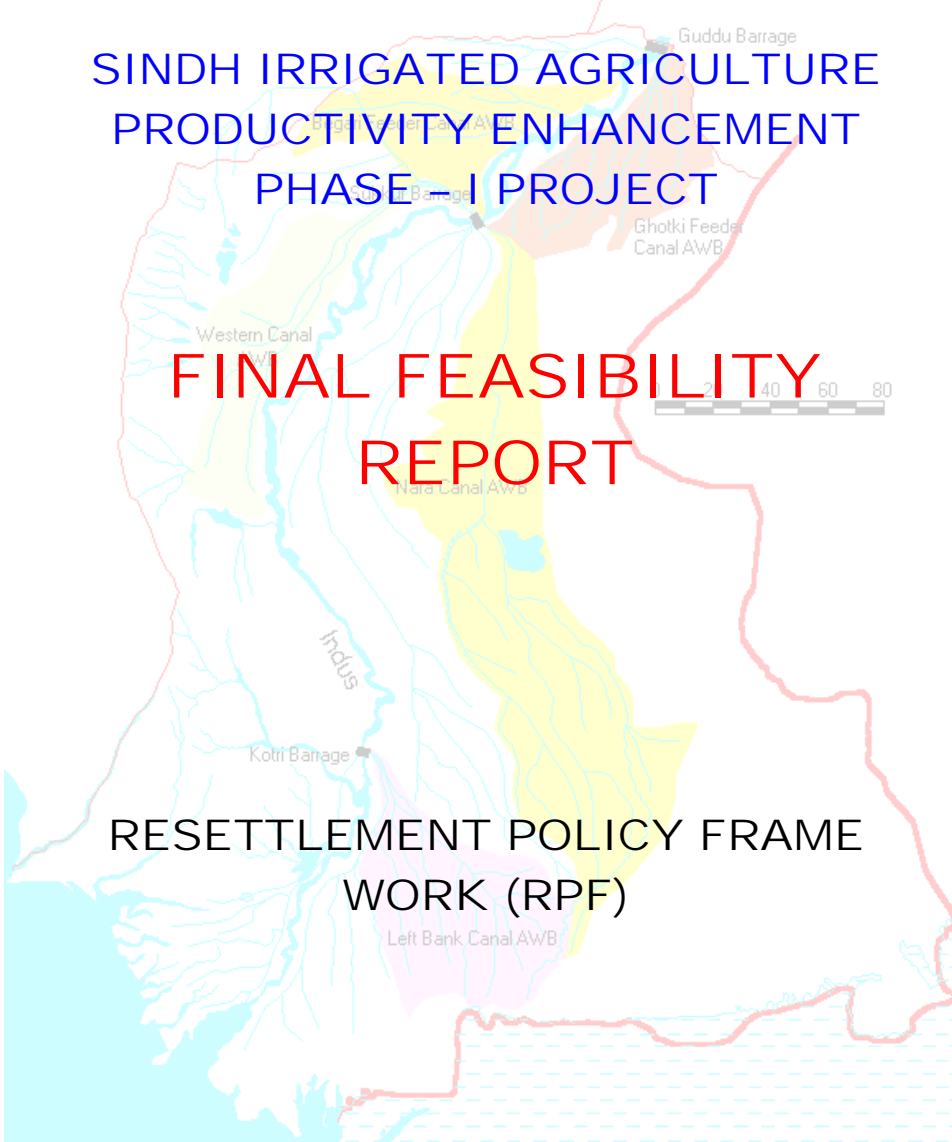




SINDH IRRIGATED AGRICULTURE
PRODUCTIVITY ENHANCEMENT
PHASE – I PROJECT

**FINAL FEASIBILITY
REPORT**

RESETTLEMENT POLICY FRAME
WORK (RPF)



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**RESETTLEMENT POLICY FRAME WORK (RPF) FOR
SINDH IRRIGATED AGRICULTURE AND PRODUCTIVITY
ENHANCEMENT PROJECT**

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ABBREVIATIONS

Word	ABBREVIATION
LARF	LAND ACQUISITION AND RESETTLEMENT PLANING FRAMEWORK
SIAPEP	SINDH IRRIGATED AGRICULTURE AND PRODUCTIVITY ENHANCEMENT PROJECT
IR	INVOLUNTARY RESETTLEMENT
LA	LAND ACQUISITION
APs	AFFECTED PERSONS
GOP	GOVERNMENT OF PAKISTAN
GOs	GOVERNMENT OF SINDH
PSIAC	PROJECT SUPERVISION AND IMPLEMENTATION ASSISTANCE CONSULTANTS
DAE&OFWM	DEPARTMENT OF AGRICULTURE ENGINEERING AND ON-FARM WATER MANAGEMENT
DAE&WM	DEPARTMENT OF AGRICULTURE ENGINEERING & WATER MANAGEMENT
HEIS	HIGH EFFICIENCY OF IRRIGATION SYSTEM
WB	WORLD BANK
IA	IMPLEMENTING AGENCY
LARDDR	LAND ACQUISITION AND RESETTLEMENT DUE DILIGENCE REPORT
LAA	LAND ACQUISITION ACT OF PAKISTAN1894
LAC	LAND ACQUISITION COLLECTOR
LARP	LAND ACQUISITION AND RESETTLEMENT PLAN
M&E	MONITORING & EVALUATION
NGOs	NON-GOVERNMENTAL ORGANIZATIONS
IA	INSTITUTIONAL ARRANGEMENTS
LRA	LAND REVENUE ACT (1967)
KAA	KATCHI ABADIS ACT, 1987
OP	(OPERATIONAL PROCEDURE) WORLD BANK INVOLUNTARY RESETTLEMENT POLICY (OP 4.12)
DPs	DISPLACED PERSONS
SIA	SOCIAL IMPACT ASSESSMENT
CAS	COMPULSORY ACQUISITION SURCHARGE
DPAC	DISTRICT PRICE ASSESSMENT COMMITTEE
PRs	PAKISTANI RUPEES
AH	AFFECTED HOUSEHOLD
SMS	DETAILED MEASUREMENT SURVEY
PIU	PROJECT MANAGEMENT UNIT
PFIU	PROJECT FIELD IMPLEMENTATION UNITS
EMA	EXTERNAL MONITORING AGENCY
DCO	DISTRICT COORDINATION OFFICER
Loc.Gov	LOCAL GOVERNMENT
GRM	GRIEVANCE REDRESS MECHANISM
GRC	GRIEVANCE REDRESSAL COMMITTEES

TORs	TERMS OF REFERENCES
RP	RESETTLEMENT PLAN

DEFINITION OF TERMS

Involuntary Resettlement: Economic or physical dislocation resulting from a development project

Compensation: Payment in cash or in kind of the replacement cost of the acquired assets.

Land Acquisition: The process whereby a person is compelled by a government agency to alienate all or part of the land a person owns or possesses to the ownership and possession of the government agency for public purpose in return for a consideration.

Improvements: Structures constructed (dwelling unit, fence, waiting sheds, animal pens, utilities, community facilities, stores, warehouses, etc.) and crops/plants planted by the person, household, institution, or organization.

Entitlement: Range of measures comprising compensation, income restoration, transfer assistance, income substitution, and relocation which are due to affected people, depending on the nature of their losses, to restore their economic and social base.

Host population: Community residing near the area where the Project beneficiaries are resettled as part of the Project.

Affected Person/People: Any person affected by Project-related changes in use of land, water, natural resources, or income losses.

Affected Family: All members of a household residing under one roof and operating as a single economic unit, who are adversely affected by the Project, or any of its components. It may consist of a single nuclear family or an extended family group.

Detailed Measurement Survey: means the detailed inventory of losses that is completed after detailed design and marking of project boundaries on the ground.

Encroachers: mean those who own property and extend it into adjacent areas that are not owned by them.

Squatter: means those occupying public lands without legal arrangements with the Government or any of its concerned agencies.

Vulnerable Affected Persons: Distinct persons who might suffer disproportionately from resettlement effects, such as the very old, the physically or mentally handicapped, the poor below the poverty line, widows, women headed house hold and socially isolated.

Cut-off-date: means the date after which people will not be considered eligible for compensation. In case of land acquisition, the cut-off date for the titleholders is the Section 4 of Land Acquisition Act 1984. But in case of where people lack title, it is the beginning date of the census survey to be under taken by the Implementing Agency for the impact assessment, in order to avoid an influx of outsiders.

Rehabilitation: Re- establishing incomes, livelihoods, living, and social systems.

Relocation- Rebuilding: Housing, assets, including productive land, and public infrastructure in another location.

Non-titled: means those who have no recognizable rights or claims to the land that they are occupying and includes people using private or state land without permission, permit or grant.

Rural area: As per the definition in the People's Local Government Ordinance, any area other than an urban area.

Urban area: As per the definition in the People's Local Government Ordinance, an area defined as such under the Ordinance.

EXECUTIVE SUMMARY

1. The World Bank agreed to finance the International Development Association (IDA) Credit to Government of Sindh to meet part of the cost, of the proposed 6 years Sindh Irrigated Agriculture Productivity Enhancement Phase-I project (SIAPEP-I). The project may require acquisition of private land for the construction of 432 flood shelters under Component A. The SIAPEP Project would be implemented by the Government of Sindh through the Directorate General of Agriculture Engineering and On-farm Water Management (DAE&WM) of the Provincial Department of Agriculture, with support from Project Supervision and Implementation Assistance Consultants (PSIAC) in the entire 24 districts of Sindh. The DAE&WM will make all possible efforts to use the free of cost lands through voluntary donations of communities' common lands, lands donations by local/district governments or other government line agencies. But in case of non-availability, there is a remote possibility of acquiring private lands through Land Acquisition Act of Pakistan for the construction of 432 new flood shelters. The DAE&WM has developed a Resettlement Policy Framework to fully and sufficiently mitigate any possible adverse impacts associated with lands need.

2. **Introduction of Resettlement Policy Framework (RPF):** This Resettlement Policy Framework (RPF) has been prepared by the DAE&WM of Sindh Agriculture Department for the Sindh Irrigated Agriculture and Productivity Enhancement Project (SIAPEP-I) as required under the World Bank policy for Involuntary Resettlement 4.12. The purpose of RPF is to provide policy and legal framework and procedures to manage Land Acquisition and Resettlement (LAR). These procedures are to be in conformity to the World Bank Operational Policy 4.12 on Involuntary Resettlement, as well as the applicable laws and regulations of Government of Sindh. Consultations with potential beneficiaries were carried out including potential affected persons, needy communities, district governments and provincial line departments; further consultations will be carried out with project affected persons, potential beneficiary communities and other stakeholders during preparation and implementation of Resettlement Action Plans, their implementation and throughout the project implementation to enhance effectiveness of the project. This RPF has been fully endorsed by DAE&WM. After the clearance of RPF by the World Bank, it will be disclosed on the DAE&WM websites in English and Urdu to enable larger public to read it. It will also be disclosed on the World Bank website.

