

Resettlement Plan

October 2016

PAK: MFF Power Transmission Enhancement Investment Program Tranche 4 — 220 KV Grid Station at Nowshera, Khyber Pakhtunkhwa Province

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ABBREVIATIONS

ADB	Asian Development Bank
DDR	Due Diligence Report
DISCO	Distribution Company
EXT	Extension
GIS	Gas Insulated Substation
HPP	Hydropower Sub-project
KPK	Khyber Pakhtunkhwa
kV	Kilo Volt
LARF	Land Acquisition and Resettlement Framework
LARP	Land Acquisition and Resettlement Plan
M&E	Monitoring & Evaluation
MFF	Multi-tranche financing facility
MVA	Mega Volts Ampere (Capacity)
NTDC	National Transmission and Despatch Company (Pakistan)
PC-1	Planning Commission-1
PTEIP	Power Transmission Enhancement Investment Program
S&I	Survey and Investigation
SPS	Safeguard Policy Statement
WAPDA	Water and Power Development Authority

DEFINITION OF TERMS

Acre of land – acre is a unit of measurement for land and 2.471 acres are equal to one hectare of land.

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

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

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

Cut-off-date: The date on which census/ inventory assessment is made. All people affected on the date of census are considered as eligible for the payment of compensation.

Encroachers/ squatters: People who have trespassed onto private/community land to which they are not authorized. If such people arrived before the entitlements cut-off date, they are eligible for compensation for any structures, crops or land improvements that they will lose.

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

Income Restoration: Re-establishment of income sources and livelihoods of APs.

Involuntary Resettlement – Economic and physical dislocation resulting from a development project.

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

Village/ Mouza: A demarcated territory, for which a separate revenue record (Cadastral map) is maintained by the Revenue Department.

Rehabilitation: Compensatory measures provided under the ADB Policy Framework on Involuntary Resettlement other than payment of the replacement cost of acquired assets.

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

Replacement Cost: The value determined to be fair compensation for various types of agricultural and residential land, crops, trees, and other commodities based on current market rates; the cost of rebuilding houses and structures at current market prices of building materials and labor, without depreciation or deductions for salvaged building material.

Vulnerable Groups: Distinct group of people who may suffer disproportionately from resettlement effects. The policy defines vulnerable groups as households below the poverty line, the elderly, those without legal title to assets, landless, women, children and indigenous people.

EXECUTIVE SUMMARY

1. This final draft LARP has been prepared for the sub-project of 220 kV New Grid Station at Nowshera is one of the sub-projects of tranche-4. This sub-project is located in two tehsils, Nowshera and Pabbi of District Nowshera, Khyber Pakhtoonkhwa Province, Pakistan. The main objective of the sub-project is to enhance the transmission capacity of NTDC¹ system by addition of new 220 kV Nowshera substation along with its allied transmission line of 2 km to meet the growing power demand of distribution companies (DISCOs), particularly Peshawar Electric Supply Company (PESCO).

2. The Government of Pakistan is implementing the "Power Transmission Enhancement Investment Program (PTEIP) under the financial assistance of ADB through a multi tranche financing facility (MFF) to meet the requirements of NTDC for financing of the sub-projects planned for implementation under short, medium and long term. The Program seeks to (i) rehabilitate, augment, and expand parts of the system to meet current generation capacities; (ii) expand and augment the system to cope with future power generation stations; and (iii) ensure continued operation and maintenance in accordance with best international practices. Thus, the major aim of PTEIP is enhancement in the capacity of the transmission system by rehabilitation, extension, augmentation & expansion of existing 500 kV & 220 kV network of NTDC, to meet the growing power demand in the country.

3. The tranche 4 has 7 sub-projects which look to address and reinforce, augment and expand the existing transmission network to cope with existing generation capacity and current demand profiles by removal of constraints and system risks. The addition of new 220 kV substation Nowshera in NTDC system is a part of NTDC's overall power development program and is proposed to strengthen the transmission system. The proposed sub-project involves the construction of new grid station and feeding transmission line. This final draft LARP for 220 kV Nowshera sub-projects and feeding transmission line has been prepared to identify, quantify and value the impacts in order to determine the compensation package and accordingly its implementation. The major objective of this LARP is the assessment of type and magnitude of LAR impacts, eligibility and entitlement of compensation; institutional arrangements for the implementation of LAR activities as well as redress of community complaints, cost, implementation schedule and

4. The sub-project involves privately owned land. The total land required for the construction of this sub-project is 314.95 Kanals. This land is barren and was being used as refugee's capm. There is no agriculture activities on this land. No vegetation including any trees exists on the land. Furthermore, no indigenous peoples/ or distinct group of people are found in the area of this sub-project or its surroundings. Similarly, there would be no impact on gender due to the implementation of this sub-project as the construction of this sub-project will not affect any women which is vacant and does not have presence of women.

5. In accordance with the Land Acquisition Act 1894 (LAA), Telegraph Act 1885 and ADB Safeguard Policy Statement 2009 (SPS, 2009), land acquisition and resettlement activities of this sub-project will be carried out ensuring that compensation for affected

¹National Transmission & Despatch Company (NTDC) Limited was established in December, 1998 to take over all the properties, rights and assets obligations and liabilities of 220 kV and 500 kV Grid Stations and Transmission Lines/ Network owned by WAPDA. NTDC operates and maintains twelve 500 KV and twenty nine 220 KV Grid Stations, 5077 km of 500 kV transmission line and 7,359 km of 220 kV transmission line in Pakistan.

land is provided at replacement cost basis for all direct and indirect losses, so that no one could be worsen-off because of the sub-project.

6. The LARP in English will be disclosed on the ADB website, while the one in local language (Pashto) will be disclosed in the EA website and in local administrative offices. During the field survey, draft information brochure was disclosed to the APs. A summary 'Pamphlet' of the LARP in English is included in this LARP. A copy of its version in local language will be sent to all APs as disclosure is a condition for LARP approval.

7. In accordance with the LARF provisions, and the LARP, the compensation eligibility is limited by a 'cut-off date' for the proposed sub-project on the day of the completion of the "census" survey for the impact assessment in order to avoid an influx of outsiders. The census of the affected land owners was completed on 15-09-2016 and the same date has been established as cut-off date in agreement with the client. The affected persons who settled in the vicinity of the sub-project area after the cut-off date will not be eligible for compensation.

8. The compensation and rehabilitation entitlements are summarized in the Entitlement Matrix presented as follows:

Entitlement Matrix for Compensation

Asset	Specification	Affected Persons	Compensation Entitlements
Arable Land	Access is not restricted and existing or current land use will remain unchanged	Farmers/ Titleholders	• No compensation for land provided that the land is rehabilitated/ restored to its former quality following completion of works;
		Leaseholders/ Sharecroppers (<i>registered or not</i>)	• No compensation for land provided that the land is rehabilitated/ restored to its former quality following completion of works;
		Agricultural workers	• Compensation, in cash or kind, for all damaged crops and trees.
		Squatters	• Compensation, in cash, for all damaged crops and trees
Arable Land where access is restricted and/or land use will be affected	In case of acquisition of land on permanent basis, all adverse effects on land use independent of severity of impact	Farmers/ Titleholders	• Land for land compensation with plots of equal value and productivity to the plots lost; or; • Cash compensation for affected land at replacement cost plus 15% CAS (if acquired) based on market value free of taxes, registration, and transfer costs
		Leaseholders/ Sharecroppers (<i>registered or not</i>)	• Renewal of lease/ sharecropping contract in other plots of equal value/ productivity of plots lost, or • Cash equivalent to market value of gross yield of affected land for the remaining lease/ contract years (up to a maximum of 3 years).
		Agricultural workers losing their contract	• Cash indemnity corresponding to their salary (including portions in kind) for the remaining part of the agricultural year.
		Squatters	• 1 rehabilitation allowance equal to market value of 1 gross harvest (in addition to crop compensation) for land use loss.

Asset	Specification	Affected Persons	Compensation Entitlements
	Additional provisions for severe impacts (More than 10% of land loss)	Farmers/Titleholders Leaseholders	<ul style="list-style-type: none"> 1 severe impact allowance equal to market value of gross harvest of the affected land for 1 year (inclusive of winter and summer crop and additional to standard crop compensation)
		Sharecroppers (registered or not)	<ul style="list-style-type: none"> 1 severe impact allowance equal to market value of share of harvest lost (additional to standard crop compensation)
		Squatters	<ul style="list-style-type: none"> 1 severe impact allowance equal to market value of gross harvest of the affected land for 1 year (inclusive of winter and summer crops and additional to standard crop compensation)
	15% Compulsory Acquisition Surcharge	APs of and Acquisition	<ul style="list-style-type: none"> Additional 15% Compulsory Acquisition Surcharge (CAS) will be paid to all APs from whom land will be acquired permanently.
Residential/ Commercial Land		Titleholders	<ul style="list-style-type: none"> Land for land compensation through provision of a plots comparable in value/ location to plot lost or Cash compensation for affected land at full replacement cost plus 15% CAS (if acquired) free of taxes, registration, and transfer costs.
		Renters/ Leaseholders	<ul style="list-style-type: none"> 1-3 months allowance (at OPL level Rs. 15,000/ month)
		Squatters	<ul style="list-style-type: none"> Accommodation in available alternate land/ or a self-relocation allowance (Rs. 15,000).
Houses/ Structures		All relevant APs (including squatters)	<ul style="list-style-type: none"> Cash compensation at replacement rates for affected structure and other fixed assets free of salvageable materials, depreciation and transaction costs. In case of partial impacts full cash assistance to restore remaining structure.
Crops	Crops affected	All APs (including squatters)	<ul style="list-style-type: none"> Crop compensation in cash at full market rate for one harvest (either winter or summer) by default for impacts caused by grid construction, tower base, stringing and access. All other crop losses will be compensated at market rates based on actual losses.
Trees	Trees affected	All APs (including squatters)	<ul style="list-style-type: none"> For timber/ wood trees, the compensation will be at market value of tree's wood content. Fruit trees: Cash compensation based on lost production based on the yearly produce of tree and investment cost needed to re-grow the tree.
Business/ Employment	Temporary or permanent loss of	All APs (including	<ul style="list-style-type: none"> Business owner: (i) Cash compensation

Asset	Specification	Affected Persons	Compensation Entitlements
	business or employment	squatters, agriculture workers)	equal to one year income, if loss is permanent; (ii) cash compensation for the period of business interruption, if loss is temporary. <ul style="list-style-type: none"> Workers/ employees: Indemnity for lost wages for the period of business interruption up to a maximum of 3 months (at OPL level Rs. 15,000/ month).
Relocation	Transport and transitional livelihood costs	All APs affected by relocation	<ul style="list-style-type: none"> Provision of sufficient allowance to cover transport expenses and livelihood expenses for one month (Rs. 15,000).
Community assets	Mosques, footbridges, roads, schools, health center	Affected community	<ul style="list-style-type: none"> Rehabilitation/ substitution of affected structures/ utilities (i.e. mosques, footbridges, roads, schools, health centers).
Vulnerable APs livelihood	Households' below poverty line and female headed households, disable persons of HH.	All affected vulnerable APs	<ul style="list-style-type: none"> Lump sum one time livelihood assistance allowance (Rs. 15,000 at OPL KPK) on account of livelihood restoration support. Temporary or permanent employment during construction or operation, wherever feasible.
Unidentified Losses	Unanticipated impacts	All APs	<ul style="list-style-type: none"> Deal appropriately during sub-project implementation according to the LARF and SPS 2009

9. The final draft LARP is fully endorsed by NTDC with NTDC's Project Management Unit (PMU) being responsible for its (a) updating based on final detailed design and full acquisition of land (land award - if awarded land and rates are different from the rates given in this draft ALRP) and (b) implementing the final LARP of 220 kV New Grid Station Nowshera and its associated transmission line. The GM Projects (PMU) through the Environment and Social Impact Cell (E&SIC) will be responsible for monitoring of LARP in accordance with the procedures laid-down in the LARP and updated LARF and loan documents. In addition, a grievance redress committee will be notified to redress the community complaints.

