

Resettlement Plan

October 2013

PAK: National Trade Corridor Highway Investment Program – Tranche 2 (Jari Kas–Sarai Saleh)

Prepared by National Highway Authority, Ministry of Communication, Islamic Republic of Pakistan for the Asian Development Bank (ADB).

The land acquisition and resettlement plan 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.

CURRENCY EQUIVALENTS

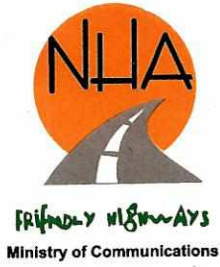
(as of 26 October 2013)

Currency Unit – Pakistan rupee/s (PRs)

PRs1.00 = \$0.00944
\$1.00 = PRs 105.875

ABBREVIATIONS

AD	–	Assistant Director
ADB	–	Asian Development Bank
APs	–	affected persons
COI	–	Corridor of Impact
CBO	–	Community Based Organization
DCR	–	District Census Report
DD	–	Deputy Director
DO(R)	–	District Officer (Revenue)
EDO	–	Executive District Officer
EIA	–	Environmental Impact Assessment
EMP	–	Environmental Management Plan
Ft.	–	Feet
GM	–	General Manager
GOP	–	Government of Pakistan
IP's	–	Indigenous People
Km.	–	Kilometers
LAA	–	Land Acquisition Act
LAR	–	Land Acquisition and Resettlement
LARP	–	Land Acquisition and Resettlement Plan
E-35	–	Hassanabdal to Havelian Expressway (E-35)
M&E	–	Monitoring and Evaluation
NESPAK	–	National Engineering Services Pakistan (Pvt.) Ltd.
MFF	–	Multi-Tranche Financial Facility
NTC	–	National Trade Corridor
NGO	–	Non Governmental Organization
NHA	–	National Highway Authority
PAPs	–	Project Affected Persons
PMU	–	Project Management Unit
ROW	–	Right-of-Way
R.ft.	–	Running Feet
S.ft.	–	Square Feet
SPS	–	Safeguard Policy Statement
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**Government of Pakistan
Ministry of Communications
National Highway Authority**

D.O. No. E-35/LM&S/EALS/NHA/
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Subject: LARP AND LARF OF E-35 PACAKAGE I, II AND III

The Land Acquisition Resettlement Framework and Land Acquisition Resettlement Plans for the project of E-35 (Hassanabdal-Havelian-Mansehra) Packages I,II and III, submitted to Asian Development Bank are endorsed for the Bank's concurrence and disclosure.


(Yousaf Ali)
Member (AP) 28/10/13

Copy to:

- Secretary MOC.
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GLOSSARY

Affected Family (Or Household)	A family affected by project related changes in use of land, water, natural resources, or income losses.
Compensation	Payment in cash/voucher or kind to which the affected people are entitled in order to replace the lost asset, resource or income.
Cut-off-date	Date after which people will NOT be considered eligible for compensation i.e. they are not included in the list of APs as defined by the census.
Encroachers	People who move into the project area after the cut-off date and are therefore not eligible for compensation or other rehabilitation measures provided by the project or persons who have trespassed government land, adjacent to his/her own land or asset, to which he/she is not entitled, by deriving his/her livelihood there. Such act is called "Encroachment".
Entitlement	Entitlement means the range of measures comprising compensation in cash/voucher or kind, relocation cost, income rehabilitation assistance, transfer assistance, income substitution, and business restoration which are due to APs, depending on the type and degree nature of their losses, to restore their social and economic base.
Household	Household means all persons living and eating together as a single-family unit and eating from the same kitchen whether or not related to each other.
Implementing agency	Implementing agency means the agency, public or private, that is responsible for planning, design and implementation of a development project.
Income restoration	Income restoration means re-establishing income sources and livelihoods of APs.
Involuntary Resettlement	Any resettlement, which does not involve willingness of the persons being adversely affected, but are forced through an instrument of law.
Katcha	A house is considered katcha, if both the walls and roof of the house are made of material that includes grass, leaves, mud, un-burnt brick or wood.
Land Acquisition	Land acquisition means the process whereby a person is compelled by a public agency to alienate all or part of the land she/he owns or possesses, to the ownership and possession of that agency, for public purposes in return for fair compensation.

Mouza	A demarcated territorial unit for which separate revenue record including a cadastral map is maintained by the Revenue Department
Pucca	A house/Structure is considered pucca, if both the walls and roof of the house are made of material that includes tiles, cement sheets, slates, corrugated iron, zinc or other metal sheets, bricks, lime and stone or RBC/RCC concrete.
Semi Pucca	A house/Structure is considered Semi Pucca, if both the walls and roof of the house are made of material that includes wood, planks, grass, leaves and wall are made of bricks walls with mud masonry or un-burnt brick.
Rehabilitation	Assistance provided to affected persons to supplement their income losses in order to improve, or at least achieve full restoration of, their pre-project living standards and quality of life.
Replacement Cost	Amount needed to replace an asset at prevailing market prices.
Squatters	People without legal title to land and/or structures occupied or used by them. ADB's policy explicitly states that such people cannot be denied compensation based on the lack of title.
Vulnerable APs	Distinct groups of people who might suffer disproportionately from resettlement effects. They are the households below poverty line or will become below poverty line as a result of loss to assets and/or livelihoods, female headed households, or disabled persons.
Country Safeguard Systems	A country's legal and institutional framework, consisting of its national, sub national, or sectoral implementing institutions
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.
Physical Displacement	Relocation, loss of residential land, or loss of shelter as a result of (i) involuntary acquisition of land

EXECUTIVE SUMMARY

ES-1 National Trade Corridor Highway Investment Program (NTCHIP)

1. The Government of Pakistan (GOP) gives major emphasis to improving the existing roads and building new motorways and expressways to improve and expand the country's road network. The Asian Development Bank (ADB) has provided funding for the implementation of National Trade Corridor Highway Investment Program (NTCHIP). Construction of Hassanabdal to Havelian Expressway (E-35) under NTCHIP is an important step towards this direction.

2. The NTCHIP Program is financed by ADB through a Multi-tranche Financing Facility (MFF-0016) which was approved in 2007. The MFF consists of several tranches, each covering several subprojects. The on-going tranche 1 of the MFF originally had 2 subprojects; Peshawar-Torkham Expressway and Faisalabad-Khanewal Motorway. However in 2008, NHA replaced the Peshawar Torkham Project with Hassanabdal-Havelian Expressway as tranche 2 subproject. Thus, scope of tranche I was reduced from 2 to 1 project, which is section I (58 km long motorway from Faisalabad to Gojra) of Faisalabad to Khanewal Motorway (M4). The M4 (section 1) is already under construction as tranche 1 of the program MFF.

ES-2 Hassanabdal Havelian Expressway Project (E-35), Tranche 2 of NTCHIP

3. Hassanabdal-Havelian Expressway (E-35) project is positioned for ADB's financing as tranche 2 of the MFF. The E-35 Project is divided into 2 phases. Phase-I consists of road section of 58.6 km from Hassanabdal to Havelian and is under ADB's financing. Phase-II, planned for future, consists of the section from Havelian to Mansehra. The Phase 1 section consists of the following packages:

Package	Sub-sections	Location	Chainage
I	1	Punjab	000+000 - 007+000
	2	Khyber Pakhtunkhaw (KPK)	000+007 - 020+300
II	-	KPK	020+300 - 039+500
III	-	KPK	039+500 - 058+600

4. The E35 expressway is located in KPK (with a small section of the road falling in Punjab) and provides an important link in the national trade corridor from Hassanabdal to Havelian, which is expected to improve the transportation activities very significantly in the area. Located in Tehsil Haripur of the District Haripur, the length of E-35 package II is 19.2 km. It starts from Kot Najibullah at the chainage of 20+300 km and ends at Maqsooda interchange near Sarai Saleh at the chainage 39+500 km after crossing Hattar Road and Haripur-Khanpur Road. The Package-II includes the construction of new 7.3 meter wide two lane dual carriageway (19.2km) with New Jersey barrier as median, two interchanges, two flyovers, five underpasses, one bridge over railway crossing, and service area at one location. The carriageway will include paved shoulders at inner and outer sides. The Expressway will be fenced from both sides and six (6) feet service road will be provided on both sides. The Right of Way (RoW) of the Expressway is 80m.

5. This land acquisition and resettlement plan (LARP) has been prepared by the National Highway Authority (NHA, the project executing agency) based on 100% census of displaced persons (DPs) linked to all different types of impacts including land, various types of structures, trees, crops with compensation and allowances. The DPs census has been prepared based on

the socio-economic survey and impacts assessment covering the project area and on-going consultations through meetings, interviews, focus group discussions with the DPs and other stakeholders, in accordance with the requirements of ADB's Safeguard Policy Statement 2009 (SPS).

6. The LARP also provides Land Acquisition and Resettlement (LAR) conditions that have been synchronized with project procurement and construction plan. This includes (i) award of civil works contract upon approval of final LARP with replacement costs as compensation to the DPs, census of DPs entitlement matrix with clearly defined impacts, entitlements and compensation and allowances at replacement costs and final unit rates of land and assets acquired and (ii) mobilization of contractor is conditional upon the implementation of ADB approved LARP (full delivery of compensation/ rehabilitation provisions) and confirmation by external monitoring agency (EMA).

7. The land acquisition process for E-35 (Package-II) has been completed and payment of compensation is underway by the Land Acquisition Collector (LAC deputed to NHA by Revenue Department) and other NHA officials based at project implementation unit (PIU) in Abbottabad. About 95% payments of land and assets (including structures, crops and trees) have been made to the DPs. Only the resettlement and rehabilitation related allowances including income restoration support are yet to be paid to the DPs. This will be done after ADB approves the LARP. NHA has put in place a temporary institutional arrangement with relevant staff deputed to PIU from the project management unit (PMU) based in Islamabad. Thus includes, in addition to field based LAC, assistant director land supervised by director land at PMU level, who internally monitors the payment process. The NHA will put in place full institutional and implementation arrangement after hiring of Land Acquisition and resettlement Management Consultants (LARMC), which will provide full time social safeguards staff and support in the implementation of the LARP.

8. Presently NHA is in the process of establishing following arrangements required for LARP implementation and monitoring:

- I. Recruitment of LARMC
- II. Strengthening of Grievance Redress Mechanism (GRM)
- III. Recruitment of External monitor for external monitoring of LARP implementation.

ES-3 SCOPE OF LAND ACQUISITION AND RESETTLEMENT

9. The details of project impacts and DPs are given in the table below: The cut-off-date for impacts and DPs census was 25th May 2012.

Sr. No	IMPACT	Unit	Total (Unit)	No of DPs/AFs
1.	Land			
	Identification of Affected Land	Acre	412.6 acres	2819
	Private Land Affected	Acre	409.48	2759
	Government Land Affected	Acre	3.12 acres	-
	Total Landholding of affected 14 villages	Acre	1905 Acres	-
2.	Cropped Area	Acre	338 Acres	795

Sr. No	IMPACT	Unit	Total (Unit)	No of DPs/AFs
3.	Structure			
	Houses	Nos.	79	79
	Brick Kilns	Nos.	04	04
	Poultry Farms	Nos.	05	05
	Shops	Nos.	04	04
	Miscellaneous	Nos.	14	14
4.	Trees	Nos.		
	Fruit Trees	Nos.	359	22
	Non Fruit Trees	Nos.	629	121
	Firewood (Maund)	Nos.	5244	
5.	Vulnerable DPs			
	Land	Acre	Vulnerable DPs by land	137
	Structure	Nos.	Vulnerable DPs by structures	06
	Employees	Nos.	Vulnerable DPs by loss of employment	26

ES-4 SOCIO-ECONOMIC INFORMATION AND PROFILE

10. Census of DPs covering 100% DPs was carried out by using a pre-structured questionnaire. A sample survey was also carried out to develop a socio-economic baseline of the general population along the proposed ROW of the Expressway. The findings of this survey were validated through FGDs of men and women conducted in all the affected villages.

11. The project is located in Haripur district of KPK province. The total area of the district is 1725 km² (426248 Acres). The predominant religion in Haripur is Islam, with 99.67% of the people. The project area is a "settled area" where provincial and federal statutory laws apply. Traditional jirga system is also effective in the area especially in the matters of disputes among the tribes. There are many big industrial units in Haripur like Telephone Industries of Pakistan, National Radio Telecommunication Corporation (NRTC), Hazara fertilizers. Furthermore, the Hattar Industrial Estate also exists at Kot Najibullah. The overall literacy rate in the Haripur district is 53.7%. The findings of the socioeconomic survey have revealed that out of total area of 21,762 acres, about 21% is uncultivated and 79% is cultivated. The irrigated area is only 10% of the cultivated area while 69% is rain-fed. Per acre net income from wheat and maize crops as provided by the DO (Agriculture) Haripur and validated through socioeconomic survey comes to Rs. 24000/= and Rs. 17,600/=, respectively.

12. Population of the 14 villages along the project corridor stood at 82,379 persons in 2012 comprising 42,698 males and 39681 females. The project area lack health facilities. The average income per household per annum, of the study sample works out to be Rs. 251,675/ –whereas per household per annum expenditure income comes to Rs. 234,828/– which amounts to 93% of the annual income.

13. According to census of DPs, farming is the main occupation and 23% of the DPs are practicing it. However, 09 % of the AFs substantiate their livelihood by working in some other occupation along with practicing agriculture. The other major occupations include

working as laborer (34%), running shops & small businesses (17%) and working as drivers (04%). The average size of holding of the AFs in the project corridor comes to 4.6 kanals, which is insufficient enough to meet the family's livelihood needs. People are engaged in other income generating activities to support their livelihood. The number of AFs dependent on single source of earning comes to only 06%.

ES- 4 INFORMATION DISCLOSURES, CONSULTATION AND PARTICIPATION

14. In order to meet the criteria of meaningful consultation process, the consultation was started from early stages of the project by various stakeholders comprising of local officials, affected households, women, youth, business sectors and Displaced Persons (DPs). Various approaches were utilized in participatory process which included key informant's meeting, structured survey of households and informal group meetings. Interaction with DPs and getting them involved will continue during the updating and implementation of the resettlement plan consistent with the project's participatory approach. These consultation meetings proved very useful in information sharing and consensus building. Main issues discussed during consultations were: description of various project components, its activities and impacts; land acquisition process and approval of land prices; entitlement matrix; provisions made for the APs in the LARF; criteria of evaluation of land, buildings and other infrastructure; compensation framework proposed for the APs; grievances redress procedures etc. The draft LARP has already been disclosed, while this final LARP will also be disclosed after approval by ADB.

ES- 5 GRIEVANCES REDRESS MECHANISM

15. A grievance redress mechanism has been designed to ensure that the complaints and grievances of displaced households are addressed and resolved in a timely and satisfactory manner. A three tier grievance redress structures (village level, Project Level, and NHA-HQ level) provided to effectively deal with the issues and concerns (of DPs/APs) related to social impact assessment, resettlement, asset valuation, compensation & rehabilitation. The grievance redress mechanism will ensure the access of AFs/DPs to register their complaint and further its resolution in the given mechanism that are consistent with local laws and SPS requirements.

ES- 6 LEGAL AND POLICY FRAMEWORK

16. The land acquisition, compensation and rehabilitation of project affected household will be governed by the National Laws, and of the ADB's SPS and policy on Involuntary Resettlement (1995). There exists gap between National Laws and ADB's SPS regarding the compensation and rehabilitation of DPs, however, to reconcile the inconsistencies, the NHA has prepared the LARF for the Project. Hence, the Project compensation and resettlement policy are guided by the following principles: (i) land acquisition should be minimised as much as possible, (ii) ensure that affected people receive compensation at full replacement values and with relocation assistance so that they will be at least as well off or at least in better condition as they would have been before the project took place.

ES- 7 ENTITLEMENTS, ASSISTANCE AND BENEFITS

17. A fundamental objective of the Project resettlement policy is to replace and compensate lost assets based on the principle of replacement cost. Compensation and various forms of assistance will be provided and income restoration programs, as needed,

will be put in place prior to the displacement of displaced households from their houses, land, and other assets, in a way that will ensure that their standards of living are at least restored to their pre-project levels, and that those in the category of vulnerable groups (such as poor households and landless etc) are assisted to help improve their socio-economic status. In addition to compensation at replacement cost, displaced households will receive additional entitlement, incentives and assistance for the loss of their land and land based assets. Entitlement Matrix developed for the DPs is given in the table below

Entitlement Matrix

Type of Loss	Specification	Eligibility	Entitlements
1. LAND			
Impact on land-based livelihoods	All land losses	All DPs with land-based livelihoods affected	<ul style="list-style-type: none"> • Preference given to land-based resettlement strategies that include resettlement on public or private land acquired or purchased for resettlement with secure tenure. If land is not the preferred option of DPs, or sufficient land is not available at a reasonable price, non-land-based options built around opportunities for employment or self-employment will be provided in addition to cash compensation at full replacement costs for land and other assets lost. The lack of land will be demonstrated to the satisfaction of ADB. • The following entitlements will apply if replacement land is not available or is not the preferred option of the DPs:
Permanent impact on arable land	All land losses independently from impact severity	Owner (titleholder, or holder of traditional rights)	<ul style="list-style-type: none"> • Cash compensation at full replacement cost (RC¹) including fair market value plus all transaction costs, applicable fees and taxes and any other payment applicable • If BoR² compensation falls below RC, the project will pay the difference as resettlement assistance or supplementary compensation to support to affected livelihoods.
		Lessee/tenant (registered/unregistered)	<ul style="list-style-type: none"> • As agreed between lessee and lease holder, either renewal of lease in other plots of same characteristics and/or cash refund at rate of rental/lease fee proportionate to size of lost plot and duration of remaining lease period or cash compensation equivalent to market value of gross yield of affected land for remaining lease period up to a maximum of 3 years.
		Sharecropper/tenant (registered/unregistered)	<ul style="list-style-type: none"> • For temporary impact cash compensation equal to current market value (based on gross yield of lost harvest) of share of 2 lost harvests proportionate to size of lost plot • For permanent impact additional crop compensation of 1 harvest in addition cash compensation for temporary impact.
		Agriculture laborers losing wages/contracts	<ul style="list-style-type: none"> • Cash compensation equal to the salary (including portions in kind) for remainder of their job contract for a period of six months, whichever is higher. If salary paid to the laborers is less than official poverty line (OPL), the compensation amount per month will not be less than the OPL.

¹ Refer to IR safeguards as in SR2 para. 10 of ADB's Safeguard Policy Statement (2009).

² Board of Revenue, provincial agency with a mandate to approve compensation rate/amount

Type of Loss	Specification	Eligibility	Entitlements
		Non-titled user (squatter, encroacher)	<ul style="list-style-type: none"> No compensation for land loss Income rehabilitation allowance in cash equal to net value of annual crop production based on relevant cropping pattern/cultivation record (additional to standard crop compensation as below defined) and other appropriate rehabilitation to be defined in the LARPs based on project situation and DP consultation. Compensation for any irrigation infrastructure and other improvements made to the land (but not for the land) at full replacement cost.
Residential/commercial land	All land losses independently from impact severity	Titleholder, or holder of traditional rights	<ul style="list-style-type: none"> Cash compensation at full replacement cost (RC³) including fair market value plus all transaction costs, applicable fees and taxes and any other payment applicable If BoR compensation falls below RC, the project will pay the difference as resettlement assistance or supplementary compensation to support to affected livelihoods.
		Lessee, tenant	<ul style="list-style-type: none"> Cash refund at rate of rental fee proportionate to size of lost plot and duration of remaining lease period already paid
		Renter/leaseholder	<ul style="list-style-type: none"> An allowance in cash equivalent to 3-6 months' rent and any non-refundable rent deposit (in addition to standard provision of relocation/disturbance allowance as specified below.
		Non-titled user without traditional rights (squatters)	<ul style="list-style-type: none"> No compensation for land loss Self-relocation allowance in cash equivalent to 1 year's livelihood based on OPL, or as assessed based on income analysis. Where required, additional support required ensuring improved standard of living to be determined through the social impact assessment.
		Vulnerable DPs (including those below the poverty line, the landless, the elderly, women and children, and indigenous peoples)	<ul style="list-style-type: none"> Provide 3-6 months of subsistence allowance to help vulnerable DPs restore/improve their livelihoods. Assist them in improving their living standard to at least national minimum standards by providing legal and affordable access to land and resources in rural areas, and with appropriate income sources and legal and affordable access to adequate housing in urban areas.
Temporary land occupation	Land temporarily required during civil works	Owner, lessee, tenant	<ul style="list-style-type: none"> Rental fee payment for period of occupation of land, as mutually agreed by the parties Restoration of land to original state Guarantee of access to land and structures located on remaining land
		Non-titled user	<ul style="list-style-type: none"> Restoration of land to original state Guarantee of access to land and structures located on remaining land
2. STRUCTURES			
Residential, agricultural, commercial,	Partial Loss of structure	Owner (including non-titled)	<ul style="list-style-type: none"> Cash compensation for lost or all parts of structure (based on functional viability) at full replacement cost and repair of remaining structure at market rate for materials, labor,

³ Refer to IR safeguards as in SR2 para. 10 of ADB's Safeguard Policy Statement (2009).

Type of Loss	Specification	Eligibility	Entitlements
public, community		land user)	<ul style="list-style-type: none"> transport and other incidental costs, without deduction of depreciation for age Right to salvage materials from lost structure For vulnerable households, provide legal and affordable access to adequate housing to improve their living standard to at least national minimum standard.
		Lessee, tenant	<ul style="list-style-type: none"> Cash refund at rate of rental fee proportionate to size of lost part of structure and duration of remaining lease period already paid.
	Full loss of structure and relocation	Owner (including non-titled land user)	<p>The DP may choose between the following alternatives:</p> <ul style="list-style-type: none"> Compensation through provision of fully titled and registered replacement structure of comparable quality and value, including payment of all transaction costs, such as applicable fees and taxes, at a relocation site or a location agreeable to the DP If the market value of the replacement structure is below that of the lost structure, cash compensation for the difference in value without deduction of depreciation for age If the market value of the replacement structure is above that of the lost structure, no further deductions <p>Or</p> <ul style="list-style-type: none"> Cash compensation at full replacement cost, including all transaction costs, such as applicable fees and taxes, without deduction of depreciation for age, for self-relocation <p>In either case</p> <ul style="list-style-type: none"> Right to salvage materials from lost structure
		Lessee, tenant	<ul style="list-style-type: none"> Cash refund at rate of rental fee proportionate to duration of remaining lease period
	Moving of minor structures (fences, sheds, latrines etc.)	Owner, lessee, tenant	<p>The DP may choose between the following alternatives:</p> <ul style="list-style-type: none"> Cash compensation for self-relocation of structure at market rate (labor, materials, transport and other incidental costs, as required, without deduction of depreciation for age) <p>Or</p> <ul style="list-style-type: none"> Relocation of the structure by the Project
	Stalls, kiosks	Vendors (including titled and non-titled land users)	<ul style="list-style-type: none"> Allocation of alternative location comparable to lost location <p>And</p> <ul style="list-style-type: none"> Cash compensation for self-relocation of stall/kiosk at market rate (labor, materials, transport and other incidental costs, as required, without deduction of depreciation for age)
3. RELOCATION			
Assistance and allowances	Residence or means of livelihood (agricultural land, business premises)	All DPs to be relocated due to loss of land and/or structures	<ul style="list-style-type: none"> Logistical and administrative assistance with identification and purchasing or rental of replacement plots and/or structures, or the construction of new Cash allowance covering the cost of transport of people and their moveable property at current market rate on actual cost basis Transition allowance of 6 months of official minimum wage Transition housing of equal quality to lost housing or rental payment for equivalent housing for the duration of delay of completion of relocation housing/site structures
Security of tenure	Residence or means of livelihood	Owner (titleholder, legalizable)	<ul style="list-style-type: none"> Ownership titles to land and structures

Type of Loss	Specification	Eligibility	Entitlements
		user)	
		Lessee, tenant	<ul style="list-style-type: none"> Long-term rental agreements
		Non-titled user (squatter, encroacher)	<ul style="list-style-type: none"> Long-term rental agreements for land and structures OR Rent to own agreements for land Ownership titles to structures
Relocation sites	Residence or means of livelihood	All DPs to be relocated due to loss of land and/or structures	<ul style="list-style-type: none"> Provision of land and structures according to eligibility for applicable entitlements for land and structures Functional public services and facilities, including all basic amenities with arrangements for long-term operation and maintenance
Host communities		Host community residents	<ul style="list-style-type: none"> Sharing of public services and facilities established in relocation sites or separate provision
4. INCOME RESTORATION			
Crops	Affected crops	Cultivator	<ul style="list-style-type: none"> Cash compensation at current market rate proportionate to size of lost plot, based on crop type and highest average yield over past 3 years
		Parties to sharecrop arrangement	<ul style="list-style-type: none"> Same as above and distributed between land owner and tenant according to legally stipulated or traditionally/informally agreed share
Trees	Affected trees	Cultivator	<ul style="list-style-type: none"> Cash compensation for perennial crop trees at current market rate of crop type and average yield (i) multiplied, for immature non-bearing trees, by the years required to grow tree to productivity or (ii) multiplied, for mature crop bearing trees, by the average years of crops forgone; plus cost of purchase of seedlings and required inputs to replace trees. Cash compensation for timber trees at current market rate of timber value of species at current volume, plus cost of purchase of seedlings and required inputs to replace trees.
		Parties to sharecrop arrangement	<ul style="list-style-type: none"> Same as above and distributed between land owner and tenant according to legally stipulated or traditionally/informally agreed share
Permanent loss of agriculture based livelihood	Partial loss of agricultural land with viable land remaining	Owner, lessee, sharecrop tenant, non-titled land user	<ul style="list-style-type: none"> Provision of support for investments in productivity enhancing inputs, such as land leveling, terracing, biological, erosion control, sprinkler/drip irrigation, composing, tools and agricultural extension, as feasible and applicable; additional financial support if land compensation is insufficient to allow for adequate investments to maintain livelihood
	Full loss of viable agricultural land without availability of alternative land	Owner, lessee, sharecrop tenant, non-titled land user	<ul style="list-style-type: none"> Provision of re-training, job-placement, additional financial grants and micro-credit for equipment and buildings, as well as organizational/logistical support to establish DP in alternative income generation activity
Maintenance of access to livelihood	Avoidance of obstruction by subproject facilities	All DPs	<ul style="list-style-type: none"> Provide un-interrupted access to agricultural fields, business premises and residences of persons in the project area.

Type of Loss	Specification	Eligibility	Entitlements
Businesses	Temporary business loss due to LAR or construction activities by Project	Owner of business (registered, informal)	<ul style="list-style-type: none"> Cash compensation equal to lost income during period of business interruption up to 3-6 months based on tax record or, in its absence, comparable rates from registered businesses of the same type with tax records, or at least inflation adjusted OPL.
	Permanent business loss due to LAR without possibility of establishing alternative business	Owner of business (registered, informal)	<ul style="list-style-type: none"> Cash compensation equal to lost income for one 6-12 months based on tax record or, in its absence, comparable rates from registered businesses of the same type with tax records, or at least inflation adjusted OPL <p>And</p> <ul style="list-style-type: none"> Provision of re-training, job-placement, additional financial grants and micro-credit for equipment and buildings, as well as organizational/logistical support to establish DP in alternative income generation activity
Employment	Temporary employment loss due to LAR or construction activities	All laid-off employees of affected businesses	<ul style="list-style-type: none"> Cash compensation equal to lost wages during period of employment interruption up to 3 months based on tax record or registered wage, or, in its absence, comparable rates for employment of the same type, or at least inflation adjusted OPL. If required by Pakistan's labor laws and regulations/codes, the compensation will be paid to the employer to enable him/her to fulfill legal obligations to provide compensation payments to laid-off employees, to be verified by EA/relevant government official.
	Permanent employment loss due to LAR without possibility of re-employment in similar sector and position in or near area of lost employment	All laid-off employees of affected businesses	<ul style="list-style-type: none"> Cash compensation equal to lost wages for 3-6 months, based on tax record or registered wage, or, in its absence, comparable rates for employment of the same type, or at least inflation adjusted OPL. If required by the applicable labor code, compensation will be paid to employer to enable him/her to fulfill legal obligations to provide severance payments to laid-off employees, to be verified by government labor inspector <p>And</p> <ul style="list-style-type: none"> Provision of re-training, job-placement, additional financial grants and micro-credit for equipment and buildings, as well as organizational/logistical support to establish DP in alternative income generation activity
5. PUBLIC SERVICES AND FACILITIES			
Loss of public services and facilities	Schools, health centers, administrative services, infrastructure services, graveyards etc.	Service provider	<ul style="list-style-type: none"> Full restoration at original site or re-establishment at relocation site of lost public services and facilities, including replacement of related land and relocation of structures according to provisions under sections 1 and 2 of this entitlement matrix
6. SPECIAL PROVISIONS			
Vulnerable APs	Livelihood improvement	All vulnerable DPs	<ul style="list-style-type: none"> Provision of training, job-placement, additional financial grants and micro-credit for equipment and buildings, as well as organizational/logistical support to establish DP in alternative income generation activity Subsistence allowance of 3-6 months of official minimum wage or OPL, whichever is greater, and other appropriate rehabilitation to be defined in the LARPs based on income analysis, and consultations with DPs but not lower than national minimum standards. Preferential selection for project related employment

Type of Loss	Specification	Eligibility	Entitlements
	Loss of land	All vulnerable DPs	<ul style="list-style-type: none"> Assistance in identification and purchase or rental of new plot Assistance with administrative process of land transfer, property title, cadastral mapping and preparation of compensation agreements
	Loss of structure	All vulnerable DPs	<ul style="list-style-type: none"> Assistance in construction of new structure Assistance in identification and purchase or rental of new structure Assistance with administrative process of registration of property and preparation of compensation agreements Assistance with transition to relocation site
	Temporary land acquisition	All vulnerable DPs	<ul style="list-style-type: none"> Preferential treatment to avoid or mitigate as quickly as possible Provision of access to land and residence suitable to disabled and elderly DPs
Women	Loss of land and structures	Titled or recognized female owners of land and structures	<ul style="list-style-type: none"> Titling of replacement land and structures in female owner's name Cash compensation at full replacement cost paid directly to female owners
	Loss of livelihood	Female livelihood losers directly affected	<ul style="list-style-type: none"> Compensation paid directly to female livelihood loser
Benefit sharing	Access to project benefits	All DPs	<ul style="list-style-type: none"> Provision of key social amenities will be made available to DPs
Update of LARF	Unanticipated impacts and negotiated changes to entitlements	All DPs	<ul style="list-style-type: none"> To be determined in accordance with the IR safeguards requirements of the ADB SPS and local legal framework LARF and specific subproject LARPs to be updated and disclosed on ADB website Standards of this LARF not to be lowered

ES- 8 RELOCATION, REHABILITATION AND INCOME RESTORATION

18. The DPs have been compensated through effective relocation, rehabilitation and income restoration strategies that have been derived in consultation with the AFs and vulnerable. They have been paid different type of payments and allowances besides then providing the employment on the project related works on priority basis. However, the displaced households due to impact severity/vulnerability will participate in an income restoration program that is developed as a collective effort of the displaced people, the executing agency, the displaced person's committee and the consultant during the preparation of land acquisition and resettlement plan following the approval of the project.