3. **The Scope of Land Acquisition and Resettlement:** The scope of land acquisition and resettlement under **sub-component A2 Flood Risk Reduction for the Poor** will be limited as DAE&WM will make all efforts to arrange provision of lands through local/district government or other provincial line departments. DAE&WM will ensure to select unencumbered government lands. The community flood shelters/centers to be built on-demand basis with communities/public sector providing the land to facilitate construction. The construction activities may also involve use of some lands for temporary purposes, such as storage of construction material. In case of temporary or permanent land acquisition, the IA will be responsible for undertaking social impact assessment and preparing Resettlement Action Plan (RAP) for each sub-project in line with this RPF and submit to the World Bank for review and approval, prior to award of the civil works contract for the respective subprojects. IA will also engage a third-party for validation of RAPs implementation.

4. **Land Acquisition and Resettlement Processing Requirements:** Resettlement Due Diligence Reports (RDDR) will be prepared in case of taking community or government/state donated land where the World Bank Resettlement Policy is not triggered and where government owned or community common lands are acquired without any safeguard impacts covered under the RPF. Detailed information will be provided in the RDDR on how land will be procured. In case of land acquisition, land will be acquired by following the Land Acquisition Act of Pakistan 1894 (LAA) with provincial amendments in the rules and World Bank Policy 4.12 on Involuntary Resettlement. In some cases the preparation of a RDDR or RAP may have to wait until the exact locations requiring land acquisition and detailed design are known. Early screening will be undertaken to select sites where land acquisition and consequent involuntary resettlement are to be avoided or, where this is not possible, then minimized. Options assessment with relevant data will be presented in each RAP. If resettlement impacts are likely to occur, a social impact assessment survey will be conducted to assess the type and likely magnitude of resettlement impacts. And as a result, a RAP will be prepared by following principles and mechanism laid down in this RPF based on the detailed design of each of the proposed flood shelter. The RAP with a detailed compensation and/or rehabilitation plan to be implemented before access to the land for civil works is allowed.

5. **Legal and Policy Framework: The Land Acquisition Act (LAA) 1894 of Pakistan** governs land acquisition in Pakistan is the Land Acquisition Act of 1894 (LAA) and successive provincial amendments. The LAA regulates the land acquisition process and enables the federal and provincial governments to acquire private land for public purposes through the exercise of the right of eminent domain. The LAA specifies a systematic approach for acquisition and compensation of land and other properties for development projects. It stipulates various sections pertaining to notifications, surveys, acquisition, compensation and apportionment awards, along with disputes resolution, penalties and exemptions. Surveys for land acquisition are to be disclosed to the displaced persons. A listing of the Sections of the Act and their salient features is given in Table 1 of the main text. The LAA and its Implementation Rules require that, following an impact identification and valuation exercise, land and crops are compensated in cash at the current market rate to titled landowners. The LAA mandates that land valuation is to be based on the last 3 to 5 years average registered land sale rates. However, in several recent cases the median rate over the past 1 year, or even the current rates, have been applied with an added 15% Compulsory Acquisition Surcharge according to the provision of the law. In the LAA, the rights of people whose land is to be acquired are fully safeguarded. For entering private land or carrying out surveys and investigations, specified formalities have to be observed and notifications to be issued. Damage to any crops during survey and investigations has to be compensated. The displaced persons, if not satisfied, can go to the Court of Law to contest the compensation award of the Land Acquisition Collector (LAC).

6. **Legislation Relevant to Land Classification:** In terms of application of this RPF, identifying the type of land affected will be an important step in determining eligibility for compensation for land. Rural land includes irrigated land and un-irrigated land and is governed by the Land Revenue Act (1967) which must be read in conjunction with the LAA and other legislation that may also apply, including for example the Colonization of Government Lands Act (1912) and the various Land Reform Regulations. Rural land falls under the jurisdiction of revenue districts. Land, other than rural land, is urban and including all permutations there-under such as residential, commercial, built upon and build-able, and is governed by various regulations and ordinances including the People's Local Government Ordinance (1972) for each province, Cantonments Act (1924), and Land Control Act (1952). Urban land falls under the jurisdiction of

municipal and local/city government authorities. While there are broad definitions of rural and urban land in the People's Local Government Ordinances, such classifications are not immutable and have been, and are, changed by the Collector of Revenues and provincial governments over time. In general it is either the People's Local Government Ordinances or the Land Revenue Act that determines the classification of land, however there are some cases where both applies and other cases where different legislation altogether can dictate jurisdiction and classification over land. Hence there is neither a universal classification nor legislation pertaining to the land that will be potentially affected under the project. Therefore an initial step in RAP preparation will require that DAE&WM work with the Patwari (registrar or keeper of land records) to identify the regulations that govern the land within a subproject area and provide the classification of that land according to the applicable acts and regulations in that area.

7. **The Katchi Abadis Act, 1987 (KAA)** covers the urban squatter's rehabilitation rights by providing plots in public resettlement areas or cash assistance. Based on the KAA, the DAE&WM will provide rehabilitation compensation to eventual squatters/encroachers affected by the project. **Sindh Local Government Act 2013** defines the role of "Council" for granting, selling or leasing land for public purpose. A Council has been defined as a Corporation, Municipal Committee, Town Committee, District Council or Union Council. Sub-section (4) of the Act states that a Council may grant, sell or lease out land at rates to be fixed in consultation with the Government, to- (i) associations, organizations, individuals or any department or institution of the Federal or a Provincial Government for establishing, maintaining or extending educational, religious and charitable institutions or for such other purposes for the benefit of the public, subject to the condition that if the land is not used for the purpose it was granted, the Council may after affording such association organization, individual or department or institution, as the case may be, an opportunity to show-cause against the proposed action, resume such land along with structures, if any, without any compensation. Provided that the land allotted under clause-5 to any association, organization and individual may only be allotted if the organization or the institution is able to establish to the satisfaction of the Government that it has already established such institutions and presently managing the same.

8. **World Bank Involuntary Resettlement Policy (Op 4.12);** The WB's experience indicates that involuntary resettlement under development projects, if unmitigated, often gives rise to severe economic, social, and environmental risks: production systems are dismantled; people face impoverishment when their productive assets or income sources are lost; people are relocated to environments where their productive skills may be less applicable and the competition for resources greater; community institutions and social networks are weakened; kin groups are dispersed; and cultural identity, traditional authority, and the potential for mutual help are diminished or lost. This policy includes safeguards to address and mitigate these impoverishments risks.

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

10. The overall objectives of the Policy are (i) Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs; (ii) Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the

persons displaced by the project to share in project benefits. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs; (iii) Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

11. The Policy defines the requirement of preparing a Resettlement Policy Framework or Resettlement Action Plan or, in order to address the involuntary resettlement. For the proposed project, land will need to be acquired for the establishment of new flood shelter. During the site selection, settlements will be avoided, however at some places acquisition of cultivable land – though temporary - cannot be ruled out. Similarly, crops and trees may be damaged during the construction and operation phases of the proposed flood shelters. If unmitigated, often gives rise to severe economic, social, and environmental risks: production systems are dismantled; people face impoverishment when their productive assets or income sources are lost; people are relocated to environments where their productive skills may be less applicable and the competition for resources greater; community institutions and social networks are weakened; kin groups are dispersed; and cultural identity, traditional authority, and the potential for mutual help are diminished or lost. This policy includes safeguards to address and mitigate these impoverishment risks.

12. The key Principles of World Bank Involuntary Resettlement Policy are (i) The need to screen the project early on in the planning stage; (ii) Carry out meaningful consultation; (iii) At the minimum restore livelihood levels to what they were before the project, improve the livelihoods of 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.

13. **A comparison between LAA (1894) and the World Bank Involuntary Resettlement policy principles and Practices** given in Table 2 of the main text specifically related to land acquisition and resettlement aspects. The object of this exercise is to identify if and where the two sets of procedures are in conformity with each other and more importantly where there are differences and gaps.

14. **Remedial Measures to Reconcile Gaps between the LAA and WB Policy:** Project specific resettlement issues have been addressed to assist non-titled persons and bridge the gap between existing practice and the guidelines of the World Bank Involuntary Resettlement Policy. To reconcile the inconsistencies between the LAA (1894) and WB OP 4.12, the DAE&WM has drafted this RPF for the **sub-component A2 Flood Risk Reduction for the Poor** of the SIAPEP-I, ensuring that compensations are provided at replacement costs for all direct and indirect losses so that no one is worse off as a result of the sub-projects. Provision of subsidies or allowances will need to be given for affected households that may be relocated, suffer business losses, or may be vulnerable.

15. **Compensation eligibility will be limited by a cut-off date for each subproject** on the day of the beginning of the census survey for the impact assessment in order to avoid an influx of outsiders. Each displaced person will be identified and issued with a household identification which confirms their presence on the site prior to the cut-off date. The cut-off date will be announced through the mass media and local means of communication including face-to-face

communication. Displaced persons who settled in the affected areas after the cut-off date will not be eligible for compensation.

16. **Compensation Eligibility and Entitlements for Affected Persons:** The project-affected persons, including displaced persons, eligible for compensation or rehabilitation provisions under the SIAPEP are: (i) All land owning displaced persons losing land or non-land assets, i.e., crops and trees whether covered by legal title or traditional land rights, whether for temporary or permanent acquisition; (ii) Tenants and share-croppers, whether registered or not; for all non-land assets, based on prevailing tenancy arrangements; (iii) Displaced persons losing the use of structures and utilities, including titled and non-titled owners, registered, unregistered, tenants and lease holders plus encroachers and squatters; (v) Displaced persons losing business, income and salaries of workers, or a person or business suffering temporary effects, such as disturbance to land, crops, and business operations both permanently and also temporarily during construction; (vi) Loss of communal property, lands and public infrastructure; (vii) Vulnerable displaced persons identified through the social impact assessment (SIA; (viii) In the event of relocation, all displaced persons will receive transitional and other support to reestablish livelihoods. The displaced/affected persons are eligible for rehabilitation subsidies and for the compensation of lost land, structures and utilities along with loss of livelihood. There will also be special provisions for vulnerable displaced persons i.e. very old, physically or mentally handicapped, poor below the poverty line, widows, women headed household and socially isolated. The compensation and rehabilitation entitlements are summarized in the Entitlement Matrix in Table 1 below:

TABLE 1: Entitlement Matrix

Asset to be Impacts	Specificati on	Eligibility	Compensation Entitlements
Temporary Loss to Arable Land	Access is not restricted and existing or current land use will remain unchanged	Farmer/Titleholder	No compensation for land provided that the land is rehabilitated/restored to its former quality following completion of works; Compensation, in cash, for all damaged crops and trees as per item below plus 15% compulsory acquisition surcharge
		Leaseholder (registered or not)	No compensation for land provided that the land is rehabilitated/restored to its former quality following completion of works; Compensation, in cash, for all damaged crops and trees as per item below
		Sharecroppers (registered or not)	Compensation, in cash or kind, for all damaged crops and trees as per item below
		Agricultural workers	Compensation, in cash or kind, for all damaged crops and trees as per item below
		Squatters	Compensation, in cash, for all damaged crops and trees as per item below
Loss of Arable Land where access is restricted and/or land use will be affected permanently	All adverse effects on land use independent of severity of impact	Farmer / Titleholder	Land for land compensation with plots of equal value and productivity to the plots lost; or; Cash compensation for affected land at replacement cost based on market value ^a free of taxes, registration, and transfer costs
		Leaseholder (registered or not)	Renewal of lease in other plots of equal value/productivity of plots lost, or cash equivalent to market value of gross yield of affected land for the remaining lease years (up to a maximum of 3 years).
		Sharecroppers (registered or not)	Cash compensation equal to the market value of the lost harvest share once (temporary impact) or twice (permanent impact)
		Agricultural workers losing their contract	Cash indemnity corresponding to their salary (including portions in kind) for the remaining part of the agricultural year.
		Squatters	1 rehabilitation allowance equal to market value of 1 gross harvest (in addition to crop compensation) for land use loss.
	Additional provisions for severe impacts	Farmer/Titleholder Leaseholder	1 severe impact allowance equal to market value of gross harvest of the affected land for 1 year (inclusive of winter and summer crop and additional to standard crop compensation)

