

Land Acquisition and Resettlement

External Monitoring Report (E-35, Hassanabdal – Havelian Expressway)
October 2015

**PAK: National Trade Corridor Highway
Investment Program (NTCHIP) – Tranche-II**

NOTES

- (i) The fiscal year (FY) of the Government of the Islamic Republic of Pakistan and its agencies ends on 30 June.
- (ii) In this report, "\$" refers to US dollars.

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

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

Islamic Republic of Pakistan
Ministry of Communications
NATIONAL HIGHWAY AUTHORITY

HASSANABADAL – HAVELIAN (E-35) EXPRESSWAY PROJECT

National Trade Corridor Highway Investment Program (NTCHIP)

(ADB Loan No. 3121-PAK (NTCHIP) Tranche-II)

External Monitoring Report for the Implementation of
Land Acquisition and Resettlement Plan (LARP)
(Package-III)

Sarai Saleh – Langra

(39+500 – 58+600)

Office of the General Manager (E-35)
National Highway Authority

(15 October, 2015)

TABLE OF CONTENTS

TABLE OF CONTENTS	i
LIST OF TABLES.....	ii
LIST OF FIGURES	ii
LIST OF ANNEXES.....	ii
1. INTRODUCTION.....	1
1.1 Background	1
1.2 Project Description.....	1
1.3 Objectives of the External Monitoring.....	3
2. METHODOLOGY.....	4
2.1 General.....	4
2.2 Review of Project Documents	4
2.3 Data Collection and Analysis	4
3. IMPLEMENTATION STATUS OF LARP OF PACKAGE III.....	5
3.1 Project Impacts as per LARP	5
3.1.1 No. of Displaced Persons.....	5
5	5
3.2 LARP Implementation Status	6
3.2.1 LARP Implementation Status of Package-III.....	6
3.2.1.1 Land Compensation	6
3.2.1.2 Factors Responsible for Delay in Payments	7
3.2.1.3 Crop Compensation.....	7
3.2.1.4 Compensation for Affected Structures	8
3.2.1.5 Trees Compensation	8
3.2.1.6 Allowances – Rehabilitation/ Livelihood Restoration	8
3.3 Status of LAR Free and Impact Reaches at Package-III	9
3.4 Information Disclosure	9
3.5 Efforts made to Ensure All Payments.....	9
4. INTERNAL MONITORING REPORT	10
5. EXISTING INSTITUTIONAL ARRANGEMENTS FOR LAND AND RESETTLEMENT	10
6. GRIEVANCE REDRESS MECHANISM.....	11
6.1 Addressal of DPs Grievances	11
6.2 Status of Redressal of Community Complaints	11
7. CONCLUSIONS.....	12

LIST OF TABLES

Table 3.1: Project Impacts by Category.....	5
Table 3.2: Various Categories of Non-payment of Land Compensation	7
Table 3.3: Status of Implementation of LARP	8
Table 3.4: Status of LAR Free and Impact Reaches at Package-III.....	9
Table 6.1: Number of Complaints Entered by Type	11

LIST OF FIGURES

Figure 1: location map of the Hassanabdal Mansehar Expressway (E-35).....	2
Figure 2: Location Map of the Expressway E-35 (Phase - I)	3
Figure 3: Mouza wise Land Acquisition of Hassanabdal - Havelian Expressway (Package-III)	6

LIST OF ANNEXES

Annex-A: Linear Plan - Section-wise status of Payment of Compensation in Package III	14
Annex 1: Village-wise summary of Awarded Land.....	15
Annex 2: Payment for Crops	15
Annex 3: Mouza-wise summary of Payment for Affected Fruit & Non-Fruit Trees.....	16
Annex 4: Mouza-wise summary of Payment for Allowances – rehabilitation/ livelihood restoration	16

External Monitoring for the Implementation of Land Acquisition and Resettlement Plan Hassanabdal – Havelian Expressway (E-35)

1. INTRODUCTION

1.1 Background

1. National Highway Authority (NHA) is currently implementing the two major road sector projects that include National Highway Development Sector Investment Program (NHDSIP) and National Trade Corridor Highway Investment Program (NTCHIP) with the financial assistance of Asian Development Bank (ADB) through Multi-Tranche Financing facilities MFF-I and MFF-II. These sub-projects are subject to the social safeguard policy of ADB. The National Highway Authority (NHA) under the financial assistance of Asian Development Bank (ADB) is implementing E-35 (Expressway).

2. ADB Safeguards Policy Statement (2009) requires preparation and implementation of “Land Acquisition and Resettlement Plans (LARP)” and validation from an independent monitoring consultant.

3. The External Monitoring for the implementation of LARP & CAP of Package-III of Hassanabdal-Havelian Expressway Project (E-35) has been prepared to validate the updated progress as of September 30, 2015.

1.2 Project Description

5. The Government of Pakistan (GoP) is concentrating on the development of road infrastructure and its major emphasis is on the construction of new motorways/expressways and improvement of the efficiency of existing roads from single to dual carriageways. The construction of Hassanabdal to Havelian Expressway (E-35) is an effort towards this objective.

6. The E-35 Project is divided into two phases. Phase-I consists of road portion from Hassanabdal to Havelian and Phase-II includes road portion from Havelian to Mansehra. The location map of the Hassanabdal Mansehra Expressway (E-35) is presented in Figure 1.

7. The length of Phase-I is 58.6 km. The E-35 Expressway (Phase - I) starts from M-1 near Burhan interchange and end at Havelian. The Package-III of phase-I is planned to be financed by ADB through a Multi-Tranche Financing Facility (MFF-0016) which was approved in 2007- The National Trade Corridor Highway Investment Program (NTCHIP). It is located in District Haripur and Abbottabad and having total length of 19.1 km. The location map of the proposed project road alignment is presented in Figure 2

Package-wise details are as below:

- Package –I: 000+000 - 007+000 – Punjab portion
000+007 - 020+300 – KPK portion
- Package-II: 020+300 - 039+500 – KPK portion
- Package-III: 039+500 - 058+600 – KPK portion