ES- 9 RESETTLEMENT BUDGET AND FINANCING PLAN

19. Resettlement Budget includes the compensation for land, building structures/houses, crops, community assets, forests and fruit trees, different type of R&R allowances and cost of external monitoring and land valuation study for package 1 & III. The total amount of resettlement budget works out to be Rs. 1,149,558,956 (1149.558 million, which includes land acquisition cost Rs. 770.942 million (Mandatory), crop compensation Rs. 20.139 million, trees compensation Rs. 9.501 million, structures cost Rs 129.977 million,.

allowances Rs. 19.488 million, monitoring and evaluation cost Rs. 47.502 million, administrative charges Rs. 9.50 million and contingencies cost Rs. 142.50 million. Total cost of LAR

Table LAR Costs/Budget

Sr. No.	Description	Quantity/Total Number	Unit	Unit/Rate	Total Cost	Rs.
				(Rs.)	(Rs.)	(Million)
A	Land Acquisition Mandatory Cost					
1	Land Compensation	412.6	Acre	Various	657,239,614	657.239
	Add 15 % Compulsory Land Acquisition Charges				98,585,942	98.585
	Add 2% District Council Tax				15,116,511	15.116
					770,942,067	770.942
2	Crop Compensation (One year 2 Crops)	306.06	Acre	Various	20,139,407	20.139
3	Structure & miscellaneous Assets Compensation					
	Houses	79	S.ft	Various	129,977,169	
	Brick Kiln	4	S.ft	Various		
	Poultry Farms	5	S.ft	Various		
	Shops	4	S.ft	Various		
	Misc Structures*	14	S.ft	Various		
					129,977,169	129.977
4	Trees Compensation					
	Fruit Trees	359	No	Various	6,518,210	6.518
	Non Fruit Tress	629	No	Various	2,983,38	2.983
	Firewood	5244	Maund	200		
					9,501,595	9.501
	Sub Total (A=1+2+3+4)				930,560,238	930.560
B	Allowances					
5	Livelihood Allowance					
	House	79	Family	12821 for 3 months	3,038,735	3.038
6	Business/ Transition Allowance					
	Brick Kiln	4	Family	76929	307,716	0.308
	Poultry Farm	5	Family	76929	384,645	0.385
	Shops	4	Family	76929	307,716	0.308
					1,000,077	1.000
7	House Rent Allowance	79	Family	36000	2,844,000	2.844
8	Employment Losses	26	Employees	38465	1,000,090	1.000
9	Transportation/Shifting Allowance					
	Household	79	Rs.	15000	1,185,000	1.185
	Brick kiln	4	Rs.	25000	100,000	0.100
	Poultry farms	5	Rs.	20000	100,000	0.100
	Shops	4	Rs.	10000	40,000	0.040
					1,425,000	1.425
10	Electricity Allowance					
	Commercial Structure	13	Rs.	40000	520,000	0.52
	Houses	79	Rs.	40000	3,160,000	3.16
					3,680,000	3.68
11	Vulnerable People Allowance					
	Severely Affected Farmers (Income below OPL)	137	Family	38,465	5,269,705	5.270
	Employees	26	Family	38,465	1,000,090	1.000
	Household owners	6	Family	38,465	230,790	0.231
					6,500,585	6.501

Sr. No.	Description	Quantity/Total Number	Unit	Unit/Rate	Total Cost	Rs.
				(Rs.)	(Rs.)	(Million)
Total (B=5+6+7+8+9+10+11)					19,488,487	19.488
Sub - Total (A+B)					950,048,725	950.048
C	Monitoring and Evaluation @ 5% of the Total Cost				47,502,436	47.502
D	Administrative Cost @ 1% of the Total Cost				9,500,487	9.500
E	Contingencies @ 15% of the Total Cost**				142,507,308	142.507
Total (C+D+E)					199,510,231	199.510
Grand Total					1,149,558,956	1149.558

ES -10 INSTITUTIONAL ARRANGEMENTS

20. NHA, project executing agency is overall responsible for the satisfactory implementation of Land Acquisition and Resettlement Plan. However, NHA will manage all safeguard related matters through LARMC and its safeguards wing called Environment Afforestation Land and Social (EALS) in coordination with Project Management unit and the local Government. At PIU level the LAR will be managed through LARMC working with the close coordination of Land Acquisition Collector. The LARMC will also assist executing agency/EALS in reviewing and preparing safeguard documents according to LARF approved by Government and ADB. For this reason, the LARMC will provide the necessary training and capacity building interventions to executing agency. An independent monitoring agency will also be placed on board for the monitoring of LARP implementation. The primary institutions, who will be involved in this implementation process, are the following:

- I. National Highway Authority, Pakistan
- II. Environment, Afforestation, Land and Social Wing in NHA-HQ.
- III. Project Management Unit (PMU)
- IV. Land Acquisition and Resettlement Management Consultants (LARMC)
- V. External Monitoring Agency (EMA)

21. Besides, there will be Grievance Redress Committee (GRC) and DPs elected committees (DPCs) under the institutional arrangements for LARP implementation.

ES-12 MONITORING AND REPORTING

22. LARP activities under the Project will be subjected to both internal and external monitoring. The Executing Agency will be responsible for internal monitoring of resettlement activities ensuring that the draft resettlement plan is updated and implemented according to approved project policy, i.e., LARF. The result of internal monitoring will be included in the monthly progress reports the executing agency will submit to the ADB. The executing agency will engage the services of an External Monitor Agency (EMA) for external monitoring of the LARP. External monitoring reports will be prepared quarterly and semi-annually basis during the implementation of the project. Based on the external monitor's report, if significant issues are identified, a corrective action plan (CAP) to ensure the safeguard compliance will be prepared, reviewed and approved by ADB and disclosed with affected persons.

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1. PROJECT DESCRIPTION

1.1 National Trade Corridor Highway Investment Program

1. The Government of Pakistan (GOP) gives major emphasis to improving the existing roads and building new motorways and expressways to improve and expand the country's road network. The Asian Development Bank (ADB) has provided funding for the implementation of National Trade Corridor Highway Investment Program (NTCHIP). Construction of Hassanabdal to Havelian Expressway (E-35) under NTCHIP is an important step towards this direction.

2. The NTCHIP Program is financed by ADB through a Multi-tranche Financing Facility (MFF-0016) which was approved in 2007. The MFF consists of several tranches, each covering several subprojects. The on-going tranche 1 of the MFF originally had 2 subprojects; Peshawar-Torkham Expressway and Faisalabad-Khanewal Motorway. However in 2008, NHA replaced the Peshawar Torkham Project with Hassanabdal-Havelian Expressway as tranche 2 subproject. Thus, scope of tranche I was reduced from 2 to 1 project, which is section I (58 km long motorway from Faisalabad to Gojra) of Faisalabad to Khanewal Motorway (M4). The M4 (section 1) is already under construction as tranche 1 of the program MFF.

1.2 Hassanabdal Havelian Expressway Project (E-35), Tranche 2 of NTCHIP

3. Hassanabdal-Havelian Expressway (E-35) project is positioned for ADB's financing as tranche 2 of the MFF. The E-35 Project is divided into 2 phases. Phase-I consists of road section of 58.6 km from Hassanabdal to Havelian and is under ADB's financing. Phase-II, planned for future, consists of the section from Havelian to Mansehra. The Phase 1 section consists of the following packages:

Package	Sub-sections	Location	Chainage
I	1	Punjab	000+000 - 007+000
	2	Khyber Pakhtunkhaw (KPK)	000+007 - 020+300
II	-	KPK	020+300 - 039+500
III	-	KPK	039+500 - 058+600

4. The E35 expressway is located in KPK (with a small section of the road falling in Punjab) and provides an important link in the national trade corridor from Hassanabdal to Havelian, which is expected to improve the transportation activities very significantly in the area. Located in Tehsil Haripur of the District Haripur, the length of E-35 package II is 19.2 km. It starts from Kot Najibullah at the chainage of 20+400 km and ends at Maqsooda interchange near Sarai Saleh at the chainage 39+560 km after crossing Hattar Road and Haripur-Khanpur Road.

5. The Package-II includes the construction of new 7.3 meter wide 4 lane dual carriageway (19.2km) with New Jersey barrier as median, 2 interchanges, 3 flyovers, 10 underpasses, 1 bridge over railway crossing, and service area at one location. The design for all project components has been finalized and the land already fully acquired. The carriageway will include paved shoulders at inner and outer sides. The Expressway will be fenced from both sides and six (6) feet service road will be provided on both sides. The Right of Way (RoW) of the Expressway is 80 m. **Figure 1.2** shows the location of Package-II. National Highway Authority (NHA) is the Executing Agency (EA) of the Project

1.3. Project Components Involving LAR Issues

6. The entire length is at new alignment. It crosses through 14 rural settlements (mouzas) including Dhedar, Kot Najibullah, Ganja Kamala, Seria, Bandi Seria, Chechian, Dhoian Khushki, Derwesh, Mirpur, Muradabad, Shah Muhammad, Monan, Ali Khan and Sarai Saleh. Privately owned land from these settlements has been acquired under Land Acquisition Act, 1894. It has also affected structures, trees, crops and other assets within the Right of Way (RoW). The project is being financed by the Asian Development Bank (ADB). Accordingly, this LARP has been prepared in accordance with the guidelines of ADB Safeguard Policy Statement, June 2009 (SPS 2009), updated Land Acquisition and Resettlement Framework (LARF) and national statutory requirements.

1.4 Analysis of Alternatives

1.4.1 Option-1: No Project

7. Without the project, the existing road from Hassanabdal to Havelian (part of N-35) will continue to be the main mean of transportation in the area. The width of this road is 6.1m and is insufficient to cater for the traffic load. Traffic jams at busy locations such as Sarai Saleh, Haripur and Havelian are common, resulting in waste of time and money. These traffic congestions are expected to increase with time, and road conditions are expected to deteriorate without the presence of any extended maintenance program. No Project Option will result in further worsening the present socio-economic environment of the area and increased disturbance to residents of area and the road users. This option cannot be adopted.

1.4.2 Option-2: Dualization of Existing Carriageway

8. The other option is the dualization of the existing N-35 (KKH) road from two lane carriageway to four lane carriageway. But no RoW is available with the NHA for dualization. Due to increase in the size of settlements and urbanization along the road over time, no space is available for widening purposes. This option will require land acquisition and disturbance of residential, commercial and socioeconomic existing infrastructure resulting in large quantum of resettlement in congested populated areas. During Environmental Impact Assessment (EIA) conducted by NESPAK in July 2007, the social impacts for dualization of the existing carriageway were estimated. The results of this survey are shown in **Table 1.1**. The results indicated that dualization of existing road will result in social upset in the area. Hence, this option was dropped.

1.4.3. Option-3: Construction of a New Carriageway: The Selected Option

9. This option involves construction of an expressway from Hassanabdal to Havelian on a new alignment. Apart meeting the local needs, the expressway will form part of the National Trade Corridor (NTC) infrastructure planned to connect the Gawadar Port with the Gilgit Baltistan leading towards China, as a part of motorways/expressways network. The proposed expressway will be constructed on a new alignment, which will traverse partially through agricultural land, barren land, hills/rocks etc. However, this option requires acquisition of private agriculture land and structures and will require relocation and rehabilitation of people losing land and non-land assets to the project, as mentioned in para 9 and table 1.1 below.

10. According to design of the Package-II, the expressway will require 412 acres agriculture/barren/residential land, 78 residential structure, 13 commercial, 64 water resources

structures, 988 trees and 13 miscellaneous assets will be affected. In addition, firewood weighing 5244 mounds (One mound=40 kgs) will also be removed. The impacts are small as compared with the dualization of the existing road (N-35) option, which will involve relocation of large number of infrastructure resulting in social disruption and delayed project implementation. A comparative analysis of LAR impacts under both the alternatives, as provided in **Table 1.1** strongly recommends the construction of expressway on new alignment on social and economic considerations.

Table 1.1: Comparative Analysis of LAR Impacts

Sr. No.	Description	Dualization of Existing Road (N-35)	Construction of New (E-35) Expressway
1.	Land	250 Acres	412.6 Acre
2.	Structures		
	Residential	172	79
	Commercial	90	13
	Community/Religious	66	00
	Irrigated Infrastructure/ Assets	00	45
	Miscellaneous	00	14
3.	Trees	8050	988

11. The above data shows that dualization of the existing carriageway (N-35) will require about 250 acres of prime agriculture/commercial land, relocation of 172 residential , 90 commercial, 66 community/ religious and cutting of about 8050 trees. The major implications of the dualization option are that it involved acquisition of costly urban land, 4-5 times higher cost of relocation of infrastructure than the land acquisition cost, heavy tree cutting and existing ROW could not be fenced like expressway because people are using this road since years and they can go in the court against this issue. Based on the analysis of different alternatives, it is apparent that, with the construction of the expressway, the impact will be minimized in terms of impacts on population, infrastructure, access to resources and sources of livelihoods. Keeping in view the analysis of the options, the construction of Expressway on a new alignment stands a viable option.

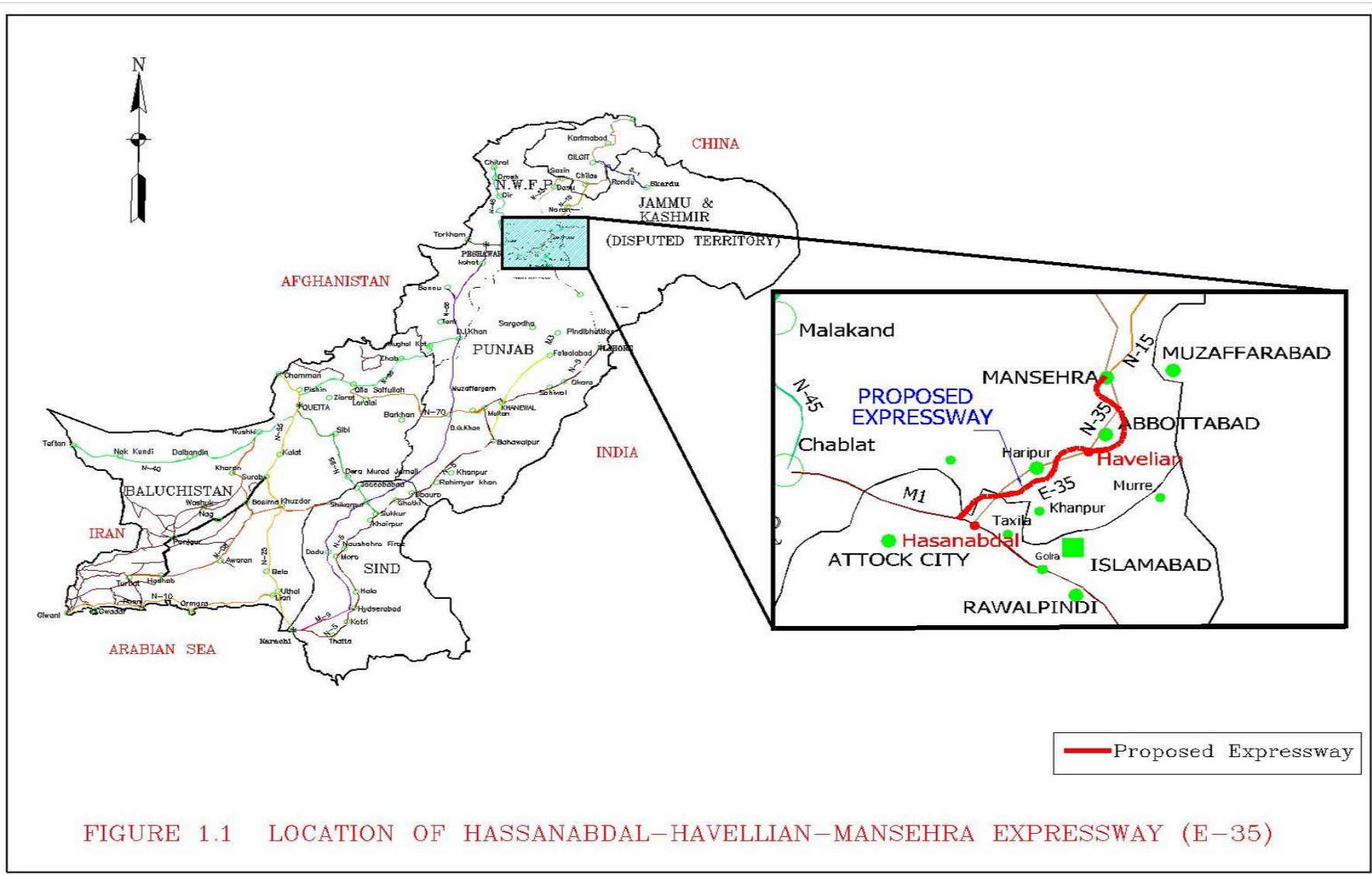
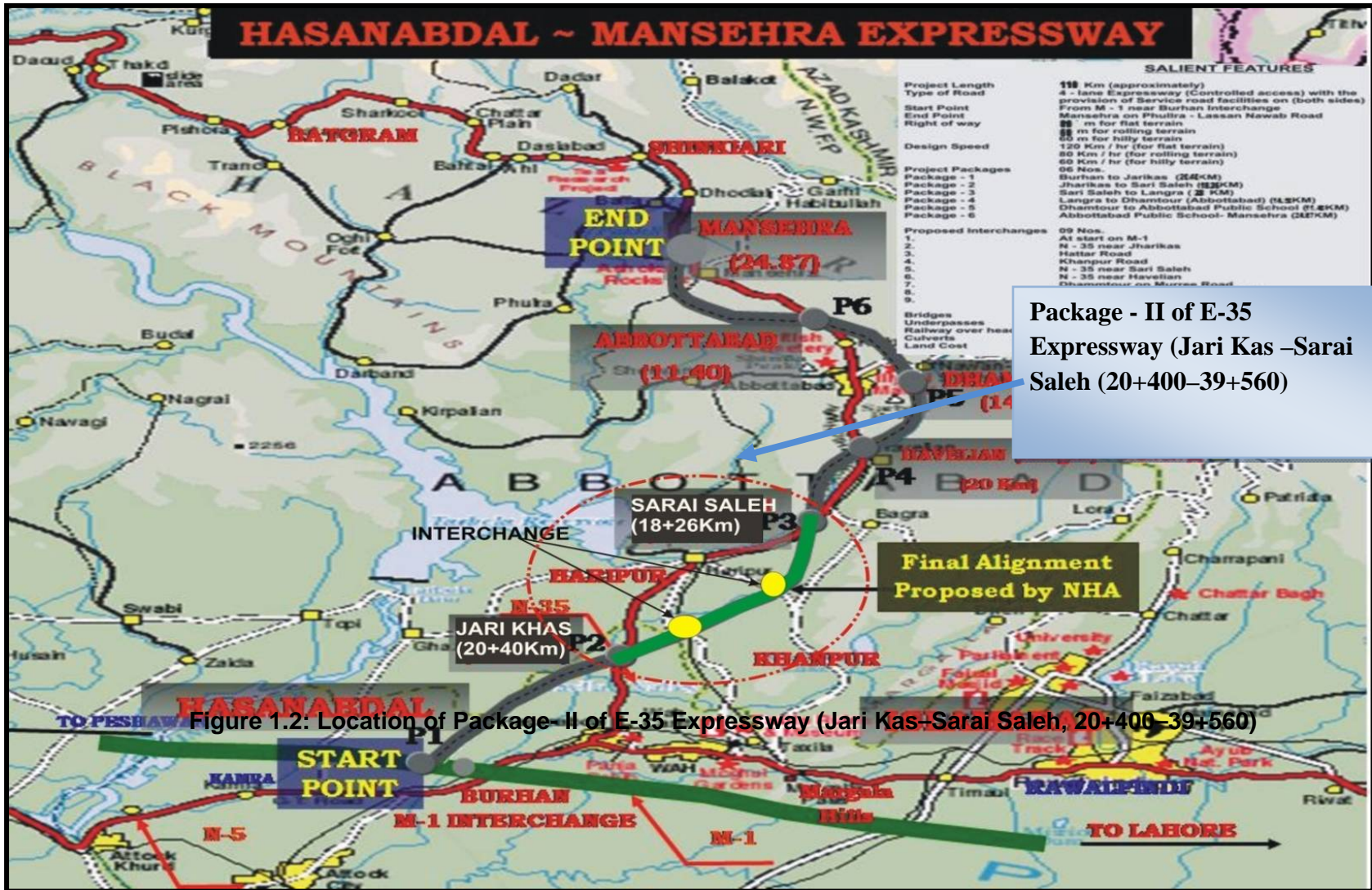


FIGURE 1.1 LOCATION OF HASSANABDUL-HAVELLIAN-MANSEHRA EXPRESSWAY (E-35)



Package - II of E-35
Expressway (Jari Kas –Sari
Saleh (20+400–39+560))

Figure 1.2: Location of Package-II of E-35 Expressway (Jari Kas-Sari Saleh, 20+400–39+560)

1.5. Need for LARP

12. The involuntary resettlement, according to the ADB's Safeguard Policy Statement 2009 (SPS) may cause severe long-term socioeconomic hardships, impoverishment and environmental damages unless appropriate measures are carefully planned and carried out. The Policy requires that involuntary resettlement should be avoided where feasible, or minimized exploring all viable alternative project designs. In cases, it becomes unavoidable, then the displaced persons (DPs) should be meaningfully consulted providing them an opportunity to participate in planning and implementing the resettlement program. They should be assisted in their efforts to improve their livelihoods and standard of living or at least to restore these in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher. This Policy endorses the eligibility of all the categories of persons, whether with formal legal rights or without these rights in a project, but occupying project area prior to the cut-off date.

13. This LARP has been prepared by the National Highway Authority based on 100 % census of Displaced Persons (DPs) in terms of land, structures, trees and miscellaneous assets; socio-economic survey of 25% sample of DPs covering the project area and on-going consultations through meetings, interviews, focus group discussions with the DPs and other stakeholders, in accordance with the ADB Involuntary Resettlement guidelines as described in the SPS 2009. The LARP has been reviewed and fully endorsed by NHA for its implementation and monitoring.

14. The primary objective of the LARP is to provide necessary details for compensation, resettlement and rehabilitation by identifying (i) the extent of losses; (ii) the policy framework for compensation payments, income restoration, relocation and rehabilitation; (iii) mechanisms for timely disclosure of information to the DPs and other stakeholders (iv) institutional framework for participation and implementation; (v) grievance redressal and (vi) responsibilities for monitoring the implementation process (vii) resettlement budget and implementation schedule.

1.6 Land Acquisition and Resettlement (LAR) Conditions

15. The contract award for civil works is conditional upon the preparation of implementation ready LARP, acceptable to ADB in accordance with the LARF and SPS 2009 requirements; reflecting final impacts, DPs lists and final compensation rates of land, structures, trees and crops approved by the relevant departments. However, the mobilization of contractor will be conditional upon the implementation of ADB approved LARP (full delivery of compensation by type of impacts with resettlement and rehabilitation allowances) and confirmation by external monitoring agency (EMA), to be hired/mobilized before loan approval, which is in view of the on-going compensation disbursement before approval of LARP, as mentioned below

16. As far as E-35 (Package-II) is concerned, the payment of compensation is at an advanced stage but proper institutional arrangements in the form of a Social Safeguard Management Consultant-firm is likely to be fully in place and functioning by November 2013. Table 1.2 below, provides village-wise details about the awarded amount and the amount paid thus far.

**Table 1.2 Village-wise summary of Awarded Amount and Amount Paid
(Updated 29-07-2013)**

Sr. No	Mouza	Awarded Amount (PKR)	Amount Disbursed (PKR)	% Achieved	Date of Award	Status of Mutation
1	Monan	7,403,291.00	6,611,132.00	89.3	5/10/2011	Mutated
2	Muradabad	5,903,975.00	5,268,607.00	89.2	5/10/2011	Mutated
3	Darwesh	17,906,179.00	14,240,122.00	79.5	6/10/2011	Mutated
4	Ali Khan	70,822,550.00	70,262,884.00	99.2	7/10/2011	Mutated
5	Doyian Khuski	37,500,877.00	34,465,999.00	91.9	5/10/2011	Mutated
6	Chak Shah Muhammad	226,201,851.00	222,186,196.00	98.2	7/10/2011	Mutated
7	Chechian	19,272,572.00	19,134,549.00	99.3	8/10/2011	Mutated
8	Dhedhan	74,421,634.00	74,075,590.00	99.5	7/10/2011	Mutated
9	Seria	67,909,982.00	59,113,524	87.0	8/10/2011	Mutated
10	Bandi Seria	51,406,755.00	48,157,519.00	93.7	8/10/2011	Mutated
11	Mirpur	26,195,140.00	22,060,343.00	84.2	6/10/2011	Mutated
12	Kot Najibullah	229,982,571.00	178,760,844.00	77.7	23/02/2012	Mutated
13	Ganja Kamala	61,320,560.00	58,810,204.00	95.9	23/02/2012	Mutated
14	Sarae Saleh	21,386,342.00	19,496,678.00	91.2	23/02/2012	Mutated
Total		917,634,279.00	832,644,191.00	90.7		

SECTION-2 SCOPE OF LAND ACQUISITION AND RESETTLEMENT

39. The Hassanabdul-Havelian Expressway under the Package-II is solely new alignment, will be constructed through the acquisition of private land and transfer of government land from one department to other. The major components include main carriageway, service road on both sides of expressway, 3 flyovers, 2 Interchanges, 1 bridge on railway crossing, 10 underpasses and 1 service area. Figure 2.1 shows the zones of impact of the project components/ activities.

2.1 Project Impacts

40. A socio-economic survey was carried out along with the inventory of losses to identify the magnitude of resettlement impacts. **Figure 2.1** shows zones of impacts of different project activities. Details on the inventory of losses obtained information on names of displaced persons and all assets that are within the scope of the proposed easement which include productive and residential and commercial land, housing structures, business establishments, and miscellaneous items. The details of project impacts are as under:

2.2 Impact on Land

41. The project will require 3301.475 Kanals (412.6 acres) of land on permanent basis in 14 Mouzas of Tehsil Haripur. Of these, 3276 kanals are privately owned and 25 kanals are government land. Figure 2.2 highlights the areas involving land acquisition. The acquisition process for private land has already been completed by the NHA. Awards have been announced by the Land Acquisition Collector (LAC) for all the 14 villages and payment of compensation to the DPs/ as per acquaintance roll is under progress.

42. For government owned land, 23.95 kanals of land are owned by the provincial Education department and 1.4 kanal by the federal departments, WAPDA, Sui Northern Gas, Railway and PTCL. This land has been included in the award of the respective mouzas. The assessed amount for the government land will be transferred to the account of respective departments.

43. Latest revenue record (2011) was used to assess the permanent acquisition of land. The Mouza-wise detail of the affected land along with the ownership is given in Table 2.1 below:

Table 2.1: Mouza-wise Detail of Affected Land and Owners

Sr. No	Mouza/Village	Total Land Holding (Acres)	Affected Land (acres)	No. Of DPs
1	Dhedar	49	18.22	187
2	Seria	177.875	52.84	201
3	Bandi Seria	69.5	14.56	58
4	Dhoian Khushki	111.875	31.76	260
5	Derwesh	22.75	9.3	159
6	Mirpur	180.5	36.52	493
7	Muradabad	364.75	12.61	68
8	Shah Muhammad	343.75	52.68	96
9	Monan	38.375	6.53	55
10	Ali Khan	48.625	15.36	175
11	Chechian	34.25	5.20	59
12	Kot Najibullah	226.5	84.60	266
13	Ganja Kamala	99.25	43.36	377

Sr. No	Mouza/Village	Total Land Holding (Acres)	Affected Land (acres)	No. Of DPs
14	Sarai Saleh	138.375	29.13	305
Total		1905.38	412.61*	2759

*Based on the acquaintance roll. It includes Govt. Land too

44. The above table shows that there are total 2759 land APs, who have lost their land. No sharecroppers/ tenants were identified during the census of DPs. Similarly, no farm labourers/ workers were identified on the affected agricultural land. However, the details of DPs are given in Table 2.8 below.

2.2.1. Temporary Lease of Land for Project Works

45. About 20 acres of land will be borrowed for setting up of project camp offices, residential quarters, workshop, etc. According to Design Engineer, two camps will be established by the contractor, one between km 20-25 (near Kot Najibullah at Hattar road) and other between km 29-35 (near Sarai Saleh on Rehana road or Khanpur road). For each camp 10 acres of land will be borrowed. The contractor through negotiation with the land owners in the form of lease agreement under the intimation and approval of the Project Director will get the land on lease, which will be restored and returned to the land owners in its original condition. The conditions to this extent will be made in the bidding document.

2.3. Impact on Cropped Area

46. The land revenue record and consultant data shows that the project has the impact on 2448.5 kanals (306.06 acres) of cropped area. Mouza wise Summary of the final affected cropped area is given in Table 2.2 below and crop impacts linked to the owners of the agriculture land are detailed as **Annex XXIX**.

Table 2.2: Mouza-wise Affected Crop Area

Sr. No.	Mouza	Affected Cropped Area (Kanal)
1	Dhedar	139.725
2	Seria	374.5
3	Bandi Seria	37.05
4	Derwesh	61.55
5	Dhoian Khushki	231
6	Mirpur	182.175
7	Monan	46.15
8	Shah Muhammad	345.325
9	Muradabad	56.45
10	Ali Khan	73.8
11	Chechian	36.5
12	Kot Najibullah	536.475
13	Sarai Saleh	170.5
14	Ganja Kamala	157.3
	Total	2448.5

2.4. Impact on Trees

47. The project has impact on the fruit and non-fruit trees which will ultimately be removed from the ROW. According to field assessment, total numbers of trees are 988, out of these 359 are fruit trees and 629 are non-fruit trees. In addition, firewood weighing 5,244 mounds (One mound=40 kgs) will also be removed. The trees have been included in the Awards announced by the Collector for the respective Mouzas. The Mouza-wise information of trees in respect of number and ownership are summarized in **Table 2.3** and details as **Annex-I**.

Table 2.3: Trees to be Removed from the ROW

Sr. No.	Name of Mouza	Affected Non-fruit Trees			Affected Fruit Trees	
		No. of APs	No. of Trees	Firewood (Mds)	No. of APs	No. of Trees
1	Seria	14	99	265	4	48
2	Ali Khan	9	95	600	6	60
3	Monan	4	11	135	2	2
4	Sarai Saleh	15	103	1310	2	43
5	Bandi Seria	2	19	11	0	0
6	Shah Mohammad	4	46	440	1	120
7	Muradabad	3	14	260	0	0
8	Derwesh	4	15	32	0	0
9	Chechian	4	51	50	1	32
10	Dhoian Khushki	15	39	529	2	10
11	Mirpur	14	40	644	0	0
12	Dhedar	9	41	273	1	4
13	Ganja Kamala	9	10	311	0	0
14	Kot Najibullah	15	46	384	3	40
Total		121	629	5244	22	359

Source: Census Survey of Affected Persons by NHA on March 2012

48. Among affected fruit trees guava trees are 57.94 %, citrus 9.47 %, pomegranate 5.85 %, apricot 5.01 % and miscellaneous trees 16 % of the total 359 affected fruit trees. Among non-fruit trees needing removal from the ROW, shisham trees are 36 %, dharek 29 %, toot 19 %, kikar 10 % and miscellaneous trees 06 % of the total 629 affected trees.

2.5. Impact on Structures

The census identified that the project has impact on 106 structures that include 79 houses, 13 commercial and 14 miscellaneous structures. These affected structures are categorized⁴ as Pacca, Semia Pacca and Kacha structures. Identification of affected structures vide the linear plan (**Figure 2.3**) is provided as **Annex**. These structures are scattered and located along the entire stretch therefore no mass relocation is required. The project will need to make appropriate arrangements and provide sufficient funds to relocate these structures. The support provided under this resettlement plan will need to include the funds for the re-establishment of these structures and income generating activities as needed.

⁴ For assessment purpose, the affected structures have been divided into following three categories depending upon the nature of construction and type of material used.