Asset to be Impacts	Specificati on	Eligibility	Compensation Entitlements
	(more than 10% of land loss)	Sharecroppers (<i>registered or not</i>)	1 severe impact allowance equal to market value of share of harvest lost (additional to standard crop compensation)
		Squatters	1 severe impact allowance equal to market value of gross harvest of the affected land for 1 year (inclusive of winter and summer crop and additional to standard crop compensation)
Loss of Houses / Structures		All relevant APs (including squatters)	Cash compensation at replacement rates for affected structure and other fixed assets free of salvageable materials, depreciation and transaction costs. In case of partial impacts full cash assistance to restore remaining structure.
Loss of Crops	Crops affected	All APs (including squatters)	Crop compensation in cash at full market rate for one harvest (either winter or summer) by default for impacts caused by construction work. All other crop losses will be compensated at market rates based on actual losses.
Loss of Trees	Trees affected	All APs (including squatters)	Cash compensation shall reflect income replacement
Loss of Community assets			Rehabilitation/substitution of the affected structures/utilities (i.e. mosques, footbridges, roads, schools, health centers, etc.)
Vulnerable AP livelihood		AP below poverty line	Employment priority in project-related jobs.
Unanticipated adverse impacts			Pk HA will deal with any unanticipated adverse impacts of the project during project implementation in the letter and spirit of the principles laid down in ESSAF and OP 4.12 of the World Bank

17. **Valuation and Replacement of Assets:** Land will be valued at replacement cost based on current market values by carrying out a survey of transactions in the year previous to the date of invoking Section 5 and subsequent sections. Houses, buildings and other structures will be valued at replacement cost plus labor cost based on the area, type and material of the affected item. No deductions will be made for depreciation, salvageable materials or transaction costs and taxes. Rates for building structures will be evaluated by the Works and Services Department using the latest/current Composite Schedule Rates that are regularly published by the Works and Services Department, Government of Sindh. Crops will be valued at current market rates of gross value of harvest as valued by the Agricultural Department. The loss of fruit bearing trees will be compensated for based on their type, productive age and the market value of the produce for the remaining period of its average life. The value of younger fruit trees will be based on the expenditure made to bring the tree to its current state. This will be assessed by the Horticultural Wing of the Agriculture Department. The value of wood trees that would have been used for timber will be calculated based on the average volume and quality of wood produced and taking

into consideration the size classes as determined by girth, diameter at breast, height and volume as assessed by the Forest Department.

18. **Land for Land Compensation:** 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. The difficulty is that in the location of the proposed sub-projects there are not that many areas of suitable productive land that are not already owned. In cases where displaced persons desire land for land compensation, then the process by which replacement land is identified needs to be recorded. When land for land compensation is used, along with provision of replacement housing, then the replacement plots are to include facilities and services such as water supply, sanitation, roads, drainage and electricity. The RAP will detail the costs for site preparation and for the provision of these basic facilities. The RAP will clearly detail site preparation and resettlement schedules and tenure arrangements. In managing the land for land relocation, the socio-cultural and religious characteristics of the displaced persons and host communities will be taken into consideration and the distance between the old and new locations should be minimized as far as is possible. If land for land cannot be found, the RAP will clearly demonstrate the lack of land.

19. **Impact Assessment and RAP Preparation:** RAPs preparation activities will be initiated as part of the preparation of each new subproject involving land acquisition and resettlement. The requirement will be to take the completed detailed design of the flood shelters and carry out a measurement survey and enumeration. The relevant Board of Revenue approved rates will be included in the RAP. An outline for preparing a resettlement plan based on the Bank's standards of Resettlement Policy is attached as annex with the RPF, the appraisal will entail the studies and investigations: **1.Socioeconomic Survey:** A socio-economic survey will be carried out to provide a detailed socio-economic profile of the population in the project areas. The survey will be used to investigate the displaced persons socio-economic condition, identify the project impacts on displaced persons and to establish a benchmark for monitoring and evaluating the implementation of a subproject's compensation and rehabilitation program.**2.Census Survey:** A census of all AHs and displaced persons will be undertaken based on the categorizations in the entitlement matrix. The Census will determine the exact number of AH/displaced persons and how they are affected by the specific land acquisition requirements of a subproject. The Census will also identify all severely displaced and vulnerable AHs. **3. Impacts Assessment and Inventory:** This task will be based on a Detailed Measurement Survey (DMS) which identifies the nature and magnitude of loss. The survey will include all losses including land (residential and agricultural), immovable structures, communal, public and cultural/religious facilities, crops, trees and business incomes and wages. The impact assessment will also include a survey of compensation rates as detailed above and also the incomes of the AHs. **4. Updating of land records with the support of the collector:** Land records will be updated with the help of collector of that subproject district. **5. Gender Impacts and Mitigation Measures:** RAP will include measures ensuring that the socio-economic needs and priorities of women are identified, addressed and mitigated. The following gender provisions will be incorporated to safeguard the specific needs and problems of women displaced persons during subproject implementation. The socio-economic data gathered will be gender-disaggregated. Gender roles analyzed and if women and the needs, aspirations and priorities of women will be taken into consideration during consultation and preparing mitigation measures and reported in the RAP. Female staff will be hired to collect data and assist women in resettlement activities. Female household heads will be registered as the recipients of compensation and rehabilitation measures due to their households. Land titles and use rights to replacement land will be registered in the name of women if the land lost to a subproject was legally owned by women.

Women will be included in the consultation process through meetings held with women and will be encouraged to participate in the RAPs planning and implementation process. Due consideration will be given to complaints and grievances lodged by women displaced persons following the procedures outlined in the RPF.

20. **RAPs Preparation:** All RAPs will be based on the provision outlined in this RPF. RAPs may need to be updated to take into account changes in the final designs. If needed, the RAPs should be updated (i) on the completion of detailed engineering design but prior to the award of civil works contracts and (ii) during the subproject civil works where design changes during construction result in changes to the resettlement impacts. Land will not be possessed until all amended RAPs are approved by the World Bank, payments made, replacement land found, replacement structures provided and displaced persons relocated. The RAPs will include a time bound program which is related to the date that the land is required for construction purposes.

21. **Institutional Arrangements:** The roles and responsibilities for the design, implementation and supervision of land acquisition and resettlement functions involve a number of different institutional actors as outlined below and shown in Figures 1 and 2 of the RPF. The Director General (DG) of DAE&WM as the IA will be overall responsible for the land acquisition and resettlement as per the principles and legal framework, laid down in RPF. The Project Director will be responsible for timely preparation, disclosure and implementation of RAPs. The Executive District Officer of Revenue Department, along with his staff, will be responsible for the acquisition of private land under Land Acquisition Act of Pakistan. The Social Specialist of PIU will be responsible for coordination with the Revenue Department and internal monitoring and reporting of RAPs implementation. The Social Specialist under PSIC will assist PIU in the preparation of RAPs and their implementation in a timely, transparent and efficient manner including reporting on progress. The Social Specialist of M&E consultants will be responsible for third party/external monitoring of the RAPs implementation and fair reporting. The World Bank will supervise implementation of RAPs implementation and also provide support to the PIU, if needed, to ensure effective implementation of RAPs.

22. **Complaints and Grievances Redress:** A grievance redressal mechanism is built in the Land Acquisition Act of Pakistan. The District Executive Officer (DEO), Revenue will be responsible to redress grievances related to land acquisition directly or through LAC. The grievances related to land acquisition, will be reported to LAC or the DEO, of the Revenue Department. But to redress complaints that could not be resolved at the district level of the Revenue Department, a Grievance Redress Mechanism (GRM) will exist at the project level with Grievance Redressal Committees (GRCs) set up at the field level and project level for expeditious. The aim of the GRM and GRCs is to provide the mechanism whereby any displaced/affected persons who are dissatisfied with their entitlements can seek redress. However, with careful observance of the provisions of the RPF and RAPs by all stakeholders involved, grievances should be avoided. If necessary, the aggrieved displaced/affected persons will approach the subproject/field level grievance committee headed by the Deputy Director of DAE&WM, whose officers will strive for an informal settlement within 10 days of lodging of the complaint. The Deputy Director of the district office of DAE&WM will coordinate with the Revenue Department and PIU for the resolution of complaints. If the complaint cannot be settled, the grievance will be referred to the GRC at the PIU level, headed by an independent retired judge. The GRC will have to address the complaint within 15 days, if the grievance redress mechanism fails to resolve the complaint or satisfy the aggrieved displaced/affected person, they can submit the case to the

appropriate court of law as set out in Sections 18 to 22 of the LAA (1894). This grievance mechanism will be developed in full for each individual subprojects.

23. **Resettlement Budget and Financing:** Due to the participatory approach and nature of flood shelters, it is not possible to identify locations of flood shelters during the project preparation. Consequently it is difficult to calculate the quantities of adverse impacts and any estimate the cost of resettlement. The detailed cost estimation will be carried out when preparing LAR in line with this RPF. All LAR preparation and implementation costs, including cost of compensation, various eligible allowances, monitoring, evaluation, grievances redress and LAR administration, as well as contingencies, will be estimated and included in the RAPs and they will be considered an integral part of Project cost. Each RAP will include a budget section indicating (i) unit compensation rates for all affected items and allowances, (ii) methodology followed for the computation of unit compensation rates, and (iii) a cost table for all compensation expenses including contingencies.

24. **Monitoring and Reporting:** LAR tasks under the Project will be subjected to both internal and external monitoring. Internal monitoring will be conducted by the Social Specialist of PIU, assisted by the Social Specialist of Supervision and Implementation Consultants (PSIAC). External monitoring will be assigned to a Monitoring and Evaluation (M&E) Consultants who will play the role of External Monitoring Agency (EMA) to be hired by PIU, and approved by the World Bank. DAE&WM will prepare the terms of reference (TOR) for the EMAs before RAPs implementation begins, which has to be cleared by the Bank. Internal and external monitoring reports will be displayed on the DAE&WM website and will also be shared with the World Bank.

A. THE PROJECT

Project Background:

25. In the past, the World Bank has financed two SOFWM Projects in the province of Sindh, in Pakistan, the first 4 year project and second 2.5 year additional financing. The Government of Sindh in its continuation of ongoing long term efforts desire to scale up the watercourse improvement and agricultural productivity enhancement program in irrigated agriculture in entire province of Sindh. The Government of Pakistan (GOP) has requested the International Development Association (IDA) for a Credit to meet part of the cost of the proposed 6 years Sindh Irrigated Agriculture Productivity Enhancement Phase-I project (SIAPEP-I). The SIAPEP Project would be implemented by the Government of Sindh through the Directorate General of Agriculture Engineering and On-farm Water Management of the Provincial Department of Agriculture, with support from Project Supervision and Implementation Assistance Consultants (PSIAC).

