

Resettlement Plan

July 2011

AFG: Transport Network Development Investment Program (Bagramy–Sapary Road Project)

Prepared by Ministry of Public Works, Islamic Republic of Afghanistan for the Asian Development Bank (ADB)

The land acquisition and resettlement plan is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature.

د افغانستان اسلامي جمهوریت
د فواید عامې وزارت
د آسیایي پراختیا بانک د پروژو د تنظیمولو



جمهوری اسلامی افغانستان
وزارت فواید عامه
دفتر تنظیم پروژه های بانک انکشاف

Islamic Republic of Afghanistan
Ministry of Public Works
Program Management Office (PMO)

Dated 9 July 2011

Mr. Hong Wang
Director
Transport and Communications Division
Central and West Asia Department
Asian Development Bank
Manila

Sub: **Proposed Multi-tranche Financing Facility-2 – Tranche-1**
- **Government's endorsement of the LARF and LARPs**

Dear **Mr. Wang**,

The Government of Afghanistan (Government) has requested the Asian Development Bank (ADB) to provide funding under a Multi-tranche Financing Facility - 2 (MFF-2) to implement various road projects. In this regard, the Government endorses and approves the disclosure of the 'Land Acquisition and Resettlement Framework (LARF)' for the Project and the 'Land Acquisition and Resettlement Reports (LARPs)' for the (i) Jabul Saraj – Nijrab, (ii) Bagramy – Sapary and (iii) Fayzabad – Beharak road projects to be taken up for implementation under Tranche-1 of the proposed MFF-2. The LARPs will also be disclosed by the Government to the affected households (both in English and local language).

Sincerely,

(**Dr. Ahmad Shah Waheed**)
Deputy Minister, Public Works



Copy to:

H.E. Dr. Mustafa Mastoor, Deputy Minister for Finance
Mr. R. Rinker, Country Director, AFRM, ADB

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CURRENCY EQUIVALENTS

(as of 13 July 2011)

Currency Unit–Afghani (AF)

AF1.00 = \$ 0.021

\$1.00 = AF47.42

ABBREVIATIONS AND ACRONYMS

ADB	Asian Development Bank
AF	Afghani/Afghanistan currency
AH	affected household
AP/s	affected person/s
COI	corridor of impact
CSC	Construction Supervision Consultant
DDT	Due Diligence Team
EA	Executing Agency
EMA	External Monitoring and Evaluation Agency
GoA	Government of Afghanistan
GRC	Grievance Redress Committee
IRS	International Resettlement Specialist
kg	Kilogram
km	Kilometer
LAL	Land Acquisition Law
LAR	Land Acquisition and Resettlement
LARP	Land Acquisition & Resettlement Plan
m	Meter
MFF	Multitranches financing facility
MPW	Ministry of Public Works
MRM	Management Review Meeting
NGO	Non-Government Organization
PFR	Periodic financing request
PMO	Project Management Office
R&R	Resettlement and Rehabilitation

DEFINITION OF TERMS

Affected persons (APs)	mean all the people affected by the project through land acquisition, relocation, or loss of incomes and include any person, household (sometimes referred to as project affected family), firms, or public or private institutions. APs therefore include; i) persons affected directly by the right-of-way acquisition, or construction work area; (ii) persons whose agricultural land or other productive assets such as trees or crops are affected; (iii) persons whose businesses are affected and who might experience loss of income due to the project impact; (iv) persons who lose work/employment as a result of project impact; and (v) people who lose access to community resources/property as a result of the project.
AF	means the local currency of Afghanistan, which is the Afghani. One US dollar is equivalent to 50 Afghani.
Compensation	means payment in cash or kind for an asset to be acquired or affected by a project at replacement cost at current market value.
Cut-off-date	means the date after which people will NOT be considered eligible for compensation, i.e., they are not included in the list of APs as defined by the census. Normally, the cut-off date is the date of the detailed measurement survey.
Detailed measurement survey	means the detailed inventory of losses that is completed after detailed design and marking of project boundaries on the ground.
Encroachers	mean those people who move into the project area after the cut-off date and are therefore not eligible for compensation or other rehabilitation measures provided by the project.
Entitlement	means the range of measures comprising cash or kind compensation, relocation cost, income rehabilitation assistance, transfer assistance, income substitution, and relocation, which are due to business restoration due to APs, depending on the type and degree nature of their losses, to restore their social and economic base.
Inventory of losses	means the pre-appraisal inventory of assets as a preliminary record of affected or lost assets.
Jerib	means traditional unit for measurement of land in Afghanistan. One Jerib is equivalent to 2000 square meter of land. One hectare consists of 5 jeribs.
Land acquisition	means the process whereby a person is compelled by a public agency to alienate all or part of the land she/he owns or possesses, to the ownership and possession of that agency, for public purposes, in return for fair compensation.
Non-titled	means those who have no recognizable rights or claims to the land that they are occupying and includes people using private or state land without permission, permit or grant, i.e., those people without legal title to land and/or structures occupied or used by them. ADB's policy explicitly states that such people cannot be denied compensation.

Poor	means those falling below the official national poverty line which is 1 USD per day person as income in this case.
Replacement cost	means the method of valuing assets to replace the loss at current market value, or its nearest equivalent, and is the amount of cash or kind needed to replace an asset in its existing condition, without deduction of transaction costs or for any material salvaged.
Sharecropper	means the same as tenant cultivator or tenant farmer, and is a person who cultivates land they do not own for an agreed proportion of the crop or harvest.
Significant impact	means 200 people or more will experience major impacts, which is defined as; (i) being physically displaced from housing, or (ii) losing ten per cent or more of their productive assets (income generating).
Vulnerable	means any people who might suffer disproportionately or face the risk of being marginalized from the effects of resettlement and includes; (i) female-headed households with dependents; (ii) disabled household heads; (iii) poor households (within the meaning given previously); (iv) landless; (v) elderly households with no means of support; (vi) households without security of tenure; (vii) ethnic minorities; and (viii) marginal farmers (with landholdings of five Jeribs or less).

