

# Resettlement Planning Document

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Resettlement Action Plan – Waste Water Treatment Plant at Tehsil Municipal Administration Dera  
Ghazi Khan  
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## PAK: Southern Punjab Basic Urban Services Project in the Islamic Republic of Pakistan

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## ABBREVIATIONS

ADB	–	Asian Development Bank
AHH	–	Affected Household Heads
AP	–	Affected Persons
CAS	–	Compulsory Acquisition Surcharge
CBO	–	Community Based Organizations
CCB	–	Citizens Community Board
EA	–	Executing Agency
GRC	–	Grievance Redress Committee
LAA	–	Land Acquisition Act
LAC	–	Land Acquisition Collector
LARS	–	Land Acquisition and Resettlement Survey
LG&CD	–	Local Government and Community Development
ME	–	Municipal Engineer
NA	–	Not Applicable
NGO	–	Non Government Organization
PCO	–	Project Coordination Office
PD	–	Project Directorate
PIUs	–	Project Implementation Units
PRO	–	Project Resettlement Officer
RAP	–	Resettlement Action Plan
RF	–	Resettlement Framework
SES	–	Socioeconomic Survey
SPBUSP	–	Southern Punjab Basic Urban Services Project
TMA	–	Tehsil Municipal Administration
WWTP	–	Waste Water Treatment Plant

## GLOSSARY

Chak	–	Village
District	–	Administrative Unit of Province under Local Government
Mouza	–	Revenue Village
Tehsil	–	Administrative Unit of District Government
Tehsildar	–	Administrative Officer of Revenue Department

## CONTENTS

	<b>Page</b>
EXECUTIVE SUMMARY	i
I. PROJECT BACKGROUND	1
II. OBJECTIVE AND PURPOSE OF THE RESETTLEMENT ACTION PLAN	1
III. SURVEY METHODOLOGY	2
IV. SCOPE OF RESETTLEMENT AT DERA GHAZI KHAN	2
A. Key Effects in Terms of Land Acquired, Assets Lost and People Displaced	2
B. Impacts on Community / Common Property Resources	4
C. Measures to Minimize Land Acquisition	4
V. SOCIOECONOMIC PROFILE	5
A. Socioeconomic Profile of the People Near the WWTP	5
B. Access to Credit	5
C. Indigenous People, Ethnic Minorities and Other Vulnerable Groups in the Subproject Area	5
D. Gender Impact and Mitigation	5
E. Affected Households and Affected Persons Profile	6
F. Affected Households Educational Attainment and Access to Common Property Resources	6
G. Affected Households' Livelihood	7
H. Affected Households Income and Expenditure Levels	7
VI. POLICY FRAMEWORK AND ENTITLEMENTS	7
A. Project Resettlement Principles	8
B. Eligibility and Project Entitlements under the ADB Policy on Involuntary Resettlement	9
C. Entitlements	10
VII. CONSULTATION AND GRIEVANCE REDRESS PROCEDURE	12
A. Consultation	12
B. Grievance Redress Procedure	13
VIII. COMPENSATION, RELOCATION AND INCOME RESTORATION	14
IX. INSTITUTIONAL FRAMEWORK	14
X. LAND ACQUISITION / RESETTLEMENT BUDGET AND FINANCING	15
XI. IMPLEMENTATION SCHEDULE	15
XII. MONITORING AND EVALUATION	15
A. Monitoring and Evaluation	15
B. Internal Monitoring	16
C. External Monitoring	17
D. Resettlement Databank	18
E. Reporting Requirements	19

## APPENDIXES

1	Resettlement Screening Checklist	20
2	List of Affected Household Heads (AHHs) located in Mauza Gadai Gharbi with the Amount of Compensation to be Paid	22
3	Consultative Meetings with the APs of Waste Water Treatment Plant At TMA Dera Ghazi Khan	23
4	RAP Implementation Schedule	25

## EXECUTIVE SUMMARY

1. This RAP has been prepared for the establishment of the proposed Waste Water Treatment Plant in **Mauza Gadai Gharbi in TMA Dera Ghazi Khan** under Southern Punjab Basic Urban Services Project (the Project), treated as a subproject. Land acquisition for the proposed subproject will directly affect 30 household heads (landowners).
2. Prior to the preparation of this Resettlement Action Plan (RAP), a Resettlement Screening Checklist (Appendix 1) for the subproject was prepared on the basis of a field reconnaissance survey and it was determined that the subproject falls under Category-B and therefore a Short RAP is required .
3. This RAP has been prepared in accordance with the applicable laws of the Government of Pakistan and ADB's resettlement policy and guidelines for involuntary resettlement. This RAP presents the scope of land acquisition and resettlement, strategies to avoid and/or minimize land acquisition resettlement impacts, land acquisition and resettlement policies and objectives, implementation process, organizational arrangements, disclosure, consultation and grievance redress mechanisms, monitoring and evaluation activities and the budget. It should be noted that the compensation cost has been computed on the basis of estimates given in gazette notification issued under Section 4 of Land Acquisition Act 1894 with additional 15% as compulsory acquisition surcharge (CAS). The compensation cost will be finalized after declaration of award under Section 11 of Land Acquisition Act containing proceedings of Section 6 and 7 of Land Acquisition Act.
4. As part of the feasibility study, a Resettlement Framework (RF), which includes an Entitlement Matrix, was prepared and approved by ADB. The RF and its Entitlement Matrix provides the basis for preparing this RAP for the WWTP in Dera Ghazi Khan. This RAP will be submitted to ADB for approval before the award of civil works contracts to ensure (i) that subproject does not proceed without an acceptable RAP and budget and (ii) that people affected will not be displaced or dispossessed without adequate compensation and relocation assistance.
5. Several locations for siting the WWTP were explored and all efforts were made to avoid acquisition of land that was currently under productive use, close to human settlements, or under dwellings, or under the ownership of individuals who may not have any other land to carry on their livelihood activities. Consultations in choosing the location were also conducted with local community leaders and it was finally decided to locate the WWTP at the selected site, in consultation with the landowners. The selected site, extending to 20.51 hectare , located in **Mauza Gadai Gharbi in TMA Dera Ghazi Khan**, is, technically and economically most suitable for construction, and will not adversely affect poor people and women, as human settlements are about ten kilometers away.
6. The scope of resettlement and other aspects of the RAP have been determined on the basis of the feasibility study report using the site for WWTP as the reference point for determination of affected area. Information on APs was generated through a 100% Land Acquisition and Resettlement Survey (LARS), also referred to as Census survey, covering all Affected Household Heads (AHHs), and Socioeconomic Survey (SES) representing 20% of the directly and indirectly affected persons. The Subproject impacts are mostly limited to minimal land acquisition estimated at 20.51 hectares for construction of the proposed WWTP. All APs will be adequately compensated and provided with relocation assistance as set out in the Subproject entitlement matrix. The Cut-off date for assessment of losses and compensation has

been set as 27 March 2007 the date on which Notice under Section 4 of the LAA 1894 was issued.

7. Information dissemination and consultation has already been conducted during 7-12 April 2007. A meeting was held with APs on 10 April 2007. The APs have stated that the estimated cost of land conveyed by the District Collector and approved by the competent authority is acceptable to them and they have no objection in the matter. More information regarding resettlement will be provided by the PCO / concerned TMA through newspapers and resettlement booklets. The Resettlement Framework and the Short RAP will be translated into Urdu, and made available at public offices in TMA Dera Ghazi Khan for public reference.

8. The PCO is responsible for overall supervision of subproject implementation. For the implementation of the RAP, a Resettlement Officer will be appointed to assist the PCO. The Resettlement Officer, who will be assisted by a Social and Community Development Officer, will coordinate all land acquisition and resettlement issues related to the subproject. At PIU, a Land Acquisition Officer (LAO) has been appointed to coordinate all land acquisition and resettlement and rehabilitation issues. The LAO coordinates land acquisition and compensation, relocation and resettlement, distribution of most Project-provided assistance, and AP's access to most government programs in the entitlement package.

9. A Coordinator, Social Mobilization, with experience in social/gender development and with a track record in resettlement and rehabilitation has been engaged by the PCO for RAP implementation. The Coordinator is assisted by Social Mobilizers who are responsible for AP counseling, encourage productive utilization of compensation and rehabilitation grants, facilitate AP access to financial assistance under various subsidy-related development programs, and increase social acceptability and effectiveness of training programs organized for APs. Moreover, the social mobilizers ensure effective internal coordination and maximize transfer of skills.

10. The PCO, responsible for supervision and implementation of the Project, will prepare monthly progress reports on resettlement activities and submit to the ADB for review. PCO will also monitor RAP implementation and submit quarterly reports to ADB. An independent Panel of Experts, comprising senior government officials and civil society representatives, will submit bi-annual review directly to ADB, determine whether the stated resettlement goals have been achieved, more importantly, whether livelihoods and living standards of APs have been restored / enhanced and make suitable recommendations for improvement, if necessary.