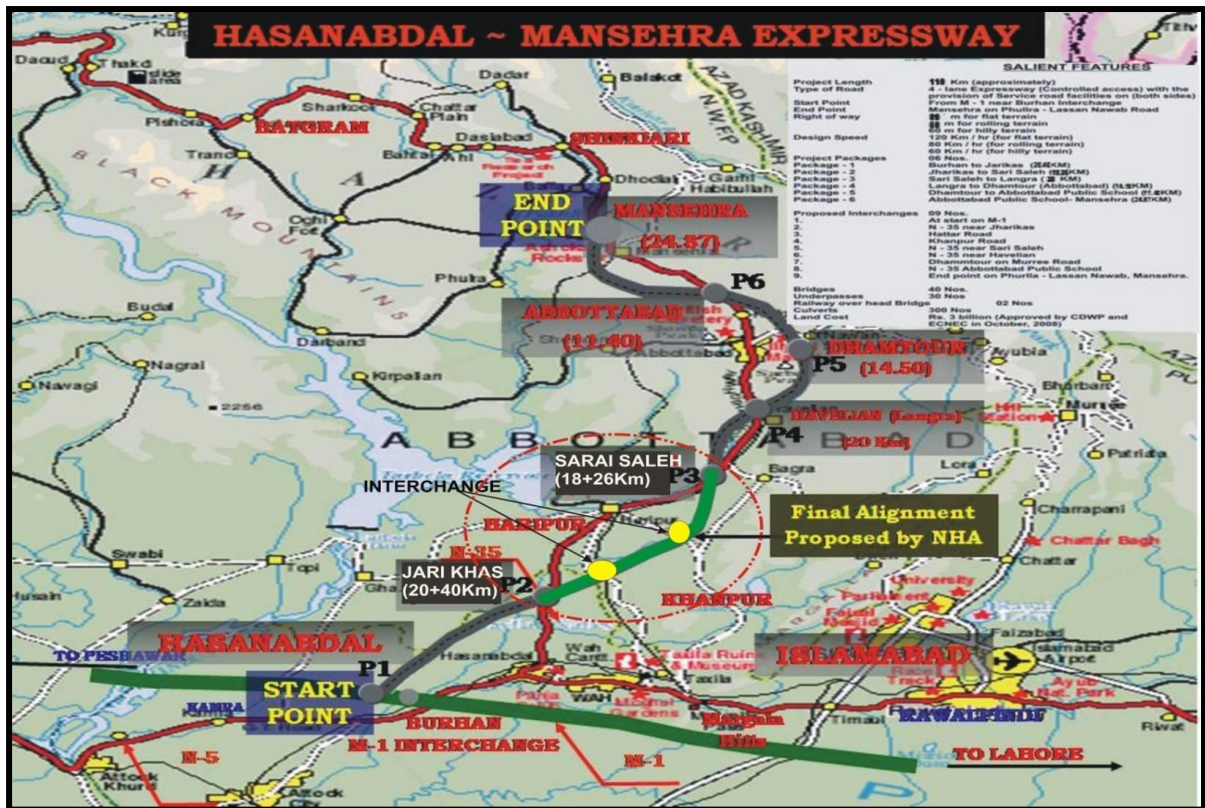
8. Package-III starts from Sarai Saleh at the chainage of 39+500 km and ends at Langra at the chainage 58+600 km after crossing Hattar and Haripur – Khanpur Road. Design for Package-III includes the construction of;

- (i) New 7.3 meter wide 2 lane dual carriageway (19.1 km) with new Jersey barrier as median,
- (ii) 2 interchanges,
- (iii) 2 flyovers,
- (iv) 5 underpasses.
- (v) one bridge over railway crossing
- (vi) and service area at one location

The Right of Way (RoW) of the Expressway is 60 m.

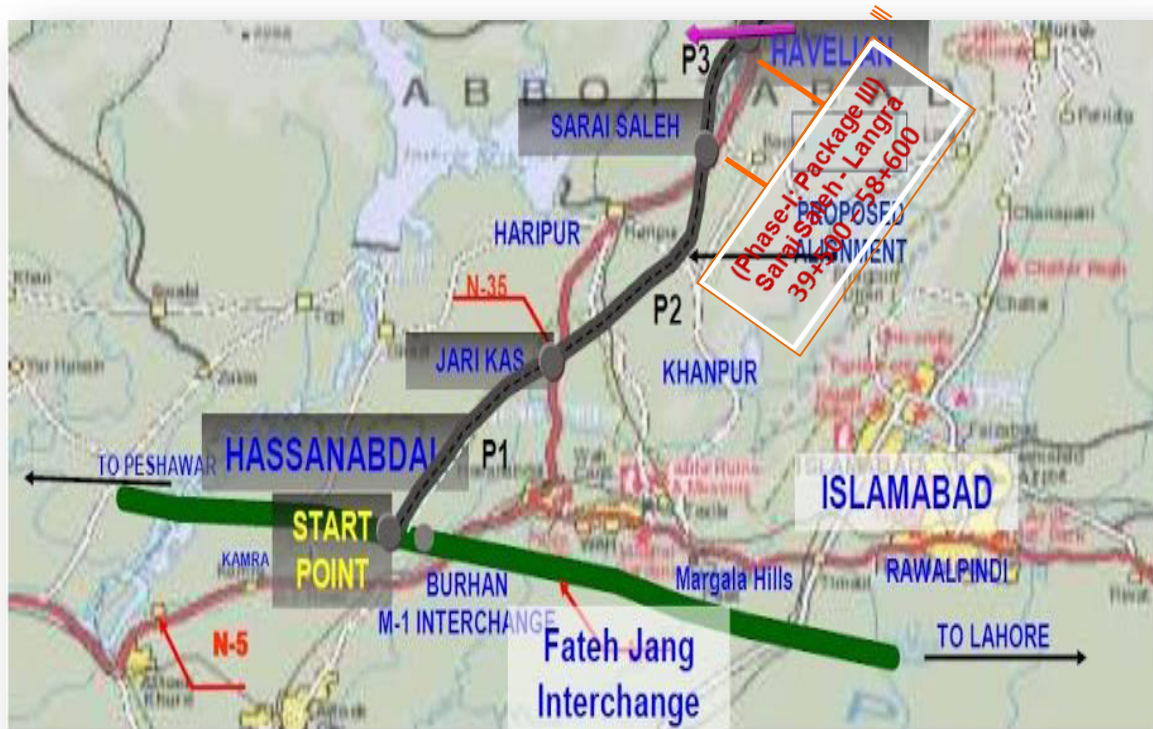
9. This land acquisition and resettlement plan (LARP) has been prepared by the National Highway Authority (NHA), the executing agency for this project and the final LARP of Package-III E-35 has been approved by ADB.

Figure 1: location map of the Hassanabdal Mansehra Expressway (E-35)



10. The location map of the proposed project road alignment is presented in Figure 2.

Figure 2: Location Map of the Expressway E-35 (Phase - I)



1.3 Objectives of the External Monitoring

11. Monitoring is an integral part of resettlement process that entails monitoring of preparation and implementation of Land acquisition & Resettlement Plans (LARP) and as laid down in the ADB's SPS 2009.