Pacca Structure: T.R girder roof, cement mortar, cement plastering and concrete flooring

Semi-pacca Structure: T.R girder roof, mud mortar, cement plastering and brick flooring

Kacha Structure: Wooden girder, wooden battens, mud mortar, mud plastering and mud flooring

FIGURE 2.1 :- MAP SHOWING ZONE OF IMPACT FOR VARIOUS PROJECT ACTIVITIES

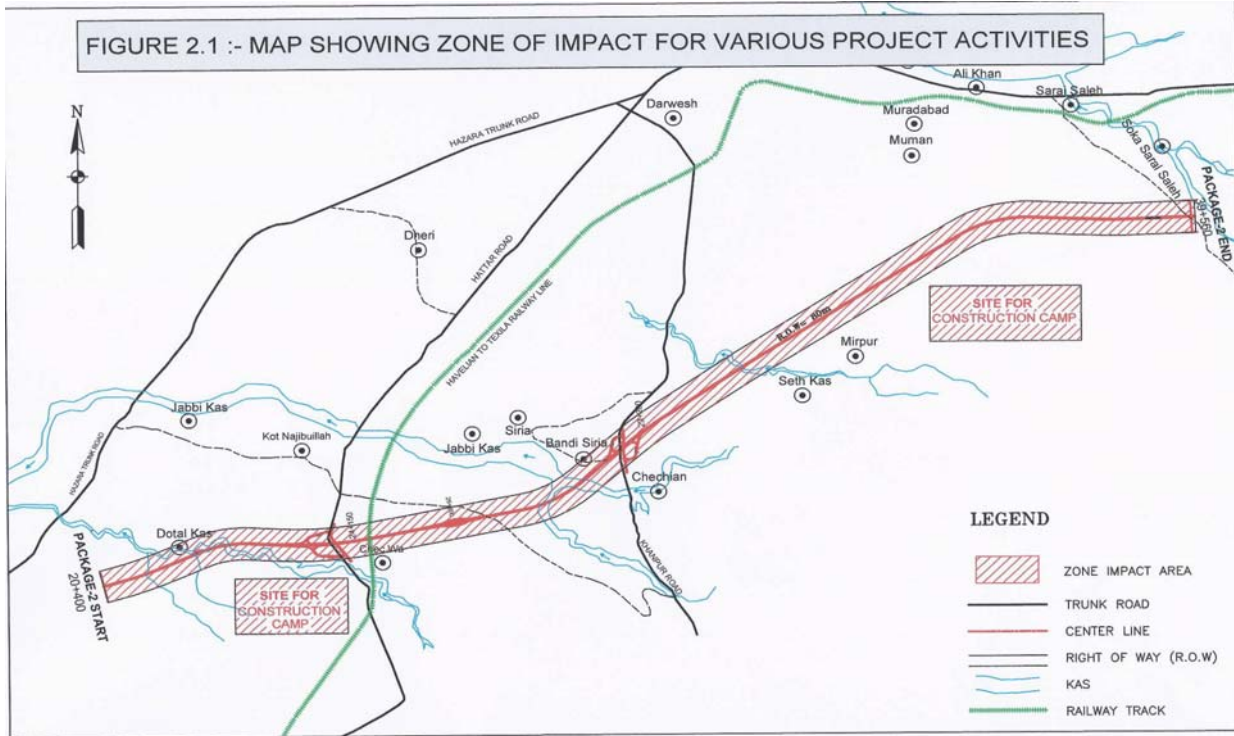
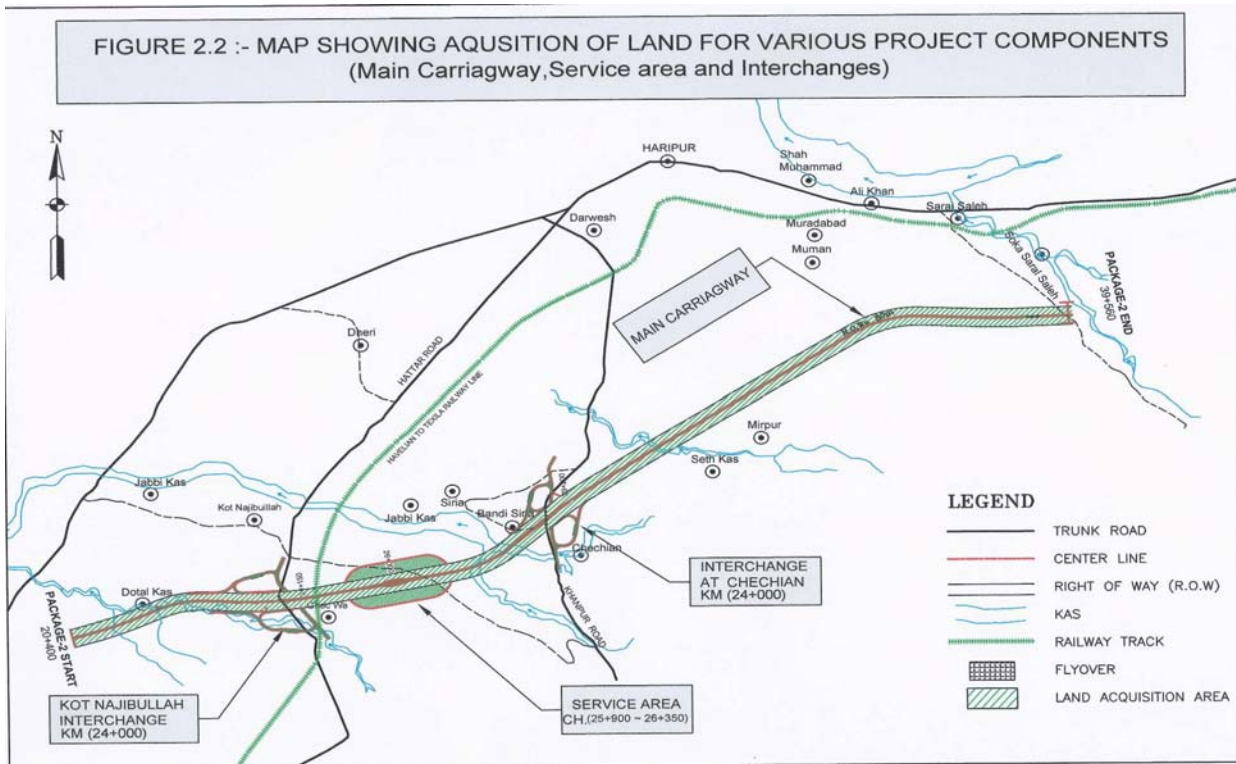


FIGURE 2.2 :- MAP SHOWING AQUISITION OF LAND FOR VARIOUS PROJECT COMPONENTS (Main Carriageway, Service area and Interchanges)



2.5.1. Impact on Residential Structures

49. **The residential structures of the 78 households** that will be affected have a total covered area 111633.1 sq.ft and out of that the affected area is 108363 sq. ft. Mouza-wise comparison of the total and affected areas show that all these structures are affected to the extent of 90%-100%, as reflected in Table 2.4.

Table 2.4: Mouza Wise Summary of the Residential Structures

S#	Mouza	Total Number	Total Covered Area (Sq. ft)	Total Affected Area (Sq. ft)	% of Affected Area
1	Dhedar	7	5730.5	5730.5	100.00
2	Seria	5	2859.5	2589	90.54
3	Bandi Seria*	3	6865.3	6497.3	94.64
4	Darwesh	1	908	908	100.00
5	Mirpur	2	4009.8	4009.8	100.00
6	Monan	1	2845.5	2845.5	100.00
7	Ali Khan	34	53163.1	50531.5	95.05
8	Chechian	6	9420.8	9420.8	100.00
9	Kot Najibullah	12	12620.4	12620.4	100.00
10	Ganja Kamala	1	3470.6	3470.6	100.00
11	Sarai Saleh	7	9739.6	9739.6	100.00
Total		79	111633.1	108363	100.00

2.5.2. Impact on Commercial Structures

50. **According to the field inventory** survey of the project affected assets, the project has the impact on 13 commercial structures that include 04 shops, 04 brick kilns and 05 poultry farms. The Mouza wise detail is given in Table 2.5 below. The project will need to make appropriate arrangements and provide sufficient funds to relocate these commercial structures.

Table 2.5: Mouza-wise Summary of Affected Commercial Structures and Extent of Impact

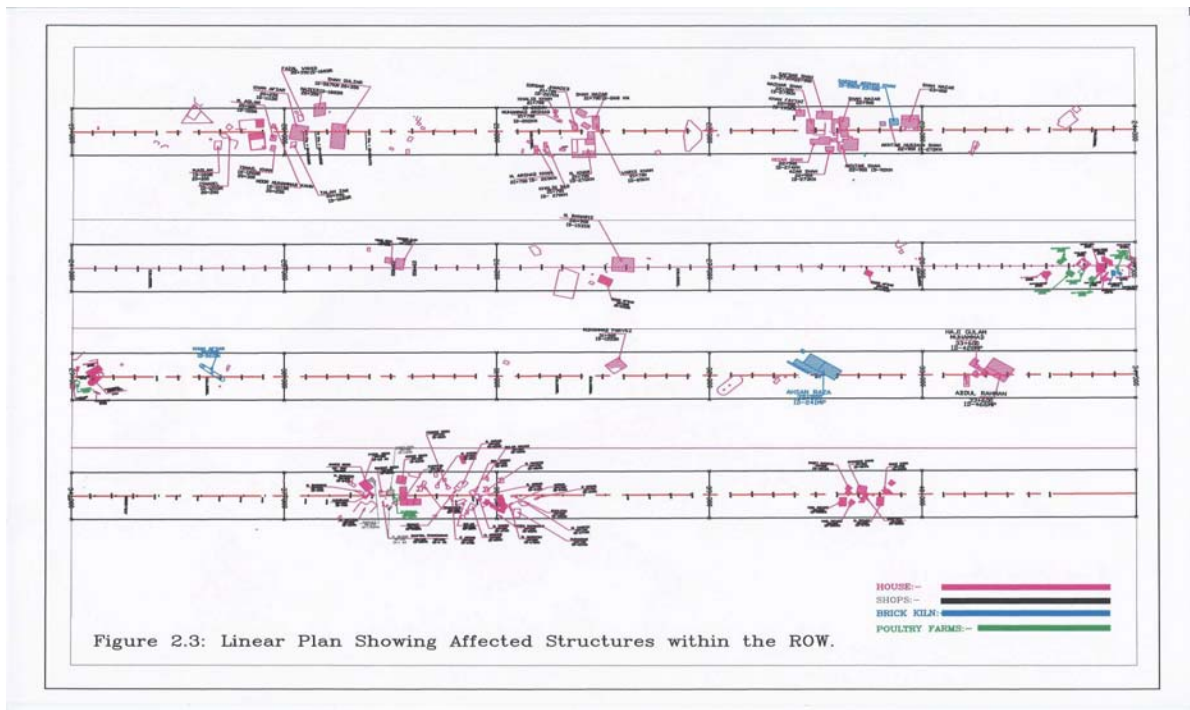
Sr. No.	Brick Kilns				Poultry Farms				Shops			
	Total Number	Total Covered Area (Sq. ft)	Affected Area (Sq. ft)	% age	Total Number	Total Covered Area (Sq. ft)	Affected Area (Sq. ft)	% age	Total Number	Total Covered Area (Sq. ft)	Affected Area (Sq. ft)	% age
1	2	21655.3	21655.3	100.00	3	5727.5	5007.5	87.43	0	0	0	0.00
2	1	10390	9950	95.77	0	0	0	0.00	0	0	0	0.00
3	0	0	0	0.00	1	1337	1337	100.00	0	0	0	0.00
4	0	0	0	0.00	0	0	0	0.00	3	3601.9	3601.9	100.00
5	0	0	0	0.00	1	3500	2450	70.00	1	1612	964	59.80
6	1	4188.6	4188.6	100.00	0	0	0	0.00	0	0	0	0.00
	4	36233.9	35793.9	98.79	5	10564.5	8794.5	83.25	4	5213.9	4565.9	87.57

2.5.3. Impact on Miscellaneous Structures

51. The field investigations reveal that the project has impact on the miscellaneous structures as well. The miscellaneous structures include cattle yard, mud cave, irrigation channel, stone wall and room of the tube well. These structures are affected 100% basis as given in Table 2.6.

Table 2.6: Showing the Impact on the Miscellaneous Structures

S#	Mouza	Total Number	Total Covered Area (Sq.ft)	Total Affected Area (Sq.ft)	%age
1	Seria	1	280	280	100.00
2	Dhoyian Khushki	3	1138	1138	100.00
3	Bandi Seria	2	2169	2169	100.00
4	Ali Khan	1	567	567	100.00
5	Muradabad	1	3601.9	3601.9	100.00
6	Kot NajibUllah	4	1472.1	1472.1	100.00
7	Mirpur	1	348	348	100.00
Total		13	9576	9576	100
8	Sarae Saleh (Boundary Wall)	1	50.96286 m^{^3}	50.96286 m^{^3}	100



2.5.4 Loss of Water Resource Infrastructures

52. The project will have impact on 64 water resource structures including 03 tube wells (01 electric powered and 02 peter engine driven), 31 water tank, 15 boreholes of water pumps (for domestic use) and 15 open wells. The tube wells are used for irrigation purposes whereas the boreholes and open wells are located within the affected houses for meeting the domestic water needs of the household. The list of affected assets is provided in **Table 2.7**.

Table 2.7: List of Affected Water Source Structures

Sr. No.	Village /Mouza	Name of Owner	Type of Asset	Number
1	Dhedar	Muhammad Aslam	Borehole	1
2	Dhedar		Open Well	1
3	Dhedar		Water tank	1
4	Dhedar	Talaha Zar	Open Well	1
5	Dhedar		Water tank	1
6	Seria	Khan Afsaar	Open Well, Borehole	2
7	Bandi Seria	Shokat Zaman	Open Well	1
8	Bandi Seria	Meer Zman	Water tank, Tubewell	2
9	Bandi Seria	Gull Zmaan	Open Well, Borehole	2
10	Bandi Seria	Malik Aamir	Water tank	1
11	Bandi Seria	Muhammad Wajid	Open Well , Water Tank	2
12	Dhoian Khushki	Muhamad Ajmal (Urf Ajab)	Borehole	1
13	Dhoian Khushki	khan afsaar	Water tank, Borehole	2
14	Mirpur	Ahsan Raza	Water tank, Tubewell	2
15	Mirpur	Gull Muhammad	Water Tank	1
16	Monan	Muhammad Saleem	Water Tank	1
17	Ali Khan	Rehmat Din	Water Tank	1
18	Ali Khan	Muhammad Arshad	Water Tank	1
19	Ali Khan	Ghulam Sarwer	Water Tank	1
20	Ali Khan	Muhammad Shafique	Water Tank, Borehole	2
21	Ali Khan	Muhammad Matloob	Water Tank	1
22	Ali Khan	Gulab	Borehole	1
23	Ali Khan	Khani zman	Water Tank, Borehole	2
24	Ali Khan	Aurang Zeb	Water Tank	1
25	Ali Khan	Muhammad Zaman	Borehole	1
26	Ali Khan	Muhammad Akbar	Borehole	1
27	Ali Khan	M.Akram	Water Tank	1
28	Ali Khan	Muhammad Bashir	Water Tank	1
29	Ali Khan	Muhamamd Shafique	Water Tank	1
30	Ali Khan	Muhammad Akbar	Water Tank,	1
31	Ali Khan	Muhammad Irshad	Water Tank	1
32	Ali Khan	M Zareen	Water Tank	1
33	Ali Khan	M Nazeer	Water Tank, Open Well	2
34	Ali Khan	Pervaiz	Water Tank	1
35	Chechian	Malik Naveed iqbal	Water Tank, Open Well	2

Sr. No.	Village /Mouza	Name of Owner	Type of Asset	Number
36	Chechian	Muhammad Hamraz	Borehole	1
37	Chechian	Sheraz Akhtar & Naveed Qadri	Borehole	1
38	Chechian	Bakshish Elahi	Water Tank , Open Well	2
39	Chechian	Naveed Akhtar	Open Well	1
40	Kot Najeeb Ullah	Waris Ali Khan	Borehole	1
41	Kot Najeeb Ullah	Sardar Jhanzeb Khan	Water Tank, Open Well, Tubewell	3
42	Kot Najeeb Ullah	Shah Nazar	Water Tank, Open Well	2
43	Kot Najeeb Ullah	Khaliq Dad	Water Tank, Open Well	2
44	Kot Najeeb Ullah	Akhter Hussain Shah	Water Tank, Open Well	2
45	Kot Najeeb Ullah	Muhammad Khan	Water Tank, Open Well	2
46	Ganja Kamala	Manzoor Elahi	Borehole	1
47	Sarai Saleh	Sarfraz	Borehole	1
Total				64

2.6 Loss of Income

53. The project will impact the source of income of 04 brick kiln owners, 05 poultry farm owners and 04 shop owners of small business operators. They will have impacts on their source of income until re-establishment of their businesses in a new location. In addition, 26 persons will lose their employment due to loss of these structures. They have been provided with livelihood allowance and additional compensation in case of being vulnerable. Detailed information about these AFs is provided in **Annex 3**.

2.7 Impact on Indigenous People

54. Indigenous peoples are peoples defined in international or national legislation as having a set of specific rights based on their historical ties to a particular territory, and their cultural or historical distinctiveness from other populations that are often politically dominant. However, the screening of project confirmed that no IP groups were found existing in the project areas. Therefore the Indigenous Peoples Safeguards of the SPS (2009) of ADB are not triggered and there is no need for preparation of indigenous peoples Development Plan (IPDP).

2.8 Impact on Vulnerable People

55. Based on indicators established for subprojects under tranches 1 & 2, households with per capita incomes at or below the poverty line, as well as low-income households headed by women, elderly and/or disabled persons are identified as vulnerable households. These vulnerable households mostly comprise poor households living below the poverty line with meager resources and income generation limited to working as household and farming laborers. Accordingly, the projects will target specific income generation and livelihood restoration

measures for these households based on the general entitlements as specified as vulnerability allowance.

56. The study indicates that 169 households that include 137 land owners, 16 employees and 6 house owners of the project area were identified as vulnerable in terms of their average annual income and sources. As an approach to assess the poverty status of displaced households were asked about the average annual income of their families with different sources. The income status of the DPs was related to the official poverty line (OPL), Rs. 879 per capita / month was estimated by the government in 2004–2005 (Pakistan Economic Survey, 2005–06, Table 41). The latest estimate of inflation–adjusted poverty line per capita per month comes to Rs. 1942.66. The detail of vulnerability is discussed in section 3 of the report. The LARP has made the special provision to provide the additional financial assistance to vulnerable people in concurrence with the ADB’s SPS 2009.

2.9 Summary of the Impact

57. Within the scope of the project, a total of 2818 households are affected by the land acquisition and resettlement, that include APs by land, trees, structures, water sources and employment. These displaced persons are living here for centuries and have a strong affiliation with the area. Mouza wise list of DPs with details of impacts are provided in **Annexure-IV to XVII** and the results are summarized in **Table 2.8**.

2.10 Cut –Off-Date

58. The cut-off date for determining the eligibility of displaced persons for compensation can best be defined at the time of completion of the SIA study. The date was set by EALS/Project office as a part of its implementation program, after consultations with DPs and other stakeholders during the socio-economic, focus census survey and consultation meetings at grass-root level. Consequently, the impacts assessment survey was completed on **May 25, 2012** and the same date was established as cut-off date.

59. It was agreed that the Persons who occupy the area thereafter would not be eligible for compensation or any form of resettlement assistance. Such persons, if any, will be given one month advance notice to vacate the occupied premises and dismantle affected structures prior to project implementation. Their dismantled structures will not be confiscated and the owner will not pay any penalty. Forced eviction will only be considered after all other efforts are exhausted. However, field investigation shows that none of such person is existed in the project area.

Table 2.8: Summary of Project Impacts

Sr. No.	Mouza	No. of APs/DPs Per Impact							Total
		Land	Structure	Structure + Land	Land +Trees	Structure +Trees	Land +Structure +Trees	AP's Losing Employment	
1	Dhedar	171	1	5	9	-	1	-	188
2	Seria	182	-	1	14	-	4	-	201
3	Bandi Seria	51	8	5	1	-	1	16	82
4	Dhoian Khushki	240	1	3	17	-	-	5	266
5	Darwesh	154	-	1	4	-	-	-	159
6	Mirpur	477	-	2	12	-	2	-	493
7	Shah Muhammad	91	-	-	5	-	0	-	96
8	Monan	49	1	-	5	-	1	2	58
9	Muradabad	64	-	1	3	-	0	-	68
10	Chechian	51	2	3	2	-	3	-	61
11	Ali Khan	141	7	19	7	-	8	-	184
12	Kot Najibullah	243	7	6	14	3	1	3	279
13	Ganja Kamala	366	-	2	9	-	-	-	377
14	Sarai Saleh	285	3	3	16	-	-	-	307
Total		2565	30	51	118	3	21	26	2819

SECTION 3 SOCIO-ECONOMIC INFORMATION AND PROFILE

3.1 General

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

3.2 Information/ Data Collection Methodology

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

63. The sample size for the survey depends on the size of the total population of displaced persons in a subproject. If the total population of DPs is large, i.e. above 100 households, a sample of 10% of all and 20% of significantly affected persons (APs) is appropriate. A smaller displaced population requires the sampling of a larger percentage. Sampling will be a combination of purposive selection of specific groups in the population from various affected locations and random selection within these groups.

64. The key variables covered in the surveys and qualitative interviews will include (i) demography; (ii) social organization; (iii) income and assets; (iv) occupational structure; (v) access to public services; and (vi) personal property. All data collection and presentation needs to be disaggregated by gender and other relevant social characteristics, depending on the social groups of concern (for example IP, ethnic or vulnerable groups). The subproject LARP reports on the findings of the SES and provides observations on the wider social, economic and cultural context of the DPs. Special attention is paid to possible previous or future occurrence of displacement due to LAR among the communities of the DPs.

65. The LARP has been prepared by collecting the data / information from the real field settings. Data / information were collected from primary and secondary sources. Secondary information was gathered from all available documents i.e. (District Population Census Reports 1998 of district Haripur, land folders, from the design consultants and ADB Guidelines on Involuntary Resettlement vide SPS 2009. Meetings were held with the officials of revenue department, agricultural and irrigation department; feedback of all these meetings has also been kept in view for this study. For primary data collection, different types of field surveys and focused group discussions were conducted. The respondents belonged to all walks of life and included resident APs, passengers, community leaders, key influential persons, women, and farmers.

3.2 Identifications of DPs

66. Any person, whose land, asset / infrastructure, source of income or access to resources/ workplace is likely to be affected by the project's operations, is a Displaced Person (DP). These include mainly the residents, land owners, business operators and owners of assets/structures

located within ROW. The total number of such affected families along the project corridor comes to 2818.

3.3 Census of DPS and Their Assets

67. A complete census of the DPs, on 100 % basis, was carried out by using a pre-structured questionnaire shown as **Annex XVIII**. The census aimed at to register and document the number and status of DPs/ APs likely to be physically displaced or affected otherwise as a result of the project and, therefore, entitled to compensation. The cut-off date for the census of the DPs was established as **25th May, 2012** for entitlements under the project to determine the eligibility for compensation. Any person moving into the ROW after this date was not considered as entitled to any compensation. The following features of the DPs/ APs were addressed in the census.

- Demographic Profile
- Nature of business / occupation
- Type and value of affected land
- Type and value of affected crops
- Type of affected trees and their value
- Type and value of affected structures / assets owned
- Replacement costs of affected structures / assets
- Ownership documentation, if any
- Income from affected source and other sources
- Vulnerable groups (identified below the poverty line)
- Identification of loss of income sources

3.4 Socio-Economic Baseline Survey

68. As per SPS requirements, a sample survey was carried out to develop a socio-economic baseline of the general population along the proposed ROW of the Expressway. A sample of 300 respondents including 100 women was selected by applying stratified random technique. For this purpose, the total number of DPs/ was taken as the universe of the sample. The findings of this survey were validated through FGDs of men and women conducted in all the affected villages. In these FGDs, 99 males and 66 females participated. The purpose of these FGDs was to make the findings of the socio-economic survey more representative of the conditions prevailed in the project area. A pre-structured questionnaire, shown as **Annex- XVIII**, was used for data collection.

3.5 Description of the Project Area

69. The project is located in Haripur district of KPK province. The total area of the district is 1725 km² (426248 Acres). The district consists of 02 Tehsils, namely tehsil Haripur and tehsil Ghazi. The district is comprised of 44 union councils of which 36 are in tehsil Haripur and 08 in tehsil Ghazi. The district administration offices are situated at Haripur. The Karakoram Highway passes through Haripur district. The district lies at an altitude of around 610 meters (2,000 ft) above sea level. The entire alignment of Package-2 falls in tehsil Haripur.

3.5.1 Administrative Setup

70. The administrative set up consists of District Coordination Officer (DCO), Executive Development Officer (Revenue) and District Officer (Revenue). The DO (Revenue) directly looks after the matters of the revenue offices at tehsil level. Each tehsil (sub-division) has a revenue setup consisting of Tehsildar and Naib Tehsildar, who have a number of Qanugos under each. Each Qanugo looks after the work of several Patwaries of his Pitwar Circle. The Pitwaries stay in their villages and maintain an updated land record of their 'Mouzas'. There are 44 Union Councils in Haripur district. Haripur tehsil (Sub division) consists of 36 Union Councils and Ghazi tehsil (Sub-division) consists of 08 Union Councils.

3.5.2 Ethnic clans and languages

71. The people of Haripur district and in the project corridor, as well, relate to Jadoon, Gujjar, Malik, Tanoli, Dhund Abbasi, Syed (Sadaat), Awan (tribe), Tareen, Qureshi, Piracha, Mir and Mughals clans. The people of Hazara are known to be brave, hospitable and generous. According to the findings of the sample survey, the Hindko is the predominant language of the district and is spoken by more than 70% of the people. Other languages spoken include Urdu, Gojri, Potohari, Pashto and Pahaari. English is also widely used among the educated segment of the local population.

3.5.3 Religion

72. The predominant religion in Haripur is Islam, with 99.67% of the people. A negligible proportion of the population belongs to other religions, including Christianity, Hinduism, Qadiani / Ahmadi.

3.5.4 Family Life

73. Mostly people live with parents and brothers. Families live in a shared house and share all productive resources such as land, crops, trees and cattle. The internal domestic management and arrangements are in the hands of the oldest woman of the family. She can be a mother, grandmother or wife of an elder brother. The external matters are dealt by the head of the household, a man father, grandfather or elder brother. The nuclear family trend is emerging in the area, as revealed during the FGDs.

3.5.5 Social Organization

74. The social organization revolves around autonomous Khel (i.e. lineage which is now called caste) wherein all people are blood related and a link from ten to twelve generations makes one Khel. Organizationally up to this extent, the people physically or financially help each other much more and they stay united against any type of threats. Usually the elders constitute Jirga (council of elders) which decides the issues and keep the tribe unite. The members of Jirga are not nominated by government but the community recognizes a person as its Malik who dedicates himself for community services and gets recognized by the fellow community members and the government agencies. The main roles and responsibilities of a Malik are to resolve the conflicts and disputes within the community and representation of the community in a Jirga or at other social platforms.

3.5.6 Conflicts Resolution Mechanism and Laws

75. The project area is a "settled area" where provincial and federal statutory laws apply. Under this law, the cases are registered at police stations, if laws of the country are violated.

Once a case is registered the legal course takes place through normal courts starting from civil court, District and Session court, a bench of Peshawar High Court in Abbottabad to Peshawar Registry of Supreme Court. Traditional jirga system is also effective in the area especially in the matters of disputes among the tribes. In such a case, Khans of tribes constitute a jirga to resolve the issues. If a dispute arises within the tribes or among the sub tribes, the elders of sub tribe get together under the leadership of a senior Malik and resolve the issues.

3.5.7 Industry in Haripur

76. Haripur District is comparatively more industrialized than other districts of the KPK province. There are many big industrial units here like Telephone Industries of Pakistan, NRTC (National Radio Telecommunication Corporation), Hazara fertilizers, Razzaq Blanket Industry, Ali Hussain Poultry, Khwaja Children Home, Pak-China fertilizers, Terbela Cotton Mills etc. Furthermore, the Hattar Industrial Estate situated Kot Najibullah was established in 1985-86 at total area of 1,032 acres (4.18 km²) of land. There are around 117 operational unit that are mainly composed of food and beverage, textile, crockery, paper printing, chemical, cement, publishing, chemical, rubber and leather products. In addition, the district provides good quality fruit and vegetables not only to Peshawar but also to Islamabad and the Punjab. There is more likelihood of social and economical development due to the E-35 Expressway project, as exclaimed by the respondents during FDGs.

3.5.8 Trade and Trade Centers

77. Haripur and Abbottabad are the main trading centre of the Project area. All edible and non-edible items are being brought from Punjab which are further supplied to the interior areas of this district. People generally go to Rawalpindi/ Islamabad for shopping, which are only at a two hour distance from Haripur.

3.5.9 Literacy Rate

78. The overall literacy rate in the Haripur district is 53.7%. The female literacy rate is only 37.4% compared to male literacy of 70.5%. The urban/rural break down shows that rural literacy is lower (51.4%) than urban literacy (69.7%). The literacy ratios for Hazara district by sex and by rural / urban regions are given in the **Table 3.1**

Table 3.1: Literacy Ratios for Haripur by Rural / Urban and Sex

Area	2012		
	Male	Female	Overall
Rural	69.1	34.3	51.4
Urban	79.4	59.5	69.7
Total	70.5	37.4	53.7

Source: District Census Report 1998, by Population Census Organization, Govt. of Pakistan, Islamabad. The figures have been updated for 2012 based on secondary data of census maintained by Federal Bureau of Statistics Pakistan

3.5.10 Transportation and Accessibility

79. Haripur is easily accessible by road from Peshawar and Islamabad. The main road link to the district is the Karakoram Highway (N-35) which passes from the city. Pak-China trade is carried out through this highway. In addition to this, a number of pacca and katcha tracks off take from this road and led to a number of villages and settlements. Major mode of

transportation in the Project area includes Minibuses, Cars, Vans, Jeeps, Tractor Trolleys, Passenger Buses and Trucks. Out of all these transportation modes, mainly jeeps, cars and vans are used to travel to the settlements along proposed expressway section.

3.5.11 Fuel and Energy

80. In rural areas 90% of the population uses fuel wood, agricultural waste or dried cow dung of the cattle. Eight percent of village inhabitants use gas cylinders while 2% use kerosene oil stoves. Petrol pumps exist along the road to fulfill the energy requirements of the area.

3.6 Characteristic of the Project Corridor

3.6.1 Description of the Project Corridor

81. The Package-2 falls in tehsil Haripur and total length of this package is 19.2 km. The project corridor starts near Jari Kas and ends at proposed Maqssoda interchange near Sarai Saleh. It passes through 14 rural settlements/ villages including Ali Khan, Monan, Muradabad, Shah Muhammad, Mirpur, Seria, Bandi Seria, Chechian, Dhedar, Derwesh, Dhoian Khushki, Kot Najibullah, Ganja Kamala and Sarai Saleh will be affected with the construction of this Package. The proposed ROW is 80m. The major portion of the road runs on the right side of KKH and crosses it at some locations.

82. The project corridor is rural in nature. The area is mainly rain fed as there is no irrigation canal existing in the area. The ground water is of good quality and some farmers have installed tube wells to irrigate their lands. Generally subsistence agriculture is practiced in the area. Wheat and maize are the major crops. The findings of the socioeconomic survey have revealed that out of total area of 21762 acres, about 21% is uncultivated and 79% is cultivated. The irrigated area is only 10% of the cultivated area while 69% is rain fed. The land use pattern of the villages/ mouzas along the project corridor is provided in **Table 3.2**.

Table 3.2: Land Use Pattern in Villages along the Project Corridor

Mouza	Total Land of Village(Acres)	Irrigated (Acres)	Rain fed (Acres)	Uncultivated Land (Acres)
Dhedar	1646	1292	290	64
Seria	1597	404	1109	84
Bandi Seria	1220	259	162	799
Dhoian Khushki	1219	280	887	52
Derwesh	2213	-	1894	319
Mirpur	169	-	103	66
Muradabad	699	-	675	24
Shah Muhammad	1429	-	1294	135
Monan	515	-	21	494
Ali Khan	714	-	486	228
Chechian	1222	-	1222	0
Kot Najibullah	4849	-	4538	311
Ganja Kamala	1931	38	1146	746
Sarai Saleh	2339	-	848	1491
Total	21762	2077	15013	4672

Source: Socioeconomic Survey of the Project Area NHA, March 2012.

3.6.2 Average Landholdings

83. The survey has revealed that out of the total 300 respondents, 10% have landholding up to 02 kanals, 14% have between 2–4 kanals, 13% have between 4–6 kanals, 9% have between 6–10 kanals, 35% have between 10-50 kanals, 11% have between 50 –100 kanals and only 08% respondents have their landholding more than 100 kanals. **Table 3.3** shows the landholdings status of the respondents.

Table 3.3: Average Landholdings of the Respondents

Sr. No	Landholding	Frequency (No. of AFs)	Percentage
1	Upto 2 kanals	30	10
2	2 ~ 4 kanals	42	14
3	4 ~ 6 kanals	39	13
4	6 ~ 10 kanals	27	09
5	10 ~ 50 kanals	105	35
6	50~100 kanals	33	11
6	Above 100 kanals	24	08
Total		300	100

3.6.3 Per Acre Income from Crops

84. The reported cropping pattern along the project corridor is comprised of wheat and maize crops. Per acre net income from these crops as provided by the DO (Agriculture) Haripur and validated through socioeconomic survey comes to Rs. 24,000/= and Rs. 17,600/=, respectively.