11. The Subproject established a Grievance Redress Committee on 20 October 2005, headed by the Tehsil Nazim with members from Tehsil Municipal Officer / Project Manager, Representative of the local NGO/CCB/CBO nominated by the TMA, Women Councilor and concerned community representative. The field-based Assistant Engineer is the member-Secretary of the GRC and acts as the Project's Grievance Officer. GRC is mandated to meet as and when the issues for the resettlement crops up and apprise the PCO accordingly. The GRC is expected to deliver its decision within four to six (4-6) weeks of registration of the case. The functions of the Grievance Redress Committee are:

- (i) Provide support to APs on problems arising out of their land/property acquisition and/or eviction from the subproject area;
- (ii) Record the grievance of the APs, categorize and prioritize the grievances that need to be resolved by the Committee; and

- (iii) Report to the aggrieved parties about the developments regarding their grievances and the decision of the Project authorities.

12. All information concerning resettlement issues related to land acquisition, socio-economic information of the acquired land; inventory of losses by individual APs, compensation and entitlements, payments and relocation will be collected by the respective Field offices and computerized by the PCO in Lahore. This databank will form the basis of information for implementation, monitoring and reporting purposes and facilitate efficient resettlement management.

13. On all such site where involuntary resettlement is involved, the Panel of Experts as constituted under the project, will visit and validate that the APs have received due compensation by getting their signatures in accordance with ADB Guidelines and the agreed Entitlement Matrix attached to this RAP. The Panel of Experts will also monitor the computerized databank, to be prepared by the PCO, containing data pertaining to land acquisition, socio-economic information of the affected persons (APs); inventory of losses by affected heads of households (AHHs), compensation and entitlements, payments and relocation, etc. This databank will form the basis of information for implementation, monitoring and reporting purposes and facilitate efficient resettlement management.

14. Monitoring and Evaluation are critical activities in involuntary resettlement. Monitoring involves periodic checking to ascertain whether activities are progressing as per schedule while evaluation is essentially a summing up, at the end of the subproject, assessment of the actual achievement in comparison to those aimed at during the implementation. RAP implementation will be monitored both internally and externally.



## I. PROJECT BACKGROUND

1. The Project aims to (i) reduce urban poverty, improve community health, and reduce environmental degradation in 21 Project towns by improving the water supply, sanitation, solid waste management, and roads for low-income communities; and (ii) ensure sustainability of urban investments by strengthening institutional capacities of newly devolved local municipal agencies. The Project is expected to improve the living conditions and quality of life of about 3.6 million urban people, mostly in low-income communities. Under its component for development of infrastructure for basic urban services, including community development and participation the Project will improve infrastructure in the following subsectors: (i) water supply, (ii) sewerage systems and wastewater treatment, (iii) solid waste management, (iv) road links for low-income areas, (v) slaughterhouses, and (vi) incremental land development for the poor. This component will also include community development and participation, aiming to ensure sustainability of investments and to develop organizational and human capacity in local government agencies for participatory processes targeted to reduce poverty and provide basic needs.

2. The Local Government and Community Development Department (LG&CDD), Punjab is the executing agency of the Project. It has already established a Project Co-ordination Office (PCO) in Lahore. As part of its responsibilities, PCO is conducting the required impact assessment for the subprojects and submit appropriate mitigation and resettlement action plans (RAPs) for review and approval by ADB prior to the award of related civil works contracts.

3. Depending on the location of various subprojects, both State-owned and private lands have been identified in various Towns. State land is being transferred to the Tehsil Municipal Administrations (TMAs) and appropriate actions are being taken for the acquisition of privately owned land.

4. As part of the feasibility study, a Resettlement Framework (RF), which includes an Entitlement Matrix, was prepared and approved by ADB. The RF and its Entitlement Matrix provides the basis for preparing RAPs for various Subprojects that involve land acquisition and involuntary resettlement.

5. The Waste Water Treatment Plant was treated as a subproject under the Project and the RAP has been prepared in accordance with the prevailing laws and regulations of Pakistan including the Land Acquisition Act of 1894, the Project Implementation and Resettlement of Affected Persons Ordinance of 2001, the Punjab Development of Cities Act of 1976, and the Pakistan Environmental Protection Act of 1997, as amended from time to time, and the ADB policy on involuntary resettlement using the guidance provided in the Handbook on Resettlement, as well as the RF. The RAP outlines the remedial measures for mitigation of adverse impacts of the Subproject. Prior to the preparation of this RAP, a Resettlement Screening (RS) Checklist (Appendix 1) was prepared on the basis of reconnaissance field visit. Based on the RS Checklist, it was determined that the subproject falls under Category-B, as less than 200 persons are affected. Therefore, a Short RAP has been prepared. The RAP will be submitted to ADB for approval before the award of civil works contracts to ensure (i) that subproject does not proceed without an acceptable RAP and budget and (ii) that people affected will not be displaced or dispossessed without adequate compensation and relocation assistance.

## II. OBJECTIVE AND PURPOSE OF THE RESETTLEMENT ACTION PLAN

6. The main objective of this RAP is to support affected persons (APs) to overcome adverse effects, mainly by the land acquisition associated with the subproject. This RAP aims at

improving AP's own capacity to rehabilitate themselves by paying their due entitlements appropriately and in a timely manner. Purpose of resettlement is to provide replacement for loss of assets, houses and livelihood due to land acquisition. In addition an income restoration program will be designed that will focus on affected persons that are particularly disadvantaged in terms of income generation and employment.

### **III. SURVEY METHODOLOGY**

7. The scope of the study for preparation of RAP was determined on the basis of the feasibility study report for the subproject using the site for the WWTP as the reference point for determination of affected area. Information on APs was generated through a 100% Land Acquisition and Resettlement Survey (LARS), also referred to as Census survey, covering all Affected Household Heads (AHHs), and Socioeconomic Survey (SES) representing 20% of the directly and indirectly affected persons near the WWTP. LARS aimed at collecting relevant information on family status, land ownership, properties and assets, income and expenditure, and resettlement options of APs. The SES, on the other hand provided information on household income and expenditure patterns, indebtedness, and status of women. Key informant discussions and field observations were also used as tools to develop this RAP. Before entering and analysing the data all completed questionnaires were screened with the aim of finding and filling gaps. Finally, the data were analysed to generate necessary socioeconomic and compensation related information.

8. The survey was conducted during April 2007 using Social Mobilizers working under Package D of the Project. The Resettlement Specialist provided an initial training and orientation to the Social Mobilizers. The Resettlement Specialist also visited the site to examine and verify the information.

### **IV. SCOPE OF RESETTLEMENT AT DERA GHAZI KHAN**

#### **A. Key Effects in Terms of Land Acquired, Assets Lost and People Displaced**

9. The WWTP proposed to be set up in Mauza Gadai Gharbi in TMA Dera Ghazi Khan requires a piece of land measuring 20.51 hectares that will be acquired following the Land Acquisition Act of 1894 (as amended to-date) and other Laws, Ordinances, and regulations referred to earlier. Further, there does not seem to be any disturbance to any government installation. Most of the land is under cultivation. The farmers were given ample time to cultivate and harvest their crops prior to actual acquisition taking place hence, compensation for their crop is not included in the cost estimates. Normally wheat and rice are the major crops grown in the area.

10. The impact of land acquisition does not include removal of any permanent or primary housing structure, tube well, or trees located within the affected land. Currently neither any tenants nor sharecroppers are operating on the land to be acquired. It has also been noted that agricultural laborers previously working on the said land are now busy in available agricultural farms nearby or adjacent to the land under acquisition, so they will not face any temporary loss of livelihood. Based on the 100% land acquisition survey the total number of Affected Household Heads (AHHs) is 30 comprising 189 affected persons (APs). Table 1 provides the Summary of Land Acquisition and Resettlement Impacts, and Table 2 shows the number of affected persons and affected households by location/village and severity of impact.

**Table 1: Summary of Land Acquisition/Resettlement Impacts**

Impact	Number or Area Affected	Unit	Number of APs		Number of AP Households / Land Owners
			Male	Female	
<b>Permanent loss of agricultural land</b>					
♦ 10% or less of land affected	20.51	Hectare	97	92	30
♦ 11 – 50 % of land affected	NONE	Hectare	--	--	--
♦ 51 – 99% of land affected	NONE	Hectare	--	--	--
♦ 100% of land affected	NONE	Hectare	--	--	--

Note: In the column 'unit', indicate if the number in the preceding column refers to number of units or area of land (reflected in terms of square meters or hectares) or number of people.

Some APs may experience more than one type of impact. Hence, multiple recording is possible.