12. In accordance with the ToR, the objective of the external M&E is to review implementation, as well as to assess and validate the

- i) Achievement of resettlement objectives,
- ii) Changes in living standards and livelihood and restoration of the economic and social base of the displaced persons (DPs),
- iii) The effectiveness, impact and sustainability of the proposed entitlements,
- iv) the need for further mitigation measures (if any), v) institutional arrangements and capacity to implement resettlement, and suggest recommendations and remedial measures/ time-based corrective action plan.

13. Thus, the external monitoring will enable the project management to make timely decisions on corrective measures needed to implement the LARP and CAP effectively, and learn strategic lessons for future policy formulation and planning.

2. METHODOLOGY

2.1 General

14. This section of the report covers the review of status of progress regarding implementation of LARP and CAP of Package-III as of 30 September 2015, review of project related documents, data collection in field surveys consisting of interviews, consultative meetings with DPs including women, physical verification; and review of institutional arrangements for LARP implementation and redressal of community complaints. In addition to field survey, consultative meetings were also held with the staff involved in the implementation of LARP & CAP.

2.2 Review of Project Documents

15. The project documents, including resettlement framework, land acquisition and resettlement plan; internal monitoring reports, status of LAR implementation, ADB Aide Memoire and other relevant documents were reviewed. The official letters issued and other notifications relating to the LARP implementation were reviewed.

2.3 Data Collection and Analysis

16. Data from both PIU and field was collected, analysed and accordingly updated the results. The data collection, compilation and updation was completed during the the September 30, 2015, while it took a number of weeks for the preparation of linear map by the PIU by involving technical/ engineering staff and revenue staff. The filed survey under this report covered the status of LARP implementation of Package-III (i.e. 039+500 - 058+600) located in the jurisdiction of KPK province.

17. All collected data were inputted on the computer and accordingly the data was analyzed in order to derive tables. The results were presented in the format of count, sum, means, percentage and numbers.

3. IMPLEMENTATION STATUS OF LARP OF PACKAGE III

18. The payment of compensation has been made keeping in view the eligibility and entitlements in accordance with the approved LARP of Package-III. This report has covered the status of payment of compensation as of 30 September, 2015.

19. The status of implementation period the Land Acquisition and Resettlement Unit was assisted by the Project Implementation Units (PIU) and Design and Construction Supervision Consultants for Hassanabdal - Havelian Expressway (E-35) covered the following:

✚ Status of Implementation of Land Acquisition and Resettlement Plan (LARP)

- i) No. of displaced persons
- ii) Impacts of the project including scope of land acquisition,
- iii) Loss of structures
- iv) Cutting of fruit and wood/ timber trees
- v) Loss of crops
- vi) Allowances – rehabilitation/ livelihood restoration

3.1 Project Impacts as per LARP

3.1.1 No. of Displaced Persons

20. As per approved Final LARP of Package-III, a total of 5184 DPs are losing land (out of 5201), 2,559 DPs are losing crops, 390 are losing trees, 03 DPs are losing water sources, 09 have impacts on miscellaneous structures which are mainly retaining walls of agriculture fields, and 26 residential structures physically displacing 172 DPs. The details regarding category of impact are summarized in Table 3.1.

Table 3.1: Project Impacts by Category

Sr. No.	Category of Impact	Unit	Quantity	No of DPs
1	Land			
	Affected Land	Acres	258.34	5184 (1568 HHs)
2	Cropped Area	Acres	138.1	2,559*
3	Structure			
	Houses	No.	26 HHs	172
	Water source	No.	03	03
	Community Structures	No.	02	02
	Miscellaneous structures	No.	09	09
4	Trees			
	Fruit Trees	No.	7,279	122*
	Non Fruit Trees	No.	1,039	268*
	Firewood (*Maund)	No.	13,414.5	
5	Vulnerable DP	No.	182 (HHs)	1203

* These DPs are already included in above DPs/ landowners of private land.

3.2 LARP Implementation Status

21. This EM report describes the status of payment of compensation to the eligible and entitled DPs of Package-III¹.

3.2.1 LARP Implementation Status of Package-III

3.2.1.1 Land Compensation

22. Total 2066.75 kanals (258.34 acres) land acquisition process for E-35 (Package-III) has been completed and payment of compensation is underway by the Land Acquisition Collector (LAC) and other NHA officials based at Project Implementation Unit (PIU) in Abbottabad/ Burhan.

23. That all the required land of Hassanabdal - Havelian Expressway (E-35) project has been acquired and accordingly the clearance of RoW in process.

The whole land (2066.75 kanals) acquired under Hassanabdal - Havelian Expressway (E-35) was located under the jurisdiction of 15 Nos. mouzas (Nowshehra, Mallah, Kalu Maira, Droni Maira, Maqsooda, Dobandi, Akhon Bandi, Mairatoot, Mohri, Changi Bandi, Bagra, Gheba, Langra, Wazeera, Kholiyan Bala and Langra) and owned by 6632 individuals DPs.

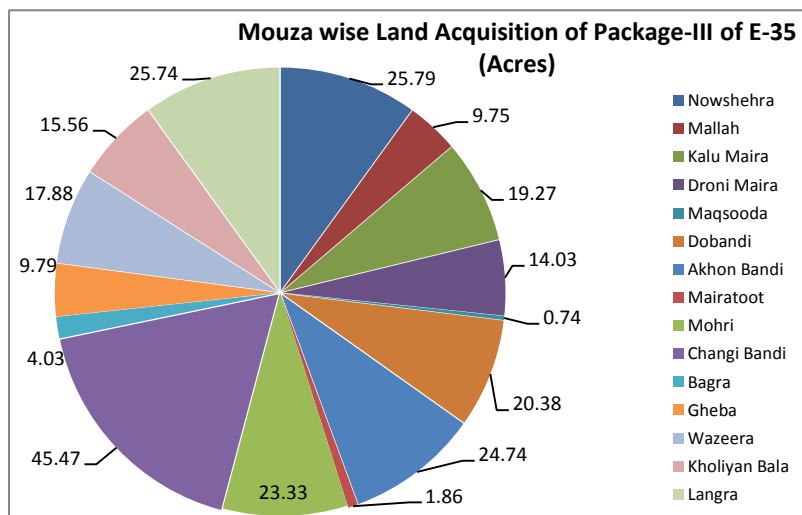


Figure 3: Mouza wise Land Acquisition of Hassanabdal - Havelian Expressway (Package-III)

24. Total number of DPs for land compensation was 6,632 instead of figures given in Approved Final LARP (5,184 DPs. Thus, the land compensation, 6,632 landowners² had to be paid an amount of Rs.359.26 million. To date 3,607 landowners (54.4% of total landowners) have been paid an amount of Rs.307.76 million (85.7%), while the balance amount of payment of Rs. 51.50 million (14.3%) to remaining 3,025 land owners (45.6% of total landowners) are yet to be paid. Status of Land Compensation to the DPs is given in Table 3.3. Details are given in Annex1.