EXECUTIVE SUMMARY

1. This Land Acquisition and Resettlement Plan (LARP) has been prepared for the Bagramy–Sapari road project to be financed by ADB under the Multitranchise Financing Facility for Transport Network Development Investment Program. The 50 km Bagramy–Sapary road segments passes through districts of Bagramy, Khakijabbar and Surobi in Kabul province and Hisarak in Nangarhar province. The major settlements located along the Project road are Buthkak, Khord Kabul, Dawran Khail, Tizin, Gulab Dand, and Sapary.

2. The road is designed to be two lane major road with a right of way of 30m. The Executing Agency (i.e. Ministry of Public Works, MPW) has prepared this resettlement plan for the Project as per *ADB's Safeguards Policy Statement of 2009 (SPS 2009)* and the Borrower's Land Acquisition Law. This LARP assessed the extent of impact caused by land acquisition of 30 m right of way (ROW) required for construction of the Project and spells out the compensation and rehabilitation of the affected households (AHs) and affected persons (APs). The LARP has been prepared in consultation with stakeholders and affected people.

3. The impact on land acquisition and resettlement is significant and attempts have been made to minimize the land acquisition and resettlement. However, there are some unavoidable land acquisition and resettlement required considering the engineering viability of Project road. The summary of the impacts are given in Table 1.

Table 1: Summary Impacts on Land Acquisition and Resettlement

Impacts	No./Qty.
I. Land (m²)	
Agricultural Land	
Irrigated Land	
Bagramy	79,648.55
Khaki Jabbar and Sourobi	147,275.00
Non-Agricultural Land	
Residential/Commercial Land	183.25
Total (Land)	227,106.80
II. Structures (m²)	
Mud/brick/wood, mud/tin roof structures	570.00
Mud/brick/wood walls	163.00
III. Trees (No.)	
Wood tree (Chinar)	100
Productive Fruit Tree (Almond)	117
Productive Fruit Tree (Berry)	4
Productive Fruit Tree (Senjed)	273
Productive Fruit Tree (Apricot)	229
IV. Households Affected	
No. of households affected	179
No. of households losing Irrigated Land	178
No. of households losing Residential/Commercial Land	9
No. of households losing structures	9
No. of households suffering permanent business/ income loss	1
No. of households needing relocation (due to affected structures)	4
Vulnerable Households	2

m² =square meter; no.=number.

4. The basic compensation principles and policies applicable in this LARP are: (i) avoid negative impacts of land acquisition and involuntary resettlement on persons affected by the Project to the extent possible; (ii) AH/APs losing assets, livelihood or other resources will be fully compensated and/or assisted so that they will be able to improve or at least restore their former economic and social conditions. Compensation will be provided at full replacement cost, free of depreciation, transfer costs or eventual salvaged materials; (iii) the final compensation eligibility cut-off date is the impact survey (census and inventory) date; (iv)

compensation will include not only immediate losses, but also temporary loss of business and livelihood, and employment on project civil works; (v) as lands to be acquired from farmers are a portion of respective plot, therefore, land-for-land compensation will not be considered, (vi) lack of formal legal land title should not be a bar to compensation or rehabilitation; (vii) particular attention will be paid to AH headed by women and other vulnerable groups, and appropriate assistance will be provided to improve their status. Other compensation/ rehabilitation provisions will equally apply across gender lines and (viii) the full compensation of affected assets will be a condition for the initiation of civil works. No objection for the contractors' mobilization in the field will be given only if compensation/ rehabilitation have been provided in full to the APs. Various entitlements provided under the plan are described below in Table 2.

Table 2: Entitlement Matrix

Item	Application	Eligibility	Compensation Entitlements
Agricultural/ residential land loss	Land affected by right-of-way (ROW)	AP with title, formal/customary deed, or traditional land right as vouched by local Jirga, elders or Community Development Council.	<ul style="list-style-type: none"> • Cash compensation at replacement cost. All fees, taxes, or other charges, as applicable under relevant laws are to be borne by the project • Households who have sold their land during the period between the first survey and second survey will be entitled for compensation equal to the difference between the land rate as per LARP and their sale value.
Residential and commercial buildings loss	Residential/ commercial structure affected	Owners of structures (including informal settlers)	<ul style="list-style-type: none"> • Cash compensation for affected structure and other fixed assets at replacement cost of the structure free of depreciation, taxes/fees and salvaged materials. In case of partial impacts full cash assistance to restore remaining structure. Compensation for temporary structures (brick and mud made) is AF1,000/m² for wall and AF 2,000/m² for structure. Compensation for permanent structures (concrete) is AF 1,500/m² for wall and AF4,000/m² for structure. • Right to salvage material from demolished structure
Crops losses	Crops on affected land	Owners of crops / sharecroppers	<ul style="list-style-type: none"> • Cash compensation at full gross market rate for full harvest, based on average production of the crops, which is estimated as AF 10,000 per jerib. Crop compensation will be provided by default whether the crops have been harvested or not at time of impact. • An assistance grant of AF5,000 for the purchase of agricultural inputs for the next season
Trees Losses	Trees on affected land	Owner of trees (including informal settlers)	<ul style="list-style-type: none"> • Fruit bearing trees will be compensated at the value of 1 harvest multiplied by the number of years needed to re-grow a tree at the same productive level of the tree lost. Cash compensation of AF 6,000 xt tree • Non-fruit bearing/timber trees will be valued based on the market value of their dry wood volume. • The compensation of the tree will be free of deduction for the value of the wood left to the AH.
Business losses by shop owners and employees	Permanent / temporary business losses along the ROW	Business / shop owners (including informal settlers), employees	<ul style="list-style-type: none"> • Business compensation based on monthly income from that business by month of business stoppage. The compensation for business loss will be calculated based on tax receipts or when these are not available based on a fixed rate of AF9,500 per month¹. • Employees: indemnity for lost wages up to three months income
Loss of Community,	Temporary permanent or loss	Community/ Affected households	<ul style="list-style-type: none"> • Conservation, protection and cash compensation for replacement (Schools, communal centers, markets,