Source: Land Acquisition and Resettlement Survey (LARS) and SE Survey conducted by Package D Social Mobilizers.

**Table 2: Number of Affected Persons and Affected Households by Location/Village and Severity of Impact**

Location/Village /Tehsil	Severity of Impact	No. of Affected Household	AP Population		
			Male	Female	Total
Mauza Gharbi	Severely affected	--	--	--	--
	Slightly affected	30	97	92	189

Note: APs who will be physically displaced from housing or losing more than 10% of their productive agricultural land are considered severely affected.

Source: Land Acquisition and Resettlement Survey (LARS) and SE Survey conducted by Package D Social Mobilizers.

11. The land acquisition survey has established that all the APs have sufficient land to continue their activities. This is because, on average, the landowners will not lose more than 6.25% of the land they own, as shown in the Table 3 below:

**Table 3: Adequacy of Remaining Land or Availability of Alternative Land for APs to Continue Their Affected Activities or Residence**

S. No.	Name of AHHs	Total Land (Ha)	Land being acquired (Ha)	Percentage Effect / Impact	Comments
1.	Ramzan Shah S/o Jewan Shah	3.68	0.23	6.25	
2.	Allah Wasaya S/o Ahmad Shah	26.98	1.67	6.19	
3.	Allah Waraya S/o Ahmad Shah				
4.	Ghulam Shabbir S/o Allah Bakhsh				
5.	Ghulam Abbas S/o Allah Bakhsh				
6.	Rahim Bakhsh S.o Guhna	68.34	4.08	5.97	
7.	Razzaq S/o Allah Bakhsh				
8.	Mustafa S/o Allah Bakhsh				
9.	Muhammad Bakhsh S/o Wilan	46.17	2.83	6.13	
10.	Farooq Ahmad S/o Allah Bakhsh				
11.	Eisa S/o Budha	16.99	1.06	6.24	
12.	Ghulam Nabi S/o Jan Muhammad	9.65	0.60	6.22	
13.	Hoot S/o Imam Bakhsh				
14.	Shah Muhammad Shah S/o Qadir Bakhsh Shah	13.09	0.81	6.19	Insignificant Effect
15.	Naseer Muhammad S/o Kaloo				
16.	Abdul Aziz S/o Khan Muhammad	53.08	3.19	6.01	
17.	Din Muhammad S/o Sher Muhammad				
18.	Ameer Bakhsh S/o Pir Bakhsh				
19.	Allah Bakhsh S/o Wilan	7.84	0.49	6.25	
20.	Kareem Bakhsh S/o Wilan				
21.	Aqeela D/o Khalil Ahmad				
22.	Allah Dad S/o Budha	38.12	2.31	6.06	
23.	Noor Muhammad S/o Budha				
24.	Mahmood S/o Jan Muhammad	9.84	0.61	6.20	
25.	Ghulam Hassan S/o Faqeer Bakhsh				
26.	Hussain Bakhsh S/o Mugia	28.38	1.74	6.13	
27.	Manzoor Hussain S/o Mugia				
28.	Iqbal S/o Mugia				
29.	Abdul Rehman S/o Allah Wasaya	14.24	0.89	6.25	
30.	Abdul Qadir S/o Allah Wasaya				

Source: Land Acquisition and Resettlement Survey.

Note: The land to be acquired from the AHHs listed under numbers 2-3, 4-8, 9-10,12-13, 15-18, 19-20, 21-23, 24-25, 26-28 and under 29-30 have joint ownership of land and have agreed to share the compensation through mutual agreement and consensus.

## **B. Impacts on Community / Common Property Resources**

12. There are no community or common property resources that will be affected by land acquisition since the land to be acquired is located within the confines of private agricultural land.

## **C. Measures to Minimize Land Acquisition**

13. Several sites for location of the WWTP were explored and all efforts were made to avoid acquisition of land that was currently under productive use, close to human settlements, or

under dwellings, or under the ownership of individuals who may not have any other land to carry on their livelihood activities. Consultations in choosing the location were also conducted with local community leaders and it was finally decided to locate the WWTP at the selected site, in consultation with the landowners. Consequently, at the selected site, the subproject will not adversely affect poor people and women, as human settlements are about ten kilometers away from the planned WWTP.

## **V. SOCIOECONOMIC PROFILE**

### **A. Socioeconomic Profile of the People Near the WWTP**

14. In the rural area most of the houses are temporary structures with mud walls. The poorer people live in thatched huts while big Zamindars have pucca houses in which material like burnt bricks in cement mortar, steel girders, cement concrete, roofing tiles are used. While proper toilets and cooking arrangements are also available in some of the houses.

15. Around 40% of the housing units are using potable water. However, as in rest of Southern Punjab, water supply is intermittent, and delivery is far from adequate. Similarly, water quality often falls below the standards of the World Health Organization for drinking water, mainly because of bacteriological contamination as a result of poor sanitation facilities. Majority is using hand pump for potable water.

16. Almost 74% of housing units have electricity as source of lighting. More than half of the housing units are using wood i.e. 65% as cooking fuel in their houses. Around 80% of the housing units have TV and radio, less than 10% housing units read newspapers. As a consequence, radio and TV are significant source of information for the people in the subproject area.

### **B. Access to Credit**

17. As per SES the proportion of sample respondents with access to credit ranged between 10% and 20%. This is because majority of the population in the subproject area is poor and landless, thus unable to produce collateral for securing credit. The average amount of loan desired by sample respondents varied between Rs. 25,000 and Rs. 50,000.

### **C. Indigenous People, Ethnic Minorities and Other Vulnerable Groups in the Subproject Area**

18. Based on the initial reconnaissance survey as well as the SES, no indigenous people, ethnic minorities, and other vulnerable groups were found to be adversely affected as a result of the subproject.

### **D. Gender Impact and Mitigation**

19. During SES, it was observed that there are some gender issues relating to the subproject. These include, i) Activities of the women working in the fields are affected by construction activities, because the movement of machinery and other equipment will affect on their privacy; ii) The induction of outside labor may create social and gender issues due to the unawareness of local customs and norms. They may also cause a hindrance to the mobility of local women; iii) disturbance to the privacy of local women with work on structures.

20. As stated above, the contractor will deploy their local people instead of inducting outside labor to mitigate potential gender impacts. The construction activities will be carried out at a reasonably adequate distance from the existing settlements and built up areas, which will mitigate the restrictions on the mobility of the local people in the area, especially women. The contractor will have to select specific timing for the construction activities so as to cause least disturbance to the local population especially women considering their peak movement hours. Contractor will need to give clear instructions to the staff not to involve themselves, individually or otherwise in any un-ethical activity and to obey the local norms and cultural restrictions, especially relating to their women's activities in the fields and farms.

#### E. Affected Households and Affected Persons Profile

21. As stated earlier, the total number of directly and indirectly affected persons in this subproject is 189 belong to 30 Affected Households Heads (AHHs). Of these 40 AHHs, 29 are males and 1 is female. Of the entire APs, 51% are male while 49% are female. Male to female ratio of total APs is 95 females for 100 males. See Table 4 below for details:

**Table 4: Age of AP Household Heads Disaggregated According to Age and Gender**

Age	Male		Female		Total	
	No. of APs	%	No. of APs	%	No. of APs	%
Below 18	23	24	25	27	48	25
18-30	22	23	20	22	42	22
31 – 40	17	18	15	16	32	17
41-60	30	31	28	30	58	31
61-70	5	5	3	3	8	4
Over 71	--	--	1	1	1	1
Total	97	100	92	100	189	100

Source: Land Acquisition and Resettlement Survey (LARS) and SE Survey conducted by Package D Social Mobilizers.

#### F. Affected Households Educational Attainment and Access to Common Property Resources

22. In terms of educational attainment, out of 189 APs, 52% are illiterate and the remaining have different level of education as given in Table given below:

**Table 5: Educational Attainment of the APs Disaggregated to Gender**

Age	Male		Female		Total	
	No. of APs	%	No. of APs	%	No. of APs	%
Illiterate	43	44	56	61	99	52
Literate and can sign	23	24	18	20	41	22
Primary Level	12	12	11	12	23	12
Middle Level	10	10	7	8	17	9
High Level	4	4	--	--	4	2
Secondary School Level	5	5	--	--	5	3
Graduation and above	--	--	--	--	--	--
Total	97	100	92	100	189	100

Source: Land Acquisition and Resettlement Survey (LARS) and SE Survey conducted by Package D Social Mobilizers.

## **G. Affected Households' Livelihood**

23. Major occupation of the APs is agriculture, which will not be significantly affected as the AHHs intend to purchase agricultural land with the amount of compensation that would be paid to them. Some of the APs also work in private sector organizations in the adjoining cities on low cadre positions.