25. The payment of land compensation to remaining 3,025 (45.6%) is in progress (Table 3.3). A summary of results is given in Table 3.2. Furthermore, reasons were also identified in case of non-payment of 3,025 landowners (DPs), although disbursement of land compensation is continued.

¹ Package-III: Chainage: 039+500 - 058+600 in the jurisdiction of KPK province.

²The number of DPs payable is 6632 increased due to compensation apportionment, while the LARP reported 5184 landowners, the difference of 1448 DPs is due to Inheritance cases and shamat (village's common land cases). After compensation apportionment and settlement of inheritance cases, the number of land owners (DPs 6,632 as of 30th Sep. 2015) has been validated. This number is expected to change further as the land records of affected land owners are updated with compensation apportionment / inheritance finalized by revenue department upon necessary land ownership documentation made available to revenue department and land acquisition collector (LAC) by the affected land owner.

3.2.1.2 Factors Responsible for Delay in Payments

26. Reasons were identified in case of delay in payments of land compensation, although the disbursement of compensation is still in progress.

27. Table 3.2 indicates that out of total (3025 Nos.), 1790 DPs have meagre amount of share, 457 land owners passed away but the land not been transferred to their inheritors, 201 DPs have issues relating to 'title/ ownership', 13 are court cases for price enhancement and 564 DPs have other issues (lack of CNIC, lack of bank account and some errors in share calculations/ record). Local revenue staff is checking the figures and after that, payment to all these DPs will be made.

28. Above-mentioned reasons for delay in payment are explained as below:

- **Land compensation** - 3025 are un-paid DPs due to following reasons.
 - 1790 DPs have small compensation amount or it is less than that require for opening of bank accounts. These are termed as DPs with meager compensation amount.
 - Transfer Record of Rights: 457 land owners passed away but the land not been transferred to their inheritors.
 - 201 DPs have issues related to land ownership/ title issues and cannot be paid unless the land transferred to their names;
 - 13 DPs are contesting in the court for compensation enhancement;
 - 64 DPs have different issues, (i.e. lack of CNIC, lack of bank account and some errors in khasra calculations/ record) Local revenue staff is checking the figures and after that, payment to all these DPs will be made.
- **Non-land payments**
 - Payment for the Structures: 2 un-paid DPs of structure compensation; the payment is under process.
 - Payment for the Trees:194 un-paid DPs of trees compensation; the payment is under process.
 - Payment for the Crops: 1679 un-paid DPs of crops compensation; the payment is under process.

Table 3.2: Various Categories of Non-payment of Land Compensation

As of 30th Sep. 2015

Categories of Payment Delayed	Total unpaidDPs
1. Inheritance cases	457
2. Absentee (not traceable)	-
3. Under verification (ownership title)	201
4. Out of village	-
5. DPs out of country (abroad)	-
6. Meager amounts	1790
7. Mortgage cases	-
8. Court cases(e.g. compensation enhancement)	13
9. Payment under process	-
10. Others	564
Total	3025

3.2.1.3 Crop Compensation

29. Total 1877 crop owners had to be paid an amount of Rs.4.48 million. To date 198 crop owners (10.5% of total crop owners) have been paid an amount of Rs. 1.14 million (25.4% of total amount). The remaining 1679 crop owners (89.5% of total crop owners)

are yet to be paid an amount of Rs. 3.34 million (74.6% of total amount). Details are given in Table 3.3. Details are given in Annex 2.

3.2.1.4 Compensation for Affected Structures

30. Total 5structure owners had to be paid an amount of Rs.22.13 million. To date 3DPs (60% of total structure owners) have been paid an amount of Rs. 17.36 million (78.4% of total amount). The remaining 2structure owners (40% of total structure owners) are yet to be paid an amount of Rs. 4.77 million (21.8% of total amount). Details are given in Table 3.3.

3.2.1.5 Trees Compensation

31. In case of compensation for affected trees, 635 trees owners had to be paid an amount of Rs. 11.01 million. To date 442 tree owners (69.6% of total tree owners) have been paid an amount of Rs. 8.32 million (75.6% of total amount). The remaining 193 tree owners (30.4% of total tree owners) are yet to be paid (Table 3.3).Details are given in Annex 3.

3.2.1.6 Allowances – Rehabilitation/ Livelihood Restoration

32. As per LARP of Package-III, there are 208 DPs, who are entitled for allowances including livelihood, business/ transition, transportation/ shifting, house rent & electricity severely affected landowners, employees and residential structures owners. The payment of allowances has been made to 157 DPs (75.5%), while remaining 51 DPs (24.5%) are under process. Details are presented in Table 3.3.Details are given in Annex 4.

Table 3.3: Status of Implementation of LARP

Type of Payment	Unit	As per Approved Final LARP (September 2015)		Actual (As of 30 th Sep. 2015)		Status of Payment (as of 30 September 2015)				
		Quantity	DPs	Amount	DPs	Payment	Payment Made		Balance	
			(No.)	(Rs. M)	(No)	(Rs. M)	Paid DPs (No.)	Paid Amount (Rs. M.)	Un-Paid DPs (No.)	Unpaid Amount (Rs. M.)
Land Compensation	Acres	258.34	5184	312.403*	6632	359.26	3607	307.76	3025	51.50
Crops Compensation	Acres	138.13	2559	4.481	1877	4.48	198	1.14	1679	3.34
Affected Structures	Nos.	40	26	22.127	5	22.13	3	17.36	2	-
Affected Trees (including fruit & non- fruit trees)	Nos.	8318	390	11.01	635	11.01	442	8.32	193	2.689
Allowances – rehabilitation/ livelihood restoration/ Transportation/ shifting and others	Nos.	-	208	10.366	208	10.37	157	8.107	51	2.263

Note: Allowances – rehabilitation/ livelihood restoration compensation is under progress

- Excluding 15% Compulsory Land Acquisition Charges and 2% District Council Tax

3.3 Status of LAR Free and Impact Reaches at Package-III

33. Total length of package III road is 19.04 km. All types of payments payable to the DPs as per LARP have been fully completed in different subsections totaling about 15.19 kms. The construction activities will be strictly limited to the specified reaches as identified in the part A of this table. In all other subsections/reaches as identified part B of this table totaling about 3.85km will remain on hold until these payments are fully made and are validated by the external monitor. Payments in these subsections are slow due to the reasons of land ownership disputes, inheritance and compensation apportionment cases. Amounts payable will be known after the revenue department makes the apportionment. Other issues delaying the payments are meager amount of compensation awaiting opening up of bank accounts by DPs and some DPs not available at their given addresses.