26. Project Development objective: The project development objective is to improve agriculture productivity for small and medium size farmers in Sindh.

Project Description:

27. **Component A: Community Water Infrastructure Improvement.** This component covers the improvement of watercourses in irrigated areas. Water users' associations are to be established at the watercourse level and with project support undertake the improvement of about 5,500 watercourses. Component A also provides communities in the most vulnerable areas with 432 flood shelters to reduce the amount of time it takes for the poor to recover from natural disasters and improve their resilience.

28. **Component B: Promotion and Installation of High Efficiency Irrigation Systems.** This component will include construction of high efficiency systems including drip, bubbler, and sprinkler irrigation covering an area of about 1400 ha. (35,000 acres).

29. **Component C: Improved Agriculture Practices.** This component supports improvement in irrigation agronomy and demonstration of modern technologies and methods to increase agricultural productivity – with assistance to those who adopt them. Component C also entails training in crop protection and diversification and input applications, including training of trainers and service providers and farmers. Information kiosks for farmers will be established. It supports provision of precision land leveling and deep ripping equipment to improve the efficiency of irrigation and the component covers monitoring of project impacts and of the environmental and social action plans.

30. **Component D: Project Management, Supervision, Technical Assistance, Monitoring and Evaluation, and Strategic Studies.** This component supports the Government of Sindh's efforts in project management, construction supervision, quality control and delivery of works, certification of payments, strategic studies, technical assistance, monitoring and evaluation, etc.

B. INTRODUCTION OF RPF:

31. This Resettlement Policy Framework (RPF) has been prepared by Directorate General of Agriculture Engineering and On-farm Water Management (DAE&WM), Sindh Agriculture Department for the Sindh Irrigated Agriculture and Productivity Enhancement Project (SIAPEP) as required under the World Bank policy for Involuntary Resettlement. The project may require acquisition of private land for the construction of 432 flood shelters under Component A. Implementing Agency (IA) agreed to make all possible efforts to use the free of cost lands through voluntary donations of communities' common lands, lands donations by local/district governments or other government line agencies. But in case of non-availability, there is a remote possibility of acquiring private lands through Land Acquisition Act of Pakistan for the construction of new flood shelters. The borrower has developed a Resettlement Policy Framework to fully and sufficiently mitigate any possible adverse impacts associated with lands need.

32. The purpose of this RPF is to provide policy and legal framework and procedures to manage Land Acquisition and Resettlement (LAR). These procedures are to be in conformity to the World Bank Operational Policy 4.12 on Involuntary Resettlement, as well as the applicable laws and regulations of Government of Sindh. Consultations with potential affected persons and beneficiaries were carried out including needy communities, potential affectees, district governments and provincial line departments, and further consultations will be carried out particularly with project affected persons and other key stake holders during preparation and implementation of RAP. This RPF has been fully endorsed by DAE&WM. The RPF will be disclosed on the DAE&WM and the World Bank websites.

C. THE SCOPE OF LAND ACQUISITION AND RESETTLEMENT:

33. The scope of land acquisition and resettlement under **sub-component A2 Flood Risk Reduction for the Poor** will be limited as DAE&WM will make all efforts to arrange provision of lands through local/district government or other provincial line departments. DAE&WM will ensure to select unencumbered government lands. The community flood shelters/centers to be built on-demand basis with communities/public sector providing the land to facilitate construction. The construction activities may also involve use of some lands for temporary purposes, such as storage of construction material. In case of temporary or permanent land acquisition, the IA will be responsible for undertaking social impact assessment and preparing a Resettlement Action Plan (RAP) for each sub-project in line with this RPF and submit to the World Bank for review and approval, prior to award of the civil works contract for the respective subprojects. IA will also engage a third-party for validation of RAP implementation.

D. RESETTLEMENT PROCESSING REQUIREMENTS

34. Resettlement Due Diligence Report (RDDR) will be prepared in case of acquiring donated lands by communities or government, where the World Bank resettlement policy is not triggered and lands are acquired without any safeguard impacts. Detailed information will be provided in the RDDR on how land will be procured in consultation and agreement with local people.

35. In case of land acquisition, land will be acquired by following the Land Acquisition Act of Pakistan 1894 (LAA) with provincial amendments in the rules and World Bank Policy 4.12 on Involuntary Resettlement. In some cases the preparation of a RAP or RDDR may have to wait until the exact locations requiring land acquisition and detailed design are known. Early screening will

be undertaken to select sites where land acquisition and consequent involuntary resettlement are to be avoided or, where this is not possible, then minimized. Options assessment with relevant data will be presented in each RAP. If resettlement impacts are likely to occur, a social impact assessment survey will be conducted to assess the type and likely magnitude of resettlement impacts. And as a result, a Resettlement Action Plan (RAP) will be prepared based on the detailed design of the proposed flood shelters, by following the principle laid down in RPF. The RAP with a detailed compensation and/or rehabilitation plan to be implemented before access to the land for civil works is allowed.

E. LEGAL AND POLICY FRAMEWORK

E-I The Land Acquisition Act (LAA)1894 of Pakistan:

36. The law that governs land acquisition in Pakistan is the Land Acquisition Act of 1894 (LAA) and successive provincial amendments. The LAA regulates the land acquisition process and enables the federal and provincial governments to acquire private land for public purposes through the exercise of the right of eminent domain. Land acquisition is a provincial responsibility and each province has its own interpretation of the Act. Some provinces also have their own province specific implementation rules. The LAA and its Implementation Rules require that, following an impact identification and valuation exercise, land and crops are compensated in cash at the current market rate to titled landowners. The LAA mandates that land valuation is to be based on the last 3 to 5 years average registered land sale rates. However, in several recent cases the median rate over the past 1 year, or even the current rates, have been applied with an added 15% Compulsory Acquisition Surcharge according to the provision of the law.

37. In addition to the provisions of the LAA, rules and regulations setting out the procedure for land acquisition have also been adopted by provinces according to their province specific conditions. The LAA lays down definite procedures for acquiring private land for projects and payment of compensation. The rights of people whose land is to be acquired are fully safeguarded. For entering private land or carrying out surveys and investigations, specified formalities have to be observed and notifications to be issued. Damage to any crops during survey and investigations has to be compensated. The displaced persons, if not satisfied, can go to the Court of Law to contest the compensation award of the Land Acquisition Collector (LAC).

38. 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 required for public purpose. A listing of the Sections of the Act and their salient features is given in Table 2. 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 disputes resolution, penalties and exemptions. Surveys for land acquisition are to be disclosed to the displaced persons.

Table 2: Salient Features of the Land Acquisition Act (LAA) 1894 and Successive Amendments

Key Sections	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
Section 6	The Government makes a more formal declaration of intent to acquire land.
Section 7	The Land Commissioner/District Officer 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 required to be physically marked out, measured and planned.
Section 9	The LAC gives notice to all APs 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 APs in the area of land to be acquired or any part thereof as co-proprietor, sub-proprietor, mortgagee, and tenant or otherwise.
Section 11	Enables the 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/she will then take possession and the land shall thereupon vest absolutely in the Government, free from all encumbrances.
Section 17	In cases of urgency, whenever the Government can take possession of any land needed for public purposes or for a Company. Such land shall thereupon vest absolutely in the Government, free from all encumbrances:
Section 18	In case of dissatisfaction with the award, APs may request the LAC to refer the case onward to the court for a decision. This does not affect the Government taking possession of the land.
Section 23	The award of compensation for the owners for acquired land is determined at its market value plus 15% in view of the compulsory nature of the acquisition for public purposes.
Section 28	Relates to the determination of compensation values and interest premium for land acquisition
Section 31	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.

E-II Legislation Relevant to Land Classification

39. In terms of application of this RPF, identifying the type of land affected will be an important step in determining eligibility for compensation for land. Rural land includes irrigated land and un-irrigated land and is governed by the Land Revenue Act (1967) which must be read in conjunction with the LAA and other legislation that may also apply, including for example the Colonization of Government Lands Act (1912) and the various Land Reform Regulations. Rural land falls under the jurisdiction of revenue districts. Land, other than rural land, is urban and including all permutations there-under such as residential, commercial, built upon and build-able, and is governed by various regulations and ordinances including the People's Local Government Ordinance (1972) for each province, Cantonments Act (1924), and Land Control Act (1952). Urban land falls under the jurisdiction of municipal and local/city government authorities.

40. While there are broad definitions of rural and urban land in the People's Local Government Ordinances, such classifications are not immutable and have been, and are, changed by the Collector of Revenues and provincial governments over time. In general it is either the People's Local Government Ordinances or the Land Revenue Act that determines the classification of land, however there are some cases where both applies and other cases where different legislation altogether can dictate jurisdiction and classification over land. Hence there is neither a universal classification nor legislation pertaining to the land that will be potentially affected under the project.

41. Therefore an initial step in RAP preparation will require that DAE&WM work with the Patwari (registrar or keeper of land records) to identify the regulations that govern the land within a subproject area and provide the classification of that land according to the applicable acts and regulations in that area.

E-III Katchi Abadis Act, 1987 (KAA)

42. The Katchi Abadis Act (KAA) covers the urban squatter's rehabilitation rights by providing plots in public resettlement areas or cash assistance. Based on the KAA, the DAE&WM will provide rehabilitation compensation to eventual squatters/encroachers affected by the project.

E-IV World Bank Involuntary Resettlement Policy (OP 4.12)

43. The WB's experience indicates that involuntary resettlement under development projects, if unmitigated, often gives rise to severe economic, social, and environmental risks: production systems are dismantled; people face impoverishment when their productive assets or income sources are lost; people are relocated to environments where their productive skills may be less applicable and the competition for resources greater; community institutions and social networks are weakened; kin groups are dispersed; and cultural identity, traditional authority, and the potential for mutual help are diminished or lost. This policy includes safeguards to address and mitigate these impoverishment risks.

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

45. The overall objectives of the Policy are given below.

- Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.
- Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.
- Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
- The Policy defines the requirement of preparing a resettlement plan or a resettlement policy framework, in order to address the involuntary resettlement. For the proposed

project, land will need to be acquired for the establishment of the new flood shelters. During the site selection, settlements will be avoided, however at some places acquisition of cultivable land – though temporary - cannot be ruled out. Similarly, crops and trees on the may be damaged during the construction and operation phases of the flood shelters. If unmitigated, often gives rise to severe economic, social, and environmental risks: production systems are dismantled; people face impoverishment when their productive assets or income sources are lost; people are relocated to environments where their productive skills may be less applicable and the competition for resources greater; community institutions and social networks are weakened; kin groups are dispersed; and cultural identity, traditional authority, and the potential for mutual help are diminished or lost. This policy includes safeguards to address and mitigate these impoverishment risks.

46. The key Principles of World Bank Involuntary Resettlement Policy are
- i. The need to screen the project early on in the planning stage,
 - ii. Carry out meaningful consultation,
 - iii. At the minimum restore livelihood levels to what they were before the project, improve the livelihoods of affected vulnerable groups (IV) prompt compensation at full replacement cost is to be paid,
 - iv. Provide displaced people with adequate assistance,
 - v. 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
 - vi. Disclose all reports.

