

# Land Acquisition and Resettlement

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Internal Monitoring Report (E-35, Hassanabdal – Havelian Expressway-Phase I,  
Package -I)

May 2015,

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

Prepared by National Highways Authority for the Asian Development Bank.

## 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.

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**NATIONAL HIGHWAY AUTHORITY  
Ministry of Communications  
Government of Pakistan**

**Hassanabdal – Havelian Expressway (E-35)  
(Phase-I: Package I)**

**Internal Monitoring of the  
Implementation of Land Acquisition and  
Resettlement Plans for Package-I**

**MAY, 2015**

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## 1. Background

Pakistan's traffic movements are primarily concentrated along the north-south 'National Trade Corridor' (NTC) – Peshawar-Lahore-Karachi – which serves domestic needs, and also links the main industrial centers in Punjab and neighboring countries in the north-west (Afghanistan) and north (China) with international markets through the southern Karachi area ports. The GOP envisions significant increase in trade/transit traffic from China both through sea and land after opening of the Gawadar port and has, therefore, decided to improve the existing KKH (N-35) to the dual carriage expressway level. However, due to tremendous land acquisition and resettlement issues related with the option, the NHA decided to the construct Hasanabdal – Havelian expressway (E-35) on new alignment and link it to the National Trade Corridor, to save the travel time and to improve connectivity with China.

Phase-I consists of road portion from Hassanabdal to Havelian. The length of Phase-I is 59.6 km. The Phase-I is further divided into 03 packages as per following details.

| Package | Section | Location        | Chainage          |
|---------|---------|-----------------|-------------------|
| I       | 1       | Punjab Province | 000+000 - 007+000 |
| I       | 2       | KPK Province    | 000+007 - 020+300 |
| II      | -       | KPK Province    | 020+300 - 039+500 |
| III     | -       | KPK Province    | 039+500 - 059+600 |

The E-35 Expressway (Phase – I) starts from M-1 near Burhan interchange and end at Havellian. The Package-I of phase-I is planned to be funded from the ADB sponsored MFF-National Highway Development Sector Improvement Programme (NHDSIP). It is located in Tehsil Haripur of the District Haripur & tehsile Hasanabdal of District Attock having total length of 20.3 km. It starts from Kholian near Burhan Interchange and ends at Dingi Tube Well at the chainage 20+300 km after crossing N-35 near Dingi Tube Well. The design for Package-I has been finalized, it includes construction of new 7.3 meter wide 2 lane dual carriageway (20.3 km) with Jersey barrier as median, 2 interchanges, 3 flyovers, 10 underpasses. The carriageway will include paved shoulders at inner and outer sides. The Expressway will be fenced from both sides and six (15) feet service road will be provided on both sides where required. The Right of Way (RoW) of the Expressway is 80 m.

Land Acquisition and Resettlement Framework (LARF) and (LARP) have been approved by the Bank. The land is acquired under the Land Acquisition Act 1894. The process of compensation under land awards is at advanced stage and about 94% of the affected land owners have been paid so far.

## 2. Objectives of the IMR

LAR activities for Package-1 have been started by NHA in anticipation of ADB funding for the project. The objective of the Internal Monitoring Report (IMR) is to provide an up-to-date progress of land and resettlement related activities on project.

## 3. Status of LAR Activities up-till 30th May, 2015

The status of LAR activities up-till May, 2015 is given as under.

### 3.1 Approval of Land Acquisition and Resettlement Framework (LARF)

The LARF for the project have been approved by the ADB.

### 3.2 Approval of Land Acquisition and Resettlement Plan (LARP)

The LARP has also been approved by the ADB. Now it is in updation process.

### 3.3 Approval of Social Safeguards Management Consultants (SSMC) Model

In order to effectively implement the LARP and address the social safeguard issues, NHA have decided to employ SSMCs and the Chairman NHA has approved the proposal to this extent. The hiring of SSMCs is in progress.

## 4. Land Acquisition Status

The land acquisition process for the project has been completed and about 3859.6 kanals (482.45 Acres) have been acquired in 15 mouzas falling within the RoW. Mouza-wise detail of acquired land is provided in **Table-1**.