34. However, the construction activities will remain on hold in the specified reaches (as identified in Table 3.4 and in part B of linear map at Annex-A).

Table 3.4: Status of LAR Free and Impact Reaches at Package-III

Sr. No.	Part A: All Types of Compensation Fully Paid				Part B: Payment on-going			
	Affected Villagees	Chainage-wise subsection/ reaches		Length (Km)	Affected Villagees	Chainage-wise subsection/ reaches		Length (Km)
		From	To			From	To	
1.	Geba	39.560	40.000	0.440	Geba	-	-	-
2.	Mera Toot	40.000	40.375	0.375	Mera Toot	40.375	40.500	0.125
3.	Maqsooda	40.500	41.000	0.500	Maqsooda	-	-	-
4.	Changi Bandi	41.000	44.250	3.250	Changi Bandi	40.250	40.500	0.250
5.	Mohree	44.500	45.875	1.375	Mohree	45.875	46.000	0.125
6.	Akhone Bandi	46.125	47.500	1.375	Akhone Bandi	46.000	46.125	0.125
7.	Bagra	47.500	47.875	0.375	Bagra	47.875	48.000	0.125
8.	Dobandi	48.000	48.875	0.875	Dobandi	48.875	49.000	0.125
9.	Kholian	49.125	50.000	0.875	Kholian	49.000	49.125	0.125
10.	Nowshera	50.000	51.250	1.250	Nowshera	51.250	51.500	0.250
11.	Kalu Mera	51.750	52.750	1.000	Kalu Mera	51.500	51.750	0.250
12.	Malla	52.750	53.375	0.625	Malla	53.375	53.500	0.125
13.	Dorani Mera	54.000	54.500	0.500	Dorani Mera	53.500	54.000	0.500
14.	Wazeera	54.500	55.625	1.125	Wazeera	55.625	55.750	0.125
15.	Langra	55.750	57.000	1.250	Langra	57.000	58.600	1.600
	Total			15.190	Total			3.850

3.4 Information Disclosure

35. The objective was to inform the DPs/ locals regarding entitled compensation and livelihood allowances and other related concerns regarding the modalities of implementation of the compensation and livelihood allowances. The Information brochure/ pamphlet (translated in local language, i.e. Urdu) to be distributed affected persons. The information brochure summarizing the provisions of the LARP have been given to the DPs whose land, trees, crops or other assets and incomes are affected by the proposed road project.

3.5 Efforts made to ensure all Payments

36. NHA is committed to make payment to all the DPs and has made all good faith efforts, which include the following actions:

- Information disclosure have been made to all DPs;
- Consultative process with DPs continued to ensure that payments to be made as and when the DPs come forward to claim the payments;
- Public notices have been issued to the DPs, whose availability is discrete, inviting DPs to come and claim their compensation.

- Information regarding early collection of compensation was also displayed through “Banners” at prominent places in all concerned villages.

4. INTERNAL MONITORING REPORT

37. In accordance with the LARP, Internal Monitoring report (IMR) has been prepared by the PIU and accordingly submitted to ADB. Internal monitoring report needs to be improved by incorporating selected monitoring indicators regarding disbursement of compensation, number of up-paid DPs; balance amount of compensation, complaints resolution and monitoring & evaluation/ MIS and status/ or need of training of staff (if any).

38. In addition, existing and proposed institutional arrangements also need to be discussed in the report, so that the gaps in institutional arrangement for LARP implementation could be bridged. In case training provided to the project staff relating to the LARP implementation needs to be described including, description of training, category of staff attended training and adequacy of training.

5. EXISTING INSTITUTIONAL ARRANGEMENTS FOR LAND AND RESETTLEMENT

39. NHA has established a Project Implementation Unit (PIU) under the General Manager E-35 at Abbottabad. The PIU presently comprises of a Project Director, Assistant Director (Engineering), Deputy Director (Land) and Land Acquisition Collector (LAC) with support land staff. The services of Social Safeguard and Management Consultant (SSMC) is in place to plug the capacity gap and assist NHA in the preparation and implementation of LARP and capacity development activities.

6. GRIEVANCE REDRESS MECHANISM

40. In accordance with the LARP, the Grievance Redress Committee (GRC) has been notified headed by the Project Director (E-35) including Director (LM&IS), LAC and AD (Land) as the members of GRC.

41. There is need to maintain a Community Complaints Management Register (CCMR) at PIU for proper record management of complaints. The information on register needs to be maintained in such a way that the status of complaints could be analyzed.

6.1 Addressal of DPs Grievances

42. Presently, a grievance redress mechanism has been established. A Grievance Redress Committee headed by the PD is functioning. Project Director, DD (land) and LAC are the members of the GRC. The grievances are received and responded to by the members of the GRC. The DPCs are kept involved in the redressal process. Due to lack of necessary staff the records of complaints is not properly maintained, however now SSMC working on this issue and process is being streamlined. The complaints/grievances received are briefly discussed below;

- Most of the complaints received pertain to the assessment of prices by the Provincial Revenue Departments. The complainants have been informed that the prices are assessed on the basis of average of the transactions carried out during the last one year and that they were allowed an opportunity by the Land Collector to record the grievances prior to announcement of award. The complainant still can approach the Referee courts for revision of prices.

6.2 Status of Redressal of Community Complaints

43. The project has shown that a Grievance Redress Committee (GRC) was in place. The grievance redressal committee was established to facilitate DPs for appealing against any disagreeable decision, practice or activity arising from land or other assets assessment, acquisition, and compensation.

44. Most of the complaints received were relating to the assessment of prices by the revenue authorities. Accordingly, 13 DPs have entered their reference in the court for price enhancement and the hearings are in progress.

45. Total of 6 complaints entered in package-III. A summary of community complaints by type has been prepared and presented in Table 6.1.

Table 6.1: Number of Complaints Entered by Type

Issue/ concern	No. of Complaints	Remarks
➤ Enhancement of land compensation	5	Compensation assessment was based on the valuation study and unit rate estimated is equal to the replacement cost of lost item/ asset.
➤ Calculation errors in revenue record	1	Corrections in records are being made
Total	6	

7. CONCLUSIONS

46. As mentioned earlier, the land for the project has already been acquired under the LAA in the 15 villages of Package-III. The disbursement of compensation for land and land based assets, acceptable under the LAA is in progress.

47. Significant progress has been achieved in the process of payment of land and land based asserts compensation. The final LARP has been approved, hopefully payment of allowances as per ADB Policy will be completed in due course of time, as per provisions of the LARP. The procurement of Social Safeguards and Management Consultant (SSMC) is also a critical action to ensure the effective implementation of LARP.