E-V Comparison between LAA (1894) and the World Bank Involuntary Resettlement policy principles and Practices

47. Table 3 compares the LAA (1894) and the World Bank Involuntary Resettlement policy principles specifically related to land acquisition and resettlement aspects. The object of this exercise is to identify if and where the two sets of procedures are in conformity with each other and more importantly where there are differences and gaps.

Table 3: WB OP 4.12 Involuntary Resettlement & Pakistan Land Acquisition Act

S#	WB Involuntary Resettlement Policy Principles	Pakistan Land Acquisition Act	Approaches to Address the GAPS
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.	No equivalent requirements.	Screened and categorized. Scope defined, social assessment and gender analysis undertaken.
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.	Land Acquisition Collector (LAC) is the final authority to decide disputes and address complaints regarding quantification and assessment of compensation for the affected lands and other assets.	Complaints and grievances are resolved informally through project grievance redress mechanisms Consultations conducted, vulnerable groups identified and supported as relevant
3	Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected	No equivalent requirements.	Livelihoods restoration is required and allowances are provided.

	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.		Provided as relevant.
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.	No equivalent requirements.	Support provided commensurate with impacts
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.	No additional support to vulnerable households	Vulnerable households identified and support provided
6	Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.	Equivalent, negotiation responds to displaced persons requested price but no clear procedure.	Procedures put in place.
7	Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.	Land compensation only for titled landowners or holders of	Non-title holders are provided with resettlement and rehabilitation support. Provide with

		customary rights.	compensation for non-land assets.
8	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.	No resettlement Plans prepared	Plans prepared and disclosed
9	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.	No plans prepared.	Plans prepared and disclosed
10	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.	No equivalent requirement	Addressed as relevant.
11	Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.	No equivalent requirement	Compensation payments paid before damages occur. Implementation monitored and reported. Based on WB policy all land impacts are to be compensated. The same will happen in the case of rural/agricultural land when the land is no longer usable or access is restricted.
12	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.	Monitoring reports not required	Monitoring reports prepared and disclosed

E-VI Remedial Measures to Reconcile Gaps between the LAA and WB Policy

48. Project specific resettlement issues have been addressed to assist non-titled persons and bridge the gap between existing practice and the guidelines of the WB Involuntary Resettlement Policy. To reconcile the inconsistencies between the LAA (1894) and WB OP 4.12 the DAE&WM has drafted this RPF for the **sub-component A2 Flood Risk Reduction for the Poor** of the SIAPEP, ensuring that compensations are provided at replacement cost for all direct and indirect losses so that no one is worse off as a result of the project. Provision of subsidies or allowances will need to be given for affected households that may be relocated, suffer business losses, or may be vulnerable

E-VII Sindh Local Government Act 2013:

49. This Act defines the role of "Council" for granting, selling or leasing land for public purpose. A Council has been defined as a Corporation, Municipal Committee, Town Committee, District Council or Union Council. Sub-section (4) of the Act states that a Council may grant, sell or lease out land at rates to be fixed in consultation with the Government, to-(i) associations, organizations, individuals or any department or institution of the Federal or a Provincial Government for establishing, maintaining or extending educational, religious and charitable institutions or for such other purposes for the benefit of the public, subject to the condition that if the land is not used for the purpose it was granted, the Council may after affording such association organization, individual or department or institution, as the case may be, an opportunity to show-cause against the proposed action, resume such land alongwith structures, if any, without any compensation. Provided that the land allotted under clause-5 to any association, organization and individual may only be allotted if the organization or the institution is able to establish to the satisfaction of the Government that it has already established such institutions and presently managing the same.

F COMPENSATION ELIGIBILITY AND ENTITLEMENTS FOR DPs

F-I Eligibility: The project-affected persons, including displaced persons, eligible for compensation or rehabilitation provisions under the SIAPEP are:

50. All land owning displaced persons losing land or non-land assets, i.e., crops and trees whether covered by legal title or traditional land rights, whether for temporary or permanent acquisition.

51. All non-titleholders losing land or non-land assets i.e. squatters, vendors, tenants, encroachers

52. Tenants and share-croppers, whether registered or not; for all non-land assets, based on prevailing tenancy arrangements.

53. Displaced persons losing the use of structures and utilities, including titled and non-titled owners, registered, unregistered, tenants and lease holders plus encroachers and squatters.

54. Displaced persons losing business, income and salaries of workers, or a person or business suffering temporary effects, such as disturbance to land, crops, and business operations both permanently and also temporarily during construction.

55. Loss of communal property, lands and public infrastructure.
56. Vulnerable displaced persons identified through the social impact assessment (SIA).
57. In the event of relocation, all displaced persons will receive transitional and other support to reestablish livelihoods.

F-II Compensation eligibility will be limited by a cut-off date for each subproject on the day of the beginning of the census survey for the impact assessment in order to avoid an influx of outsiders. Each displaced person will be identified and issued with a household identification which confirms their presence on the site prior to the cut-off date. The cut-off date will be announced through the mass media and local means of communication including face-to-face communication. Displaced persons who settled in the affected areas after the cut-off date will not be eligible for compensation.

58. The following entitlements are applicable for displaced persons losing land, houses and incurring income losses. These displaced persons are eligible for rehabilitation subsidies and for the compensation of lost land, structures and utilities along with loss of livelihood. There will also be special provisions for vulnerable displaced persons.

F-III Agricultural Land Impacts will be compensated as follows:

59. **Permanent Losses:** legal/legalizable landowners (legalizable owners assessed by the DPAC include those who may have customary rights to their land which could be converted to statutory rights) are compensated either in cash at replacement cost plus a 15% compulsory acquisition surcharge (CAS) free of taxes and transfer costs; or through land for land compensation mechanisms with plots comparable in area, productivity and location to the plots lost. Leaseholders of public land will receive rehabilitation in cash equivalent to the market value of the gross yield of lost land for the remaining lease years (up to a maximum of three years). Encroachers will instead be rehabilitated for land use loss through a special self-relocation allowance (additional to all allowances detailed below) corresponding to one year of agricultural income or through the provision of a free or leased replacement plot comparable in area, productivity and location to the plots lost.

60. **Temporary Land Loss:** legal/legalizable owners and tenants assessed by the District Price Assessment Committee (DPAC) or encroachers will receive cash compensation equal to the average market value of each lost harvest for the duration of the loss, and by the restoration of both, cultivable and uncultivable land, to pre-construction conditions. Through specification in the contract agreements, contractors will be required to carry out restoration works before handing land back to the original occupiers, or APs will be provided with cash to rehabilitate the land.

61. **Severely Displaced Persons:** Vulnerable households, legal/legalizable owners, tenants or encroachers will be entitled to one severe impact allowance equal to the market value of the harvest of the lost land for one year (*rabi* and *kharif* seasons), in addition to the standard crop compensation. The aim of this payment is to assist severely displaced persons to overcome the short term adverse impacts of land and asset loss, and help them to readjust to their changed circumstances while they are making replacement earning arrangements. There will be a need to closely monitor such severely displaced people. The onetime payment should, at the absolute minimum be adequate to provide them with equivalent level of livelihood than they had previously. Other options can be considered, including non-cash based livelihood support and employment, both temporary and

permanent. Other additional income restoration measures can be considered based upon the findings of the Social Impact Analysis.

62. **Residential** and Commercial Land will be compensated at replacement value for each category of the APs. Assessments will be conducted by the DPAC. There are complex issues when an AP may not lose all of their residential and commercial land but it is significant enough for them to consider relocating. The detailed socio-economic household surveys will need to identify when such situations occur. In such cases compensation may need to be made for all of their land even though not all of it has to be acquired. Residential and commercial land owners will be entitled to the following:

63. Legal/legalizable owners will be compensated by means of either cash compensation for lost land at replacement cost based on the market value of the lost land plus a 15% CAS, and any applicable taxes and transfer costs; or in the form of replacement land of comparable value and location as the lost asset.

64. Renters are compensated by means of cash compensation equivalent to three months of rent or a value proportionate to the duration of the remaining lease, including any deposits they may lose.

65. Non-title holders including encroachers/squatters are compensated through either a self-relocation allowance covering six months of income or the provision of a leased replacement plot in a public owned land area. They will be compensated for the loss of immovable assets, but not for the land that they occupy.

F-IV All other Assets and Incomes

66. Houses, buildings and structures will be compensated for in cash at replacement cost plus 15% CAS. There will also be an electrification allowance and any transaction costs will be paid. Material that can be salvaged is allowed to be taken by the owner, even if compensation has been paid for them. For evaluation of replacement costs, a survey will be conducted to obtain the current prices for calculation of compensation.

67. Renters or leaseholders of a house or structure are entitled to cash compensation equivalent to three months' rent or a value proportionate to the duration of the remaining lease period, whichever is greater.

68. Crops will be compensated for to owners, tenants and sharecroppers based on their agreed shares. The compensation will be the full market rate for one year of harvest including both rabi and kharif seasons.

69. Fruit and other productive trees will be compensated for based on rates sufficient to cover income replacement for the time needed to re-grow a tree to the productivity of the one lost. Trees used as sources of timber will be compensated for based on the market value of the wood production, having taken due consideration of the future potential value.

70. Businesses will be compensated for with cash compensation equal to six months of income for permanent business losses. For temporary losses, cash compensation equal to the period of the interruption of business will be paid up to a maximum of six months or covering the period of income loss based on construction activity.

71. Workers and employees will be compensated with cash for lost wages during the period of business interruption, up to a maximum of three months or for the period of disruption

72. Relocation assistance is to be paid for APs who are forced to move from their property. The level of the assistance is to be adequate to cover transport costs and also special livelihood expenses for at least 1 month or based on the severity of impact as determined on a case by case basis and included in the RAP.

73. Community Structures and Public Utilities, including mosques and other religious sites, graveyards, schools, health centers, hospitals, roads, water supply and sewerage lines, will be fully replaced or rehabilitated to ensure their level of provision is, at a minimum, to the pre-project situation.

74. Vulnerable people are defined as households who have a per capita monthly income of below PRs. 7,000 (or provincial figures relevant at the time of subproject preparation) and those who are headed by a widow or identified as vulnerable through the SIA. This figure is based on the provincial poverty line using the minimum wages that are fixed by the GOP. These vulnerable people will be identified through the Social Impact Assessment (SIA) process and will receive a lump sum allowance, or additional assistance, to enable them to restore their livelihoods. They must be compensated and supported to improve their living standards to at least national minimum standards in accordance with the World Bank standards for involuntary resettlement.

75. Detailed household level socio-economic surveys will need to be carried out prior to any land acquisition activity in order to fix the baseline condition. At this time an assessment is to be carried out to determine the nature and level of household losses and the likely impact on livelihoods. The range of options available, including relocation, will be outlined to the displaced persons. These surveys of all displaced persons will need to be repeated at appropriate times. Such times are normally immediately after relocation and then immediately after construction has been completed followed by an appropriate period into the operational stage.