3.6.4 Settlement Pattern Along the Road

85. The settlement pattern of the Project Area is rural except Sarai Saleh which may be considered as semi-urban. The main settlements/villages along the project corridor are connected with other villages and settlements situated at varying distances from project corridor, are connected by metallic roads and village tracks.

3.6.5 Population

86. Population of the 14 villages along the project corridor stood as 59104 persons, according to 1998 district census report. However, in 2012 the population has increased to 82379 persons comprising 42698 males and 39681 females, by applying an annual growth factor of 2.4% for Haripur district. The male to female ratio works out to be 1.08:1. Number of housing units in 2012 stood at 12411 as against 8584 in 1998, thereby yielding an average household size of 6.6 persons. The population of the villages in the project corridor for the year 2012 is provided in **Table 3.4**.

Table 3.4: Population of Project Corridor–2012

Sr. No.	Year	Population			No. of H. Holds	Av. H.H. Size
		Male	Female	Total		
1	Dhedar	1809	1857	3666	564	6.5
2	Seria	3259	3181	6439	961	6.7
3	Bandi Seria	1739	1982	3721	539	6.9
4	Dhoian Khushki	1043	1091	2134	301	7.1
5	Darwesh	3733	3617	7349	1148	6.4
6	Mirpur	1826	2156	3982	594	6.7
7	Shah Mohammad	438	385	822	108	7.6
8	Monan	1240	1242	2482	382	6.5
9	Muradabad	1415	1416	2831	429	6.6
10	Chechian	1278	1313	2591	350	7.4
11	Ali Khan	2930	2693	5623	760	7.4
12	Kot Najibullah	11860	8936	20795	3354	6.2
13	Ganja Kamala	1571	1480	3051	436	7.0
14	Sarai Saleh	8558	8334	16891	2484	6.8
	Total	42698	39681	82379	12411	6.6

Source: DCO Office, Haripur District and District Census Report, 1998 the figures updated as of 2012

3.6.6 Housing Characteristics

87. The total number of housing units in the project corridor was 8,584. Of these, 80% were pacca⁶ units, 03% semi-pacca and remaining 15% were kacha units. The number of total housing units in 2012 stood as 12,411, with pacca, semi-pacca and kacha units as 9,929,372 and 1,862, respectively. Kacha type of housing units is generally found in rural settlements. However, in semi urban settlements, a mix of kacha and pacca houses is found. A high level of social integration is found among the people.

3.6.7 Education Facilities

88. The project area lacks educational facilities. The institutions for primary and middle level education seem functioning satisfactorily but these need to be increased in numbers particularly for girl students. The high school level education facilities are available only for boys, however, insufficient at the same time. The male students avail these meager educational facilities but the

⁶ The structures types are explained as under:

Pacca Structure: T.R girder roof, cement mortar, cement plastering and concrete flooring

Semi-pacca Structure: T.R girder roof, mud mortar, cement plastering and brick flooring

Kacha Structure: Wooden girder, wooden battens, mud mortar, mud plastering and mud flooring

female students remain deprived in this respect. They have no option of getting education beyond Class VIII. This is making negative repercussion on the economy of the area. The information collected from the DO (Education), Haripur in respect of educational facilities in the settlements / villages along the project corridor is depicted in **Table 3.5**.

Table 3.5: Educational Institutions in the Villages along the Project Corridor in 2011

Type of Institution	Number	
	Male	Female
Primary	08	09
Middle	02	06
High	02	01
Inter College	03	02
Total	15	18

Source: Socioeconomic Survey of the Project Area by NHA Consultant, March 2012

3.6.8 Health Facilities

89. As far as the settlements along the ROW of expressway are concerned, these lack health facilities. There is only one social security hospital in the project area in Hattar Industrial Estate, near village Kot Najibullah. The other health facilities (institutions) in the project corridor includes 01 Rural Health Centre (RHC) and 02 Basic Health Units (BHUs). The project corridor is lacking in health facilities. The situation is even worst in case of women living in the rural areas. Absence of any maternity home or female doctor or nurse in these villages results into complications for female patients. Similarly, the patients have to go to other big cities like Haripur, Islamabad, Peshawar, Abbottabad, etc. in case of emergencies. But on the other hand, transport facilities for shifting patients to cities in case of emergency are also lacking. The construction of expressway will surely help in solving the health related problems particularly the women related.

3.6 Socioeconomic Profile of the Population Along the Project Corridor

90. The socioeconomic profile of the people of project corridor as emerged from the sample surveys is discussed as follows. A sample of 300 respondents was randomly selected for this survey.

3.7.1 Population and Family Size

91. The total population of the study sample works out as 2040 persons. The proportion of male and female works out as 52% and 48%, respectively. The average number of family members per household calculates to be 07 with a male to female ratio of 1.08:1. The ratio figures are comparable to the updated 1998 Census figure.

3.7.2 Education Level

92. The literacy rate of the sample population comes to 67%. Out of total 1400 literate persons, 19% possess primary level education, 13% middle level and 23% matriculate level education. The population having education above matriculation level works out as only 11%. Of these, respondents possessing Intermediate level were 04%. The respondents possessing

graduation and master level education were 06% and 01%, respectively. Information in respect of literacy levels of the sample population is furnished in **Table 3.6**.

Table 3.6: Education Level of Study Respondents

Education Level	Number	Percentage
Primary	403	19.19
Middle	276	13.13
Matric	488	23.23
FA / F.Sc.	85	4.04
BA / B.Sc.	127	6.06
MA / M.Sc.	21	1.01
TOTAL EDUCATED	1400	66.67
Illiterate	700	33.33
GRAND TOTAL	2100	100

Source: Socioeconomic Survey of the Project Area by NHA Consultant, March 2012

3.7.3 Major Occupations of Respondents

93. Major occupations of the respondents included farming, working as general laborers, running the small business shops & hotels, driving and government and private employment. During survey, efforts were made to interact with people representing all walks of life.

3.7.4 Annual Income of the Respondents

94. The majority of the respondents is engaged in subsistence level agriculture and working as laborers in the nearby Hattar Industrial Estate. Their income levels are limited, as revealed by the socioeconomic profile of the project area. The analysis has revealed that average income per household per annum of the study sample works out to be Rs. 251,675/

3.7.5 Annual Expenditure

95. The expenditure pattern in respect of sample population is shown in **Table-3.7**

Table-3.7: Average Household Expenditure

Sr. No.	Description of Expenditure	Expenses		% of Total
		Per Month (Rs.)	Per Annum (Rs.)	
1.	Food Items	9589	115068	49
2.	Non-Food Items	5675	68100	29
	Utilities	1957	23484	10
3.	Occasional Expenses	978	11736	05
4.	Health Care	1370	16440	07
	Total	19569	234828	100

Source: Socioeconomic Survey of the Project Area by NHA Consultant, March 2012.

96. The data indicates that the expenditure on food and non-food items comes to about 78% whereas the expenses on utilities amount to 10% of the total household expenditure. The expenses on health care amounts to 7%. The average annual household expenses come to 93% of the average annual income of the respondents.

3.7.6 Available Social Amenities in the Project Corridor

97. The results of the socio-economic survey reveal that the project corridor was lacking in the provision of social amenities. The availability of social amenities in the project corridor is discussed as follows:

- (a) The survey in respect of availability social amenities in the project corridor has revealed that electricity is available in the area according to about 98% of the respondent. None of the respondents showed their satisfaction with regard to the quality of services relating to the supply of electricity. About 90 % of the respondents showed their dissatisfaction about the quality of services. Only 2% of the respondents do not avail the facility of electricity.
- (b) The health care facilities are available in the area according to 54% of the respondents while 46% had no access to such facilities. However, 72% of the respondents availing these facilities were not satisfied with the quality of services.
- (c) Water supply is available in the area according to 67% of the respondents. About quality of services, about 54% were satisfied while 46% showed their dissatisfaction. According to 33% of the respondents, they obtain water from their own sources such as water pumps and open wells within the houses.
- (d) The primary level and middle level educational facilities are available in the project corridor according to 100 % of the respondents and their level of satisfaction about the services was encouraging. They however demanded the high schools and college level institutions in the area, particularly for girls.
- (e) Land line telephone facilities were available in the area according to 15 % of the respondents. About 85 % of the respondents declined the availability of telephone facility in the area. The mobile phone facility is availed by 69 % of the respondents.
- (f) Gas availability was reported by 7 % of the respondents whereas no proper sewage system exists in the Project Area. Sewage is mainly being disposed of into nearby natural drains / nullahs originating from small hill torrents. The information in respect of access to social amenities is given in **Table 3.8**.

Table 3.8: Availability of Social Amenities

Type of Amenity	Available		Satisfactory		Non Satisfactory		Not Available	
	No.	% of Total	No.	% of Availing	No.	% of Availing	No.	% of Total
Electricity	294	98	29	10	265	90	06	02
Gas	21	07	21	100	–	–	279	93
Water Supply	201	67	109	54	92	46	99	33

Type of Amenity	Available		Satisfactory		Non Satisfactory		Not Available	
	No.	% of Total	No.	% of Availing	No.	% of Availing	No.	% of Total
Telephone	45	15	36	80	09	20	255	85
BHU	162	54	45	28	117	72	138	46
Schools	300	100	300	100	-	-	-	-

Source: Socioeconomic Survey of the Project Area by NHA Consultant, March 2012

3.3.7 Possession of Household Items

98. The information on the possession of electronics and other household items, by the households was collected for the assessment of their living standards. The survey has revealed that the daily life of the respondents is highly attached with the household items. The women are particularly dependent on washing machines, refrigerators, electric irons, electric sewing machines etc, for their daily household work any improvement in the communication infrastructure will make positive impacts on their socio-economic behaviors with respect to personal attitudes, economic efficiency and acceptance of developmental activities. The data in respect of possession of household items is provided in **Table 3.9**.

Table 3.9: Possession of Household Items

Sr. No.	Item	No.	%	Sr. No.	Item	No.	%
1.	Refrigerator	57	19	9.	Bicycle	96	32
2.	Deep Freezer	1	-	10.	Motor Cycle	69	23
3.	Television	174	58	11.	Car	12	04
4.	Washing Machine	177	59	12.	Van / Pick Up	27	09
5.	Electric Fan	294	98	13.	Gas Cylinder	222	74
6.	Electric Iron	294	98	14.	Mobile Phone	264	88
7.	Sewing Machine	204	68	15.	E. Water Pump	93	31
8.	Radio / Tape	63	21	16.	Computer	18	06

Source: Socioeconomic Survey of the Project Area by Consultant

3.7.8 Stakeholders' Perceptions About the Project

99. The main aim of the project is provide an all weather reliable and efficient road link to the remote areas. The proposed project will be helpful to alleviate the poverty in the project area. The respondents were asked their views about the proposed project. All the respondents welcomed the project and expressed their views as described under:

- (a) The project will provide an efficient link to the nearby markets; serve a large chunk of agrarian land which will experience an increase in agricultural production.
- (b) Access to health facilities will improve.
- (c) Access to educational facilities will improve because of improve communication and enhance incomes.
- (d) All social services will improve and living standard will rise.

3.7.9 Conflict Resolution Mechanism in the Project Area

100. Generally, local disputes are settled through jirga (council of elders). This is an informal but well organized conflict resolving social institution at local level. At present this system has been regularized in the prevailing local bodies system. Yet most of the conflicts and disputes are being settled through local jirga. No Jirga exist on permanent basis in the project area. It is convened on need basis, in case of issues that needs to be resolved. According to the Jirga mechanism, the influential of the area, a community representative, an elderly, local religious leader, play their role to resolve the reported disputes / conflicts with mutual consensus, after hearing the aggrieved parties. If party / parties are not satisfied with the decision of the Jirga, they are free to lodge complaint to police station or court of law. Generally, the people prefer to settle their disputes through the Jirga to avoid long enmity, wastage of time and money. As reported by the respondents, the decision of jirga is respected by all the parties in 80% of the cases. Sometimes, unresolved issues are referred to the local political influential.

3.8 Occupations, Income Status and vulnerability of the Affected Households

3.8.1 Occupations and Income Status

101. The survey has revealed that DPs are involved in different types of income earning activities. Farming is the main occupation and 23% of the DPs are practicing it. However, 09 % of the AFs substantiate their livelihood by working in some other occupation along with practicing agriculture. A tiny portion 0.51% of rely 100% on framing. The other major occupations include working as labourer (34%), running shops & small businesses (17%) and working as drivers (04%). The average size of holding of the AFs in the project corridor comes to 4.6 kanals, which is insufficient enough to meet the family's livelihood needs. People are engaged in other income generating activities to support their livelihood. The number of AFs dependent on single source of earning comes to only 06 %. The income status of the AFs on per capita basis is provided in **Table 3.10**.

Table 3.10 Professions and Income of Affected Families

Occupation	No. of AFs	No. of Family Members	Income of AF's Head (Rs.)	Income of Family Members (Rs.)	Total Annual Income of AF (Rs.)	Family Members Income as % of Total Income (Rs.)	Av. Annual Income/ AF (Rs.)	Av. Monthly Income/ AF (Rs.)	Monthly/ per capita Income (Rs.)
Farming / Shopkeeper	65	429	1753075	15229000	16982075	90	261263	21772	3853
Farming / Govt. Service	3	20	51000	818000	869000	94	289667	24139	4272
Farming / Pvt. Service	8	53	182067	1500000	1682067	89	210258	17522	3101
Farming / Labour	140	924	1403999	33840000	35243999	96	251743	20979	3713
Farming / Driver	20	132	220565	4732000	4952565	96	247628	20636	3652
Farming	380	2508	9873885	84868715	94742600	90	249323	20777	3677
Shopkeeper	474	3128	793000	128088000	128881000	99	271901	22658	4010
Govt. Service	59	389	0	14169000	14169000	100	240153	20013	3542

Occupation	No. of AFs	No. of Family Members	Income of AF's Head (Rs.)	Income of Family Members (Rs.)	Total Annual Income of AF (Rs.)	Family Members Income as % of Total Income (Rs.)	Av. Annual Income/ AF (Rs.)	Av. Monthly Income/ AF (Rs.)	Monthly/ per capita Income (Rs.)
Pvt. Service	155	1023	30000	33079000	33109000	100	213606	17801	3151
Labourer	950	6270	1804838	258938500	260743338	99	274467	22872	4048
Driver	317	2092	14500	79156200	79170700	100	249750	20812	3684
Farmers with Single income source	14	92	3168992	0	3168992	0	226357	18863	3339
Labourers with Single income source	44	290	0	3697000	3697000	100	84023	7002	1239
Employees	26	172	0	2337000	2337000	100	89885	7490	1326
Old/ Retired	9	59	0	3636500	3636500	100	404056	33671	5960
Hotel Business	84	554	410000	31812000	32222000	99	383595	31966	5658
Flour Machine	3	20	5000	600000	605000	99	201667	16806	2974
Poultry Farm	9	59	0	3509000	3509000	100	389889	32491	5751
Brick Kiln	3	20	213000	1152000	1365000	84	455000	37917	6711
Total	2763	18236	19923921	701161915	721085836	97	260979	21748	3849

3.8.2 AFs under Severance

102. The expressway is to be built on a new alignment and 2759 land owners will be affected. Out of these, 59% AFs (1640), the project have impact on their productive land. However, for severance, the loss of income sources of DPs including land and others is taken as an indicator. The DPs losing 20%⁷ or more productive land were further analyzed with respect to loss of income from the land and other income sources. The Land owners losing more than 20% of productive land come to 1197. However, the income analysis reflected that the income of 137 DPs will become below the OPL and thus they fall under severance due to land loss. Mouza wise summary of these AFs is given in **Table 3.11**.

3.8.3 Vulnerable DPs

103. The individuals and groups who may be differentially or disproportionately affected by the project because of their disadvantaged or vulnerable status and include the poor, women and children are taken as vulnerable DPs. The vulnerable DPs as identified by income analysis in different groups are discussed as below The DPs with income less than inflation adjusted OPL are considered as vulnerable DPs.

⁷ Para. 77 of *Involuntary Resettlement Safeguards; A Planning and Implementation Good Practice Source Book-Draft Working Document*.

a) Poor Families

104. The income status of the DPs was related to the official poverty line (OPL). The OPL of Rs. 879 per capita / month were estimated by the government in 2004–2005 (Pakistan Economic Survey, 2005–06, Table 41). The latest estimate of inflation–adjusted poverty line per capita per month comes to Rs. 1942.66. Out of 2759 land owner DPs/, the analysis indicates that 137 land owner DPs fall under severance, and their income is below the inflation adjusted OPL and they are considered as vulnerable (**Annex-XIX**).

b) Employees

105. In addition, there are 26 employees who will lose their source of livelihood on permanent basis. According to income analysis, they are earnings less than OPL and hence considered vulnerable. In addition there are 13 owners of the commercial enterprises who will lose their livelihood resources/business but their income falls above OPL level, therefore they are not considered as vulnerable DPs.

c) Structure Owners

106. The houses of 78 AFs fall within the RoW. They do not own any agricultural land and are earning their livelihood from ‘other than land’ sources. Out of these, the annual income of 06 AFs is Rs. 84,000/= which falls under inflation adjusted OPL and hence are treated as vulnerable. The information about these AFs is provided in **Table 3.12**.

Table 3.11: Mouza Wise Summary of Severely Affected AFs

Sr. No	Mouza	Total Land APs (NOs)	AFs Loosing Productive Agriculture Land (NOs)	DPs Loosing greater than 20% of the total landholding (NOs)	Vulnerable (Below OPL) (NOs)
1	Dhedar	187	180	86	9
2	Seria	201	148	144	21
3	Bandi Seria	58	18	11	3
4	Dhoian Khushki	260	165	109	23
5	Darwesh	159	119	118	16
6	Mirpur	493	345	245	13
7	Muradabad	68	36	35	7
8	Shah Mehmood	96	61	16	9
9	Ali Khan	55	88	84	16
10	Chechian	175	42	32	9
11	Kot Najibullah	59	188	133	5
12	Ganja Kamala	266	200	158	4
13	Sarai Saleh	377	47	23	2

Sr. No	Mouza	Total Land APs (NOs)	AFs Loosing Productive Agriculture Land (NOs)	DPs Loosing greater than 20% of the total landholding (NOs)	Vulnerable (Below OPL) (NOs)
14	Monan	305	3	3	0
Total		2759	1640	1197	137

Table 3.12 Affected Vulnerable Household Families

Sr. No.	ID	Name of Land Owner	Father's Name	Type of Building	Total Covered Area (SFT)	Pacca			Semi Pacca			Katcha			Brick Wall / Stone Masonry			INCOME (Rs.)			
						Total Area (SFT)	Affected Area (SFT)	Impact %	Total Area (SFT)	Affected Area (SFT)	Impact %	Total Area (SFT)	Affected Area (SFT)	Impact %	Total Area (CFT)	Affected Area (CFT)	Impact %	Land	Other Source	Total	Other Source as % of Total Income
1	188 DR	Nazeer	Akbar Jan	House	297	0			252	252	100	45	45	100	3.48	3.48	100	0	84000	84000	100
2	180 AK	M .Saleem	Fazal Din	House	633	546	546	100	87	87	100	0						0	84000	84000	100
3	182 AK	Riasat	Fazal Din	House	539	539	539	100	0			0			10.65	10.65	100	0	84000	84000	100
4	60C H	Sheraz Akhtar & Naveed Qadri	Pervaiz Akhtar & Aurangzeb	House	777	276	276.	100	500.	500	100	0			5.02	5.02	100	0	84000	84000	100
5	61C H	Bakshish Elahi	Abdur Rehman	House	1418	1378	1378	100	0			40	40	100	50.96	50.96	100	0	84000	84000	100
6	274 KN	Nizar Shah	Shah Said	House	488	384	384	100	0			104	104	100	5.67	5.67	100	0	84000	84000	100

d) Female Headed Families

107. There was no female headed family identified during the survey of the APs.

e) Tenants / Sharecroppers/ Squatters

108. No tenants, sharecroppers, leaseholder and squatters were identified along the project corridor.

f) The Elderly, Women & Children and Indigenous People

109. There was no family identified from the affected land owners & affected household owner, which is headed by elderly, women & children or belong to indigenous people category.

3.8.4 Residual Land/ Left Over Land

110. The issue of residual or left over land is of importance in view of the small average landholding in the project area. During FGDs conducted by the LARP preparation team for the validation of socioeconomic data in May 2012, the issue of residual land and DPs opinion about its functional viability and its acquisition was discussed. The DPs disagree with the idea of its acquisition because they did not want to lose land title and were expecting an increase in value of land due to the construction of expressway. However, keeping in view small land holding size (average land holding size is 4.6 kanal) the profession and income status of the DPs (Table 3.10 above) was analyzed to determine the entitlements and income support measures. The analysis show that the livelihood of the DPs is not land dependent as they are engaged in other income generating activities thus no additional support is proposed. The list of owners with residual/ leftover land and income analysis is attached as **Annex XXI** for record.

3.9 GENDER ISSUES AND ANALYSIS

111. Secondary information was also reviewed to assess gender situation at the district level. Interviews with the sample size of 100 female members of the affected families were conducted to assess the socio-economic status of women and document the gender differences. Additionally, in April 2012 fresh consultations with women APs were also conducted to identify their concerns and priorities to be incorporated in LARP.

3.9.1 Existing Situation of Basic Facilities and Project Impacts

a) Health and Education

112. There are 682 health institutions established in the district. For every 40,014 people there is one doctor available in the district while for 90,031 populations there is one nurse. In majority of the affected villages there are less or no basic health facilities. During consultations women shared that due to sub-standard health services and lack of paramedic staff they mostly visit hospitals located in the nearest urban centers such as Haripur and Sarai Saleh with an average estimated travel time of 1hour. The literacy ratio at the district level accounts to 37.4% females as compared to 70.5% males. 36% of the female respondents were found illiterate. Only small percentage reach the intermediate and above level.

113. During consultations with women, it was noticed that educational facilities beyond primary level are quite limited in number specifically for girls. It was observed that majority of

the girls may not pursue their education after primary for reasons such as; 1) non availability of education facilities beyond primary at village level 2) poor and less privileged families cannot afford transportation cost 3) lack of parents' interest and willingness to allow their girls to access education after puberty. However, women shared that situation of girls' education is getting better for the new and upcoming generations.

114. Construction of road itself will not have major impacts on the access to health and education facilities but in case of resettlement and dislocation, women feared that travel time and distance covered to access health and education facilities (located in the urban centers) may increase. This will impact their affordability of transportation cost and will also add to the security concerns of parents regarding continuation of girls' education beyond primary.

b) Water and Other Natural Resource Base

115. At the district level, around 65% of the households are using piped water while the access to water in far flung rural area is poor. In the affected villages, major source of water supply is tube wells and dug wells. Since majority of the families' access water from dug wells at the household level, hence women shared their fear that in case of resettlement they will lose this facility thus emphasized that compensation should also cover this cost.

116. For cooking and heating purposes, families either purchase the fuel wood or women collect it from the nearest forest area. As shared by the women, this project will largely affect the agricultural land but does not have any impacts on fuel woods or forest area. However, families depending upon agricultural produce will be largely affected. Women shared that a large proportion of food and fodder comes from the agricultural land, hence road construction will have significant impact on the food security and will increase their expenditure on food items and livestock rearing.

3.9.2 Project Impacts on Women's Mobility and Access

117. During FGDs, it was noticed that women occasionally travel outside their villages mostly for visiting doctors, shopping and social events. Very few girls travel for education or accessing vocational facilities located in the urban centers. But women shared their concern that during and after road construction their travel time will increase and their privacy will also be disturbed. Moreover, after resettlement and road construction their social networking will also be disrupted and may affect their mobility.

3.9.3 Women's Participation in the Decision Making at the Household Level

118. Table below indicates that majority of the decisions are taken by both men and women at the household. However, decision for women to work outside home is 100% taken by men. This also indicates restricted mobility of women outside village. Women shared that women's participation in decision making is more encouraged and common in educated families and younger generation. Educated couples believe in sharing and taking joint decisions. Following responses were noted during consultations with women.

229. Decisions	230. Men	231. Women
232. HH expenditures	233. 75%	234. 25%
235. Children's education	236. 50%	237. 50%
238. Children's marriage	239. 50%	240. 50%
241. Asset purchase	242. 50%	243. 50%
244. Asset sale	245. 50%	246. 50%
247. Take loan	248. 50%	249. 50%
250. Utilize loan	251. 50%	252. 50%
253. Number of children to have	254. 50%	255. 50%
256. Work outside HH	257. 100%	258. 0%

3.9.4 Economic Situation of Women and Project Impacts

119. According to female sample survey and consultations, women are mostly engaged in on-farm activities such as working in the fields, managing and rearing livestock. They only work at their own land hence are not economically active or are unpaid workers. 84% of the female respondents in the affected villages are housewives engaged in household chores, whereas 10% work in the field with their families. They also do embroidery and stitching but only for their personal use or gifts for relatives. There are no vocational facilities for both girls and boys at the village level where they can improve their skills or get technical education.

120. During consultations, it was noticed that amongst the participants around 10 women owned land which will be affected by this project.

121. Women either did not know about the exact household income or reluctant to share this information. However, data of participants' profile revealed professions of their male members such as 28% labour work, 11 % drivers, 10% retired army, 5% mechanic, 5% business, 24% did not share this information, 3% foreign remittances, 9% miscellaneous whereas only 5% on-farm related work. Although it was noticed that majority of the households affected have small land holdings but women still feared that this project will affect their on-farm activities and livelihood sources which mainly come from agricultural land.

SECTION 4 INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

4.1 General

122. The stakeholder’s communication policy is based on the principles of transparency, timelines, participation, and meaningful engagement and inclusive. Means of communication and consultation are to promote participation of those who may otherwise tend to be marginalized such as women, elderly, and the poor. Stakeholder’s communication will encompass institutional stakeholders, communities within the project area, and person directly affected by the project.

123. Participation of stakeholders is essential to reach the objectives of the resettlement policy. It is necessary to write to the communes and inform them of likely impacts from the scheme on environmental and resettlement issues, and request their response. The ADB SPS likewise requires meaningful consultation of stakeholders to involve them in the resettlement process.

124. Communities and affected individuals will be meaningfully consulted on all project activities which affect them. Such consultation shall take place as early as possible in the project and be ongoing, continuing throughout the project cycle. Consultation will be timely with the information provided when the feedback of consultations could be incorporated into design features or mitigation measures and prior to commencement of any project activity. Consultation will include information on project objectives and policies: project technical design, implementation activities and schedule, potential and actual impacts and risks such as environmental, resettlement, livelihood, access restriction, HIV/AIDs transmission, human trafficking along with mitigation measures; benefits and opportunities, institutional arrangement, grievance redress mechanism and the results of project monitoring and evaluation. All significant communication will be recoded and stakeholders will have the opportunity to present questions, options and suggestions.

Table 4.1 below outlines the successive steps of the CPID strategy.⁸

Table 4.1: Consultation, Participation and Information Disclosure Strategy

No.	CPID activity	Issues to address	Participants	Communicati on methods
LARP related millstones				
1	Field verification and identification of LAR impacts	Discuss LAR impacts with DPs, minimize impact	DPs, design consultants, NHA LAR staff and consultants, LAR management consultants and relevant officials of revenue	Individual meetings, FGD

⁸ The CPID strategy shown assumes that a final detailed design of the subproject alignment is available and final LAR impacts can be ascertained. In case of preliminary design, the same sequence of steps is followed to prepare a draft LARP based on preliminary data. The consultation/negotiation meetings and finalization of entitlements can be omitted. The cut-off date notification on the other hand may apply only to the project preparation phase.

No.	CPID activity	Issues to address	Participants	Communication methods
LARP related millstones				
			department	
2	Notification of DPs on project, LAR and cut-off date	Inform DPs about project, LAR impact and temporal limitation of eligibility	DPs, LAC, Patwari, NHA LAR staff and consultants, LAR management consultants and relevant officials of revenue department	LAR and Cut-Off Date Notification Forms, notices in project area, district revenue office, etc.
3	Census, ILA, SES	Discuss concerns and preferences of DPs, notify cut-off date	DPs, LAC, Patwari, NHA LAR staff and consultants, LAR management consultants and relevant officials of revenue department	Quantitative surveys, walk-through, FGD, individual and key informant interviews
4	DMS, VLA	Transparently involve DPs in measurements, resolve disagreements, get signatures on DMS results	DPs, LAC, Patwari, NHA LAR staff and consultants, LAR management consultants and relevant officials of revenue department	Individual meetings, FGD
5	Consultation meeting on (draft) final LARP	Explanation and discussion of DPs' rights and obligations, institutional arrangements, procedures, GRM, eligibility criteria and entitlements, CR) strategy; agreements between the PIU and the DPs; election of DP representatives for DP Committee; other issues	DPs, LAC, Patwari, NHA LAR staff and consultants, LAR management consultants and relevant officials of revenue department	Formal meeting
6	DP Consultation Committee meeting	Formation of committees, election of committee representatives to liaise/ coordinate with grievance redress mechanism	DP Committee representatives LAC, Patwari, NHA LAR staff and consultants, LAR management consultants and relevant officials of revenue department	Formal meeting
7	Provision of draft LARIB	Project description, legal framework, institutional arrangements, grievance redress mechanism,	LAC, Patwari, NHA LAR staff and consultants, LAR management	Distribution at consultation meeting and at local

No.	CPID activity	Issues to address	Participants	Communication methods
LARP related millstones				
		general eligibility and entitlement provisions, assessment of impacts, CRR strategy with specific entitlements for each DP, the timing of LAR activities	consultants and relevant officials of revenue department	government offices
8	Negotiation meetings	Resolution of remaining disagreements with individual DPs and finalization of negotiated settlements.	DPs, LAC, Patwari, NHA LAR staff and consultants, LAR management consultants and relevant officials of revenue department	Individual meetings
9	Documentation of all CPID activities	Attendance lists (signed and certified), minutes, photos for draft LARP	NHA LAR staff and consultants, LAR management consultants	Documentation
10	Consultation meeting on revised (draft) final LARP	Inform DPs about changes to LARP after consultations and negotiations, as well as ADB review	DPs, , LAC, Patwari, NHA LAR staff and consultants, LAR management consultants and relevant officials of revenue department	Formal meeting
11	Provision of final LARIB	Revised LARIB contents based on consultations and negotiations, as well as ADB and government review	NHA LAR staff and consultants, LAR management consultants	Distribution at consultation meeting and at local government offices
12	Revised documentation of all CPID activities	Additional attendance lists (signed and certified), minutes, photos for draft LARP	NHA LAR staff and consultants, LAR management consultants	Documentation
13	Disclosure of (draft) final LARP on ADB website	Full public disclosure of all subproject LAR planning	ADB, NHA LAR staff and consultants, LAR management consultants	Web publication
14	Internal monitoring	Record process of LARP implementation and impacts	NHA LAR staff and consultants, LAR management consultants	Individual meetings, FGD, field visits
15	External monitoring and	Record process of LARP implementation and impacts and assess	DPs, external monitor	Individual meetings, FGD, field

No.	CPID activity	Issues to address	Participants	Communication methods
LARP related millstones				
	evaluation	outcomes		visits, quantitative surveys
No.	CPID activities and Issues to address		Participants	Communication method
Land Acquisition related milestones				
16	Disclosure of Section 4 of LAA and cut-off date for eligibility and project entitlements		NHA's LAR staff at PIU, LARP consultants LAR management consultants and representative of EALS.	Individual meetings and FGDs
17	Issuance of Section 5 and survey of land (DMS), update DPs record of rights/land and prepare acquaintance role (jamabandi) Assessment of land and asset prices by DPAC.		District Revenue Officials, Land Acquisition Collector, Local Patwari and field land staff NHA's LAR staff LARP consultants LAR management consultants Representative of EALS	Individual meetings and FGDs
18	Section 5-A hearing of DPs objections related to land and decision by LAC.		District Revenue Officials, Land Acquisition Collector, Local Patwari and field land staff NHA's LAR staff LARP consultants LAR management consultants Representative of EALS	Individual meetings and FGDs
19	Issuance of Section 9 regarding DPs claims on the land Consultation on rates or any other issues may be repeated until consensus on rates is reached or a judicious compensation package in consideration of all conditions contained in provisions of Section 23 of LAA 1894. NHA and relevant government departments and DPs to continue to participate. Consultations to be documented fully.		District Revenue Officials, Land Acquisition Collector, Local Patwari and field land staff NHA's LAR staff LARP consultants LAR management consultants Representative of EALS	Individual meetings and FGDs
20	Section 11 enquiries and award announcement of BOR approved rates for land and assets should meet the SPS requirement of replacement costs. Valuation of lost assets be assessed through qualified and experienced experts.		Land Acquisition Collector, Local Patwari and field land staff NHA's LAR staff LARP consultants LAR management consultants Representative of EALS	Individual meetings and FGDs
21	Findings of NHA's LAR consultants' inventory of losses/census/SES, compensation entitlements and options for		Land Acquisition Collector, Local Patwari and field land staff	Individual meetings and FGDs

No.	CPID activity	Issues to address	Participants	Communication methods
LARP related millstones				
	relocation and resettlement/rehabilitation strategy		NHA's LAR staff LAR consultants LAR management consultants Representative of EALS	
22	Consultation meeting on (draft) final LARP and its disclosure. Explanation and discussion of DPs' rights and obligations, institutional arrangements, procedures, GRM, eligibility criteria and entitlements, CR) strategy; agreements between the PIU and the DPs; election of DP representatives for DP Committee; other issues		DPs, NHA LAR staff, LAR management consultants Relevant officials of D.R, representatives of EALS, CSO and NGO	Formal meetings/FGDs
23	Disclose to DPs, in Urdu, summary of approved LARP with essential information including detailed asset valuations, entitlements and special provisions, compensation rates at market value, constitution of grievance redress committees with focal persons contact numbers and procedures for recording and resolution of grievances, establishment and functions of Displaced Persons Committees, Procedure, plan and timing of payments and displacement schedule of DPs to vacate.		Land Acquisition Collector, Local Patwari and field land staff NHA's LAR staff LAR consultants LAR management consultants Representative of EALS	Formal meetings/FGDs
24	Information sharing with DPs throughout LARP implementation		Land Acquisition Collector, Local Patwari and field land staff NHA's LAR staff LAR consultants LAR management consultants Representative of EALS	Formal meetings/FGDs

125. In order to meet the criteria of meaningful consultation process, the consultation was started from early stages of the project. The consultation and disclosure sessions were started during the month of August 2010. Initially, at the start of the field surveys for the collection of data for LARP preparation in August 2010, a series of consultation sessions were held with the APs. These consultation meetings proved very useful in information sharing and group consultation and consensus building. Concerns raised during the preliminary village meetings were incorporated in the LARP. Afterwards, LARP public disclosure meetings were held during the month of November 2010 with the APs to disclose the LARP findings.