10. It is expected that the implementation of LARP of this sub-project including construction of grid station and installation of transmission line will take about 12 months.

11. Total amount of LAR activities computed to be Rs. 59.355 million. The EA (NTDC) is responsible for timely allocation of the funds needed to implement the LARP.

12. External monitoring will be carried out by the External Monitoring Agency (EMA) hired by the PMU among the local consultants/ consulting firms. The external monitoring activities will have short and medium term tasks. The short term tasks will occur in parallel and immediately after the delivery of LARP compensation. The commencement of civil work will be subject to the satisfactory implementation of the LARP including payment of compensation for loss of crops and trees; and also redress of community concerns, all subject to validation by EMA.

13. The resettlement budget of the New 220 kV Grid Station at Nowshera is shown as under.

Resettlement Budget

Sr. No	Description	Unit	Quantity	Unit Rate (Rs.)	Amount (Rs.)
A)	Land Acquisition				
	Construction of new 220 kV Grid Station	Kanal	314.95	150,000	47,242,500
	15% Compulsary Acquisition Surcharge	-	-	-	7,086,375
	Structure of 11 DPs	Nos.	11	200,000	2,200,000
	Sub-total	-	-	-	56,528,875
	Contingencies @ 5%	-	-	-	2,826,444
	Grand Total	-	-	-	59,355,319
	US\$		-	-	565,289

220 kV Grid Station (New) and associated Transmission Line, Nowshera, KPK Province

Land Acquisition and Resettlement Plan

1. INTRODUCTION

1.1 Background

14. NTDC is a public limited utility company incorporated in Pakistan in 1998 under Companies Ordinance, 1984, as a result of restructuring of the Power Wing of WAPDA, after the enforcement of National Electrical and Power Regulatory Authority (NEPRA) Regulation of Generation, Transmission and Distribution of Electric Power Act XL of 1997. It was established to take over all the properties, rights & assets obligations and obligations of 220 kV and 500 kV grid stations and transmission lines owned by WAPDA. Consequently, NTDC owns, operates and maintains a network of twelve 500 kV and twenty nine 220 kV grid stations, 5,077 km of 500 kV transmission line (T/L), and 7,359 km of 220 kV T/L in its area of jurisdiction, spread all over the country.

15. NTDC was granted Transmission License in the year 2002 by the NEPRA to engage in the exclusive transmission business for a term of 30 years, pursuant to Section 17 of the Regulation of Generation, Transmission and Distribution of Electric Power Act 1997. The main objective of NTDC is to procure power from GENCOs, IPPs and WAPDA, on behalf of Distribution Companies (DISCOs) and to deliver it to the networks of DISCOs through integrated power distribution system of Extra High Voltage (EHV) capacity of 500 kV and 220 kV T/L and substations. The major functions of NTDC are described as follows.

- To ensure arrangements for the provision of uninterrupted power supply to the DISCOs.
- To increase the system efficiency by reducing technical and administrative losses.
- To invest in development planning and provide adequate facilities for reliable and stable transmission of electrical power, keeping in view the growing demand of domestic, commercial, industrial and agriculture sector.
- To improve the financial position of the Company and develop viable capital structure to finance programs.

16. The Government of Pakistan has secured a loan from the ADB through a multi tranche financing facility (MFF) for the implementation of the "Power Transmission Enhancement Investment Program (PTEIP)". The program aims at to meet the requirements of NTDC for financing the sub-projects planned for implementation under short, medium and long term. Thus, the aim of PTEIP is enhancement in the capacity of the transmission system by rehabilitation, extension, augmentation & expansion of existing 500 kV & 220 kV network of NTDC, to meet the growing power demand in the country.

17. The sub-projects under Tranches 1–3 of the MFF are already under implementation at different stages, while 07 sub-projects are proposed for Tranche 4. Tranche 4 is to address the identified sub-projects to reinforce, augment and expand the existing transmission network to cope with existing generation capacity and current demand profiles by removal of constraints and system risks. In this context, The following sub-projects for tranche 4 have been identified by the NTDC under the existing MFF, as shown in Table 1.1.

Table 1.1: Sub-Projects under Tranche-4

Sr. No.	Name of Sub-Project	Type
1	220 kV Lallian + 08 km Transmission Line	New
2	220 kV Chakdara + 85 km Transmission Line	New
3	220 kV Nowshera + 02 km Transmission Line	New
4	220 kV D.I. Khan + 100 km Transmission Line	New
5	500 kV Gujranwala Extension (2 L/Bays, Two 3x37 MVAR SRs) + 270 km 500 kV Transmission Line	Extension
6	500 kV Rewat (Augmentation) 500/220 kV, 750 MVA T/Fs	Extension
7	500 kV Jamshoro Extension (addition of 500/220 kV, 450 MVA T/F) + 2 LBs Plus 10 km 500 kV Transmission Line	Extension

18. Of the total 7 proposed sub-projects under tranche-4, the 3 sub-projects relate to the extension and augmentation of 500 kV grid stations, construction of 4 new grid stations and installation & up-gradation of feeding transmission lines of about 190 kilometers. The sub-projects are located in in the administrative set-up of all four provinces of Pakistan (i.e. Punjab, Sindh, KPK and Balochistan).

19. This LARP has been prepared for one of the sub-projects of Tranche-4, the 220 kV Nowshera Grid Station and associated transmission line. The proposed sub-project falls in Pabbi tehsil of Nowshera district at Jalozei, KPK Province of Pakistan. It is about 12.5 km from the GT Road (N-5). On its completion, the sub-project will result in improving the overall power supply situation in the area.

1.2 MFF Conditions for LARP Preparation and Implementation

20. The MFF of Tranche-4 will be conditional based upon the preparation and approval of the following documents:

- i) **PFR approval:**an updated LARF; preparation of an advanced draft of LARP;and preliminary disclosure of draft document;
- ii) **Contract awards/ signing:** approval of a final draft of LARP and its final disclosure;
- iii) **Start of construction:** payment of compensation to APs and rehabilitation program as validated by a compliance report from EMA.

1.3 Sub-project Description

21. The sub-project is located in district Nowshera of KP Province. The main objectives of the sub-project is to enhance the transmission capacity of NTDC system by addition of new 220 kV Nowshera substation alongwith its allied transmission line of 02 km to meet the growing power demand of PESCO.

22. The addition of new 220 kV Nowshera substation in NTDC system is a part of NTDC's overall power development program and is proposed to strengthen the transmission system. In the recent years, there was quantum jump in the power demand. Consequently, the NTDC distribution system became under stress and congestion at various strategic locations. As a result, the system was stretched beyond capacity and this caused overloading which resulted in forced outages. The situation required that the transmission system be strengthened and expanded to fulfill the need for secure, safe and reliable power supply not only to meet the existing requirements but also the future demand of the country for sustained economic growth. Thus, in order to meet the urgent requirement of NTDC system, it has been proposed to add a new 220 kV Nowshera substation alongwith allied transmission lines.

1.4 Scope of Work

23. The scope of work for the sub-project includes:

- i) Construction of a new 220kV substation at Nowshera district of KPK Province.
- ii) Construction of Two 220 kV D/C transmission lines on single Rail conductor for looping In/Out of existing Brotha-Shahi Bagh 220 kV D/C transmission line at the proposed 220 kV substation. The existing TL runs at a distance of 02 km from the proposed site of 220 kV Nowshera GS.

2. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

2.1. Scope and Rationale for Land Acquisition

24. The new 220 kV Nowshera Sub-station and 02 km allied D/C IN/OUT Transmission Line (TL) will be constructed on a piece of land that is owned by private owners. According to the final design, about 314.95 kanals will be required for the construction of GS. The proposed piece of land falls in Pabbi tehsil of Nowshera district. The process of acquisition this land has been started by the NTDC. There are 42 owners of this land. Besides land acquisition on permanent basis, there will be no temporary land acquisition as the proposed piece of land is situated on matalled road providing direct access to the site. Similarly, no premament land will be required for the construction of connecting in-out towers as the Barotha-Shahi-Bagh 220 kV TL passes only 02 km away from the GS site. The list of land owners is provided in Table 2.1.

Table 2.1: List of Land Owners

Sr.	AP Name	Khasra No.	Area	
			Kanal	Marla
1	Mosam Khan s/o Rasool Khan	1717	1	13
2	Shaamlat Deh	1907	13	0
3	Govt. Land (Distt. Govt.)	1823	11	11
4	Govt. Land (Distt. Govt.)	1901	5	17
5	Rasool Khan s/o Hasham Ali	1710	12	6
6	Imran Khan s/o Samandar Khan	1711	14	8
7	Tajamal Shah s/o Naseem Shah	1825	3	0
8	Ishtiaq Ahmed S/O Zahid –ur-Rehman	1749	10	5
9	Zahid –ur-Rehman s/o Faiz –ur- Rehman	1748	7	5
10	Khalid Mehmood s/o Aziz-ur-Rehman	1739	2	5
11	Wali Muhammad s/o Arshad Khan	1740	0	17
12	Muhammad Khan s/o Fanoos Khan	1733	2	16
13	Rasool Jan s/o Hasham Khan	1752	6	11
14	Hikmat Khan s/o Muarrab Khan	1755	2	19
15	Muhammad Idrees s/o Muhammad Umar	1765	0	9
16	Mehfooz Ali s/o Murad Ali	1767	4	19
17	Sajid Ali s/o Ihsan-ud-din	1762	5	0

18	Wali Muhammd s/o Arsala Khan	1751	6	4
19	Fazal –e- Raheem s/o Hasham Ali	1833	8	1
20	Sana Khursheedi D/o Shamrooz	1830	3	18
21	Nair Ali s/o Akbar Ali	1741	3	17
22	Faiz Ali s/o Akbar Ali	1743	10	10
23	Furqan Ali s/o Akbar Ali	1745	11	6
24	Noor-ul Haq s/o Fazal Haq	1828	6	13
25	Said Ahmed s/o Hakim Khan	1827	4	5
26	Nazar ALI S/O Muhammad Alim	1716	12	9
27	Gulsham Khan s/o Shah Khan	1744	18	3
28	Mehmood Ahmed s/o Abaad Khan	1829	4	6
29	Fazal Jan s/o Masaib Gul	1763	2	5
30	Muhammad Shareef s/o Dilawar Khan	1831	2	6
31	Haji Qadr Gul s/o Bhadar Khan	1750	14	7
32	Muhammad Idrees s/o Muhammad Umar	1832	6	4
33	Zahoor Muhammad Jummah	1714	7	7
34	Wazer Zada s/o Noor Din	1712	5	5
35	Muhammad Iqbal s/o Sher Ahmed	1713	7	14
36	Qamar Ali s/o Badshah Gul	1826	3	3
37	Shujah-ul Mulak	1715	41	12
38	Nowsherwan s/o Ihsan Ullah	1753	6	18
39	Dilfam Bibi D/o Afreedi Khan	1764	1	03
40	Saman Ara w/O Abdul Hamed Khan	1766	0	11
41	Muhammad Shareef S/O Dilawar Khan	1746	13	11
42	Khushdil Khan s/o Azam Khan	1747	8	7
Total			314.95 Kanals	

2.2. Loss of Crops and Trees

25. The proposed piece of land is barren and was used as refugees' camp and at present this land is not being used for cultivation. As such, there will be no crop losses. There is no Tree cutting involve at the site being acquired for the construction of Grid Station. Besides, there are some small bushes of no economic value.

2.3. Establishment of Cut-off Date

26. The cut-off date is established for determining eligibility of project affected persons for compensation. As per ADB practice, this date is generally taken as the last day of completion of Census of APs. Compensation eligibility is limited by this cut-off date. The process acquisition of land of the proposed Grid Station site by the NTDC is in progress. The Land Acquisition Collector (LAC), NTDC has prepared a list of owners of the proposed piece of land from the Revenue Records and the same list has been adopted for the assessment of LAR impacts. The census and socioeconomic surveys have been completed on the basis of available land ownership data. The census of the affected land owners was completed on 15-09-2016 and the same date has been established as cut-off date in agreement with the client. People moving in the project area after this cut-off date will not be entitled to any kind of compensation or assistance as per provision made herein. They, however, will be given sufficient advance notice, to vacate premises prior to project implementation.