76. Compensation and rehabilitation entitlements are summarized in the Entitlement Matrix in Table 4.

TABLE 4: Entitlement Matrix

Asset to be Impacts	Specificati on	Eligibility	Compensation Entitlements
Temporary Loss to Arable Land	Access is not restricted and existing or current land use will remain unchanged	Farmer/Titleholder	No compensation for land provided that the land is rehabilitated/restored to its former quality following completion of works; Compensation, in cash, for all damaged crops and trees as per item below plus 15% compulsory acquisition surcharge
		Leaseholder (registered or not)	No compensation for land provided that the land is rehabilitated/restored to its former quality following completion of works; Compensation, in cash, for all damaged crops and trees as per item below

Asset to be Impacts	Specificati on	Eligibility	Compensation Entitlements
		Sharecroppers (<i>registered or not</i>)	Compensation, in cash or kind, for all damaged crops and trees as per item below
		Agricultural workers	Compensation, in cash or kind, for all damaged crops and trees as per item below
		Squatters	Compensation, in cash, for all damaged crops and trees as per item below
Loss of Arable Land where access is restricted and/or land use will be affected permanently	All adverse effects on land use independent of severity of impact	Farmer / Titleholder	Land for land compensation with plots of equal value and productivity to the plots lost; or; Cash compensation for affected land at replacement cost based on market value ^a free of taxes, registration, and transfer costs
		Leaseholder (<i>registered or not</i>)	Renewal of lease in other plots of equal value/productivity of plots lost, or cash equivalent to market value of gross yield of affected land for the remaining lease years (up to a maximum of 3 years).
		Sharecroppers (<i>registered or not</i>)	Cash compensation equal to the market value of the lost harvest share once (temporary impact) or twice (permanent impact)
		Agricultural workers losing their contract	Cash indemnity corresponding to their salary (including portions in kind) for the remaining part of the agricultural year.
		Squatters	1 rehabilitation allowance equal to market value of 1 gross harvest (in addition to crop compensation) for land use loss.
		Additional provisions for severe impacts (more than 10% of land loss)	Farmer/Titleholder Leaseholder
	Sharecroppers (<i>registered or not</i>)		1 severe impact allowance equal to market value of share of harvest lost (additional to standard crop compensation)
	Squatters		1 severe impact allowance equal to market value of gross harvest of the affected land for 1 year (inclusive of winter and summer crop and additional to standard crop compensation)
	Loss of Houses / Structures		All relevant APs (including squatters)
Loss of Crops	Crops affected	All APs (including squatters)	Crop compensation in cash at full market rate for one harvest (either winter or summer) by default for impacts caused by construction work. All other crop losses will be compensated at market

Asset to be Impacts	Specificati on	Eligibility	Compensation Entitlements
			rates based on actual losses.
Loss of Trees	Trees affected	All APs (including squatters)	Cash compensation shall reflect income replacement
Loss of Community assets			Rehabilitation/substitution of the affected structures/utilities (i.e. mosques, footbridges, roads, schools, health centers, etc.)
Vulnerable AP livelihood		AP below poverty line	Employment priority in project-related jobs.
Unanticipated adverse impacts			PkHA will deal with any unanticipated adverse impacts of the project during project implementation in the letter and spirit of the principles laid down in ESSAF and OP 4.12 of the World Bank

G- VALUATION AND REPLACEMENT OF ASSETS

The following methodology will be adopted for assessing unit compensation rates:

77. Land will be valued at replacement cost based on current market values by carrying out a survey of transactions in the year previous to the date of invoking Section 5 and subsequent sections.

78. Houses, buildings and other structures will be valued at replacement cost plus labor cost based on the area, type and material of the affected item. No deductions will be made for depreciation, salvageable materials or transaction costs and taxes. Rates for building structures will be evaluated by the Works and Services Department using the latest/current Composite Schedule Rates that are regularly published by the Works and Services Department, Government of Sindh.

79. Crops will be valued at current market rates of gross value of harvest as valued by the Agricultural Department.

80. The loss of fruit bearing trees will be compensated for based on their type, productive age and the market value of the produce for the remaining period of its average life. The value of younger fruit trees will be based on the expenditure made to bring the tree to its current state. This will be assessed by the Horticultural Wing of the Agriculture Department.

81. The value of trees that would have been used for timber will be calculated based on the average volume and quality of wood produced and taking into consideration the size classes as determined by girth, diameter at breast, height and volume as assessed by the Forest Department.

G-I Land for Land Compensation

82. 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. The difficulty is that in the location of the proposed sub-projects there are not that many areas of suitable productive land that are not already owned. In cases where displaced persons desire land for land compensation, then the process by which replacement

land is identified needs to be recorded. When land for land compensation is used, along with provision of replacement housing, then the replacement plots are to include facilities and services such as water supply, sanitation, roads, drainage and electricity. The RAP will detail the costs for site preparation and for the provision of these basic facilities. The RAP will clearly detail site preparation and resettlement schedules and tenure arrangements. In managing the land for land relocation, the socio-cultural and religious characteristics of the displaced persons and host communities will be taken into consideration and the distance between the old and new locations should be minimized as far as is possible. If land for land cannot be found, the RAP will clearly demonstrate the lack of land.

H IMPACT ASSESSMENT AND RAP PREPARATION

H-I Impact Assessment

83. RAP preparation activities will be initiated as part of the preparation of each new subproject involving land acquisition and resettlement. The requirement will be to take the completed detailed design of the flood shelters and carry out a measurement survey and enumeration. The relevant Board of Revenue approved rates will be included in the RAP. An outline for preparing a resettlement plan based on the Bank's standards of Resettlement Policy is attached as annex with this RPF, the appraisal will entail the following studies and investigations:

H-II Socioeconomic Survey: A socio-economic survey will be carried out to provide a detailed socio-economic profile of the population in the project areas. The information gathered will focus on: (i) household composition and demography; (ii) ethnicity; (iii) education; (iv) livelihood patterns and income baseline; (v) land ownership patterns; (vi) displaced persons income levels and expenditure patterns; (viii) displaced persons views on the subproject and various resettlement and rehabilitation options; (viii) specific impacts on the poor, indigenous people, women and other vulnerable groups. The data will be gender disaggregated to identify specific gender related issues. The survey will be used to investigate the displaced persons socio-economic condition, identify the project impacts on displaced persons and to establish a benchmark for monitoring and evaluating the implementation of a subproject's compensation and rehabilitation program.

H-III Census Survey: A census of all AHs and displaced persons will be undertaken based on the categorizations in the entitlement matrix. The Census will determine the exact number of AH/displaced persons and how they are affected by the specific land acquisition requirements of a subproject. The Census will also identify all severely displaced and vulnerable AHs.

H-IV Impacts Assessment and Inventory: This task will be based on a Detailed Measurement Survey (DMS) which identifies the nature and magnitude of loss. The survey will include all losses including land (residential and agricultural), immovable structures, communal, public and cultural/religious facilities, crops, trees and business incomes and wages. The impact assessment will also include a survey of compensation rates as detailed above and also the incomes of the AHs.

H-V Updating of land records with the support of the collector: land records will be updated with the help of collector of that subproject district.

H-VI Gender Impacts and Mitigation Measures

84. RAP will include measures ensuring that the socio-economic needs and priorities of women are identified, addressed and mitigated. The following gender provisions will be incorporated to safeguard the specific needs and problems of women displaced persons during subproject implementation.

85. The socio-economic data gathered will be gender-disaggregated. Gender roles analyzed and if women and the needs, aspirations and priorities of women will be taken into consideration during consultation and preparing mitigation measures and reported in the RAP. Female staff will be hired to collect data and assist women in resettlement activities.

86. Female household heads will be registered as the recipients of compensation and rehabilitation measures due to their households. Land titles and use rights to replacement land will be registered in the name of women if the land lost to a subproject was legally owned by women.

87. Women will be included in the consultation process through meetings held with women and will be encouraged to participate in the RAP planning and implementation process.

88. Due consideration will be given to complaints and grievances lodged by women displaced persons following the procedures outlined in this RPF.

I RESETTLEMENT ACTION PLANS (RAPs) PREPARATION

89. All RAPs will be based on the provision outlined in this RPF. The RAPs may need to be updated to take into account changes in the final designs. If needed, the RAPs should be updated (i) on the completion of detailed engineering design but prior to the award of civil works contracts and (ii) during the subproject civil works where design changes during construction result in changes to the resettlement impacts. Land will not be possessed until all amended RAPs are approved by the World Bank, payments made, replacement land found, replacement structures provided and displaced persons relocated. The RAPs will include a time bound program which is related to the date that the land is required for construction purposes.

J- CONSULTATION, PARTICIPATION AND DISCLOSURE/ ACCESS TO INFORMATION

J-I Stakeholder Consultation

90. Consultations with potential affected persons and beneficiaries were carried out including needy communities, potential affectees, district governments and provincial line departments, and further consultations will be carried out particularly with affected persons and other key stakeholders during preparation and implementation of RAPs. The timing and nature of these consultations will vary depending upon the implementation program. Stakeholders will be identified through the initial social impact assessment for subprojects. Stakeholder consultations will be carried out over the preparation of the subproject through community meetings, focus group discussions and interviews of key informants for their views and recommendations for the sub-project preparation.

91. Specific consultations will be carried out with the displaced persons to identify their needs and preferences for compensation and rehabilitation measures. In this regard the affected persons, including the displaced persons, will be thoroughly informed on the results of the census

and impact assessment and their preferences for compensation and other resettlement assistance will be given due consideration. The processes and mechanisms ensuring the active involvement of displaced persons and other stakeholders will be detailed in the RAPs, which will include an Appendix with the list of participants, the location, date and minutes of consultation meetings.

J-II Information Disclosure Plan

92. The entire RPF, after its clearance from the World Bank, will be translated into Urdu/Sindhi and disclosed to the public through websites of the DAE&WM and the World Bank. Before implementation of the project, a communications strategy will be developed for addressing the requirement for public consultation and participation. The Social Specialist of the IA (DAE&WM) will be responsible to ensure that all LAR information is properly and meaningfully disclosed to the DPs/APs, their concerns addressed and necessary changes made in the subproject design for this purpose.

93. Before the socio-economic baseline surveys are mobilized, the IA will need to have developed a workable strategy for public consultation and information disclosure, the Social Specialist of the project will take lead assuming this responsibility. During the census and DMS, each affected household will be directly informed about the subproject entitlements and procedures.

94. The entire RPF will be translated in Urdu/Sindhi and/or other local languages and disclosed to displaced persons and kept in relevant government departments for the DPs/APs to access. Arrangements would also be made to provide information through educational institutions and also for disadvantaged groups. The PIU will take a significant role in this process. The entire RAPs will be translated in Urdu or Sindhi language and will be provided to all displaced persons.

95. The consultation process will need to outline the legal procedures that are to be followed for land acquisition and relocation. The details of the process will have to be clearly communicated to any displaced/affected people and in a form that can be easily understood. The information given should also include the provisions of the Resettlement Policy Standards and outline the rights and obligations of any displaced people. The consultation process for any displaced people will need to establish the degree to which any lost land and assets contributed towards their livelihood. The range of options for compensation can be identified, along with their entitlements for lost assets that are outlined in Table 3 of this RPF.