¹ This fixed rate is based on the average net income of road businesses in project areas as determined by the surveys conducted during LARP preparation.

Item	Application	Eligibility	Compensation Entitlements
Cultural, Religious, or Government Sites	due to the Project activities		health centers, shrines, other religious or worship sites, tombs,. Cash compensation for affected structures based on the above structures entitlements
Transitional Allowance	Residential/Commercial Structures affected	All AHs	<ul style="list-style-type: none"> Relocated owners/renters will receive a transitional allowance for livelihood losses at AF5,200 for 3 months
Relocation Allowance	Residential/Commercial Structures affected	All AHs	<ul style="list-style-type: none"> Relocated owners/renters (including informal settlers) will receive a relocation allowance of AF5,000
Assistance to vulnerable AH	Affected by land acquisition, resettlement etc.	AH which are: female-headed; poor (below poverty line) or headed by handicapped/disabled persons	<ul style="list-style-type: none"> Vulnerable households will be provided an additional three months of average household income allowance (AF28,500) as assistance. Preferential employment in the project construction.
Severe impact allowance	Agricultural land	Agricultural land owners, leaseholders or sharecroppers losing >10% of their holdings	<ul style="list-style-type: none"> Allowance for severe land impacts equal to replacement cost of a year's net income from crop yield of land lost
Unidentified Impacts		AH or individuals	<ul style="list-style-type: none"> Unforeseen impacts compensated based on above entitlements during project implementation by the EA.

AF=Afghanistan currency; AH=affected household; AP=affected person; EA=executing agency.

5. MPW is the executing agency (EA) for the Project. A Program Management Office (PMO) have already been established to implement resettlement activities. For the task of resettlement implementation, MPW will have a Due Diligence Team (DDT). In addition, MPW with the concurrence of ADB has engaged an Implementing Consultant (NGO) who will be involved in the implementation of land acquisition and resettlement plan and an independent External Monitoring and Evaluation Agency (EMA) who will provide external monitoring services.

6. The road project was initially planned to be funded under MFF-1 (Road Network Development Investment Program) and the LARP was finalized and approved in October 2009. However, due to other priorities of the Government, the funds available under MFF-1 were diverted to another road project and accordingly, the implementation of the Bagramy-Sapary road project could not be taken up earlier. At the request of the Government, ADB has now agreed to provide funds under a new MFF for implementation of various road projects including the Bagramy-Sapary road project. Accordingly, the LARP for the project is to be processed and finalized for funding under a new MFF. The earlier LARP was finalized based on the survey conducted about 18 months back and therefore, a survey was again conducted from 15 March to 31 May 2011 to assess the baseline impact and socio-economic profile of the affected people in the project, to update this LARP. The cut-off date for the entitlement for compensation is considered as **31 May 2011**. After this LARP is approved by the Government and ADB, the same shall be disclosed to the affected persons before implementation.

7. During the course of the present survey, there has been a significant reduction registered in the number of affected households as compared to the previous survey concluded in October 2009 (compared to 446 AHs reported in October 2009, there are only 179 AHs registered now resulting in a reduction in 267 households), though there is very little impact on the total area of land affected. *Prima facie*, the following are the reasons for the reduction in the number of 267 AHs -

- (a) In the earlier survey, different plots were shown as owned by more than one person in the family (e.g., father and sons were shown as owners for different plots). However, during the present survey, all the plots are considered owned by

only one owner (e.g., father) based on the documentary evidence now collected, and hence, there has been a reduction of 153 AHs;

- (b) At some locations, minor re-alignments have been considered to improve the geometrics of the road or there has been a change in the centre-line at some locations, due to which the land area under ROW has changed. Due to this, there was reduction of 21 AHs;
- (c) In the earlier report, 93 agricultural laborours were included as AHs inadvertently whereas they were actually working in non affected areas since no cultivation has taken place in the affected land for more than 4–5 years. As such, there is a reduction of 93 AHs.

8. Out of the 179 AHs, 17 households holding small pieces of land have sold their land during the period between the first survey in 2008–2009 and the second survey in 2011 to other AHs. These 17 housholds shall be entitled for compensation equal to the difference between the land rate as per the LARP and the rate at which the land was sold.

9. The total estimated cost for land acqution and resettlement works out to **AF266,721,020.50 (US\$ 5.93 million)**.

I. CHAPTER 1: INTRODUCTION AND PROJECT DESCRIPTION

A. General

10. The Asian Development Bank (ADB) has agreed to provide the Government of Afghanistan with a MFF for Transport Network Development Investment Program (the Program). The Program, to be implemented in four tranches targets the construction and improvement of several roads across the country. Tranche 1 of the program covers the construction of three roads, namely: i) the Jabul Saraj–Nijrab road; 2) the Faizabad–Beharak road and 3) the Bagramy–Sapary Road.

