impacts from the sewerage trunk mains in Sahiwal, construction and upgrading of footpaths and improvement of city public transport routes are still to be determined as the location and alignment of these activities are still to be finalized. The impacts from all project civil work activities will be assessed once the design is finalized.

7. Total estimated 10.95 acres of land needed for waste water treatment plant Sahiwal is required on permanent basis and 2.72 acres for temporary acquisition. The STP conveyance system will also have temporary impacts on 143 owners of commercial structures that have encroached the road ROW. The Bus terminal upgrading do not involve land acquisition but will impact on 6 shops and 26 shops in Sahiwal and Sialkot, respectively. It is estimated that there are more than 900 potentially displaced persons, mostly from the waste water treatment plant, conveyance system and main trunk. While impacts for most of these DPs are expected to be temporary, it cannot be established at this stage how many will likely will be significantly affected by the project activities. The project may also have impact (during construction stage) on the

¹ Punjab Local Government and Community Development Department is the project executing agency responsible to acquire land and planning and implementation of land acquisition and resettlement plans.

movements of the population of residential colonies including 3 Marla schemes with 13 households, 5 education centers, 3 government offices, 1 mosque, 1 church, 2 hospitals, and 1 public library. Disturbance of building structures, kiosks and vendors are expected owing to the construction of trunk mains.

C. LAR PROCESSING REQUIREMENTS

C.I LAR Specific Requirements of Sector Lending and Loan-Processing

8. Based on ADB's policy/practice, the appraisal of standalone and approval of project implementation will be based on the following LAR related conditions:

- a) Loan appraisal; conditional to the preparation/disclosure of draft LARP for subprojects requiring LAR and LARF to cover project activities whose location and alignment may not be finalized before ADB Board approval.
- b) Contract Award Signing; conditional to the preparation/disclosure of relevant implementation-ready LARP approved by ADB and reflecting final impacts, DPs lists and compensation rates.
- c) Provision of notice to proceed to contractors; conditional to full implementation of LARP (fully delivery of compensation/rehabilitation), as confirmed by an external monitoring agency/expert. Such a condition will be spelled out in the text of civil works contract.

C.II Impact on Vulnerable Displaced Persons

9. Based on indicators established for project, households with per capita incomes at or below the poverty line², as well as low-income households headed by women, elderly and/or disabled persons, children, and without legal title to land and indigenous are identified as vulnerable households.

10. These vulnerable households mostly comprise of poor households living below the poverty line with meager resources and income generation limited to working as household and farming laborers, the landless, elderly, women, children, those without legal title to land and indigenous peoples. Accordingly, the projects will target specific income generation and livelihood restoration measures for these households based on the general entitlements as specified as vulnerability allowance.

C.III Impacts on Women

11. LAR impacts on women, especially in female headed and other vulnerable households, may be expected especially due to restriction on mobility during and after construction work. However, these impacts (gender disaggregated) would need to be recorded during consultations with women and affected quantities and numbers clearly listed.

C.III Indigenous Peoples

12. Safeguards for Indigenous Peoples (IP) a distinct, vulnerable social and cultural group as defined in the SPS (2009) of ADB are triggered if the screening for a project shows that there the IPs dignity, human rights, livelihood systems, or culture will be directly or indirectly affected by the project, or if territories or natural or cultural resources that the IPs own, use occupy, or claim

² The national poverty line is defined as RS. 3,030/- per capita per month.

as an ancestral domain or asset are affected by the project, or if there are IPs among the persons physically and/or economically displaced by the project. However, the screening of projects (at PFS level) confirmed that no IP groups exist in the project areas in Punjab. Therefore, the Indigenous Peoples Safeguards of the SPS (2009) of ADB are not triggered and there is no need for preparation of indigenous peoples' framework for PICIIP.

13. Nevertheless, if screening of project demonstrates presence of Indigenous Peoples (IPs), the EA/IA will retain qualified and experienced experts to carry out a full culturally appropriate and gender-sensitive social impact assessment, and if impacts on IPs are identified, the Indigenous Peoples Plans (IPP) will be prepared in accordance with ADB's IPs policy and procedures. The EA/IA will explore all possible project design options to avoid or minimize the physical and economic displacement of IPs. In cases where avoidance of impacts is not possible, the EA/IA will prepare an IPP or a combined LARP to address both involuntary resettlement and IPs impacts. Special attention will also be given to identifying and addressing the needs of disadvantaged DPs especially those below the poverty line, the landless, the elderly, women and children and the disabled, indigenous peoples, and those without legal title to land, through measures included in the LARP to improve the standard of living of the displaced poor and other vulnerable groups.

14. All compensation payments will be at full replacement costs³. Both deductions for taxes and any applicable fees will be neither applied nor the assets depreciated. DPs will be allowed to salvage the affected structures/assets as a measure for helping restoration of lost assets and livelihoods. For land and assets, compensation and all other applicable payments will be equal to replacement costs as defined in foot note 2 below. If compensation delivery is delayed beyond one year from the valuation date, the land valuation survey will be repeated and rates updated accordingly. See appendix 1 for an outline of LARP preparation and implementation tasks.

³ Replacement cost "For acquired housing, land and other assets, full replacement cost will be based on (i) fair market value; (ii) transaction costs; (iii) interest accrued, (iv) transitional and restoration costs; and (v) other applicable payments, if any. 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" – an abstract from SPS.

D. LEGAL AND POLICY FRAMEWORK

D.I LAR Legal and Policy Framework

15. This LARF has been prepared in light of Pakistan's laws relevant to land acquisition and resettlement and ADB's SPS 2009 for Involuntary Resettlement (IR) and Indigenous Peoples (IPs). To resolve any gaps between the two set of instruments, i.e. Pakistan's Land Acquisition Act 1894 (LAA) and ADB's SPS 2009 the framework provides measures to reconcile and address the gaps in a manner consistent with SPS's compliance requirements.

D.II Pakistan's Law and Regulatory System for Land Acquisition and Resettlement

16. The Land Acquisition Act 1894 (LAA 1894) with its successive amendments is the main law regulating land acquisition for public purpose projects at federal and provincial levels through the right of exercise of eminent domain. The LAA has been variously interpreted by provincial governments, and some provinces have augmented the LAA by issuing provincial legislations. In Punjab, for example, valuation is done through District Price Assessment Committees (DPAC) and approval of price rests with Punjab Board of Revenue. The law also provides for 15% compulsory acquisition surcharge on top of the value of the land. The LAA, nevertheless, requires that following an impacts assessment/valuation effort, land and crops are compensated in cash at market rate to titled landowners and registered land tenants/users, respectively. The LAA mandates that land valuation is to be based on the latest three (3) years average registered land sale rates, though, in several recent cases the median rate over the past 1 year, or even the current rates, have been applied.

17. Based on the LAA, only legal owners and tenants registered with the Land Revenue Department or with formal lease agreements are eligible for compensation/livelihood support. For those without title rights, there are no laws in Pakistan either at federal or at provincial levels that consider non-titleholders for compensation. The LAA does not openly or automatically mandates for specific rehabilitation/ assistance provisions benefiting the non-titleholders including poor, vulnerable groups, or severely affected DPs including tenants, sharecroppers, encroachers and squatters, nor does it overtly provide for rehabilitation of income/livelihood losses or resettlement costs. Nevertheless development projects financed internationally (by International Financial Institutions-IFIs or bilateral and multilateral lending institutions) in Pakistan, non-titleholder affectees have been paid compensation/assistance for lost incomes and assets as an ad hoc arrangement as agreed between the EA and DPs during consultation meetings. Example of such development projects are those funded by ADB, World Bank and other lenders in energy, urban, transport sector projects.

18. The law deals with matters related to the acquisition of private land and other immovable assets that may exist on it when the land is acquired for public purpose. Table 1 below elaborate salient features of the LAA sections pertinent to acquisition of land. The right to acquire land for public purposes is established when Section 4 of the LAA is triggered. The LAA specifies a systematic approach for acquisition and compensation of land and other properties for development projects. It stipulates various sections pertaining to notifications, surveys, acquisition, compensation and apportionment awards along with dispute resolution, penalties and exemptions. Surveys for land acquisition are to be disclosed to the displaced persons. Table 1 below provides salient features of major sections of the act:

Table 1: Salient Features of Pakistan's LAA 1894

Key Sections of LAA	Salient Features of the LAA 1894
Section 4	Publication of preliminary notification and power for conducting survey.
Section 5	Formal notification of land needed for a public purpose. Section 5a covering the need for enquiry of the concerns or grievances of the affected people related to land prices.
Section 6	The Government makes a more formal declaration of intent to acquire land.
Section 7	The Land Commissioner shall direct the Land Acquisition Collector (LAC) to take order the acquisition of the land.
Section 8	The LAC has then to direct that the land acquired to be physically marked out, measured and planned.
Section 9	The LAC gives notice to all DPs that the Government intends to take possession of the land and if they have any claims for compensation then these claims are to be made to him at an appointed time.
Section 10	Delegates power to the LAC to record statements of the DPs in the area of land to be acquired or any part thereof as co-proprietor, sub-proprietor, mortgage, and tenant or otherwise.
Section 11	Enables the Collector to make enquiries into the measurements, value and claim and then to issue the final "award". The award includes the land's marked area and the valuation of compensation.
Section 16	When the LAC has made an award under Section 11, he will then take possession and the land shall thereupon vest absolutely in the Government, free from all encumbrances.
Section 17	Emergency clause that allows acquisition of land prior to compensation of DPs. This clause will not be applied in any project of PICIIP.
Section 18	In case of dissatisfaction with the award, DPs may request the LAC to refer the case onward to the court for a decision. This does not affect the Government taking possession of land.
Section 23	The award of compensation to the title holders for acquired land is determined at i) its market value of land, ii) loss of standing crops, trees and structures, iii) any damage sustained at the time of possession, iv) injurious affect to other property (moveable or immoveable) or his earnings, v) expanses incidental to compelled relocation of the residence or business and vi diminution of the profits between the time of publication of Section 6 and the time of taking possession plus 15% premium in view of the compulsory nature of the acquisition for public purposes.
Section 28	Relates to the determination of compensation values and interest premium for land acquisition.
Section 31	Section 31 provides that the LAC can, instead of awarding cash compensation in respect of any land, make any arrangement with a person having an interest in such land, including the grant of other lands in exchange.
Section 48A (LAA-1986)	If within a period of one year from the date of publication of declaration under section 6 in respect of any land, the Collector has not made an award under section 11 in respect to such land, the owner of the land

Key Sections of LAA	Salient Features of the LAA 1894
	shall, unless he has been to a material extent responsible for the delay be entitled to receive compensation for the damage suffered by him in consequence of the delay.

D.III ADB's Safeguard Policy Statement 2009

19. The SPS 2009 is based on the following objectives: to avoid involuntary resettlement wherever possible; to minimize involuntary resettlement by exploring project and design alternatives; to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and to improve the standards of living of the displaced poor and other vulnerable groups. The following principles are applied to reach these objectives:

1. Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
2. Carry out meaningful consultations with affected persons, host communities, and concerned nongovernment organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns. Support the social and cultural institutions of 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.
3. Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
4. Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
5. Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.

6. Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of nonland assets.
7. Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
8. Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.
9. Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
10. Pay compensation and provide other resettlement entitlements before physical or economic displacement implement the resettlement plan under close supervision throughout project implementation.
11. Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

D.IV Comparison of Key Principles and Practices of Pakistan's LAA and ADB's IR Safeguards-SPS 2009

20. A comparison of Pakistan's Land Acquisition Act of 1894 (LAA) and ADB's Policy on Involuntary Resettlement (IR) shows that there exist major differences in the two instruments. The objective of this comparison is to identify if and where the two sets of procedures are in conformity with each other and more importantly where there are differences and gaps. The key considerations that by following the ADB assessment procedures, the requirements of the Pakistan Punjab regulatory systems are in compliance. Conversely, if the Government of Pakistan systems (including the Punjab systems) are followed then there are likely to be shortfalls in comparison to the ADB requirements. The key ADB Policy Principles are (i) the need to screen the project early on the planning stage (ii) carry out meaningful consultation (iii) at the minimum restore livelihood levels to the pre-project conditions and improve the livelihoods of the affected vulnerable groups (iv) prompt compensation at full replacement cost is to be paid (v) provide displaced people with adequate assistance (vi) ensure that displaced people who have no statutory rights to the land that they are working are eligible for resettlement assistance and compensation for the loss of no-land assets and (vii) disclose all reports. Table 2 below presents a gap-analysis between the Pakistan's LAA and ADB's SPS 2009

Table 2: Comparison of LAA and ADB's SPS 2009

Key LAR Aspects	Pakistan's Land Acquisition Act of 1894	ADB IR Safeguards-SPS 2009
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Key LAR Aspects	Pakistan's Land Acquisition Act of 1894	ADB IR Safeguards-SPS 2009
IR Policy	Government does not have a national or provincial policy on resettlement and rehabilitation of affected persons.	ADB Safeguard Policy Statement provides a policy on involuntary resettlement with principles, objectives and procedures for implementation
LAR Planning	No requirement of LARP	Preparation of draft and final LARP
Consultation, information and participation of DPs	No specific requirement. The decisions regarding land acquisition and the rate/amount of compensation to be paid are published in the official Gazette which is notified in accessible places so that the people affected are informed	Meaningful consultation, timely disclosure of relevant information and participation in LAR planning
Disclosure of LARP	There is no law or policy that requires preparation and disclosure of LARPs.	Disclosure of draft & final LARP to DPs and on ADB website
Grievance redress	Established under LAA through the formal land acquisition process at a point in time or through appeals to the court. Land Acquisition Collector (LAC) is the pre-land award authority to make decision on objections.	Establish GRM scaled to risks and impacts of project at project and field levels.
Assessment of social impacts	No requirement in LAA	Census, socio-economic survey, detailed measurement survey and valuation of lost assets
Cut-off date	At the time of issuance of section 4 under LAA	Eligibility for entitlements under this LARF is limited by a cut-off date, determined at the time of social impacts assessment (SIA) survey, census of displaced persons (DPs), inventory of losses (IOL) and socioeconomic baseline survey.
Involuntary LAR	LAA governs land acquisition and land is acquired strictly in accordance with vaguely defined LAA procedures.	Eminent domain is recognized and subject to social safeguard provisions
Negotiated LAR	Not encouraged	Negotiated land acquisition is encouraged and subject to social safeguard provisions
Eligible DPs	Only titled persons	All physically and economically displaced persons, including titled and non-titled, with differential entitlements

Key LAR Aspects	Pakistan's Land Acquisition Act of 1894	ADB IR Safeguards-SPS 2009
Compensation to all eligible persons with or without titles.	Compensation paid to only the titleholders and those with legally recognizable claims	Lack of title should not be a bar to compensation. Requires equal treatment of those without clear land titles (for example squatters, or other informal settlers) in terms of their entitlements for resettlement assistance and compensation for the loss of non-land assets. Titled and non-titled with legally recognizable claims to land: land for land of equivalent value and quality or cash compensation at replacement value
Compensation of structures	The valuation of structures is based on official rates with depreciation deducted from gross value of the structure and also 15% of the value of salvage materials.	Replacement of structures or cash compensation at replacement value for all DPs, titled and non-titled
Community and public resources	Damages done to land and structures are to be paid	Restoration/provision of civic infrastructure and community services
Replacement cost	Land valuation based on the median registered land transfer rate over the 3 years prior to Section 4 of LAA being invoked. 15% compulsory land acquisition charges are paid over and above the assessed compensation. However, recent practice is that prices are calculated based on registered transactions of 1 year from the date of announcement of section 4 of LAA.	Full replacement cost includes fair market value, transaction costs, interest accrued, transitional and restoration costs and other applicable payments without depreciation. Land valuation to be done by qualified and experienced experts.
Income restoration and livelihood support	Only compensation is paid but not resettlement allowances and/or any income restoration support. There is no mechanism to ensure payment is made before displacement.	Enhance, at least restore, DPs' livelihoods. Compensation of lost incomes and livelihood sources at full replacement cost; credit, training and employment assistance; project development benefits

Key LAR Aspects	Pakistan's Land Acquisition Act of 1894	ADB IR Safeguards-SPS 2009
Women and Vulnerable persons	No provision in LAA	Improve livelihoods to at least national minimum standards. Due consideration of women in census and surveys, consultation, grievance redress, as well as compensation and rehabilitation
Relocation assistance	No provision in LAA	Secure tenure, better housing, transitional support, infrastructure and services
Timing and notification of displacement	No specific provision in LAA. DPs are required to vacate the right of way after the land is possessed regardless whether compensation is received or not	No physical or economic displacement before compensation has been paid, other entitlements have been provided and income and livelihood program is in place
Monitoring and evaluation	No requirement	Monitoring and assessment of IR outcomes; disclosure of monitoring reports

D.V Remedial Measures to Bridge the Gaps

21. In order to establish a land acquisition and resettlement policy framework for the Project, which reconciles Pakistan's legal and regulatory system for LAR (LAA 1894) and ADB's IR Safeguards as in SPS 2009, and addresses the gaps between the 2 systems, the following principles (as mentioned under the project LAR policy below) will be adopted. The following "Project LAR Policy" encompassing all the gap filling measures will be adopted for a project.

D.VI Project LAR policy

- i. Comprehensive LARPs will be prepared for every project with LAR impacts under the Sector Lending which include activities under the provision of improved access to drinking water, installation and rehabilitation of sewerage system and improved access to public spaces
- ii. The Projects will avoid, minimize or mitigate involuntary LAR impacts causing physical and/or economic displacement.
- iii. Displaced persons and other stakeholders will be consulted and informed as well as given an opportunity to participate in LAR planning in a form accessible and understandable to them.
- iv. Each draft, final or updated LARP will be submitted to ADB for review/approval, endorsed by the borrower/client and disclosed on the ADB website.
- v. A grievance redress mechanism with representation of all stakeholders will be established at the time of project inception.
- vi. A comprehensive assessment of social impacts, involving (i) a census of all displaced persons, and an inventory of their lost assets (ii) a socio-economic survey of a sample of

- at least 10 percent of displaced persons, and (iii) a detailed measurement survey and valuation of all lost assets as well as an assessment of lost incomes will be carried out.
- vii. An eligibility cut-off date will be declared and formalized on the date of completion of social impacts assessment survey and census of DPs.
 - viii. DPs will be compensated as per the provisions of LAA and LARP/s will be prepared as per the provision of ADB SPS 2009 to ensure replacement cost is awarded as compensation to the DPs. LARPs will also be prepared where land acquisition is involved as per the provisions of LARF and DPs will be compensated accordingly.
 - ix. All titled and non-titled DPs occupying land to be acquired by the project before the cut-off date will be eligible for compensation, relocation and rehabilitation measures, as applicable, regardless of whether the impacts are permanent or temporary, full or partial. Non-titled DPs without legally recognizable claims to land will be eligible for all compensation, relocation and rehabilitation measures, except land. The full eligibility of non-titled DPs also includes both those who are temporarily/permanently or partially/fully affected.
 - x. Compensation of land and structures will be done at full replacement value, either through the replacement of land or structures of equivalent or higher value and quality or through cash compensation at replacement cost. Full replacement cost involves fair market value, transaction costs, interest accrued, transitional and restoration costs and other applicable payments without depreciation. For replacement of land or structures all transaction costs will be paid by the project or included in compensation payments to the DPs. The value of structures will not be depreciated for age.
 - xi. Qualified valuation experts will be engaged to assess the value of all lost assets according to legally sanctioned principles of Pakistan's LAA and the ADB IR safeguard norm of replacement cost and value as stipulated in LAR policy principle 10. Depending upon the number of land properties to be acquired for a project of significant LAR impacts, a 5% representative sample of properties which reflects different land types and usage will be used for the valuation work. In case of any price differential between the prices of LAA and full replacement cost as determined by independent valuers, the requirement of full replacement costs of ADB's SPS 2009 shall prevail meaning that price differential will have to be topped up and paid to DPs as rehabilitation allowance.
 - xii. All lost civic infrastructure and community services will be either restored or newly provided at relocation sites.
 - xiii. Incomes and livelihood sources lost, including but not restricted to crops and trees or interruption of business activities and employment, will be fully compensated at replacement cost. DPs permanently losing incomes and livelihood sources as well as poor and vulnerable DPs are entitled to credit, training and employment assistance to maintain or improve their livelihoods.
 - xiv. All DPs will be provided opportunities to share development benefits of the Project, if feasible.
 - xv. Relocated DPs will receive secure tenure to replacement land, better housing, transitional support and access to civic infrastructure and services.
 - xvi. DPs will not be physically or economically displaced before compensation has been paid, other entitlements have been provided and an income and livelihood program is in place.
 - xvii. The effectiveness of the implementation of a project LARP and the impacts of its measures on the livelihoods of the DPs will be monitored during and evaluated after LARP implementation.

D.VII Special Provisions for Displaced Vulnerable Persons

22. To identify vulnerable persons and their households, the following vulnerability indicators were established. Vulnerable households exhibit one or a combination of the following conditions:

- i. Monthly per capita income is equal to or less than poverty line or less.
- ii. Female headed household with/without children/others contributing/not contributing income, or income below poverty line.
- iii. Elderly head of household with/without children/others contributing income.
- iv. Disabled persons of household with/without children/others are contributing income.
- v. Vulnerable households and the specific LAR impacts on their livelihood will be identified in the census and socio-economic survey for each project and indicated in each LARP. The displaced vulnerable persons will be consulted and measures for the rehabilitation and enhancement of their livelihood will be provided to safeguard against impoverishment and to reduce their vulnerability.

a. Special Provisions for Displaced Women

23. To ensure a clear understanding and due consideration of specific LAR impacts on displaced women and to safeguard their livelihoods, specific provisions for women will be adopted for the LAR process, including (i) enumeration of all women and, if applicable, of their status as heads of household or otherwise vulnerable persons; (ii) collection of gender disaggregated socio-economic data; (iii) consultation of women in joint or separate meetings; (iv) due consideration of grievances lodged by women; and (iv) provision of compensation and/or new titles to women if they are titled or recognized owners of lost assets, and provisions of rehabilitation measures to women, if households are female headed or women's livelihood is directly concerned. The LARP for projects will detail the scope of LAR impact on women and where required gender action plans will be prepared, implemented and monitored within or outside LARP. The details of entitled compensation and any additional plans will also be disclosed in a culturally appropriate way in order to ensure awareness.