**Table-1: Mouza-wise Detail of Affected Land and Owners**

| Sr. No | Name Of Mouza | Affected Land within 80m RoW (Kanal) | No. of DPs |
|--------|---------------|--------------------------------------|------------|
|--------|---------------|--------------------------------------|------------|

|              |                   |               |             |
|--------------|-------------------|---------------|-------------|
| 1            | Jabar (KPk)       | 381.55        | 175         |
| 2            | Padarah (KPk)     | 244.85        | 226         |
| 3            | Kala Katha (KPk)  | 192.65        | 143         |
| 4            | Khoi Dara (KPk)   | 202.05        | 320         |
| 5            | Dar Chitti (KPk)  | 117.8         | 535         |
| 6            | Motian (KPk)      | 465.45        | 645         |
| 7            | Jar (KPk)         | 145.1         | 71          |
| 8            | Dingi (KPk)       | 145.2         | 52          |
| 9            | Aamgah (KPk)      | 209.05        | 449         |
| 10           | Kohlian (Pun)     | 964.35        | 258         |
| 11           | Kanwan (Pun)      | 258.95        | 320         |
| 12           | Ballar Jogi (Pun) | 262.45        | 314         |
| 13           | Bedian (Pun)      | 59.75         | 75          |
| 14           | Mohree (Pun)      | 140.45        | 168         |
| 15           | Barwal (Pun)      | 69.95         | 46          |
| <b>Total</b> |                   | <b>3859.6</b> | <b>3797</b> |

\*KPk stands for Khyber Pakhtoon Khawa & Pun for Punjab Province

## 5. Resettlement Impacts of the Project

The resettlement impacts of the project are summarized in Table-2, as follows.

**Table-2: Summary of Resettlement Impacts**

| Sr.#     | Type of Impact              | Unit  | Package 1     |
|----------|-----------------------------|-------|---------------|
| 1        | Land                        | Kanal | <b>3859.6</b> |
| <b>2</b> | <b>Structures</b>           |       |               |
|          | Houses                      | No.   | <b>98</b>     |
|          | Brick Kilns                 | No.   | <b>0</b>      |
|          | Poultry Farms               | No.   | <b>0</b>      |
|          | Shops                       | No.   | <b>0</b>      |
| 3        | Tubewells                   |       | 0             |
| <b>4</b> | <b>Trees</b>                |       |               |
|          | Fruit Trees/Crops/Vagitable | No.   | 222 DPs       |
|          | Non-Fruit                   | No.   | 289 DPs       |
| 5        | Crops                       | Kanal | 3143          |

## 6. Existing Institutional Arrangements for Land And Resettlement

NHA has established a Project Implementation Unit (PIU) under the General Manager E-35 at Abbotabd. The PIU presently comprises of a Project Director, Assistant Director (Engineering), Assistant Director (Land) and Land Acquisition Collector (LAC) with support land staff. The PIU currently lack the resettlement and social mobilization capacity for efficient implementation of LARP. NHA and ADB have agreed to acquire the services of Social safeguard Management Consultants to plug the capacity gap and assist NHA in the preparation and implementation of LARP.

### **6.1 Addressal of DPs Grievances**

Presently, a grievance redress mechanism has been established. A Grievance Redress Committee headed by the PD is functioning. Director (LM&IS), AD (land) and LAC are the member 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 maintained. 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 Formation of Displaced Persons Committees (DPCs)**

DPCs in all the 15 mouzas have been established vide Notification No LAC. E-35/NHA/Atd/12/1358 Dated 25 April 2012. These committees are taken on-board by the project staff in addressing the grievances of the DPs.

## **7. On-Going Process for Disbursement of Compensation**

The disbursement of compensation to the DPs is in progress for Package I of E-35. The amount is disbursed to the DPs by the LAC. No other Project functionary participates in the

Payment process. The progress of payment by the LAC is reported to the higher offices of NHA and Revenue Department in the form of monthly report. The following interim disbursement arrangements are in place at the Project Office.