K INSTITUTIONAL ARRANGEMENTS

96. The roles and responsibilities for the design, implementation and supervision of land acquisition and resettlement functions involve a number of different institutional actors as outlined below and shown in Figures 1 and 2. The Director General (DG) of DAE&WM as the IA will be overall responsible for the land acquisition and resettlement as per the principles and legal framework, laid down in RPF. The Project Director will be responsible for timely preparation, disclosure and implementation of RAPs. The Executive District Officer of Revenue Department, along with his staff, will be responsible for the acquisition of private land under Land Acquisition Act of Pakistan. The Social Specialist of PIU will be responsible for coordination with the Revenue Department and internal monitoring and reporting of RAPs implementation. The Social Specialist under PSIC will assist PIU in the preparation of RAPs and their implementation in a timely, transparent and efficient manner including reporting on progress. The Social Specialist of M&E

consultants will be responsible for third party/external monitoring of the RAPs implementation and fair reporting. The World Bank will supervise implementation of RAPs implementation and also provide support to the PIU, if needed, to ensure effective implementation of RAPs. A coordination mechanism given in the sections below.

97. Requirements under the RPF for institutional arrangements and resources would be reflected in the governments PC-1, with dated milestones as appropriate.

K-I Department of Agriculture Engineering and Water Management (DAE&WM)

98. The DG of DAE&WM has overall responsibility for the project including preparation/implementation and financing of all LAR tasks and cross-agency coordination. DAE&WM will exercise its functions through the Project Management Unit (PIU) which will be responsible for general project execution, and through the Project Field Implementation Units (FIU) which will be tasked with day-to-day Project activities at district/subproject level. Within the PIU, LAR tasks will be managed by Social Specialist of the PIU, which will organize and internally monitor RAP preparation and implementation (including surveys, asset valuation, and community consultation), LAR-related cross-agency coordination, and RAP approval. In the implementation of these tasks the DAE&WM will receive specific technical assistance from:

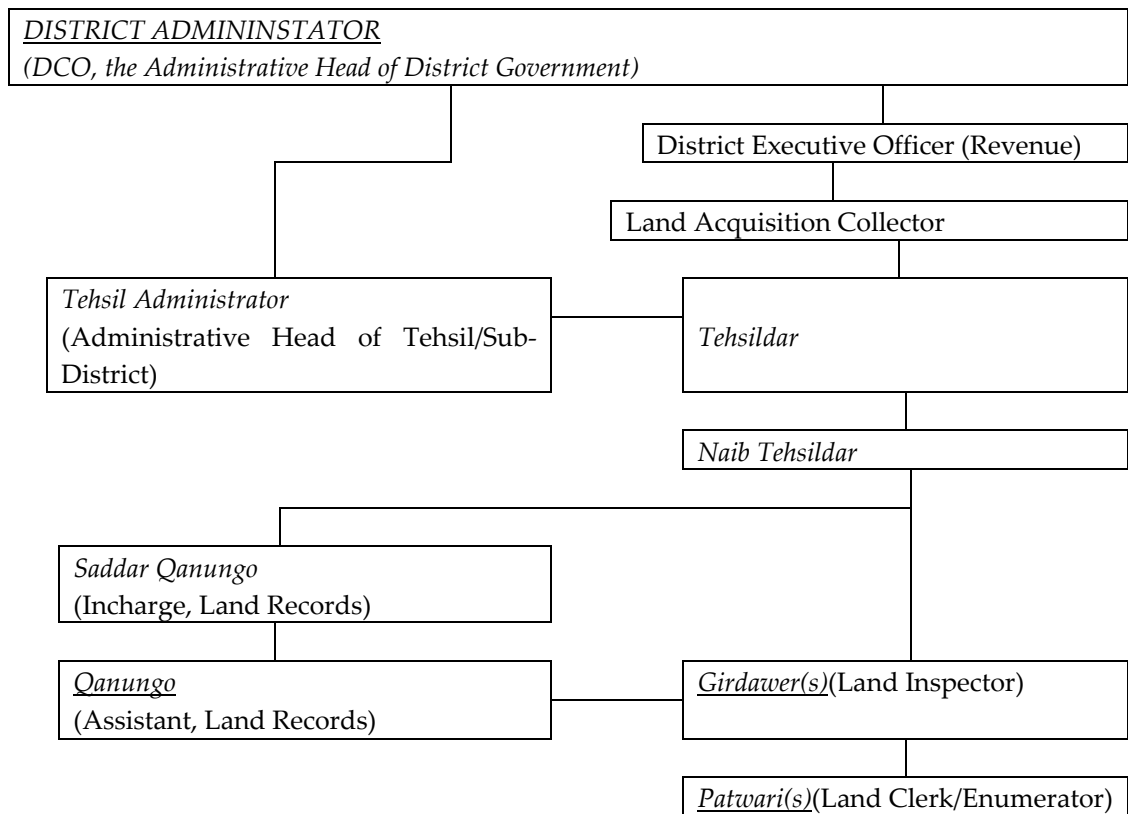
99. A Social Specialist will also be hired under the Project Supervision and Implementation Consultants contract. It will assist in LAR planning/implementation, internal M&E, and training of DAE&WM and districts on impact assessment and the World Bank resettlement policy requirements;

100. The Monitoring and Evaluation Consultants will play a role of External Monitoring Agency (EMA), and will conduct periodic monitoring and evaluation/3rd party validation of implementation of the RAP activities.

K-II District Governments

101. District governments and relevant line departments have jurisdiction for land administration, valuation and acquisition. At Provincial level these functions rest on the Board of Revenue while at District level they rest on the District Coordination Officer (DCO) and, within the DCO, on the Land Acquisition Collector (LAC). Several minor agents, most notably the *Patwari*, (land records keeper), carry out specific roles such as titles identification and verification (see Figure 1). Functions pertaining to compensation of assets different from land (i.e. buildings and crops) or income rehabilitation also fall on the local governments, more specifically on the relevant District Department.

Figure 1: Organization of District Land Acquisition Collector Office



102. As noted above it will be important for DAE&WM to work with the Patwari to clearly identify urban and rural areas. For rural land affected DAE&WM and the Social Specialist will work with the land users concerned to determine that access and use is not restricted and cultivation can continue. In cases where either land access or use is restricted this impact will require compensation as per the matrix.

K-III Coordination Initiatives

103. The agencies and actors above identified will be carefully coordinated to obtain effective, smooth and timely DP/APs compensation and RAP implementation. In case of land acquisition for a number of flood shelters, a LAC will be directly assigned to the PIU by the Board of Revenue and 2 coordination/consultation committees will be included at the top and bottom levels of the LAR organization as follows:

104. The PSIAC will be hired by DAE&WM to assist in the preparation and RAPs implementation process. DAE&WM will announce the cut-off-date based on the date of census for the proposed subproject based on the eligibility criteria defined in this RPF. The APs of affected structures/assets (houses, shops, etc.) will be paid their due compensations at least 1 months (30 days) prior to demolition of the structures from the affected land. This time will allow them to dismantle and remove all salvageable material for rebuilding of houses and re-establishment of businesses. However, DAE&WM reserves the right of directly demolishing such structures if this has not been done by the AP by the agreed deadline. Grievances or objections may be referred to the project Grievance Redress Committees to be established.

K-IV LRA Related Steps

105. The basic LAR-related steps are summarized on Box 1 below. The Process combines in a single sequence steps required by the LAA and by the Bank policy.

Box 1 LAR tasks Process

Step	Action	Responsibility
A) Subproject PREPARATION		
1	Subprojects identification	PIU/PSIAC
2	Review and update of RPF	PIU/PSIAC
3	Initial screening indicating for a specific subproject whether LAR is needed. If so, a scheduled action plan detailing RAP tasks to be assigned to Social Specialist of PIU, consultants, local government and the formation of coordination committees at subproject level is initiated.	PIU/PSIAC
B) RAP PREPARATION		
1	Proposal to Revenue Department with Brief Description of subproject including LAR.	IA
2	Publication of Notice expressing the intent to Acquire Land under Section 4 of LAA.	Revenue Department
3	Prepare impacts/AP surveys forms, train impact assessment and valuation teams, and establish coordination with relevant local government agencies.	PIU/PSIAC
4	Verify land records in affected areas, update cadastral maps and carry out impacts and valuation surveys, identify land classification for affected areas	LAC, Patwari/PIU/PSIAC
5	Check surveys and, if necessary, request additional fieldwork to improve them.	PSIAC
6	Conduct public consultations and negotiations.	PIU/LAC/PSIAC/NGO
7	Integrate impacts base-line and results of consultations/negotiations into the RAP.	PIU/PSIAC
8	Submission of RAP to PIU approval and send to Bank for clearance.	PSIAC/PIU/WB
C) RAP IMPLEMENTATION		
1	RAP disclosure: Distribution of RAP and information pamphlets in Urdu/Sindhi in the affected communities; posting of RAP in English on the DAE&WM and Bank's websites	PSIAC/Loc.Gov./PIU/DAE&WM/ WB
2	Approval of Contract awards	Bank
3	Distribution of Relocation Notices to APs	PIU
4	Award of Checks for Land Compensation	PIU/LAC/AP
5	Award of Checks for other Compensation & Assistance/ Rehabilitation	PIU/PIUs/AP
5	Demolishing/ Relocation of Affected Structures/Assets	PIU, NGO
6	Review of RAP Implementation.	PIU/WB /NGO/PSIC/M&E Consultants
7	If RAP Implementation found satisfactory, notice to proceed for Civil works is issued	Bank /PIU
D) POST-IMPLEMENTATION TASKS		
1	Independent evaluation of RAP/implementation	M&E Consultants (as a EMA)

Step	Action	Responsibility
A)	Subproject PREPARATION	
1	Subprojects identification	PIU/PSIAC
2	Review and update of RPF	PIU/PSIAC
3	Initial screening indicating for a specific subproject whether LAR is needed. If so, a scheduled action plan detailing RAP tasks to be assigned to Social Specialist of PIU, consultants, local government and the formation of coordination committees at subproject level is initiated.	PIU/PSIAC
B)	RAP PREPARATION	
E)	CYCLICAL/CONTINUOUS TASKS	
1	Internal monitoring. Quarterly reporting on LAR to the Bank	PIU/PSIC
2	External Monitoring. Semi-annual reporting to the Bank	M&E Consultants/PIU
3	Grievances Redress/Law Suites	PIU/LAC/ COURT
4	Inter-agency coordination and Communication with AP	PIU/LAC/

L COMPLAINTS AND GRIEVANCES REDRESS

106. A grievanceresressal mechanism is built in the Land Acquisition Act of Pakistan. The District Executive Officer (DEO),Revenue will be responsible to redress grievances related to land acquisition through LAC or directly. The grievances related to land acquisition, will be reported to LAC or the DEO, of the Revenue Department. But to redress complaints that could not be resolved at the district level of the Revenue Department, a Grievance Redress Mechanism (GRM) will exist at the project level with Grievance Redressal Committees (GRCs) set up at the field level and project level for expeditious. The aim of the GRM and GRCs is to provide the mechanism whereby any displaced/affected persons who are dissatisfied with their entitlements can seek redress. However, with careful observance of the provisions of the RPF and RAPs by all stakeholders involved, grievances should be avoided. If necessary, the aggrieved displaced/affected persons will approach the subproject/field level grievance committee headed by the Deputy Director of DAE&WM, whose officers will strive for an informal settlement within 10 days of lodging of the complaint. The Deputy Director of the district office of DAE&WM will coordinate with the Revenue Department and PIU for the resolution of complaints. If the complaint cannot be settled, the grievance will be referred to the GRC at the PIU level, headed by an independent retired judge.