E. ELIGIBILITY AND ENTITLEMENTS

24. On the basis of the LAR Legal and Policy Framework, the following eligibility and entitlements are recognized and applicable in land acquisition and resettlement in all of its project with LAR impacts. The entitlement matrix in Table 3 summarizes the provisions for eligibility and entitlements under this LARF.

E.1 Eligibility

25. Eligible for compensation, relocation and livelihood rehabilitation entitlements under this LARF are persons who were on the project prior to the cut-off date and who are physically and/or economically displaced due to permanent or temporary loss of land, structures and/or livelihood, whether full or partial, as a consequence of land acquisition. Such eligible DPs include the following:

- i. Owners of land and/or structures, including those recognized as legally titled or legalizable on the basis of claims recognizable under national law;
- ii. Lessees (leaseholders) of state or private land, whether long-term or short-term;
- iii. Sharecrop tenants with or without formal legal registration according to national law;
- iv. Non-titled occupants of land, such as squatters or encroachers;
- v. Business owners, whether registered under national law or informal;
- vi. Employees of private or public businesses or enterprises, whether registered under national law or informal;
- vii. Cultivators of crops and/or trees, irrespective of legal status of property relation to land;
- viii. Vulnerable persons, including households headed by women, elderly and/or disabled persons, the households in local context with per capita incomes at or below the poverty line.
- ix. DPs who neither have formal legal rights nor recognizable claims to lands will be entitled to be compensation for their non-land assets. The eligibility also includes those who are temporarily/permanently or partially/fully affected by the project.

E.II Cut-off date

26. Eligibility for entitlements under this LARF is limited by a cut-off date, determined at the time of social impacts assessment (SIA) survey, census of displaced persons (DPs), inventory of losses (IOL) and socioeconomic baseline survey. The cut of date for land under LAA 1894 is the date when section 4 of LAA is issued. With section 4 being issued buying and selling of land in the notified area comes to a stop till land is acquired. However due to lengthy process of land acquisition and timeline between different sections of LAA (section 4 to land award) the date of social impact assessment and census of DPs is usually considered as the cut-off-date. Any person moving into the land located within the alignment of the project after this cut-off date will not be eligible for compensation, relocation and livelihood rehabilitation entitlements The EA will establish the cut-off date which will be disclosed to the DPs through consultative meetings, focus group discussions (FGDs) and field surveys, and formalized through documentation and disclosure of reports.

E.III Entitlements

27. Full replacement cost as compensation is the basic principle guiding the allocation of entitlements, i.e. the project will replace in kind or cash what is lost in terms of land, structures, livelihood, community facilities and services, with special provisions for the improvement of livelihoods of vulnerable displaced persons, sharing of project benefit and unanticipated impacts.

28. The entitlements and the entitlement matrix for a project LARP will be specific to the types of impacts, losses and eligible persons occurring in a project, while the provisions made in this LARF include a wider range of the possible cases which may arise under the project. Each individual DP will be eligible for a combination of entitlements specific to his/her particular losses and property relations to the lost assets. The entitlements are given below.

E.IV Land and Non-Land Assets

a. Agricultural land

29. **Agriculture land** (partially or fully affected) will be compensated at full replacement costs including fair market value including all transaction costs, such as applicable fees and taxes and other applicable payments. Qualified and experienced land valuation expert will determine the replacement cost. If the compensation determined by the Board of Revenue (BOR) is found to be less than full replacement cost, LG&CD will pay the price differential to the DPs. For DPs losing more than 10% or more of their productive resources, severe agricultural land impact allowance equal to market value of the gross annual yield of lost land for one year will also be paid.

30. **Non-titled users of agricultural land**, i.e. those without traditional rights/squatters losing informal use of agricultural land, will be provided with an income rehabilitation allowance in cash equal to the net market value of yearly harvest income based on relevant cropping pattern and cultivation record (additional to standard crop compensation), and compensation for any irrigation infrastructure and other improvements made to the land (but not for the land) at full replacement cost; and other appropriate rehabilitation to be defined in the LARPs based on project situation and DP consultation.

31. **Leaseholders or tenants on government land** will be entitled to either renewal of the lease in other plots or cash compensation equivalent to the market value of net yield of the affected land for the remaining lease years (additional to standard crop compensation), up to a maximum of three (03) years.

32. **Sharecroppers** will share the crop compensation with the land owner based on the sharecropping contract. Compensation in cash will be equivalent to the market value of the gross yield of lost harvest according to crop compensation (if impact is temporary); plus one (01) additional crop compensation (if the land is lost permanently).

33. **Agricultural laborers**, with contracts to be interrupted, will be provided with compensation equal to their salary/daily wage or minimum wage/official poverty line (OPL) whichever higher for the remaining agreement/contract period. In case there is no contract, opportunity cost will be calculated for the loss of work opportunity up to a maximum period of one month.

b. Residential, commercial, public and community land:

34. **For partial loss** of a plot/percent of the total plot (taking into account functional viability of remaining plot), owners -defined as titleholders or legalizable users- will receive cash compensation at replacement cost according to the quantity and quality of the land lost, including all transaction costs. Lessees or rental tenants will receive a cash refund at the rate of the rental fee proportionate to the size of the affected plot and the duration of the remaining lease period. Non-titled land users squatting or encroaching on affected land will not receive compensation for

the partial loss of land, but will be provided with access to land through a rent to own arrangement as under the entitlements for agricultural land.

35. **For full loss** of a plot/percent of the total owned plot (taking into account functional viability of remaining plot), owners may choose between either (i) land for land compensation through the provision of a fully titled and registered replacement plot of comparable value, quantity and quality as the lost plot at a relocation site for the displaced community or another location agreeable to the DP or (ii) cash compensation at replacement cost according to the quantity and quality of the land lost. In either case all transaction costs, such as applicable fees and taxes, will be borne by the EA. Lessees or rental tenants will receive a cash refund at the rate of the rental fee for the duration of the remaining lease period for the entire lost plot. Non-titled land users squatting or encroaching on affected land will not receive compensation for the loss of land, but will be provided with access to land through a rent to own arrangement as above.

c. Temporary occupation of land

36. Temporary occupation of land is required in the short term for construction and other uses during civil works. Such owners, lessees and tenants will receive a rental fee commensurate with current local land rents for the period of occupation of the land. All DPs so affected will have guaranteed access to their land and structures located on their remaining land and their land will be restored to its original state.

E.V Structures

37. For the partial loss of structure/percent of the total of a residential, agricultural, commercial, public and community structure or its alteration (taking into account of functional/economic viability of remaining or un-affected part of the structure), the owners, including non-titled land users, will receive cash compensation for the lost parts of a structure at replacement cost and for the repair of the remaining structure at the market rate for materials, labor, transport and other incidental costs, without deduction of depreciation for the age of the structure. They have the right to salvage all usable materials from the lost structures. Lessees and rental tenants receive a cash refund at the rate of the rental fee proportionate to the size of the lost part of the structure and the duration of the remaining lease period.

38. For the full loss of a residential, agricultural, commercial, public and community structure/percent of the total structure (taking into account functional/economic viability of remaining structure), the owners, including non-titled land users, may choose between either (i) the provision of a fully titled and registered replacement structure of comparable value, quantity and quality, including payment for all transaction costs (such as applicable fees and taxes), at a relocation site or another location agreeable to the DP, or (ii) cash compensation at replacement cost, including all transaction costs (such as applicable fees and taxes), without deduction of depreciation for age, for self-relocation. If the market value of a replacement structure is below that of the lost structure, the owner will be paid cash compensation for the difference in value without deduction of depreciation for age. If the market value of the replacement structure is above that of the lost structure, no further deductions will be made. In either case the owners have the right to salvage all usable materials from the lost structures.

39. If minor structures, such as fences, sheds or latrines, need to be moved, their owners or the lessees and tenants, depending on the arrangements between owners and tenants, may either (i) receive cash compensation for self-relocation of the structure at the current market rate

for the cost of labor, materials, transport and other incidental costs, as required, without deduction of depreciation for age, or (ii) the structure may be relocated by the Project.

40. For stalls and kiosks of street vendors, whether titled or licensed or not, alternative sites comparable in business potential to the lost location will be provided and the vendors will receive cash compensation for self-relocation of their stalls at the current market rate for the cost of labor, materials, transport and other incidental costs, as required, without deduction of depreciation for age.

E.VI Crops

41. Cultivators of affected crops will be paid cash compensation for the loss of a crop at the current market rate proportionate to the size of the lost plot, based on the crop type and the highest average yield from among the past 3 years from the date of assessment. The parties to a share cropping arrangement will distribute this compensation between the landowner and the tenant according to the legally stipulated or the traditionally or informally agreed share.

E.VII Trees

42. Cultivators of affected trees will receive cash compensation for perennial tree crops at the current market rate of the crop type and average yield (i) multiplied, for immature non-bearing trees, by the years required to grow such a tree back to productivity or (ii) multiplied, for mature crop bearing trees, by the average years of crops forgone. In addition, the cost of purchase of seedlings and required inputs to replace these trees will be paid. For timber trees, cash compensation will be paid at the current market rate of the timber value of the species at current volume, in addition to the cost of purchase of seedlings and required inputs to replace the trees. The rates and valuation methods will be determined using the accepted methodology in use at the Departments of Agriculture and Forestry.

E.VIII Resettlement & Relocation

d. Land for land compensation

43. Land for land compensation has significant advantages in that it reduces the chance of displaced people spending their compensation on items that will not provide them with an alternative economic livelihood. Therefore, preference will be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based. These strategies may include resettlement on public land, or on private land acquired or purchased for resettlement. Whenever replacement land is offered, displaced persons are provided with land for which a combination of productive potential, locational advantages, and other factors is at least equivalent to the advantages of the land taken. If land is not the preferred option of the displaced persons, or sufficient land is not available at a reasonable price, non-land-based options built around opportunities for employment or self-employment should be provided in addition to cash compensation for land and other assets lost. The lack of land will be demonstrated and documented to the satisfaction of ADB.

e. Relocation assistance

44. Where applicable, the DPs will be provided logistical support for the identification and purchase or rental of replacement plots and/or structures, or the construction of new structures,

as the case may be, as well as with all related administrative tasks. The physically displaced persons will be relocated at a relocation site or will self-relocate at individual sites and structures of their own choice.

f. Security of tenure

45. Arrangements for secure tenure to the replacement land and structures will be made and their provision to each DP, according to the level of eligibility of each DP, will be ensured.

g. Transport allowance

46. All DPs to be relocated due to loss of land and/or structures including residences, business premises or agricultural land, are entitled to receive a cash allowance to cover the cost of transport of people and their movable property (furniture, household items, personal effects, machinery, tools etc.) and of setting up at the new premises at the current market rate for labor, vehicle hire, fuel and incidental costs. A lump sum amount of compensation (covering all items mentioned) will be provided to the DPs.

h. Transition allowances

47. To facilitate moving and settling process, a transition allowance of 3-6 months of the official minimum wage/OPL (whichever is greater) is paid in addition to any income loss compensation, as applicable.

48. If relocation sites with completed housing and full facilities are not available in time, the DPs will be provided with transition arrangements, either in the form of adequate transition housing of a standard comparable to the lost housing, or with a rental allowance permitting the rental of housing at such a standard and covering the entire transition period.

E.VII Income Restoration

i. Loss of agriculture based livelihood

49. In case of a partial loss of agricultural land without available replacement land, but remaining viable land, in addition to cash compensation for the loss of land as indicated above, the displaced owner, lessee, sharecrop tenant or non-titled user of land will be provided with financial support for investments in productivity enhancing inputs, including but not limited to land leveling, terracing, biological, erosion control, sprinkler/drip irrigation, composting, tools and agricultural extension, as feasible and applicable. Additional financial support in the form of grants and micro-credit will be available, if the compensation for partial land loss is insufficient to allow for adequate investments to maintain the DP's livelihood.

50. For the full loss of viable agricultural land without availability of alternative land, in addition to cash compensation for the loss of land as indicated above, the displaced owner, lessee, sharecrop tenant or non-titled user of land will be provided with re-training, job-placement, additional financial support in the form of grants and micro-credit for investments in equipment and buildings, as well as with organizational and logistical support to establish the DP in an alternative income generation activity. If possible, Project EA will coordinate and/or cooperate with governmental and non-governmental income generation and micro-enterprise development initiatives.

j. Maintenance of access to means of livelihood

51. The Project EA will ensure that the agricultural fields, business premises and residences of persons in the project area remain accessible, by either avoiding the obstruction of such access or by including special provisions for access in the technical design of project facilities. The project LARP will elaborate on specific anticipated impacts and outline measures to ensure access.

k. Businesses

52. For the temporary loss of business income due to LAR or construction activities by the project, the owner of a business will receive cash compensation equal to the lost income during the period of business interruption up to 3-6 months, based on tax records or, in their absence, comparable rates from registered businesses of the same type with tax records. However, if tax based lost incomes are unknown, then official poverty line (inflation adjusted) will become the minimum rate of compensation per family per month.

53. For permanent loss of business due to LAR without the possibility of establishing an alternative business or re-establishing the lost business at a new location, the owner will be compensated with (i) cash compensation equal to the lost income for 6-12 months, as a minimum or as agreed and will be determined by the business on a case by case basis, depending on the monthly income generated by the business. Cash compensation will be based on tax records or, in their absence, comparable rates from registered business of the same type with tax records. If tax based lost incomes are unknown, then official poverty line (inflation adjusted) will become the minimum rate of compensation per family per month, and (ii) provision of re-training, job-placement, additional financial support in the form of grants and micro-credit for investments in equipment and buildings, as well as organizational and logistical support to establish the DP in an alternative income generation activity. Coordination with relevant governmental and non-governmental programs will be sought.

l. Employment

54. The temporary loss of employment due to LAR or construction activities among all laid-off employees of affected businesses will be compensated through cash compensation equal to the lost wages during the period of employment interruption up to 3 months, based on tax records or registered wages, or, in their absence, comparable rates for employment of the same type. As may be required under Pakistan's labor laws and regulations/codes, the compensation for lost income from employment will be paid to the employer to enable him/her to fulfill applicable legal obligations to provide compensation payments to laid-off employees. An arrangement of payment disbursement between employer and laid-off employees would need to be documented, verified and made part of the LARP. If, however, tax based lost incomes are unknown, then official poverty line (inflation adjusted) will become the minimum rate of compensation per family per month. The prompt and full payment of compensation to the employees is to be verified by an authorized official by EA.

55. For the permanent loss of employment due to LAR with the possibility of re-employment in a similar sector and position in or near the area of lost employment, the laid-off employees will be (i) paid cash compensation equal to the lost wages for 3-6 months, based on tax records or registered wages, or, in their absence, comparable rates for employment of the same type, as may be required by Pakistan Labor Laws and regulations/codes. The compensation for lost

income from employment will be paid to the employer to enable him/her to fulfill applicable legal obligations to provide compensation payments to laid-off employees. An arrangement of payment disbursement between employer and laid-off employees would need to be documented, verified and made part of the LARP. If, however, tax based lost incomes are unknown, then official poverty line (inflation adjusted) will become the minimum rate of compensation per family per month. All possibilities will be explored to provide training, job-placement, additional financial support (if required) in the form of grants and micro-credit for investments in equipment and buildings, as well as organizational and logistical support to establish the DP in an alternative income generation activity. Coordination and cooperation with relevant governmental and non-governmental programs. The prompt and full payment of compensation to the employees is to be verified by an authorized official by EA and external monitoring agency (EMA).

E.VIII. Public services and facilities

56. Public services and facilities interrupted and/or displaced due to LAR will be fully restored and re-established at their original location or a relocation site. All compensation, relocation and rehabilitation provisions of this LARF are applicable to public services and facilities. These include but are not limited to schools, health centers, community centers, local government administration, water supply or graveyards.

E.IX Special provisions

m. Vulnerable DPs

57. All vulnerable DPs are entitled to livelihood restoration/improvement support in the form of cash and/or training, job-placement, additional financial support in the form of grants and micro-credit for investments in business or re-employment related equipment and buildings, as well as organizational and logistical support to establish the DP in an alternative income generation activity. Training and support in a viable and suitable income generation activity selected by the DP is eligible for support, including in agriculture, manufacturing or services. To facilitate the process of training and establishment of a new income generation activity, a subsistence allowance of 3-6 months of the official minimum wage/OPL (whichever is greater) is paid in addition to any income loss compensation and transition allowance, as applicable. Coordination and cooperation with relevant governmental and non-governmental programs will be sought. Moreover, all vulnerable DPs receive preferential consideration in the selection of project related employment, including civil works, as well as the operation and maintenance of the facilities constructed under the project. This provision will be reflected in the civil works contracts as well as the agreements between the project executing agency and the ADB.

58. All vulnerable DPs affected by the loss of land will be assisted with the identification and purchase or rental of a new plot and/or structure, as the case may be, as well as the administrative process of land transfer, including cadastral mapping and registration of their property titles. Assistance will also be provided with the preparation of compensation, relocation and rehabilitation agreements with the executing agency or authorized government agency.

59. All vulnerable DPs affected by the loss of a structure will be assisted with the construction of a new structure or the identification and purchase or rental of a new structure, as the case may be. Further assistance will be given with the administrative process of registration of the new property, with the transition to the relocation site and with the preparation of compensation, relocation and rehabilitation agreements with the executing agency or authorized government

60. Temporary occupation of land at properties owned or occupied by vulnerable persons will be avoided and, if unavoidable, preferentially mitigated. Civil works at these sites will be completed as quickly as possible. For disabled and elderly persons suitable access to their land and residences will be ensured.

61. Both the LAA (1894) and ADB SPS (2009) require that DPs are compensated before displacement, but allow a mechanism for dealing with cases with legal and administrative impediments to disbursing compensation payments to DPs provided that sufficient good-faith efforts are demonstrated in (a) contacting, notifying and assisting DPs, and (b) delivering compensation payments. The guidance note provided at annex 3 elaborate the efforts required to be made to address the (i) the cases with legal and administrative impediments to payment of compensation to DPs (ii) the requirements under the LAA related to cases with legal and administrative impediments to payment of compensation to DPs and (iii) when can good-faith efforts be considered as sufficient and how to document that good-faith efforts.

62. In light of the guidance note, the EA will have to take appropriate actions to demonstrate that sufficient good-faith efforts have been made toward addressing the legal and administrative impediments to payments.

n. Women

63. Women DPs who are the titled or recognized owners of land and structures or whose livelihoods are directly affected will receive compensation and titles for replacement land and structures, as well as other entitlements, in their name. Any monetary compensation due to women will be disbursed to them directly.

o. Update of LARF

64. For unanticipated impacts identified during project implementation and not covered under the eligibility and entitlement provisions of this LARF, new and additional eligibility and entitlement provisions will be determined in accordance with the IR safeguards requirements of ADB's SPS and the applicable legal framework of Pakistan. A LARF will be prepared, endorsed by the borrower and reviewed and cleared by ADB before disclosure on the ADB website.

65. Specific project LARP will be updated with new eligibility and entitlement provisions on account of unidentified impacts and losses under any project as well. The displaced persons concerned will be consulted.

66. The standards agreed and established for the eligibility and entitlement provisions of this LARF shall be maintained and may be raised, but not lowered in this LARF or any project LARP.

Table 3: Entitlement Matrix

Type of Loss	Specification	Eligibility	Entitlements
1. LAND			
Impact on and land-based livelihoods	All land losses	All DPs with land-based livelihoods affected	<ul style="list-style-type: none"> • Preference given to land-based resettlement strategies that include resettlement on public or private land acquired or purchased for resettlement with secure tenure. • If land is not the preferred option of DPs, or sufficient land is not available at a reasonable price, non-land-based options built around opportunities for employment or self-employment will be provided in addition to cash compensation at full replacement costs for land and other assets lost. The lack of land will be demonstrated to the satisfaction of ADB. The following entitlements will apply if replacement land is not available or is not the preferred option of the DPs:
Permanent impact on arable land	All land losses independently from impact severity	Owner (titleholder, or holder of traditional rights)	<ul style="list-style-type: none"> • Cash compensation at full replacement cost (RC⁴) including fair market value plus 15% compulsory acquisition surcharge all transaction costs, applicable fees and taxes and any other payment applicable • If BoR⁵ compensation falls below RC, the project will pay the differential as resettlement assistance to the DPs to restore affected livelihoods. • Additional compensation to be worked out in consultation with DPs if the loss is 10% or more of productive resources including land.
		Leaseholder titled/untitled	<ul style="list-style-type: none"> • Compensation commensurate to lease type and duration to be defined in LARP Production based on relevant cropping pattern/cultivation record (additional to standard crop compensation as defined below) and other appropriate rehabilitation, to be defined in the LARPs based on project situation and AP consultation.
		Sharecropper/tenant (titled/untitled)	<ul style="list-style-type: none"> • Cash compensation equal to gross market value of crop compensation (see below) to be shared with the land owner based on the sharecropping
		Agriculture laborers	<ul style="list-style-type: none"> • Cash indemnity based on their salary (including portions in kind). • Income rehabilitation allowance in cash equal to net value of annual crop production based on relevant cropping pattern/cultivation record (additional to standard crop compensation and other appropriate rehabilitation to be defined in the LARPs based on project situation and DP consultation).
		Squatter, encroacher.	<ul style="list-style-type: none"> • No compensation for land loss • IN addition to standard crop compensation, income rehabilitation allowance in cash equal to net value of annual crop production and other appropriate rehabilitation to be defined in the LARPs based on project specific situation and DP consultation. • Compensation for any irrigation infrastructure and other improvements made to the land (but not for the land) at full replacement cost.