48. On the whole, total amount of compensation of land, non land based and crops (Rs. 407.25 million) was to be paid to 6632 DPs³ including structures, crops, trees and allowances, out of which, an amount of Rs. 342.68 million (84.1%) has been paid to DPs on account of payment for the loss of land, structures, community structures and crops. Balance amount of Rs. 64.17 million (15.9%) is yet to be paid to 3025 DPs, which is under process. The break-up of leftover payments is as under:

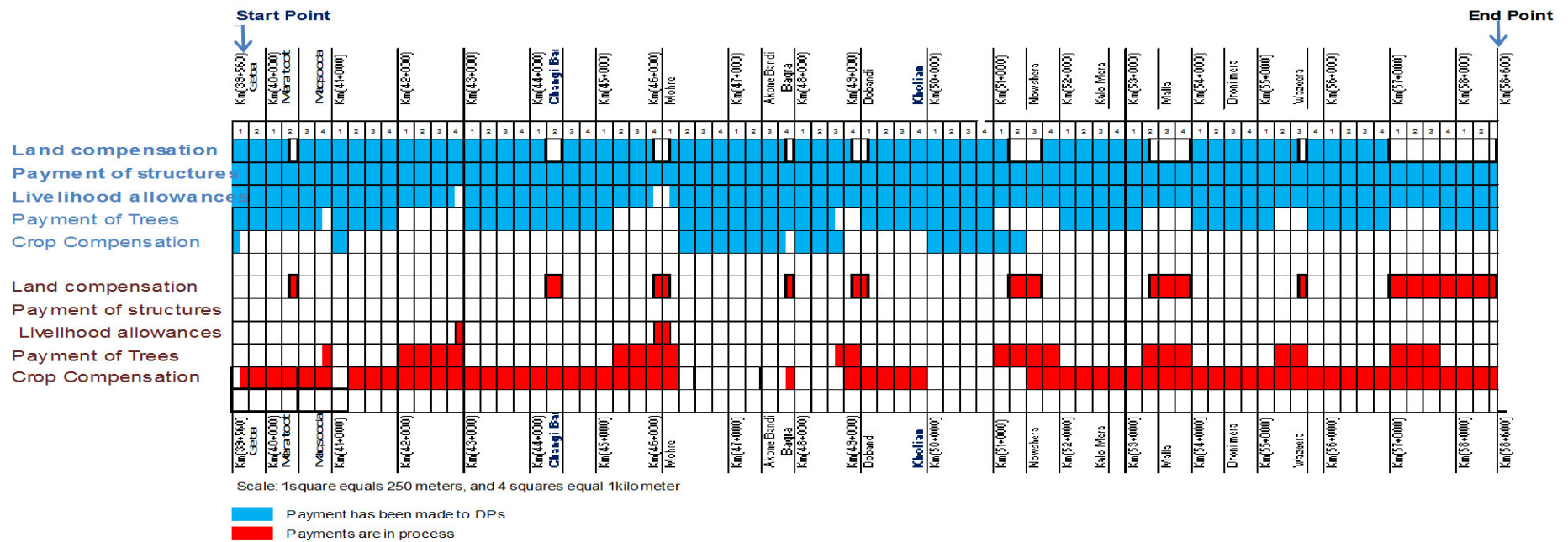
- i) Payment of land Rs. 51.50 million to 3025 DPs on account of compensation for the loss of land.
- ii) Payment of 2 DPs on account of compensation for the loss of permanent structures.
- iii) Payment of Rs. 2.69 million on account of compensation for the loss of trees.
- iv) Payment of Rs. 3.34 million on account of compensation for the loss of crops.
- v) Payment of 51 DPs on account of compensation for the allowances (rehabilitation/ livelihood restoration).

49. The linear plan indicating different stretches/ reaches where the payment of compensation has been made and under process is presented in Annex A.

³The number of DPs payable is 6632, while the LARP reported 5,184 landowners, the difference of 1,448 DPs is due to inheritance cases and shamlat (village's common land cases).

ANNEXES

Annex-A: Linear Plan - Section-wise status of Payment of Compensation in Package III



Status of Payment of Package-III

Sr. No.	Part A: All types of compensation fully paid				Part B: Payments on-going			Remarks	
	Affected Villages	Chainage-wise subsections/reaches		Length (KM)	Affected Villages	Chainage-wise subsection/reaches			Length (KM)
		From	To			From	To		
1	Geba	39.560	40.000	0.440	Geba	-	-	Total length of package III road is 19.04 km. All types of payments payable to the DPs as per LARP have been fully completed in different subsections totaling about 15.19 kms. The construction activities will be strictly limited to the specified reaches as identified in the part A of this table. In all other subsections/reaches as identified part B of this table totaling about 3.85km will remain on hold until these payments are fully made and are validated by the external monitor. Payments in these subsections are slow due to the reasons of land ownership disputes, inheritance and compensation apportionment cases. Amounts payable will be known after the revenue department makes the apportionment. Other issues delaying the payments are meager amount of compensation awaiting opening up of bank accounts by DPs and some DPs not available at their given	
2	Mera Toot	40.000	40.375	0.375	Mera Toot	40.375	40.500		0.125
3	Maqsooda	40.500	41.000	0.500	Maqsooda	-	-		
4	Changi Bandi	41.000	44.250	3.250	Changi Bandi	40.250	40.500		0.250
5	Mohree	44.500	45.875	1.375	Mohree	45.875	46.000		0.125
6	Akhone Bandi	46.125	47.500	1.375	Akhone Bandi	46.000	46.125		0.125
7	Bagra	47.500	47.875	0.375	Bagra	47.875	48.000		0.125
8	Dobandi	48.000	48.875	0.875	Dobandi	48.875	49.000		0.125
9	Kholian	49.125	50.000	0.875	Kholian	49.000	49.125		0.125
10	Nowshera	50.000	51.250	1.250	Nowshera	51.250	51.500		0.250
11	Kalu Mera	51.750	52.750	1.000	Kalu Mera	51.500	51.750		0.250
12	Malla	52.750	53.375	0.625	Malla	53.375	53.500		0.125
13	Dorani Mera	54.000	54.500	0.500	Dorani Mera	53.500	54.000		0.500
14	Wazeera	54.500	55.625	1.125	Wazeera	55.625	55.750		0.125
15	Langra	55.750	57.000	1.250	Langra	57.000	58.600		1.600
			Total	15.190		Total	3.850		