## **H. Affected Households Income and Expenditure Levels**

24. Majority of the AHHs have access to common property resources such as access to water (80%), wood (70%) and grazing land (35%). In terms of food consumption, almost 100% of the respondents claimed that they never faced food deficit. There is a very high percentage (90%) of respondents who claimed that their children have all been immunized. For vehicle ownership, more than 10 were with 4-wheel drives. All the households have items such as TV, fridge and telephone. Majority of the respondents stated that they are not members of any development organization.

25. Eighty Five percent of the respondents have an average household income of Rs. 10,300 per month. Almost all the respondents derived income from agriculture slightly followed by those engaged in trading/small businesses like selling of milk. Like other areas of South Punjab, women mostly work indoors like sewing, embroidery and handicrafts as helping hands in the family business. Their outdoor work is confined almost exclusively to on-farm labor (weeding, harvesting, etc.).

## **VI. POLICY FRAMEWORK AND ENTITLEMENTS**

26. The core legal tool available with and used by the Government of Pakistan and the four Provincial Governments, including Punjab for acquiring private lands for a "public" purpose, is the Land Acquisition Act of 1894 (the Act) which has been amended from time to time. The process is initiated by serving a preliminary notice under the Act's Section 4 by the District Land Acquisition Collector (LAC) expressing the government's desire to "enter upon" broadly identified private lands for surveying and soil-testing for the specified public purpose/s. The next activity is carried out under Section 5, which involves marking and measurement of the land and assessment of compensation. The final declaration for possession of the finally selected portions/strips of the lands is issued under Section 6 of the Act.

27. Under this Act, only legal owners and tenants officially registered with the Land Revenue Department or possess formal lease agreements are considered "eligible" for land compensation. As per the provisions of the Act, cash compensation is assessed (under Section 5) on the basis of five or three years average registered market rate, and is paid to the landowners for their lands being acquired<sup>1</sup>. Moreover, 15% Compulsory Acquisition Surcharge (CAS) in addition to the land cost is also being paid to the legal owners.

28. However in this subproject, cost has been determined by Land Acquisition Collector/Deputy District Officer (Revenue) Dera Ghazi Khan notified under U/S 17(4) and 6 of the Land Acquisition Act 1894. This includes three years average market price plus 15% Compulsory Acquisition Surcharge (CAS), thereby ensuring a fair replacement value for the land being acquired.

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<sup>1</sup> According to LA Act of 1894 and ADB Guidelines, the owner(s) of acquired land is eligible for 15% "compulsory acquisition surcharge", plus 8% compound interest per annum from the date of notification (under Section 6) in case of delay in payment of compensation.

29. The Government of Pakistan Project Implementation and Resettlement of Affected Persons Ordinance 2001 provides comprehensive legislation that provides detailed procedures and definitions for land acquisition and resettlement of APs.<sup>2</sup>

#### **A. Project Resettlement Principles**

30. So far, there is no specific policy on resettlement in Pakistan<sup>3</sup>. The Land Acquisition Act of 1894 (the Act) deals with all aspects of land acquisition, and resettlement issues are addressed on project-by-project basis under special provisions made by the concerned Government. In the absence of a formal policy to assist non-titled persons, a Project-specific set of resettlement principles has been formulated. In this context, ADB has formulated comprehensive guidelines for resettlement resulting from its various investment projects. Its main objectives are as under:

- (i) Involuntary settlement should be avoided as much as possible;
- (ii) Where not possible then all best options/alternative must be followed;
- (iii) Affected people must be consulted at all possible stages before acquisition of land, its acquisition process, compensation and resettlements process;
- (iv) Formal proof of entitlement of owners/users should not be only the criteria, rather existing norms and practices should be followed, especially in case of households headed by women, minority groups, indigenous people, dependents and other vulnerable groups;
- (v) People affected in result of Bank supported projects must be adequately compensated so that their socio-economic conditions are not adversely affected;
- (vi) The total project estimates should include all resettlement and acquisition costs; and
- (vii) Costs of resettlement should be included in project cost and benefits evaluation.

31. Based on the ADB Guidelines and Land Acquisition Act 1894, the basic resettlement principles and guidelines adopted for this subproject are as under:

- (i) The affected persons (APs) are defined as those who stand to lose land, houses, structures, trees, crops, businesses, income and other assets as a consequence of the construction of subproject.
- (ii) All APs are equally eligible for compensation and rehabilitation assistance, irrespective of land ownership status, to ensure that those affected by the Subproject shall be at least as well off, if not better off than they would have been without the Subproject.

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<sup>2</sup> This Policy has been formulated to not only cover affected persons (APs) in existing systems but also to ensure an equitable and uniform treatment of resettlement issues all over Pakistan. This policy, still in draft, will apply to all development projects involving adverse social impacts, including land acquisition, loss of assets, income, business etc. It has addressed those areas, which are not looked after in LAA and will be applicable wherever any public sector or private development project affects people, families or communities, even when there is no displacement.

<sup>3</sup> ADB is currently assisting the Government of Pakistan to develop a National Policy on Resettlement for project-affected people. A Draft Policy paper titled "Pakistan Resettlement Policy and Practice – Review and Recommendations" was prepared under the ADB RETA 5781 for the *Review of National Resettlement Policies and Experience with Involuntary Resettlement Projects* (March 1998). The draft Resettlement Policy and Ordinance have already been prepared under another ADB RETA (Grant) and is now awaiting Federal Cabinet's approval.

- (iii) The compensation packages shall reflect replacement costs for all losses (such as lands, crops, trees, structures, businesses, income, etc.).
- (iv) Compensation and resettlement will be satisfactorily completed before a No-Objection from ADB will be provided for award of civil works contracts.
- (v) APs will be systematically informed and consulted about the subproject, and RAP will be made available in both English and Urdu languages to the affected persons and communities.
- (vi) The consultative process shall include not only those affected, but also the adjacent communities, representatives of the local governments of the areas where the subproject is located, community leaders, and social development organizations, such as non-government organizations / community-based organizations (NGOs/CBOs).

32. As mentioned earlier, the land to be acquired is an agricultural irrigated land. Prices of these lands depend upon location of the land. For instance, land facing road have higher prices as compared to land away from the road. Based on the location of land and its attributes which include productive potential and location, compensation for the land to be acquired has been estimated at Rs. 1,416,950 per hectare. This includes the assessed cost of land by the Price Assessment Committee, constituted by the Revenue Department, using last three years average market price (Rs. 1,232,130 per hectare) as the basis of irrigated agricultural land at the location of acquisition and 15% compulsory acquisition surcharge (Rs. 184,820). Thus the price is slightly above the current market value.

## **B. Eligibility and Project Entitlements under the ADB Policy on Involuntary Resettlement**

33. The ADB Resettlement Policy / Guidelines require compensation for the lost assets at replacement costs to both titled and non-titled landholders and resettlement assistance for lost income and livelihoods. In this Project, the absence of formal titles will not constitute a bar to resettlement assistance and rehabilitation. Further, the principles adopted herein contain special measures and assistance for vulnerable APs, such as female-headed households, disabled persons, small farmers and the poor.

34. Persons affected by land acquisition, and relocation and/or rehabilitation of structures/assets are entitled to a combination of compensation measures and resettlement assistance, depending on the nature of ownership rights of lost assets and scope of the impact, including social and economic vulnerability of the affected persons. In general terms, the affected persons in the Project will be entitled to various types of compensation and resettlement assistance that will help in the restoration of their livelihoods, at least, to the pre-Project standards. These are:

### **1. Compensation for loss of agricultural land, standing crops/trees**

- a. Cash compensation for land based on current market value to titleholders (including women), plus 15% Compulsory Acquisition Surcharge (CAS), as provided in LAA.
- b. Cash compensation for loss of crops at market value of mature crops. If sown or standing crops are damaged or uprooted, the eligible persons (tenants included) will be compensated in cash for the loss of un-

harvested crops, at the mature crop value to be assessed on the basis of current market rates.

- c. Compensation to sharecropper/tenants as per Land Acquisition Act.
- d. Compensation for loss of wood-trees at current market value.
- e. Compensation for loss of fruit trees for average fruit production for the next 10 years to be computed at the current market value.

## **2. Special provisions for the deserving APs**

- a. Special assistance of Rs. 1,000 to vulnerable groups, such as women-headed household, disabled or elderly persons and the poor, for re-establishing and/or enhancing livelihood.
- b. Project will assist vulnerable APs during relocation in cases where family or community support is not sufficient (.e.g. provide laborers to dismantle and rebuild houses, provide transportation, provide replacement land, etc), depending on the need of each AP.