⁴ Refer to IR safeguards as in SR2 para 10 of SPS 2009

⁵ Board of Revenue, provincial agency with a mandate to approve compensation rate/amount

Type of Loss	Specification	Eligibility	Entitlements
Residential/ commercial land	All land losses independently from impact severity	Titleholder, or holder of traditional rights	<ul style="list-style-type: none">Cash compensation at full replacement cost (RC) including fair market value plus 15% compulsory acquisition surcharge all transaction costs, applicable fees and taxes and any other payment applicableIf BoR compensation falls below RC, the project will pay the differential as resettlement assistance to the DPs to restore affected livelihoods.Additional compensation to be worked out in consultation with DPs if the loss is 10% or more of productive resources including land.
		Lessee, tenant	<ul style="list-style-type: none">Cash refund/payment at the rate of lease or house rent for remaining lease period or house rent
		Renter/ leaseholder	<ul style="list-style-type: none">Rent allowance in cash equivalent to 3-6 months' rent to be decided in consultation meetings with DPs.
		Non-titled user without traditional rights (squatters)	<ul style="list-style-type: none">No compensation for land lossSelf-relocation allowance in cash equivalent to 3-6 months livelihood based on OPL, or as assessed based on income analysis. Where required, additional support required ensuring improved standard of living to be determined through the social impact assessment.
Temporary land occupation	Land temporarily required during civil works	Owner, lessee, tenant	<ul style="list-style-type: none">Lease agreements to be signed between the Ahs and the contractor for the period of occupation of land.Rental fee payment for period of occupation of land, as mutually agreed by the partiesRestoration of land to original stateGuarantee of access to land and structures located on remaining land
		Non-titled user	<ul style="list-style-type: none">Restoration of land to original stateGuarantee of access to land and structures located on remaining land
2. STRUCTURES			
Residential, agricultural, commercial, public, community	Partial Loss of structure	Owner (including non-titled land user)	<ul style="list-style-type: none">Cash compensation for affected structure (full or partial taking into account functioning viability of remaining portion of partially affected structure) at full replacement cost and repair of remaining structure at market rate for materials, labor, transport and other incidental costs, without deduction of depreciation.Right to salvage materials (without deduction) from lost structureFor vulnerable households, provide legal and affordable access to adequate housing to improve their living standard to at least national minimum standard.Any improvements made to a structure by a tenant will also be taken into account in the calculation of compensation at full replacement cost payable to the owner and any apportionment due to the tenant as agreed at consultation meetings.
		Lessee, tenant	<ul style="list-style-type: none">Cash refund at rate of rental fee proportionate to size of lost part of structure and duration of remaining lease period already paid.Any improvements made to a structure by a tenant will also be taken into account in the calculation of compensation at full replacement cost payable to the owner and any apportionment due to the tenant as agreed at consultation meetings.

Type of Loss	Specification	Eligibility	Entitlements
	Full loss of structure and relocation	Owner (including non-titled land user)	<p>The DP may choose between the following alternatives:</p> <ul style="list-style-type: none"> • Compensation through provision of fully titled and registered replacement structure of comparable quality and value, including payment of all transaction costs, such as applicable fees and taxes, at a relocation site or a location agreeable to the DP. • Any improvements made to a structure by a tenant will also be taken into account in the calculation of compensation at full replacement cost payable to the owner and any apportionment due to the tenant as agreed at consultation meetings. • If the market value of the replacement structure is below that of the lost structure, cash compensation for the difference in value without deduction of depreciation. • If the market value of the replacement structure is above that of the lost structure, no further deductions. or • Cash compensation at full replacement cost, including all transaction costs, such as applicable fees and taxes, without deduction of depreciation for age, for self-relocation. In any case, DP has the right to salvage the affected structure. • Severity assistance to all loosing structures permanently.
		Lessee, tenant	<ul style="list-style-type: none"> • Cash refund at rate of rental fee proportionate to duration of remaining lease period
	Moving of minor structures (fences, sheds, latrines etc.)	Owner, lessee, tenant	<p>The DP may choose between the following alternatives:</p> <ul style="list-style-type: none"> • Cash compensation for self-relocation of structure at market rate (labor, materials, transport and other incidental costs, as required, without deduction of depreciation for age) Or • Relocation of the structure by the Project.
			<ul style="list-style-type: none"> • Allocation of alternative location comparable to lost location, and • Cash compensation for self-relocation of stall/kiosk at market rate (labor, materials, transport and other incidental costs, as required, without deduction of depreciation for age)
	Stalls, kiosks	Vendors (including titled and non-titled land users)	<ul style="list-style-type: none"> • Allocation of alternative location comparable to lost location, and • Cash compensation for self-relocation of stall/kiosk at market rate (labor, materials, transport and other incidental costs, as required, without deduction of depreciation for age)
3. Crops	Affected crops	Cultivator	<ul style="list-style-type: none"> • Cash compensation at current market rate proportionate to size of lost plot, based on crop type and highest average yield over past 3 years. • Additional compensation to be worked out in consultation with DPs if the loss is 10% or more of productive resources including land.
		Parties to sharecrop arrangement	<ul style="list-style-type: none"> • Same as above and distributed between land owner and tenant according to legally stipulated or traditionally/informally agreed share
4. Trees		Cultivator	<ul style="list-style-type: none"> • Cash compensation for perennial crop trees at current market rate of crop type and average yield (i) multiplied, for immature non-bearing trees, by the years required to grow tree to productivity or (ii) multiplied, for mature crop bearing trees, by the average years of crops forgone; plus cost of purchase of seedlings and required inputs to replace trees. • Cash compensation for timber trees at current market rate of timber value of species at current volume, plus

Type of Loss	Specification	Eligibility	Entitlements
			cost of purchase of seedlings and required inputs to replace trees.
		Parties to sharecrop arrangement	<ul style="list-style-type: none"> Same as above and distributed between land owner and tenant according to legally stipulated or traditionally/informally agreed share
5. RESETTLEMENT & RELOCATION			
Relocation Assistance	All types of structures affected	All DPs titled/untitled requiring to relocate as a result of losing land and structures	<ul style="list-style-type: none"> The project will provide logistic support to all eligible DPs in relocation of affected structures whether project based relocation or self-relocation as opted by the DPs. If project based relocation, DPs will be provided with fully functional public services and facilities including school, health centre, community centre, electricity, water supply and sewage and irrigation facility with their long term operation and maintenance planned and agreed.
Security of tenure	Replacement land and structures	All DPs and tenants needing to relocate to project relocation sites.	<ul style="list-style-type: none"> If DPs are required to relocate to project relocation sites, they will be provided with secure tenure to the replacement land and structures.
Transport allowance	All types of structures requiring relocation	All DPs and tenants required to relocate as a result of losing land and structures	<ul style="list-style-type: none"> Compensation (in cash or kind as agreed with DPs) to all eligible DPs and tenants. For residential structure a lump sum amount of Rs. 15,000/ or higher depending upon the situation on ground. For commercial structure a lump sum amount of Rs. 10,000/ or higher depending upon the situation on ground. For Kiosk a lump sum amount of Rs.3000/ or higher depending upon the situation on ground.
House rent	All types of structures requiring relocation	All DPs and tenants required to relocate as a result of losing land and structures	<ul style="list-style-type: none"> A lump sum amount, as agreed between the DP and project team, to assist the DPs in renting house for a negotiated period of time.
Transition allowance	All types of structures requiring relocation	All DPs and tenants required to relocate	<ul style="list-style-type: none"> On a case to case basis, transitional allowance equal to 6 months of recorded household income or equal to inflation adjusted official poverty line, whichever is higher.
Arable, residential and commercial land and structures	All types of structures	All DPs titled/untitled losing land & structures	<ul style="list-style-type: none"> Additional cash compensation of 15% as solatium over and above the BOR compensation price. Payment of any price differential or top-up, based on replacement cost study.
6. INCOME RESTORATION			
Permanent loss of agriculture based livelihood	Partial loss of agricultural land with viable land remaining	Owner, lessee, sharecrop tenant, non-titled land user	<ul style="list-style-type: none"> Provision of support for investments in productivity enhancing inputs, such as land leveling, terracing, biological, erosion control, sprinkler/drip irrigation, composing, tools and agricultural extension, as feasible and applicable; additional financial support if land compensation is insufficient to allow for adequate investments to maintain livelihood
	Full loss of viable	Owner, lessee, sharecrop	<ul style="list-style-type: none"> Provision of re-training, job-placement, additional financial grants and micro-credit for equipment and

Type of Loss	Specification	Eligibility	Entitlements
	agricultural land without availability of alternative land	tenant, non-titled land user	buildings, as well as organizational/logistical support to establish DP in alternative income generation activity
Maintenance of access to means of livelihood	Avoidance of obstruction by project facilities	All DPs	<ul style="list-style-type: none"> Provide un-interrupted access to agricultural fields, business premises and residences of persons in the project area.
Businesses	Temporary business loss due to LAR or construction activities by Project	Owner of business (registered, informal)	<ul style="list-style-type: none"> Cash compensation equal to lost income during period of business interruption up to 3-6 months based on tax record or, in its absence, comparable rates from registered businesses of the same type with tax records, or at least inflation adjusted OPL.
	Permanent business loss due to LAR without possibility of establishing alternative business	Owner of business (registered, informal)	<ul style="list-style-type: none"> Cash compensation equal to lost income for one 6-12 months based on tax record or, in its absence, comparable rates from registered businesses of the same type with tax records, or at least inflation adjusted OPL And Provision of re-training, job-placement, additional financial grants and micro-credit for equipment and buildings, as well as organizational/logistical support to establish DP in alternative income generation activity
Employment	Temporary employment loss due to LAR or construction activities	All laid-off employees of affected businesses	<ul style="list-style-type: none"> Cash compensation equal to lost wages during period of employment interruption up to 3 months based on tax record or registered wage, or, in its absence, comparable rates for employment of the same type, or at least inflation adjusted OPL. If required by Pakistan's labor laws and regulations/codes, the compensation will be paid to the employer to enable him/her to fulfill legal obligations to provide compensation payments to laid-off employees, to be verified by EA/relevant government official.
	Permanent employment loss due to LAR without possibility of re-employment in similar sector and position in or near area of lost employment	All laid-off employees of affected businesses	<ul style="list-style-type: none"> Cash compensation equal to lost wages for 3-6 months, based on tax record or registered wage, or, in its absence, comparable rates for employment of the same type, or at least inflation adjusted OPL. If required by the applicable labor code, compensation will be paid to employer to enable him/her to fulfill legal obligations to provide severance payments to laid-off employees, to be verified by government labor inspector And Provision of re-training, job-placement, additional financial grants and micro-credit for equipment and buildings, as well as organizational/logistical support to establish DP in alternative income generation activity
7. PUBLIC SERVICES AND FACILITIES			
Loss of public services and facilities	Schools, health centers, administrative services, infrastructure services, graveyards etc.	Service provider	<ul style="list-style-type: none"> Full restoration at original site or re-establishment at relocation site of lost public services and facilities, including replacement of related land and relocation of structures according to provisions under sections 1 and 2 of this entitlement matrix
8. SPECIAL PROVISIONS			
Vulnerable APs	Livelihood	All vulnerable	<ul style="list-style-type: none"> Provision of training, job-placement, additional financial

Type of Loss	Specification	Eligibility	Entitlements
	improvement	DPs including those below the poverty line, the landless, the elderly, women and children, and indigenous peoples.	grants and micro-credit for equipment and buildings, as well as organizational/logistical support to establish DP in alternative income generation activity. <ul style="list-style-type: none"> Subsistence allowance equal to 3-6 months of official poverty line, and other appropriate rehabilitation to be defined in the LARPs based on income analysis and consultations with DPs. Preferential selection for project related employment.
	Loss of land	All vulnerable DPs	<ul style="list-style-type: none"> Assistance in identification and purchase or rental of new plot Assistance with administrative process of land transfer, property title, cadastral mapping and preparation of compensation agreements
	Loss of structure	All vulnerable DPs	<ul style="list-style-type: none"> Assistance in construction of new structure Assistance in identification and purchase or rental of new structure Assistance with administrative process of registration of property and preparation of compensation agreements Assistance with transition to relocation site
	Temporary land acquisition	All vulnerable DPs	<ul style="list-style-type: none"> Preferential treatment to avoid or mitigate as quickly as possible Provision of access to land and residence suitable to disabled and elderly DPs
			•
	Loss of livelihood	Female livelihood losers directly affected	<ul style="list-style-type: none"> Compensation paid directly to female livelihood loser
			•

F. SOCIAL IMPACT ASSESSMENT - ASSESSMENT OF LAR IMPACTS

67. In the preparation of LARPs for each project with LAR impacts under this investment Project, a detailed assessment of LAR and its social impacts will be carried out, including an initial screening and categorization of impacts, a census of DPs with an inventory of lost assets (ILA), a socio-economic survey (SES), a detailed measurement survey (DMS) and valuation of lost assets (VLA). Depending on the progress of the technical design of project facilities, the assessment of LAR impacts will be based on an estimate of asset losses. If exact alignments are not yet known, a draft LARP will be prepared; otherwise, if a detailed engineering design is available, comprehensive and accurate measurements of actual impacts will be undertaken and a final LARP will be prepared. The results of the LAR Impact Assessment will be presented in aggregate form in the project LARP, as well as for each household in their annex.

F.I Screening

68. In accordance with section C of this LARF, the sector lending as a whole will not be screened and categorized for Involuntary Resettlement. Instead, the project is screened and categorized. Categorization will be determined by category of its most sensitive component in terms of involuntary resettlement impacts. In addition, a Summary Poverty Reduction and Social Strategy (SPRSS), indicating, among others, LAR issues, impact severity and planning actions will be prepared. The impact category is determined by adding the number of persons experiencing major impacts in project.

69. The LAR impacts are considered significant if 200 or more persons will experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income generating). Within this context, a proposed is classified as category A if it is likely to have significant IR impacts. A land acquisition and resettlement plan (LARP) including assessment of social impacts is required. Similarly a proposed project is classified as category B if it includes IR impacts that are not deemed significant. A LARP including assessment of social impacts is required. A proposed project is classified as category C if it has no IR impacts. No further action is required in this case.

F.II Census of Displaced Persons and Inventory of Lost Assets (ILA)

70. At the beginning of the preparation of the census and ILA, the CIU's project staff and consultants tasked with LAR planning will work closely with the design engineers in the field to minimize LAR impact as much as technically feasible. The project LARP will contain a statement describing the efforts made to minimize LAR impacts. The LAR and engineering staff, in cooperation with the concerned land administration officials, will also prepare LAR Impact maps showing the alignment of project facilities and, based on cadastral maps, the boundaries of properties so the affected land and structures can be identified. The map will be included in the project LARP. The land administration officials will also be requested to provide existing records for the DPs and lost assets. Based on these records and the LAR Impact Maps, the LAR staff and consultants will undertake the census and inventory of lost assets in consultation with DPs at each affected property. If there are any difference in the list of DPs recorded before land award or at the time of notification under section 9, the census of DPs will be updated and list of DPs revised accordingly for inclusion in the LARP.

71. Using a questionnaire, a census enumerates all physically and economically displaced persons in a project, including all displaced households, and, if applicable, displaced enterprises. Displaced community assets will also be recorded by interviewing the officials or persons in charge. The census questionnaire will query the size and members of a displaced household, its

project affected assets (land, structures) with estimated sizes and associated property status, as well as income sources (business, crops, employment). In addition, a limited number of socio-economic characteristics of the displaced households, such as ethnicity, gender, age and education of its members, head of household, total income and its sources, as well as vulnerability in terms of poverty, age, disabilities and gender of household head, will be recorded. The census will also inquire into the compensation preferences and expectations of each displaced household.

72. The data on affected assets will be used to prepare a quantitative ILA as part of the LAR impact database, including land, immovable property (buildings and other structures), and income losses. The ILA will be corroborated or updated with information from relevant government sources, such as offices in charge of land administration and property registration. If necessary, outdated official records will be updated according to the current status of the DP's assets. If the LAR impact assessment is based on the feasibility design of a project, a preliminary project impact assessment and asset valuation will be prepared based on estimated impacts. If a final detailed engineering design is available, a complete census and updated ILA will provide the basis for the detailed measurement survey (DMS) indicating the final complete quantification of all lost assets caused by a project. The data from the census and ILA are presented in the section on the scope of LAR impacts in aggregate form, and for each individual household or legal entity in the annex of each LARP. The census of 100% DPs and ILA (based on section 9 of LAA or land award) will be carried out by DDU officials and consultants deputed to the project's LAR tasks.

73. In each project CIU will publically announce an eligibility cut-off date at the beginning of the census and notify the DPs about the LAR impact of the project.

F.III Socio-economic survey (SES)

74. A socio-economic survey will be carried out for the project LARP to obtain a detailed understanding of the social and economic conditions of the DPs and to provide baseline data for the monitoring of the implementation of the LARP and the impacts of the project. The SES will be carried out by the project staff and consultants deputed by LG&CD to undertake LAR work.

75. As appropriate, a combination of research methods will be used, including a quantitative sample survey, focus group discussions, key informant interviews and a walkthrough to observe the area in which the DPs live and work, in addition to a desk study of relevant secondary sources from official records and statistics, as well as academic and other subject matter related reports.

76. The sample size for the survey depends on the size of total affected households in a project. If the number is large (e.g. 500) a sample of 10 percent of all affected households while all affected families termed as vulnerable households, women headed households and poor households and severely affected households will be surveyed if the total number of such affected households is management (less than 100 Ahs). A smaller displaced population requires the sampling of a larger percentage. Sampling will be a combination of purposive selection of specific groups in the population from various affected locations and random selection within these groups.

77. The key variables covered in the surveys and qualitative interviews will include (i) demography; (ii) social organization; (iii) income and assets; (iv) occupational structure; (v) access to public services; and (vi) personal property. All data collection and presentation needs

to be disaggregated by gender and other relevant social characteristics, depending on the social groups of concern (for example IP, ethnic or vulnerable groups). The project LARP reports on the findings of the SES and provides observations on the wider social, economic and cultural context of the DPs. Special attention is paid to possible previous or future occurrence of displacement due to LAR among the communities of the DPs.

F.III Detailed measurement survey (DMS) and valuation of lost assets (VLA)

78. The detailed measurement survey (DMS) and valuation of lost assets (VLA) provide an exact quantification and valuation of the assets lost due to the LAR impacts of a project. They will be carried out in collaboration with qualified appraisers of the BOR, SBP accredited valuers, certified companies, individuals and non-governmental organizations (NGOs) certified in valuation. A third-party with expertise in valuation will be engaged as an independent third party to observe and verify or undertake the DMS and VLA process. The census of DPs, ILA and LAR impact maps guide the preparation of the DMS and VLA.

79. The DMS determines the exact size, type, and quality of each asset identified in the ILA. Existing records in land and property registries are referred to, but field measurements will be carried out by the project to verify exact quantities. The DMS covers all types of land and structures and identifies their property status. It is carried out in the presence of the DPs owning and/or using the assets concerned, who confirm the results of the DMS with their signature. In case of a dispute, the project's LAR specialist and the agency tasked with the DMS seek to resolve disagreements in situ or the issue is referred to the Grievance Redress Mechanism. The DMS will also identify income losses of displaced businesses and their employees, based on official records, including contracts, tax records, and accounts. Income losses from agricultural activity will assess lost harvests, measuring the quantities of all applicable types of lost crops and trees.

80. The VLA will assess (for e.g. assessment by District Assessment Committee in Punjab) the value of all lost assets according to the principle of replacement cost and other provisions in the chapter on eligibility and entitlements of this LARF. Thus, the lost assets of DPs will be replaced either in cash or in kind. This requires that the exact quantity, type and quality of lost land, structures, businesses, jobs or crops are identified by the DMS and an accurate value constituting full replacement cost be assessed. LARF indicates the agreed definition of replacement cost as involving fair market value, transactions costs, interest accrued, transitional and restoration costs and other applicable payments, if any, without depreciation. Each LARP will specify the procedures and explain the assessment methodologies used in the VLA for a project under this project/facility.

81. As the legal framework for land acquisition in Pakistan does not permit payment of compensation rates above government (BOR) rates, the assets lost due to project will be assessed according to the principle of replacement cost as outlined in this LARF. The BOR considers average market rate based on registered land transactions as fair market value although this is not compatible with ADB's requirement of replacement cost. Therefore, the difference between BOR and RC will need to be worked out through a valuation study by qualified and experienced experts. In cases where compensation has been already awarded, the BOR, under the prevailing LAA practice, is not authorized to accept or reject any additional amount of compensation (over and above the BOR price). However, CIU will be required to arrange the balance amount and pay to the DPs to comply with the conditions of loan agreements.

G. CONSULTATION, PARTICIPATION AND INFORMATION DISCLOSURE (CPID)

G.I CPID Strategy

82. For each project under the Sector Lending, PMU through CIU and DDU will implement a comprehensive consultation, participation and information disclosure (CPID) strategy to ensure the DPs are meaningfully consulted in LAR process; their views and concerns are fully taken into account, and appropriate steps taken to resolve them. The consultations will involve the displaced persons and other relevant stakeholders including community leaders host communities, civil society organizations (CSOs) and non-governmental organizations, district government, project staff and consultants.

83. The LARPs will provide a stakeholder analysis of all persons who are directly or indirectly involved in the project, including DPs, project and related government staff, and host communities, and determine the need for consultation, participation and information. The CPID is an ongoing process, which starts with field investigations for the design of the project alignment, through preparation of draft LARPs, LARP implementation and monitoring, and ends after the final evaluation of LARP implementation.