11. This Land Acquisition and Resettlement Plan (LARP) has been prepared for the Bagramy–Sapary road project by the Ministry of public Works (MPW), the Executing Agency (EA) as part of the feasibility studies supporting PFR approval of Tranche 1 of the Program. The LARP provides an assessment of the road's LAR impacts and costs and details an action plan to for the delivery of the LAR compensation/rehabilitation measures to the affected People (AP) and households (AH). The LARP fits relevant Afghan laws, the *ADB's Safeguards Policy Statement of 2009* (SPS 2009) and the Program's Land Acquisition and Resettlement Framework (LARF). Its preparation involved: (i) detailed measurement surveys, (ii) asset valuation/documentary research on affected plots, (iii) consultation with the AH; (iv) 100% AH census; and (v) a socio-economic surveys of the AH.

1. LARP Finalization Status

12. This LARP is based on detailed design and as such the impacts assessment is considered final. The compensation rates for the affected items are also approved by the both central and local governments and have been discussed with the affected parties. In case the compensation is delayed for more than one year beyond the schedule provided in this LARP the prices will have to be reviewed and if necessary updated.

2. LAR-Related Conditionalities

13. Based on ADB policy and practice for MFF financing, fund release for each tranche is subject to the submission of a Periodic Financing Request (PFR) to be approved by ADB based on the implementation readiness of the tranche feasibility study (including the needed LARPs). The conditionalities for Tranche 1 processing are:

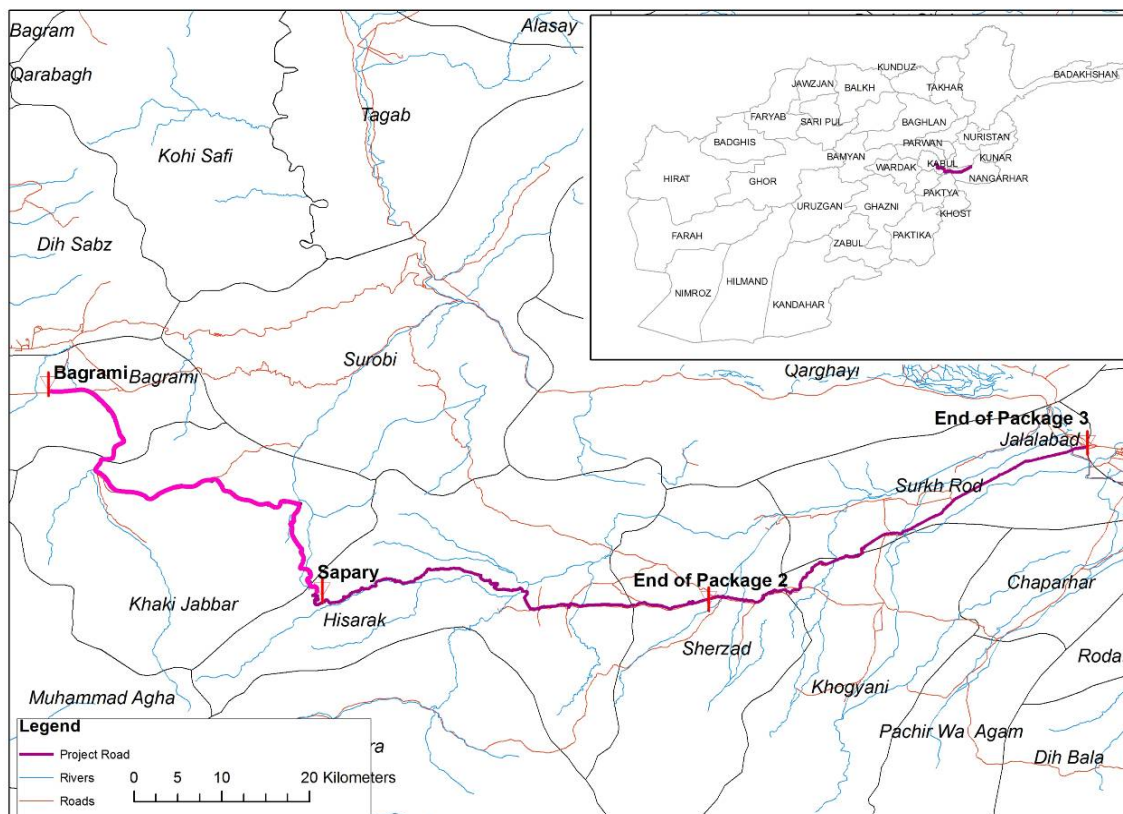
- (i) MFF and tranche 1: Approval: of this LARP by ADB and Government and its disclosure as detailed in Chapter 5.
- (ii) Provision of notice to proceed to contractors: Conditional to full implementation of the LARP (full delivery of compensation/rehabilitation) to be vouched by a Compliance report prepared by the External Monitoring and Evaluation Agency (EMA). Such a condition will be clearly spelled out in the text of the civil works contract.

B. Description of the Project

14. The Bagramy – Sapary road passes through 4 districts in 2 provinces in the eastern part of Afghanistan. The districts are Bagramy, Khakijabbar and Surboi in Kabul province; and Hisarak district in Nangarhar province. The major settlements located along the Project road are Buthkak, Khaki Jabbar, Khorankey, Gulabdund and Sapary. The Project road is designed to be two-lane major road standard and having other facilities which will result in

making the right of way (RoW) up to 15 meters from the central line. The location map of the Project road is shown in **Error! Reference source not found.**

Figure 1: Location Map of Project



C. Scope of the LARP

15. This LARP has been prepared as per the requirement of ADB's *Safeguards Policy Statement of 2009* (SPS 2009), *ADB's Policy on Indigenous People (1998)* and the Borrower's Law on Land Acquisition. MPW requested ADB's assistance for the implementation of the first 50km and therefore, this LARP has been prepared. This 50 km road section is in existing alignment comprising 32 km of gravel road and 18 km of earthen road that required reconstruction and widening. The Project will affect 162 households who will be losing their agricultural irrigated land.