## **3. Restoration of community structures/installations/assets**

- a. Project will provide complete restoration work or cash compensation for rehabilitation/re-building of affected common property resources and cultural/community structures/installations, such as mosques, tombs, irrigation channels, drains, and tribal common pastures and forests, to be paid in public to the formal or locally recognized patrons/users' group leaders.

35. During the preparation of the RAP, agricultural and residential land values in the subproject area were also estimated to establish the most appropriate value of the land earmarked for acquisition. It is pertinent to place on record that the land facing road has higher market prices as compared to land away from the road. Based on the information provided by the Executive District Officer (Revenue) / Collector, Government of Punjab, the market prices for agricultural land similar to that proposed for the WWTP ranges from Rs. 1,100,000 to Rs. 1,350,000, depending on location and potential productivity.

## **C. Entitlements**

36. In view of this subproject-specific situation, possible type of loss, entitlement for compensation and the compensation has been earmarked in the Entitlement Matrix as illustrated below:

**Table 6: Entitlement Matrix**

Type of Loss	Entitlement unit	Description of Entitlement and Implementation Procedures	Remarks
<b>1. Agricultural, Residential, and Other Related Lands</b>			
Loss of Private Land	Land owners	<p>Cash compensation for land based on current market value to titleholders (including women) plus 15% Compulsory Acquisition Surcharge (CAS), as provided in LAA.</p> <p>APs have the option to relinquish the remainder of that parcel or landholding if they feel that remaining portion of land after acquisition is too small to be viable for cultivation or other use. APs who choose to relinquish the whole parcel of landholding will be entitled to cash compensation at replacement cost for the entire parcel of landholding.</p> <p>The total amount to be paid in this respect will be Rs. 29.062 million.</p>	<p>If new land is purchased by APs government shall waive Mutation Fee levied on buyer of land.</p> <p>Compensation should preferably be made through cheque.</p> <p>In this sub-project, cost has been determined by Land Acquisition Collector / Deputy District Officer (Revenue) Dera Ghazi Khan notified under U/S 17(4) and 6 of the Land Acquisition Act 1894. This includes three years average market price plus 15% Compulsory Acquisition Surcharge (CAS). The compensation will be paid to the affected household heads in whose name land titles are registered in the record of rights maintained by land revenue department.</p> <p>A meeting was held with APs on April 10, 2007. The Landowners have stated that the estimated cost of land conveyed by the District Collector and approved by the competent authority is acceptable to them and they have no objection in the matter.</p> <p>The Grievance Redress Committee has been constituted to look into the grievances of the AHHS / APs.</p>

Note: Details in respect of the above mentioned compensation are given in Appendix 2.

37. The payment of compensation at replacement level will mitigate the losses. Cash compensation at market price and rehabilitation assistance at 15% of cost of land will be paid to the affected landowners irrespective of their land ownership status, to ensure that those affected by the subproject shall be at least as well off, if not better off, than they would have been without

the subproject. List of AHHs with the acceptable amount of compensation to be paid is shown in Appendix 2. The Cut-off date for assessment of losses and compensation has been set as 27 March 2007, the date on which Notice under Section 4 of the LAA 1894 was issued.

## **VII. CONSULTATION AND GRIEVANCE REDRESS PROCEDURE**

### **A. Consultation**

38. Subproject stakeholders include following: (i) Director General KA&UI, (ii) TMAs, (iii) elected representatives including Nazim and Naib Nazim of Tehsil, and Nazims, Naib Nazims and Councilors of the concerned urban union councils, (iv) landowners whose land will be acquired, (v) users of such land, be they legally recognized or not, formal or informal tenants, (vi) town population, (vii) civil works contractors, (viii) civil society institutions, particularly those to be associated in subproject implementation. Resettlement Specialist held meetings during 7-12 April 2007. There is strong support and positive public response to the subproject. Stakeholders' extensive community awareness and consultation exercise was carried out through semi-structured male and female group interviews. The local community men and women who are potentially affected by and/or are beneficiaries of the subproject were separately interviewed in small groups. In total, ten group interviews were held with a total of 50 participants. They expressed generally a positive response towards the Subproject. According to the communities interviewed, the Subproject will bring new opportunities for business and, thereby benefit the local communities, traders and transporters. The major demand of the people was regarding employment of local community during construction period so as to avoidance of influx of outside people in the area to protect privacy of the residents. A summary RAP will be translated into Urdu language by the PCO and distributed among the APs and other stakeholders.

39. The local communities' responses (awareness, perceptions and preferences) to Subproject and its resettlement related matters are detailed in Appendix 3 and summarized as under:

- (i) Landowners have stated that estimated cost of land conveyed by the District Collector and approved by the competent authority is acceptable to them and they have no objection in the matter.
- (ii) Majority of the beneficiary communities is somewhat aware of the upcoming Subproject, but none of them is aware of its exact resettlement effects, nor the ADB's Resettlement Policy and their entitlements for various types of resettlement effects.
- (iii) Almost all of the participants expect a positive impact of the sub-project in terms of increased business activities made possible by construction of WWTP. Further, they expect that with the availability of quality treated water, productivity of their land will enhance.
- (iv) The less-privileged poorer people requested for unskilled to semi-skilled jobs on priority basis after functioning of the Subproject activities.
- (v) Generally most of the local community is of the opinion that present site is suitable for construction of WWTP.
- (vi) Indigenous people will not be adversely affected as a result of the subproject.

## **B. Grievance Redress Procedure**

40. Various provisions under the Land Acquisition Act (1894) enable grieved APs at different stages of the land acquisition process to represent their cases to the Land Acquisition Collector (LAC) or even refer to the court of law for redress and seek higher rate of compensation. However, the major grievances that might require mitigations include:

- (i) APs not enlisted;
- (ii) Losses not identified correctly;
- (iii) Compensation/assistance inadequate or not as per entitlement matrix;
- (iv) Dispute about ownership;
- (v) Delay in disbursement of compensation/assistance; and
- (vi) Improper distribution of compensation/assistance in case of joint ownership.

41. Thus, the main objective of the grievance redress procedure will be to provide a mechanism to mediate conflict and cut down on lengthy litigation, which often delays such infrastructure projects. It will also provide people who might have objections or concerns about their assistance, a public forum to raise their objections and through conflict resolution, address these issues adequately.

42. The subproject established a Grievance Redress Committee (GRC) on 20 October 2005, headed by the Tehsil Nazim with members from Tehsil Municipal Officer / Project Manager, Representative of the local NGO/CCB/CBO nominated by the TMA, Women Councilor and concerned community representative. A field-based Assistant Engineer is the member-secretary of the GRC and acts as the Project's Grievance Officer. GRC is mandated to meet as and when any issues for the resettlement crop up, and apprise the PCO accordingly. The GRC is expected to deliver its decision within four to six (4-6) weeks of registration of the case. The functions of the GRC are:

- (i) Provide support to APs on problems arising out of their land/property acquisition and/or eviction from the from the subproject area;
- (ii) Record the grievance of the APs, categorize and prioritize the grievances that need to be resolved by the Committee; and
- (iii) Report to the aggrieved parties about the developments regarding their grievances and the decision of the Project authorities.

43. No APs will become destitute or need support. All the APs will benefit from the Resettlement Action Plan and will have ample time to rebuild their assets and livelihood.

44. The EA will ensure that GRC is fully informed of the land acquisition issues in each town from the beginning of the Subproject, that it plays a facilitating role in the consultations by involving all owners, occupiers, and users of such land irrespective of their legal status, that it is kept informed of the progress of negotiations between the government and the land owners/users, and that it eventually witnesses and verifies the conclusion of an agreement between the government and the land owners/users with regard to amount, form, and timing of compensation provided. In communication with the PCO, the following grievance redress mechanism has been outlined:

- (i) In case of any grievance, an AP shall first approach the arbitration committee (Punchayat) that has been established at the level of his union as provided for under the PLGO 2001, or the Punchayat. The arbitration committee or the Punchayat shall then discuss the matter with the Deputy District Officer (DDO) and the Patwari (lowest ranking land administration officer) in charge of the respective location.
- (ii) If the matter cannot be resolved at that level, the AP, in communication with the arbitration committee or the Punchayat, and with its support, shall then approach the Assistant District Officer (ADO) and the Executive District Officer (EDO) in the area. The EDOs supervise the DDOs and the Patwaris who handle the case, and they have some authority to rectify shortcomings.
- (iii) If the matter cannot be resolved at that level, it can be taken up with the District Coordination Officer (DCO) or with the Nazim (the political leader) of the District.
- (iv) If this, too, fails to resolve the dispute to the satisfaction of both parties, either party shall be entitled to put the matter to the PCO. The PCO shall be obliged to forward each grievance brought to its attention to the GRC. The PCO is also obliged to report all the disputes, together with decisions, that are brought to its notice to ADB on a quarterly basis.
- (v) The PCO, as a provincial institution, is well positioned to approach the provincial Board of Revenue as the highest authority dealing with matters of land acquisition, resettlement, and related compensation.