107. The GRC will have to address the complaint within 15 days, If the grievance redress mechanism fails to resolve the complaint or satisfy the aggrieved displaced/affected person, they can submit the case to the appropriate court of law as set out in Sections 18 to 22 of the LAA (1894).

108. This grievance mechanism will be developed in full for each individual subprojects. These will be detailed out in the Operations Manual of the project. The grievances will be attempted appropriate resolution in the following manner.

Table.5: Grievance resolution process

Land and other compensation issues	Project/other items compensation issues
1. First, complaints resolution will be attempted at the District Executive Officer/LAC level as per provisions and timeframe given in LAA of Pakistan.	1. If complaint cannot be settled by the Revenue Department within the timeframe given in the LAA, , it will be referred to the field level GRC of the project.

2. The Deputy Director field office and project Social Specialist will strive for an informal settlement within 10 days of lodging of the complaint, decision must be in compliance with this RPF provisions.	2. If still unsettled, the complaint can be lodged to the Chairperson of GRC.
3. The Chairperson of GRC will provide the decision within 15 days of registering the complaint. The decision must be in compliance with this RPF provisions.	3. GRC will make all efforts to redress the complaint within 15 days of making complaint.
4. Should the grievance redress system of the project fail to satisfy the AP, they can further submit their case to the appropriate court of law as per the process set out in Sections 18 to 22 of the LAA (1894).	4. The court decision will be considered as a final decision and will be implemented by DG-AE&WM.

M RESETTLEMENT BUDGET AND FINANCING

109. Due to the participatory approach and nature of flood shelters, it is not possible to identify locations of flood shelters during the project preparation. Consequently it is difficult to calculate the quantities of adverse impacts and any estimate the cost of resettlement.

110. The detailed cost estimation will be carried out when preparing LAR in line with this RPF. All LAR preparation and implementation costs, including cost of compensation, various eligible allowances, monitoring, evaluation, grievances redress and LAR administration, as well as contingencies, will be estimated and included in the LAP and they will be considered an integral part of Project cost. Each RAP will include a budget section indicating (i) unit compensation rates for all affected items and allowances, (ii) methodology followed for the computation of unit compensation rates, and (iii) a cost table for all compensation expenses including contingencies.

111. Finances for LAP cost, including compensation, allowances, and administration of RAP preparation and implementation, will be provided by the Government as counterpart funds. Costs for external monitoring tasks can be allocated under the loan. In order to ensure that sufficient funds are available for LAR tasks, the local governments will have to allocate 100% of the cost of compensation at replacement cost and expected allowances estimated in each RAP plus 5% of contingencies before RAP implementation.

112. Being the project owner, DAE&WM is responsible for the timely allocation of the funds needed to implement the RAPs. Allocations will be reviewed twice a year based on the budget requirements indicated by the RAPs.

113. As per the flow of LAR finances it is noted that the budget for land, crops, trees, structures compensation will be disbursed by DAE&WM to the District Collector Office which in

turn, through the LAC will disburse the compensation to the APs. For what concerns compensation funds for other items such as documented structures (houses, shops, etc.), house restoration, shops, employment, income loss, etc. will go from PIU of DAE&WM, which will disburse the funds to the APs with assistance from the PIU.

N MONITORING AND REPORTING

114. LAR tasks under the Project will be subjected to both internal and external monitoring. Internal monitoring will be conducted by the Social Specialist of PIU, assisted by the Social Specialist of Supervision and Implementation Consultants (PSIAC). External monitoring will be assigned to a Monitoring and Evaluation (M&E) Consultants who will play the role of External Monitoring Agency (EMA) to be hired by PIU, and approved by the World Bank. The EMA will be chosen among local consultants. DAE&WM will prepare the terms of reference (TOR) for the EMAs before RAP implementation begins, which has to be cleared by the Bank.

N-I Internal Monitoring: The entire entitlement matrix and all its components will be monitored along with the status of resolution of all complaints (with details) and also the consultation plan. Internal monitoring will be carried out routinely by the Social Specialist of PIU and PSIAC, results will be communicated to concerned Affected People and to the Bank through quarterly progress reports. Indicators for the internal monitoring will be those related to process and immediate outputs and results. This information will be collected directly from the field and reported monthly to the Social Specialist of PIU to assess the progress and results of RAP implementation, and to adjust the work Program, if necessary. The monthly reports will be consolidated quarterly in the standard progress and supervision reports to the World Bank. Specific monitoring benchmarks will be information campaign and consultation with APs; status of land acquisition and payments on land compensation; compensation for affected structures and other assets; relocation of APs; payments for loss of income; selection and distribution of replacement land areas; and income restoration activities. This information will be collected by the field offices, responsible for monitoring the day-to-day resettlement activities of the subproject through the review of census information for all APs; consultation and informal interviews with APs; in-depth case studies; sample survey of APs; key informant interviews; and community public meetings.

N-II External Monitoring: The external monitoring will need to monitor the entire process of PAPs implementation including impacts and outcome indicators of the framework and these indicators will be specified in RAPs. External monitoring will be carried out twice a year, and its results will be communicated to all concerned APs, the PIU and the Bank through semi-annual reports. Subprojects whose implementation time-frame will be under 6 months will be monitored only once. Indicators for External Monitoring tasks include review and verify internal monitoring reports prepared by field offices and Social Specialist of PIU; review of the socio-economic baseline census information of pre-displaced persons; identification and selection of impact indicators; impact assessment through formal and informal surveys with the affected persons; consultation with APs, officials, community leaders for preparing review report; and assess the resettlement efficiency, effectiveness, impact and sustainability, drawing lessons for future resettlement policy formulation and planning.

115. The EMA will also assess the status of subproject affected vulnerable groups such as female-headed households, disabled/elderly and families below the poverty line. The EAM will consider indicators in monitoring and evaluation of the project such as socio-economic conditions of the APs in the post-resettlement period; communications and reactions from APs on

entitlements, compensation, options, alternative developments and relocation timetables etc.; changes in housing and income levels; rehabilitation of squatters; valuation of property; grievance procedures; disbursement of compensation; and level of satisfaction of APs in the post resettlement period.

116. The EMA will carry out a post-implementation evaluation of the RAP about a year after completion of its implementation. The compelling reason for this study is to find out if the objectives of the RAP have been attained or not. The benchmark data of socioeconomic survey of severely affected APs conducted during the preparation of the RAP will be used to compare the pre and post subproject conditions. The EMA will recommend appropriate supplemental assistance for the APs should the outcome of the study show that the objectives of the RAP have not been attained.

APPENDIX I: OUTLINE OF A RESETTLEMENT PLAN

117. This outline is part of the Safeguard Requirements. A resettlement plan is required for all subprojects with involuntary resettlement impacts. The 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.

118. **Executive Summary:** This section provides a concise statement of subproject scope, key survey findings, entitlements and recommended actions.

119. **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 subproject area. It also describes the alternatives considered to avoid or minimize resettlement. The section is also to include a table with quantified data and provide a rationale for the final decision.

120. **Scope of Land Acquisition and Resettlement:** This section discusses the subproject's potential impacts, and includes maps of the areas or zone of impact of subproject activities; describes the scope of land acquisition (provide maps) and explains why it is necessary for the subproject; summarizes the key effects in terms of assets acquired and displaced persons; and provides details of any common property resources that will be acquired.

121. **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: define, identify, and enumerate the people and communities to be affected; describe the likely impacts of land and asset acquisition on the people and communities affected taking social, cultural, and economic parameters into account; discuss the subproject impacts on the poor, indigenous and/or ethnic minorities, and other vulnerable groups; and identify gender and resettlement impacts, and the socioeconomic situation, impacts, needs, and priorities of women.

122. **Information Disclosure, Consultation, and Participation:** This section: identifies subproject stakeholders, especially primary stakeholders; describes the consultation and participation mechanisms to be used during the different stages of the subproject cycle; describes the activities undertaken to disseminate subproject and resettlement information during subproject design and preparation for engaging stakeholders; summarizes the results of consultations with displaced persons (including host communities), and discusses how concerns raised and recommendations made were addressed in the resettlement plan; confirms disclosure of the draft resettlement plan to displaced persons and includes arrangements to disclose any subsequent plans; and 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 displaced persons during project implementation.

123. **Grievance Redress Mechanisms:** This section describes mechanisms to receive and facilitate the resolution of displaced persons' concerns and grievances. It explains how the procedures are accessible to displaced persons and gender sensitive.

124. **Legal Framework:** This section: describes national and local laws and regulations that apply to the subproject and identify gaps between local laws and World Bank policy requirements; and discuss how any gaps will be addressed; describes the legal and policy commitments from the IA for all types of displaced persons; 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; describes the land acquisition process and prepare a schedule for meeting key procedural requirements.
125. **Entitlements, Assistance and Benefits:** This section defines displaced persons' entitlements and eligibility, and describes all resettlement assistance measures (includes an entitlement matrix); specifies all assistance to vulnerable groups, including women, and other special groups; and outlines opportunities for displaced persons to derive appropriate development benefits from the project.
126. **Relocation of Housing and Settlements:** This section: 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); describes alternative relocation sites considered; community consultations conducted; and justification for selected sites, including details about location, environmental assessment of sites, and development needs; provides timetables for site preparation and transfer; describes the legal arrangements to regularize tenure and transfer titles to resettled persons; outlines measures to assist displaced persons with their transfer and establishment at new sites; describes plans to provide civic infrastructure; and explains how integration with host populations will be carried out.
127. **Income Restoration and Rehabilitation:** This section identifies livelihood risks and prepare disaggregated tables based on demographic data and livelihood sources; describes income restoration program, including multiple options for restoring all types of livelihoods; outlines measures to provide social safety net through project funds; describes special measures to support vulnerable groups; explains gender considerations; and describes training programs.
128. **Resettlement Budget and Financing Plan:** This section provides an itemized budget for all resettlement activities, staff training, monitoring and evaluation; describes the flow of funds (the resettlement budget should show the budget-scheduled expenditure for key items) 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 includes information about the source of funding for the resettlement plan budget.
129. **Institutional Arrangements:** This section describes institutional arrangement responsibilities and mechanisms for carrying out the measures of the resettlement plan; includes institutional capacity building program, including technical assistance, if required; describes role of NGOs, if involved, and organizations of displaced persons in resettlement planning and management; and describes how women's groups will be involved in resettlement planning and management,
130. **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 subproject schedule of civil works construction, and provide land acquisition process and timeline.

131. **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 displaced persons in the monitoring process. This section will also describe reporting procedures.

APPENDIX-II: POLICY PRINCIPLES

132. 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.

133. Carry out meaningful consultations with displaced persons, host communities, and concerned non-government organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line. These include the landless, the elderly, women and children. Specific safeguards cover Indigenous People, including those without statutory title to land, including those having communal rights, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the displaced persons' concerns. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.

134. Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based and where it is possible to give cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where these are possible.

135. 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.

136. 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.

137. Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.

138. Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.

139. 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.
140. Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to displaced persons and other stakeholders. Disclose the resettlement plan and its updates to displaced persons.
141. Conceive and execute involuntary resettlement as part of a development project. 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.
142. Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
143. Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of the resettlement monitoring. Disclose monitoring reports.