27. The LAR impacts of the subproject interventions have been estimated by conducting census survey combined with socioeconomic survey for the sub-project area. The surveys were carried out by the Consultant's social staff during the months of August and September 2016 to make an Inventory of Losses (IOL), and to develop a baseline of socioeconomic status of the AFs. The heads of all the AFs (on 100% basis) were interviewed. The women of the AFs were also interviewed by the female members of the survey team. A structured questionnaire attached as Annex-1, was used to collect detailed information about the APs.

2.4. Minimization of Impacts

28. All possible steps to safeguard and minimize the likely adverse impacts on local communities in selecting the final site for the GS have been ensured. The following specific actions have been applied to avoid and minimize the likely resettlement impacts of this subproject:

- Consideration was given that the proposed site should have minimum distance from the existing 220 kV TL for connecting purposes. The underlying objective was to avoid losses to the crops and other assets of the people as a result of construction of the connecting TL.

2.5. Number of Affected Families (AFs)

29. The only impact of the sub-project will be the acquisition of private land for the construction of GS. The number of affected families comes to 42, according to data collected from the revenue offices by the LAC, NTDC in respect of owners of the proposed piece of land falling in Pabbi tehsil. All the land is barren and no tenants or sharecroppers are identified during the census survey. The details about individual AFs are provided in Annex-2.

2.6. Indigenous & Vulnerable Persons and Female Headed Families

30. No indigenous persons of female headed households were identified in the sub-project area.

2.7. Archaeological, Historical and Religious Sites

31. No archaeological, historical and religious sites were observed in the vicinity of the proposed sub-project site.

2.8. Infrastructure within RoW

32. No public infrastructure including telephone pole, electric poles, schools, hospitals, offices, etc. fall within the RoW.

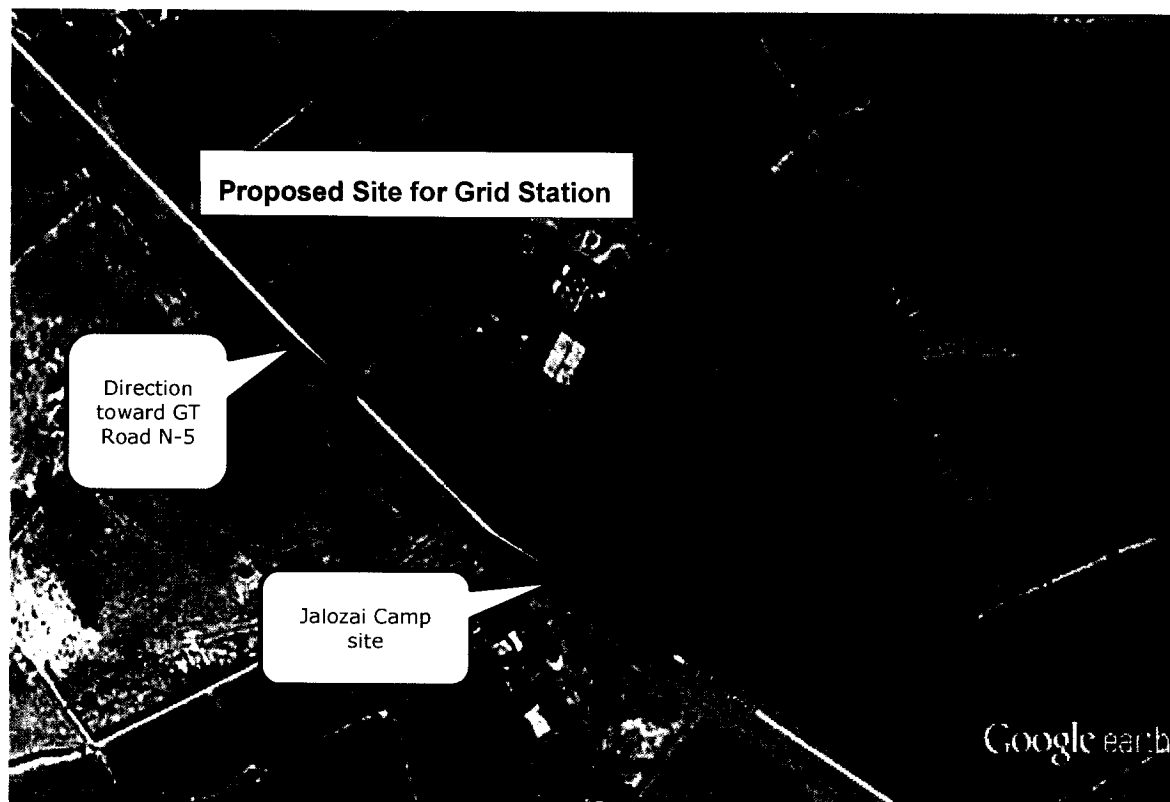
2.9. Significance of Impacts and Project Categorization

33. According to ADB policy, the resettlement category of a project is determined by the severity of its involuntary resettlement impacts. The resettlement impacts are considered significant if 200 or more persons will experience major impacts which are (i) being physically displaced from housing or losing 10% or more of their productive assets (income generating). Such projects are classified as category "A". Projects that have less than 200 persons are considered as insignificant impacts and are classified as category "B" projects. In both cases, a LARP is prepared.

34. As far as the Nowshera 220 kV Sub-Project is concerned, the number of affected families by this subproject is 42 with a total population of 336 persons. The survey has revealed that the extent of permanent land loss is less than 10% of their total land holdings. However, the sub-project will not impact the livelihoods of the APs as the land to be acquired is barren where no cultivation is practiced and the AFs do not depend on this land for their livelihoods. The basic profession of the AFs is agriculture, but they are getting more from the other sources of income. Thus, the impact of the permanent land loss on their livelihoods may be categorized as non-significant for this subproject.

2.10. Sub-project Alignment

35. The Nowshera GS will be constructed on the basis of ICB (International Competitive Bidding) contract. As per contract provisions, the proposed design of the sub-project provided by NTDC will be finalized by the contractor at the stage of implementation. Thus, it is pointed out that although the proposed site plan was provided by the concerned section of NTDC (i.e. Survey & Investigation), but still it will be finalized by the contractor. In case, if there would be some changes in the design/ alignment & right-of-way, accordingly LARP will be updated based on the 2nd round of field survey. The location map of the proposed sub-project is illustrated in Figure 2.1 given below.

Figure 2.1: Location Map of the proposed Sub-project

36. The proposed sub-project involves the construction of new grid station, installation of towers and feeding transmission line. The social impacts of the sub-project are confined to the proposed site as the existing Brotha-Shahi Bagh 220 kV TL passes only 02km away from the proposed site and only 10 towers of feeding TL will be needed. Similarly, the proposed site is located on the Jalojai hence; no temporary impacts on account of access roads are envisaged.

2.11. Objectives of the LARP

37. This LARP for 220 kV Nowshera GS has been prepared to identify, quantify and value the impacts in order to determine the compensation package and accordingly its implementation. The major objective of this LARP is the assessment of type and magnitude of LAR impacts, eligibility and entitlement of compensation; institutional arrangements for the implementation of LAR activities as well as redress of community complaints, cost, implementation schedule and conducting internal and external monitoring in accordance with the provisions of approved LARF and the requirements of the ADB Safeguards Policy Statement (SPS) 2009.

38. The following are the specific aspects have been covered in this LARP.

- Project impacts, types and magnitude
- Socioeconomic information and profile of the affected families
- Information disclosure, consultation, and participation

- Grievance redress mechanisms
- Entitlement of compensation
- Relocation of assets and utilities
- Resettlement budget and financing
- Institutional arrangements
- Implementation schedule
- Monitoring and evaluation

3. SOCIOECONOMIC PROFILE OF AFFECTED HOUSEHOLDS

3.1. Methodology

39. A sample survey in the Project corridor was carried out to develop a socio-economic baseline of the general population in the project area. The survey was conducted by a team of sociologists comprising male and female members. Rather than taking being a small number, the total number of AFs was taken as the sample of the study. Interviews were held with the heads of the AFs and the female members of the family at their residences to collect socioeconomic information of the affected population. A structured questionnaire was used for the survey. Apart from that, consultations with community people; data from Directorate of Agriculture, Economics & Marketing, Forest Department, District Population Census, Economic Survey of Pakistan and relevant websites was also collected.

3.2. Demographic Characteristics of the Affected People

3.2.1. Population and Family Size

40. The total population of the study sample works out as 336 persons comprising 170 males and 166 females. The proportion of male and female works out as 52.85% and 47.15%, respectively. The average family size calculates to be 8 members.

3.2.2. Age

41. A majority of the APs are within the age range of 19-50 years (42%), while another significant portion is within the age range of below 10 years (Table 3.1).

Table 3.1: Age Distribution of Affected Persons

Age Range (in years)	Affected Persons	
	No. of Persons	Percentage
Up to 10 Years	108	32.13
11 to 18	47	13.98
19 to 50	143	42.49
51 and above	38	11.40
Total	336	100.00

3.2.3. Education

42. Out of 336 persons, the number of literate persons comes to 226 which calculate to be 67% of the total population. Out of the total literate, the persons having primary level education was 10%. The respondents with middle level and matriculate level education were 04% and 03%, respectively. The population having education above matriculation level worked out as 07%. Of these, respondents possessing Intermediate level education and Degree level education were 03% and 04%, respectively. The Information in respect of literacy levels of the sample population is furnished in Table 3.2.

Table 3.2: Literacy Status of the Affected Persons

Level of Education	Affected Persons	
	No of Persons	Percentage
Can Read Quran	26	8
School Going	28	8
Primary	32	10
Middle	12	4
Matric	11	3
Intermediate	10	3
Bachelor and above	15	4
Literate	92	27
Below School Going Age	35	10
Illiterate	75	22
Total	336	100

3.2.4. Marital Status

43. Total population of AFs works out to be 336 persons. Of these, 89 are in the age range of <10 years to 18 years. The remaining are children below 10 years. According to data provided in Table 3.3, about 75% of adult males and 70% of females are married. On overall basis, about 73% of the population is married.

Table 3.3: Marital Status of the Affected Persons

Marital Status	Male		Female		Total	
	No.	%	No.	%	No.	%
Married	42	74.56	34	70.23	76	73.08
Unmarried	14	25.44	14	29.76	28	26.92
Total	56	100.00	48	100.00	104	100.00

44. As far as the education levels are concerned, about 1/3rd of the heads of affected families are illiterate. Information provided in Table 3.6 shows that majority of the family heads are educated.

Table 3.6: Education Level of Family Heads

Education Status of Family Head	Details	
	No.	Percentage
Illiterate	23	65%
Primary	12	22%
Matric	7	13%
Total	42	100

3.3. Gender Impacts

45. The female population in Pakistan according to the 1998, Census, is around 48 %. In view of these facts, the gender issues assume special focus and need to be properly addressed and evaluated. The females were interviewed including lady school teachers, lady health attendants and elderly folk woman. The results of the survey have shown that women are an integral part of the socio-economic life of the rural economy as shown in Table 3.12. Women of the area took active part in household activities (like food cooking, washing of clothes, carrying of fodder for livestock and potable water for human consumption, etc.), child caring and meeting with social obligations. The data indicates that as far as participation in carrying out different activities is concerned, they share the males in every household and field activity. However, they are not considered by the males in making the decisions about various socio-economic matters, particularly relating to activities which require interaction with others such as decisions about children education, farm business, sale & purchase of livestock or property, etc. The male respondents were of the view about this attitude that traditionally they have been undertaking such responsibilities and they do not think that the females have much exposure and courage to decide upon such matters. This is source of social stress for the women.

3.3.1. Women Role in Socio-economic Activities

46. The survey has revealed that participation rate of women in various socio-economic activities in the project corridor is generally high, 100 percent in case of household activities and child caring. Their participation rate on at the farm activities and livestock rearing is very low. Their participation rate in case of property matters and social obligations stood at 46 percent, and 62 percent, respectively. The women of the area have no role in the local representation and political matters.