16. The project was originally planned to be funded under MFF-1 of ADB (Road Network Development Investment Program) and accordingly, the LARP was finalized and approved in October 2009. A census survey of 100% land and assets losses was conducted during August to October, 2008 and in July 2009 followed by additional socioeconomic survey conducted in May 2009 to comply with the 20% affected households' requirements. However, the implementation of the project could not be taken up due to unavailability of funding under MFF-1. At the request of the Government, ADB has agreed to process a new MFF in 2011 for implementation of various road projects, and the present road project is planned to be funded under Tranche 1 of the new MFF. The LARP is now required to be processed and finalized under a new funding of ADB. The earlier LARP was finalized based on the survey conducted about 18 months back and therefore, a survey was again conducted from 15 March to 31 May 2011 to assess the baseline impact and socio-

economic profile of the affected people in the project, based on which the LARP has been updated. Stakeholder consultations, focus group discussion, and interviews with the local people and AHs were done to prepare and finalize the LARP. The assessment of losses and land acquisition has been done based on the detailed design.

D. Objective of the LARP

17. The aim and objective of this LARP is to compensate all unavoidable negative impacts caused due to the project, to resettle the displaced persons and restore their livelihoods. The LARP also provides a guideline on implementation of land acquisition through proper compensation and assistance as per the norms of ADB and the relevant policies of Afghanistan. The issues identified and addressed in this document are as follows:

- Assessment of the type and extent of loss of land and non-land assets, loss of livelihood or income opportunities and collective losses, such as common property resources and social infrastructure;
- Identification of impacts on Indigenous people, vulnerable groups and assessment of other social issues related to the Project;
- Public consultation and peoples participation in the Project;
- Assessment of existing legal and administrative framework and formulation of resettlement policy for the Project;
- Development of entitlement matrix, provisions for relocation assistance and restoration of businesses/income;
- Resettlement and Rehabilitation (R&R) cost estimate including provision for fund, and
- Institutional framework for the implementation of the plan, including grievance redress and monitoring & evaluation.

E. Eligibility cut-off date

18. Compensation eligibility is limited by a cut-off date based on the survey (Census and Inventory Survey) conducted during August to October, 2008, and July 2009. The survey was again conducted during 15 March 2011 to 31 May 2011. Therefore, the compensation eligibility cut-off date is marked as **31 May 2011**.

II. CHAPTER 2: SCOPE OF LAND ACQUISITION AND RESETTLEMENT

A. Introduction

19. The proposed Project will rehabilitate or reconstruct existing gravel road and earthen road to a two lane major road standard. Existing ROW along the Project road mostly varies from 10 to 20m, while the proposed ROW is 30m. Hence land acquisition and resettlement is required all along the road. However, most of the project road passes through government land or less populated areas. A detailed inventory of all the property and assets has been done within 30m ROW based on the engineering design to identify the impacts of Project road and land acquisition, and to develop mitigation measure and resettlement plan accordingly.

20. The Project was originally planned to be funded under MFF-1 (Road Network Development Investment Program) and the LARP was finalized and approved in October 2009. However, due to other priorities of the Government, the funds available under MFF-1 were diverted to another road project and as such; the implementation of the Bagramy–Sapary road project could not be taken up earlier. At the request of the Government, ADB has now agreed to provide funds under a new MFF for implementation of various road projects including the Bagramy–Sapary road project. Accordingly, the LARP for the project is to be processed and finalized for funding under a new MFF. The earlier LARP was finalized based on the survey conducted about 18 months back and therefore, a survey was again conducted from 15 March to 31 May 2011 to assess the baseline impact and socio-economic profile of the affected people in the project, to update this LARP. The cut-off date for the entitlement for compensation is considered as **31 May 2011**. After this LARP is approved by the Government and ADB, the same shall be disclosed to the affected persons before implementation.

21. During the course of the present survey, there has been a significant reduction registered in the number of affected households as compared to the previous survey concluded in October 2009 (compared to 446 AHs reported in October 2009, there are only 179 AHs registered now resulting in a reduction in 267 households), though there is very little impact on the total area of land affected. *Prima facie*, the following are the reasons for the reduction in the number of 267 AHs -

- (a) In the earlier survey, different plots were shown as owned by more than one person in the family (e.g., father and sons were shown as owners for different plots). However, during the present survey, all the plots are considered owned by only one owner (e.g., father) based on the documentary evidence now collected, and hence, there has been a reduction of 153 AHs;
- (b) At some locations, minor re-alignments have been considered to improve the geometrics of the road or there has been a change in the centre-line at some locations, due to which the land area under ROW has changed. Due to this, there was reduction of 21 AHs;
- (c) In the earlier report, 93 agricultural labourers were included as AHs inadvertently whereas they were actually working in non affected areas since no cultivation has taken place in the affected land for more than 4–5 years. As such, there is a reduction of 93 AHs.

22. Out of the 179 AHs, 17 households holding small pieces of land have sold their land during the period between the first survey in 2008–2009 and the second survey in 2011 to other AHs. These 17 households shall be entitled for compensation equal to the difference between the land rate as per the LARP and the rate at which the land was sold.