126. The consultation process continued at different time periods up to May 2012 to share the latest development interventions in the project and take responses from the APs. To update the consultation process, the consultation sessions were held at the village level in all the fourteen (14) villages/mouzas of Package-II with the APs from January to May 2012.

127. In 2012, the impacts inventory was updated on the basis of final design and series of fresh consultations were held again in the affected mouzas. These consultations were held with a view to share information with the APs about the latest the project development. At this stage, specific objectives of the public consultation were as follows:

- To share fully the information with the affected people about the Package-II of E-35 project, its components and activities, various latest interventions in the project development;
- To share the views of the APs about the on-going land acquisition and compensation process by the Project office.
- To disseminate the impacts of the project in terms of land acquisition, relocation of infrastructure, people displaced and measures proposed to minimize the resettlement related impacts, entitlements, eligibility and grievance redress mechanisms;
- To obtain the co-operation and participation of the APs in the resettlement planning and implementation process;
- To ensure transparency in all the project activities through sharing the information; and
- Increase public confidence about the proponent, reviewers and decision makers.

4.2 Identification Of Project Stakeholders

128. Institutional stakeholders include (i) government agencies responsible for the design, management and implementation of the project and (ii) state institution, civil society (community based organization and mass organizations), and private sector institutions whose mandates share an interest with the outcomes and/or impact of the project. Communities within the project area as well as individuals directly affected by the project have a natural vested interest in the effectiveness of project design and implementation as well as mitigation of negative impacts and maximization of project benefits and are primary stakeholders. In the context of this LARP, the primary stakeholders are the displaced persons and any host communities to which those physically displaced may relocate to.

4.3 Consultations With The Stakeholders

129. In compliance to the participation framework, consultations were made with the stakeholders and general public by the LARP study team. Consultative meetings, scoping sessions and focused group discussions were held to learn about the views and concerns of the public on the proposed development works. The concerns raised by the stakeholders were considered in developing the entitlement matrix and resettlement plan, in order to enhance the project acceptability for the general public on social considerations.

4.4 Forums Consulted

The following forums were used to carry out the public consultations process.

- Consultative meetings held with the general stakeholders
- Scoping sessions held with local communities
- Focused group discussions held with main road users such as drivers, daily travelers, etc.

130. **Table 4.2** provides a summary of the public consultations. **Annex -XXII** provide detailed summary of the public consultation and photographs relating to the consultations held are provided in **Annex-XXIII**.

Table 4.2: Summary of Public Consultations

Sr. No.	Village /Mouza	Venue	Date	Number of Participants
1	Dhedar	Dhedar	25-08-10	18
	Kot Najibullah	Kot Najibullah		20
	Ganja Kamala	Ganja Kamala		30
	Seria	Seria		22
	Bandi Seria	Bandi Seria		21
2	Chechian	Chechian	26-08-10	19
	Dhoian Khushki	Dhoian Khushki		17
	Darwesh	Darwesh		21
	Mirpur	Mirpur		24
3	Muradabad	Muradabad	27-08-10	21
	Shah Muhammad	Shah Muhammad		24
	Monan	Monan		22
	Ali Khan	Ali Khan		27
	Sarai Saleh	Sarai Saleh		25
4	Dhedar	District Haripur/ Tehsil Ghazi	03-11-2010	42
	Kot Najibullah			
	Ganja Kamala			
	Seria			
	Bandi Seria			
5	Chechian	District Haripur/ Tehsil Haripur	03-11-2010	70
	Dhoian Khushki			
	Derwesh			
	Mirpur			
6	Muradabad	District Haripur/ Tehsil Haripur	04-11-2010	88
	Shah Muhammad			
	Monan			
	Ali Khan			
	Sarai Saleh			
7	Monan	Dera of Hamraz Khan	17-01-2012	15
8	Ali Khan (session with women)	Muhammad Akbar (Flour Machine)	17-01-2012	25

Sr. No.	Village /Mouza	Venue	Date	Number of Participants
9	Seria Bandi Seria Chechian	Muhammad Irshad (Brick Kiln Bandi Seria)	17-01-2012	36
10	Ali Khan	Muhammad Akbar (Flour Machine)	18-01-2012	27
11	Mirpur	Dera Ahsan Raza	18-01-2012	41
12	Muradabad	Dera Haji Abdul Rasheed	18-01-2012	13
13	Dhoian Khushki	Dera Noor Muhammad	19-01-2012	21
14	Derwesh	Dera Javed Akhtar	19-01-2012	21
15	Dhedar	Dera Khan Afsar	19-01-2012	24
16	Mirpur	Dera Ahsan Raza	20-01-2012	29
17	Mirpur (session with women)	House of Ahsan Raza	20-01-2012	16
18	Kot Najibullah	Dera Khalid Khan	20-01-2012	25
19	Shah Muhammad	Dera Khurshid Khan	20-01-2012	14
20	Ganja Kamala	Dera Malik Khurshid	20-01-2012	48
21	Ganja Kamala	Dera Malik Khurshid	21-01-2012	28
22	Sarai Saleh	Dera Wajhat Ali Shah	21-01-2012	17
23	Monan	Dera Ahmad Din (Male FGD)	12-04-2012	21
	Ali Khan			
	Sarai Saleh			
	Chak Shah Muhammad			
	Muradabad			
24	Darwesh	Dera Ahsan Raza (Male FGD)	12-04-2012	29
	Mirpur			
25	Chechian	Union Council Office Chechian Morr (Male FGD)	13-04-2012	31
	Bandi Seria			
	Dhoian Khushki			
	Seria			
26	Dhedar	Dera Sardar Fakhur Zaman (Male FGD)	13-04-2012	14
	Ganja Kamala			
	Kot Najibullah			
27	Sarai Saleh	Union Council Office Sarai Saleh (Male FGD)	13-04-2012	11
	Chak Shah Muhammad			
28	Monan	House of Ahmad Din (Female FGD)	12-04-2012	36
	Ali Khan			
29	Derwesh	Dera Muhammad Irshad (Female FGD)	12-04-2012	19
	Mirpur			
30	Chechian	House of Muhammad Hamraz (Female FGD)	13-04-2012	07
	Bandi Seria			
	Dhoian Khushki			
	Seria			

4.5 Approach Adopted for the Consultation

131. The public consultation and information disclosure sessions continued from 2010 to 2012 in all the fourteen (14) mouzas of Package-II of E-35 Expressway. During the meetings efforts were made to consult the maximum APs by land & other infrastructure and record their concerns.

132. To hold the meetings, APs were informed one day before the meeting and to assemble on the dera of local numberdar (village head man)/representative of each mouza. In addition, announcements were also made in the loud speakers of mosque of each mouza for meetings to discuss the resettlement related issues. The meetings were held in an open encouraging atmosphere where APs expressed their concerns and views freely. During the meetings, information brochure both in English and Urdu versions (attached as **Annex-XXIV**) containing the project details was also distributed among the participants.

133. The following approach is used for the public consultation process;

- Focus groups involving key stakeholders, for example, affected land owners, household APs, APs by brick kilns & poultry farms, village leaders, women, the poor, people experiencing particular kinds of losses;
- Individual interviews with people affected on a household basis to seek their agreement on their specific entitlements;
- Information campaigns, for example, using media, or distribution of information leaflets; and
- Formal meetings with the representatives of the AP's.

4.6 Information Disseminated

134. Following issues were discussed & disclosed to the APs during the consultation meetings:

- Introduction of the project;
- Description of various project components, its activities and impacts;
- Description of land acquisition process and approval of land prices;
- Description of entitlement matrix developed for the APs;
- Description of provisions made for the APs in the updated LARF;
- Description of criteria of evaluation of buildings and other infrastructure;
- Description of criteria of evaluation of land and trees;
- Description of criteria of evaluation of business losses;
- Basis for determining the rates of land, trees and other infrastructure;
- Compensation framework proposed for the APs;
- Compensation criteria to be followed for the payment to the APs;
- Grievances redress procedures;
- Discuss overall land acquisition and resettlement related impacts of the project; and

- **Needs, priorities and reactions of the affected people regarding the proposed Project.**

4.7 Concerns Raised by the Participants and Their Addressel

135. Due to continuous public awareness campaign and chain of meetings held during the preparation of the LARP since August 2010, the general public appeared to be convinced about the construction and associated benefits of the Expressway. As a whole, public of the mouzas falling within Package-II of the Expressway have a very positive view about the Project and support it. They are happy that after the construction of this 4-lane Expressway, they will enjoy a safer life due to presence of fences and a physical median in the centre of road. This will help in reducing the accidents. However, they also raised their concerns during the sessions. They also asked questions to get information about various components of the Project. Following (**Table 4.3**) is a summary of the concerns and their Addressel:

Table 4.3: Concerns Raised and their Address

Sr. No.	Concerns	Addressel of Concern	Responsibility
Design Stage			
1	Judicious compensation at market price should be given to all the APs.	DPs were assured that market rates will be adopted for compensation of all type of assets such as land, buildings and trees etc. as per LAA provisions. The Revenue Department has its own mechanism to assess the market rates based on the average year preceding the year of Section-4. While estimating the average year, the LAC considers the sale purchase transactions for all type of land in each mouza. The LAC cannot go beyond this procedure, which is according to the LAA-1894. The average year is calculated from the current transaction of sale-purchase of properties which reflects the current market rate for different categories' of land	NHA/LAC
2	Non-titled affected persons will not be paid compensation	Non-titled affected persons will be compensated in accordance with SPS requirements	NHA/ LARP Consultant
3	Underpasses should be provided near the settlements	There is provision of 10 underpasses and 02 flyovers in the design. The DPs were informed that the underpasses are proposed on all the existing roads after every 2 kilometer. Initially, there were 5 underpasses in the design. After consultations, the total numbers of underpasses have been increased to 10 to cater the local movement needs. Refer to Annex XXVI(b) Minutes of meeting with male APs.	NHA/ Design Consultants
4	Land price should be announced before land acquisition	LAC shall inform to all the DPs about the land rates according to the LAA provisions.	LAC / NHA
5	The agricultural land will be bifurcated after the construction of Expressway.	Issue is addressed in the design and underpasses & flyovers have been provided at the proper locations.	NHA & Design Consultant
6	Tenants should be compensated for their crop	Compensation issue to tenant farmers will be addressed in the LARP in accordance with SPS	NHA & LARP Consultant

Sr. No.	Concerns	Addressel of Concern	Responsibility
Design Stage			
1	Judicious compensation at market price should be given to all the APs.	DPs were assured that market rates will be adopted for compensation of all type of assets such as land, buildings and trees etc. as per LAA provisions. The Revenue Department has its own mechanism to assess the market rates based on the average year preceding the year of Section-4. While estimating the average year, the LAC considers the sale purchase transactions for all type of land in each mouza. The LAC cannot go beyond this procedure, which is according to the LAA-1894. The average year is calculated from the current transaction of sale-purchase of properties which reflects the current market rate for different categories' of land	NHA/LAC
2	Non-titled affected persons will not be paid compensation	Non-titled affected persons will be compensated in accordance with SPS requirements	NHA/ LARP Consultant
3	Underpasses should be provided near the settlements	There is provision of 10 underpasses and 02 flyovers in the design. The DPs were informed that the underpasses are proposed on all the existing roads after every 2 kilometer. Initially, there were 5 underpasses in the design. After consultations, the total numbers of underpasses have been increased to 10 to cater the local movement needs. Refer to Annex XXVI(b) Minutes of meeting with male APs.	NHA/ Design Consultants
4	Land price should be announced before land acquisition	LAC shall inform to all the DPs about the land rates according to the LAA provisions.	LAC / NHA
	losses;		
7	Interchange should be given at Sarai Saleh	Interchange have been provided in the design at Sarai Saleh	NHA & Design Consultant
8	From where the labour/ workers will be hired during the construction phase.	Local people will be hired for employment during construction of the expressway. For this purpose, contractor will be made bound by adding a clause in contract documents to hire the local labour during construction phase. This will be monitored through internal monitoring reports.	NHA & Construction Contractor
9	What rates will be adopted for compensation to the land owners.	Market rates based on the average year (Owsat Yaksala) will be adopted for assessment of land compensation. The Revenue Department has its own mechanism to assess the market rates based on the average year preceding the year of Section-4. While estimating the average year, the LAC considers the sale purchase transactions for all type of land in each mouza. The LAC cannot go beyond this procedure, which is according to the LAA-1894. The average year is calculated from the current transaction of sale-purchase of properties which reflects the current market rate for different categories' of land	LAC & NHA
10	How the affected trees will be done compensated?	DPs were explained that non-fruit trees will be assessed on the type and volume of the trees and its utility in the open market. While fruit trees will be compensated according the type, present age and	NHA

Sr. No.	Concerns	Addressel of Concern	Responsibility
Design Stage			
1	Judicious compensation at market price should be given to all the APs.	DPs were assured that market rates will be adopted for compensation of all type of assets such as land, buildings and trees etc. as per LAA provisions. The Revenue Department has its own mechanism to assess the market rates based on the average year preceding the year of Section-4. While estimating the average year, the LAC considers the sale purchase transactions for all type of land in each mouza. The LAC cannot go beyond this procedure, which is according to the LAA-1894. The average year is calculated from the current transaction of sale-purchase of properties which reflects the current market rate for different categories' of land	NHA/LAC
2	Non-titled affected persons will not be paid compensation	Non-titled affected persons will be compensated in accordance with SPS requirements	NHA/ LARP Consultant
3	Underpasses should be provided near the settlements	There is provision of 10 underpasses and 02 flyovers in the design. The DPs were informed that the underpasses are proposed on all the existing roads after every 2 kilometer. Initially, there were 5 underpasses in the design. After consultations, the total numbers of underpasses have been increased to 10 to cater the local movement needs. Refer to Annex XXVI(b) Minutes of meeting with male APs.	NHA/ Design Consultants
4	Land price should be announced before land acquisition	LAC shall inform to all the DPs about the land rates according to the LAA provisions.	LAC / NHA
		productive life span of the trees.	
11	What rates are adopted for the assessment of lost structures	The assessment of affected structures will be made according to the type of structure i.e pacca, semi-pacca & kacha. The rates will be approved from the C&W department.	NHA
12	Can we take debris of the damaged structures and trees to be cut with us?	All the APs by structures can take with them the debris of the damaged structures and trees to be cut.	NHA
13	What will be paid for the lost Tubewells?	Affected Tubewells will be paid full compensation according to the diameter of the well, depth of borehole and type of pipes used.	NHA
14	What will happen with the employees of the brick kiln? They will all become unemployed.	All the employees of the affected brick kilns will be paid employment loss in accordance with SPS . This is covered in the entitlement matrix.	NHA & LARP Consultant
Implementation Stage			
15	The market rates adopted are lower than the prevailing market rates.	LAC elaborated that the Revenue Department has its own mechanism to assess the market rates based on the average year preceding the year of Section-4. While estimating the average year, the LAC considers the sale purchase transactions for all type of land in each mouza. The LAC cannot go beyond this	LAC/NHA

Sr. No.	Concerns	Addressel of Concern	Responsibility
Design Stage			
1	Judicious compensation at market price should be given to all the APs.	DPs were assured that market rates will be adopted for compensation of all type of assets such as land, buildings and trees etc. as per LAA provisions. The Revenue Department has its own mechanism to assess the market rates based on the average year preceding the year of Section-4. While estimating the average year, the LAC considers the sale purchase transactions for all type of land in each mouza. The LAC cannot go beyond this procedure, which is according to the LAA-1894. The average year is calculated from the current transaction of sale-purchase of properties which reflects the current market rate for different categories' of land	NHA/LAC
2	Non-titled affected persons will not be paid compensation	Non-titled affected persons will be compensated in accordance with SPS requirements	NHA/ LARP Consultant
3	Underpasses should be provided near the settlements	There is provision of 10 underpasses and 02 flyovers in the design. The DPs were informed that the underpasses are proposed on all the existing roads after every 2 kilometer. Initially, there were 5 underpasses in the design. After consultations, the total numbers of underpasses have been increased to 10 to cater the local movement needs. Refer to Annex XXVI(b) Minutes of meeting with male APs.	NHA/ Design Consultants
4	Land price should be announced before land acquisition	LAC shall inform to all the DPs about the land rates according to the LAA provisions.	LAC / NHA
		procedure, which is according to the LAA-1894.	
16	Where should we contact in case of any complaint/ objection.	NHA representative informed that if any person has any complaint; he can submit his complaint in written form to Project Director E-35 office in Jinnahabad, Abbottabad. The GRC has already been notified and will be made functional by 25-07-12.	NHA
17	When payments will be made for the household structures.	LAC told that the payments are going on for the affected land and payments of lost structures will start soon after completing the payments to the land APs. Presently, LAC monitors all the mechanism of payments. The payment vouchers are issued to the DPs by Patwari. Overall Project Director is looking after this procedure to make it more transparent and clear.	LAC&NHA

4.8 Gender Involvement in the Consultation Process

136. According to SPS June 2009, meaningful consultation process is gender inclusive and responsive and tailored to the needs of disadvantageous and vulnerable groups. To interact freely and explore the gender related issues, female workers were included in the team composition. Formal meetings with the females from the affected communities were held to explore their needs, problems and priorities related to the project execution. In addition to the formal meetings, individual interviews were also held with the affected women to effectively involve them in the planning process.

137. Two formal meetings at Mouza Mirpur and Ali Khan were held with the women, in which they participated actively and showed their support for the Expressway project. There was no specific issue reported related to the women during the meetings. Minutes of meeting are attached as **(Annex-XXVI(c))**.

138. After the consultation at early stage during the month of August 2010, public disclosure meetings were held with the view to disseminate information about the 'Entitlement Package' designed for the APs and to solicit their view point to refine the package. These public disclosure meetings were held jointly by NHA & Consultant at the collective gatherings of four (04) to five (05) villages to make these meeting more effective in the planning process. All the stakeholders and affected communities were informed through announcements in the loud speakers one day before the session. Information brochures (Annex XXIV) containing project brief, entitlements, impacts summary etc were also distributed among the participants.

4.8.1 Awareness, Fears and Concerns about the Project

139. It was quite interesting to note that 100% of the women are aware about the project and majority of them were informed about the size of the land affected and compensation received by their male members.

a) Other Fears and Concerns of Women

- They were highly concerned with the low rates and feared that with this amount of money they will not be able to purchase land and build houses in a developed area with basic amenities.
- They shared that their lives and routine will be highly disturbed as a result of resettlement and dislocation and this project has increased uncertainty and stress in their lives. They do not know where and how they will be shifted to a new place.
- Elderly women with less exposure, illiterate and with no male support shared that they are not being properly guided and informed about the procedures regarding compensation. They feared that even if they are compensated with money they will not be able to properly utilize it.
- They shared that there is no platform or forum at the village level through which they can voice their problems and grievances regarding their losses.
- Women shared that during compensation men are given priority and majority of the women have not been compensated for their losses as yet.

Gender action Plan to address their concern is attached as **Annex –XXVI(a)**

4.8.2 Pressing Needs of the Surveyed Villages Suggested by Women

140. Women of the affected families were also inquired about the needs of the project area preferred by them. The foremost preferred needs are upgrading of schools, hospital/ dispensary, sui gas, vocational training, preference to locals in road construction work and water supply. Due to restricted mobility of women, they suggested women friendly grievance mechanisms at the village level to address their concerns specifically elderly, single and those

with no male support. Guidance and support to women in preparation of required documents for compensation.

4.9. Disclosure of LARP

141. To keep more transparency in the LARP implementation process and for further active involvement of DPs and other stakeholders, the information was disseminated through disclosure of LARP document. The booklet summarizing the provisions of LARP was given to DPS whose land, other assets and incomes are affected by the road project. The objective of the booklet was to inform the DPs regarding essential compensation and rehabilitation policy for the project (E-35) and number of basic issues relative to the modalities of implementation of the compensation and rehabilitation program.

142. Key features of this LARP have already been disclosed to the APs during consultations meetings while conducting the census and socio-economic surveys, field level informal interaction between the APs, consultants and NHA staff. The following steps will be undertaken for the disclosure of LARP as per provisions of the LARF.

143. The draft LARP will be disclosed to APs. An information booklet having summary of DPs and compensation has been prepared specifically for this purpose attached as Annexure-15. This information booklet has been translated into Urdu and will be distributed to all Displaced Persons (DPs) and Affected Person Committees (APCs). It will enable the APs to read it by themselves and be aware of their entitlements, unit rates of compensation/income restoration and rehabilitation assistance and relocation assistance, payment procedures available for various types of APs as given in the 'entitlement matrix', and grievance redress mechanism.

144. After approval by the ADB, the LARP will be translated into Urdu by the EALS/NHA and disclosed to the DPs, APCs and other stakeholders by Project Office through SSMC. It will be disclosed to women through a meeting either by COs or female staff. The both version of LARP (English and Urdu) will be made available at the offices of Project Director, Contractor, TMA, Revenue Department and Project Office as an official public document. The LARP will be posted on ADB and NHA's websites.

145. A schedule explaining the date, time and venue for disbursement of compensation cheques for each AP will be prepared in Urdu and distributed to all APs.

146. Pamphlet / Information Brochure in Urdu based on the summary of LARP will be prepared. This will include inventory of AHH's losses with detail of compensation to be paid to the AHH.

4.9.1 Formal Meetings With Influential of the Project Area

147. In addition to the consultations with the stakeholders and DPs during field visits, some complaints were also received from the individuals. These were attended by the NHA and design consultants. The proceedings to this extent are provided in **Annexure-XXV**. NHA Final Reply to the Complaint on Design and Land Prices of E-35 has been furnished to the complainants and ADB.

SECTION 5 GRIEVANCE REDRESS MECHANISM

5.1 General

148. This section presents information and arrangement for addressing conflicts and appeal procedures regarding eligibility and entitlements as well as the implementation of the resettlement activities

149. A well-defined grievance redress and resolution mechanism has been designed to address displaced households grievances and complaints regarding land acquisition, compensation and resettlement in a timely and satisfactory manner. All displaced households have been made fully aware of their rights, and the detailed procedures for filing grievances and an appeal process. The grievance redress mechanism and appeal procedures have also been explained to all displaced households. The grievance redress mechanism will be further publicised through an effective public information campaign during the updating of the land acquisition and resettlement plan.

150. Displaced households (including women headed household) are entitled to lodge complaints regarding any aspect of the land acquisition and resettlement requirements such as , entitlements, rates and payment and procedures for resettlement and income restoration programs. Displaced households' complaints can be made verbally or in written form. In case of of verbal complaints, the committee on grievance will be responsible to make a written record during the first meeting with the displaced households.

151. For timely resolution of the issues if any and investigate the complaints and make decisions thereto. A gender sensitive Grievance Redress Committee at the project level is notified vide office order No 1(1)/EALS/NHA/2010/HQ/7-10dated 05 March 2011 and is placed at Project Director's Office at Abbotabd..Attache as annex XXIV (a) Although the GRC will be the focal unit for grievance redress at the project level, however to facilitate the DPs to resolve their issues at village level or raise concerns to NHA HQ level in case of disagreement with GRC decision a two tier grievance redress mechanism is proposed as part of Land Acquisition and Resettlement Plan. The representation of the gender is ensured at all levels of GRM by inducting female members in the GRCs (Project Level), DPCs (village level), and EALS (NHA HQ level). The grievance redress mechanism will ensure AFs/DPs access to a grievance redress/ resolution mechanism that openly and transparently deals with the grievances and makes decision in consultation with all concerned that are consistent with SPS requirements and local laws.

152. . Before invoking formal grievance redress system at the project level, the concerns of the aggrieved DPs will be examined at the village level through involvement of the Affected Persons Committees APCs, formed at village level. The social mobilizers will, act as focal person in their respective territorial limits to get the grievances recorded, investigated and discussed during DPCs meetings; facilitate the APCs to propose the remedial actions at their level in accordance with provisions of the resettlement plan and resettlement framework and; coordinate with the project implementers and the APCs to ensure that the APCs recommendations are implemented and the grievances are addressed accordingly.

5.2 First Level of GRM

153. If the grievance is not resolved at local level it shall be raised to formal grievance redress mechanism which is first level of GRM. A formal complaint will be tendered with the Project Grievance Redress Committee through the Social Mobilizers. Once the complaint is submitted with the Project GRC, it shall record it in the complaints register, without delay, and initiate the process of investigation through its technical and resettlement field teams. The complaint register is being maintained by the Assistant Director Land in project office. The field teams (Land Staff) will investigate into the complaint, meet the aggrieved person, APC representatives and the local community and submit its fact finding report and recommendations to the GRC within 7 days of recording of complaint with GRC. After receipt of the fact finding report the GRC will hear the aggrieved person and decide the complaint based on ground facts but in accordance with the agreed entitlements and provisions in the LARP/entitlement matrix. In However, if aggrieved person is not satisfied he/she will be allowed to elevate the complaint ot next level of GRM for resolution of his grievances. The GRC will decide the grievances within, 21 days of receipt of complaint in GRC and if the decision is not arrived in stipulated time its reasons will be recorded and the decision will be arrived in next 7 days. If the final decision by GRC is not acceptable to the DPs, they may pursue a legal course if they wish to do so.

5.3 Second Level of GRM

154. In case of dissatisfaction of the DP, he/she will be referred by GRC to second level of GRM i.e at EALS in NHA HQ, within 07 days after communication of decision by the GRC. The EALS will acknowledge the complainant about his complaint, scrutinize the record of the GRC, investigate the remedies available and request the complainant to produce any record in favour of his claim. After thorough review and scrutiny of the available record on complaint visit the field and collect additional information if required. Once the investigations are completed the EALS shall get its recommendations approved by Member Aided Project and forward them to the Project Director and the complainant accordingly within 15 days of receipt of the complaint. If the complainant is still dissatisfied with the decision, he can go to the court of law, if he/she wishes so. .

5.4 Constitution and Function of the GRC

155. The GRC will be established at the project level (Abbotabad) with the primary objective of providing a mechanism to mediate conflict and cut down on lengthy litigation. It will also provide people, who might have objections or concerns about their assistance, a public forum to raise their objections and through conflict resolution, address these issues adequately. The GRCs will continue to function, for the benefit of the DPs, till complete implementation of LARP.

156. The GRC will be headed by the Project Director, E-35. The GRC will have representative from the District Revenue Office, Project Management Unit, aggrieved DP/DPs and/or representatives of DP/DPs, and other interested groups if any. The GRC will meet at least once in a month. Other than disputes relating to ownership rights and against award under the court of law, GRC will review grievances involving all resettlement benefits, compensation, relocation, and other assistance. At least one member from each APC will be a woman to take part in APC meetings and GRC meetings. GRC will perform following functions:

157.

- Provide support to the DPs on problems arising out of land/property acquisition like award of compensation and value of assets;
- Record grievances of DPs, categorize and prioritize the grievances that needs to be resolved by the Committee and solve them within a month;
- To forward the un resolved cases to PMU within an appropriate time frame; and
- To report to the aggrieved parties about the development regarding their grievance and decision of PMU.

The GRC will include following members.

5.5 Information Dissemination and Community Outreach

158. In synchronization with ongoing consultative process the grievance redress mechanism will also develop a back and forth information dissemination system to inform the DPs about their rights under the statute LAA, 1894, ADB's Social Safeguard Policy Statement 2009, agreed LARF and approved LARP for the project. The DPs will be informed about the GRM, its functioning, complaint process to GRC and EALS at HQ, phone numbers and postal addresses of the focal members of the GRM. The GRC will send acknowledgement to complainant DP, inform him about its site visit plan to ensure DP's presence during site visit, and provide update on the progress made to resolve his complaint/grievance. Besides this formal communication the Safeguard Management Consultants, land acquisition staff and the social mobilizers in the field will maintain a close liaison with the DPs and provide them the requisite information on the GRM and update the DPs about the status of complaints under process with GRC or the EALS whatsoever the case may be.

5.6 Title Disputes and Court References Against Award

159. The title disputes under land acquisition act and references against award are beyond the preview of the GRC hence all such disputes will be dealt as per provisions of the law. However, the GRM will provide first hand information to the DPs about their rights and obligations under the statutes and facilitate them to follow the course of law to get their issues/cases resolved or lodge reference against awarded compensation if the DPs desire so.

Table 5.1: Grievance Resolution Process

Steps in the Grievance Resolution Process
Each village will be assigned a social mobilizer to maintain regular contact with the DPCs and to be the first line of contact on issues related to LAR.
The social mobilizers will facilitate formation of a resettlement committee in each village.
Any complaints in the village will be recorded by the social mobilizer, investigated by the social mobilizer, and if possible resolved in the village, with the assistance of the PIU within 7 days.
Any complaint which cannot be resolved in the village will be forwarded by the social mobilizer directly by the complainant or village head to the Grievance committee at PIU level. The grievance cell at PIU will designate a staff member to receive complaints, register them in the complaints register and process them within the PIU. The PIU Grievance committee hear the aggrieved DP and will seek information from others such as NHA or LAC to resolve

Steps in the Grievance Resolution Process

the case if possible. The PIU grievance committee will take decision on the complaint within 7 days of the receipt of complaint at PIU. Any solution or decision must comply with the LARP.

Any complaint that cannot be resolved satisfactorily in the PIU will be forwarded to the District level Grievance Redress Committee, chaired by the project director, and with members from Revenue Department, Department of Forestry, Agriculture, Team Leader of LARMC at PIU level, Head at PIU and representatives from the village from which the complaint originates. The GRC will take decision on the complaint within 21 days. Any solution or decision must comply with the updated LARF.

If the Grievance Redress Committee is unable to resolve the issue, it will be present before LARPSC for decision within 15 days and the DP can also opt to go in arbitration.

Should the grievance redress system or arbitration fail to satisfy the DP, DP can submit the case to the appropriate court of law as per the process set out in Sections 18 to 22 of the LAA (1894). However, where law permits, the DPs can access to the courts of law without involving the GRM.

Throughout the grievance redress process, ensure that special attention is given to receiving and addressing the concerns of women and other vulnerable groups.