Annex1: Village-wise summary of Awarded Land

Sr. No	Name of Mouza	Affected Land (Kanal)	Total DP (Nos.)	Paid DPs (Nos.)	Total Amount (Rs)	Amount Disbursed (Rs)	Amount Due (Rs)	Amount Disbursed (%)
1	Nowshehra	206.30	665	95	977,437	667,031	310,406	68.2%
2	Mallah	78.00	232	74	5,911,845	4,365,704	1,546,141	73.8%
3	Kalu Maira	154.15	583	329	8,052,544	6,641,629	1,410,915	82.5%
4	Droni Maira	112.20	272	30	4,087,679	2,379,139	1,708,540	58.2%
5	Maqsooda	5.90	3	3	6,067,285	6,067,285	0	100.0%
6	Dobandi	163	203	141	12,019,309	10,472,874	1,546,435	87.1%
7	Akhon Bandi	197.95	452	228	34,723,974	32,794,369	1,929,605	94.4%
8	Mairatoot	14.9	167	129	4,962,962	3,198,328	1,764,634	64.4%
9	Mohri	186.6	1388	880	176,366,541	164,795,368	11,571,173	93.4%
10	Changi Bandi	363.75	1270	911	32,739,947	28,816,870	3,923,077	88.0%
11	Bagra	32.25	54	48	17,394,745	15,750,095	1,644,650	90.5%
12	Gheba	78.35	231	162	5,800,431	5,439,647	360,784	93.8%
13	Wazeera	143.00	179	123	5,304,427	4,677,570	626,857	88.2%
14	Kholiyan Bala	124.50	277	141	3,701,367	3,085,133	616,234	83.4%
15	Langra	205.90	656	313	41,152,283	18,453,345	22,698,938	44.8%
Total		2066.75	6632	3607	359,262,776.23	307,604,387	51,658,389	85.6%

Source: LAC Office, Abbotabad

Annex2: Payment for Crops

Sr. No.	Name of Mouza	Payment for Crops			
		Paid DP (Nos.)	Total Amount (Rs)	Amount Disbursed (Rs)	Amount Due (Rs)
1	Nowshehra	-	-	-	-
2	Mallah	23	222,425	132,065	90,360
3	Kalu Maira	12	232,366	33,706	198,660
4	Droni Maira	11	208,634	57,784	150,850
5	Maqsooda	-	19,425	-	19,425
6	Dobandi	16	166,657	106,725	59,932
7	Akhon Bandi	28	603,100	116,417	486,683
8	Mairatoot	9	54,760	10,777	43,983
9	Mohri	34	542,219	304,834	237,385
10	Changi Bandi	7	1,012,174	47,373	964,801
11	Bagra	24	467,106	267,106	200,000
12	Gheba	6	252,525	86,521	166,004
13	Wazeera	20	221,445	119,416	102,029
14	Kholiyan Bala	-	19,980	-	19,980
15	Langra	8	458,850	38,317	420,533
Total		198	4,481,666	1,321,041	3,160,625

Annex3: Mouza-wise summary of Payment for Affected Fruit & Non-Fruit Trees

Sr. No.	Name of Mouza	Payment for Affected Fruit & Non-Fruit Trees			
		Total DP (Nos.)	Paid DP (Nos.)	Un-Paid DPs (Nos.)	Amount Due (Rs)
1	Nowshehra	15	11	4	70
2	Mallah	24	10	14	101,990
3	Kalu Maira	48	40	8	183,235
4	Droni Maira	17	9	8	51,732
5	Maqsooda	3	2	1	61,352
6	Dobandi	28	16	12	80,273
7	Akhon Bandi	115	87	28	631,928
8	Mairatoot	11	10	1	3,701
9	Mohri	96	68	28	872,410
10	Changi Bandi	204	135	69	646,504
11	Bagra	5	4	1	5,000
12	Gheba	-	-	-	-
13	Wazeera	40	22	18	77,288
14	Kholiyan Bala	-	-	-	-
15	Langra	29	28	1	167,969
Total		635	442	193	2,883,452
					26.2%

Annex 4: Mouza-wise summary of Payment for Allowances – rehabilitation/ livelihood restoration

Sr. No.	Mouza Name	Total Nos of DP'S	No of DPs PAID	% of DPs PAID	Remaing DPs	Total Amount (Rs)	Amount Disbursed (Rs.)	% of amount paid
1	Nowshehra	10	10	100	-	437,169	437,169	100
2	Mallah	15	15	100	-	667,947	667,947	100
3	Kalu Maira	39	39	100	-	3,138,093	3,138,093	100
4	Droni Maira	11	11	100	-	605,097	605,097	100
6	Maqsooda	7	7	100	-	321,780	321,780	100
5	Dobandi	-	-	-	-	-	-	-
7	Akhon Bandi	23	-	0.00	23	884,649	0	0.00
8	Mairatoot	5	5	100	-	192,315	192,315	100
9	Mohri	29	1	34.5	28	1,206,429	129,465	10.73
10	Changi Bandi	18	18	100	-	692,334	692,334	100
11	Bagra	-	-	-	-	-	-	-
12	Gheba	2	2	100	-	76,926	76,926	100
13	Wazeera	13	13	100	-	500,019	500,019	100
14	Kholiyan Bala	10	10	100	-	384,630	384,630	100
15	Langra	26	26	100	-	961,575	961,575	100
	Total	208	157	75.48	51	10,068,963	8,107,350	80.52

**Linear Maps and Tables of Subsections with
Completed and Ongoing Payments**

**Certification by External Monitor for
Construction in Subsections where LARP has been fully Implemented**

15 October, 2015

This is to certify that the linear maps prepared by NHA team reflects the true field situation of LARP payments. In accordance with ADB's requirement for 100% payments fully completed before commencement of construction, it is certified that:

Package-III:

1. Subsections in part A of the table in Annex A, construction may commence in subsections totaling a length of 15.190 km.
2. In all other subsections as NHA identified in part B of Annex A, totaling a length of about 3.850 km, no construction activities will commence until all payments are fully completed and LARP provisions implemented. This will require validation by external monitor and approval of ADB.

Certified by:

Abdul Hameed
External Monitor
E-35 Project, Package III

National Highway Authority, Islamabad

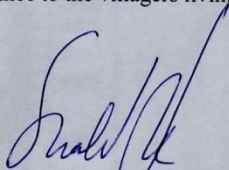
Hassanabadal Havelian - Espressway Project (E-35)

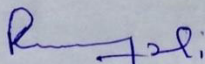
Status of Implementation of LARP (Package III) – Request for a Notice to Proceed for Construction in Areas where Provisions of LARP have been Fully Implemented.