84. Formal consultation meetings will be held with all DPs, and will also include participation from project LAR staff and consultants, district revenue officials as well as representatives of civil society organizations (CSO) or Non-governmental organizations (NGO) and other pertinent stakeholders. The draft LARPs, based on the results of consultations and impact surveys in the field, will be disclosed. In particular the DPs will be informed about their rights and obligations, the institutional arrangements, the procedures which need to be followed, and the grievance redress mechanism (GRM). During LARP preparation, the official eligibility cut-off date for the project will be announced at every meeting with DPs. Every revision and update of the draft LARP requires a new disclosure and consultation meeting with DPs. Any critical issue and complaint will be raised, discussed and resolved, if possible, at these meetings.

85. Separate meetings with women and vulnerable DPs will be held so their voices are not constrained by those of men and powerful sections of the DP communities. In addition, individual meetings and focus group discussions (FGD) will be held formally and informally, as and when the opportunity or need arises during field activities, such as census, IOL, SES, DMS and VLA. CIU will arrange joint field inspections of affected land and structures and of relocation sites among DPs and project staff and relevant government staff and other stakeholders to physically inspect and verify impacts, and to ascertain the state of suitability and readiness of relocation sites (where required). Individual negotiation meetings will be held with DPs, as necessary, to resolve any disagreements and reach individual agreements.

86. The consultation meetings and other CPID activities will be recorded and documented comprehensively, including signed attendance lists, photographs and minutes of the key issues addressed and agreements reached, observations made in the field, and outstanding issues in need of being addressed. The consultations will be documented in the LARPs with consultation records appended. This information will be updated for each LARP update and will also be continued in the LAR monitoring reports of the external monitoring agency (EMA).

87. The Project LAR staff and consultants will prepare a LAR Information Booklet (LARIB) for all DPs in the local language(s) with concise information on all of the key aspects of the LAR process of a project, such as project description, legal framework, institutional arrangements,

grievance mechanism, general eligibility and entitlement provisions, assessment of impacts, CRRP strategy, and the timing of LAR activities. The LARIB will be updated with every LARP update. In addition, the cut-off date and other information on relevant issues will be disclosed/publicized to DPs and other stakeholders in the project area through leaflets and brochures (in local language) made available at project and relevant government offices. All information dissemination will be made in the local languages. For illiterate DPs oral and/or pictorial means of communication will be used.

88. After reaching mutual agreement on the LARP in the formal consultation meetings, the draft and final LARPs endorsed by the government will be disclosed on the ADB website. All detailed specific information for displaced persons and their households will be kept anonymous in publically disclosed documents by omitting their names. However, DDU will maintain a computerized database of project-specific LAR impacts and lists of all the DPs with inventory of losses by types. This computerized database will be updated and maintained in a retrievable system and made available to the independent LARP monitoring agency and ADB, as and when required, to enable internal/external monitoring to ensure transparency of information.

89. During internal monitoring of LARP, the project LAR staff will carry out individual and focus group meetings with the DPs to record the process and impact of LARP implementation for each project. For all project with IR impact category A, the external monitor will repeatedly carry out individual and focus group meetings as well as quantitative surveys.

G.II Disclosure

90. The LARF and LARP (draft and final) and LARIB will need to be translated into Urdu and disclosed to the DPs and placed in accessible places and in a form understandable to DPs and other stakeholders, including the relevant CIU and union offices. The LARF and LARP will also be disclosed in English and Urdu on ADB and LG/CD's websites before appraisal of the project.

91. Any corrective action plan (CAP), if required, prepared during the project implementation will also be disclosed to DPs and on ADB's website.

92. Internal/external monitoring reports of LARP implementation will be disclosed to the DPs and on ADB's website.

H. INSTITUTIONAL ARRANGEMENTS FOR LAR FUNCTIONS AND COMPENSATION, RESETTLEMENT & REHABILITATION PROGRAM (CRRP)

93. The roles and responsibilities for the planning, implementation and supervision of LAR functions and CRRP program, described in this LARF, involve a number of institutional actors (Fig 1), which are defined below:

a. LG&CD

94. The LG&CD (project executing agency) through the Urban Unit (UU) based on Punjab Planning and Development Department has overall responsibility for CRRP and LAR functions including preparation, implementation, financing and supervision of all LAR tasks and cross-agency coordination. LG&CD will exercise its functions through the Project Management Unit (PMU) (based in LG&CD) with general project execution responsibility and through the City Implementation Unit (CIU), Due Diligence Unit (DDU) to be tasked with daily LARP implementation activities.

b. Project Consultants

95. Project Consultant is responsible for the planning and design of the project and support to PMU/CIU in implementation of LARP.

C. City Implementation Unit (CIU)

96. In the implementation office headed by a city manager, a City Implementation Unit will be established through deploying the requisite staff: The CIU will overall be responsible for LARP functions (through DDU) including preparation, implementation, financing and supervision of all land acquisition and resettlement related tasks and cross-agency coordination. For this purpose, the following specialists are proposed within CIU:

- Manger Due Diligence Unit
- Project Implementation Officer
- Safeguard Officer
- M&E Officer
- MIS Officer
- GIS Officer

97. The Due-Diligence Unit (DDU) will have ultimate responsibility for the preparation and implementation of LARP. These personnel will also receive and review all quarterly reports and address all queries that are received from the execution agencies and counterpart agencies working in the field and will also coordinate with all other project stakeholders at the CIU level.

Specific roles and responsibilities

98. Some specific tasks of DDU will include the following:

- i. Maintain oversight and quality control over all aspects of LARP preparation and implementation;
- ii. Accompany the LARP preparation consultants during their field visits and consultations with DPs. This is to ensure consistency of approach and message to

- DPs, to avoid variation in information obtained and given, and to address issues immediately as they arise on site;
- iii. Ensure that the LARP preparation consultants must include all the DPs along with the details of their property held e.g. land, structures, trees, crops, shops, etc. Preparation of LARPs shall be strictly by the LARF mutually prepared by EA/IA/PMU/CIU/DDU and ADB;
 - iv. Coordinate land acquisition process and resettlement planning activities for the Project and facilitate information dissemination and consultation with DPs on all matters affecting DPs to ensure compliance with the requirements of the LARF, ADB's Social Safeguard Policies and Land Acquisition Act 1894. This will include coordination with District offices (Revenue Department, Forest Department, Agriculture Department, LARP preparation consultants and DPs as they relate to the Project;
 - v. Ensure that land acquisition activity after publication of Section 4 is followed by updating land records and land price assessment reflective of current market rates. In coordination with the provincial governments, PMU and CIU participate in meetings of Land Price Assessment Committees and ensure that "replacement costs" are recommended for compensation;
 - vi. Ensure timely disclosure to all DPs of project design alignment, land acquisition notifications issued by the LAC under the LAA in accessible places and in a format and language easily understood by DPs, and facilitate meaningful consultation with all DPs on the information disclosed by the LAC/Revenue Department;
 - vii. Publish details of the designated office from where all information regarding alignment, design, road maps, *naqshaparcha* (revenue maps) of land, information on price assessment and unit rates about assets lost can be acquired, with name of the focal person to contact;
 - viii. Internally review the LARPs, coordinate with ADB in review and approval of LARPs, and ensure timely disclosure of approved LARPs on LG&CD Website and translation of Summary LARPs in local language for disclosure to DPs;
 - ix. Review the LARPs submitted by the consultants to ensure that these are in compliance to the LARF before submission to ADB;
 - x. Coordinate with ADB on review and approval processes and respond to the comments/queries and provide clarifications in a responsive manner for early and timely approval of LARPs ; and
 - xi. Ensure the disclosure of approved LARP on LG&CD website and translation of summary LARPs in local language for its disclosure to DPs.

99. Tasks in LARP implementation and monitoring: Some specific tasks under LARP implementation and monitoring will include the following:

- i. Verify data on DPs. Prepare, issue and distribute identity cards for each non-titleholder DPs category;
- ii. Translate summary approved LARP in local language with all necessary information for DPs and ensure it disclosure through formal and informal manner in close coordination of revenue, and other in line departments; and document this process to avoid and reply to future complaints in this respect;
- iii. Ensure that all field visits and consultations with the DPs are properly documented, photographed and recorded on video; such record shall be placed in the Project office.

- iv. Facilitate and support the LAC and Project Director throughout compensation disbursement process by extending its support in office and field during preparation of claims and issuance of compensation vouchers and cheques, This include coordination with DPs, DDU and district land revenue authorities involved in disbursement of compensation;
- v. Mobilize and facilitate the DPs to process their compensation claims and receive compensation;
- vi. Support Project office CIU/DDU to establish multi tiered grievance redress mechanism at village level, , project level, project level and support the DDU and DPs in recording, processing/investigation and disposal of complaints;
- vii. Develop database management system to be used for internal and external monitoring of the LARP implementation and evaluation of degree of achievement of the objective set forth in LARP;
- viii. Provide assistance and access to database and coordinate with External/Independent monitor to facilitate him to monitor and evaluate the project;
- ix. Publish details of the designated office from where all information regarding alignment, design, project maps, *naqshaparcha* (revenue maps) of land to be acquired, price assessment and information regarding complaints status / redress can be obtained by the DPs, with name of the focal person to contact. Mobile phone numbers of all personnel of this unit must be mentioned for the convenience of DPs.

c. District Governments

100. District-based agencies have jurisdiction over land acquisition and compensation activities. Land acquisition functions rest with Provincial Boards of Revenue represented at District level by the District Officer Revenue (DOR)/Land Acquisition Collector (LAC). Other staff members of the Revenue Department, most notably Quango and Patwari, carry out specific roles such as titles identification and verification of the ownership. Functions pertaining to compensation of non-land assets rest on Provincial line agencies and their District level offices. Buildings compensation pertains to the buildings and works department; crops and productive trees compensation pertains to the Department of Agriculture; and the compensation for wood trees losses pertains to the Department of Forestry.

d. External Monitoring Agency (EMA)

101. LG&CD (through PMU/CIU/DDU) will hire an agency or an individual expert (with team) to conduct independent monitoring and evaluation (the EMA) for the implementation of LARP. The EMA shall review and validate the implementation progress throughout the LARP implementation, as reported in the internal monitoring reports (IMR) by EA, evaluate the level of achievement of LARP objectives, identify gaps, if any, and propose remedial measures for implementation. The EMA shall be a firm or an individual hired under a Standalone project.

e. Displaced Persons Consultation Committee and Representatives

102. The DPs in the project will be encouraged and mobilized by DDU's staff and consultants to elect DP representatives and form a Displaced Persons Consultation Committee (DPCC). DP representation facilitates communication and information flow among DPs and with other stakeholders. DP representatives will closely liaison with Grievance Redress Committees (GRC) formed by DDU at project and field levels. In a projects with a relatively high number of DPs, DPCCs with several representatives from various subsections of the LAR impact areas, representing different types of affectedness and from different social and ethnic groups, as applicable, as well as from among men and women, will be formed. The DPCC will meet monthly

and on demand from members, due to LAR planning and implementation issues. The DPCC members may elect from among themselves a representative to the GRC or hold elections in a meeting of all project DPs. In project with a very small number of DPs, one or two GRM representatives may be elected at one of the first consultation meetings.

g. Civil Society Organizations

103. The relevant CSO (if any in the project area) will be engaged to cooperate with DDU's staff and consultants deputed to the project in the required LAR impact assessment including census of DPs, ILA and SES. An appropriate CSO/NGO or a research firm, being entirely unrelated to the organization involved in the LAR impact assessment work, will be commissioned to function as a third party observer in a project to record and verify the DMS, VLA, negotiation and conclusion of contracts, and payment of compensation.

h. Civil Works Contractors

104. The civil works contractors selected for subprojects will be tasked with managing temporary displacement at sites used for construction purposes, including making arrangements with DPs, payment of compensation and restoration of affected land to its original state. Contractors are obliged to commence civil works only at sites where project LARPs have been fully implemented and confirmed as such by EMA. The contractors' supervisory staff will participate in LAR capacity building provided by the LAR consultants of the project/facility. These requirements will be included in the works contracts and loan covenants.

i. Grievance Redress Mechanism

105. A project wide Grievance Redress Mechanism (GRM) will be set up for project to address grievances arising from social and environmental impacts. The GRM will have a two-tiered structure at the project level and another third tier at the executing agency level, enabling immediate local responses to grievances and higher-level review addressing more difficult cases not resolved at the local level. Section I on grievance redress mechanism will detail the requisite provisions and arrangements.

j. Asian Development Bank (ADB)

106. ADB reviews all LARPs and confirms their responsiveness to ADB's safeguards requirements. In cases where these do not meet ADB's requirements, additional assessment and improvement of the LARPs will be undertaken. ADB will also conduct periodic social safeguards reviews, to verify that LAR planning and implementation is being carried out as agreed in this LARF and the LARPs.

I. GRIEVANCE REDRESS MECHANISM (GRM)

107. The project level Grievance Redress Mechanism (GRM) will be set up for all project to address grievances arising from social and LAR impacts. This LARF determines the structure, roles and functions of the GRM, through grievances arising due to LAR related impacts can be addressed in each project. These will be further specified in each project LARP. The purpose of the GRM with regard to LAR is to receive, review and resolve grievances from physically and economically displaced persons and thereby, facilitate the fair implementation of this LARF and project LARP.

108. In order to prevent grievances arising from the project, DDU will seek to prepare and implement LARPs in accordance with this LARF and to identify and resolve potentially grievous issues and problems through a strong consultation, participation and information disclosure strategy. Nevertheless, it may be expected that some problems cannot be resolved through CPID actions and therefore DPs require an accessible and effective GRM. The project will put in place its GRM structures from the beginning of its implementation, i.e. as soon as activities for detailed project design and preparation or finalization of LARPs commence.

109. Problems to be addressed by a GRM during the planning or implementation of project LARP are complaints about (i) the location of the project alignment and requests to avoid specific affected assets, (ii) the omission of some DPs in a census, (iii) the identification, measurement and valuation of losses, (iv) the assessment and disbursement of compensation relative to entitlements stipulated in a LARP, (v) disputes about ownership of affected assets, (vi) delays in compensation payments, relocation activities or livelihood restoration measures, (vii) design and completion of relocation sites and facilities, or (viii) the adequacy and appropriateness of income restoration measures, among others. The GRM in this LARF is tasked to address any grievances arising from LAR from any DP. Special care will be taken to make the GRM accessible to vulnerable persons, including the poor, elderly, handicapped, female heads of households, as well as women and members of ethnic minorities in general. Each LARP will indicate specific mechanisms to ensure accessibility for specific groups of DPs.

110. The GRM will be set up with a two-tiered structure; one at (PMU) level and another at CIU (field) level enabling immediate local responses to grievances and higher-level review addressing more difficult cases not resolved at the CIU or local level. To ensure that all geographic reaches and relevant administrative units involved in the project are covered, the GRM will set up (i) a local mechanism in each affected village with grievance redress focal points; (ii) a grievance redress committee (GRC) at CIU and PMU levels, as applicable and useful. Table 4 provides an overview of the structure and functioning of a typical GRM.

111. In accordance with the above GRM mechanism, adequate grievance mechanism will be available for DPs having grievances regarding any decision, practice or activity arising from land or asset assessment, acquisition, compensation, resettlement or rehabilitation or related issues. DPs will be fully informed of their rights under the statutes i.e. Land Acquisition Act 1894, and ADB Policy on Involuntary Resettlement and of the procedures for addressing complaints whether verbally or in writing during disclosure of LAA notifications and other LAR information including summary of draft LARPs, consultations throughout LARP preparation and implementation, surveys, and at the time of compensation. Care will always be taken to prevent grievances rather than going through a redress process. This can be done through careful LAR design and implementation, by ensuring full participation and consultation with the DPs, and by

establishing extensive communication and coordination between the community, the CIU, the LAC and local governments in general.

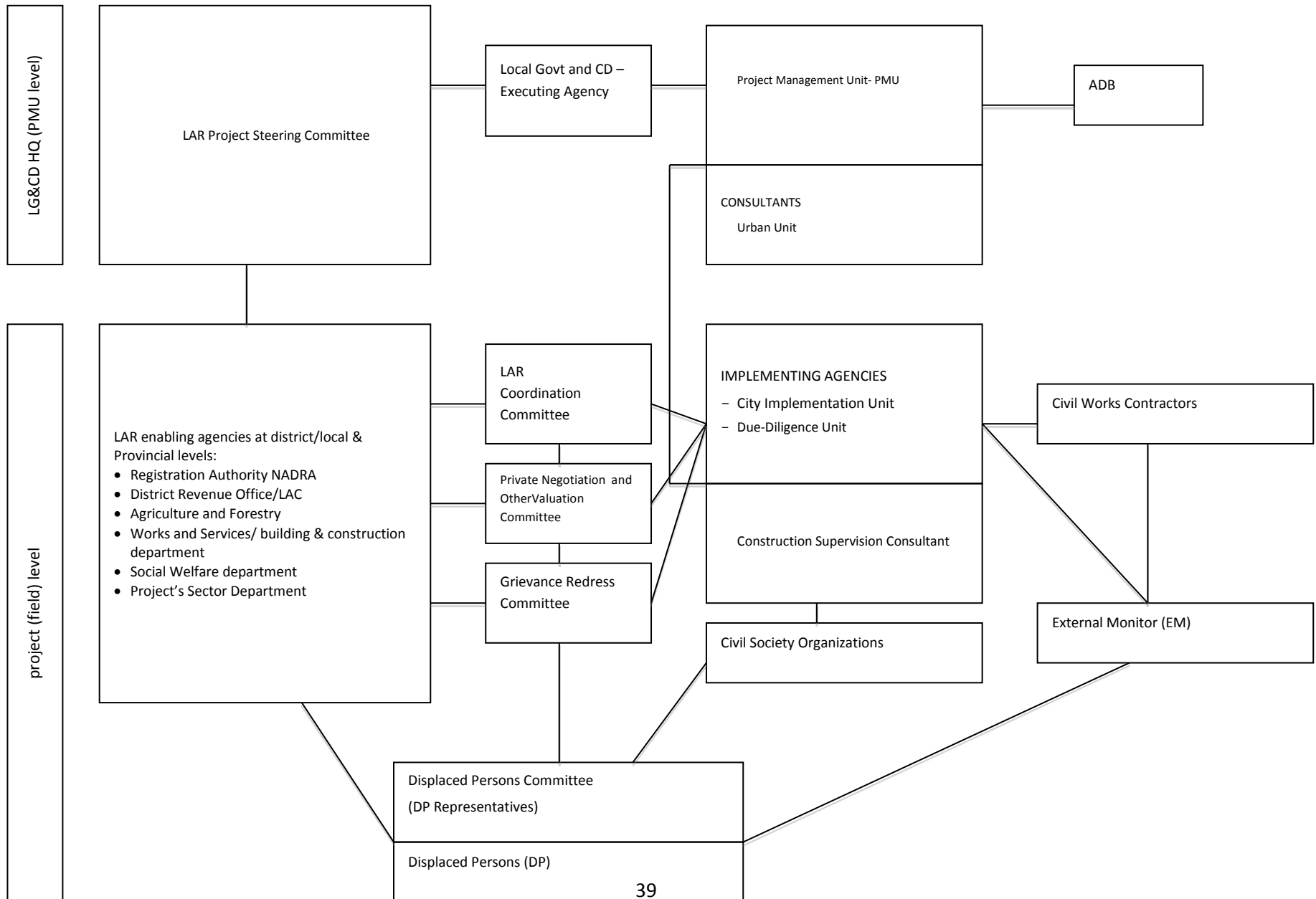
112. Any complaints unresolved at village level will be forwarded to the Grievance Redress Committee in the CIU by the social mobilizers or the complainant himself. The complaints received will be properly recorded and documented at CIU by a designated staff in the Complaint Register. The information recorded in the Register will include date of the complaint, particulars of the complainant, description of the grievance, actions/steps taken/to be taken to resolve the complaint at village level, the person responsible to take the action, follow up requirements and the target date for the implementation of the mitigation measure. The register will also record the actual measures taken to mitigate these concerns. The aggrieved DP will be kept informed about the actions on his complaint. He/she will be facilitated/ paid by the project to participate in the proceedings at different levels of grievance resolution process.

113. For complaints related to environment issue the CIU will refer these to Supervision Consultant to resolve. The complaints & grievances will be addressed through the process as described in Table 4 below.

Table 4: Grievance Resolution Process

Steps in the Grievance Resolution Process
Each village will be assigned a social mobilizer to maintain regular contact with the DPCs and to be the first line of contact on issues related to LAR.
The social mobilizers will facilitate formation of a resettlement committee in each village.
Any complaints in the village will be recorded by the social mobilizer, investigated by the social mobilizer, and if possible resolved in the village, with the assistance of the CIU within 7 days.
Any complaint which cannot be resolved in the village will be forwarded by the social mobilizer directly by the complainant or village head to the Grievance committee at CIU level. The grievance cell at CIU will designate a staff member to receive complaints, register them in the complaints register and process them within the CIU. The CIU Grievance committees hear the aggrieved DP and will seek information from others such as DDU or LAC to resolve the case if possible. The CIU grievance committee will take decision on the complaint within 7 days of the receipt of complaint at CIU. Any solution or decision must comply with the LARP.
Any complaint that cannot be resolved satisfactorily in the CIU will be forwarded to the District level Grievance Redress Committee, chaired by the City Manager, and with members from Revenue Department, Department of Forestry, Agriculture, Head at CIU and representatives from the village from which the complaint originates. The GRC will take decision on the complaint within 21 days. Any solution or decision must comply with the LARF.
Should the grievance redress system or arbitration fail to satisfy the DP, DP can submit the case to the appropriate court of law as per the process set out in Sections 18 to 22 of the LAA (1894). However, where law permits, the DPs can access to the courts of law without involving the GRM.
Throughout the grievance redress process, ensure that special attention is given to receiving and addressing the concerns of women and other vulnerable groups.