47. As far as decision making for different activities is concerned, their involvement in case of child caring matters was the highest, about 80 percent and in case of farming matters was at lowest, about 05 percent. For other matters, the involvement of the women was between these two limits. Information in respect of women participation and decision making in the routine socio-economic life is presented in Table 3.12.

Table 3.12: Women Role in Socio-economic Activities

Sr. No.	Item	Participation (%)	Decision Making (%)
1	Household Activities	100.00	80.22
2	Child Caring	100.00	67.83
3	Farm/Crop Activities	6.09	4.75
4	Livestock Rearing	8.75	9.40
5	Sale & Purchase of Property	45.65	41.96
6	Social Obligation	61.52	54.57
7	Political Representation/ Participation	-	-

4. LEGAL AND POLICY FRAMEWORK

4.1. Land Acquisition Act

48. The Pakistan law governing land acquisition is the LAA of 1894 and successive amendments. The LAA regulates the land acquisition process and enables the provincial government to acquire private land for public purposes. Land acquisition is a provincial responsibility and provinces have also their own province specific implementation rules like Sindh Land Acquisition Rules, 1983. The LAA and its Implementation Rules require that, following an impact identification and valuation exercise, land and crops are compensated in cash at the current market rate to titled landowners. The LAA mandates that land valuation is to be based on the last 3 to 5 years average registered land-sale rates. However, in several recent cases, the median rate over the past 1 year, or even the current rates, have been applied with an added 15% Compulsory Acquisition Surcharge according to the provision of the law. The displaced persons, if not satisfied, can go to the Court of Law to contest the compensation award of the Land Acquisition Collector (LAC).

The various sections relating to the land acquisition are briefly discussed.

Table 4.1 Salient Features/Key Sections of Pakistan's Land Acquisition Act 1894 (LAA)

Key Sections	Key Sections of LAA 1894
Section-4	Publication of preliminary notification and power for conducting survey and investigation.
Section-5	Formal notification of land needed for a public purpose
Section-5A	Providing right of complaints to APs for review/ inquiry for quantities and compensation.
Section-6	The Government makes a more formal declaration of intent to acquire land.
Section -7	Land Commissioner shall direct Land Acquisition Collector (LAC) to take order for the acquisition of land.
Section-8	The LAC to direct the land required to be physically marked out, measured and planned.
Section-9	The LAC gives notice to all affected/displaced persons (APs/DPs) that the Government intends to take possession of the land and if they have any claims for compensation then those claims are to be made to him at an appointed time.
Section-10	Delegates power to the LAC to record statements of APs/DPs in the area of land to be acquired or any part thereof as co-proprietor, sub-proprietor, mortgagee, and tenant or otherwise.
Section-11	Enables the LAC to make enquiries into the measurements, value and claim and then to issue the final "award". The award includes the land's marked area and the valuation of compensation.
Section-16	When the LAC has made an award under Section 11, he will then take possession and the land shall thereupon vest absolutely in the Government, free from all encumbrances.
Section-17	Urgency acquisition whereby land possession is taken prior to payment of compensation. This section will not be applied to the project.

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 the land.
Section -23	The award of compensation for the owners for acquired land is determined at its market value plus 15% in view of the compulsory nature of the acquisition for public purposes.
Section-28	Relates to the determination of compensation values and interest premium for land acquisition
Section-31	Authorizing LAC, instead of awarding cash compensation in respect of any land, to make any arrangement with APs having an interest in such land, including grant of other lands in exchange.
Section-35	Refers to the temporary occupation of arable or waste land subject to the provision of Part VII of the Act. The provincial government may direct the Collector to procure the occupation and use of the same for such term as it shall think fit, not exceeding three years from the commencement of such occupation.
Section-36	Provides information relating to the power to enter and take possession, and compensation on restoration. On the payment of such compensation, or on executing such agreement or on making a reference under Section 35, the Collector may enter upon and take possession of the land, and use or permit the use thereof in accordance with the terms of the said notice.

4.2. Telegraph Act (TA), 1885

49. In case of impacts caused by poles and towers for public facilities and transmission lines, the land acquisition is not regulated by the LAA but instead by the Telegraph Act, 1885 (amended in 1975). The original provision of this law was that the land occupied by telegraph poles was not to be compensated (only crops destroyed during the erection of the pole were compensated). This was based on the logic that a pole, covering only a negligible land area, does not cause substantial impacts to land users. This, however, is no longer the case once the same provision is extended to transmission towers.

50. The Telegraph Act (Section 11) confers powers on the NTDC to enter private lands and (Section 10) construct/maintain electric poles and lines without the need to acquire the land affected and paying compensation for it. However, the Sub-section 10 (d) provides that NTDC is required to avoid causing unnecessary damages to the affected land and associated assets. Finally, the Section 16 provides that if any such damage occurs (i.e. damages to crops, irrigation facilities, and land quality or land income). The proponent has to provide compensation for the damages.

51. To accommodate the APs needs, under this Program, the NTDC has agreed to apply the Telegraphic Act liberally by i) compensating at market rates all land occupied by towers in urban areas; ii) by avoiding land impacts in rural areas through the use of towers with sufficient vertical clearance to allow the continuation of unrestricted farming and animal grazing; and iii) if the construction of such towers is impossible, by compensating the land occupied by tower bases land also in rural areas. In addition, the NTDC will compensate by default all crops expected to be affected by the 3 major distribution lines construction phases, i.e. i) construction of tower bases; ii) tower erection; and iii) stringing.

4.3. ADB's Policy and Resettlement Principles

52. The policy principles and objectives are discussed below with the key principles. When land other than government owned land is to be acquired then a Land Acquisition

and Resettlement Plan (LARP) is required. In cases, where just unused government land needs to be acquired then a LAR is required. The Objective of IR Safeguard² is to avoid involuntary resettlement wherever possible; to minimize involuntary resettlement by exploring sub-project and design alternatives; to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-sub-project levels; and to improve the standards of living of the displaced poor and other vulnerable groups. The involuntary resettlement safeguards covers physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.

53. The major Policy Principles are briefly discussed as under:

- i. Screen the sub-project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
- ii. Carry out meaningful consultations with displaced persons, host communities, and concerned non- government organizations. Inform all displaced persons of their entitlements and resettlement options; and also pay particular attention to the needs of vulnerable groups³, especially those below the poverty line. Specific safeguards cover Indigenous People, including those without statutory title to land, including those having communal rights. Establish a grievance redress mechanism to receive and facilitate resolution of the displaced persons' concerns.
- iii. Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based, and where it is possible to give cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where these are possible.
- iv. 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 sub-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.
- v. 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.

². Involuntary Resettlement Safeguards (ADB Safeguard Policy statement, 2009).

³These include the landless, the elderly, women and children.

- vi. 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.
- vii. 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.
- viii. 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.
- ix. Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before sub-project appraisal, in an accessible place a form and language(s) understandable to displaced persons and other stakeholders. Disclose the resettlement plan and its updates to displaced persons.
- x. Conceive and execute involuntary resettlement as part of a development sub-project or program. Include the full costs of resettlement in the presentation of sub-project's costs and benefits. For a sub-project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the sub-project as a stand-alone operation.
- xi. Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout sub-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 the resettlement monitoring.
- xiii. Disclose monitoring reports.

4.4. Comparison of LAA and ADB Policy Principles and Practices

54. The review of land acquisition act and ADB policy principles has been done to identify the differences and gaps between the ADB assessment procedures and the requirements of the government of Pakistan.

4.2: Comparison of Pakistan's Acts⁴ and ADB SPS

Telegraph Act (1885) & Pakistan Land Acquisition Act (1894)	ADB Safeguard Policy Statement (2009)
<p><u>Telegraph Act (1885)</u></p> <ul style="list-style-type: none"> The Telegraph act (TA) provides that land for tower construction or under a transmission, line is not to be acquired or compensated as long as the land's permanent productive potential is not affected. Under the TA therefore only temporary impacts on crops are compensated. 	<ul style="list-style-type: none"> Based on ADB policy all land impacts are to be compensated. As urban/ residential-commercial land is affected both if a tower provides clearance and not, the TA provisions have been modified for this sub-project, so as to address damages that a tower causes to plots with real estate value. For this sub-project urban and commercial or residential plots whether urban or rural will be fully acquired and compensated at market rates. The same will happen in case of rural/agricultural land, when the land under a tower is no longer usable or access of it is restricted.
<p><u>LAA 1894</u></p> <ul style="list-style-type: none"> Only titled landowners or customary rights holders are recognized for compensation. 	<ul style="list-style-type: none"> Lack of title should not be a bar to compensation. Requires equal treatment of those without clear land titles (e.g., squatters or other informal settlers) in terms of their entitlements for resettlement assistance and compensation for the loss of non-land assets.
<ul style="list-style-type: none"> Only titled landowners or customary rights holders are recognized for compensation. 	<ul style="list-style-type: none"> Lack of title should not be a bar to compensation. Requires equal treatment of those without clear land titles (e.g., squatters or other informal settlers) in terms of their entitlements for resettlement assistance and compensation for the loss of non-land assets.
<ul style="list-style-type: none"> Only registered landowners, sharecroppers and leaseholders are eligible for compensation of crop losses. 	<ul style="list-style-type: none"> Crop compensation is to be provided irrespective of the land registration status of the affected farmers/share croppers. Crops for two seasons Rabi (winter) and Kharif (summer) for full one year are to be compensated based on existing market rates and average farm produce per unit area.

⁴Telegraph Act, 1885 & LAA 1894

<ul style="list-style-type: none"> Tree losses are compensated based on outdated officially fixed rates by the relevant forest and agriculture departments. 	<ul style="list-style-type: none"> Tree losses are to be compensated according to market rates based on productive age or wood volume, depending on tree type. All the removed trees will remain the property of the owner for them to salvage.
<ul style="list-style-type: none"> Land valuation is based on the median registered land transfer rate over the 3 years prior to Section 4 of the LAA being invoked. 15% compulsory acquisition charges are paid over and above the assessed compensation. However, recent practice is that prices based on the average over the last one year prior to acquisition commencing is applied. 	<ul style="list-style-type: none"> Land valuation is to be based on current replacement (market) value with an additional payment of 15%. The valuation for the acquired housing land and other assets is the full replacement costs keeping in view the fair market values, transaction costs and other applicable payments that may be required.
<ul style="list-style-type: none"> 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 salvaged materials, 	<ul style="list-style-type: none"> The valuation of built-up structures is based on current market value but with consideration of the cost of new construction of the structure, with no deduction for depreciation. The APs can salvage any of their material free of cost and irrespective of compensation payments having been paid.
<ul style="list-style-type: none"> The decisions regarding land acquisition and the amounts of compensation to be paid are published in the official Gazette and notified in accessible places so that the people affected are well informed, 	<ul style="list-style-type: none"> Information related to the quantification and valuation of land, structures, other immovable assets, entitlements and amounts of compensation and financial assistance are to be disclosed to the displaced persons prior to sub-project appraisal period. This is to ensure that stakeholders are treated in a fair, transparent and efficient manner.

<ul style="list-style-type: none"> • There is no provisions for income and livelihood Rehabilitation measures. There are also no special allowances for vulnerable displaced persons including vulnerable groups such as women headed households. There are no requirements to assess opportunities for benefit sharing. 	<ul style="list-style-type: none"> • The ADB policy requires rehabilitation for lost income and specialAP expenses during the relocation process. There are also provisions to be made for transitional period costs, and livelihood restoration. Particular attention must be paid to the poor and vulnerable groups, including women. A guiding principle is that APs should at least be able to reach a defined minimum livelihood standard. In rural areas, APs should be provided with legal access to replacement land and resources to the defined minimum livelihood level. In urban areas, provision should be made for appropriate income sources and the legal and affordable access to adequate housing.
<ul style="list-style-type: none"> • Prepare and disclose resettlement plans (RPs) - there is no law or policy that requires preparation of RPs. 	<ul style="list-style-type: none"> • Resettlement plans are prepared in English and disclosed to the displaced peoples in local language (Urdu).
<ul style="list-style-type: none"> • Grievance redress is established through the formal land acquisition process at a point in time or through appeals to the court. 	<ul style="list-style-type: none"> • Provide a continuous mechanisms/ set-up that are accessible locally and available throughout sub-project implementation.
<ul style="list-style-type: none"> • Only compensation is paid but not resettlement allowances, there is no mechanism to ensure payment is made before displacement. 	<ul style="list-style-type: none"> • All compensation and allowances to be paid prior to physical or economic dislocation.
<ul style="list-style-type: none"> • No requirements to prepare and disclose monitoring reports. 	<ul style="list-style-type: none"> • Prepare and disclose monitoring reports.