23. A structured questionnaire was used to collect detailed information on affected households and properties at the Project area. The census survey forms are presented in Annex 1. The information was collected for a full understanding of the Project impacts in order to develop mitigation measures and resettlement plan for the APs. The objective of the census survey was to generate an inventory of all affected assets including land, crops, fruit and non-fruit trees, and structures/buildings and to compile a list of all affected families and people taking into account the social and economic impacts of land acquisition and resettlement. Various information collected through 100% census surveys include: (i) type and extent of impact by physically measuring the size of affected land and structures; (ii) magnitude of impact with respect to the total land holdings of the AP, (iii) number of affected trees, crop; (iv) unit rates for land, crops, trees, and structures; and (v) socio-economic data of affected families – household composition and demography; ethnicity, poverty, family income and expenditure, and income from affected assets. The major findings and magnitude of possible impacts are discussed in the following sections.

24. Apart from the census survey, a sample socio-economic survey was conducted covering 20% AHs. Sample socio-economic survey included socio-demography, family type, size and age structure, occupational pattern, educational status, household income from different sources and consumption pattern, cropping pattern, access to basic services, and preferred use of compensations. This sample socio-economic survey was done to get an overall picture and general characteristic of the affected area and profile of affected households (AHs).

25. Following section deals in details about the findings of census survey and the impact of land acquisition and resettlement.

B. Impacts Assessment

1. Land Impacts

26. The total land acquisition required for the project is about 227,106.8 m² (113.55 Jeribs, 1 Jerib=2,000 m²) affecting 170 plots. The type of land, no. of plots and the no. of households is presented in Table 2.1.

Table 2.1: Type of Land to be Lost Permanently

Type of Land	Location	No. of Plots	Total Affected Area (m ²)
I. Agricultural Land			
Irrigated Land	Bagramy	75	79,648.55
	Khakhi Jabbar/ Sourbi	86*	147,275.00*
	Sub-total	161	226,923.55
II. Non- Agricultural Land			
Residential/Commercial Land	Bagramy	4	27.75
	Khakhi Jabbar/ Sourbi	5	155.50
	Sub-total	9	183.25
Total		170	227,106.80

m² = square meter, no. = number

* The total area of land loss of 147,275 m² in Khakhi Jabbar/Sourbi area includes 2,347 m² of land (17 plots) sold by 17 households to other AHs during the period between the first survey in 2008–2009 and second survey in 2011 who are entitled for differential compensation.

27. Land compensation will be given to only the AHs who have (i) titles, (ii) official deeds, (iii) unofficial written deeds, or (iv) declaration from Shura, Jirgas or elders of the village that they are the traditional owners of the land they use. Land ownership of the most of affected households is official deeds. Ownership categories of the affected land are in Table 2.2.

Table 2.2: Type of Ownership of Land to be Acquired

Status of Ownership	Amount of land under each district (m ²)				Land Total (m ²)	No. of AHs
	Bagramy	Khakijabbar	Surobi	Hisarak		
Title holder	9,655.5	3,080	1,160	0.00	14,360	12
Official deeds/ Unofficial Deeds	70,020.8	83,269.7	29,180	30,740	212,746.8	167*
Encroacher	0.00	0.00	0.00	0.00	0.00	0
Squatter	0.00	0.00	0.00	0.00	0.00	0
Grand Total	79,676.3	85,886	30,340	30,740	227,106.8	179
	80,140.8					

AH=affected household; m²=square meter.

* Includes 17 households who have sold their land to other AHs and are entitled for differential compensation.

2. Crops

28. Although irrigated agricultural lands are affected in the project area, the land owners have not been cultivating the land for the last 3–4 years since these lands were close to the track road and due to the movement of vehicles, the area used become dusty which was not conducive for agriculture. Instead, they have been cultivating in other areas away from the road. In the earlier LARP approved in October 2009, due to a misinterpretation of the entitlement for crop compensation, the affected households losing agricultural productive land were proposed to be paid crop compensation based on their earlier cropping pattern. However, this discrepancy is now being removed since no cultivation was undertaken in the affected lands and as such, there is no impact due to loss of crop. Moreover, cultivated lands were avoided at some locations due to minor re-alignment of the road at such locations. In view of the foregoing, no compensation is payable to the land owners. This was validated during the interviews with APs and has also been confirmed by the Village *Shuras*/Leaders and the Governor's Office.

3. Trees

29. There are a total of 723 trees to be affected by the land acquisition. The number of trees has gone up significantly compared to the previous survey mainly on account of some of the affected trees were not counted/considered in the previous survey. Different categories of trees enumerated during the survey are fruit bearing, non fruit bearing timber trees. Out of the total 723 trees, 623 numbers are fruit bearing trees and 100 non fruit bearing timber trees. Details of the trees are given in Table 2.3. All the fruit trees are productive.

Table 2.3: Details of Affected Trees

Type of Trees	Number of Trees
Berry	4
Almond	117
Senjed	273
Apricot	229
Total Fruit Trees	623
Non Fruit Timber Trees (Chinar)	100
Total Trees (Fruit + Non Fruit Trees)	723

4. Houses and Other Structures

30. There are 10 houses (including boundary walls) that will be affected by the Project. They are made with mud/brick/wood and mud/tin roof. Details of affected houses by type of construction are given in the Table 2.4.

Table 2.4: Details of Affected Structures

Type of Construction Material / Type of Effect	Total Affected Area (m ²)	Number of Structures	Affected Area <20%	Affected Area >20%
Houses (Mud/brick/wood, mud/tin roof)				
Partially Affected	570	1	50	0
Fully Affected	0	4	0	520
Walls (Mud/brick/wood)				
Partially Affected	163	5	163	0
Fully Affected	0	0	0	0

m² =square meter; no.=number.