Figure 1: LG&CD's Institutional Setup for Land Acquisition and Resettlement



K. LAND ACQUISITION AND RESETTLEMENT BUDGET

114. The EA (Local Government and Community Development) will get the funds (reflected in the budgeting section of approved LARP) from loan (from ADB) and ensure to use these funds for the disbursement of compensation payment and other assistances. LG & CD will be responsible to transfer the funds allocated for the compensation disbursement in the district treasury. The Project will determine the annual inflation rates to be applied to all cash entitlements. The CIU will assist the PMU in identifying additional loss/s of assets during construction and proposing entitlements for such DPs. The budget revisions will be approved by LG&CD, Government of Punjab with the concurrence of the Asian Development Bank.

115. The Project will ensure that the land acquisition and resettlement funds are delivered on time to the District Collector. The Project will also ensure that funds for entitlements under the LARP are fully provided to DPs prior to commencement of civil work. Compensation and resettlement funds will be provided to the DPs in two separate ways: (i) Compensation under law for acquisition of land will be disbursed through the District Collector; and (ii) Additional assistance for resettlement of DPs will be disbursed directly by CIU with the assistance of the respective Project Team.

Management of Resettlement Budget

116. District Collector is authorized by LAA 1894 to pay compensation to eligible persons for loss of land and structures, trees and crops. Other compensation payments as per the entitlement matrix will be contingent upon payments by District Collector to confirm the identity of the eligible person. These payments will be made by CIU under the supervision of DDU.

117. Detailed implementation procedural guidelines will be required to implement the LARP at the field level. Both CIU and DDU will follow the implementation procedure after it has been approved by PMU if no change in cost otherwise it has to approve by Local Government and Community Development with concurrence from Bank. The implementation procedure will include definition of various resettlement terms, the entitlements, detail procedure for identification of eligible persons for resettlement entitlements of the LARP, and preparation of losses and entitlement files of individual DP, processing payments, effecting their disbursement and documentation. CIU with the assistance of DDU (under the supervision of PMU) will prepare the implementation procedural guidelines.

118. The implementation guideline will contain details of management aspects and monitoring mechanism. All payment to the displaced persons will be paid by crossed bank cheques. Vouchers on payment will be prepared in triplicate, for CIU, PMU and LG&CD. The safeguard officer will sign the vouchers. Payment will be made and record maintained as per approved implementation guidelines.

L. MONITORING, EVALUATION AND REPORTING ARRANGEMENTS

119. The LAR tasks will be monitored internally and externally. The EA-LG&CD through PMU/CIU will carry out internal monitoring (IM) of LARP. The external monitoring will be assigned to an Independent External Monitoring Agency (EMA), hired by EA-PMU with ADB's concurrence, for project requiring monitoring of LARP implementation. The EMA terms of reference shall be prepared in coordination with ADB, and PMU shall recruit an EMA for the Program/project. The EMA will be mobilized prior to LARP implementation. The extent of

monitoring activities, including their scope and timing, will be commensurate with the projects risks and impacts. Internal Monitoring Reports will need to be prepared on monthly (if implementation period is less than 6 months) or quarterly basis (if implementation period is more than six months) by EA for project.

120. The monitoring of the LAR tasks aim to:

- i. Establish and maintain procedures to monitor the progress of the implementation of safeguard plans.
- ii. Verify their 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.
- v. Retain qualified and experienced external experts or qualified NGOs to verify monitoring information for projects with significant impacts and risks.
- vi. Submit periodic monitoring reports (monthly, quarterly and annually) on safeguard measures as agreed with the ADB.

a. Internal Monitoring (IM)

121. IM indicators will relate to process, outputs and results, information will be collected directly from the field, and will be reported monthly to the PMU to assess the LARP implementation progress and adjust the work plan if necessary. Specific IM benchmarks will be based on the approved LARP and cover the following:

- i. Information campaign and consultation with DPs;
- ii. Status of land acquisition and payments on land compensation;
- iii. Compensation for affected structures and other assets;
- iv. Relocation of DPs;
- v. Payments for loss of income;
- vi. Selection and distribution of replacement land areas;
- vii. Income restoration activities; and
- viii. Ensure the gender mitigation measures in the LARP are adhered to during the internal monitoring and reporting process.

122. The above gender disaggregated information will be collected by the CIU which will monitor the day-to-day resettlement activities of the project through the following instruments:

- i. Review of project information for all DPs;
- ii. Consultation and informal interviews with DPs;
- iii. Key informant interviews; and,
- iv. Community public meetings.

b. External Monitoring

123. An Independent External Monitoring Agency or an individual with a team (EMA) will carry out external monitoring of LARP and report monitoring results to LG&CD/PMU/CIU and ADB via quarterly/semi-annual and annual reports. Indicators for EM tasks include:

- i. Review and verify internal monitoring reports prepared by CIU;
- ii. Review baseline information from socio-economic survey, census, and inventory of losses of pre-displaced persons; update the baseline data if required;
- iii. Identification and selection of impact indicators;
- iv. Impact assessment through formal and informal surveys with the affected persons;
- v. Consult DPs, officials, community leaders for preparing review report;
- vi. Assess resettlement efficiency, effectiveness, impact and sustainability, drawing lessons for future resettlement policy formulation and planning;
- vii. Ensure that gender mitigation measures in LARP is adhered to during monitoring.

124. The external monitor will also assess the reporting of affected vulnerable groups such as female-headed households, disabled/elderly, the landless, and families below the poverty line. Indicators for monitoring and evaluation of the project will be based on the following:

- i. Socio-economic conditions of the DPs in the post-resettlement period;
- ii. Communications and reactions from DPs on entitlements, compensation, options, alternative developments and relocation timetables etc;
- iii. Changes in housing and income levels;
- iv. Rehabilitation of squatters, severely affected people, and different vulnerable groups;
- v. Valuation of property;
- vi. Ability to replace lost assets;
- vii. Disbursement of compensation and other entitlements;
- viii. Level of satisfaction of DPs in the post resettlement period;
- ix. Quality and frequency of consultation and disclosure; and
- x. Grievance procedures.

125. Based on the external monitor's report, if significant issues are identified, a corrective action plan (CAP) to take corrective action will be prepared, reviewed and approved by ADB and disclosed to affected persons. Internal and external monitoring and reporting will continue until all LAR activities have been completed.

AN OUTLINE OF A RESETTLEMENT PLAN

A resettlement plan is required for all projects with involuntary resettlement impacts. Its level of detail and comprehensiveness is commensurate with the significance of potential involuntary resettlement impacts and risks. The substantive aspects of the outline will guide the preparation of the resettlement plans, although not necessarily in the order shown.

A. Executive Summary

This section provides a concise statement of project scope, key survey findings, entitlements and recommended actions.

B. Project Description

This section provides a general description of the project, discusses project components that result in land acquisition, involuntary resettlement, or both and identify the project area. It also describes the alternatives considered to avoid or minimize resettlement. Include a table with quantified data and provide a rationale for the final decision.

C. Scope of Land Acquisition and Resettlement

This section:

- (i) discusses the project's potential impacts, and includes maps of the areas or zone of impact of project components or activities;
- (ii) describes the scope of land acquisition (provide maps) and explains why it is necessary for the main investment project;
- (iii) summarizes the key effects in terms of assets acquired and displaced persons; and
- (iv) provides details of any common property resources that will be acquired.

D. Socioeconomic Information and Profile

This section outlines the results of the social impact assessment, the census survey, and other studies, with information and/or data disaggregated by gender, vulnerability, and other social groupings, including:

- (i) define, identify, and enumerate the people and communities to be affected;
- (ii) describe the likely impacts of land and asset acquisition on the people and communities affected taking social, cultural, and economic parameters into account;
- (iii) discuss the project's impacts on the poor, indigenous and/or ethnic minorities, and other vulnerable groups; and
- (iv) identify gender and resettlement impacts, and the socioeconomic situation, impacts, needs, and priorities of women.

E. Information Disclosure, Consultation, and Participation

This section:

- (i) identifies project stakeholders, especially primary stakeholders;
- (ii) describes the consultation and participation mechanisms to be used during the different stages of the project cycle;
- (iii) describes the activities undertaken to disseminate project and resettlement information during project design and preparation for engaging stakeholders;
- (iv) summarizes the results of consultations with affected persons (including host communities), and discusses how concerns raised and recommendations made were addressed in the resettlement plan;
- (v) confirms disclosure of the draft resettlement plan to affected persons and includes arrangements to disclose any subsequent plans; and
- (vi) describes the planned information disclosure measures (including the type of information to be disseminated and the method of dissemination) and the process for consultation with affected persons during project implementation.

F. Grievance Redress Mechanisms

This section describes mechanisms to receive and facilitate the resolution of affected persons' concerns and grievances. It explains how the procedures are accessible to affected persons and gender sensitive.

G. Legal Framework

This section:

- (i) describes national and local laws and regulations that apply to the project and identify gaps between local laws and ADB's policy requirements; and discuss how any gaps will be addressed.
- (ii) describes the legal and policy commitments from the executing agency for all types of displaced persons;
- (iii) outlines the principles and methodologies used for determining valuations and compensation rates at replacement cost for assets, incomes, and livelihoods; and set out the compensation and assistance eligibility criteria and how and when compensation and assistance will be provided.
- (iv) describes the land acquisition process and prepare a schedule for meeting key procedural requirements.

H. Entitlements, Assistance and Benefits

This section:

- (i) defines displaced persons' entitlements and eligibility, and describes all resettlement assistance measures (includes an entitlement matrix);
- (ii) specifies all assistance to vulnerable groups, including women, and other special groups; and.
- (iii) outlines opportunities for affected persons to derive appropriate development benefits from the project.

I. Relocation of Housing and Settlements

This section:

- (i) describes options for relocating housing and other structures, including replacement housing, replacement cash compensation, and/or self-selection (ensure that gender concerns and support to vulnerable groups are identified);
- (ii) describes alternative relocation sites considered; community consultations conducted; and justification for selected sites, including details about location, environmental assessment of sites, and development needs;
- (iii) provides timetables for site preparation and transfer;
- (iv) describes the legal arrangements to regularize tenure and transfer titles to resettled persons;
- (v) outlines measures to assist displaced persons with their transfer and establishment at new sites;
- (vi) describes plans to provide civic infrastructure; and
- (vii) explains how integration with host populations will be carried out.

J. Income Restoration and Rehabilitation

This section:

- (i) identifies livelihood risks and prepare disaggregated tables based on demographic data and livelihood sources;
- (ii) describes income restoration programs, including multiple options for restoring all types of livelihoods (examples include project benefit sharing, revenue sharing arrangements, joint stock for equity contributions such as land, discuss sustainability and safety nets);
- (iii) outlines measures to provide social safety net through social insurance and/or project special funds;
- (iv) describes special measures to support vulnerable groups;
- (v) explains gender considerations; and
- (vi) describes training programs.

K. Resettlement Budget and Financing Plan

This section:

- (i) provides an itemized budget for all resettlement activities, including for the resettlement unit, staff training, monitoring and evaluation, and preparation of resettlement plans during loan implementation.
- (ii) describes the flow of funds (the annual resettlement budget should show the budget-scheduled expenditure for key items).
- (iii) includes a justification for all assumptions made in calculating compensation rates and other cost estimates (taking into account both physical and cost contingencies), plus replacement costs.
- (iv) includes information about the source of funding for the resettlement plan budget.

L. Institutional Arrangements

This section:

- (i) describes institutional arrangement responsibilities and mechanisms for carrying out the measures of the resettlement plan;

- (ii) includes institutional capacity building program, including technical assistance, if required;
- (iii) describes role of NGOs, if involved, and organizations of affected persons in resettlement planning and management; and
- (iv) describes how women's groups will be involved in resettlement planning and management,

M. Implementation Schedule

This section includes a detailed, time bound, implementation schedule for all key resettlement and rehabilitation activities. The implementation schedule should cover all aspects of resettlement activities synchronized with the project schedule of civil works construction, and provide land acquisition process and timeline.

N. Monitoring and Reporting

This section describes the mechanisms and benchmarks appropriate to the project for monitoring and evaluating the implementation of the resettlement plan. It specifies arrangements for participation of affected persons in the monitoring process. This section will also describe reporting procedures.

LAR Tasks Process

No.	LAR Tasks	Responsibility
A: Project Preparation		
1	Proposal to Revenue Department with brief description of project including LAR	LG&CD/PMU/CIU
2	Nominal funds transfer to BOR	PMU/CIU
3	Publication of notice expressing intent to acquire land for the project under Section 4 of the LAA	Revenue Department
4	Feasibility study completed for the project	LG&CD/PMU/CIU/Consultant
5	Detailed design completed for the project	LG&CD/PMU/CIU/Consultant
B: PFR Preparation-Safeguards Documentation		
6	Prepare impact survey/census/socioeconomic survey forms, train impact assessment and valuation teams, and establish coordination with relevant local government agencies.	PMU/CIU/DDU/ Consultants
7	Updating of revenue records <ul style="list-style-type: none"> • Land Use • Ownership • Cadastral Maps Update 	Revenue Dept and CIU
8	Inventory of losses, census, socioeconomic survey, social/gender analysis	PMU/CIU / Consultants
9	Land valuation <ul style="list-style-type: none"> • Private negotiation committee determined rate 	Revenue Dept. CIU/LG&CD
10	Non-land asset valuation <ul style="list-style-type: none"> • Structure • Crops • Fruit trees • Wood trees 	Revenue Dept. assisted by CIU(structures), and Dept. of Forestry and Agriculture
11	Budget deposited with Project Director for LAR	PMU/LG&CD
12	Publication of Section 5	Revenue Dept.
13	Section 5A issued	Revenue Dept.
14	CIU social mobilizers to facilitate disclosure to DPs of survey / census findings and private negotiation committee.	PMU//CIU /Consultants
15	Conduct public consultations on the survey findings and recommended rates and compensation/resettlement/rehabilitation options	PMU/CIU / Consultants
16	Integrate baseline impacts and results of consultations into the LARP	PMU/ CIU / Consultants

17	Section 6 notification	Revenue Dept
18	Section 9 & 10 Notices and inquiry	Revenue Dept
19	Section 11 announcement of Award	Revenue Dept
20	Finalize LARP	PMU/CIU / Consultants
21	Disclose draft LARP to DPs	PMU/CIU and Consultant
21	LARP submitted to ADB for review and approval	LG&CD/UU/PMU/CIU
C: Implementation Arrangements/Capacity		
23	Establishment of LAR steering committee	LG&CD
26	Setting up grievance redress committee and appeals management	LG&CD
27	Mobilization of the EMA <ul style="list-style-type: none"> • Inception mission • Baseline survey • Quarterly monitoring 	LG&CD/PMU/CIU
28	Internal monitoring and reporting	LG&CD/PMU/CIU
29	Implement consultation plan Document consultations	LG&CD/PMU/CIU
30	Compensation disbursement for the loss of land and other assets	Revenue, LG&CD/PMU/CIU
31	Rehabilitation and livelihood assistance (including technical training) for loss of livelihood of: <ul style="list-style-type: none"> • Vulnerable groups • Small/marginal farmers • Small businesses 	LG&CD/PMU/CIU
D: External Monitor Confirmation of Complete and Satisfactory Implementation of LARP		EMA
32	Issue civil works contractor notice to proceed	LG&CD/PMU/CIU/ADB
33	Commencement of civil works	LG&CD/PMU/CIU

Guidance Note on Handling Compensation Cases with Legal and Administrative Impediments	
Policy Requirement	Pay compensation and provide other resettlement entitlements before physical or economic displacement. ⁶
Key Issues	<p>1. ADB Safeguard Policy Statement (SPS 2009) requires the borrower/client to ensure that no physical displacement or economic displacement will occur until (i) compensation at full replacement cost⁷ has been paid to each displaced person (DP) for project components or sections that are ready to be constructed; (ii) other entitlements listed in the resettlement plan have been provided to DPs; and (iii) a comprehensive income and livelihood rehabilitation program, supported by an adequate budget, is in place to help DPs improve, or at least restore, their incomes and livelihoods. While compensation is required to be paid before displacement, full implementation of the LARP might take longer.⁸ To ensure policy compliance, specific provisions are included in the Project/Loan agreements to keep on-hold civil works until compensation payments are fully paid to the DPs.</p> <p>2. Compensation for both land and non-land assets is deemed to have been paid when the amount in cash or cheque has been provided to DPs⁹ or deposited into their bank account, or in an escrow account.¹⁰ Depositing the compensation in an escrow account, in lieu of providing cash or cheque to the DP is justified only when sufficient good-faith efforts and all legal requirements for contacting and notifying the DPs have been made.</p> <p>3. Pakistan's Land Acquisition Act (1894) allows the government to take possession of the acquired land once land award has been made as per LAA Section 11, and payment has been made or deposited to the court as per LAA Section 31. Accordingly, the Collector is required to pay the full amount to the DP, unless (a) the DP refuses to receive the amount, (b) there is no competent person to receive the compensation, or (c) if there is a dispute as to the title to receive the compensation. Such cases may be referred to the court and the compensation amount deposited in the court.¹¹ In case the DPs or their representatives did not come forward to collect</p>
<i>SPS and legal covenants</i>	
<i>When is compensation considered paid?</i>	
<i>LAA requirement on compensating before displacement</i>	

⁶ See Involuntary Resettlement Safeguards Policy Principle 11, ADB Safeguards Policy Statement (2009), page 17.

⁷ SPS defines full replacement cost for land and non-land assets as 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. In case of non-land assets, depreciation of structures and other assets should not taken into account.

⁸ .

⁹ Displaced persons include: (i) persons with formal legal rights to land lost in its entirety or in part; (ii) persons who lost the land they occupy in its entirety or in part who have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national laws; and (iii) persons who lost the land they occupy in its entirety or in part who have neither formal legal rights nor recognized or recognizable claims to such land. The borrower/client is required to provide adequate and appropriate replacement land and structures or cash compensation at full replacement cost for lost land and structures, adequate compensation for partially damaged structures, and relocation assistance, if applicable, prior to their relocation. DPs without legal rights to the affected land should be compensated for the loss of their non-land assets, and for other improvements to the land, at full replacement cost prior to their relocation provided they occupied the land or structure before the cut-off date..

¹⁰ An escrow account is a separate, dedicated or trust bank account for keeping money that is the property of others. It is relevant in the case of absentee landlords whose property is acquired for a public purpose, or when there is litigation regarding the compensation amount for land acquisition. This mechanism enables payment of compensation once the legal cases were settled and ownership documents were submitted. Source: A Planning and Implementation Good Practice Sourcebook – Draft Working Document, ADB November 2012, Para 152.

¹¹ Reference to the court may only be made after the lapse in the period in Section 18 (2) of the LAA.

	<p>their compensation, the amount may be deposited in the Revenue Department payable to the DPs, after exerting due efforts to contact and encourage them to appear and notifying the DPs in which treasury the deposit has been made.¹² Similarly, the Acquiring Officer is required (as per SO 28), to the extent possible, to make payments to DPs in or near the village to which the DPs belong to, in order to reduce the amount of undisbursed compensation payments.</p> <p>4. Both the LAA (1894) and ADB SPS (2009) require that DPs are compensated before displacement, but allow a mechanism for dealing with cases with legal and administrative impediments to disbursing compensation payments provided that sufficient good-faith efforts are demonstrated in (a) contacting, notifying and assisting DPs, and (b) delivering compensation payments. This guidance note clarifies:</p> <ul style="list-style-type: none"> i. What are cases with legal and administrative impediments to payment of compensation to DPs? ii. What are the requirements under the LAA related to cases with legal and administrative impediments to payment of compensation to DPs?; and, iii. When can good-faith efforts be considered as sufficient and how to document that good-faith efforts have been made? <p>5. Cases with legal and administrative impediments to payment of compensation include:</p> <ul style="list-style-type: none"> i. DPs who did not accept the award due to objection to the measurement of the land or affected asset, the amount of compensation, the person to whom it is payable, or the apportionment of the compensation among the persons interested; ii. Absentee land owners (DPs living overseas or in other parts of the country), and without an authorized representative to collect compensation; iii. DPs with pending inheritance mutations; iv. DPs unenthusiastic to collect meager compensation amount; v. DPs unable to alienate the acquired asset either being a juvenile with no legally documented guardian or due to other issues. <p>6. Non-disbursement/non-delivery of compensation due to (a) insufficient funds or delay in approval of funds; or (b) insufficient staff or resources does not justify payment of compensation to DPs after displacement. EAs/IAs have the power and responsibility to ensure that sufficient funds and staffing are available in a timely manner to undertake the required land acquisition. Similarly, non-compensation of affected non-land assets (structures) and improvements owned by DPs who have no formal rights to the affected land is not considered as a valid legal and administrative impediment (see footnote 4).</p> <p>7. DPs facing legal and administrative impediments could only be paid when they overcome those and in such cases, it is uncertain when DPs will actually receive their compensation, causing untoward delay in project execution due to complaints received from the DPs and burden to local communities and project stakeholders. More importantly, these impediments prevent the project from assisting these DPs to enhance, or at least restore, their livelihoods and to improve the standards of living of the displaced poor and other vulnerable groups.</p> <p>8. Although compensation of these DPs is beyond the control of the EA, and are mainly dependent of the actions of the DPs or ruling/decision from a third-party i.e. the court or BOR, good-faith efforts are needed from the EA/IA to (a) contact and notify DPs through their last known address, village heads or kins; (b) inform DPs who to</p>
<i>Cases with legal and administrative impediments</i>	
<i>Cases not valid as legal and administrative impediments</i>	
<i>Why is it important to address cases with legal and administrative impediments?</i>	
<i>Good-faith efforts for cases with legal and</i>	

¹² Financial Commissioner Standing Order No. 28 Land Acquisition, para 88 (V), page 29.