4.5. Reconciliation between Pakistan's Acts and ADB SPS

55. To reconcile the differences between the LAA (1894), Telegraph Act 1885 and ADB policy, a Land Acquisition and Resettlement Framework (LARF) has been prepared by the NTDC (EA). This LARF ensures that compensation to the affected people will be provided at replacement cost basis for all direct and indirect losses, so that no one could be worsen-off because of the sub-project. The provision of subsidies or allowances will also need to be given for affected families (AFs) that may be relocated, suffer business losses, or may be vulnerable.

56. In this context, the following ADB Safeguard principles are considered to reconcile the differences:

- i). the need to screen the sub-project early at the planning stage
- ii). carry out meaningful consultations

- iii). at the minimum restore livelihood levels to what they were before the sub-project, improve the livelihoods of affected vulnerable groups
- iv). prompt compensation at full replacement cost is to be paid
- v). provide affected people with adequate assistance
- vi). ensure that affected people who have no statutory rights to the land that they are working and eligible for resettlement assistance and compensation for the loss of non-land assets; and
- vii). Disclose all reports.

4.6. Legislation relevant to Land Classification

57. In terms of implementation of this LARP, identifying the type of land affected will be an important step in determining eligibility for compensation for land. The land classification is governed by the Land Revenue Act (1967) which should be read in conjunction with the LAA 1894; and other legislation that may apply, including the Punjab Alienation of Land Act (1900), Colonization of Government Lands Act (1912) and the various Land Reform Regulations. The LRA 1967 classifies the land as Rural and Urban.

58. Rural land falls under the jurisdiction of revenue districts. Land, other than rural is urban and include all permutations there-under such as residential, commercial, built upon and buildable, and is governed by various regulations and ordinances including the People's Local Government Ordinance (1972) for each province, Cantonments Act (1924), and Land Control Act (1952). Urban land falls under the jurisdiction of Municipal and Local Government Authorities.

59. For this sub-project, the urban and rural areas have been identified on the basis of board of revenue records. Similarly, the residential, commercial and agricultural plots were identified based on the classification provided by district revenue records as well as by considering the actual use of the affected land prior to the entitlements cut-off date. In case of discordance between revenue records and actual use, the actual use was adopted. Therefore, during the field survey for the preparation of this LARP, the identification of land ownership was done with the assistance of local people, LAC and Patwari of the area.

5. CONSULTATION, PARTICIPATION AND DISCLOSURE

5.1. General

60. The main objectives of the consultation were to provide a platform to the stakeholders, to voice concerns or suggestions to the Project team and to develop a collective sense of ownership for the activities of the Project team. Consultations were made with the stakeholders and general public. 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 compensation packages and social mitigation plan, in order to enhance the Project acceptability for the general public on social considerations.

5.2. Stakeholder's Consultations

61. There are two types of stakeholders, i.e. primary and secondary stakeholders. The primary stakeholders are the initial stakeholders, such as affected persons, general public including women resided in villages in the vicinity of the sub-project area. Accordingly; the consultations were made with all primary stakeholders for sharing the information regarding the sub-project and feedback from the community.

62. The consultations were also held with the secondary stakeholders including the officials/staff involved in land acquisition, survey & investigation, planning& design, and management.

63. A list of consultative meetings with officials is presented in Table 5.1.

Table 5.1: List of Officials Consulted

No.	Date	Location/ Venue	Name of Officials	Designation
1	August 18 2016	NTDC Office, Opposite Bilal Masjid, Shami Road, Peshawar	1. Akram Shah 2. Obaidullah Khan 3. Usman Ali	1. LAC Land Acquisition Collector 2. Assistant LAC 3. Office Clerk
2	September 10 2016	Office of the Executive Engineer EHV T/LC Division, NTDC, NTDC Peshawar	1. Azhar Abbas 2. AqibUllah 3. JehanNazir 4. Sanaullah	1. Sub Divisional Engineer 2. Line Superintendent - I 3. Assistant Land Acquisition Officer 4. Patwari (Village Accountant)

5.3. Public Consultations

64. Three consultations were made with the affectees and other local community to share the information about the sub-project and record their concerns/ feedback associated with this sub-project. In this context, the APs shared their point of view regarding payment of their affected land; as most the local people had their concerns regarding true assessment of compensation.

65. List of public consultations carried out in the APs of the proposed sub-project land is given in Table 5.2 as follow.

Table 5.2: List of Stakeholders Consultations

Public Consultation No.	Date	Location/Venue	Category of participants	Name of Main Participants
1	August 04 2016	Village Jalozei Tar Tehsil Pabbi District Nowshera	Businessman, Farmers Mason Labour Affectees	1. Hakim Miraj 2. Azbar Khan 3. Imdad Shah 4. Azhar Abbas 5. Mohammad Malik 6. Amrooz Kahn
2	August 26 2016	Village Jalozei Tehsil Pabbi District Nowshera	Hakeem, Farmers, Affectees	1.Khan Sahib 2.Fazal Shah 3. Subhan Khan 4. Talib Khan
3.	August 28 2016	Spin Kanrhy Tehsil Nowshera District Nowshera	Farmers, Affectees	1. Ajiz Khan 2. Afzal Khan 3. Shah Gul 4. InyaturRehman

5.4. Social and Resettlement Specific Concerns Raised by the APs

66. The major concerns raised during the consultation are i) adequacy and timely payment of compensation, ii) employment opportunity for local population during construction activities, iii) safe and free mobility of locals especially women and children and iv) safety measures to be taken during construction activities. Local community response regarding project perception and resettlement related matters is summarized below:

- The project will help in the stable supply of electricity in the area.
- More income earning opportunities will be available as a result of project implementation.
- Compensation for the affected land should be made on the prevailing market rates;
- Affected trees should also be compensated according to the current market rates;
- Compensation payments to the APs should be made before the start of subproject works;
- Local skilled and unskilled labour should be employed at the subproject, where possible;
- The lands under the Contractor's use should be rehabilitated by the Contractor after the construction work is completed;

67. The APs concerns and suggestions have been incorporated in the entitlements given in the entitlement matrix of the project, and will be implemented as an integral part of the LARP resettlement activities.

5.5. Other General Concerns Raised by the APs

68. The other major concerns raised during the consultations included the adequacy and timeliness of compensation payments, as well as safety measures to be taken during the construction of the sub-project. The views of the APs and local communities (awareness, perceptions and preferences) about the subproject and resettlement related matters are summarized as follows:

- This subproject is necessary to fulfil the electricity needs of the local area;
- Subproject works should be completed in time.
- The compensation for the affected structures, crops and trees should be fair and timely.
- The existing low tension lines should also be replaced so that people could receive the full benefits of the subproject.
- Affected trees should be given fair compensation at prevailing market rates.
- Local norms should be honoured during the course of execution of project works.
- Transmission line should be kept away from the settlements for the safety of general public.
- Construction work should be completed in time.
- Stakeholder's consultation should be an integral part of the resettlement process.

5.6 Information Disclosure

69. This LARP in English is to be disclosed on the ADB website, while the one in local language (*Pashto*) will be disclosed in the EA website and in local administrative offices. A summary pamphlet of the LARP in English is included in the Annex-A of the LARP and that a copy of its version in local language will be sent to all APs. Disclosure is a condition for LARP approval.

70. Furthermore, this LARP will also be disclosed in local language to the APs and some other key local persons residing in the vicinity sub-project area, so that each AP could be able to understand the sub-project activities, i.e. the sub-project, cut-off date, eligibility for entitlement of compensation, methods of measurement, price assessment & valuation of losses, payment of compensation, community complaints redress system, budget and monitoring & evaluation.

71. The PIU will keep the APs informed about the impacts and entitlement of compensation and facilitate in addressing grievance (s) of the APs as well as local community members. Finally, there will be on-site community/ APs gathering to monitor the entitled disbursement of the compensation to the APs.

72. A copy of the information brochure will also be placed at PIU at field level and in PMU at sub-project level for ready reference.

5.7. Information Brochure

73. During the field survey, draft information brochure (draft) was disclosed to the APs. A summary 'Pamphlet' of the LARP in English is included in Annex-3 at the end of this document. A copy of its version in local language will be sent to all APs as disclosure is a condition for LARP approval.

6. COMPENSATION ELIGIBILITY AND ENTITLEMENTS

6.1. Eligibility

74. In accordance with the updated LARF, the affected persons will be eligible for compensation or rehabilitation assistance as discussed below:

- i). All land owning affected persons losing land or non-land assets, whether covered by legal title or customary land rights, whether for temporary or permanent acquisition.
- ii). Tenants and sharecroppers, whether registered or not; for all non-land assets, based on prevailing tenancy arrangements. There are no tenants or share-croppers in case of this sub-project.
- iii). Affected persons/ parties losing the use of structures and utilities, including titled and non-titled owners, registered, unregistered, tenants and lease holders plus encroachers and squatters. Such category of APs is not found in this sub-project.
- iv). Affected persons losing business, income and salaries of workers, or a person or business suffering temporary effects, such as disturbance to land, crops, and business operations both permanently and also temporarily during construction. Such category of APs is not found in this sub-project.
- v). Loss of communal property, lands (shamlat) and public infrastructure. No communal property is affected in case of this sub-project.
- vi). Vulnerable affected persons identified through the social impact assessment survey/ analysis. There are no vulnerable persons found in this sub-project.
- vii). In the event of relocation, all affected persons will receive transitional and other support to re-establish their livelihoods. There is no relocation of APs.

75. In accordance with the ADB SPS (2009) and this LARP, the compensation eligibility is limited by a 'cut-off date'. According to ADB practice, the day of the completion of the "census" survey for the impact assessment is taken as cut-off date (i.e. 15-09-2016). Each affected person will be identified and issued with a household identification (*a card*) which confirms their presence on the site prior to the cut-off date. The cut-off date is to be announced through the mass media (like pamphlets/ leaflets, newspaper). The affected persons who settled in the vicinity of the sub-project area after the cut-off date will not be eligible for compensation.

6.2. Entitlement for Compensation

76. The following entitlements are applicable for affected persons losing land, structures, other assets and incurring income losses:

i) **Agricultural Land Impacts** will be compensated as follows:

a) Permanent Losses: legal/legalizable landowners (legalizable owners assessed by the DPAC include those who may have customary rights to their land which could be converted to statutory rights) are compensated either in cash at replacement cost plus a 15% Compulsory Acquisition Surcharge (CAS) free of taxes and transfer costs.

Leaseholders of public land will receive rehabilitation in cash equivalent to the market value of the gross yield of lost land for the remaining lease years (up to a maximum

of three years). Encroachers will instead be rehabilitated for land use loss through a special self-relocation allowance equivalent to one year of agricultural income or through the provision of a free or leased replacement plot comparable in area, productivity and location to the plots lost.

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

(c) Vulnerable Affected Persons: Vulnerable households, legal/legalizable owners, tenants or encroachers will be entitled to one vulnerable impact allowance equal to the market value of the harvest of the lost land for one year (summer and winter), in addition to the standard crop compensation.

Other options can be considered, including non-cash based livelihood support and employment, both temporary and permanent. Other additional income restoration measures can be considered based upon the findings of the Social Impact Analysis.

- ii) **Residential and Commercial Land** will be compensated at replacement value for each category of the APs. Assessments will be conducted by the DPAC. In case an AP may not lose all of their residential and commercial land but it is significant enough to consider relocating. In such cases compensation may need to be made for all of their land even though not all of it needs to be acquired.