5. Business/Income Losses

31. There is only one business owner that will be affected by the Project. The business is a small shop managed by the owner who do not employ workers. As such, compensation is payable only to the business owner since there are no employees affected. The type of the business that will be impacted is general merchant (a combination of items such as grocery items, vegetables and fruits). The shop can be reestablished within a period of three months. Hence, the disruption is considered temporary.

Table 2.5: Details of Business/Income Loss

Business/Income Losses	Number
Business Loss (Owners)	
General Merchant (Grocery items/vegetables and fruits)	1
Total	1

C. Affected Households/Persons Census

32. 179 households with 2,762 persons losing land, structures, trees, business incomes, etc., are affected due to the project. The affected households with type of loss are presented below.

1. Loss of Land

33. The total land acquisition required for the project is about 227,106.8 m² (113.55 Jeribs, 1 Jerib=2,000 m²) affecting 179 households and 2,762 APs. The type of land, no. of plots and the no. of households are presented in Table 2.6.

Table 2.6: Type of Land to be Lost Permanently

Type of Land	Location	No. of Plots	No. of AHs*	No. of APs	Total Affected Area (m ²)	Affected Area > 10%	Affected Area < 10%
I. Agricultural Land							
Irrigated Land	Bagramy	75	72	1,139	79,648.55	0	79,648.55
	Khakhi Jabbar/Sourbi	86#	98#	1,482	147,275.00	0	147,275.00
	Sub-total	161	170	2,621	226,923.55	0	226,923.55

Type of Land	Location	No. of Plots	No. of AHs*	No. of APs	Total Affected Area (m ²)	Affected Area > 10%	Affected Area < 10%
II. Non-Agricultural Land							
	Bagramy Khakhi	4	4	57	183.25	0	183.25
Residential/Commercial Land	Jabbar/Sourbi	5	5	84	27.75		27.75
Total		170	179	2,762	227,106.80	0	227,106.80

AH=affected household; AP=affected person; m²=square meter; no.=number.

* Without double counting

The total area of land loss of 147,275 m² in Khakhi Jabbar/Sourbi area includes 2,347 m² of land (17 plots) sold by 17 households to other AHs during the period between the first survey in 2008–2009 and second survey in 2011 and are entitled for differential compensation.

2. Crops

34. Although irrigated agricultural lands are affected in the project area, the land owners have not been cultivating the land for the last 3–4 years since these lands were close to the track road and due to the movement of vehicles, the area used become dusty which was not conducive for agriculture. Instead, they have been cultivating in other areas away from the road. In the earlier LARP approved in October 2009, due to a misinterpretation of the entitlement for crop compensation, the affected households losing agricultural productive land were proposed to be paid crop compensation based on their earlier cropping pattern. However, this discrepancy is now being removed since no cultivation was undertaken in the affected lands and as such, there is no impact due to loss of crop. Moreover, cultivated lands were avoided at some locations due to minor re-alignment of the road at such locations. In view of the foregoing, no compensation is payable to the land owners. This has also been confirmed by the Village *Shuras*/Leaders and the Governor's Office.

3. Trees

35. There are a total of 19 AHs losing 723 trees. Different categories of trees enumerated during the survey are fruit bearing, non fruit bearing timber trees. Out of the total 723 trees, 623 numbers are fruit bearing trees and 100 non fruit bearing timber trees. Details of the trees are given in Table 2.7. All the fruit trees are productive.

Table 2.7: Details of Affected Trees

Type of Trees	No. of Trees	No. of AHs	No. of APs
Berry	4	2	27
Almond	117	2	31
Senjed	273	8	122
Apricot	229	5	74
Total Fruit Trees	623	17	254
Non Fruit Timber Trees (Chinar)	100	2	37
Total Trees (Fruit + Non Fruit Trees)	723	19	391

AH=affected household; AP=affected person; m²=square meter; no.=number.

4. Houses and Other Structures

36. There are 9 AHs losing 10 houses (including boundary walls) that will be affected by the Project. The houses are made with mud/brick/wood and mud/tin roof. Details of affected houses by type of construction are given in the Table 2.8.

Table 2.8: Details of Affected Structures

Type of Construction Material / Type of Effect	Total Affected Area (m ²)	Number of Structures	No. of AHs	Affected Area <20%	Affected Area >20%
Houses (Mud/brick/wood, mud/tin roof)					
Partially Affected	50	1	1	570	0
Fully Affected	0	4	4	0	520
Walls (Mud/brick/wood)					
Partially Affected	163	5	4	163	0
Fully Affected	0	0	0	0	0

AH=affected household; AP=affected person; m²=square meter; no.=number.

5. Business/Income Losses

37. There is only one business owner that will be affected by the Project. The business is a small shop managed by the owner who does not employ any worker. As such, compensation is payable only to the business owner since there are no employees affected. The type of the business that will be impacted is general merchant (a combination of items such as grocery items, vegetables and fruits).

Table 2.9: Details of Business/Income Loss

Business/Income Losses	AH
Business Loss (Owners)	
General Merchant (Grocery items/vegetables and fruits)	1
Total	1

AH=affected household.

6. Households with Severely Affected Agricultural Land

38. AHs losing more than 10% of their land are considered as severely affected households and are provided with an additional allowance for severe impacts equal to the market value of a year's net income crop yield of the land lost. In the project area, there are no households losing more than 10% of their land and hence, no household is entitled to any additional allowance.