- A team comprising LAC, Quanoogo and 02 Patwaris is carrying out the disbursement task. As a first step, as per requirements of the LAA, announcements are made in the relevant village/ area before one day of the scheduled visit of the disbursement team. People are asked to come to a specified place (generally prominent place in the village) along with their NICs and land ownership documents to receive their compensation.
- On the specified date, the LAC with his staff holds a meeting. The Patwari identifies the DP as per his NIC and fard-e-malkiat issued by revenue office and takes his signatures on the acquittance roll and affixes his thumb impression, which is mandatory.
- After this activity, the voucher is prepared by Quanoogo. The voucher includes the details about affected land with land types and the compensation costs as per acquaintance roll. DP signs the voucher. The thumb impression of the DP and his NIC number on the voucher is mandatory. Two witnesses also sign the voucher with their NIC number. Then LAC signs the voucher. The voucher is handed over to the DP and a copy is kept in the record.
- The DP brings this voucher to the District Account Office. This office after confirming the identity of the voucher bearer with two witnesses, issues a cross cheque to the AP of his amount payable from National Bank of Pakistan, Haripur/Attock.
- The DP deposits this cheque in his account in a bank and the amount is transferred to his account.
- The vouchers for trees and assets are issued separately by the LAC.



Compensation of Payment to the DP's by Site Office Staff at Village Level



Compensation of Payment to the DP's by Site Office Staff at Village Level



Compensation of Payment to the DP's by Site Office Staff at Village Level



Compensation of Payment to the DP's by Site Office Staff at Village Level

## 8. Up-to-Date Status of Payment of Compensation

As mentioned earlier, the land for the project has already been acquired under the LAA in the 15 villages of Package 1. The disbursement of compensation for land and land based assets, admissible under the LAA is in progress. More than **90 %** of the compensation has been paid to the DPs. The payment of allowances like livelihood restoration, rehabilitation, crops compensation, severance, etc under the ADB policy is also been **100%** paid to **2027** DPs. This IMR essentially covers the payment to DPs for land and land based assets compensation as per land awards and ADB admissible allowances. A summary of the payment made up to 30th May, 2015 is provided in Table-3 below and the details are given in Annexure 1, 2, 3 ,4 & 5 for land, structures, trees, crops and allowances for crops respectively.

**Table-3: Summary of Compensation Payments**

| Impact Type  | Total DPs   | DPs Paid    | Total Amount (Rs)  | Amount Paid (Rs.)  | Amount Due (Rs.)  | % amount Paid |
|--------------|-------------|-------------|--------------------|--------------------|-------------------|---------------|
| Land         | 3601        | 2660        | 476,046,779        | 450,995,214        | 25,051,565        | <b>94.73</b>  |
| Structures   | 102         | 101         | 85,679,243         | 85,637,648         | 41,595            | <b>99.9</b>   |
| Trees        | 511         | 298         | 8,542,086          | 5,742,525          | 2,799,561         | <b>67.22</b>  |
| Crops        | 180         | 132         | <b>14,213,750</b>  | <b>11,536,430</b>  | 2,677,320         | <b>81.16</b>  |
| <b>Total</b> | <b>4394</b> | <b>3191</b> | <b>584,481,858</b> | <b>553,911,817</b> | <b>30,570,041</b> | <b>95</b>     |

## 9. Receipt of Payment U/S 18 of LAA

The LAA provides that if a person, in spite of proceedings under sections 5a, 9 and 10 is not satisfied with the Award in any way, he is allowed to go the court of law for the rectification of his grievances. For this purpose, he is required to receive the Award amount under protest. He records his protest on the acquittance roll at the time preparation of payment voucher. According to information from the LAC, about 85 land owners have gone to the court of law u/s 18. The LAC facilitates the DPs by providing them the documents related to their compensation amounts and calculation of average year (owsat yaksala) for different categories of land.

## 10. Conclusion

Considerable progress has been achieved in the process of payment of land and land based asserts compensation. The final LARP has been approved and the payment of allowances is also in progress, 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 Management Consultants (SSMC) is also a critical action to ensure the effective implementation of LARP.