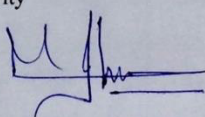
15 October, 2015

1. The National Highway Authority team comprising representatives of EALS and E-35 team headed by the General Manager and led by Project Director, an Engineer and Deputy Director (Land Management & Social) has prepared a linear map of package III and a table which identifies the subsections or “reaches” of the road indicating clearly the status of payments both fully completed and under progress.
2. The linear map and table have been prepared based on the cadastral maps of the villages and affected land parcels to identify the subsections with clear status of payments. The external monitor also reviewed and validated preparation of the linear map and the table comprising subsections with status of payments clearly identified.
3. NHA has fully endorsed this linear map (Package III and the table identifying additional subsections in which all types of payments have been fully completed and the subsections in which the payments are under progress.
4. Based on the linear map, NHA requests for issuance of notice for construction of works to commence in accordance with Annex A (attached). NHA confirms that the construction activities will be strictly limited to the sections as identified in part A of Annex A. All other subsections as identified in Part B of Annex A will remain on hold until all types of payments as in LARP are fully paid and EMA validation received and concurrence from ADB obtained. NHA also confirms that construction activities in areas allowed for construction (Part A of Annex A) will neither cause any loss of access to the DPs and villagers nor will it create any disturbance to the villagers living around the ROW.

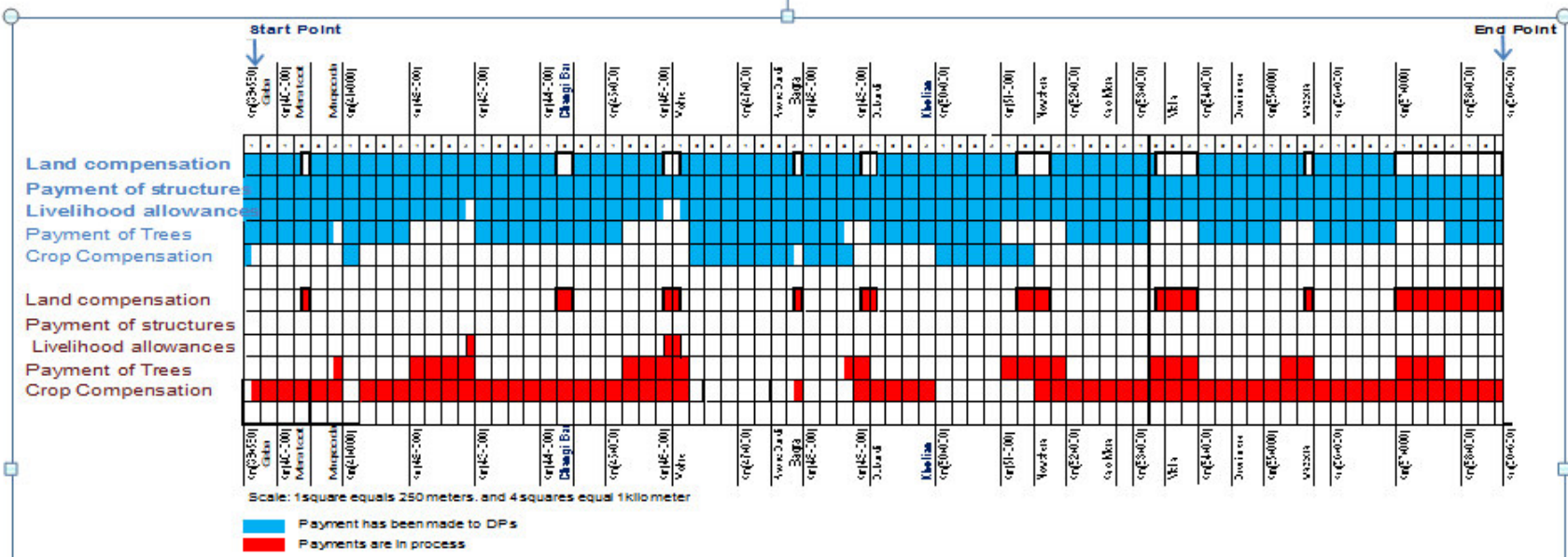
Endorsed by:


General Manager (E-35)
National Highway Authority


Deputy Director (Engg) E-35 Project
National Highway Authority


Deputy Director (Land Management & Social) – E-35
National Highway Authority

Annex-A: Linear Plan - Section-wise status of Payment of Compensation in Package III



Status of Payment of Package-III

Sr. No.	Part A: All types of compensation fully paid				Part B: Payments on-going				Remarks
	Affected Villages	Chainage-wise subsections/reaches		Length (KM)	Affected Villages	Chainage-wise subsection/reaches		Length (KM)	
		From	To			From	To		
1	Geba	39.550	40.000	0.440	Geba	-	-	-	Total length of package III road is 5.51 km. All types of payments payable to the DPs as per LAMP have been fully completed in different subsections totaling about 15.19 kms. The construction activities will be strictly limited to the specified reaches as identified in the part A of this table. In all other subsection/reaches as identified part B of this table totaling about 3.35km will remain on hold until these payments are fully made and are validated by the external monitor. Payments in these subsections are slow due to the reasons of land ownership disputes, inheritance and compensation apportionment cases. Amounts payable will be known after the revenue department makes the apportionment. Other issues delaying the payments are meager amount of compensation awaiting opening up of bank accounts by DPs and some DPs not available at their given
2	Mera Toot	40.000	40.375	0.375	Mera Toot	40.375	40.500	0.125	
3	Maqsooda	40.500	41.000	0.500	Maqsooda	-	-	-	
4	Changi Sandi	41.000	44.250	3.250	Changi Sandi	40.250	40.500	0.250	
5	Mohree	44.500	45.375	0.875	Mohree	45.375	46.000	0.625	
6	Akhone Sandi	46.125	47.500	1.375	Akhone Sandi	46.000	46.125	0.125	
7	Sagra	47.500	47.375	0.125	Sagra	47.375	48.000	0.625	
8	Dobandi	48.000	48.375	0.375	Dobandi	48.375	49.000	0.625	
9	Kholian	49.125	50.000	0.875	Kholian	49.000	49.125	0.125	
10	Newsheera	50.000	51.250	1.250	Newsheera	51.250	51.500	0.250	
11	Kalu Mera	51.750	52.750	1.000	Kalu Mera	51.500	51.750	0.250	
12	Malla	52.750	53.375	0.625	Malla	53.375	53.500	0.125	
13	Dorani Mera	54.000	54.500	0.500	Dorani Mera	53.500	54.000	0.500	
14	Waccera	54.500	55.625	1.125	Waccera	55.625	55.750	0.125	
15	Lengra	55.750	57.000	1.250	Lengra	57.000	58.000	1.000	
			Total	15.190		Total		3.350	