<i>administrative impediments</i>	contact or where to proceed to collect their compensation; and (c) possible actions that may help them receive their compensation.
<i>Need for sustained community outreach</i>	<p>9. It is important that the LAR management team¹³ undertakes continued community consultations and outreach in order to locate, assist and guide DPs with legal and administrative impediments. Documentation of the efforts by the LAR management team including multiple visits¹⁴ to villages with pending compensation payments, organizing village meetings, posting of notices in public places, serving notices at last known address of DPs and publishing the names of unpaid DPs in the print media is needed to demonstrate that due efforts were conducted in addressing cases with impediments.</p> <p>10. Some issue-specific measures to confirm DPs understanding about the availability of compensation, payment mechanism, time-lines as well as DPs agreement to the commencement of works (wherever required) while the issue is being resolved can help show and validate the efforts exhausted by the EA to achieve the policy objectives, and enable the decision makers to allow the construction works accordingly. For each issue, documentation requirements and recording of certification statements are discussed below and standard templates for additional documentation are provided against each issue as and wherever required:</p>
<i>Cases with title disputes and litigation</i>	<p>i) Land Title Disputes or Litigations amongst the DPs or Court References Against Award</p> <p>11. Where the DPs have title disputes before the competent courts of law or have filed references against award, payment of compensation could only be made after the court decrees which may take years. Further, right to appeal against court's decree cannot be forfeited or denied under law which could further delay the payment. In such cases, payment of compensation in a given time frame is impossible and it would be appropriate to deposit compensation in treasury at courts disposal to make sure the DPs are paid as and when court verdicts passed. For these cases, the process provided in the succeeding paras should be followed.</p> <p>12. Immediately after identifying such cases, the EA after seeking court's permission should deposit the compensation in the court for payment to DP as and when court decides their reference or title dispute. The receipt and records for such deposits should be maintained at the EA's project office. Meanwhile, the EA through its LAR staff should liaise with the DPs to inform them about the compensation payment mechanism and compensation deposited in the treasury or the court. The EA's project office should prepare and maintain the following record:</p> <ul style="list-style-type: none"> • Database/listing and field reports on activities done to identify and screen DPs with their legal/administrative issues including nature of dispute and reference court where pending • Field reports on activities done to coordinate with the DPs for early resolution of their issues and with courts for seeking permission/guidance and deposit of compensation in treasury at court's disposal. • Copy of the delivery of notices (with signed receipt) to the DPs confirming deposit of amount at court's disposal and clarifying mechanism for payment.

¹³ The LAR management team may include Land Acquisition and Resettlement Staff engaged by the EA i.e. EA's Land Management Staff, Land Acquisition Collector deputed by BOR, Resettlement Specialists and social mobilizers either recruited by the EA or mobilized through Consultants (Safeguards Management or Construction Supervision Consultants) to support the EA in effective LAR management..

¹⁴ Repeated visits in three consecutive months scheduled for each village by the Land Acquisition Collector/Land Acquisition Unit of the EA to deliver compensation to unpaid DPs and identify those with legal and administrative impediments. The repeated visits should be documented showing visit schedule, information disclosure reports, list of persons met and field visit reports duly endorsed by the local community and the village headman confirming number of identified DPs with legal and administrative impediments.

<p><i>Absentee land owners</i></p>	<p>ii) Absentee Land Owners (DPs Living Overseas or in Other Parts of the Country).</p> <p>13. Many rural households migrate to cities for better livelihood opportunities and standard of living. Moreover, hereditary division over time resulted in the segmentation of agricultural land parcels into unproductive units. While some families with land and assets in different parts of the country divide their land based on their places of residence, many do so without legally formalizing such settlements and getting land records updated accordingly. Some family members who have migrated overseas permanently or for livelihood had land in their name or retained their respective share in family-owned land as per land revenue records. All such land owners who own or have share in the land as per record but are not living in the village are termed as absentee land owners.</p> <p>14. Whenever the land is acquired, the absentee land owners¹⁵ are also shown as affected persons to the extent of their share in that land. The compensation to absentee land owners could not be made due to their non-appearance for processing and payment of compensation. LAA requires that notices are delivered against each land parcel either through (a) co-sharers in the acquired land parcel, (b) DPs relatives living in the village, or (c) through the village headman. The legal requirement is to serve notices to DPs at their places of residence either through special messenger or registered post, which can only be met if the whereabouts and residence of the absentee land owners is known. An additional measure that may be considered to notify absentee land owners whose whereabouts are unknown is by publishing their names in print media (National Daily News Paper).¹⁶</p> <p>15. It is vital to collect information about the DP's contact details including the mailing and residential address in order to reach out to and facilitate absentee DPs in receiving payments. The following measures are proposed to contact absentee landowners and maintain record of all efforts made by the EA:</p> <ul style="list-style-type: none"> Identify and record DPs relation in affected village or local contact person, collect information about DP's present place of residence. See template 1 below:
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<p>Template 1: Record on DPs not living in the project area (other villages/cities in Pakistan or Overseas).</p> <p style="text-align: right;">Date Prepared: _____</p>						
Name of Village _____		Tehsil _____		District _____		
#	Name of DP	Impact Type	Person contacted in village and his cell No.	Relationship with DP	Current Residence of DP with contact No.	Remarks
1	Add DP name as of impact inventory	Add Impact i.e Land Tree Crops Structure etc	Add name of person contacted with his cell number and other particular if any	Uncle, Brother, neighbor etc	Add current address of DP with contact number and city/country of residence.	Signature of the Person contacted
2						
3						
4						
Information Collected By			Witnessed by		Information verified by	
Sd. _____;			Sd. _____ (headman or DPC President/member);		Sd. _____;	
(SM team names) _____;			(Name of headman/president or member committee);		Resettlement Specialist _____;	

<ul style="list-style-type: none"> Deliver formal notice to the DP's last known address (recorded in template 1) through registered post with acknowledgement receipt attached. Make sure to keep on file as scanned-copy of the notice and acknowledgement receipt.

¹⁵ Land owners who are recorded in the land holding rights register as owners but they have shifted from the village to other areas in the country or overseas for better income opportunities and living standard.

¹⁶ In NTCHIP tranche-1 and NHDSIP tranche –II projects (i.e. M-4 Faisalabad-Gojra Section (ADB Loan 2400) and Sukkur-Jacobabad (N-65) (ADB Loan 2540)) and the National Motorway M-4 Gojra-Shorkot Section Project (ADB Loan 3300), the notices with the names of the DPs who have not come forward to collect compensation were published in the National News Papers (Urdu language) as a last resort effort to approach unpaid DPs for compensation delivery.

<p><i>DPs with pending inheritance mutation</i></p>	<ul style="list-style-type: none"> In case no contact person or relative of the DPs is identified in the village and the local community confirms DPs whereabouts are unknown, a certification statement from any of the resident land owner in the village preferably by the president or member of the Displaced Persons Committee (DPC) and duly witnessed by (a) the village headman and, (b) land revenue patwari should be recorded and maintained. See Template 2 below (to be translated to Urdu).
	<p align="center">Template 2: Statement from Village headman or other notable in village/area when the whereabouts of DP are not known</p> <p align="right">Date prepared: _____</p> <p>Particular of DP and acquired land parcel Name of DP _____ (Enter DP Name with Parentage) Resident of _____ (Enter DP Last known address) Land Plot _____ Khasra Nos _____ Located Village _____</p> <p>Statement: I _____ (put name here) _____ the president/member of village DPC or local resident land asset/owner, on behalf of the other residents in village solemnly declare that:</p> <ul style="list-style-type: none"> The DP and his family owned acquired land as per land records but for last (-----) they have never been seen in the village. To my information, the DP and his family never lived in village, neither any relative of DP lives in village/area nor any of the village resident know the whereabouts of the DP and his family. I affirm that the EA with assistance of DPC has exerted full efforts to outreach the DPs in village and those living in other areas and clarified that compensation cost for unpaid DPs is deposited in treasury that can be claimed as and when the DPS show-up to claim. This statement is given free of coercion and compulsion which is witnessed by the Village Headman and land revenue Patwari of village -----. <p>The Declarant Sign/Thumb Impression Name _____ Village Headman/Local resident land owner _____ Resident of _____</p> <p>Witnessed By We the Village Head man and land revenue Patwari of village _____ (Put village name here), personally know Mr/Mrs _____ President/member of DPC or local resident land owner of village _____, and witness veracity of statement made by him affirming that the DP Named _____ (Put name of DP here) himself or any of his family members are not living in village/area since/for ----- and their current places of residence are not known to any of the local residents in village.</p> <p>Signed Name: Mr. _____ Village Headman Chak. _____</p> <p align="right">Signed Name: Mr. _____ Land Revenue Patwari Chak. _____</p>
	<p align="center">iii) DPs with Pending Inheritance Mutations</p> <p>16. Land records are maintained by the local land revenue authorities who are responsible to enter land mutation transactions as and when reported by the landowners and update land records accordingly. In case of inheritance mutations, some heirs of DPs who passed away fail to get inheritance mutations recorded and get land records updated accordingly. Further, on an average land acquisition process is completed almost in two years and during the course of acquisition or after land awards are announced some DPs pass away without receiving their entitled compensation. Although the legal heirs of the deceased DP are eligible for compensation, they could not be paid until the inheritance mutation is recorded and remaining land of deceased DP is transferred in their name.</p> <p>17. Under the law, heirs of the DP should report and apply to the local land revenue authorities about the demise of the DP and apply for the updating of the land record. Upon receipt of the application, the land revenue authorities undergo a legal process to record the inheritance mutation, update the land record reflecting the names of legal heirs and their respective shares in the land record. When it is done, the compensation can be paid to the legal heirs as per their respective share. This process normally takes three to four months. For cases where inheritance mutations are not timely reported, recording becomes more difficult and can take a longer period to complete.</p> <p>18. When it is determined that the DP has passed away, the LAR management team should coordinate with the legal heirs of the DP for apprising them the process for compensation payment and assist them in approaching land revenue authorities to get their inheritance mutations recorded. The LAR management team should carry-</p>

	<p>outthe following activities to facilitate the mutation of inheritance and early payment of compensation to the heirs and document their efforts:</p> <ul style="list-style-type: none"> • Identify all living legal heirs of the DP, visit the heirs residing in the village and guide them on the process and facilitate in inheritance mutation process: • Collect a statement from the legal heirs¹⁷ confirming that their inheritance mutation of land is pending, acknowledging the EA's efforts to assist them, indicating awareness that funds are available for compensation delivery, and concurring that works may commence while their inheritance mutation is being processed. • Keep copies of the signed statement in the EA project office files. See Template3 below(to be translated to Urdu): 								
	<div style="text-align: center; border: 1px solid black; padding: 5px; margin-bottom: 10px;"> Template 3: Inheritor's Statement When Inheritance Mutation is Pending </div> <div style="display: flex; justify-content: flex-end; margin-bottom: 10px;"> Date Prepared: _____ </div> <div style="margin-bottom: 10px;"> Particulars of DP and acquired land parcel Name of DP _____(enter DP Name with Parentage as of land record), owner of Acquired Land Plot_____ Khasra Nos _____ Located in Village _____, District _____ Province _____ </div> <p>Statement by the Inheritor's</p> <p>We the persons listed below as legal heirs of DP---(put name of DP here)----- against acquired land referred above solemnly declare that:</p> <ul style="list-style-type: none"> • The inheritance mutation of above said acquired land is pending; • We understand that compensation can be claimed/paid according to inheritance mutation recorded in land record and we are coordinating with the Land Revenue Authorities in this regard; • _____(Name of Staff, Office and EA) has clarified that compensation amount already deposited in treasury can be paid to legal heirs as and when the inheritance mutation issues are resolved; • We have no objection to the commencement project works on our plot while our inheritance mutation of land is being processed; and • This statement is given free of coercion and compulsion which is witnessed by Village Headman and APC president. <p>The Declarant</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> Sign/Thumb Impression Name _____ Resident of _____ </td> <td style="width: 50%; vertical-align: top;"> Sign/Impression Thumb Name _____ Resident of _____ </td> </tr> <tr> <td style="vertical-align: top;"> Sign/ Thumb Impression Name _____ Resident of _____ </td> <td style="vertical-align: top;"> Sign/ Thumb Impression Name _____ Resident of _____ </td> </tr> <tr> <td style="vertical-align: top;"> Sign/ Thumb Impression Name _____ Resident of _____ </td> <td style="vertical-align: top;"> Sign/ Thumb Impression Name _____ Resident of _____ </td> </tr> </table> <p>Witnessed By</p> <p>We the Village Headman and President APC village-----, personally know the above signatories as legal heirs of the DP, and confirm and witness the statement above.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"> Signed Name: Mr.----- Village Headman Chak----- </td> <td style="width: 50%;"> Signed Name: Mr.----- President DPC Chak----- </td> </tr> </table>	Sign/Thumb Impression Name _____ Resident of _____	Sign/Impression Thumb Name _____ Resident of _____	Sign/ Thumb Impression Name _____ Resident of _____	Sign/ Thumb Impression Name _____ Resident of _____	Sign/ Thumb Impression Name _____ Resident of _____	Sign/ Thumb Impression Name _____ Resident of _____	Signed Name: Mr.----- Village Headman Chak-----	Signed Name: Mr.----- President DPC Chak-----
Sign/Thumb Impression Name _____ Resident of _____	Sign/Impression Thumb Name _____ Resident of _____								
Sign/ Thumb Impression Name _____ Resident of _____	Sign/ Thumb Impression Name _____ Resident of _____								
Sign/ Thumb Impression Name _____ Resident of _____	Sign/ Thumb Impression Name _____ Resident of _____								
Signed Name: Mr.----- Village Headman Chak-----	Signed Name: Mr.----- President DPC Chak-----								
	<p>iv) DPs Who are Unable to Alienate the Acquired Asset:</p> <p>19. The DPs who being a minor/juvenile or because of mental disability/lunacy are not capable to alienate the acquired land under law and so could not be compensated directly. The law provides that compensation could be paid through legally-designated guardians or managers who can act and alienate the immovable property on behalf of the minor or the lunatics. In cases where the guardians are not designated by the court, the compensation remains pending untilthe minor attains the age of majority and claim compensation.</p> <p>20. It is common that children inherit their parents' immovable properties, but is kept in possession and used by adult male members of the extended family or kinship group as a joint family asset. It is not a common practice to appoint guardians following the Guardians and Wards Act of 1890. Hence, compensation of DPs with</p>								

¹⁷ To the extent possible, all legal heirs living within the village should sign the Statement. If some heirs are not available to sign, the LAR management team should prepare a field report indicating who are the heirs who were not able to sign the statement and the circumstances why they were not able to sign i.e. out of the village or country, ill, etc. The LAR management team should also record the names of heirs who are out of the village or country and their last known address and advise the other heirs to relay the information to those who are away.

<p><i>DPs unable to alienate the land</i></p>	<p>minor ages kept on-hold until the DP becomes of legal age unless a valid guardian certificate is produced. Although such cases are not many, it is important to guide the adults who provide care to these minors or lunatics to approach the right forum or court for appointing a guardian under law.</p> <p>21. It is recommended that the LAR management team to carry-out the following activities in dealing with pending guardian's appointment and in documenting its efforts:</p> <ul style="list-style-type: none"> • Coordinate with the Living Parent or other grown up members of the household the DP is living with, guide them on the process of appointing a guardian. • Collect a certification statement from the Living Parent or other grown up member of the household the DP is living with, that i) confirms EA's efforts to notify and guide them and secure funds for compensation payment, ii) states that the appointment of guardian is pending, and iii) concurs to the commencement of civil works on the plot while the guardianship certificate is being processed. Such statement should be witnessed by the village headman and the village DPC chairman or member. See Template 4 below(to be translated to Urdu).
	<p style="text-align: center;">Template 4: Guardian Statement if DP is Juvenile</p> <p style="text-align: right;">Date Prepared: _____</p> <p>Particular of DPs and acquired land parcel Name/Names of DPs i) _____ (enter DP Name/names of DPs with Parentage), ii) _____ and iii) _____ Resident of _____ (Enter DP current address) _____ Own acquired Land Plot _____ KhasraNos _____ Located Village _____</p> <p>Statement by Guardian I _____ (put name here) _____ the {mother/father/brother/sister/uncle (put relation of elder with whom the minor DP/DPs lives) of DP/DPs i), _____ (put name of DP/DPs here) ii), _____ iii) _____ as natural guardian solemnly declare that:</p> <ul style="list-style-type: none"> • The DP/DPs is/are minor who lives with me and as natural guardian of DP/DPs, I am responsible for his/her/their well-being and bringing him/her/them up; • _____ (indicate name of staff, unit, and EA) has clarified that compensation amount, already deposited in treasury, can be paid to legal guardian of DP/DPs after production of the valid Guardian Certificate issued by the competent court; • A petition for issuance of guardians certificate is filed/being filed in the competent court and the court's decision is pending; • The awarded compensation in name of DP/DPs will be collected upon issuance of guardian's certificate by court; however, as natural guardian I have no objection to commencement of project works; and • This statement is given free of coercion and compulsion which is witnessed by Village Headman and DPC president. <p>The Declarant Sign/Thumb Impression _____ Name _____ Relationship with DP _____ Resident of _____</p> <p>Witnessed By We the Village Headman and President APC village-----, personally know Mr/Mrs _____ and witness veracity of statement made by confirming that the Minor DP/DPs named above lives with him/her in village/city (Put name of village city here).</p> <p>Signed _____ Signed _____ Name: Mr.----- Name: Mr.----- Village Headman Chak----- President DPC Chak-----</p>
	<p>v) DPs with Meager Compensation</p> <p>22. The compensation amount itself proves driving factor for DPs to submit their claims. In cases where small land holdings are in joint ownership with a number of entitled persons, corresponding compensation amount shares for each DP become very small (\$100 and below). A good number¹⁸ of DPs fall in this category and they never show-up to collect compensation. The situation is further aggravated when such DPs also face other legal or administrative issues like pending inheritance mutations of acquired land or living overseas and other parts in the country.</p> <p>23. Although the law provides a mechanism that includes payment in cash at the</p>

¹⁸ In the National Motorway M-4 Gojra-Shorkot Section Project, almost \pm 10% DPs are entitled to a compensation below 100 US \$.

<p><i>DPs with meager compensation</i></p>	<p>village or compensation payment through money order in case of absentee land owners¹⁹, such is no longer practiced. The only available mode is payment through voucher debit-able to the treasury which requires the DP to travel repeatedly to the district/tehsil headquarter to receive their compensation, making the transportation cost higher than their compensation.</p> <p>24. It is recommended that the LAR management team to explore other payment modes allowed under the LAA including cash payment or payment through money order if the DP is living out of project area. If such unclaimed compensations are deposited at court's disposal as legal remedy, it will be of no gain because a significant number of the DPs will remain unpaid. Following actions should be taken and recorded to explore specific measures and seek guidance from BOR in this aspect.</p> <ul style="list-style-type: none"> • Define a maximum slab of amount to be termed as meager compensation and get it endorsed by the EA; • Document coordination efforts with BOR including i) official correspondence and ii) meetings with BOR to seek guidance on the issue at the project and EA levels. • Maintain a record of actions taken by the project team for payment to DP or deposit of compensation at court's disposal following guidance from BOR.
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¹⁹ Rule 87, Financial Commissioner's (Board of Revenue) Standing Order No 28 (1909) on land acquisition procedures.

SOCIO ECONOMIC AND RESETTLEMENT SURVEY FOR PUNJAB INTERMEDIATE CITIES IMPROVEMENT INVESTMENT PROGRAMME

Date: _____

ID No. _____

1. Identification

1.1 Name of Respondent _____ 1.2 Father's Name _____

1.3 Respondent CNIC No: _____ 1.4 Tribe _____

1.5 Address: _____

Village: _____ Town: _____

Tehsil: _____ District: _____

Province: _____

1.6 Demographic Profile of Respondent(Children up to 10 yrs (#): M _____, FM _____ =T _____)

Sr. No.	Relationship with Respondent (See codes)	Sex Male=1 Female=2	Age (Yrs.)	Education (See Codes)	Name of Business/ Occupation (See Codes)		Income From Business/ Occupation (Rs./ Annum)		Diseases During Last Year (See codes)
					Main	Secondary	Main	Secondary	
1	SELF								
2									
3									
4									
5									
6									
7									
8									
9									
10									

*Other: Rent from property, remittances, net sale of items during a year, net income from agriculture etc.