### Annexure-1: Village-wise summary of Awarded Land

| Sr. No. | Village    | Affected Land (Kanal) | No of DPs |      | Total Amount (Rs.) | Amount Disbursed Rs. | Balanced Amount Rs. | %age  |
|---------|------------|-----------------------|-----------|------|--------------------|----------------------|---------------------|-------|
|         |            |                       | Total     | Paid |                    |                      |                     |       |
| 1       | Jabar      | 381.55                | 250       | 159  | 10,366,901         | 9,738,832            | 628,069             | 93.94 |
| 2       | Padarah    | 244.85                | 355       | 287  | 17,862,233         | 16,295,993           | 1,566,240           | 91.23 |
| 3       | Kala Katha | 192.65                | 167       | 131  | 4,641,096          | 3,991,827            | 649,269             | 86.01 |
| 4       | Khoi Dara  | 202.05                | 231       | 165  | 5,514,341          | 4,703,929            | 810,412             | 85.30 |

|    |              |               |             |             |                    |                    |                   |              |
|----|--------------|---------------|-------------|-------------|--------------------|--------------------|-------------------|--------------|
| 5  | Dar Chitti   | 117.8         | 400         | 158         | 1,197,616          | 316,816            | 880,800           | 26.45        |
| 6  | Motian       | 465.45        | 571         | 520         | 161,522,078        | 157,035,839        | 4,486,239         | 97.22        |
| 8  | Jar          | 145.1         | 105         | 87          | 22,412,693         | 20,563,011         | 1,849,682         | 91.75        |
| 7  | Dingi        | 145.2         | 91          | 78          | 34,128,479         | 33,297,332         | 831,147           | 97.56        |
| 9  | Aam ghah     | 209.05        | 250         | 211         | 15,003,372         | 12,249,043         | 2,754,329         | 81.64        |
| 10 | Kohlian      | 964.35        | 258         | 169         | 94,147,050         | 91,080,942         | 3,066,108         | 96.74        |
| 11 | Kanwan       | 258.95        | 320         | 214         | 38,283,500         | 36,508,326         | 1,775,174         | 95.36        |
| 12 | Ballar Jogi  | 262.45        | 314         | 238         | 42,392,220         | 39,244,690         | 3,147,530         | 92.57        |
| 13 | Bedian       | 59.75         | 75          | 70          | 6,835,025          | 6,083,829          | 751,196           | 89.01        |
| 14 | Mohree       | 140.45        | 168         | 142         | 14,584,300         | 13,838,248         | 746,052           | 94.88        |
| 15 | Barwal       | 69.95         | 46          | 31          | 7,155,875          | 6,046,557          | 1,109,318         | 84.50        |
|    | <b>Total</b> | <b>3859.6</b> | <b>3601</b> | <b>2660</b> | <b>476,046,779</b> | <b>450,995,214</b> | <b>25,051,565</b> | <b>94.73</b> |

Source: PD office, Abbotabad

#### Annexure-2: Mouza-wise Summary of Payment for Affected Structures

| Sr. No | Name of Mouza | # of DP | Total Amount (Rs) | Amount Disbursed (Rs) | Amount Due (Rs) | % Disbursed |
|--------|---------------|---------|-------------------|-----------------------|-----------------|-------------|
| 1      | Jabar         | 6       | 1,408,640         | 1,408,640             | 0               | 100         |
| 2      | Padarah       | 19      | 9,699,009         | 9,699,009             | 0               | 100         |
| 3      | Kala Katha    | 2       | 218,608           | 218,608               | 0               | 100         |
| 4      | Khoi Dara     | 10      | 12,787,741        | 12,787,741            | 0               | 100         |
| 5      | Dar Chitti    | 6       | 4,126,413         | 4,126,413             | 0               | 100         |
| 6      | Motian        | 15      | 17,131,416        | 17,131,416            | 0               | 100         |
| 7      | Jar           | 5       | 5,049,715         | 5,049,715             | 0               | 100         |
| 8      | Dingi         | 1       | 192,473           | 192,473               | 0               | 100         |