SECTION 6 LEGAL AND POLICY FRAMEWORK

6.1 General

159. This section describes national and local laws and regulations that apply to the project and identify gaps between local laws and ADB's policy requirements; and discuss how any gaps will be addressed; describe methodology for determining valuations and compensation rates at replacement cost for assets, incomes, and livelihoods; and describes the land acquisition process and prepare a schedule for meeting key procedural requirements.

6.2 Legal Framework

160. The existing law and regulations on land acquisition and resettlement are described as under:

6.2.1 Pakistan's Law And Regulations on Land Acquisition and Resettlement

161. The Land Acquisition Act, 1894 (LAA, 1894) with its successive amendments is the main law regulating land acquisition for public purpose at federal and provincial levels through the right of exercise of eminent domain. The LAA has been variously interpreted by Provincial governments, and some province has augmented the LAA by issuing provincial legislations. In Punjab, for example, valuation is done through District Price Assessment Committees (DPAC) and approval of price rests with Punjab Board of Revenue. In Khyber Pakhtunkhwa, however, the land guidelines provide for land acquisition through private negotiation between acquiring agency through the land acquisition collector and the affected land owners. The entire process from start of negotiations to compensation disbursement has to be completed inside six months. The LAA, nevertheless, requires that following an impacts assessment/valuation effort, land and crops are compensated in cash at market rate to titled landowners and registered land tenants/users, respectively. The LAA mandates that land valuation is to be based on the latest three (3) years average registered land sale rates, though, in several recent cases the median rate over the past 1 year, or even the current rates, have been applied.

162. Based on the LAA, only legal owners and tenants registered with the Land Revenue Department or with formal lease agreements are eligible for compensation/livelihood support. For those without title rights, there are no laws in Pakistan either at federal or provincial levels, e.g. Punjab and Khyber Pakhtunkhwa (KPK)-the provinces where M4 and E35 projects will be implemented. However, there are practices in Pakistan in which unregistered APs have been paid compensation. Projects such as Chotiari Dam, Ghazi Barotha Hydropower, and National Highways Improvement, have awarded compensation and assistance to unregistered tenants and other forms of DPs (sharecroppers / squatters).

163. It is also noted that the LAA does not openly mandate for specific rehabilitation/assistance provisions benefiting the poor, vulnerable groups, or severely affected DPs, nor does it overtly provide for rehabilitation of income/livelihood losses or resettlement costs. This however is often done in many projects through ad hoc arrangements negotiated between a specific EA and the DPs.

164. The law deals with matters related to the acquisition of private land and other immovable assets that may exist on it when the land is acquired for public purpose. A listing of the Sections of the Act and their salient features is given in Table-1. The right to acquire land for public purposes is established when Section 4 of the LAA is triggered. The LAA specifies a

systematic approach for acquisition and compensation of land and other properties for development projects. It stipulates various sections pertaining to notifications, surveys, acquisition, compensation and apportionment awards along with dispute resolution, penalties and exemptions. Surveys for land acquisition are to be disclosed to the displaced persons. Table 6.1 below provides salient features of major sections of the act:

Table 6.1: Salient Features of the LAA 1894 and Successive Amendments

Key Sections of LAA	Salient Features of the LAA 1894
Section 4	Publication of preliminary notification and power for conducting survey.
Section 5	Formal notification of land needed for a public purpose. Section 5a covering the need for enquiry of the concerns or grievances of the affected people related to land prices.
Section 6	The Government makes a more formal declaration of intent to acquire land.
Section 7	The Land Commissioner shall direct the Land Acquisition Collector (LAC) to take order the acquisition of the land.
Section 8	The LAC has then to direct that the land acquired to be physically marked out, measured and planned.
Section 9	The LAC gives notice to all DPs that the Government intends to take possession of the land and if they have any claims for compensation then these claims are to be made to him at an appointed time.
Section 10	Delegates power to the LAC to record statements of the DPs in the area of land to be acquired or any part thereof as co-proprietor, sub-proprietor, mortgage, and tenant or otherwise.
Section 11	Enables the Collector to make enquiries into the measurements, value and claim and then to issue the final "award". The award includes the land's marked area and the valuation of compensation.
Section 11 A (applicable in KPK)	Enables the Collector to acquire land through private negotiations upon request of Head of the acquiring department. Upon receipt of any such request the collector is empowered to constitute/notify a committee for assessment of market value of land and verification of title of ownership. On agreement by Head of Acquiring Department, with negotiated market value determined by the committee, the collector shall then direct parties to execute sale deed in favor of acquiring department on stamp paper.
Section 11 B (applicable in KPK)	Provides time limit of six month to complete land acquisition process from the date of notification under Section-4.
Section 16	When the LAC has made an award under Section 11, he will then take possession and the land shall thereupon vest absolutely in the Government, free from all encumbrances.
Section 18	In case of dissatisfaction with the award, DPs may request the LAC to refer the case onward to the court for a decision. This does not affect the Government taking possession of land.
Section 23	The award of compensation to the title holders for acquired land is determined at i) its market value of land, ii) loss of standing crops, trees and structures, iii) any damage sustained at the time of possession, iv) injurious affect to other property (moveable or immoveable) or his

Key Sections of LAA	Salient Features of the LAA 1894
	earnings, v) expenses incidental to compelled relocation of the residence or business and vi diminution of the profits between the time of publication of Section 6 and the time of taking possession plus 15% premium in view of the compulsory nature of the acquisition for public purposes.
Section 28	Relates to the determination of compensation values and interest premium for land acquisition.
Section 31	Section 31 provides that the LAC can, instead of awarding cash compensation in respect of any land, make any arrangement with a person having an interest in such land, including the grant of other lands in exchange.
Section 48A (LAA-1986)	If within a period of one year from the date of publication of declaration under section 6 in respect of any land, the Collector has not made an award under section 11 in respect to such land, the owner of the land shall, unless he has been to a material extent responsible for the delay be entitled to receive compensation for the damage suffered by him in consequence of the delay.

6.2.2 KPK Rules (Amendments In LAA-1894)

a) The North-West Frontier Province Land Acquisition (Amendment) Act, 1986 (19 March, 1987)

165. According to this amendment Section 48A, after Section 48 is added in the LAA, 1894, which states that “If within a period of one year from the date of publication of declaration under section 6 in respect of any land, the Collector has not made an award under section 11 in respect to such land, the owner of the land shall, unless he has been to a material extent responsible for the delay be entitled to receive compensation for the damage suffered by him in consequences of the delay”.

b) The Land Acquisition (North-West Frontier Province Second Amendment) Act, 1972. N. W. F. P. Act No. IV Of 1972 (Peshawar, The 23rd June, 1972)

166. In the said Act (1894), mainly in section 31, for sub-section (1), the following sub-section substituted –

“(1) When the Collector has made an award under section 11-

(a) If the person interested entitled to compensation under the award accepts the award and intimates his acceptance in writing to the Collector before the expiry of the period prescribed in sub-section (2) of section 18 for making an application to the Collector for referring the award to the Court, or if the period specified in sub-section (2) of the said section for making an application to the Collector for referring the award to the Court has expired and not such application or reference has been made, the Collector shall, before taking possession of the land, tender payment of the full amount of compensation awarded by him to the persons entitled thereto according to the award, and shall pay it to them unless prevented by some one or more of the contingencies mentioned in sub-section (2);

(b) If the person interested entitled to compensation under the award objects to the award and an application has been made to the collector under sub-section (1) of section 18 for

referring the award to the Court, the Collector shall, before taking possession of the land, tender payment of the compensation awarded by him or the estimated cost of acquisition of such land as determined by the Collector of the district under sub-section (1) of section 17, whichever is less, to the person entitled thereto under the award and shall pay it to them unless prevented by some one or more of the contingencies mentioned in sub-section (2):

Provided that no payment under clause (b) shall be made until the person entitled to compensation furnishes to the satisfaction of the Collector a security of refund of the amount, if any, which may subsequently be found to be in excess of the compensation awarded to him by the Court.”

c) The North-West Frontier Province Guidelines For The Implementation Of The Land Acquisition Act (Modified Up To 1992) Pre-Emption Act, 1987 (28th April, 1987)

167. These guidelines consist of 36 various amendments in the form of different Clauses. The review of main clauses is given below:

Clause	Amendment
	According to this amendment “A property acquired by the Federal or a Provincial Government or a local authority in pursuance of any law shall not be pre-emptible-
24	Plaintiff to deposit sale price of the property:- (1) In every suit for pre-emption the Court shall require the plaintiff to deposit in such Court one-third of the sale price of the property in cash with such period as the Court may fix;
25	Where a Court passes a decree in favour of a pre-emptor on payment of a price which is in excess of the amount already deposited by the pre-emptor, the Court shall require to pre-emptor to deposit the remaining amount within thirty days of the passing of the decree.
26	No sum deposited in or paid into Court by a pre-emptor under the provisions of this Act shall, while it is in custody of the Court, be liable to attachment by any Civil, Criminal, Revenue or any other Court or a Revenue Officer or a local authority.
27	. (1) Where in the case of a sale the parties are not agreed to the price at which the pre-emptor shall exercise his right of pre-emption the Court shall determine whether the price at which the sale purports to have taken place has been fixed in good faith or paid, and if it finds that the price was not so fixed or paid, it shall fix the market value of the property as the price to be paid by the pre-emptor.
28	For the purpose of determining the market value of a property, the Court may consider the following, among other matters, as evidence of such value— <ol style="list-style-type: none"> 1. the price of value actually received or to be received by the vendor from the vendee; 2. the estimated amount of the average analytical net profits of the property; 3. the value of similar property in the neighborhood; and 4. the value of similar property as shown by previous sales made in the near past.

Clause	Amendment
30	Any party to a proceeding under this Act may, in addition to, or instead of, an advocate engage an Alim who is qualified as such from a Deeni Madrasah approved by the Provincial Government for this purpose
31	The period of limitation for a suit to enforce a right of pre-emption under this Act shall be one hundred and twenty days from the date— 1. of the registration of the sale deed; or 2. of the attestation of the mutation, if the sale is made otherwise than through the registered sale deed; or 3. on which the vendee takes physical possession of the property if the sale is made otherwise than through the registered sale deed or the mutation
32	(1) The Registrar registering the sale deed Or the Revenue Office attesting the mutation of a sale shall, within two weeks of the registration or attestation, as the case may be, give public notice in respect of such registration or attestation. (2) The notice under sub-section (1) shall be deemed sufficiently given if it be struck Up on the main entrance of a mosque and on any other public place of the village, city or place where the property is situated: Provided that if the property is situated in a city, the notice shall also be given through a newspaper having large circulation in such city.
33	Matters ancillary or akin to the provisions of this Act which have not been specifically covered under any provision thereof shall be decided according to Shari'ah.
34	The provisions of the Code of Civil Procedure, 1908 (Act V of 1908), and the law on evidence in vogue shall, mutatis mutan di, apply to the proceedings under this Act
35	1. In the cases and appeals filed under the Law referred to in subsection in which judgments and decrees passed by the Courts have become final, further proceedings if any relating to such cases and appeals, shall, notwithstanding the repeal of such law be governed and continued in accordance with the provisions there of. 2. All other cases and appeals not covered under sub-section (2) and instituted under the law, referred to in sub-section (1) and which immediately before the commencement of this Act were pending before a Court shall lapse and suits of the pre-emptors shall stand dismissed, except those in which right of pre-emption is claimed under the provisions of this Act.
36	Government may, in consultation with the Council of Islamic Ideology, by notification in the official Gazette, make such rules as it may consider necessary to carry out the purposes of this Act.

6.3 ADB's Involuntary Resettlement Safeguards

168. The SPS 2009 is based on the following objectives: To avoid involuntary resettlement wherever possible; to minimize involuntary resettlement by exploring project and design alternatives; to enhance, or at least restore, the livelihoods of all displaced persons in real

terms relative to pre-project levels; and to improve the standards of living of the displaced poor and other vulnerable groups. The following principles are applied to reach these objectives:

- i. Screen the project** early on to identify past, present and future involuntary resettlement impacts and risks;
- ii. 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;
- iii. Carry out meaningful consultations** with affected persons, host communities, and concerned non-government organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring & 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;
- iv. Improve, or at least restore, the livelihoods of all displaced persons** through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement costs 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.
- v. 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.
- vi. 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.
- vii. 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.
- viii. 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.

- ix. 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.
- x. Disclose a draft resettlement plan or** the compensation matrix, eligibility criteria or rates determined for the affected land, structures, trees etc., 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.
- xi. 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.
- xii. Pay compensation and provide other resettlement entitlements before physical or economic displacement.** Implement the resettlement plan under close supervision throughout project implementation.
- xii. Monitor and assess resettlement outcomes,** their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring.

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

169. A comparison of Pakistan's Land Acquisition Act of 1894 (LAA) and ADB's Policy on Involuntary Resettlement (IR) shows that there exist major differences in the two instruments. The objective of this comparison is to identify if and where the two sets of procedures are in conformity with each other and more importantly where there are differences and gaps. The key issue is that by following the ADB assessment procedures, the requirements of the Pakistan and KPK regulatory systems are in compliance. Conversely, if the Government of Pakistan systems (including the Punjab and KPK systems) are followed then there are likely to be shortfalls in comparison to the ADB requirements. The key ADB Policy Principles are (i) the need to screen the project early on the planning stage (ii) carry out meaningful consultation (iii) at the minimum restore livelihood levels to the pre-project conditions and improve the livelihoods of the affected vulnerable groups (iv) prompt compensation at full replacement cost is to be paid (v) provide displaced people with adequate assistance (vi) ensure that displaced people who have no statutory rights to the land that they are working are eligible for resettlement assistance and compensation for the loss of no-land assets and (vii) disclose all reports. Table 4 below presents a gap-analysis between the Pakistan's LAA and ADB's SPS

Table 6.2: Comparison of LAA and ADB's SPS 2009

Key LAR Aspects	Pakistan's Land Acquisition Act of 1894	ADB IR Safeguards-SPS 2009
IR Policy	Government does not have a national or provincial policy on resettlement and rehabilitation of affected persons.	ADB Safeguard Policy Statement provides a policy on involuntary resettlement with principles, objectives and procedures for implementation

Key LAR Aspects	Pakistan's Land Acquisition Act of 1894	ADB IR Safeguards-SPS 2009
LAR Planning	No requirement of LARP	Preparation of draft and final LARP
Consultation, information and participation of DPs	No specific requirement. The decisions regarding land acquisition and the rate/amount of compensation to be paid are published in the official Gazette which is notified in accessible places so that the people affected are informed	Meaningful consultation, timely disclosure of relevant information and participation in LAR planning
Disclosure of LARP	There is no law or policy that requires preparation and disclosure of LARPs.	Disclosure of draft & final LARP to DPs and on ADB website
Grievance redress	Established under LAA through the formal land acquisition process at a point in time or through appeals to the court. Land Acquisition Collector (LAC) is the pre-land award authority to make decision on objections.	Establish GRM scaled to risks and impacts of project at project and field levels.
Assessment of social impacts	No requirement in LAA	Census, socio-economic survey, detailed measurement survey and valuation of lost assets
Cut-off date	At the time of issuance of section 4 under LAA	Determined by government procedure or at commencement of census; notification in public place and media
Involuntary LAR	LAA governs land acquisition and land is acquired strictly in accordance with vaguely defined LAA procedures.	Eminent domain is recognized and subject to social safeguard provisions
Negotiated LAR	Not encouraged	Negotiated land acquisition is encouraged and subject to social safeguard provisions
Eligible DPs	Only titled persons	All physically and economically displaced persons, including titled and non-titled, with differential entitlements
Compensation to all eligible persons with or without titles.	Compensation paid to only the title-holders	Lack of title should not be a bar to compensation. Requires equal treatment of those without clear land titles (for example squatters, or other informal settlers) in terms of their entitlements for resettlement assistance and compensation for the loss of non-land assets. Titled and non-titled with legally recognizable claims to land: land for land of equivalent value and quality or cash compensation at replacement value
Compensation of structures	The valuation of structures is based on official rates with depreciation deducted from gross value of the structure and also 15% of the value of salvage materials.	Replacement of structures or cash compensation at replacement value for all DPs, titled and non-titled
Community and public resources	Damages done to land and structures are to be paid	Restoration/provision of civic infrastructure and community services

Key LAR Aspects	Pakistan's Land Acquisition Act of 1894	ADB IR Safeguards-SPS 2009
Replacement cost	Land valuation based on the median registered land transfer rate over the 3 years prior to Section 4 of LAA being invoked. 15% compulsory land acquisition charges are paid over and above the assessed compensation. However, recent practice is that prices based on the average	Fair market value, transaction costs, interest accrued, transitional and restoration costs and other applicable payments without depreciation. Land valuation to be done by qualified and experienced experts.
Income restoration and livelihood support	Only compensation is paid but not resettlement allowances and/or any income restoration support. , there is no mechanism to ensure payment is made before displacement.	Enhance, at least restore, DPs' livelihoods Compensation of lost incomes and livelihood sources at full replacement cost; credit, training and employment assistance; project development benefits
Women and Vulnerable persons and	No provision in LAA	Improve livelihoods to at least national minimum standards Due consideration of women in census and surveys, consultation, grievance redress, as well as compensation and rehabilitation
Relocation assistance	No provision in LAA	Secure tenure, better housing, transitional support, infrastructure and services
Timing and notification of displacement	No specific provision in LAA. DPs are required to vacate the right of way after the land is possessed regardless whether compensation or not	No physical or economic displacement before compensation has been paid, other entitlements have been provided and income and livelihood program is in place
Monitoring and evaluation	No requirement on LAA	Monitoring and assessment of IR outcomes; disclosure of monitoring reports

6.5 Remedial Measures to Bridge the Gap

170. In order to establish a land acquisition and resettlement policy framework for the Project, which reconciles Pakistan's legal and regulatory system for LAR (LAA 1894) and ADB's IR Safeguards as in SPS 2009, and addresses the gaps between the 2 systems, the following principles (as mentioned under the project LAR policy below) will be adopted and reflected in the eligibility and entitlements provisions indicated in section E of this updated LARF on compensation entitlements. The following "Project LAR Policy" encompassing all the gap filling measures will be adopted for all subprojects under NTCHIP, including the M4 motorway and E35 expressway.

6.6 Methodology for Determining Valuation and Compensation Rates At Replacement Basis

171. The general methodology of assessment of compensation rates of different items is as follows:

- i. Compensation for Land and Assets: The rate of compensation for acquired housing, land and other assets will be calculated at full replacement costs.

- ii. The calculation of full replacement cost will be based on the following elements: (i) fair market value; (ii) transaction costs; (iii) interest accrued, (iv) transitional and restoration costs; and (v) other applicable payments, if any.
- iii. Where market conditions are absent or in a formative stage, NHA will consult with the displaced persons and host populations to obtain adequate information about recent land transactions, land value by types, land titles, land use, cropping patterns and crop production, availability of land in the project area and region, and other related information.
- iv. NHA will also collect baseline data on housing, house types, and construction materials.
- v. Qualified and experienced experts will undertake the valuation of acquired assets. In applying this method of valuation, depreciation of structures and assets should not be taken into account

6.6.1 Unit Rates of Land

172. The land for the expressway is acquired as per Land Acquisition Act. 1894. The Section-4 for all the 14 mouzas falling in the alignment of the expressway was announced in February 2010. As per provisions of the LAA, the unit value of land is based on the last year's average of sale/ purchase in the affected villages/mouzas of Package-II, as per revenue records. The unit rates for land of different types the year 2009-2010 were assessed and endorsed by the District Officer (Revenue), Haripur. The same were adopted by the LAC in the land awards. The unit rates of land as applied in the land awards for the affected mouzas for different type of land are provided in Table 6.3. These market rates are based on the average year preceding the year of Section-4. While estimating the average year, the LAC considers the sale purchase transactions for all type of land in each mouza. The LAC cannot go beyond this procedure, which is according to the LAA-1894. The average year is calculated from the current transaction of sale-purchase of properties which reflects the current market rate for different categories' of land.

Table 6.3: Mouza wise Unit Rates According to Land Type Used by LAC in Land Awards (Rs./ Kanal)

Sr. No	Mouza	Bagh	Chai	Chari Abi	Chari bari	Chari	Kund Abi	Kund	Mera Abi	Mera	Rakkar	Ghair Mazrooa/ Kanal
1	Seria	620038	620038	310019	310019			155009	77504	77504	38752	19376
2	Bandi Seria	897314	897314		299104			199403	149552	149552	49850	24925
3	Sarai Saleh	1993440		996720		207650					41530	20765
4	Monan			1075660		379640		379640		126580	63260	31620
5	Ali Khan	2949968		2949968		316068				210712	105356	52678
6	Dhoian Khushki					320620	137400	137400	114500	191600	68700	22900
7	Dhedhar		608448			304224		202816		152112	50704	25352
8	Chechian	259027	259027			172684		129513		86342	43171	21585
9	Kot Najibullah	1625760	1625760	650300		650300		325140		243860	162560	81280
10	Darwesh			2789659				246146		164097	82048	41024
11	Ganja Kamala	1305000	1305000	522000		522000	261000	261000	195740	195740	130500	65240
12	Shah Muhammad							699169		466113	233056	116528
13	Muradabad	699400						139880		69940	34960	17480
14	Mirpur			210020		210020		140000		105000	35000	17500
	Total											

Source: DO (R), Haripur

6.6.2 Unit Rates Of Houses/ Buildings/Structures

173. Houses/ buildings falling within the RoW, as per final design of expressway, have been assessed by the Project Office engineering staff through Detailed Measurement Survey (DMS). During the survey, different types of building structures were identified and these are classified into three categories Kacha, Pucca and Semi Pucca⁹ keeping in view the type of materials used in the construction of these structures. The Sub Divisional Officer (SDO), Roads, Haripur, Communication and Works (C&W) Department, Govt. of KPK was approached by the Project Director, E-35 to provide unit rates for these construction types for the assessment of compensation. The SDO vide his letter dated 20-08-2011(copy attached as Annexure-XXVI), provided the rates as depicted in **(Table 6.4)**. The rates have been used by the LAC in the Awards for structures. The owners of structure are allowed to take the salvaged material of their structures and no depreciation has been charged.

Table 6.4: Unit Rates of Structures

Sr. No.	Type of Structure	Unit	Rate (Rs.)
1	Pacca Construction	Ft. ²	950
2	Semi Pacca Construction	Ft. ²	700
3	Kacha Construction	Ft. ²	500
4	Brick Masonry Wall	M ³	4584.44
5	Stone Masonry Wall	M ³	3558.67
6	Concrete Blocks Masonry Wall	M ³	2532.90

Source: C & W Department, Haripur

6.6.3 Unit Rates of Crops

174. The cropping pattern along the project corridor is comprised of wheat, maize and peas. Per acre net incomes from these crops as provided by the DO (Agriculture) have been used by the LAC in the land awards for the compensation of affected crops (letter attached as **Annexure XXVI**).

6.6.4 Unit Rates Of Trees

175. The affected fruit and non-fruit trees following the RoW have been assessed in the land awards by the LAC as per rates (of 2010 level) provided by the DO (Agriculture), Haripur (**Annexure-XXVI**). The fruit trees have been compensated based on annual net product market value per tree for a period of 5 years. This period is required to grow a new plant of same species to the age of production. Privately owned non fruit trees are compensated at a cost equivalent to market price of timber and fuel wood available from each tree. The entire removed tree will remain the property of the owner for them to salvage.

⁹ For assessment purpose, all the structures were divided into following three categories depending upon the nature of construction and type of material used in the project area.

Pacca Structure: T.R girder roof, cement mortar, cement plastering and concrete flooring

Semi-pacca Structure: T.R girder roof, mud mortar, cement plastering and brick flooring

Kacha Structure: Wooden girder, wooden battens, mud mortar, mud plastering and mud flooring

6.7 Land Acquisition Process

6.7.1 Initiation Of Land Acquisition Process

176. The process of land acquisition for the E-35 covering all the sections was initiated with the finalization of present alignment of road by the NHA, preparation of design by Design Consultant in August, 2009 and its physical marking on the land.

6.7.2 Issuance of Section-4

177. The Section-4 in respect of 14 mouzas falling under of Package-2 was announced on 12-02-2010.

6.7.3 Issuance of Section-5

178. It is a formal confirmation of Section-4 by the collector. This section is issued within one year after notification of Section 4. Section-5 in respect of all the mouzas of Package-II was issued by the collector on 12-07 2010.

6.7.4 Issuance of Section 5a and Deposit of Land Costs

179. Section-5a is issued after one month of announcement of Section-4. It invites complaints from the owners particularly about the correctness of the land details of the individuals. The owners are invited through issuance of formal notice (Specimen attached as Annex XXVI (a)). Before issuance of this notice, the demand for the cost of land is made to NHA by the LAC on the basis of "yaksala owsat" price (last one year's average price as per LAA requirements). For this purpose, the LAC requests the DO(R) for the provision of last year's average price on the basis of mutations register. On its receipt from DO (R), the LAC requests the PD to deposit the estimated amount of land in the treasury on the basis of this average price so that the Section- 5a may be issued.

6.7.5 Issuance of Corrigendum To Section-4

180. The khasra numbers as announced U/S-4 are verified according to the land plan and the concerns of the land owners U/S 5A. If excess land is included in the section-4 notification, the LAC issues corrigendum to section-4, where required. Similarly, the concerns of the land owners are addressed by the LAC. These are generally about land prices and land measurements. If any objection relating to land measurements is found valid, corrigendum to section-4 to this effect is made. The objections are addressed in the presence of the complainant and to his satisfaction. The records relating to individual complaints U/S 5a were not available. However, in 14 mouzas, 41 corrigenda were issued. This shows that people fully participated in the consultation process vide Section-5a.

6.7.6 Announcement of Section-6

181. Section-6 is announced by the Collector after one month of the announcement of Section-5a. It contains the details of khasra numbers and land to be acquired. Its copies are distributed to the concerned authorities. Copies are sent to the Tehsildar of relevant tehsil who sends it to the Patwari of the village for its wider publicity among the affected people through public announcements. The dates of issuance of Section-6 indicate that Section-6 has been announced after 1–2 years after the announcement of Section-4 in respect of different mouzas.

6.7.7 Issuance of Notices U/S 9 And 10

182. After 15 days of issuance of notice U/S-6, proceedings under Sections 9 and 10 were started. Notices were issued by the LAC containing details of land as notified U/S-6. The interested persons were required to appear before the Collector at a specified date and location to record their concerns, if any. Each AP was provided chance to explain his views and concerns. The collector explained them about the details of the land to be acquired and the unit price of various land types. They were briefed that in case they are not satisfied with the prices, they can go to the court of law for the rectification of price anomalies and other complaints regarding the Awards. The DPs were facilitated by providing them the documents related to calculation of average year (owsat yaksala) for different categories of land. This procedure will be monitored through internal monitoring reports by NHA.

183. According to information provided by LAC, 94 complaints were received under sections 9 & 10 of which 77 % complaints related to price of the land. The DPs objections and grievances are being heard under sections 5-A, 9 and 10 and addressed by the LAC as per updated documentary proof and applying the wisdom (Specimen attached as Annex XXVI (a)).

6.8 SEQUENCE OF ACTIVITIES FOR LAND ACQUISITION, LARP PREPARATION AND ITS IMPLEMENTATION

184. The land acquisition process and disbursement of payments under land awards is interrelated activity with LARP preparation and its implementation. For a clear and transparent land acquisition process the following sequence of activities as described in Table 6.5 is to be ensured by the NHA.

185. The requisite process of land acquisition, LARP preparation and its implementation is summarized in **Table 6.5**.

Table 6.5: Schedule for Land Acquisition and LARP Preparation Activities

Step	Activity	Responsibility	Compliance in Case of E-35
1	Preparation of Final Design	Design Consultants	Done.
2	RoW marking and collection of land details	LAC, NHA/ Design Consultants	Done
3	Due Diligence of LA process and payments.	ADB	Done
4	Notification of Section-4 and completion of Land acquisition process with the announcement of Land Awards	NHAEALS,DOR,/ LAC	Done. The land has been acquired.
5	SIA, Census, LAR impact inventory with extent of loss to each AP prepared, compensation entitlements finalized	NHA/EALS and Consultants	Done
6	Preparation of draft LARP and submission to ADB for	EALS/ NHA	Done

Step	Activity	Responsibility	Compliance in Case of E-35
	review and clearance		
7	Institutional arrangements put in place for LARP implementation	EALS/ NHA	Compensation disbursement under progress but without institutional set up The procurement teams of ADB and NHA are working in close liaison to hire the LARMC. EoI and ToRs have been finalized in this regard. The process may consume 3-4 months, in the meanwhile, the NHA has deputed its staff to fully engage in the implementation of SPS 2009 as an interim arrangement. Moreover, various committees/ formations are in place to monitor the LAR process and address grievances of the APs of land acquisition as per the ADB's policy and national laws e.g GRC, APLC, LARU and DRC.
8	Review by ADB and clearance	ADB	
9	Preparation of Identification cards of Aps	PD/ NHA, SMC	Not Done
10	Distribution of executive summary of LARP, ID cards and notices to receive compensation to the APs	PD/ NHA	Done
11	Payment of compensation according to the procedure provided in the LARP	LAC/ PD, NHA	Payments underway un-monitored. Please refer to para 15, comments related to IMR and EMA.
12	Taking over of possession of RoW free from all encumbrances	LAC/ PD, NHA	Not yet started The possession of land will be taken after paying of all the allowances as per SPS 2009

6.9 ON-GOING PROCESS FOR DISBURSEMENT OF COMPENSATION

186. The disbursement of compensation to the DPs is in progress for Package II of E-35. The amount is disbursed to the DPs/APs by the LAC. No other Project functionary participates in the payment process. LAC is disbursing the payments, P.D, Director (L&S) and A.D (L&S) monitoring all Land Acquisition and disbursement process.

187. A team comprising LAC, Quanoogo and 02 Patwaris is carrying out the disbursement task. As a first step, the 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.

188. 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 acquaintance roll and affixes his thumb impression, which is mandatory.

189. 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. AP signs the voucher. The thumb impression of the AP 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 AP is asked to receive the voucher after two days because it is to be sent to NHA head office for the confirmation of payment voucher by the Director (Land), EALS.

190. The voucher is handed over to the AP on the specified time and date. A copy is kept in the record.

191. The AP 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.

192. The AP deposits this cheque in his account in a bank and the amount is transferred to his account.

193. The vouchers for trees and assets are issued separately by the LAC.

194. For each mouza, trees, crops and structures are also included in the Awards. However, AFs are only paid for land compensation and payments for crops, trees and structures are not made. According to information from LAC, out of 14 mouzas payments on account of structures and trees have been made only in 7 mouzas. The DPs are already paid compensation on 02 years old rates. All payments except the resettlement allowances are being made / disbursed to DPs, however the resettlement allowances will be disbursed after the approval of LARP.

6.9.1 Receipt Of Compensation Under Protest (Section-18)

195. 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 550 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 ownership deeds, compensation amounts and calculation of average year (owsat yaksala) for different categories of land.

CHAPTER 7 ENTITLEMENTS, ASSISTANCE AND BENEFITS

7.1 General

196. This section defines displaced persons' entitlements and eligibility, and describes all resettlement assistance measures in terms of an entitlement matrix; identify and document the households who will be eligible for transitional livelihood support if compensation payments for land are delayed for six months; 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.

7.2 Compensation Eligibility

197. DPs are identified as persons whose land, structures/assets and livelihood is directly affected by the project due to construction of expressway. The eligible DPs for compensation or at least rehabilitation provisions under the Project would be:

- All land owning DPs losing land or non-land assets, i.e., crops and trees whether covered by legal title or traditional land rights;
- DPs losing the use of structures and utilities, including titled and non-titled owners, registered, unregistered, tenants and leaseholders plus encroachers and squatters. (However, no tenants and leaseholders plus encroachers, squatters and non-titled owners have been identified in the RoW of Package-2 of E-35.);
- DPs 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.
- Loss of communal property, lands, and public infrastructure.
- Vulnerable displaced persons identified through the impact assessment and FGD.
- In the event of relocation, all DPs will receive transitional and other support to re-establish shelter and livelihoods.