Demographic Codes:

Relationship: 1=Self, 2=Wife, 3=Son, 4=Daughter, 5=Father, 6=Mother, 7=Brother, 8=Sister, 9=Grand Father, 10=Grand Mother, 11=Bhabhi, 12=Nephew, 13=Father-in-Law, 14=Mother-in-Law, 15=Others

Sex: 1=Male, 2=Female

Education: 1= Primary 2= Middle 3= Matric, 4= Intermediate, 5= BA/BSc, 6= MA/MSc, 7=LLB, 8=Engineer, 9=MBBS, 10=Technical Diploma, 11=Dars-e-Nizami, 12=CanRead Quran, 13= Can Insert Signatures, 14= Illiterate,

Occupations: 1=Agriculturist, 2=Shopkeeper, 3= Trader, 4= Govt. Servant, 5=Private Servant, 6=Timber Labour, 7=General Labour, 8=Livestock, 9=Fishing, 10= 8=Driver, 11=Health Related, 12=Educator/Teacher, 13=House-Maid, 14= House Wife, 15=Gone Abroad, 16=Gone out City within Pakistan

Diseases: 1=Diarrhea, 2=Measles, 3=Hepatitis, 4=Typhoid, 5=HIV/AIDS, 6=Polio, 7=Cholera, 8=Tuberculosis, 9=Heart Disease, 10=No Disease,

1.7 Are you member of any village Community organization ____ 1. Yes ☐ 2. No ☐

1.8 If yes, which of the following organizations?

i. Religious _____ ii. Political _____ iii. Law & Order _____

iv. Educational (formal/informal) _____

v. Community Organization _____ vi. Local Jirga _____

vii. Youth Organization _____ viii. Any other _____

2. Land Utilization

Land	Acre	Kanal	Marla
Total Area owned			
Total Cultivated Area			
Area Under Rabi(winter) Crops			
Area Under Kharif (summer) Crops			
Uncultivated Area			
Waste land			
Area Under Farm Houses			
Barren Land			

2.1 Cropping Pattern, Yield and Cost

Sr. No.	Major Crops	Area Sown		Av. Production (Kgs)	Price/40 kgs (Rs.)	Total Cost Incurred (Rs.)
		Acre	Kanal			
1	Wheat					
2	Maize					
3	Cotton					
4	Rice					
5	Sugarcane					
6	Orchards					
7	Other ()					
8	Grand Total:					

2.2 Land Tenure Status

Owner _____ Tenant _____ Share Cropper _____ Leaser _____

2.3 Land Rent (Rs. / acre) _____

3. Possession of Household Goods

Item	No.	Value (Rs.)	Item	No.	Value (Rs.)
Television			Car		
Washing machine			Van/Pickup		
Geyser			Gas Cylinder		
Electric fan			VCR/DVD Player		
Electric iron			Dish Antenna/Cable Connection		
Sewing machine			Telephone/Mobile		
Radio/tape recorder			Electric Water Pump		
Motor cycle/ scooter			Computer		
Other _____			Other _____		
Total:			Total:		

4. Average Monthly Expenditure on Food and Non-Food Items

4.1 Monthly Expenditure on Food & Non-Food Items (Rs.)

Expenditures on Food Items

Sr. No.	Item	Qty. / Month	Expenditure (Rs.)
---------	------	--------------	-------------------

1.	Wheat / Atta (Flour)		
2.	Maize Flour		
3.	Ghee		
4.	Sugar		
5.	Legumes		
6.	Vegetables		
7.	Tea Leaves		
8.	Milk		
9.	Other Specify		
10.	Total:		

b) Exp. On Non-Food Items:

1.	Fire wood		
2.	Gas Cylinder		
3.	Kerosene Oil		
4.	Washing Material		
5.	Other Specify		
6.	Total:		

4.2 Expenditure on clothes and shoes during last year: _____ Rs.

4.3 Occasional expenses during last year _____ Rs.
(such as meeting social obligation expenditure)

4.4 Av. Monthly utility bills for: Electricity (Rs.) _____
Communication (Rs.) _____ Water (Rs.) _____

4.5 Annual Expenditure on Health Care (Rs.): _____

5. Social Organizations

5.1 Specify the existing village/social organizations in your area and state their functional status?

Sr. No.	Name of Organization	Category	Registered/ Unregistered	Functions
1		Religious		
2		Educational		
3		Skill Development		
4		Social Welfare		
5		Women Organization		
6		Other		

6. Leadership Pattern

6.1 Which type of people is influential in village matters and how they decide these matters?

Sr. No.	Person / Status	Decision Pattern
1	MPA / MNAs	
2	Head of Tribe	
3	Spiritual / Religious Leader	
4	Land Lord / Lumber Dar	
5	School Teacher	
6	Community Leader	
7	Government Official	

8	Retd. Government Official	
9	Any other (specify)	

6.2 Were their decisions considered final and implemented successfully? 1. Yes ☐ 2. No ☐

i) Level of acceptability (%) _____ ii) Successful implementation (%) _____

6.3 Are the general relationship among people in the locality essentially based upon?

- | | |
|-----------------------|---------------------|
| 1. Competition _____ | 2. Conflict _____ |
| 3. Co-operation _____ | 4. Don't Know _____ |

6.4 Were you involved in any dispute in the past 5 years? 1. Yes ☐ 2. No ☐

6.5 If yes, what was the nature of dispute and how was it resolved

Nature of Dispute	Method of Resolution
1. _____	_____
2. _____	_____
3. _____	_____

7. Credit

7.1 Have you obtained credit during last year? Yes [], No. [], if yes, source of credit:
Formal [], Informal []

7.2 Please write the name of relevant source

Formal source (s) _____

Informal source (s) _____

Percentage of interest _____

7.3 Purpose of Loan (Tick)

Purchase House	<input type="checkbox"/>	Rs. _____
Business	<input type="checkbox"/>	Rs. _____
Repair of House	<input type="checkbox"/>	Rs. _____
Medicare of Family Member	<input type="checkbox"/>	Rs. _____
Family/ Social matters	<input type="checkbox"/>	Rs. _____
Farm inputs	<input type="checkbox"/>	Rs. _____
Livestock	<input type="checkbox"/>	Rs. _____
Other (specify)	<input type="checkbox"/>	Rs. _____

7.4 Mode of repayment (Tick the relevant)

1) One time [] 2) Through installments [],

i) Quarterly installments [] ii) Six monthly [],
iii) Annual [] iv) Other (specify) _____

7.5 How much repayment has been made so far? a) 100% [], b) 75% [], c) 50% [],
d) 25% [], Less than 25 % []

8. Housing Conditions

8.1 Do you have your own house?

1) Yes _____

2) No. _____

If yes then

8.2 Total Area of the house: square ft. Present Value (Rs)_____.

Type of Room	No. of Room	Katcha (tick)	Pacca (tick)	Semi Pacca (tick)
Living rooms				
Animal shed				
Other shed				
Bathroom				
Latrine				
- Open				
- Flush				
- Other				

8.3 Other Assets Area (Ft.)

Shop(Sq. ft): L _____ W _____

Khokha: _____

Electric Pump / Hand Pump (No.): _____

Hydropower Generator: _____

Other (_____) (No.): _____

8.4 Trees

- Mature Fruit Trees (No.): _____

- Mature Shade Trees (No.): _____

9. Access to Social Amenities (Tick)

Social Amenities	Available	Satisfactory	Non-Satisfactory	No Access
Electricity				
Sui Gas				
Water Supply				
Telephone				
Sewerage/Drainage				
BHU				
School				
Others				

10. Livestock Inventory

Livestock No. Present Value (Rs.)

Buffaloes

Cows

Horse

Donkey	<input type="text"/>	<input type="text"/>
Mule	<input type="text"/>	<input type="text"/>
Sheep	<input type="text"/>	<input type="text"/>
Goat	<input type="text"/>	<input type="text"/>
Poultry	<input type="text"/>	<input type="text"/>
Other	<input type="text"/>	<input type="text"/>

11. Women's Participation and Decision Making in Different Activities

11.1 Women participation in different household activities:

Activities	Participation (%)	Decision Making (%)
Household activities	<input type="text"/>	<input type="text"/>
Child caring	<input type="text"/>	<input type="text"/>
Farm/Crop activities	<input type="text"/>	<input type="text"/>
Livestock rearing	<input type="text"/>	<input type="text"/>
Sale & Purchase of properties	<input type="text"/>	<input type="text"/>
Social obligations (marriage, birthday & other functions)	<input type="text"/>	<input type="text"/>
Local representation (councilor/ political gathering)	<input type="text"/>	<input type="text"/>
Others	<input type="text"/>	<input type="text"/>

11.2 Women issues in the project area

11.3 Women views about the project

12. Perceptions of Respondents for Action Associated with the Project

	Increase	Decrease
Employment opportunities	<input type="text"/>	<input type="text"/>
Marketing facilities opportunities	<input type="text"/>	<input type="text"/>
Living standard	<input type="text"/>	<input type="text"/>
Unemployment	<input type="text"/>	<input type="text"/>
Income generating activities	<input type="text"/>	<input type="text"/>
Mobility (Access to Resources)	<input type="text"/>	<input type="text"/>

Quality of drinking water

Agriculture water

Trend of fish farm

Other specify _____

13. General Remarks of the Respondents

14. Resettlement Part

14.1 Do you feel any resettlement impact?

Yes _____ No _____

If yes then

Category	Area		Value of Land (Rs.)	Remarks
	Acre	Kanal		
Cultivated				
Uncultivated				
Grazing				
Barren Land				
Waste Land				
Other				
Total				

14.2 Affected Cropping Area

Yes _____ No _____

If yes then

Name of Crop	Acre	Kanal	Value (Rs.)
Rabi			
Kharif			
Total:			

14.3 Affected residential structures

Name of Structure	Types of Structures			Area		Value of Structure
	Kacha	Pacca	Semi Pacca	Sq. ft.	Rft.	
Houses						
Boundary Wall						
Other						

14.4 Impact on Farm House

Yes _____ No _____

If yes then

Name	Type of Farm House			Area		Value (Rs.)
	Kacha	Pacca	Semi Pacca	Sq.ft	Rft.	

Rooms						
Cattle Shed						
Boundary Wall						
Other						

14.5 Impact of Tube wells

Yes _____ No _____

If yes then

Types of Tubewells	No.	Value (Rs.)
Electric		
Diesel		
Turbine		
Other		
Total:		

14.6 Impact on Utility

Yes _____ No _____

If yes then

Types	Nos. / Area
Electric poles	
Transformer	
Transmission line	
Telephone	
Other	
Total:	

14.7 Impact on Community Structure

Name	Yes	No	Value (Rs.)
Schools			
Mosque			
Graveyard			
Health Centre			
Shrine			
Others			
Total:			

14.8 How to shift shrines / graveyards?

14.9 Miscellaneous Impacts of the Project

14.10 Do you have any alternate residence place?

Yes ☐ No ☐

If yes then (tick relevant)

Own Land / House	Yes/No	Location	Distance from current residence (km)
Tenancy			
Relative			
Other			

14.11 Mode of Payment

Land for land _____
Cash compensation _____
Kind _____
Other _____

15. People concern about PICIIP?

16. Views / Comments of Interviewers

Name & Signature of Interviewer: _____ Date: _____

Terms of Reference for External Monitor Agency/Consultant

Objective

An External Monitor Agency/consultant will be hired for the monitoring of implementation of the Land Acquisition and Resettlement Plan (LARP) Resettlement Action Plan for PICIIP.

Scope of the Work

- Review of the quarterly internal monitoring reports on LARP implementation including, other aspects of project implementation that has relevance for effective LARP implementation
- Review community complaints, grievance redressal methods and system of the project;
- Review of the consultations with the APs, community and other stakeholders;
- Review the implementation status of land acquisition and resettlement activities including payments of compensation, entitlements to different eligible groups, adequacy of budget, timeliness and institutional arrangements
- Conduct field surveys including interviews of APs, physical verifications/ spot checking, public consultations/ focus group discussion ; Review and propose recommendations on the efforts involved in training, capacity building of concerned officials/staff regarding the implementation of land acquisition and resettlement plan;

The following indicators will be monitored during LARP implementation:

- No. of acres of land acquired by land use category and the process adopted;
- Number of land owners (DPs), provided land, trees crop and non-land based compensation;
- Number of DPs resettled/ relocated and provided livelihood assistance;
- DPs shifted to the agreed location and vulnerable DPs compensated as per the Entitlement Matrix;
- Assess DPs progress in income restoration and re-establishment of livelihoods,
- Consultations with local communities and targeted stakeholders;
- Number of grievances/ community complaints recorded and redressed;
- Identification of key issues/ conflicts that arise during the implementation of the project;
- Identification of constraints faced during the implementation of LARP by the project management, contractor, land revenue officials and other concerned staff and accordingly suggests remedial measures for corrective action, if required, support the resettlement specialist in preparing a corrective action plan (CAP).

Due Diligence Review PICIIP

RESETTLEMENT DUE DILIGENCE REVIEW

**(46526-002 PAK) PUNJAB INTERMEDIATE CITIES
IMPROVEMENT INVESTMENT PROJECT (PICIIP)**

(DRAFT)

FEBRUARY 2017

BY

AYAZ ASIF

RESETTLEMENT CONSULTANT RETA 7433

1. Background:

1. Punjab has been the most rapidly urbanizing province of Pakistan accounting for over 53% of the country's urban population. The projections estimate that the urban population in Punjab will rise from 30 million to about 52 million by 2025 and 59 million by 2030. While population growth has stressed the urban environment, urban infrastructure and services have not kept pace with this growth and the overall public sector investment in urban infrastructure and service delivery has declined.

2. The proposed Punjab Intermediate Cities Improvement Investment Project (PICIIP) intends to improve the quality of life of the residents living in two cities of Punjab (Sahiwal and Sialkot) by addressing urban development challenges at city level, including integrated planning, improved institutional framework for urban services, strengthened business processes of utilities, and improved urban infrastructure and services. The project has four outputs out of which out 1,2 & 3 involve civil works and may have potential LAR impacts, whereas output 4 is the capacity building component aimed at strengthening government's capacity therefore not covered in this DDR. Scope of the proposed project is as follows. . A detailed list of the activities is in **Annex 1**.

(i) Output 1: Improved water supply systems. This will be achieved through installation/rehabilitation of 114 boreholes and tubewells, 22 water reservoirs, 20 water pumping stations, approximately 350 kilometers (kms) of water pipes, 1,400 water meters, and new supervisory control and data administration (SCADA) systems.

(ii) Output 2: Improved sanitation systems. This will be achieved through installation and rehabilitation of 18 disposal stations, replacement of approximately 42 kms of sewer pipes, provision of missing equipment for sewage water management, dredging of local drains, construction of a centralized sewerage treatment plant of 27 million gallons per day capacity. Equipment will be procured to improve collection and segregation of solid waste management.

(iii) Output 3: Improved urban public spaces. This will be achieved through rehabilitation of 11 parks and 7-km green belts improvement of major streets, footpaths, and 3 bus terminals, which serve as critical hubs for regional transport systems.

(iv) Output 4: Institutional support and capacity development. This will strengthen government's capacity to create an enabling environment for a sustainable urban service delivery, including the development of 23 training modules for technical, financial and customer management, assistance in establishment of customer care units, and implementation of computerized financial management system. This component will also include support for behavior change on hygiene practices and environment, through partnership with schools, youth groups, and civil society organizations. Targeted public awareness campaigns will be organized.

3. This due diligence review is conducted to determine the land acquisition and resettlement (LAR) related impacts of the proposed interventions under the project and recommend appropriate measures. A PPTA consultant was hired for carry out project preparatory work²⁰. This DDR was prepared based mostly on the information provided by the PPTA consultant, field visits and interviews.

²⁰ The design for the bus terminals is at the conceptual stage and needs to be finalized. Similarly the consultant has made a master plan for the entire cities and the sites and locations of different interventions will be finalized in consultation with the city governments.

1.1 Methodology

4. The methodology adopted was review of the secondary data, field visits to Sialkot (from 30/1/17 to 1/2/17) and Sahiwal (from 6/2/17 to 8/2/17) to visit the proposed project sites. During the site visits, meetings were also held with the city government representatives, mayors of both cities, technical staff of the city government and resettlement specialists of the PPTA consultants. Meeting was also held with the staff of the Punjab Urban Unit in Lahore (6/2/17). In addition, consultations were done with the potential DPs at the 2 bus stations in Sahiwal (15/2/17) and the bus station in Sialkot (22/2/17). List of persons met is in **Annex 2**. The findings of the due diligence are given below

2. Findings

2.1 Output 1: Improved water Supply Systems

Sahiwal:

5. In Sahiwal, activities under this output consist of provision of 12 new overhead reservoirs (OHRs) and 8 new pumping stations with disinfection units, rehabilitation of 19 existing tube wells and 12 existing OHRs, replacement of about 54 km water supply pipelines by PE Pipes, and 24 km of asbestos cement pipe, development of DNI zones and NRW program in selected zones, including installation of SCADA system, bulk meters, pressure gauges, and 600 prepaid meters.

6. All of these proposed interventions will be carried out in the existing facilities and therefore there is no land acquisition involved. The major impacts include the disruption and access issues during the replacement of old pipes as this will require digging up of streets in residential areas. The impacts shall be re-assessed once the design is finalized and LAR related impacts shall be addressed in accordance with the provision given in LARF. Other impacts shall be managed as part of the Environmental management plan and monitored during implementation.

Sialkot:

7. In Sialkot, activities include rehabilitation of 10 OHRs and 95 tube wells, rehabilitation of about 262 km pipes and Fateh Garh distribution system, replacement of 12 turbine pumps and motors, development of DNI zones and NRW program in selected zones, including installation of SCADA system, bulk meters, pressure gauges and 800 prepaid meters.

8. The interventions in Sialkot under this output do not involve any land acquisition and/or displacement. However during construction work especially for the replacement of pipes may cause disruption and hamper access of local citizens, these issues shall be re-assessed once the final design is available and LAR related impacts shall be addressed in accordance with the provision given in LARF. All other impacts shall be carefully managed through the construction management/EMP. Pictures of some of the locations where the proposed activities will be conducted under Output 1 is in **Annex 3**.

2.2 Output 2: Improved sanitation systems

Sahiwal:

9. Interventions include provision of centralized sewerage treatment plant (STP) with trunk mains and conveyance system, rehabilitation of 4 major disposal stations and 6 minor disposal stations, replacement of 12.5 km of sewer pipes, provision of missing equipment for sewage water management and procurement for solid waste management operations.

10. During the mission the Sr. Sub Engineer of the TMO informed that the proposed STP site will not be technically feasible as the existing sewerage water disposal sites are located on the Northern and North Western parts of the city, a special pumping arrangement will be required to put in place in order to convey the water to the STP site. The detailed design of this conveyance system has not been finalized.

11. The proposed STP site is located towards the West of Sahiwal city at Chak 95/6R over an area of 11.475 Acres of agricultural land. The land needs to be acquired for which section 4 of the land acquisition act has been notified on 4th February 2017. The land is currently owned by 8 families with a total population of 66 persons who are cultivating this land. The conveyance pipeline may also involve IR impacts as it will cross a considerable distance covered by agricultural fields, housing sub division and other city infrastructure. This shall be confirmed at the detailed design stage. A draft LARP is being prepared in order to compensate the affected persons whose land and livelihood will be affected.

12. The location of replacement of existing sewer pipes (Mostly in Sailkot) is not know at this moment and the LAR related impacts will need to be re-assessed once the desing and location is final and addressed as per the provision given in LARF. All other impactsduring construction work such as traffic disruptions and access related issues which shall be managed through Construction management plan or EMP.

Sialkot:

13. Interventions include rehabilitation of 8 disposal pumping stations, replacement of 15km of sewer pipes, unblocking of 15km of local drains, provision of missing equipment for sewage water management and procurement for solid waste management operations.

14. The replacement of existing sewerage pipes and the unblocking of local drains is not expected have any LAR related impacts. However LAR related impacts shall be re-assessed once the design in finalized and addressed as per the provisions given in LARF. Since the existing sewer pipes are under the main roads, digging up and construction works will cause disruption in traffic flows and access related issues which shall be managed through construction management plan or EMP.

15. The remaining activities are the provision of equipment for the overall improvement of the handling and disposal of sewerage water and will have no negative impacts. Pictures of

some of the locations where the proposed activities will be conducted under Output 2 is attached in **Annex 4**.

2.3 Output 3: Improved urban public spaces

Sahiwal:

16. Proposed interventions include rehabilitation of 6 parks and 2 green belts, improvement of city public transport routes and footpaths with traffic signals at road crossings, adaptive traffic control and improvement of 2 bus terminals.

17. The design for the improvement of road network, up gradation of foot paths and the location of the traffic signals is not yet finalized. The design consultant has developed a master plan for the entire city which is more than the scope of work and the city government will have to decide which routes most urgently need improvement and where the traffic signals will be installed. They may be some LAR related impacts as the road improvement work may impact encroachers, however this shall be confirmed once the locations are finalized and addressed as per the provisions given in LARF.

18. There are currently 2 bus terminals in Sahiwal city which cater to the need of intercity travelers. The Railway Road bus station is located on railway road and has a capacity of handling 15 wagons and 20 buses simultaneously. There are 109 shops in various clusters spread all over the bus station. Out of the total 22 shops have ownership dispute as these shops are claimed by 3 different cooperatives which had leased these shops in 1944. In 1968 the government cancelled the lease of these cooperatives without assigning any reason and since then the shops are under litigation and matter is in the court of law and no decision has been reached. The remaining shops are owned by the city government and the tenants pay rent to the city government on annual basis. In addition to the shops the bus terminal is contracted out to a contractor who manages all the operations and charges the bus operators fees for parking and using the bus station. The contractor pays an annual rent directly to the city government.

19. Based on the conceptual design for the Railway Bus Station, all the shops will be demolished. A new building is proposed as part of the new structure which will have shops and offices to cater for the needs of the operating companies and compensate the existing shopkeepers. The bus station does not have any vacant land where existing businesses can operate during the construction period. Pictures of the Railway Bus Station and the conceptual drawing of its upgrading is attached in **Annex 5**.

20. The Multan road bus station is located on Multan road and handles the operations of larger busses. There are currently 10 bus bays and an open compound for the parking of buses. The bus station has a total of 34 shops located all along the periphery of the compound. The shops are owned by the city government and the tenants pay rent on an annual basis. A contractor manages the operations and charges the bus operators for its services. The contractor pays an annual rent to the city government. The proposed design for the Multan Bus

Station mainly focuses on the overall improvement of the existing structures. Pictures of the Multan road Bus Station and the conceptual drawing of its upgrading is attached in **Annex 6**.

21. The upgrading of parks and green belts will not have any LAR related impacts as these places are currently operational and require only improvement work limited to new plantation, upgrading of pavements and mainly horticulture related activities. However, improvement of the road network, upgrading of foot paths and cycle tracks may have some LAR-related impacts especially in commercial and densely populated areas. Once the routes are finalized, further due diligence shall be conducted to confirm if there are IR impacts from the proposed interventions and addressed as per the provision given in LARF.