Residential and commercial land owners will be entitled to the following:

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

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

(c) Encroachers/Squatters are compensated through either a self relocation allowance covering six months of income or the provision of a leased replacement plot in a public owned land area. They will be compensated for the loss of immovable assets, but not for the land that they occupy.

- iii) **All other Assets and Incomes**

a) Houses, buildings and structures will be compensated for in cash at replacement cost plus 15% CAS. There will also be a 10% electrification allowance and the any transaction costs will be paid. Material that can be salvaged is allowed to be taken by the owner, even if compensation has been paid for them. For evaluation of replacement costs, a survey will be conducted to obtain the current prices for calculation of compensation.

(b) Renters or leaseholders of a house or structure are entitled to cash compensation equivalent to three months rent or a value proportionate to the duration of the remaining lease period.

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

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

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

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

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

(h) Community structures and public utilities, including mosques and other religious sites, graveyards, schools, health centers, hospitals, roads, water supply and sewerage lines, will be fully replaced or rehabilitated to ensure their level of provision is, at a minimum, to the pre-sub-project situation.

(i) Vulnerable people are defined as households who have a per capita monthly income⁵ of below Rs.15,000 (OPL, 2016) and those who are headed by a widow or identified as vulnerable through the SIA.

77. The compensation and rehabilitation entitlements are summarized in the Entitlement Matrix presented as below:

⁵This figure is based on the provincial poverty line using the minimum wages that are fixed by the Government of the KPK.

6.1: Entitlement Matrix for Compensation

Asset	Specification	Affected Persons	Compensation Entitlements
Arable Land	Access is not restricted and existing or current land use will remain unchanged	Farmers/ Titleholders	<ul style="list-style-type: none"> No compensation for land provided that the land is rehabilitated/ restored to its former quality following completion of works;
		Leaseholders/ Sharecroppers (registered or not)	<ul style="list-style-type: none"> No compensation for land provided that the land is rehabilitated/ restored to its former quality following completion of works;
		Agricultural workers	<ul style="list-style-type: none"> Compensation, in cash or kind, for all damaged crops and trees.
		Squatters	<ul style="list-style-type: none"> Compensation, in cash, for all damaged crops and trees
Arable Land where access is restricted and/or land use will be affected	In case of acquisition of land on permanent basis, all adverse effects on land use independent of severity of impact	Farmers/ Titleholders	<ul style="list-style-type: none"> Land for land compensation with plots of equal value and productivity to the plots lost; or; Cash compensation for affected land at replacement cost plus 15% CAS (if acquired) based on market value free of taxes, registration, and transfer costs
		Leaseholders/ Sharecroppers (registered or not)	<ul style="list-style-type: none"> Renewal of lease/ sharecropping contract in other plots of equal value/ productivity of plots lost, or Cash equivalent to market value of gross yield of affected land for the remaining lease/ contract years (up to a maximum of 3 years).
		Agricultural workers losing their contract	<ul style="list-style-type: none"> Cash indemnity corresponding to their salary (including portions in kind) for the remaining part of the agricultural year.
		Squatters	<ul style="list-style-type: none"> 1 rehabilitation allowance equal to market value of 1 gross harvest (in addition to crop compensation) for land use loss.
	Additional provisions for severe impacts (More than 10% of land loss)	Farmers/ Titleholders Leaseholders	<ul style="list-style-type: none"> 1 severe impact allowance equal to market value of gross harvest of the affected land for 1 year (inclusive of winter and summer crop and additional to standard crop compensation)
		Sharecroppers (registered or not)	<ul style="list-style-type: none"> 1 severe impact allowance equal to market value of share of harvest lost (additional to standard crop compensation)
		Squatters	<ul style="list-style-type: none"> 1 severe impact allowance equal to market value of gross harvest of the affected land for 1 year (inclusive of winter and summer crops and additional to standard crop compensation)
	15% Compulsory Acquisition Surcharge	APs of and Acquisition	<ul style="list-style-type: none"> Additional 15% Compulsory Acquisition Surcharge (CAS) will be paid to all APs from whom land will be acquired permanently.

Asset	Specification	Affected Persons	Compensation Entitlements
Residential/ Commercial Land		Titleholders	<ul style="list-style-type: none"> Land for land compensation through provision of a plots comparable in value/ location to plot lost or Cash compensation for affected land at full replacement cost plus 15% CAS (if acquired) free of taxes, registration, and transfer costs.
		Renters/ Leaseholders	<ul style="list-style-type: none"> 1-3 months allowance (at OPL level Rs. 15,000/ month)
		Squatters	<ul style="list-style-type: none"> Accommodation in available alternate land/ or a self-relocation allowance (Rs. 15,000).
Houses/ Structures		All relevant APs (including squatters)	<ul style="list-style-type: none"> Cash compensation at replacement rates for affected structure and other fixed assets free of salvageable materials, depreciation and transaction costs. In case of partial impacts full cash assistance to restore remaining structure.
Crops	Crops affected	All APs (including squatters)	<ul style="list-style-type: none"> Crop compensation in cash at full market rate for one harvest (either winter or summer) by default for impacts caused by grid construction, tower base, stringing and access. All other crop losses will be compensated at market rates based on actual losses.
Trees	Trees affected	All APs (including squatters)	<ul style="list-style-type: none"> For timber/ wood trees, the compensation will be at market value of tree's wood content. Fruit trees: Cash compensation based on lost production based on the yearly produce of tree and investment cost needed to re-grow the tree.
Business/ Employment	Temporary or permanent loss of business or employment	All APs (including squatters, agriculture workers)	<ul style="list-style-type: none"> Business owner: (i) Cash compensation equal to one year income, if loss is permanent; (ii) cash compensation for the period of business interruption, if loss is temporary. Workers/ employees: Indemnity for lost wages for the period of business interruption up to a maximum of 3 months (at OPL level Rs. 15,000/ month).
Relocation	Transport and transitional livelihood costs	All affected APs by relocation	<ul style="list-style-type: none"> Provision of sufficient allowance to cover transport expenses and livelihood expenses for one month (Rs. 15,000).
Community assets	Mosques, footbridges, roads, schools, health center	Affected community	<ul style="list-style-type: none"> Rehabilitation/ substitution of affected structures/ utilities (i.e. mosques, footbridges, roads, schools, health centers).
Vulnerable APs livelihood	Households' below poverty	All affected vulnerable	<ul style="list-style-type: none"> Lump sum one time livelihood assistance allowance (Rs. 15,000 at

Asset	Specification	Affected Persons	Compensation Entitlements
	line and female headed households, disable persons of HH.	APs	<p><i>OPL KPK</i>) on account of livelihood restoration support.</p> <ul style="list-style-type: none"> • Temporary or permanent employment during construction or operation, wherever feasible.
Unidentified Losses	Unanticipated impacts	All APs	<ul style="list-style-type: none"> • Deal appropriately during sub-project implementation according to the LARF and SPS 2009

7. INSTITUTIONAL ARRANGEMENTS AND IMPLEMENTATION

78. The coordination involved for various institutions for the implementation of LARP include NTDC (Executing Agency) and other line Departments, such as Revenue, Forest, Agriculture including Horticulture wing; Works & Services, Public Health Engineering, Wapda, and other concerned.

79. The PMU (NTDC) will be responsible for the updation of this draft LARP at final detailed design and implementation of final LARP of 220 kV New Grid Station Nowshera and its associated transmission line. The GM Projects (PMU) through the Environment and Social Impact Cell (E&SIC) will be responsible for the implementation of LARP in accordance with the procedures laid-down in this LARP and updated LARF and loan document.

7.1. National Transmission and Despatch Company

80. The NTDC (Executing Agency) will be responsible for the project preparation, implementation and financing of all LAR tasks and coordination with line agencies. NTDC will perform its functions through the Project Management Unit. The PMU is headed by a General Manager (Projects) will be responsible for general project execution through the Project Implementation Unit (PIU) at field level (District level), which will be tasked with day to day project activities.

81. For updation, implementation and monitoring of LAR activities, the PMU (GM-Projects) will be facilitated by i) E&SIC at project level, ii) PIU at field level, iii) GRC at both field and project level to ensure timely implementation of LARP.

a) Environment and Social Impact Cell (E&SIC)

82. At project level, an E&SIC is already in place at PMU, NTDC, which needs to be strengthened by adding one position for data management/ MIS. Thus, the team composition of E&SIC includes:

i). Manager, E&SIC, NTDC	Focal Member
ii). Deputy Manager (Environment)	Member
iii). Assistant Manager (Social Safeguard)	Member
iv). Assistant Manager (Environment), NTDC	Member
v). Assistant Manager (MIS/ Data Management) ⁶	Member
vi). Surveyor	Member

83. In addition to ToR, the E&SIC will have the following functions in this sub-project:

- i). The E&SIC will be responsible for the updation, implementation and monitoring of land acquisition and resettlement plan through the assistance of PIU (Project Implementation Unit at field Nowshera. The E&SIC will have regular monthly meetings to review the progress regarding LARP implementation and accordingly prepare actions in accordance with the implementation schedule given in the LARP.
- ii). The E&SIC will have close liaison and coordination with the PIU (field level) and

⁶ For data management, a position of assistant manager, data management/ MIS will be added to undertake proper data management regarding, i) baseline data & impact data, ii) implementation of LARP, iii) grievances/ and redress of grievances, iv) internal & external monitoring and other relevant data.

Grievance Redress Committee (GRC).

- iii). The E&SIC will manage the updation of LARP at final design, including updation of surveys, measurements/ assessment, valuation in coordination with concerned department.

84. Some specific functions of the E&SIC through the assistance of field level PIU include:

- i). Implementation of approved LARP as per implementation schedule given in LARP.
- ii). Preparation of internal monitoring reports, initially on monthly basis and then quarterly basis and submits to ADB.
- iii). Updation of LARP (if necessary depending upon the final design) including surveys, measurements/ assessment, valuation in coordination with concerned department and community consultations.
- iv). Disclosure of final LARP to the APs and place at field office (PIU).
- v). Close coordination with field level PIU
- vi). Other relevant activities

85. All activities related to the LARP updation, and implementation of LARP and preparation of internal monitoring reports will be the responsibility of Manager (E&SIC) under the overall supervision of PMU (GM Projects). While the disclosure of LARP after translating onto local language and continuous community consultations/ mobilization will be under the purview of Assistant Manager (Social Safeguard). Manager (E&SIC) will develop a close liaison with the PIU and GRC regarding a smooth and timely implementation of LARP.

86. An independent monitoring agency or individual external monitor/ external monitoring agency (which may be an academic institute, consultancy or professional NGO or panel of experts, or individual consultant) will be hired by the NTDC (PMU) to conduct the short and medium term tasks of external monitoring activities⁷.

87. As per SPS 2009, all monitoring reports will be disclosed to the affected parties (APs) including the preparation of corrective action plan (if any).

b) Project Implementation Unit (PIU)

88. The project implementation Unit (PIU) to be in place at Field level and will be notified by the PMU. The composition of PIU will be as follow:

- i). Executive Engineer (NTDC)
- ii). DO (Revenue)/ LAC
- iii). Representative of E&SIC, PMU (AM, Social Safeguards)
- iv). Assistant Manager (Social Mobilization/ Social Mobilizer)
- v). Contractor

⁷The short term tasks will occur in parallel and immediately after the delivery of LARP compensation. They will prepare a compliance report which is a condition to start civil works. The medium term task will be the monitoring of the effectiveness of the compensation package.

- vi). Project Management Consultant (Safeguard Implementation Specialist)
- vii). Patwari
- viii). Representative of Affected Party Committee (APC).

89. The PIU to be notified at Field level headed by the Executive Engineer, NTDC.

90. The major responsibilities of PIU will include:

- Distribute the notices to the entitled APs regarding their payment of compensation;
- Facilitate the APs in completion of necessary documentation to receive their entitled payments;
- Develop a close interaction with the APs/ community to address their possible concerns.
- Provide proper guidance for the submission of their requests for compensation as per eligibility & entitlement.
- Help the APs to put their complaints (if any) in front of GRC, if still issue not resolved consult the Court of law.
- Help the APs in other related activities.