### **VIII. COMPENSATION, RELOCATION AND INCOME RESTORATION**

45. The district government will assist APs in transfer of land by waiving the land transfer tax. Replacement value of agriculture land will be paid to offset the loss of land acquisition.

46. As per NRP 2002, an income restoration program will be designed which will focus on affected persons that are particularly disadvantaged and shall cater for their needs in terms of income and employment until they are rehabilitated, these would typically include landless individuals living below the poverty line. Since there are no APs in this category, these provisions will not be applicable.

47. Since the magnitude of relocation is nil and people belong to same ethnic group and broader kinship group (*biradari*), no specific measures are required for any integration with host communities. Similarly, considering that no new housing site is planned, no environmental risks are envisaged.

### **IX. INSTITUTIONAL FRAMEWORK**

48. For the implementation of the RAP a Resettlement Officer will be appointed to assist the PCO. The Resettlement Officer will coordinate all land acquisition and resettlement issues related to the subproject. The RO will be assisted by a Social and Community Development Officer.

49. At PIU, a Land Acquisition Officer (LAO) has been appointed to coordinate all land acquisition and resettlement and rehabilitation issues. The LAO is responsible for coordination

of all activities related to land acquisition and compensation, distribution of most Project-provided assistance, and AP's access to most government programs in the entitlement package.

50. A Coordinator, Social Mobilization, with experience in social/gender development and with a track record in resettlement and rehabilitation has been engaged by the PCO for RAP implementation. The Coordinator is assisted by Social Mobilizers who are responsible for AP counseling, encourage productive utilization of compensation and rehabilitation grants, facilitate AP access to financial assistance under various subsidy-related development programs, and increase social acceptability and effectiveness of training programs organized for APs. Social Mobilizers are also responsible for providing information through newspapers and resettlement booklets. The Resettlement Framework and the Short Resettlement Action Plan will be translated into Urdu, and made available at public offices in Dera Ghazi Khan for public reference.

## **X. LAND ACQUISITION / RESETTLEMENT BUDGET AND FINANCING**

51. Total Resettlement cost has been estimated at Rs. 29.062 million. This cost has been determined by Land Acquisition Collector/Deputy District Officer (Revenue) Dera Ghazi Khan notified under U/S 17(4) and 6 of the Land Acquisition Act 1894. See details in Table below:

**Table 7: Total Cost for Land Acquisition / Resettlement**

<b>Item No.</b>	<b>No.</b>	<b>Unit</b>	<b>Rs/unit</b>	<b>Total Rs.</b>
Compensation for Agricultural Land	20.51	Hectare	1,232,130	25,270,986
Compulsory Acquisition Surcharge (CAS)				3,790,648
Sub Total				29,061,634
Internal and External Monitoring				50,000
Administration Cost 20%				5,812,327
<b>TOTAL</b>				<b>34,923,961</b>

52. The PCO has deposited the estimated cost of all compensations with the Revenue Department and the Revenue Department will be responsible for disbursement of compensations to the affected household heads. However, the PCO will be responsible for monitoring the payment process.

## **XI. IMPLEMENTATION SCHEDULE**

53. The number of APs in the subproject is 189 and the process of resettlement and Rehabilitation will be completed in 6 months from the date of notification. An implementation plan, indicating various activities and milestones in implementation of the RAP has been prepared (Appendix 4).

## **XII. MONITORING AND EVALUATION**

### **A. Monitoring and Evaluation**

54. Monitoring and Evaluation are critical activities in involuntary resettlement. Monitoring involves periodic checking to ascertain whether activities are progressing as per schedule while

evaluation is essentially a summing up, at the end of the subproject, assessment of the actual achievement in comparison to those aimed at during the implementation. RAP implementation will be monitored both internally and externally. The objectives of the monitoring are:

- (i) To ensure that the standard of living of APs are restored or improved;
- (ii) To monitor whether the time lines are being met;
- (iii) To assess if compensation, rehabilitation measures are sufficient;
- (iv) To identify problems or potential problems; and
- (v) To identify required measures to mitigate problems immediately.

55. A monitoring and evaluation program will be implemented to (a) record and assess subproject inputs and the number of persons affected and compensated, and (b) confirm that former income levels and living standards are being re-established.

56. The range of activities and issues that would therefore have to be recorded and checked, include:

- (i) Land acquisition and transfer procedures;
- (ii) Compensation payments;
- (iii) Construction of replacement houses for displaced households if required for vulnerable APs and for other government agencies;
- (iv) e-establishment of displaced households and business enterprises; Resettlement and compensation packages;
- (v) Re-establishment of livelihood and income levels; and
- (vi) Ability of vulnerable APs to improve their livelihoods (i.e. reduce their marginalization or move above the poverty line).

57. The Project Director through Project Resettlement Officer (PRO) will be responsible for internal monitoring through their field level offices and will prepare monthly reports on the progress of RAP implementation. Construction Supervision Consultants (CSC) will have a full-time Resettlement Specialist to provide necessary technical assistance and monitor the RAP implementation and will report on a quarterly basis to the Project Director and ADB on the progress of resettlement activities. An independent Panel of Experts<sup>4</sup>, constituted under the project and comprising senior government officials and civil society representatives will conduct independent bi-annual review of resettlement implementation. On all such site where involuntary resettlement is involved, the Panel of Experts will visit and validate that they have received due compensation by getting the signatures of the APs in accordance with ADB Guidelines and the agreed Entitlement Matrix attached to this RAP.

## **B. Internal Monitoring**

58. The RAP includes indicators and benchmarks for achievement of the objectives under the resettlement program, which can be categorized as follows:

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<sup>4</sup> The membership of the Panel of Experts comprises: Deputy Project Coordinator, Multan; Land Acquisition Officer, Multan; Municipal Engineer of concerned TMA; Coordinator, Social Mobilization; Representatives of NGOs that include (i) Waste Management Pakistan Pvt. Ltd; (ii) Village Friends Organization; and (iii) Womens' Rights Association.

- (i) Process indicators, which include subproject inputs, expenditures, staff deployment, etc.
- (ii) Output indicators are results in terms of numbers of APs compensated and resettled, incomes restored, additional assistance provided, etc. and
- (iii) Impact indicators related to the long-term effect of the subproject on people's lives in the affected area.

59. The first two types of indicators, related to process and immediate outputs and results, will be monitored internally by Project Directorate through Resettlement Specialist. This information will be collected from the Project site and assimilated in the form of a monthly progress report to assess the progress and results of RAP implementation, and adjust the work program, where necessary, in case of any delays or problems. Specific activities under RAP implementation that will be monitored internally by Resettlement Specialist – Project Directorate are the following:

- (i) Information campaign and consultation with APs;
- (ii) Status of land acquisition and payments on land compensation;
- (iii) Compensation for affected structures and other assets;
- (iv) Relocation of APs;
- (v) Payments for loss of income; and
- (vi) Income restoration activities.

60. Resettlement Field Offices will be responsible for monitoring the day-to-day resettlement activities of the subproject. Baseline socio-economic census and the land acquisition data provide the necessary benchmark for field level monitoring. Field level monitoring will be carried out through:

- (i) Review of census information for all APs;
- (ii) Consultation and informal interviews with APs;
- (iii) In-depth case studies;
- (iv) Informal sample survey of APs;
- (v) Key informant interviews; and
- (vi) Community public meetings.

61. A performance data sheet will be developed to monitor the subproject at the field level. Quarterly reports will be received from the field offices and PCO will be responsible for overall Project level monitoring. In addition, Resettlement Consultant will monitor the RAP and will report on a quarterly basis to the Project Directorate and the ADB on the progress of all aspects of resettlement activities.

### **C. External Monitoring**

62. As stated earlier, a Panel of Experts has been constituted to carry out the evaluation of the RAP implementation. Independent evaluations will be undertaken twice bi-annually for the first two years and then once every year during the remaining period of the Project. The Panel

of Experts was identified by the Project Directorate, with advice from Resettlement Specialists. ADB's concurrence on the constitution Panel of Experts is being sought.

63. The work of the Panel of Experts will start from the fourth quarter of 2007. The Panel of Experts will review the status of the resettlement implementation in light of the targets, budget and duration that had been laid down in the RAP. The key tasks during external monitoring include:

- (i) Review and verify of the internal monitoring reports prepared by Project Directorate and the field offices;
- (ii) Review of the socio-economic baseline census information of pre-displaced persons;
- (iii) Identification and selection of impact indicators;
- (iv) Impact assessment through formal and informal surveys with the APs;
- (v) In consultation with APs, officials, community leaders for preparing review report; and
- (vi) Assess the resettlement efficiency, effectiveness, impact and sustainability, drawing lessons for future resettlement policy formulation and planning.