7 Compensation eligibility is attached with the cut-off date that has been established as **25-05-2012**.

7.3 Compensation Entitlements

198. Replacement value is the basic principle guiding the allocation of entitlements, i.e. the subprojects under NTCHIP will replace in kind or cash what is lost in terms of land, structures, livelihood, community facilities and services, with special provisions for the improvement of livelihoods of vulnerable displaced persons, sharing of project benefit and unanticipated impacts. Entitlement provisions for APs losing land, structures, assets, income; and entitled for rehabilitation subsidies, will include land losses, residential and commercial structures losses, crops and trees losses, a relocation subsidy, and a business losses allowance; based on tax declarations and / or lump sums, in case of non-availability of such documentation, in accordance with the inflation adjusted Official Poverty Line (OPL). Agricultural land impacts of

titleholders will be compensated at replacement cost, based on fair market value, in cash at current market rates plus a 15% compulsory land acquisition surcharge and free of taxes, registration, and transfer costs. And if market value assessed by the competent authority is less than replacement cost, the difference will be paid by the NHA in form of assistance. The land based assets including structures and trees will be compensated at full replacement costs while the compensation for the standing crops (perennial and seasonal) will be provided on average net income /unit area. In addition relocation assistance and transitional/income restoration support based on the social impact assessment will apply. The compensation entitlements according to the extent of impacts are defined as follows.

7.3.1 Owners of Land

199. The owners of agricultural land (including cultivable and un-cultivable) have been paid according to the rates in the land awards (2009-10 yearly average rates), as per provisions of LAA, free of taxes, registration and transfer costs; as per following rates. The AFs have been paid an additional 15% compulsory acquisition surcharge (CAS), free of taxes, registration and transfer costs. The rates for different categories of land are provided in Table 6.3 in Section-6 of the LARP.

7.3.2 Owners of Shops/ Brick Kilns/ Poultry Farms

200. The owners of the business structures with significant impacts are entitled for the following compensation.

- Full compensation for the total covered area of the affected shop/ structure according to its construction type at replacement cost basis.
- Paid in lump sum, Business/Transitional Allowance during the transition period equal to 06 months of inflation adjusted OPL ($1942.66 \times 6.6 \times 6 = 76929$) for business enterprises.
- One time Transportation/ Shifting Allowance @ Rs. 25,000/- for brick kilns, Rs. 20,000 for poultry farms and Rs. 10,000 for the shops on lump sum basis. These rates are based on the discussions during FGDs with the mini trucks/ tractor trolley operators in the area. .
- Additional allowance 3 month of inflation adjusted OPL in case of vulnerable $1942.66 \times 6.6 \times 3 = 38465$) to provide them additional economic relief.

7.3.2 Owners Of Houses/ Residential Structures

201. The owners of the houses with significant impacts are entitled for the following compensation.

- In case the structure can be built on the remaining space of the affected house, full compensation for the total covered area of the house at replacement cost basis.
- One time paid house rent for 06 months @ Rs. 6,000/- ($6000 \times 6 =$ Rs. 36,000/-) for acquiring a residence during the construction period as transitional allowance.

- Livelihood Allowance equal to 3 months of inflation adjusted OPL ($1942.66 \times 6.6 \times 3 = 38,465$).
- One time paid Transportation Charges/ Shifting Allowance @ Rs. 15,000/- on lump sum basis.
- Additional allowance 3 month of inflation adjusted OPL in case of vulnerable ($1942.66 \times 6.6 \times 3 = 38465$).

7.3.4 Income Restoration and Rehabilitation Assistance for Loss of Employment

202. The following constitutes the income restoration and rehabilitation assistance for the DPs/APs losing their employment due to this project:

(a) Loss of Source of Income: All DPs whose livelihoods are affected will be supported for their income losses equal to 06 months of inflation adjusted OPL. These include business owners, labourers, employees at brick kilns and poultry farms etc. In case of vulnerability, DPs have been paid three month additional allowance of inflation adjusted OPL ($1942.66 \times 6.6 \times 3 = 38465$)

(b) Project-related Employment: (for unskilled and semi-skilled tasks during construction): the vulnerable groups will be given priority for project-related employment opportunities. To this end, Civil works contract will have a clause making it binding for the contractor to hire locals and DPs as appropriate. The compliance to this effect will be regularly reported in the Internal Monitoring Reports.

7.3.5 Relocation Assistance for Rehabilitation

203. The NHA has no space available of equal economic importance / value along the project corridor to accommodate the owners of the affected structures. The DPs were consulted during FGDs about their relocation strategies. They were of the view that they have no land in the nearby vicinity and they will find land within their financial support provided by the NHA for their lost structures. This process will take a considerable time in finding a suitable piece of land for relocation of their structure. During this period they will need livelihood support. As a result of discussions, the following compensation have been provided as relocation and rehabilitation assistance.

- For affected houses and commercial structures, full compensation for the total covered area of the structure at replacement cost basis.
- Rental assistance for 06 months @ Rs. 6,000/- per month will be paid to household APs to facilitate them for hiring the house during construction period.
- One time paid Shifting Allowance @. Rs. 15,000/- on lump sum basis for household and Rs. 25000 for commercial APs, as determined on the basis of discussions during FGDs with the mini trucks/ tractor trolley operators.
- The owners of the commercial structures will be paid transitional allowance equal to 6 months of inflation adjusted OPL.
- Rs. 40,000/- for getting electricity connection at new premises.

7.3.6 Crop Losses to Affected Agricultural Land Within the Row

204. The owner cultivators will be paid crop compensation in cash at the full market rate for one year's agricultural income (both Rabi and Kharif harvests). The land award includes one season's crop compensation. An additional amount equivalent to this amount has been provided as crop loss allowance to bring it at one year level.

7.3.7 Trees

205. Fruit and non-fruit trees will need removal from the RoW. These will be compensated on current market rates. The fruit trees will be compensated based on annual net product market value with additional compensation for a period of 5 years. This period is required to grow a new plant of same species to the age of production. Privately owned non-fruit trees will be compensated at a cost equivalent to market price of timber and fuel wood available from each tree. The entire removed tree will remain the property of the owner for them to salvage. The fruit and non-fruit trees have been assessed in the land awards by the LAC as per latest rates provided by the DO (Agriculture), Haripur.

7.3.8 Assistance for Vulnerable People

206. Vulnerable people (DPs below the poverty line) will be supported by a one-time paid allowance in cash equal to 03 months of inflation adjusted OPL, in addition to other admissible allowances (as identified in the above paras) and priority in employment in project-related jobs such as semi skilled and un-skilled laborers.

7.3.9 Unforeseen Impacts

207. Unforeseen Impacts will include any impact not included or anticipated at the time of preparing the resettlement plan. Such unforeseen impacts may include (but not necessarily limited to) additional displaced households due to change in land acquisition boundaries, displaced household present at the time of or prior to the cut of date but not included in the census; additional losses of property not previously included in the DMS (but present in the affected area at the time of DMS); restriction on land use (such as resulting from right of way/safety zone restriction) which were not included or anticipated at the time of DMS. Such anticipated impacts will be included in the resettlement plan mitigation measures and such mitigation measures are to be consistent with the principles and objectives of the resettlement plan. The means of inclusion will be through either a CAP or Addendum for the Resettlement Plan and will require both endorsements by the executing agency and concurrence by ADB.

7.4 Entitlement Matrix

208. The project entitlements have been defined in accordance to the degree of various impacts which are taken from the results of the Inventory of Losses (IOL) and socioeconomic survey. These entitlements are governed by the Government's policies (bridging gap in case of non-existence) and the ADB's SPS. The eligibility on entitlements applies to all persons affected by the Project as a result either land acquisition or restricted land use which are categorized in the Entitlement Matrix.

209. Based on the above discussed eligibility criteria and compensation entitlements and keeping in view the nature of losses and implementation issues of the proposed project, an Entitlement Matrix (EM) has been prepared as provided in Table-7.1, indicating each type of

loss and degree of impact with corresponding entitlements applicable to the specific condition and impact on displaced households.

Table 7.1: Entitlement Matrix

Type of Loss	Specification	Eligibility	Entitlements
1. LAND			
Impact on land-based livelihoods	All land losses	All DPs with land-based livelihoods affected	<ul style="list-style-type: none"> • Preference given to land-based resettlement strategies that include resettlement on public or private land acquired or purchased for resettlement with secure tenure. If land is not the preferred option of DPs, or sufficient land is not available at a reasonable price, non-land-based options built around opportunities for employment or self-employment will be provided in addition to cash compensation at full replacement costs for land and other assets lost. The lack of land will be demonstrated to the satisfaction of ADB. • The following entitlements will apply if replacement land is not available or is not the preferred option of the DPs:
Permanent impact on arable land	All land losses independently from impact severity	Owner (titleholder, or holder of traditional rights)	<ul style="list-style-type: none"> • Cash compensation at full replacement cost (RC¹⁰) including fair market value plus all transaction costs, applicable fees and taxes and any other payment applicable • If BoR¹¹ compensation falls below RC, the project will pay the difference as resettlement assistance or supplementary compensation to support to affected livelihoods.
		Lessee/tenant (registered/un registered)	<ul style="list-style-type: none"> • As agreed between lessee and lease holder, either renewal of lease in other plots of same characteristics and/or cash refund at rate of rental/lease fee proportionate to size of lost plot and duration of remaining lease period or cash compensation equivalent to market value of gross yield of affected land for remaining lease period up to a maximum of 3 years.
		Sharecropper/tenant (registered/un registered)	<ul style="list-style-type: none"> • For temporary impact cash compensation equal to current market value (based on gross yield of lost harvest) of share of 2 lost harvests proportionate to size of lost plot • For permanent impact additional crop compensation of 1 harvest in addition cash compensation for temporary impact.
		4Agriculture laborers losing wages/contracts	<ul style="list-style-type: none"> • Cash compensation equal to the salary (including portions in kind) for remainder of their job contract for a period of six months, whichever is higher. If salary paid to the laborers is less than official poverty line (OPL), the compensation

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

¹¹ Board of Revenue, provincial agency with a mandate to approve compensation rate/amount.

Type of Loss	Specification	Eligibility	Entitlements
			amount per month will not be less than the OPL.
		Non-titled user (squatter, encroacher)	<ul style="list-style-type: none"> No compensation for land loss Income rehabilitation allowance in cash equal to net value of annual crop production based on relevant cropping pattern/cultivation record (additional to standard crop compensation as below defined) and other appropriate rehabilitation to be defined in the LARPs based on project situation and DP consultation. Compensation for any irrigation infrastructure and other improvements made to the land (but not for the land) at full replacement cost.
Residential/commercial land	All land losses independently from impact severity	Titleholder, or holder of traditional rights	<ul style="list-style-type: none"> Cash compensation at full replacement cost (RC¹²) including fair market value plus all transaction costs, applicable fees and taxes and any other payment applicable If BoR compensation falls below RC, the project will pay the difference as resettlement assistance or supplementary compensation to support to affected livelihoods.
		Lessee, tenant	<ul style="list-style-type: none"> Cash refund at rate of rental fee proportionate to size of lost plot and duration of remaining lease period already paid
		Renter/leaseholder	<ul style="list-style-type: none"> An allowance in cash equivalent to 3-6 months' rent and any non-refundable rent deposit (in addition to standard provision of relocation/disturbance allowance as specified below.
		Non-titled user without traditional rights (squatters)	<ul style="list-style-type: none"> No compensation for land loss Self-relocation allowance in cash equivalent to 1 year's livelihood based on OPL, or as assessed based on income analysis. Where required, additional support required ensuring improved standard of living to be determined through the social impact assessment.
		Vulnerable DPs (including those below the poverty line, the landless, the elderly, women and children, and indigenous peoples)	<ul style="list-style-type: none"> Provide 3-6 months of subsistence allowance to help vulnerable DPs restore/improve their livelihoods. Assist them in improving their living standard to at least national minimum standards by providing legal and affordable access to land and resources in rural areas, and with appropriate income sources and legal and affordable access to adequate housing in urban areas.

¹² Refer to IR safeguards as in SR2 para. 10 of SPS 2009.

Type of Loss	Specification	Eligibility	Entitlements
Temporary land occupation	Land temporarily required during civil works	Owner, lessee, tenant	<ul style="list-style-type: none"> Rental fee payment for period of occupation of land, as mutually agreed by the parties Restoration of land to original state Guarantee of access to land and structures located on remaining land
		Non-titled user	<ul style="list-style-type: none"> Restoration of land to original state Guarantee of access to land and structures located on remaining land
2. STRUCTURES			
Residential, agricultural, commercial, public, community	Partial Loss of structure	Owner (including non-titled land user)	<ul style="list-style-type: none"> Cash compensation for lost or all parts of structure (based on functional viability) at full replacement cost and repair of remaining structure at market rate for materials, labor, transport and other incidental costs, without deduction of depreciation for age Right to salvage materials from lost structure For vulnerable households, provide legal and affordable access to adequate housing to improve their living standard to at least national minimum standard.
		Lessee, tenant	<ul style="list-style-type: none"> Cash refund at rate of rental fee proportionate to size of lost part of structure and duration of remaining lease period already paid.
	Full loss of structure and relocation	Owner (including non-titled land user)	<p>The DP may choose between the following alternatives:</p> <ul style="list-style-type: none"> Compensation through provision of fully titled and registered replacement structure of comparable quality and value, including payment of all transaction costs, such as applicable fees and taxes, at a relocation site or a location agreeable to the DP If the market value of the replacement structure is below that of the lost structure, cash compensation for the difference in value without deduction of depreciation for age If the market value of the replacement structure is above that of the lost structure, no further deductions <p>Or</p> <ul style="list-style-type: none"> Cash compensation at full replacement cost, including all transaction costs, such as applicable fees and taxes, without deduction of depreciation for age, for self-relocation <p>In either case</p> <ul style="list-style-type: none"> Right to salvage materials from lost structure
		Lessee, tenant	<ul style="list-style-type: none"> Cash refund at rate of rental fee proportionate to duration of remaining lease period
	Moving of minor structures (fences, sheds,	Owner, lessee, tenant	<p>The DP may choose between the following alternatives:</p> <ul style="list-style-type: none"> Cash compensation for self-relocation of structure at market rate (labor, materials,

Type of Loss	Specification	Eligibility	Entitlements
	latrines etc.)		transport and other incidental costs, as required, without deduction of depreciation for age) Or <ul style="list-style-type: none"> Relocation of the structure by the Project
	Stalls, kiosks	Vendors (including titled and non-titled land users)	<ul style="list-style-type: none"> Allocation of alternative location comparable to lost location And <ul style="list-style-type: none"> Cash compensation for self-relocation of stall/kiosk at market rate (labor, materials, transport and other incidental costs, as required, without deduction of depreciation for age)
3. RELOCATION			
Assistance and allowances	Residence or means of livelihood (agricultural land, business premises)	All DPs to be relocated due to loss of land and/or structures	<ul style="list-style-type: none"> Logistical and administrative assistance with identification and purchasing or rental of replacement plots and/or structures, or the construction of new Cash allowance covering the cost of transport of people and their moveable property at current market rate on actual cost basis Transition allowance of 6 months of official minimum wage Transition housing of equal quality to lost housing or rental payment for equivalent housing for the duration of delay of completion of relocation housing/site structures
Security of tenure	Residence or means of livelihood	Owner (titleholder, legalizable user)	<ul style="list-style-type: none"> Ownership titles to land and structures
		Lessee, tenant	<ul style="list-style-type: none"> Long-term rental agreements
		Non-titled user (squatter, encroacher)	<ul style="list-style-type: none"> Long-term rental agreements for land and structures OR <ul style="list-style-type: none"> Rent to own agreements for land Ownership titles to structures
Relocation sites	Residence or means of livelihood	All DPs to be relocated due to loss of land and/or structures	<ul style="list-style-type: none"> Provision of land and structures according to eligibility for applicable entitlements for land and structures Functional public services and facilities, including all basic amenities with arrangements for long-term operation and maintenance
Host communities		Host community residents	<ul style="list-style-type: none"> Sharing of public services and facilities established in relocation sites or separate provision
4. INCOME RESTORATION			
Crops	Affected crops	Cultivator	<ul style="list-style-type: none"> Cash compensation at current market rate proportionate to size of lost plot, based on crop type and highest average yield over past 3 years

Type of Loss	Specification	Eligibility	Entitlements
		Parties to sharecrop arrangement	<ul style="list-style-type: none"> Same as above and distributed between land owner and tenant according to legally stipulated or traditionally/informally agreed share
Trees	Affected trees	Cultivator	<ul style="list-style-type: none"> Cash compensation for perennial crop trees at current market rate of crop type and average yield (i) multiplied, for immature non-bearing trees, by the years required to grow tree to productivity or (ii) multiplied, for mature crop bearing trees, by the average years of crops forgone; plus cost of purchase of seedlings and required inputs to replace trees. Cash compensation for timber trees at current market rate of timber value of species at current volume, plus cost of purchase of seedlings and required inputs to replace trees.
		Parties to sharecrop arrangement	<ul style="list-style-type: none"> Same as above and distributed between land owner and tenant according to legally stipulated or traditionally/informally agreed share
Permanent loss of agriculture based livelihood	Partial loss of agricultural land with viable land remaining	Owner, lessee, sharecrop tenant, non-titled land user	<ul style="list-style-type: none"> Provision of support for investments in productivity enhancing inputs, such as land leveling, terracing, biological, erosion control, sprinkler/drip irrigation, composing, tools and agricultural extension, as feasible and applicable; additional financial support if land compensation is insufficient to allow for adequate investments to maintain livelihood
	Full loss of viable agricultural land without availability of alternative land	Owner, lessee, sharecrop tenant, non-titled land user	<ul style="list-style-type: none"> Provision of re-training, job-placement, additional financial grants and micro-credit for equipment and buildings, as well as organizational/logistical support to establish DP in alternative income generation activity
Maintenance of access to means of livelihood	Avoidance of obstruction by subproject facilities	All DPs	<ul style="list-style-type: none"> Provide un-interrupted access to agricultural fields, business premises and residences of persons in the project area.
Businesses	Temporary business loss due to LAR or construction activities by Project	Owner of business (registered, informal)	<ul style="list-style-type: none"> Cash compensation equal to lost income during period of business interruption up to 3-6 months based on tax record or, in its absence, comparable rates from registered businesses of the same type with tax records, or at least inflation adjusted OPL.
	Permanent business loss due to LAR without possibility of establishing alternative business	Owner of business (registered, informal)	<ul style="list-style-type: none"> Cash compensation equal to lost income for one 6-12 months based on tax record or, in its absence, comparable rates from registered businesses of the same type with tax records, or at least inflation adjusted OPL <p>And</p> <ul style="list-style-type: none"> Provision of re-training, job-placement, additional financial grants and micro-credit for equipment and buildings, as well as organizational/logistical

Type of Loss	Specification	Eligibility	Entitlements
			support to establish DP in alternative income generation activity
Employment	Temporary employment loss due to LAR or construction activities	All laid-off employees of affected businesses	<ul style="list-style-type: none"> Cash compensation equal to lost wages during period of employment interruption up to 3 months based on tax record or registered wage, or, in its absence, comparable rates for employment of the same type, or at least inflation adjusted OPL. If required by Pakistan's labor laws and regulations/codes, the compensation will be paid to the employer to enable him/her to fulfill legal obligations to provide compensation payments to laid-off employees, to be verified by EA/relevant government official.
	Permanent employment loss due to LAR without possibility of re-employment in similar sector and position in or near area of lost employment	All laid-off employees of affected businesses	<ul style="list-style-type: none"> Cash compensation equal to lost wages for 3-6 months, based on tax record or registered wage, or, in its absence, comparable rates for employment of the same type, or at least inflation adjusted OPL. If required by the applicable labor code, compensation will be paid to employer to enable him/her to fulfill legal obligations to provide severance payments to laid-off employees, to be verified by government labor inspector <p>And</p> <ul style="list-style-type: none"> Provision of re-training, job-placement, additional financial grants and micro-credit for equipment and buildings, as well as organizational/logistical support to establish DP in alternative income generation activity
5. PUBLIC SERVICES AND FACILITIES			
Loss of public services and facilities	Schools, health centers, administrative services, infrastructure services, graveyards etc.	Service provider	<ul style="list-style-type: none"> Full restoration at original site or re-establishment at relocation site of lost public services and facilities, including replacement of related land and relocation of structures according to provisions under sections 1 and 2 of this entitlement matrix
6. SPECIAL PROVISIONS			
Vulnerable Aps	Livelihood improvement	All vulnerable DPs	<ul style="list-style-type: none"> Provision of training, job-placement, additional financial grants and micro-credit for equipment and buildings, as well as organizational/logistical support to establish DP in alternative income generation activity Subsistence allowance of 3-6 months of official minimum wage or OPL, whichever is greater, and other appropriate rehabilitation to be defined in the LARPs based on income analysis, and consultations with DPs but not lower than national minimum standards. Preferential selection for project related employment

Type of Loss	Specification	Eligibility	Entitlements
	Loss of land	All vulnerable DPs	<ul style="list-style-type: none"> • Assistance in identification and purchase or rental of new plot • Assistance with administrative process of land transfer, property title, cadastral mapping and preparation of compensation agreements
	Loss of structure	All vulnerable DPs	<ul style="list-style-type: none"> • Assistance in construction of new structure • Assistance in identification and purchase or rental of new structure • Assistance with administrative process of registration of property and preparation of compensation agreements • Assistance with transition to relocation site
	Temporary land acquisition	All vulnerable DPs	<ul style="list-style-type: none"> • Preferential treatment to avoid or mitigate as quickly as possible • Provision of access to land and residence suitable to disabled and elderly DPs
Women	Loss of land and structures	Titled or recognized female owners of land and structures	<ul style="list-style-type: none"> • Titling of replacement land and structures in female owner's name • Cash compensation at full replacement cost paid directly to female owners
	Loss of livelihood	Female livelihood losers directly affected	<ul style="list-style-type: none"> • Compensation paid directly to female livelihood loser
Benefit sharing	Access to project benefits	All DPs	<ul style="list-style-type: none"> • Provision of key social amenities will be made available to DPs
Update of LARF	Unanticipated impacts and negotiated changes to entitlements	All DPs	<ul style="list-style-type: none"> • To be determined in accordance with the IR safeguards requirements of the ADB SPS and local legal framework • LARF and specific subproject LARPs to be updated and disclosed on ADB website • Standards of this LARF not to be lowered

CHAPTER 8 RELOCATION, REHABILITATION AND INCOME RESTORATION

8.1 General

210. The objectives of income restoration program is to restore the long term income generating capacity of affected households, to improve livelihoods of vulnerable households and to mitigate short term income losses that may be experienced through subsistence support measures. Households experiencing severe impacts on their productive assets or livelihoods will be entitled to participate in the income restoration program. The forms and levels of income restoration assistance vary and will be commensurate with the duration, level and severity of impacts on livelihoods and productive assets as well as vulnerability of the affected persons. The project will also seek to maximize project related work opportunities to those in the local communities, including those affected by land acquisition. Opportunities to improve the livelihoods of women will also be mainstreamed in various project initiatives, including in the income restoration program of the resettlement plan.

211. The planning of the income restoration program for the severely affected displaced households will be done as a joint undertaking of the executing agency, relevant district offices and the displaced households which will commence during the updating of LARP, following approval of detailed engineering design. The income restoration program will adopt an approach that will address the immediate needs and sustain the long-term rehabilitation of all severely affected displaced households. The proposed strategy will respond to the displaced households need for work and economic opportunities after relocation and in the long term, a sustainable livelihood restoration program that will ensure improved socio-economic conditions.

212. The IOL and SES results indicated that the form of livelihood to be directly affected by the acquisition of land was farming and business losses in the form of losing shops and poultry form. The survey revealed that at 71% of livelihood of displaced households members would be severely affected by the loss of productive agricultural land. No other forms of livelihood were identified as being severely affected by the project at the time of preparation of the draft resettlement plan. The project's impacts of livelihood will be reviewed and confirmed during the detailed survey for updating of the LARP.

8.2 Relocation Of DPs

213. NHA has no space available of equal economic importance/ value along the project corridor to accommodate the owners of the affected structures. As a result 78 owners of affected houses, 04 small business shop owners, 05 poultry farmers and 04 brick kiln owners have to relocate their residences/ businesses/shops to another location in the same vicinity. The relocation strategy was discussed in detail with the owner of the affected houses and other structures during consultation process. The owners of the houses showed their willingness to relocate themselves to a new place at their own. Similarly, the owners of the shops, brick kilns and poultry farms preferred cash compensation for the losses of their business premises (land) and structures. They will rebuild their structure at their own as per their convenience by purchasing land in the same vicinity available to them to re-establish their business. In view of this limitation, the following relocation strategy has been adopted.

- For affected houses, full compensation for the total covered area of the structure at replacement cost basis has been provided by the NHA. The partially affected structures

have been fully compensated. Further, rental assistance (as transitional support) for 06 months @ Rs. 6,000/- per month has been provided to facilitate them for hiring the residences during construction period of their houses. The owners will be given 01 month advance notice for vacation of affected structure at the time of payment of compensation amount. The details of compensation payments for each type of construction along with allowances have been provided in **Annexure-XXVII**.

- The owners of the commercial structures have been compensated for the total structure loss at current market prices. In addition, they will be paid business/transitional allowance equal to 06 months of inflation adjusted OPL. The owners will be given 01 month advance notice for vacation of affected structure at the time of payment of compensation amount.

8.3 Rehabilitation of DPs

214. Entitlement provisions for the DPs/ APs losing land, houses; and income losses and rehabilitation subsidies include provisions for land losses, house and buildings losses, trees losses, a relocation subsidy, and a business losses allowance based on their average income as per census survey and / or lump sums. Each category of APs is described in more detail as follows:

8.2.1 OWNERS OF PRIVATE LAND

215. There are 2759 owners losing part of their land within the RoW. They are entitled to cash compensation for the loss of their land, acquired by the NHA. The land has been acquired under the provisions of LAA, 1894. NHA is responsible for disbursing all compensation payments, before the land is taken into custody. The owners are further entitled for a 15% premium for compulsory land acquisition. The list of owners with residual/ leftover land and income analysis is attached as Annex XXI for record

8.2.2 Owners of Trees

216. A total number of 988 fruit and non-fruit trees owned by 143 persons will be compensated. The valuation of fruit trees has been made on the basis of unit rates provided by the DO (Agriculture), Haripur and the non-fruit trees have been assessed according to rates provided by Forest Department, Haripur by taking into consideration the type, age and size of the trees.

8.2.3 Owners of Standing Crops

217. According to the findings of the census survey, about 2704 kanals (338 acres) of standing crop of different types will be affected. The damage caused to standing crops as a result of construction activities has been assessed by the LAC and NHA land staff and included in the land awards for payment to the cultivator of the affected land. The unit value of such compensation has been assessed by the DO (Agri.), Haripur, by taking into consideration the type of crops grown on the affected land during the last two seasons, their production and value at current prices.

8.2.4 Owners of Privately Owned Built-Up Property

218. As revealed by the survey, 106 structures of different types, owned by 91 owners will be impacted by the project. The owners are entitled to cash compensation for the loss of their built-up property / structures, on a replacement-cost basis plus the cost of shifting. The NHA is responsible for disbursing all compensation payments and the contractor will not be allowed to demolish the structure until the compensation amount has been paid to the DPs.

8.2.5. Additional Assistance for Vulnerable

219. The income analysis of DPs as provided in Chapter-3 has revealed that the number of vulnerable households comes to 169. Their incomes are below the OPL. These include 137 farmers, 26 employees and 6 household owners losing their structures only. These people will be deprived of their daily livelihood earnings due to project works. They belong to poor segment of the society and cannot bear the loss of income due to disruption in their daily earnings. Such people are considered as vulnerable. For such households, in addition to the livelihood allowance, an additional one time assistance of Rs. 38,466/- (equal to 03 month amount of inflation adjusted OPL has been provided.

8,2.6 Income Restoration Of DPs

220. The Project envisages the construction of expressway by acquiring 80m RoW. All livelihood and income restoration activities will be implemented as given in the entitlement matrix. The following constitutes the income restoration strategy for this project for DPs who suffer livelihood losses.

8.2.7 Livelihood Support Intervention Measures

221. The categories of affected livelihood are identified with appropriate income restoration measures based on the SPS (2009). Other specific measures as needed will be developed in detail during the preparation of the updated resettlement plan in consultation with the displaced persons, local authorities, mass organizations, resettlement committee and PMU. Specialists in the field of resettlement, livelihood development and gender will also provide support to the PMU to establish details of appropriate income restoration measures in consultation with those affected and project stakeholder to incorporate in the updated resettlement plan.

222. For long term strategy, the focus would be on the following activities:

- Conduct of vocational skills training to fully avail of the job opportunities that will be generated by the project as well as to link market demand for possible job referral and placement and requirements from nearby industrial factories.
- Enhancing food security program to ensure food sources and income through provision of seeds and farm inputs for displaced households to cultivate in their remaining agricultural land.
- Linking livelihood support for vulnerable displaced households with income below poverty line with existing Benazir income support program implement by federal government for poverty reduction and livelihood enhancement.

223. All AFs whose livelihoods are affected will be supported for their income losses@ Rs.12,621/- per month for the period of three months. In case of households, 79 household

owners are entitled for livelihood allowance. An amount of Rs.300,114 (3.0001 Million) has been allocated in the resettlement budget for payment as livelihood allowance. The detail of these allowances is provided in **Annexure-XXVII**.

8.2.8 Transitional Allowance

224. Economically displaced persons will also be provided with transitional assistance to offset potential losses in income while they make the transition to alternative livelihoods. Displaced households losing their business will be provided with a stabilization allowance in the form of cash allowance for 6 months based on the inflation adjusted OPL @ 12,821/= per month, in addition to the compensation for the affected structure, as per provisions of Entitlement Matrix. This will provide them sufficient time for business adjustment at new location. The detail of these allowances is provided in Annexure-**XXVII**.

8.2.9. Special Measures to Support Vulnerable Groups

225. All vulnerable displaced households of working age will be entitled to participate in any training course. Priority assistance will be provided in terms of loan assistance, and other form of support to augment their income.

226. Vulnerable DPs will be given priority for project-related employment opportunities as drivers, clearing and digging work, and if possible, as clerks or basic administration support staff. To this end, the NHA has included clause in the contracts of the civil works contractors that they will give preference to vulnerable and other project DPs in recruiting personnel, skilled and unskilled labor for project related works. The compliance to this effect will be presented regularly in the internal monitoring reports.

227. Referral assistance to job placement of skilled displaced households shall be undertaken in coordination with district government or an NGO who are doing social development program in the area.

SECTION 9 RESETTLEMENT BUDGET AND FINANCING PLAN

9.1 General

228. This section provides the indicative compensation cost for land acquisition, building structures and rehabilitation of the APs. Efforts were made to work out realistic cost estimates/values that lead to fair compensation based on current market rate to the DPs. For this purpose, concerned Government Departments i.e. Building, Forest, Revenue and Agriculture were consulted; subsequently, market surveys were carried out in order to reach to the market based unit rates to be paid to the DPs for affected land and assets.

9.2 COMPONENTS OF THE RESETTLEMENT AND REHABILITATION COST

229. Total resettlement and rehabilitation cost is **Rs. 1,149,558,956** (1149.558 million). The budget for the LARP is financed by the Government. The Resettlement Committee is responsible for the disbursement of the compensation, allowances and assistance funds. Total land and land based assets/structures falling in the active ROW have been identified and listed down. House structures or buildings partly (less than 20% of the total structure) being affected would be compensated accordingly as per entitlement matrix keeping in view the severance aspects-i.e. functional viability of affected structures. In case the affected part of the building structure is substantial (more than 20% of the total structure) and becomes of no use to the owner, would have to be compensated fully. In addition to this resettlement and rehabilitation costs for the DPs, the costs of private assets have also been estimated. The compensation cost for various types of land and land based assets will be updated during implementation if needed.

9.3 Compensation Costs (CC)

230. The Compensation cost (CC) includes the cost of land, building structures/houses, commercial structures, forests and fruit trees, crops, transitional period assistance and shifting charges for the DPs falling in the ROW.

231. Quantification of all these items has been made based on the data collected through physical measurements conducted in the field. These building structures and houses have been categorized based on construction material used. Various categories of these commercial units are quantified along with their calculated cost. Quantities and costs have been developed in consultation with the relevant department.

9.3.1 Cost of Land

232. The total Cost of land acquired for the construction of Package-II of Expressway estimated **Rs.770,942,067 (770.942) million**, which includes 15% compulsory land acquisition charges and 2 % District Council Tax. Village wise summary of land price is given in Table 9.1. It's detailed cost and approval from DC (Deputy Commissioner) of District Haripur is attached as Annex-XXIX. All funds of Land acquisition have been transferred to the respective treasuries (Revenue Department) and disbursement is under progress.