22. The upgrading of the Railway Bus Station will affect the livelihoods of the existing businesses during the construction period. Although no land will be acquired as the existing land belongs to the city government, a resettlement plan shall be prepared in order to compensate for the losses of the current businesses of the DPs and assist them in restoring their livelihood. Detailed consultations need to be carried out with all the stakeholders informing them about the design and the safeguard measures that will be adopted. In addition some arrangement has to be reached between the city government and the cooperatives in order to resolve the ownership dispute.

23. The upgrading of the Multan Bus Station includes the provision of a parking space for 14 buses which will require the demolition of approximately 15 shops. Shopkeepers may face a permanent loss of livelihood as there are no new shops proposed as part of the design. Detailed consultations shall be carried out to determine the exact number of people to be affected and to determine the terms and conditions that the DPs will be willing to accept. A resettlement plan shall be prepared to help restore the livelihoods of the DPs.

Sialkot

24. Activities proposed are rehabilitation of 5 parks and 1 green belt, improvement of city public transport routes, footpaths with traffic signals at road crossings with adaptive traffic control and improvement of 1 bus terminal.

25. The Sialkot bus terminal is located in the jurisdiction of Sialkot Cantonment Board (CB). It spans over an area of 27 Acres and caters to the intercity bus services. There are a total of 238 shops in the bus station compound. Out of the total 129 shops are in one building which has been leased out to an individual on a 99 year lease from the cantonment. In addition to the shops, this building also has a basement which serves as an underground parking and houses storage spaces for different vendors. The shopkeepers have various arrangements with the leaseholder, some are paying rent whereas some have purchased these shops.

26. The remaining 109 shops are scattered in clusters in different areas of the bus terminal. These shopkeepers are on term lease and their contracts are directly with the CB for a period of 3 years. Upon completion of the term lease the shopkeepers are given an option to renew their lease with an increase of 30% in their annual rent. The rent is directly collected by the CB.

27. In addition to the shops there is a contractor who manages the overall operations of the bus terminal and charges rent from the bus companies operating from the terminal. The contractor pays annual rent to the CB and the contract is renewed every year.

28. The design of the proposed Sialkot bus terminal has the provision of commercial area which will consist of shops, offices and storage areas. In addition parking bays, terminals and services areas are also proposed as part of the new design. Pictures of the Sialkot Bus Station and the conceptual drawing of its upgrading is in **Annex 7**.

29. The upgrading of parks, and green belts will not have any LAR related impacts as these places are currently operational and require only improvement work limited to new plantation, upgrading of pavements and mainly horticulture related activities, however once the design and exact nature of interventions is finalized the impacts shall be re-assessed and any LAR related impacts shall be addressed as per the provisions given in LARF .

30. The proposed Sialkot bus terminal will require relocation of the existing shopping plaza and the individual shopkeepers to the new building. Although the bus station has large vacant area available and the construction work can be completed without affecting the livelihoods of the businesses, a detailed analysis shall be carried out for the shop keepers of the bus terminal. The owner of the shopping plaza also shall be consulted to determine the terms and conditions of the tenants. Detailed consultations also shall be carried out with all the potential DPs by disclosing the detailed project design and the components of the project and the details. A resettlement plan shall be prepared to address the potential impacts on the livelihoods of the businesses.

31. In addition institutional arrangement between the city government and Cantonment Board shall be finalized so that a clear understanding is established on the future use and sharing of the bus terminal facility.

32. The design for the improvement of road network, up gradation of foot paths and the location of the traffic signals is not yet finalized, the design consultant has developed a master plan for the entire city which is more than the scope of work and the city government will have to decide which routes most urgently need improvement and where the traffic signals will be installed. There may be some LAR related impacts once the routes are finalized which may require detailed due diligence and preparation of LARP to compensate for any potential impacts.

3. CONCLUSIONS AND RECOMMENDATIONS

3.1 Conclusion

33. The activities under the output 1 mostly consist of rehabilitation of existing infrastructure and development of new schemes on government owned land therefore there will be no LAR related impacts, however during construction work issues of access and traffic disruption are imminent and need to be managed. Moreover the design and the exact location of these interventions is not finalized and once the information is available the LAR related impacts shall be re-assessed and addressed as per the provisions given in LARF.

34. Under output 2 the rehabilitation work for improved sanitation will not have any LAR related impacts as the improvement works will be carried out for the existing infrastructure, however the proposed STP site in Sahiwal needs 11.47 acres of land to be acquired affecting 8 families with a total population of 66 persons. Similarly the conveyance pipeline for the STP also involve IR impacts as it will cross a considerable distance covered by agricultural fields, housing sub division and other city infrastructure. The detailed design (including route) of the conveyance is not finalized. A draft LARF is being prepared to address the potential impacts from this output in Sahiwal as part of project processing by ADB. The draft LARF shall be updated based on detailed design when the route for the conveyance pipeline has been finalized. In addition once the detailed designs and locations of rehabilitation work are available the LAR related impacts shall be re-assessed and addressed as per the provisions given in LARF.

35. For output 3 the improvement of bus stations both in Sahiwal and Sialkot will cause displacement and disruption of livelihoods of the existing shopkeepers and businesses, which shall be addressed through the LARF.

36. Similarly the improvement of road infrastructure may also cause some IR related impacts especially in the densely populated areas which have been encroached by shops and vendors. However, since the actual sections to be improved have not been finalized, the IR impacts cannot be established as this time. LAR related Impacts from this activity shall be re-assessed once the specific streets have been selected and the detailed design has been finalized and addressed as per the provisions given in LARF.

37. The Punjab urban unit is considering changing the design of the bus station interventions in order to minimize LAR related impacts. Once the revised designs are available further investigations shall be conducted to determine the extent and nature of impacts.

38. Under the same output the rehabilitation of parks and green belts will not have any LAR related impacts as these activities will be carried out on existing lands.

39. Based on the current design and given the nature of impacts potentially on the livelihoods of the shop owners at the bus stations, land acquisition and displacement for the construction of the STP site and conveyance system and likelihood of impacts during the

improvements of roads and urban infrastructure the project may be categorized as “A” for IR impacts, however, as suggested by the Punjab Urban Unit if changes are made in the design the category of the project may be revisited.

3.2 Recommendations

40. A detailed LARP shall be prepared for the STP site and its associated conveyance system in order to address the land acquisition and IR related issues of the DPs.

41. Resettlement plan is also required for the bus stations in Sahiwal and Sialkot and consultations shall be carried out with all the stakeholders of the bus stations to determine the extent of impacts and the arrangements under which the DPs can be compensated and relocated. Agreement and institutional arrangements also shall be finalized between the city government and cantonment board Sialkot for the arrangements/JV on revenue sharing and control of operations of Sialkot bus station.

42. The improvement of roads, traffic management component, replacement of water supply pipes and laying/replacement of sewer lines will require further assessment once the design is finalized. A RP may be required since the roads have been encroached upon and there may be some IR impacts during construction work which shall be addressed as per the provision given in LARF.

43. EMP and/or a construction management plan shall be prepared to address issues of access and traffic disruption during construction work of replacement of water supply pipes and laying/replacement of existing and damaged sewer lines. `

ANNEXURES

Annex 1: List of Activities per Output

Output /Activities	Potential IR Impacts
Output 1: Improved water supply systems.	
This will be achieved through installation/rehabilitation of 114 boreholes and tubewells, 22 water reservoirs, 20 water pumping stations, approximately 350 kilometers (kms) of water pipes, 1,400 water meters, and new supervisory control and data administration (SCADA) systems.	The design and the exact locations of the interventions are not final, once the final design is available the LAR related impacts shall be re-assessed and addressed as per the provisions given in LARF.
Output 2: Improved sanitation Systems	
This will be achieved through installation and rehabilitation of 18 disposal stations, replacement of approximately 42 kms of sewer pipes, provision of missing equipment for sewage water management, dredging of local drains, construction of a centralized sewerage treatment plant of 27 million gallons per day capacity. Equipment will be procured to improve collection and segregation of solid waste management.	The design and the exact locations of the interventions are not final, once the final design is available the LAR related impacts shall be re-assessed and addressed as per the provisions given in LARF. LARP for the centralized treatment plant is under preparation.
Output 3: Improved urban public spaces	
This will be achieved through rehabilitation of 11 parks and 7-km green belts improvement of major streets, footpaths, and 3 bus terminals, which serve as critical hubs for regional transport systems.	The design and the exact locations of the interventions are not final, once the final design is available the LAR related impacts shall be re-assessed and addressed as per the provisions given in LARF. LARP for the 3 bus stations is under preparation.

Annex 2: List of Persons Met

1. Sialkot (30-1-2017)

Sr. #	Name of Participants	Designation & Office	Email	Phone No.
1	MianAshfaq Ahmed	Chairman		0300-8614035
2	Azheruddin Khan	DTL PICIIP	azheruddinkhan@yahoo.com	0300-8454061
3	SaifuRehmanSherani	DICIIP		03335251681
4	Khalid Majeed	SWM,ADB	Khmajeed64@gmail.com	
5	Martin Edge	SWM. ADB	Edge.martin@gmail.com	
6	Farkhandalshtiaq	Research Analyst (PICIIP)	Farkhanda432@yahoo.com	
8	Asad Ali	COMC		0302-4007720
9	ZahidIqbal	MO		0300-6172600

2. The Punjab Urban Unit, Lahore (6-2-2016)

SR. #	NAME	DESIGNATION	ORGANIZATION/ DEPARTMENT	EMAIL ADDRESS/NO
1	Nausheen Tahir	Communication Specialist	PICIIP	Producer.isd@gmail.com
2	Kashif Afzaal	Social Safeguards	U.U	kashifafz@hotmail.com
3	Shafqtullah	GM	NEC	Shafqat@cpi.org.pk
4	Azheruddin khan	MDNEC	PICIIP	Azheruddingkhan@yahoo.com
5	Abid Hussy	SRSP	UU	Abid.hussay@gmail.com
6	S.R Sherani	Socialist Consultant	DEV	SRsherani@yahoo.com
7	Rizwan-ur- rehman	Urban planning specialist	UU	
8	Muhammad Rafi	Infrastructure Engineer	PICIIP	Rafi173@yahoo.com
9	Ammara Shahid	R.A	UU	
10	Tehmina Kiran	R.A	UU	

3. List of People Met: Sahiwal (6/2/17)

S.No	Name	Designation
1	Sardar Asad Ali Khan	Mayor
2	Agha Humaiyon	Chief Officer
3	Mr. Nasir	Municipal Officer (Infrastructure
4	Khawaja Abdul Khaliq	Senior Sub Engineer
5	M. Shafique	Tube well Driver
6	Fazal Qadir	Naib Qasid
7	Faqir Muhammad	Bus Company Owner
8	Baba Saeed	Shop Owner
9	Muhammad Asghar	Shop Owner
10	Muhammad Adeel	Shop Owner
11	Haji Muhammad Basheer	Shop Owner

Annex 3: Pictures of interventions under output 1



Existing tube well (Sialkot)



Overhead Reservoir (Sialkot)



Streets for rehabilitation of pipelines (Sialkot)



Overhead Reservoir (Sahiwal)



Turbine Pump(Sialkot)



Pumping station (Sahiwal)

Annex 4: Pictures of interventions under output 2



Proposed STP site



Conveyance System route



Conveyance system route

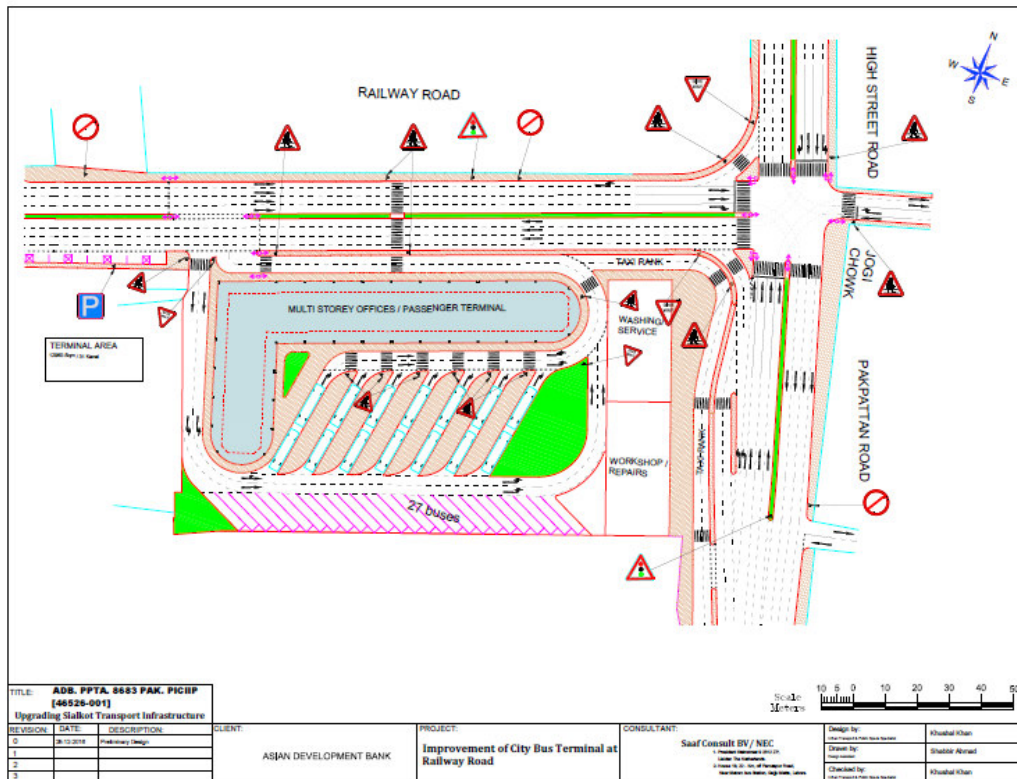


Waste water disposal station

Annex 5: Layout, Design and pictures of Railway Road Bus Stations Sahiwal



Google Image of the Railway Road Bus station



Proposed design of the new railway road bus station



Entrance to Railway Road bus station



Repair shops inside Bus station



Mosque inside the bus station

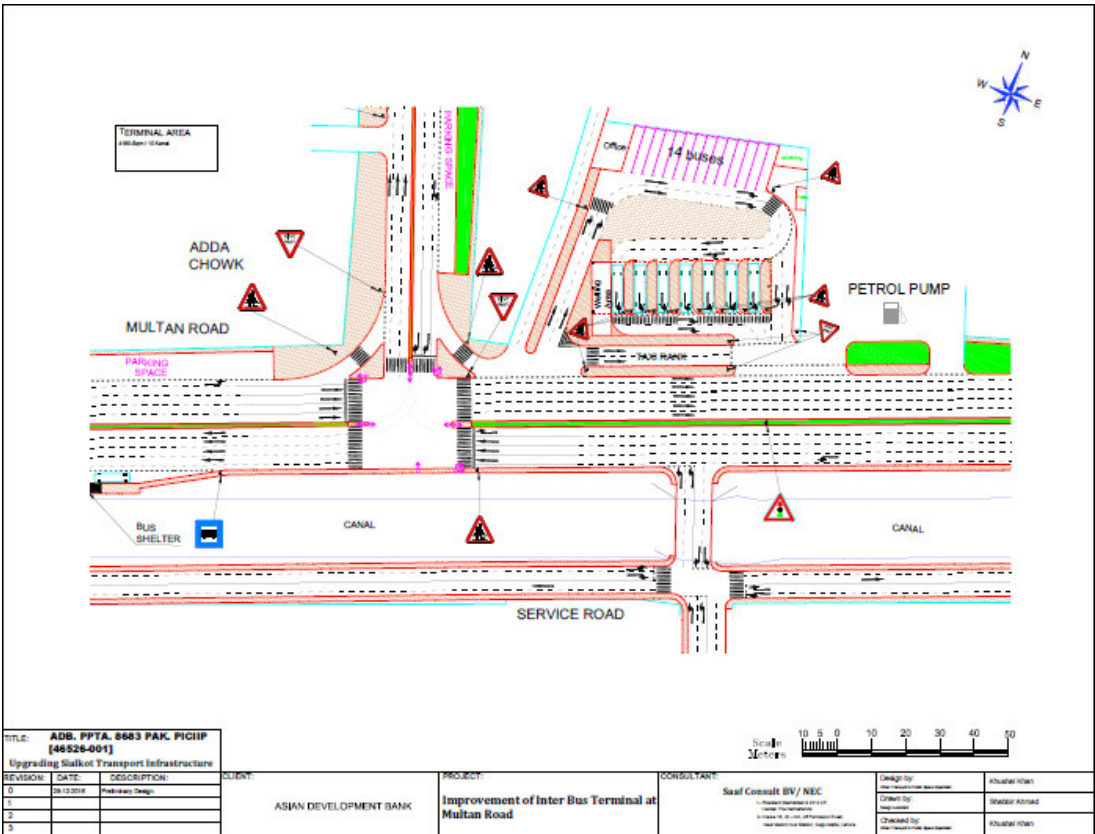


Shops on the periphery

Annex 6: Layout, design and pictures of the Multan Road Bus station Sahiwal



Google image of the Multan Road Bus station



Proposed design of the new Multan road bus station

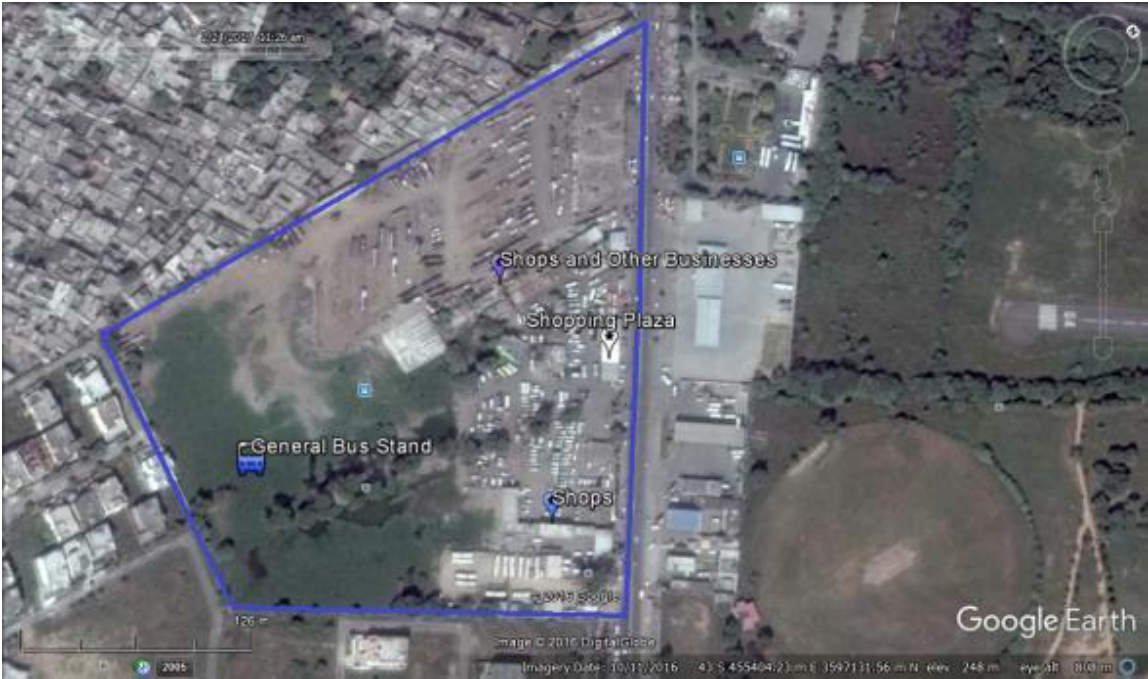


Bus bays inside Multan road bus station

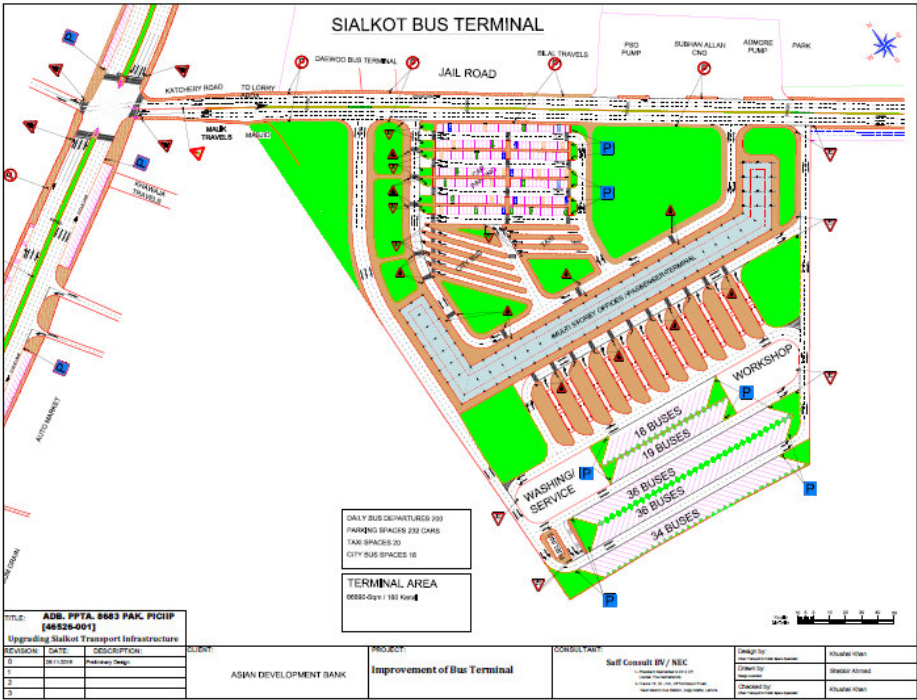


Shops on the periphery and entrance

Annex 7: Layout, design and pictures of Sialkot Bus station



Google image of the Sialkot bus station



Proposed design on the new bus station



Shopping Plaza on the boundary of Vendors and shops inside the bus station



Repair shops inside the Bus station