91. The PIU will have close interaction with E&SIC especially with Manager (E&SIC) and AM (Social Safeguards).

7.2. District Government

92. The concerns relating to the land acquisition (if any) will be dealt by the concerned District Officer (Revenue)/ LAC. Other supporting staff especially the Patwari will carry out some specific functions like titles identification as per Revenue record. The functions pertaining to compensation of other assets, such as trees, crops, structures and income rehabilitation/ livelihood assistance, the assessment and valuation will be carried out by the LAC in coordination with District Officer (s) of concerned Departments.

7.3. ADB

93. Review and approval of documents, i.e. LARP, internal monitoring and external monitoring reports as well corrective action plan (if any).

7.4. Affected Person Committee

94. The affected person committee (APC) will be formed at sub-project level representing the participation from each village constituting a Chairman, secretary and member (s).

95. The APC will be responsible for the following activities:

- Interaction between the community/ affectees and the PIU
- Information disclosure and consultations
- Help in the completion of requisite documents for payment
- Ensure the payment of compensation in accordance with the entitlement matrix/ LARP.
- Redress complaints at local level
- Any other relevant matter.

7.5. Grievance Redress Mechanism

96. This section of the LARP describes mechanism to receive and facilitates the resolution of affected party including women' concerns and grievances. A grievance

mechanism will be available to allow an AP appealing any disagreeable decision, practice or activity arising from land or other assets compensation. APs will be fully informed of their rights and of the procedures for addressing complaints whether verbally or in writing during consultation, survey, and time of compensation.

97. APs/ local community will enter their complaints/ concerns and issues formally including the information of date, name and address of complainant, description of complain. The Assistant Manager (social mobilization) at PIU will maintain a register named as "*community complaint register (CCR)*". The register will include the information as date, name and address of complainant, description of complaints, and will enter the complaints in a date covering the minimum information of name and address of complaint, description of complaints, action taken, status of redress of complaints and reasons in case issue not resolved.

98. GRC will work at field level, while unsettled issues will be referred to the PMU at sub-project level. The field level PIU (AM Social Mobilization) will inform the affected persons about GRC and its mechanism by passing the information at known places.

99. Efforts will be made to avoid the APs/ community concerns by implementing the sub-project in accordance with the LARP, i.e. proper information disclosure, community consultations, payments as per entitlements and coordination with APs/ APC, PIU and PMU. However, a Grievance Redress Committees (GRC) will also be established to redress the unresolved issues.

100. The composition of GRC will as below:

GRC at PIU Level

- i). Executive Engineer (NTDC)
- ii). DO (Revenue)/ LAC
- iii). Representative of E&SIC
- iv). Assistant Manager (Social Mobilization)/ Social mobilizer
- v). Representative of Affected Person Committee (APC)
- vi). Patwari

101. A comprehensive grievance redress process regarding land compensation and other compensation is described below:

7.1: Grievance Redress Process

Land Compensation Issues	Other Items Compensation Issues
First, complaints will be redressed at field level through the involvement of PIU and APC as well as other local committees.	First, complaints will be redressed at field level through the involvement of PIU and APC as well as other local committees.
If issue is unresolved, then it will be lodged to the DO (Revenue)/ LAC who will have 14 day to make decision on it.	If no solution is accomplished, then grievance will be lodged to GRC. The GRC will provide the decision within 3 weeks. The GRC decision must be in compliance with this LARP and provisions given in the LARF.
If issue still unsettled, then grievance will be forwarded to GRC. GRC will provide decision within 3 weeks, which should be in compliance with the LARP and provisions given in the LARF.	If the grievance redress system does not satisfy the APs, then, the grievance can be submitted to the GM Projects (PMU), where decision will be made in a period of 2 weeks.
In case, the grievance redressal system does not satisfy the APs, then they can pursue by submitting their case to the appropriate court of law as per the process set out in Section 18 to 22 of the LAA 1894.	If still APs are not satisfied, they can pursue their case to appropriate Court of law.

8. LARP IMPLEMENTATION SCHEDULE

8.1. Implementation Schedule

102. The commencement of civil work will be subject to the satisfactory implementation of this LARP including payment of compensation for the loss of land, crops and trees; and also resolution of APs grievances or community concerns, if any.

103. Based on the implementation experience of previous projects, it is expected that the implementation of LARP of this sub-project including construction of grid station and installation of transmission line will take about 12 months.

104. Step-wise LARP implementation process is presented in Table 8.1 below.

Table 8.1: Implementation Schedule of LARP

Action	Timeline	Responsibility	Todate Status
Establishment of PMU	-	NTDC	PMU headed by GM is already in place at WAPDA House Lahore
Setting-up the E&SIC	In place	NTDC	E&SIC headed by a Manager is already in place at WAPDA House.
Project Implementation Unit (PIU) at field level	2016 In place	NTDC	Already in place
Establish Grievance Redress Committee (GRC).	15 Oct, 2016	NTDC	NTDC (PMU) will need to notify the GRC at PIU level to redress the APs/ community concerns/ issues.
Submission of draft LARP to ADB	31 August, 2016	PMU/ Consultants	-
Pashto translation and disclosure of LARP	15 Oct, 2016	E&SIC/ PMU	In addition to disclosure to APs, also to be placed at PIU and pasted at NTDC website.
LARP Updation (if required)	Nov 2016	PMU	PMC will update the draft LARP.
Approval of LARP	25 Oct. 2016	ADB	-
Formation of APC at District level representing to all concerned villages	30 Oct, 2016	PIU in coordination with E&SIC	The social mobilizer at PIU level (proposed position) in coordination with PMC (Safeguard Implementation Specialist) will establish the requisite APC (s).
Placement of Project Monitoring Consultants	In place	NTDC	Completed
Hiring of EMA	In place	NTDC/ PMU	Hired
Payment for Land Acquisition to APs	Dec-March 2016	NTDC	This is subject to announcement of land award in dec-March 2016.
Land award	15 Dec 2016	ESIC/LAC	15 Dec 2016
EMR confirming LARP implementation	30 Dec 2016	EMA	EMA report (quarterly) will be prepared on the completion of payments.
Contract award	15 Jan, 2017	NTDC	Bidding is in process.
Contract mobilization	30 Jan, 2017	Contractor	-
Commencement of construction	10 Feb, 2017	Contractor	-
Redress of community complaints	Continuous activity	PIU/ GRC/ PMU	This will be a continuous activity till project completion.
Project Completion	31 March, 2018	NTDC/ Contractor	-

9. RESETTLEMENT BUDGET AND FINANCING

105. All LAR preparation and implementation costs, including cost of compensation and LAR administration, will be considered an integral part of Project cost.

9.1. Compensation Methodology

9.1.1. Land Compensation Rates

106. The land for the construction of GS is irrigated with no irrigation (surface or ground water) facilities. The stratum includes gravels. Wheat is the only crop grown on this land provided there is a good rainfall. However, the piece of land is located on the main road and is considered as high value land. It was revealed during the survey that sale and purchase of land and property was not a common activity in the area. This is due to the fact that possession of land is considered as a symbol of pride in the area, on one hand and the outside people see no economic attraction in purchasing land or property in these areas due to various socio-economic factors, on the other.

107. In view of the fact that NTDC has started the process of land acquisition recently and which may take 6-8 months in its completion, the official price of land was not available. Owing to this limitation, a broad based inquiry into the prices of land was made. The unit rates for the land were collected from the (i) revenue department and (ii) market survey of the recent land transactions held in the vicinity of the project area and (iii) discussions with the land owners/ APs. The market survey was conducted during the conduct of census and socioeconomic surveys. It was revealed that per kanal price of the land ranged from Rs. 150,000. The same rates have been used to work out the cost of land.

9.2. Source of Financing

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

109. The EA (NTDC) is responsible for the timely allocation of the funds needed to implement this LARP.

110. As per the flow of LAR finances it is noted that the budget for land compensation will be disbursed by NTDC to the District Collector Office which in turn, through the LAC will disburse the compensation to the APs/ or concerned department/ agency. In case of compensation funds for other assets (structures), restoration works, employment, income loss, etc. will go from NTDC to the PMU which will disburse the funds to the APs with assistance from the PIU.

9.3. Resettlement Budget

111. The resettlement budget has been estimated keeping in view the sub-project impacts including crops and trees as well as other assistance to the APs. The total amount of LAR activities comes to be Rs. 59.355 million as presented in Table 9.2. The compensation for individual AF is provided in Annex-4.

112. Budget of the 220 kV Nowshera GS is shown as under.

Table 9.2: Resettlement Budget

Sr. No	Description	Unit	Quantity	Unit Rate (Rs.)	Amount (Rs.)
A)	Land Acquisition				
	Construction of new 220 kV Grid Station	Kanal	314.95	150,000	47,242,500
	15% Compulsary Acquisition Surcharge	-	-	-	7,086,375
	Structure of 11 DPs	Nos.	11	200,000	2,200,000
	Sub-total	-	-	-	56,528,875
	Contingencies @ 5%	-	-	-	2,826,444
	Grand Total	-	-	-	59,355,319
	US\$		-	-	565,289

1 US \$= Rs. 105 as of 18 October, 2016.

10. MONITORING AND EVALUATION

10.1. General

113. LAR tasks under the Project will be subjected to both internal and external monitoring. Internal monitoring will be conducted by the PMU. External monitoring will be assigned to an External Monitoring Agency (EMA) to be hired by PMU, and approved by ADB. The EMA will be selected among local consultants/ consulting firms.

114. ADB will prepare the terms of reference (TOR) for the EMA before to start the LARP implementation.

10.2. Internal Monitoring

115. Internal monitoring will be carried out by the PMU through E&SIC assisted by the Project Management Consultants (Safeguard Implementation Specialist). The results will be presented in the quarterly project implementation reports and submitted to ADB.

116. The internal monitoring reports include the 'process' and 'output' indicators. This information will be collected directly from the field and reported monthly by PIU to the PMU in order to assess the progress and results of LARP implementation, and to adjust the work plan/ activities in accordance with the LARP requirements as well as implementation schedule.

117. The following will be the specific aspects to be covered under the internal monitoring report.

- a) Consultation with APs and information disclosure;
- b) Disbursement of compensation for the affected items – land, structures, crops, tree and other assets;
- c) Relocation of community structures/ public utilities;
- d) Payments for loss of income;
- e) Land for land compensation (if any);
- f) Income restoration activities;
- g) Status of grievance redressal;

118. The above information will be collected by the Manager (E&SIC) through Assistant Manager (Social Safeguard) and PIU including Assistant Manager (Social Mobilization).

10.3. External Monitoring

119. External monitoring will be carried out by the External Monitoring Agency to be hired by PMU among the local consultants/ consulting firms.

120. The external monitoring activities will have short and medium term tasks. The short term tasks will occur in parallel and immediately after the delivery of LARP compensation. They will prepare a compliance report which is a condition to start civil works.

121. The medium term task will include the monitoring of the effectiveness of the compensation package.

122. As the number of impacts are limited, so that quarterly external monitoring reports at the initial stage of the LARP implementation and on its completion will be prepared.

However, some additional external monitoring report may be prepared depending upon the requirements of ADB.

123. The proposed indicators for external monitoring tasks include:

- a) Review and validate the internal monitoring reports prepared by PMU (E&SIC);
- b) Status of LARP implementation including payment of compensation to the APs
- c) Review the status of relocation of community structure/ public utilities;
- d) Status of redressal of community complaints and time spent to resolve the community grievances
- e) Carry out the consultations with APs, officials of project management and other concerned departments to share the feedback/ lessons learnt;
- f) Identify gaps regarding LARP implementation and suggest remedial measures; and also develop a corrective action plan
- g) Assess the LAR implementation efficiency, effectiveness, impact and its sustainability.

124. The EMA will also assess the status of project affected vulnerable groups such as female-headed households, disabled/elderly and families below the poverty line.