Table 9.1: Mouza Wise Cost Estimation of Affected Land

Sr.No	Village/ Mouza	Compensation (Rs.)
1	Dhedhar	58,177,769
2	Seria	54,064,533
3	BandiSeria	25,904,968
4	DhoianKhushki	25,590,220
5	Derwesh	14,472,316
6	Mirpur	18,385,640
7	Muradabad	4,651,116
8	Shah Muhammad	187,054,199
9	Monan	3,308,430
10	Ali Khan	17,684,004
11	Chechian	5,250,332
12	KotNajibullah	183,792,001
13	Ganja Kamala	48,939,983
14	Sarai Saleh	9,964,103
Sub-Total		¹³ 657,239,614
15% Compulsory Land Acquisition Charges		98,585,942
2% District Council Tax		15,116,511
Total Land Cost (Rs.)		770,942,067

233. Land falling in the Right of Way (ROW, 80m strip) is generally agricultural, arid in nature and used for different purposes by the locals. Its unit price varies from location to location and according to its fertility. The factor considered while calculating the unit price of land has already been discussed under section 6 sub-section 6.6.1

9.3.2 Budget for Crop Compensation

234. The affected land owners have been provided crop compensation for the affected land on the basis of its gross income based on one year harvest (summer and winter crops). For cost purpose, wheat, maize and green peas are considered as base-crops and the rates based on the average yields of these base crops are adopted. The current rates and average yields of these crops are obtained from Agricultural Officer District Haripur. One season crop compensation i.e., 10.069 million is already paid in the land award however the second crop compensation will be given to affected crop owner at the time of possession of land. The crop compensation is given below in **Table 9.2**

Table 9.2: Mouza Wise Cost of Affected Crop

Sr.No.	Village/Mouza	Compensation (Rs.)
1	Dhedhar	2,315,319
2	Seria	5,205,556
3	BandiSeria	220,525
4	DhoianKhushki	1,384,000
5	Derwesh	395,617
6	Mirpur	1,111,146
7	Muradabad	473,409
8	Shah Muhammad	2,134,710

¹³ The cost of land wide table 9.2 is based on the land calculated from the acquaintance role for each mouza.

Sr.No.	Village/Mouza	Compensation (Rs.)
9	Monan	263,917
10	Ali Khan	485,556
11	Chechian	244,627
12	KotNajibullah	3,759,925
13	Ganj Kamala	1,340,858
14	Sarai Saleh	804,242
	Total	20,139,407¹⁴

235. The amount worked out for cash compensation of affected crops is **Rs.20,139,407 (Rs.20.139 millions)**.

9.3.3 Cost for the Affected Structures

236. While proposing construction of Package II of the E-35 Expressway, total one hundred and four (106) structures including seventy eight (79) houses, four (04) shops, four (04) brick kilns, five (05) poultry farms and thirteen (14) misc. structures (cattle yard, tubewell room, mud cave etc.) will be involved within ROW (80m). Depending on type of construction, the compensation cost is worked out **Rs. 129,977,169 (129.977 Million)**. DPs of these houses would also be allowed to take their salvage material. Moreover, no depreciation cost was considered while estimating structure prices. The detailed cost estimation of the commercial structures is attached as **Annex-XXVII**.

Table 9.3: Summary of Cost for Various Type of Affected Infrastructure within ROW (80m)

Sr. No.	Type of Infrastructure	Total Cost (Rs.)
1	Houses	129,977,169
2	Brick kiln	
3	Poultry farms	
4	Commercial shops	
5	Misc Structures (Mud Cave, Tubewells, Cattle Yard etc)	
	Total	

Sr. No.	Type of Infrastructure	Total Cost (Rs.)
1	Houses	100,068,405
2	Brick kiln	20,440,363
3	Poultry farms	8,236,960
4	Commercial shops	4,788,101
5	Misc Structures (Mud Cave, Tubewells, Cattle Yard etc)	4,300,737
	Total	137,834,566

¹⁴ The cost of Crop wide table 9.2 is based on the crop calculated from the acquaintance role for each Mouza.

9.3.4 Cost of the Affected Trees

237. Total 988 trees (including fruit & non-fruit trees) and 5244 mounds firewood would be cut. The valuation of compensation for both types of trees is based on their market values. For wood and fruit trees unit prices are obtained from Forest and Agriculture Departments, Haripur District who assess the prices every year based on market rates. The rates adopted for various categories of trees are attached as **Annex-XXXI**. The cost of the fruit & non-fruit trees along with unit rates adopted are calculated at the village level considering the types and volume measurements in case of forest trees and present & productive age in case of fruit trees. Summary of the cost of both types of trees is given below in **Table 9.4**.

Table 9.4: Summary of Cost of Trees

Sr. No.	Name Of Mouza	Total Number Of Tree	Total Cost (Rs.)
A	Cost Estimation of Fruit Trees		
1	KotNajibullah	40	11,320
2	Seria	48	285,545
3	Sarai Saleh	43	47,690
4	Dhedhar	04	29050
5	Ali Khan	60	203,930
6	DhoianKhushki	10	20,020
7	Chechian	32	154,615
8	Monan	2	3640
9	Shah Muhammad	120	5762,400
	(A)-Sub-total	359	6,518,210
B	Cost Estimation of Non- Fruit Trees		
1	Seria	99	278,796
2	Ali Khan	95	283,898
3	Monan	11	58,680
4	Sarai Saleh	103	494,595
5	BandiSeria	19	122,503
6	Shah Muhammad	46	261,524
7	Muradabad	14	72,529
8	Darwesh	15	245,695
9	Chechian	51	137,074
10	DhoianKhushki	39	323,315
11	Mirpur	40	267,514
12	Dhedhar	41	154,471
13	Ganj Kamala	10	93,044
14	KotNajibullah	46	189,751
	(B)-Sub-total	629	2,983,385
15	(C)-Fire Wood (Maund)	5244	
	Grand Total (A+B+C)	6232	9,501,595

238. The total budget for cash compensation of trees is **Rs.9, 501,595 (Rs.9.5 million)**.

9.3.5 Livelihood Allowance for the Affected Households

239. There is provision of livelihood allowance for the household families for their support during the transition period. There are total 79 households structure affected. The livelihood allowance is given to the affected household owners for the transition period of 3 months. The total budget provision for the livelihood restoration allowance is **Rs. 3,038,735 (Rs.3.038 Million)**.

9.3.6 Business/Transition Allowance

240. The affected families by commercial structures will be entitled for cash compensation of their businesses losses during the period of interruption. The owners of brick kiln poultry farms & shops will be entitled for the business loss during transition period of 6 months. The total amount of cash compensation **Rs.1, 000,077 (1.000 Million)** is worked out under this head.

9.3.7 House Rent Allowance

241. There is a provision of house rent allowance for the affected houses for their support during the transition period (6 months). There are 79 houses will be entitled for house rent allowance. The total budget provision for the house rent allowance is **Rs.2, 844,000 (2.844 million)** @ Rs. 6000/ month for each.

9.3.8 Employment Losses for Employees

242. Employees (on permanent basis) losing their employments (employees of the brick kiln and poultry farms) will be paid cash assistance for a period of 3 months as employment allowance during transition period. There are total 19 people employed on the brick kilns and 07 people are working on the poultry farms. The total budget of compensation have been estimated **Rs.1, 000,090 (1.00 Million)** for these employees.

9.3.9 Transportation/Shifting Allowance

243. The DPs by household, commercial enterprises (brick kiln, poultry farms and shops) will need support for shifting of household goods, commercial stocks and usable raw material by transportation to their new place. Therefore, provision has been made and estimated to be **Rs. 1,425,000 (1.425Million)**.

9.3.10 Electricity Allowance

244. The DPs by household, commercial enterprises (like brick kiln, poultry farms and shops etc.) will need electricity connection at their new place of shifting. Therefore, provision has been made for new electricity connection as allowance for all these DPs. The electricity charges will be **Rs. 3,680,000 (3.68 Million)**.

9.3.11 Vulnerability Allowance

245. There are total 169 vulnerable DPs, which include very poor and landless people. The vulnerable DPs will be paid as per Entitlement Matrix (EM). The total amount of vulnerability allowance is **Rs. 6,500,585 (6.501 million)**.

Table 9.5: Budget for Vulnerable DPs

Sr. No.	Vulnerable HH	Number	Proposed Months	Unit Allowance (Rs. 12,821/month)	Total Amount (Rs.)
1	Affected Farmers with income below official poverty line (OPL)	137	3	38465/-	5,269,705
2	Employees	26	3	38465/-	1,000,090
3	Household owners	06	3	38465/-	230790
Total		169			6,500,585

9.4 MONITORING AND EVALUATION

246. Monitoring and evaluation of the LARP implementation process will be required through proper setup of internal and external monitoring. For this purpose a sum of **Rs. 47,502,436 (47.502 million)** (@ of 5% of the total cost) are provided in the budget estimate.

9.5 ADMINISTRATIVE COST

247. Administrative cost for the implementation of the LARP is also required and provision is made in the budget @ 1% of the total cost i.e. **Rs. 9,500,487 (9.50 million)**.

9.6 CONTINGENCIES

248. Contingencies cost amounting to **Rs. 142,507,308 (142.507 Million)** @ 15% of the total cost has been added in the budget to cover unforeseen items may require during implementation of LARP.

9.7 TAXES

249. There is not any taxable item in the compensation package for the APs; therefore, no tax either from Provincial or Federal Government is applicable.

9.8 SUMMARY OF BUDGET

250. The total requirement of funds for compensation payments, restoration and rehabilitation measures amounting to **Rs. 1,149,558,956 (1149.558 million)** is given below in detail under **Table 9.6**.

Table 9.6: Summary of Cost

Sr. No.	Description	Quantity/Total Number	Unit	Unit/Rate	Total Cost	Rs.
				(Rs.)	(Rs.)	(Million)
A	Land Acquisition Mandatory Cost					
1	Land Compensation	412.6	Acre	Various	657,239,614	657.239
	Add 15 % Compulsory Land Acquisition Charges				98,585,942	98.585
	Add 2% District Council Tax				15,116,511	15.116
					770,942,067	770.942
2	Crop Compensation (One year 2 Crops)	306.06	Acre	Various	20,139,407	20.139
3	Structure & miscellaneous Assets Compensation					
	Houses	79	S.ft	Various	129,977,169	
	Brick Kiln	4	S.ft	Various		
	Poultry Farms	5	S.ft	Various		
	Shops	4	S.ft	Various		
	Misc Structures*	14	S.ft	Various		
					129,977,169	129.977
4	Trees Compensation					
	Fruit Trees	359	No	Various	6,518,210	6.518
	Non Fruit Tress	629	No	Various	2,983,38	2.983
	Firewood	5244	Maund	200		
					9,501,595	9.501
	Sub Total (A=1+2+3+4)				930,560,238	930.560
B	Allowances					
5	Livelihood Allowance					
	House	79	Family	12821 for 3 months	3,038,735	3.038
6	Business/ Transition Allowance					
	Brick Kiln	4	Family	76929	307,716	0.308
	Poultry Farm	5	Family	76929	384,645	0.385
	Shops	4	Family	76929	307,716	0.308
					1,000,077	1.000
7	House Rent Allowance	79	Family	36000	2,844,000	2.844
8	Employment Losses	26	Employees	38465	1,000,090	1.000
9	Transportation/Shifting Allowance					
	Household	79	Rs.	15000	1,185,000	1.185
	Brick kiln	4	Rs.	25000	100,000	0.100
	Poultry farms	5	Rs.	20000	100,000	0.100
	Shops	4	Rs.	10000	40,000	0.040
					1,425,000	1.425
10	Electricity Allowance					
	Commercial Structure	13	Rs.	40000	520,000	0.52
	Houses	79	Rs.	40000	3,160,000	3.16
					3,680,000	3.68
11	Vulnerable People Allowance					
	Severely Affected Farmers (Income below OPL)	137	Family	38,465	5,269,705	5.270
	Employees	26	Family	38,465	1,000,090	1.000
	Household owners	6	Family	38,465	230,790	0.231
					6,500,585	6.501

Sr. No.	Description	Quantity/Total Number	Unit	Unit/Rate	Total Cost	Rs.
				(Rs.)	(Rs.)	(Million)
	Total (B=5+6+7+8+9+10+11)				19,488,487	19.488
	Sub - Total (A+B)				950,048,725	950.048
C	Monitoring and Evaluation @ 5% of the Total Cost				47,502,436	47.502
D	Administrative Cost @ 1% of the Total Cost				9,500,487	9.500
E	Contingencies @ 15% of the Total Cost				142,507,308	142.507
	Total (C+D+E)				199,510,231	199.510
	Grand Total				1,149,558,956	1149.558

*Cost of water sources is also included

SECTION 10 INSTITUTIONAL ARRANGEMENTS

10.1 INSTITUTIONAL REQUIREMENT

251. The roles and responsibilities for the planning, implementation and supervision of the compensation/resettlement/rehabilitation program (CRRP) and LAR functions, described in this updated LARP is as under:

- National Highway Authority, Pakistan
- Environment, Afforestation, Land and Social Wing in NHA HQ.
- Project Management Unit (PMU)/ Project Implementation Unit (PIU)
- Land Acquisition and Resettlement Management Consultants (LARMC)
- External Monitoring Agency (EMA)

10.2 NATIONAL HIGHWAY AUTHORITY (Executing Agency)

252. The NHA has overall responsibility for CRRP and LAR functions of NTCHIP projects under the MFF including preparation, implementation, financing and supervision of all LAR tasks and cross-agency coordination. NHA will exercise its functions through the Project Management Unit (PMU) with general project execution responsibility and through the Project Implementation Units (PIU) to be tasked with daily LARP implementation activities at subproject level.

253. At headquarters level, NHA has established a unit called Environment Afforestation Land and Social (EALS), the capacity of which will be strengthened by engaging loan sponsored LAR Management Consultants (LARMC); preferably a local/domestic firm with expertise in social safeguards-LAR planning, implementation and supervision. The LARMC will be based at PMU/EALS as well as PIU. At PIU, the LARMC will directly report to GM/PD E35 and will assist NHA (GM/PD E35 and his team) in LARP implementation and internal monitoring, while at PMU level, the LARMC will report to GM EALS and ADB on LARP implementation and monitoring.

254. Keeping in view of the lack of consultants, well conversant with ADB's IR safeguards and compliance requirements as in SPS 2009, direct hiring of individual consultants from the market will not be possible due to capacity constraints. NHA agrees that this will be done through LARMC responsible to provide experts with hands on experience in LARP preparation, implementation and monitoring. This will include Resettlement Specialists, Gender Specialist, Grievance Redress Specialists, M&E/MIS Specialists both at PMU and PIU.

10.3 Land Acquisition and Resettlement Management Consultants (LARMC)

255. The LARMC will be responsible for providing expert support to EALS and PIUs in the field. The teams will be responsible for (i) providing capacity development to EALS and PIUs, (ii) review and update LARF, and LARPs, (iii) assist in implementation and internal monitoring of LARPs implementation, payment of compensation and allowances to the DPs in particular, (iv) assist in establishing and smooth functioning of an efficient grievance redress mechanism, (v) maintain safeguards database and a management information system (MIS), (vi) prepare internal monitoring reports, (vii) disclose project/LAR related information to DPs and undertake

consultations with DPs, (viii) overall quality control and preparation of tools and techniques including templates and formats for LARF and LARP and any other safeguards document.

256. The LARMC will also be responsible for providing support to NHA/EALS and PIUs in review, preparation, implementation and monitoring of LARPs (E35 package II) and other safeguard documents including preparation of progress and internal monitoring reports on ADB financed projects. Staff will be required to move within the two PIUs as and when required in consultation with Pakistan Resident Mission at Islamabad.

257. **At PMU/EALS level:** some specific tasks of LARMC at PMU/EALS level will include the following:

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

- x. Ensure the disclosure of approved LARP on NHA website and translation of summary LARPs in local language for its disclosure to DPs.

258. **At PIU level:** Some specific tasks of LARMC at PIU will include the following:

- i. Update approved draft LARP (as and when required);
- ii. Prepare monthly, quarterly and annual reports on LAR implementation for furnishing to PMU at EALS LAR Cell;
- iii. Update census of DPs linked with project impacts by type, category and severance and prepare compensation packages for each DP on the basis of agreed unit rates and provided entitlements criterion;
- iv. Organize and conduct and record meaningful consultations with DPs.
- v. Disclose project/LAR related information to DPs;
- vi. Facilitate LAC throughout the land acquisition process including field surveys, land demarcation/measurement survey (LDS), inquiries, complaints of DPs on land related matters, document land acquisition process in an efficient manner. This includes coordination with other NHA Departments, District offices (Revenue Department, Forestry Department, and Agriculture Department for asset evaluation as per agreed provision under approved LARF and DPs for consultation;
- vii. Staff of PIU LARU shall participate in meetings of District Price Assessment Committee (DPAC);

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

- i. Verify the DPs data, prepare, issue and distribute identity cards for each non-titleholder DPs category;
- ii. Translate summary approved LARP in local language with all necessary information for DPs and ensure its disclosure through formal and informal manner in close coordination of revenue, PIU and other in line departments; and document this process to avoid and reply to future complaints in this respect;
- iii. Place posters containing information regarding, asset valuation, unit rates, time and schedule of payments etc in the easily accessible places in the villages from where land has been acquired such as Patwari offices, Union Councils offices and other Government buildings;
- iv. Announce the same information from village mosques. Place posters containing information regarding, asset valuation, unit rates, time and schedule of payments etc in the easily accessible places in the villages from where land has been acquired such as Patwari offices, Union Councils offices and other Government buildings
- v. Send letters containing relevant LAR information to the Consulars and Numberdar (village heads);
- vi. Submit copies of documentation of disclosure to GM(Project), PD PIU and EALS ADB dedicated Cell at HQ for onward sharing with ADB;
- vii. Ensure that all field visits and consultations with the DPs are properly documented, photographed and recorded on video; such record shall be placed in the PIU office.
- viii. Facilitate and support the LAC and Project Director throughout compensation disbursement process by extending its support in office and field during preparation of claims and issuance of compensation vouchers and cheques, This include

- coordination with DPs, NHA and district land revenue authorities involved in disbursement of compensation;
- ix. Mobilize and facilitate the DPs to process their compensation claims and receive compensation;
 - x. Support GM project/PD PIU to establish multi tiered grievance redress mechanism at village level, district level, project level and support the PIU and DPs in recording, processing/investigation and disposal of complaints;
 - xi. Develop database management system to be used for internal and external monitoring of the LARP implementation and evaluation of degree of achievement of the objective set forth in LARP;
 - xii. Provide assistance and access to database and coordinate with External/Independent monitor to facilitate him to monitor and evaluate the project;
 - xiii. Establish at least one information center in each district falling within the Project area and assign staff responsible for receiving, registering and processing complaints. Establish a Complaints Register in each information center;
 - xiv. Publish details of the designated office from where all information regarding alignment, design, road maps, naqshaparcha (revenue maps) of land to be acquired, price assessment and information regarding complaints status / redress can be obtained by the DPs, with name of the focal person to contact. Mobile phone numbers of all personnel of this unit must be mentioned for the convenience of DPs.

10.4 External Monitoring Agency (EMA)

260. NHA will hire an agency or an individual expert (with team) to conduct independent monitoring and evaluation (the EMA) for the implementation of LARP(s). The EMA shall review the implementation progress throughout the LARP implementation, as reported in the internal monitoring reports (IMR) by EA, evaluate the level of achievement of LARP objectives, identify the gaps if any and propose remedial measures for implementation. The EMA shall be a firm hired either for all sub-projects under a tranche or for individual subprojects.

10.5 District Governments

261. District-based agencies have jurisdiction over land acquisition and compensation activities. Land acquisition functions rest with Provincial Boards of Revenue represented at District level by the District Officer Revenue (DOR)/Land Acquisition Collector (LAC). Other staff members of the Revenue Department, most notably Quanogo and Patwari, carry out specific roles such as titles identification and verification of the ownership (Figure-1). Functions pertaining to compensation of non-land assets rest on Provincial line-agencies and their District level offices. Buildings compensation pertains to the buildings and works department crops and productive trees compensation pertains to the Department of Agriculture; and the compensation for wood trees losses pertains to the Department of Forestry.

10.6. Other Agencies and Institutions

262. ADB will review the LARP and provide clearance after NHA fully addresses ADB's comments on the draft LARP in a satisfactory manner. ADB will also undertake project review/supervision missions to assess and make sure that LARP implementation and monitoring is in accordance with SPS 2009.

10.7 Coordination Initiatives

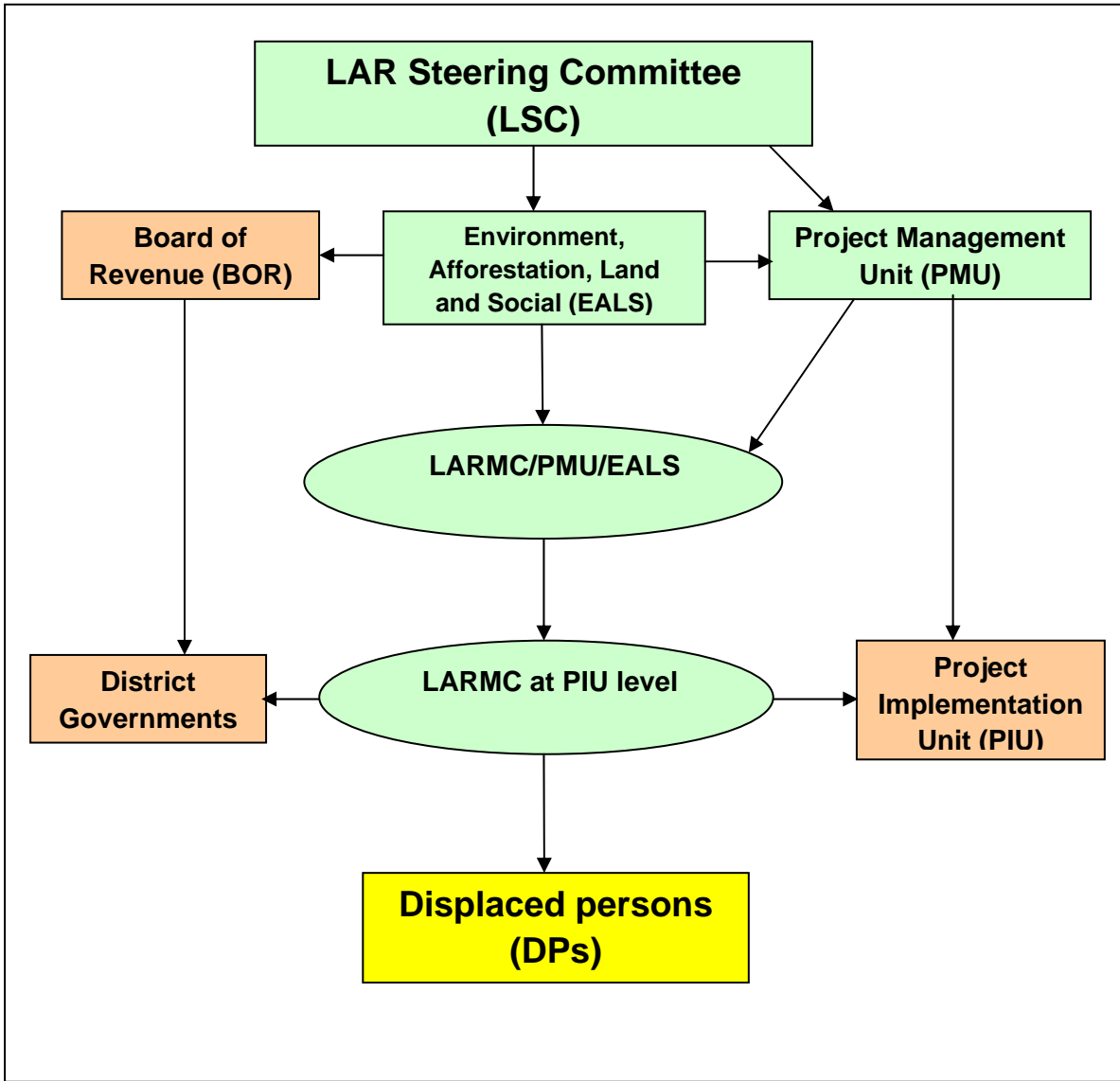
263. The agencies and officers/officials identified above will work in close coordination to obtain effective, smooth and timely DP compensation and LARP implementation. For this purpose an LAC will be directly assigned to the PIU by the Board of Revenue. LAR Steering Committee (LSC) will also be established by NHA, with GM EALS being the chairman. The committee will be comprised of the following officials:

LAR Steering Committee (LSC) for E-35

GM (EALS)	Chairman
Program Manager ADB LAR Cell	Member/Secretary
GM and PD(Project)	Member
GM (NEP)	Member
Dy. Dir (L&S) HQ	Member
SSMC Team Leader (EALS Hq)	Member
Project based	
District Officer (Revenue)	Member
Land Management Specialist	Member
Resettlement Specialist SSMC TL	Member
Resettlement Specialist ADB	Member
External Monitoring Agency	Member

264. The LSC will meet on quarterly basis; it will ensure through EALS ADB LAR Cell that all stakeholders involved in LAR are: (i) fully informed of this LARP and Involuntary Resettlement Policy Principles and requirements as in SPS 2009 (ii) fully informed about the status of LARP preparation and implementation. The LSC, through EALS ADB LAR Cell, LARMC at PMU level and the PIU, will facilitate coordination with LACs, District Revenue Office and other District departments and Union Councils in the preparation and implementation of the LARPs and in the execution of DP consultation and their grievance redress.

Figure 1: LAR Action Chart



SECTION 11 IMPLEMENTATION SCHEDULE

11.1 Introduction

266. Implementation of LARP consists of compensation to be paid to the DPs for affected land, structures and rehabilitation and resettlement activities. The time for implementation of Land acquisition and resettlement plan will be scheduled as per the overall project implementation. All activities related to the land acquisition and resettlement are planned to ensure that compensation is paid prior to displacement and commencement of civil works. Public consultation, internal monitoring and grievance redress will be undertaken intermittently throughout the project duration. However, the schedule is subject to modification depending on the progress of the project activities. The civil works contract for the subproject will only be awarded/land handed over for construction work, after all compensation and relocation has been completed for subproject and rehabilitation measures are in place, as confirmed by EMA.

11.2 Schedules for LARP Implementation

267. The LARP implementation schedule for the proposed subproject includes LARP preparation, disclosure, disbursement of compensation with its internal and external monitoring and reporting.

11.2.1 LARP Preparation Phase

268. The draft LARP is prepared on the basis of final design however it will be revised and updated (if required). For LARP implementation the procurement of requisite institutional arrangement like Safeguard Management Consultants and an External Monitoring Agency will also be initiated and the project based GRC will be established during the LARP preparation phase. However, the information campaign & community consultation process about affected assets, compensation delivery and grievance redress will be initiated from this stage and shall continue till the end of the project.

11.2.2 LARP Implementation and Monitoring Phase

269. After the LARP preparation phase the next stage is implementation of RP which includes issues like disclosure of approved LARP, compensation of award by EA; payment of all eligible assistance; relocation of DPs; initiation of economic rehabilitation measures; redress of grievances and complaints if any; removal of structures/assets and taking over possession of acquired land; site preparation for delivering the site to contractors for construction and finally starting civil work. Besides, the internal monitoring and reporting requirement starts immediately with LARP implementation process and continues till end of the LARP implementation is completed in all respects. So, in this phase the SMC will monitor the LARP implementation progress on daily basis and compile and share monthly internal monitoring reports with EALS and ADB.

270. The external monitoring of the LARP implementation will be the responsibility of independent External Monitoring Agency procured as such for the sub project. EMA will start his monitoring from start of implementation and submit periodic reports on quarterly basis till complete implementation of LARP .

11.3 LARP Implementation Schedule

271. A composite implementation schedule for LARP activities in the subproject including various sub tasks and time line matching with civil work schedule is prepared and presented in the form of Table: 11.1. However, the sequence may change or delays may occur due to circumstances beyond the control of the Project and accordingly the time can be adjusted for the implementation of the plan.

Table: 11.1 R&R Implementation Schedule

Sr. #.	Activity	Year 2013 - 14											
		Months											
		Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul
1	Updation of LARP and submission to ADBB.	█											
2	Review and comments of ADB on LARP	█											
3	Revision of LARP as per ADB comments.			█									
4	Hiring of Land Acquisition and Resettlement Management Consultant, EMA, Safeguard specialist and other staff in NHA	█	█	█									
5	Establishment of GRC and DPCs		█	█									
6	Approval of implementation ready LARP by ADB	█	█	█	█	█	█	█	█	█	█	█	█
7	Public Consultation and Information Disclosure	█	█	█	█	█	█	█	█	█	█	█	█
8	Grievance Redress	█	█	█	█	█	█	█	█	█	█	█	█
9	Payment of compensation for land and land based assets			█	█	█	█	█	█	█	█	█	█
10	Notice to Displaced Persons/ Non-title holders					█	█	█	█	█	█	█	█
11	Taking possession of acquired land								█	█	█	█	█
12	Handing over the acquired land free of encumbrances to Contractor		█			█		█				█	
13	Internal monitoring of overall LARP implementation		█	█	█	█	█	█	█	█	█	█	█
14	External monitoring and reporting												

SECTION 12 MONITORING AND REPORTING

12.1 Need for Monitoring and Reporting

272. The LAR tasks will be monitored internally and externally. The EA-NHA will carry out internal monitoring (IM) of LARP through LARMC at PIU and PMU level. The external monitoring will be assigned to an Independent External Monitoring Agency (EMA), hired by EA-NHA with ADB's concurrence for all subprojects requiring monitoring of LARP implementation. The EMA terms of reference shall be prepared in coordination with ADB and NHA shall recruit an EMA for the Program/subproject. The EMA will be mobilized prior to LARP implementation. The extent of monitoring activities, including their scope and timing, will be commensurate with the projects risks and impacts. The LARMC is required to carry out the safeguard measures and implement relevant plans as provided in the legal agreements. Internal Monitoring Reports will need to be prepared monthly, quarterly and annually, for all projects mentioned in the LARF.

273. Establish and maintain The monitoring of the LAR tasks aim to:

- i. Procedures to monitor the progress of the implementation of safeguard plans.
- ii. Verify their compliance with safeguard measures and their progress toward intended outcomes.
- iii. Document and disclose monitoring results and identify necessary corrective and preventive actions in the periodic monitoring reports,
- iv. Follow up on these actions to ensure progress toward the desired outcomes,
- v. Retain qualified and experienced external experts or qualified NGOs to verify monitoring information for projects with significant impacts and risks,
- vi. Submit periodic monitoring reports (monthly, quarterly and annually) on safeguard measures as agreed with the ADB.

12.2 Internal Monitoring

274. Internal monitoring (IM) will be carried out by the LARMC at PIU. IM indicators will relate to process, outputs and results, information will be collected directly from the field, and will be reported monthly to the PMU to assess the LARP implementation progress and adjust the work plan if necessary. Specific IM benchmarks will be based on the approved LARP and cover the following:

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

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

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

12.3 Monitoring by External Expert

276. An Independent External Monitoring Agency or an individual with team (EMA) will carry out external monitoring of LARP and results of monitoring reported to NHA and ADB by quarterly/semi-annual and annual reports. Indicators for EM tasks include:

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

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

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

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

12.4 Database Management and Storage

279. The EMA will maintain computerized resettlement database that will be updated quarterly. They will contain files on each displaced households and will be updated based on the information collected on successive rounds of data collection. All monitoring database will be fully accessible to implementing agencies and the ADB.

12.5 Reporting

280. The external expert will submit an external monitoring report to the executing agency and directly to ADB quarterly. The report should summarize the findings of EMA, including: (i) progress of resettlement plan updating and implementation; (ii) identification of problem issues and recommended solution so that implementing agencies are informed about the on-going situation and can resolve problems in a timely manner; (iii) identification of specific issues related to vulnerable displaced households, as relevant; and (iv) a report on progress of the follow-up of issues and problems identified in the previous report.

281. The monitoring reports will be discussed in a meeting between the EMA, the executing agency and PMU held after submission of the reports. Necessary remedial actions will be taken and documented.

12.6 Disclosure

282. All the monitoring reports will be translated and disclosed as per SPS and public communications policy of the ADB.