|              |             |            |                   |                   |               |             |
|--------------|-------------|------------|-------------------|-------------------|---------------|-------------|
| 9            | Aam ghah    | 2          | 2,188,775         | 2,188,775         | 0             | 100         |
| 10           | Kohlian     | 2          | 447,274           | 447,274           | 0             | 100         |
| 11           | Kanwan      | 16         | 17,296,946        | 17,296,946        | 0             | 100         |
| 12           | Ballar Jogi | 4          | 2,172,554         | 2,172,554         | 0             | 100         |
| 13           | Bedian      | 4          | 3,802,446         | 3,802,446         | 0             | 100         |
| 14           | Mohree      | 7          | 7,926,866         | 7,926,866         | 0             | 100         |
| 15           | Barwal      | 3          | 1,230,367         | 1,188,772         | 41,595        | 97          |
| <b>Total</b> |             | <b>102</b> | <b>85,679,243</b> | <b>85,637,648</b> | <b>41,595</b> | <b>99.9</b> |

\*Recovery of amount Rs.1,474,550 has to be made in Moza Dar-Chithi by LAC (KPK) E-35

Source: PD office, Abbotabad

**Annexure-3: Mouza-wise Summary of Payment for Affected Trees**

| <b>Sr. No.</b> | <b>Name of Mouza</b> | <b>No. of DPs</b> | <b>No. of DPs paid</b> | <b>No. of DPs Unpaid</b> | <b>Compensation Amount (Rs)</b> | <b>Disbursed Amount (Rs)</b> | <b>% Disbursed</b> |
|----------------|----------------------|-------------------|------------------------|--------------------------|---------------------------------|------------------------------|--------------------|
| 1              | Jabar                | 22                | 13                     | 9                        | 437316                          | 341,182                      | 78                 |
| 2              | Padarah              | 28                | 16                     | 12                       | 412977                          | 288,018                      | 70                 |
| 3              | Kala Katha           | 19                | 15                     | 4                        | 787646                          | 544,582                      | 69                 |
| 4              | Khoi Dara            | 20                | 15                     | 5                        | 827051                          | 714,666                      | 86                 |
| 5              | Dar Chitti           | 20                | 4                      | 16                       | 461152                          | 140,295                      | 30                 |
| 6              | Motian               | 38                | 6                      | 32                       | 624167                          | 202,947                      | 33                 |
| 7              | Jar                  | 4                 | 0                      | 4                        | 64554                           | 43,505                       | 67                 |
| 8              | Dingi                | 2                 | 0                      | 2                        | 14448                           | 1,072                        | 7                  |
| 9              | Aam ghah             | 15                | 7                      | 8                        | 317090                          | 188,680                      | 60                 |
| 10             | Kohlian              | 65                | 48                     | 17                       | 767681                          | 721,350                      | 94                 |
| 11             | Kanwan               | 99                | 83                     | 16                       | 1433833                         | 1,407,725                    | 98                 |
| 12             | Ballar Jogi          | 99                | 79                     | 20                       | 1288107                         | 435,782                      | 34                 |
| 13             | Bedian               | 26                | 15                     | 11                       | 607068                          | 474,970                      | 78                 |
| 14             | Mohree               | 46                | 30                     | 16                       | 300121                          | 227,456                      | 76                 |
| 15             | Barwal               | 8                 | 4                      | 4                        | 198875                          | 10,295                       | 5                  |
| <b>Total</b>   |                      | <b>511</b>        | <b>298</b>             | <b>213</b>               | <b>8542086</b>                  | <b>5742525</b>               | <b>67</b>          |