64. Monitoring will also pay close attention to the status of subproject affected vulnerable groups such as female-headed households, disabled/elderly and economically backward families (i.e. below poverty line). The following should be considered as the basis for indicators in monitoring and evaluation of the subprojects:

- (i) Socio-economic conditions of the APs in the post-resettlement period;
- (ii) Communications and reactions from APs on entitlements, compensation, options, alternative developments and relocation timetables etc;
- (iii) Changes in housing and income levels;
- (iv) Rehabilitation of informal settlers;
- (v) Valuation of property;
- (vi) Grievance procedures;
- (vii) Disbursement of compensation; and
- (viii) Level of satisfaction of APs in the post resettlement period.

#### **D. Resettlement Databank**

65. All information concerning resettlement issues related to land acquisition, socio-economic information of the acquired land; inventory of losses by individual APs, compensation and entitlements, payments and relocation will be collected by the respective Field offices and computerized by the PCO in Lahore. This databank will form the basis of information for implementation, monitoring and reporting purposes and facilitate efficient resettlement management. The Panel of Experts will monitor the databank prepared by the PCO at the stage of monitoring, evaluation and implementation of the subproject.

**E. Reporting Requirements**

66. The PCO responsible for supervision and implementation of the RAP will prepare monthly progress reports on resettlement activities and submit to the ADB for review. PCO will also monitor RAP implementation and submit quarterly reports to ADB. The Panel of Experts will submit bi-annual review directly to ADB and determine whether resettlement goals have been achieved, more importantly whether livelihoods and living standards have been restored / enhanced and suggest suitable recommendations for improvement.

### RESETTLEMENT SCREENING CHECKLIST

Investment Component: **Development of Infrastructure for Basic Urban Services**

District: **Dera Ghazi Khan**

Sub-Component: **Infrastructure Improvement**

TMA: **Dera Ghazi Khan**

Subproject: **Waste Water Treatment Plant**

Level of Project Design: **Detailed Design**

Potential for Involuntary Resettlement Effects*	Not Known	Yes	No	If yes, consider potential scope of resettlement effects
Will the project include any new physical construction work?		x		Total land required is 20.51 ha belongs to the private owners.
Does the project include upgrading or rehabilitation of existing facilities?			x	
Are any environmental effects likely which may lead to loss of housing, other assets, resource use or incomes?			x	
Is land acquisition likely to be necessary?		x		Involves acquisition of 20.51 hectare from private land owners. Resettlement effect will include private land acquisition. It has also been noted that agriculture workers working on the said land are also busy working in nearby lands or in construction work, so they will not face any temporary loss of livelihood.
Is the site for land acquisition known?		x		Located at Mauza Gadai Gharbi
Is the ownership status and current usage of the land known?		x		30 private land owners.
Will easements be utilized within an existing site or Right of Way?			x	
Are non-titled people present on the site/within the Right of Way?		x		There are no sharecroppers operating on the land to be acquired. It has also been noted that agriculture worker(s) and tenant(s) working on the said land are also busy in nearby lands, so they did not face any temporary loss of livelihood.
Will there be loss of housing?			x	
Will there be loss of crops, trees, and other fixed assets through land use related changes?			x	
Will there be loss of incomes and livelihoods?			x	
Will people lose access to facilities, services, or natural resources through land use-related changes?			x	

Will any social or economic activities be affected through land use-related changes?		x		The impact will be positive in terms of better sanitary conditions, less pollution and better health environment.
<b>Affected Persons and Severity of Impacts</b>				
Any estimate of the likely number of those affected by the project? No ( ) Yes ( x )				
If yes, approximately how many? 30 land owners will be affected				
Any estimate of the severity of impact at the household level? None				
If yes, what?				
Any of these people poor, indigenous, or vulnerable to poverty risks? No ( x ) Yes ( )				
If yes, how?				

### DECISION ON CATEGORIZATION

- 200 or more people will be severely affected (displaced from housing or losing 10% or more of their productive/income-generating assets. A full resettlement action plan is required.
- Less than 200 people will be affected or less than 10% or more of their productive / income-generating assets will be lost. Requires a short resettlement action plan.
- No person is affected. Resettlement action plan is not required

Screening Checklist Prepared By:

Name: MR. SAEED UZ ZAFAR

Designation: RESETTLEMENT SPECIALIST

Date 11 MAY 2007

Screening Reviewed By:

Name: MS. MALIKA FATIMA KAZMI

Designation: ASSISTANT PROJECT COORDINATOR (I&CD)

Date 11 MAY 2007

**LIST OF AFFECTED HOUSEHOLD HEADS (AHHS) LOCATED IN  
MAUZA GADAI GHARBI WITH THEN AMOUNT OF COMPENSATION TO BE PAID**

Sr. No	Name of Head of Household	Area (Hectares)	Land Compensation (Rs. in million)	15% Compulsory Acquisition Surcharge (Rs. in Million)	Total Compensation (Rs. In Million)
1.	Ramzan Shah S/o Jewan Shah	0.23	0.283	0.042	0.325
2.	Allah Wasaya S/o Ahmad Shah	1.67	2.058	0.309	2.367
3.	Allah Waraya S/o Ahmad Shah				
4.	Ghulam Shabbir S/o Allah Bakhsh				
5.	Ghulam Abbas S/o Allah Bakhsh	4.08	5.027	0.754	5.781
6.	Rahim Bakhsh S.o Guhna				
7.	Razzaq S/o Allah Bakhsh				
8.	Mustafa S/o Allah Bakhsh				
9.	Muhammad Bakhsh S/o Wilan				
10.	Farooq Ahmad S/o Allah Bakhsh	2.83	3.487	0.523	4.010
11.	Eisa S/o Budha	1.06	1.306	0.196	1.502
12.	Ghulam Nabi S/o Jan Muhammad	0.60	0.739	0.110	0.849
13.	Hoot S/o Imam Bakhsh				
14.	Shah Muhammad Shah S/o Qadir Bakhsh Shah	0.81	0.998	0.150	1.148
15.	Naseer Muhammad S/o Kaloo				
16.	Abdul Aziz S/o Khan Muhammad				
17.	Din Muhammad S/o Sher Muhammad	3.19	3.930	0.590	4.520
18.	Ameer Bakhsh S/o Pir Bakhsh				
19.	Allah Bakhsh S/o Wilan	0.49	0.604	0.091	0.695
20.	Kareem Bakhsh S/o Wilan				
21.	Aqeela D/o Khalil Ahmad				
22.	Allah Dad S/o Budha	2.31	2.846	0.427	3.273
23.	Noor Muhammad S/o Budha				
24.	Mahmood S/o Jan Muhammad				
25.	Ghulam Hassan S/o Faqeer Bakhsh	0.61	0.752	0.113	0.865
26.	Hussain Bakhsh S/o Mugia				
27.	Manzoor Hussain S/o Mugia	1.74	2.144	0.322	2.466
28.	Iqbal S/o Mugia				
29.	Abdul Rehman S/o Allah Wasaya	0.89	1.097	0.164	1.261
30.	Abdul Qadir S/o Allah Wasaya				
	<b>Total</b>	<b>20.51</b>	<b>25.271</b>	<b>3.791</b>	<b>29.062</b>

## **CONSULTATIVE MEETINGS WITH THE APS OF WASTE WATER TREATMENT PLANT AT TMA DERA GHAZI KHAN**

### **A. Introduction**

I. A number of Consultative Meetings with individual APs were held during 7-12 April 2007 in the area to understand the viewpoint of local residents. The meetings were held with the following objectives:

- (i) To understand the point of view of the local residents
- (ii) To evaluate the extent of willingness for selling the required land
- (iii) To understand Affected Persons resettlement requirements
- (iv) To give them an understanding of the WWTP with its details
- (v) To address the fears and misunderstanding of the local residents
- (vi) To understand their Socio-economic and environmental concerns

### **B. Methodology**

2. To carry out these consultations, the consultants adopted a strategic (top-to-bottom) and flexible approach where by influential / elected representatives were earlier briefed and taken into confidence for holding community/APs level meetings.