PHOTOLOG

PICTORIAL PRESENTATION



ANNEXES

Annex-1**List of Affected Persons and Detail of Land being acquired for Grid Station**

Sr.	AP Name	Khasra No.	Area	
			Kanal	Marla
1	Mosam Khan s/o Rasool Khan	1717	1	13
2	Shaamlat Deh	1907	13	0
3	Govt. Land (Distt. Govt.)	1823	11	11
4	Govt. Land (Distt. Govt.)	1901	5	17
5	Rasool Khan s/o Hasham Ali	1710	12	6
6	Imran Khan s/o Samandar Khan	1711	14	8
7	Tajamal Shah s/o Naseem Shah	1825	3	0
8	Ishtiaq Ahmed S/O Zahid –ur-Rehman	1749	10	5
9	Zahid –ur-Rehman s/o Faiz –ur- Rehman	1748	7	5
10	Khalid Mehmood s/o Aziz-ur-Rehman	1739	2	5
11	Wali Muhammad s/o Arshad Khan	1740	0	17
12	Muhammad Khan s/o Fanoos Khan	1733	2	16
13	Rasool Jan s/o Hasham Khan	1752	6	11
14	Hikmat Khan s/o Muarrab Khan	1755	2	19
15	Muhammad Idrees s/o Muhammad Umar	1765	0	9
16	Mehfooz Ali s/o Murad Ali	1767	4	19
17	Sajid Ali s/o Ihsan-ud-din	1762	5	0
18	Wali Muhammd s/o Arsala Khan	1751	6	4
19	Fazal –e- Raheem s/o Hasham Ali	1833	8	1
20	Sana Khursheedi D/o Shamrooz	1830	3	18
21	Nair Ali s/o Akbar Ali	1741	3	17
22	Faiz Ali s/o Akbar Ali	1743	10	10

23	Furqan Ali s/o Akbar Ali	1745	11	6
24	Noor-ul Haq s/o Fazal Haq	1828	6	13
25	Said Ahmed s/o Hakim Khan	1827	4	5
26	Nazar ALI S/O Muhammad Alim	1716	12	9
27	Gulsham Khan s/o Shah Khan	1744	18	3
28	Mehmood Ahmed s/o Abaad Khan	1829	4	6
29	Fazal Jan s/o Masaib Gul	1763	2	5
30	Muhammad Shareef s/o Dilawar Khan	1831	2	6
31	Haji Qadr Gul s/o Bhadar Khan	1750	14	7
32	Muhammad Idrees s/o Muhammad Umar	1832	6	4
33	Zahoor Muhammad Jummah	1714	7	7
34	Wazer Zada s/o Noor Din	1712	5	5
35	Muhammad Iqbal s/o Sher Ahmed	1713	7	14
36	Qamar Ali s/o Badshah Gul	1826	3	3
37	Shujah-ul Mulak	1715	41	12
38	Nowsherwan s/o Ihsan Ullah	1753	6	18
39	Dilfam Bibi D/o Afreedi Khan	1764	1	03
40	Saman Ara w/O Abdul Hamed Khan	1766	0	11
41	Muhammad Shareef S/O Dilawar Khan	1746	13	11
42	Khushdil Khan s/o Azam Khan	1747	8	7
Total			314.95 Kanals	

Annex-2**PART- A: CENSUS SURVEY QUESTIONNAIRE**

ID# _____

1. IDENTIFICATION

1.1 Location/Section: _____

1.2 Name of AP _____ 1.3 Father's Name _____

1.4 Respondent NIC No: _____ 1.5 Village _____

1.6 District _____ 1.7 Province _____

1.8 Category of Respondent: (Tick Relevant)

- i. Land Owner ii. Land Tenant iii. Business Owner Operator
- iv. Business Tenant Operator v. Encroacher/ Squatter vi. Lease Holder
- vii. Others _____ (Specify)

1.9 Demographic Profile of the Affected Person(Children up to 10 yrs (#): M=[_] FM=[_] T=[_]

Sr. No.	Relations hip with Respondent (See Codes)	Sex Male=1 Female =2	Age (Yrs .)	Education (See Codes)	Business/ Occupation (See Codes)		Income (RS.)		Reside nt at Site Yes=1 No=2
					Main	Seconda ry	Main	Seconda ry	
1	SELF								
2									
3									
4									
5									
6									
7									

8									
9									
10									

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

Demographic Codes:

a) Relationship:

1=Self, 2=Wife, 3=Son, 4=Daughter, 5=Father, 6=Mother, 7=Brother, 8=Sister, 9=Grand Father, 10=Grand Mother, 11=Brother's Wife, 12=Nephew, 13=Niece 14=Father –in-Law, 15=Mother- in- Law, 16= Others

b) Education:

1= Primary 2= Middle 3= Matric, 4= Intermediate, 5= BA/BSc, 6= MA/MSc, 7=LLB, 8=Engineer, 9=MBBS, 10=Technical Diploma, 11=Dars-e-Nizami, 12=Can Read Quran, 13= Can Insert Signatures, 14= Hafiz-e-Quran, 15= Illiterate, 16= Others

c) Occupations:

1=Agriculturist, 2=Shopkeeper, 3= Trader, 4= Govt. Servant, 5=Private Servant, 6= Labour, 7=Educator/Teacher, 8=House-Maid, 9= House Wife, 10=Gone Abroad, 11=Restaurant, 12= Health related, 13= Others

2. LANGUAGE SPOKEN _____

3. DETAIL OF AFFECTED PROPERTY

3.1 Type of Property likely to be affected:

i) Land ☐ ii) Structure ☐ iii) Land & Structure ☐

3.2 In case of affected land provide following details:

Type of Land	Total Land Owned (Kanal) (within and outside this village)	Affected Land	
		Width (m)	Length (m)
Agricultural Cultivated			
Forest Land			
Un-Cultivated			
Cultivable Waste			

Grazing			
Commercial			
Residential			
Waste Land			
Mountain			
Others			

3.3 If Structure, specify category of Structure: (Tick relevant)

Commercial

☐

Residential

☐

Shed

☐

Kiosk (Khokha)

☐

Platform

☐

Others

☐

3.4 Ownership Status:

- i) Have legal documents: ☐ ii) Have informal documents: ☐ iii) Inherited: ☐
 iv) Possession only: ☐ v) Others(Specify): _____

3.5 Details about Other Affected Assets

Type of Asset	No.	Value (Rs.)	When Purchased / Installed (No. of Yrs.)
Hand Pump/Donkey Pump			
Electric motor			
Irrigation Channel			
Water Storage Tanks			
Other (specify)			

3.6 Employees Description

How many employees do you have? [] Nos.

Sr. No.	Name of Employee	Nature of Employment	Average Monthly Wage (Rs.)	Other Annual Income	Stay at Site (Tick)		Total Family Member (No.)	Male (No.)	Female (No.)	Children (No.)
					Alone	With Family				
1.										
2.										
3.										
4.										

4. DESCRIPTIVE QUESTIONS4.1 Do you have some other place to move? ☐ Yes ☐ No

i) If Yes:

- How far away from this place? _____ (km)

- Do you own this place? Yes ☐ No ☐

ii) If No, then what kind of assistance you expect from the government/ project?

Cash compensation ☐ New House/ Shop ☐ New Land ☐

5. IN CASE OF TENANT:

5.1 Name of Owner: _____ 5.2 Occupation / Business _____

5.3 Av. Monthly Income (Rs.) _____ 5.4 Avg. Monthly Rent (Rs.) _____

5.5 For how long you are at tenancy: _____ Month, _____ Year

5.6 Have you made any investment: ☐ Yes ☐ No

5.7 If yes, provide following details:

Structure	Size (m)		Estimated Cost (Rs.)	Year of Construction	Cost for Similar Replacement (Rs.)
	W	L			
House (Rooms)					
Shop					
Khokha					
Other (specify)					

PART-B: SOCIO-ECONOMIC SURVEY QUESTIONNAIRE

6. Respondent _____ Father's Name _____

7. Village _____ District _____

8. CROPPING PATTERN, YIELD AND COST

Code	Crops	Area Sown		Production (Kgs)	Total costs incurred	Price (Rs./40kg)
		Kanal	Sq.M.			

1	Rice/Paddy					
2	Maize					
3	Sugarcane					
4	Fodder (Summer)					
5	Millets					
6	Vegetables					
7	Wheat					
8	Fodder (Winter)					
9	Oilseed					
10	Orchards					
11	Other					

9. SOURCE OF IRRIGATION

i) Spring ii) Channel Irrigation iii) Lift iv) Tube well v) Barani

10. PREVALENT LAND RATE (Rs. Per Kanal)

i) Residential _____ ii) Commercial _____ iii) Cultivated _____

iv) Waste _____ v) Grazing _____

11. LAND RENT (Rs./ Year) _____

12. POSSESSION OF HOUSEHOLD ITEMS

Item	No	Value (Rs.)	Item	No	Value (Rs.)
Refrigerator			Van/Pickup		

Television			Gas Cylinder		
Washing machine			VCR/ CD Player		
Geyser			Dish Antenna		
Electric fan			Telephone Landline		
Electric iron			Mobile Phone		
Sewing machine			Air Conditioner		
Radio/tape recorder			Electric Water Pump		
Bicycle			Computer		
Motor cycle/scooter			Other		
Car					

13. ACCESS TO SOCIAL AMENITIES (TICK)

Social Amenities	Available	Not Available	Social Amenities	Available	Not Available
Electricity			Sewerage/Drainage		
Gas			BHU/ Health Care		
Water Supply			School		
Telephone			Mosque		

14. AVERAGE MONTHLY EXPENDITURE ON FOOD AND NON- FOOD ITEMS (Rs.)

14.1	Food Items	Expenses	Non-Food Items	Expenses
	Meat		Bath Soap	
	Ghee		Washing Soap	
	Sugar		Gas Cylinder	
	Flour		Fuel Wood	
	Legumes		Kerosene Oil	
	Vegetables		Vehicle Fuel	

		(Petrol/Diesel)	
Spices		Other	
Tea Leaves			
Milk			
Other			

15. AVERAGE. MONTHLY BILLS (RS.)

- i) Electricity _____ ii) Telephone _____ iii) Water _____ iv) Gas _____
v) Cable _____

16. EXPENDITURE ON CLOTHES AND SHOES DURING LAST YEAR (RS.) _____**17. Occasional expenses during last year (Rs.) _____**

(Expenditures on meeting, social obligations such as ceremonies relating to marriages, deaths, etc.)

18. ANNUAL EXPENDITURE ON HEALTH CARE (RS.) _____**19. HOUSING CONDITIONS**

19.1 Total Area of the House (Sq. m): _____ 19.2) Year _____ of Construction _____

19.3 Present Value of the House (Rs.) _____

19.4 Type of Structure

- i) Made with Mud _____ ii) Made with mud & bricks _____
iii) Stone Masonry _____ iv) Made with cement & Bricks _____
v) Concrete _____

20. STRUCTURE DETAILS

Type of Structure	No. of Rooms	Type
Living rooms		
Animal shed/room		
Other shed / Kitchen		
Bathroom (Separate / Attached)		
Latrine		
-Open		

-Flush		
--------	--	--

21. LIVESTOCK INVENTORY

Livestock	Adult (No.)	Calf No.	Present Value (Rs.)
Buffaloes			
Cows			
Ox			
Bulls			
Horse			
Donkey			
Sheep/Goat			
Poultry			
Other			

22. WOMEN'S PARTICIPATION AND ROLE IN DIFFERENT HOUSEHOLD ACTIVITIES

Activities	Participation Extent (%)	Decision Making Extent (%)
Household activities		
Child caring		
Farm/Crop activities		
Livestock rearing		
Sale & Purchase of properties		
Social obligations (marriage, birthday & other functions)		
Local representation (councilor/political gathering)		

23. PERCEPTIONS OF RESPONDENTS FOR ACTION ASSOCIATED WITH THE PROJECT

Possible impacts/effects of the Project	Increase	Decrease
Employment opportunities		
Living standard		
Unemployment		
Income generating activities		

24. COMMENTS / OBSERVATIONS:**24.1 Pressing Needs and General Remarks of the Respondent:**

Name & Signature of Interviewer: _____ Dated: _____