**Annexure-4: Payment for Crops**

| <b>Sr. No.</b> | <b>Name of Mouza</b> | <b>Compensation Amount (Rs)</b> | <b>Disbursed Amount (Rs)</b> | <b>% Disbursed</b> |
|----------------|----------------------|---------------------------------|------------------------------|--------------------|
| 1              | Jabar                | 1,197,120                       | 1,071,086                    | 89                 |
| 2              | Padarah              | 1,032,480                       | 570,348                      | 55                 |
| 3              | Kala Katha           | 1,031,520                       | 405,410                      | 39                 |
| 4              | Khoi Dara            | 978,720                         | 919,335                      | 94                 |
| 5              | Dar Chitti           | 197,760                         | 10,727                       | 5                  |
| 6              | Motian               | 4,310,400                       | 4,133,150                    | 96                 |
| 7              | Jar                  | 1,323,840                       | 1,196,003                    | 90                 |
| 8              | Dingi                | 1,386,240                       | 1,289,453                    | 93                 |
| 9              | Aam gah              | 558,150                         | 276,309                      | 50                 |
| 10             | Kohlian              | 400,023                         | 363,017                      | 91                 |
| 11             | Kanwan               | 547,405                         | 480,150                      | 88                 |
| 12             | Ballar Jogi          | 925,911                         | 675,269                      | 73                 |
| 13             | Bedian               | 91,646                          | 28,619                       | 31                 |
| 14             | Mohree               | 198,798                         | 107,631                      | 54                 |
| 15             | Barwal               | 33,737                          | 9,923                        | 29                 |
| <b>Total</b>   |                      | <b>14,213,750</b>               | <b>11,536,430</b>            | <b>81</b>          |



**Annexure-5: Payment for Crop Allowances as per ADB Policy**

| S. No.             | Mouza Name | Total Dps below 5000 | No of DPs PAID | % of DPs PAID | Remaing DPs | Total Amount (Rs) | Amount Disbursed (Rs.) | % of amount paid | Remaing amount (Rs.) |
|--------------------|------------|----------------------|----------------|---------------|-------------|-------------------|------------------------|------------------|----------------------|
| 1                  | Padara     | 255                  | 255            | 100.00        | 0.00        | 70,501            | 70,501                 | 100.00           | 0                    |
| 2                  | Koi Dara   | 215                  | 215            | 100.00        | 0.00        | 89,268            | 89,268                 | 100.00           | 0                    |
| 3                  | Kala Katta | 130                  | 130            | 100.00        | 0.00        | 70,938            | 70,938                 | 100.00           | 0                    |
| 4                  | Aamgah     | 361                  | 361            | 100.00        | 0.00        | 155,734           | 155,734                | 100.00           | 0                    |
| 5                  | Dar Chitti | 105                  | 105            | 100.00        | 0.00        | 25,740            | 25,740                 | 100.00           | 0                    |
| 6                  | Jabber     | 128                  | 128            | 100.00        | 0.00        | 90,544            | 90,544                 | 100.00           | 0                    |
| 7                  | Motian     | 611                  | 611            | 100.00        | 0.00        | 334,647           | 334,647                | 100.00           | 0                    |
| 8                  | Jhar       | 71                   | 71             | 100.00        | 0.00        | 24,879            | 24,879                 | 100.00           | 0                    |
| 9                  | Dingi      | 46                   | 46             | 100.00        | 0.00        | 32,837            | 32,837                 | 100.00           | 0                    |
| 10                 | kolian     | 20                   | 20             | 100.00        | 0.00        | 196,954           | 196,954                | 100.00           | 0                    |
| 11                 | mohree     | 13                   | 13             | 100.00        | 0.00        | 34,188            | 34,188                 | 100.00           | 0                    |
| 12                 | barwal     | 2                    | 2              | 100.00        | 0.00        | 6,268             | 6,268                  | 100.00           | 0                    |
| 13                 | Kanwan     | 31                   | 31             | 100.00        | 0.00        | 97,526            | 97,526                 | 100.00           | 0                    |
| 14                 | Bedian     | 10                   | 10             | 100.00        | 0.00        | 24,443            | 24,443                 | 100.00           | 0                    |
| 15                 | Balar Jogi | 29                   | 29             | 100.00        | 0.00        | 114,511           | 114,511                | 100.00           | 0                    |
| <b>Grand Total</b> |            | <b>2,027</b>         | <b>2,027</b>   | <b>100</b>    | <b>0.00</b> | <b>1368978.00</b> | <b>1048975.00</b>      | <b>100.00</b>    | <b>0</b>             |