- (i) Meetings with influential/elected representatives of the area.
- (ii) Candid meetings with residents
- (iii) Small group meetings with men
- (iv) Small group meetings with females

### **C. Influential/Elected Representatives**

3. The Union Council members and other influential figures of the area were identified for holding consultations on the subject. The agenda of the meetings revolved around creating awareness about the proposed Waste Water Treatment Plant and removing mis-conceptions, if any, on land acquisition process including the kind of rate and price they are looking for, and the social concerns etc. The list of influential persons consulted is given hereunder:

- |     |                                 |                     |
|-----|---------------------------------|---------------------|
| 1.  | Syed Salman Ahmad Gurdaizi      | Tehsil Nazim        |
| 2.  | Rana Javed Akhtar               | Union Councillor    |
| 3.  | Haji Muhammad Sardar            | President Alkhidmat |
| 4.  | Zahida Parveen                  | Teacher             |
| 5.  | Ramzan Shah S/o Jewan Shah      | Land Lord           |
| 6.  | Ghulam Abbas S/o Allah Bakhsh   | Land Lord           |
| 7.  | Ghulam Shabbir S/o Allah Bakhsh | Land Lord           |
| 8.  | Rahim Bakhsh S/o Guhna          | Land Lord           |
| 9.  | Eisa S/o Budha                  | Land Lord           |
| 10. | Amir Bakhsh S/o Pir Bakhsh      | Land Lord           |
| 11. | Ghulam Nabi S/o Jan Muhammad    | Land Lord           |
| 12. | Naseer Ahmad S/o Kaloo          | Land Lord           |
| 13. | Allah Dad S/o Budha             | Land Lord           |
| 14. | Iqbal S/o Mugia                 | Land Lord           |

4. Initial meeting was held with the Tehsil Nazim, Syed Salman along with Haji Muhammad Sardar, President Community Based Organization. The group was quite familiar with the Waste Water Treatment Plant and its consequences but their main interest was in the price being offered and methodology of purchase of land. They also knew that the section 4 for acquisition of land has already been issued and land titles for APs notified and they had been paid compensation for land acquisition.

#### **D. Candid Meetings**

5. Candid meetings were held with individuals of the area and small groups of inquisitive folks took place. Most of the time the individuals or small groups came up to the team to ask what are they doing in the area and on our brief explanation a dialogue started. It was observed that the awareness level regarding the proposed Waste Water Treatment Plant is quite adequate. This was primarily due to the earlier efforts of land acquisition in the area, regular coverage by newspapers and a great deal could be attributed to the awareness campaign during the project processing according to the guidelines on ADB.

6. Land owners were quite satisfied with the price of land and payment procedure adopted by the TMA / Revenue Department. Some educated persons were showed their concern about the environmental impact and the pollution levels as a result of such a large dump of smelly Waste collected in one place. The consultants tried to satisfy them by talking about the superior design of Waste Water Treatment Plant and that all of those problems have been taken care off.

#### **E. Small Group Meetings**

7. Two such meetings were organized primarily with small land holders and landless residents. Twelve persons attended the meeting and appreciated the price structure and the mode of payment.

#### **F. Meetings with Women**

8. According to the Gender Policy of ADB it was important to involve the women in the consultative process but there had been hardly any opportunity to do that. A special effort was made to hold such meeting with the help of Ms. Nadia, social mobilizer of the SPBUS Project.

9. Ms. Nadia held two meetings with the women. The participants expressed their concerns. There is a limited involvement or participation of women in various activities throughout the project corridor. However, the extent of the involvement of women is restricted to domestic matters, family health, fetching of drinking water, collecting firewood from nearby barren areas. Furthermore, women are involved in other households activities such as livestock rearing, collection of fodder, grazing, washing clothes, cooking, child caring, cleaning and repairs of household items and participation in social obligations and gatherings.

## RAP IMPLEMENTATION SCHEDULE

1. The land required for construction of proposed WWTP will be acquired under standard normal land acquisition procedures laid down in the Land Acquisition Act, 1894 (amended), specifically in its Sections 4, 5 and 6, the Project Implementation and Resettlement of Affected Persons Ordinance of 2001, the Punjab Development of Cities Act of 1976, and the Pakistan Environmental Protection Act of 1997, as amended from time to time., and the ADB policy on involuntary resettlement using the guidance provided in the Handbook on Resettlement, as well as the RF.

### A. General Timeframe for Land Acquisition in Pakistan

2. It is pertinent to note that, normally, the whole process of land acquisition takes about a year, as given in Table D.1:

**Table D.1: General Timeframe for Land Acquisition in Pakistan**

Step	LA Process	Agency Responsible	Timeline
1	LA Proposal to Revenue Department; Project description – scope of land acquisition, location.	EA (PCO)	Week 1-2
2	Publication of Notice expressing the intend to acquire the land under Section 4 of LAA	Revenue Department (Each District)	Week 3-4
3	Field survey, inventory of assets affected	Revenue Department	Week 5-20
4	Declaration under Section 6 notification	Revenue Department	Week 21-22
5	Compensation assessment and award preparation	Revenue Department	Week 23-24
6	Dispute/Objections (Grievance Redressal)	Aggrieved parties	Week 25-26
7	Disbursement of compensation cheques	Revenue Department	Week 23-52
8	Possession of land, marking, clearance	Revenue Department	Week 23-52
<b>Land acquisition to be completed in a total of 52 weeks (One Year)</b>			

### B. Land Acquisition - RAP Activities, Responsibilities and Timeframe

3. Compensation for the land to be acquired was assessed by the Land Acquisition Collectors (LAC) in consultation with APs. The total amount assessed has been deposited by PCO to LACs of the Dera Ghazi Khan District, who will then make payment of compensation money to the entitled APs, soon after the notice of award under Section 6 of the LA Act. Subsequently, the LACs will take possession of the acquired lands and hand over to TMA/PCO for starting construction works. Payment of compensation will be made at least 30 days (one month) prior to the actual possession of the acquired lands. No land will be possessed without full payment of due compensations to the affected landowners. However, in case of a dispute, the assessed/allocated amount of compensation will be pledged in the names of the concerned APs, pending a decision. In such an exceptional case, the Project (PCO) may possess the land without payment of compensation, but after 30 days (one month) of the filing of the grievance with the Grievance Redress Committee (GRC) or a case with the Court of Law.

4. Table D.2 presents summary of various RAP Activities, Responsibilities and timeframe to be followed during land acquisition process.

**Table D.2: Land Acquisition - RAP Activities, Responsibilities and Timeframe**

No.	RAP Activity (Land Acquisition and Resettlement)	Group Responsible		Months (2007 – 2008)													
		Primary	Secondary	Sep.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	
1.	RAP Disclosure – Brochure Distribution	PD	TMA														
2.	Review Census/Inventory and Rates	Resettlement Officer	Engineers														
3.	Land Survey – Size of Land of each AP	Revenue Deptt.	ME														
4.	Detailed Compensation Assessment	Revenue Deptt.	ME														
5.	AP Consultations and Re-adjustments	Revenue Deptt.	ME														
6.	Grievance Redressal	GRC	ME														
7.	Preparation of Compensation Awards	Revenue Deptt.	ME														
8.	Final Notification – LAA Section-6	Revenue Deptt.	ME														
9.	Disbursement - Compensation Cheques	Revenue Deptt.	ME														

Note: PD: Project Director, TMA: Tehsil Municipal Administration, LAC: Land Acquisition Collector, ME: Municipal Engineer, GRC: Grievance Redress Committee

### C. Implementation Schedule

5. Table D.3 presents a summary process of clearing of WWTP in terms the RAP activities involved, roles and responsibilities and an approximate time-frame. There are eight activities involved at this stage which also include the start of civil works after clearing of the Project site.

6. Payment of compensation for other losses as documented<sup>5</sup>, assistance for restoration employment and/or income loss (if any) will be paid by the PCO through LACs. The PCO has appointed Coordinator, Social Mobilization who is assisted by two social mobilizers in each TMA. The said team of social mobilizers will assist in the RAP implementation process. However, PCO reserves the right of demolishing such unauthorized structures without paying any compensation simply by serving a notice of eviction for a maximum of two weeks, provided it gets established that those structures were constructed after the “cut-off” date. Any grievances and objections will be referred to the Grievances Redress Committee (GRC).

<sup>5</sup> Complete list of APs is provided in **Appendix 2** (This list is to be verified/revised by the concerned TMAs, prior to the final assessment of compensation / assistance, and filing of requisition with the district LACs).

**Table D.3: Clearing of Landfill Site - RAP Activities, Responsibilities and Time-Frame**

No.	RAP Activity (Land Acquisition and Resettlement)	Group Responsible		Months (2007 – 2008)													
		Primary	Secondary	Sep.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	
1	Development of RAP Implementation Tools	RO	ME														
2	Information Sharing, Consultation and Disclosure Meetings	RO	Package D / ME														
3	Possession of Land from Landowners	Revenue Deptt.	ME														
4	Clearing of Project Site	TMA	PCO														
5	Award of Contract for Construction	PD	Contractor														
6	Civil Works	RO	PD / ME														
7	Internal Monitoring	PD	ME														
8	External Monitoring	POE	ME														

Note: PD: Project Director, RO: Resettlement Officer, ME: Municipal Engineer, AP: Affected Person, POE: Panel of Experts

Legends:  Continuous Activity  On Need Basis (Intermittent)