7. Vulnerable Households

39. AHs headed by female or disabled persons, or below the poverty line (BPL) or holding less than 5 jeribs are considered as vulnerable households. The total number of vulnerable households affected by the project is 2. These households are below poverty line. A per capita income of US\$ 1 per day was taken as poverty line for assessing the poverty status in Afghanistan by the 'Ministry of Rural Rehabilitation and Development' for its Nationwide Risk and Vulnerability Assessment Sample Survey (NRVA) in 2005. The same benchmark was considered in the present analysis also. There is no women headed house in the project area that is affected.

40. There is substantial reduction in the number of vulnerable households as compared to the previous survey due to the reduction in overall AHs as explained in Chapter 2. The number of vulnerable AHs has gone down substantially since (i) the combined income of all the members of a joint family (as compared to individual members considered earlier) as per the present survey is higher than the per capita threshold for below poverty line, and (ii) there is a reduction in the number of AHs on account of (a) sale of small land holdings by some of the owners and (b) minor realignment/change in centre-line at some locations, who were earlier considered as vulnerable. Details of vulnerable households are given in Table 2.10.

Table 2.10: Details of Vulnerable Households

Type of Vulnerability	No. of AHs	% of total AH	No. of APs
Women headed households	0	0	0
Below poverty line households by income	2	1.23%	27
Total Vulnerable HHs	2		27

AH=affected household; AP=affected person; no.=number.

8. Household Gender Information

41. Total affected population of the Project based on full census survey of 179 AHs, including those who are dependent on the affected facilities, is 2,762. Male and female population of the total APs and their percentages are given in Table 2.11.

Table 2.11: Male and Female Population of AHs
(Total 179 AHs)

Sex	Number of APs	Percentage
Male	1,459	52.82
Female	1,303	47.18
Total	2,762	100.00

AH=affected households;AP=affected persons.

9. Household Ethnicity Information

42. Ethnic groups of the total 179 AHs based on census data is given in Table 2.12. There are only two ethnic group resided in the project area. 84% of AHs are Pasthun and 16% are Tajik. Both these ethnic groups are very much in the main stream and do not fall under the definition of ADB's indigenous people

Table 2.12: Ethnic Composition
(Total 179 AHs)

Ethnicity	No of AHs	% of AHs (n=162)
Pasthun	150	83.80
Tajik	29	16.20
Total	179	100.00

AH=affected household; no.=number.

10. Summary of Affected Households (AHs) and Affected Persons (APs) by Category

43. The census found that, the total affected households are 179 and total affected persons are 2,762. Details of the AHs and APs by category are given in Table 2.13.

Table 2.13: Summary of AHs and APs by Category

AP Category	Number of AHs		Net AP No.	Remarks
	X impact type	Absolute (without double counting)		
A. Land Type (use of land)				
A1. Agricultural Land (Irrigated)				
Bagramy	75	72	1,139	
Khaki Jabbar/Sourbi	103	98*	1,482	

AP Category	Number of AHs		Net AP No.	Remarks
	X impact type	Absolute (without double counting)		
A2. Non Agricultural Land	9	9	141	
Subtotal (A)	187	179	2,762	
B. Structures				
B1. Houses/Buildings (Mud/brick/wood)	5	0	0	Included in A
B2. Walls (Mud/brick/wood)	5	0	0	Included in A
Subtotal (B)	10	0	0	
C. Trees				
C1. Non-fruit Timber Trees	2	0	0	Included in A
C2. Fruit bearing Productive Trees	17	0	0	Included in A
Subtotal (C)	19	0	0	
D. Business/Income Losses				
D1. Business Loss	1	0	0	Included in A
Subtotal (D)	1	0	0	
E. Severely Affctced/ Vulnerable Households				
E1. Vulnerable Households	2	0	0	Included in A
E2. Household needing relation	4	0	0	Included in A
Subtotal (E)	6	0	0	
Total	223	179	2,762	

AH=affected household; AP=affected person; m²=square meter; no.=number.

- Includes 17 households who sold their land to other AHs during the period between the first survey in 2008–2009 and second survey in 2011 and are entitled for differential compensation

D. Relocation Strategy

44. The project will create linear impacts along road alignment. Affected structure owners having impact of more than 20% of the structures may have to relocate in case they will not have enough available land to reconstruct the structures. Cash compensation will be provided to these affected households for compensate for the asset losses to be incurred by the AHs. AHs will buy land at a nearby place convenient to them and all assistance will be provided to them by the Governor's Office and PMO.

45. As per the site survey, 4 households having more than 20% impact on their houses with total affected area of 520 m² will have to be relocated since these households will not have enough available land to reconstruct their houses. The details are shown in Table 2.14.

Table 2.14: Details of Households Needing/not-needing Relocation

Type of Construction Material	Households having impact of more than 20% on their Structures					
	Structure / Households needing relocation			Structure / Households not needing relocation		
	No.	Structure Area	APs	No.	Structure Area	APs
Houses – Mud/brick/wood, mud/tin roof	4	520	61	1	50	17
Walls–Mud/brick/wood	0	0	0	5	163	74
Total	4	520	61	6	213	91

AP=affected person; no.=number.

III. CHAPTER 3: SOCIOECONOMIC PROFILE

A. General

46. Socio-economic details of the affected households were collected through a sample survey using a structured questionnaire (Annex 2). 91 AHs (about 51% of the total 179 AHs) were randomly selected for this survey. Socioeconomic profile of the AHs are prepared based on this 91 sampled AHs and is presented in this chapter. However, some of the demographic information of the AHs in this chapter is explained based on census survey of 100% AHs (i.e. 179 AHs). The details presented based on the census data of 100% of AH are:

- Type of family
- Ethnic composition
- Poverty status
- Male and female population

B. Socioeconomic and Demographic Details

47. The following section deals with various socioeconomic indicators and the socio-economic status of the households at Project area.

1. Composition of Households

48. Total population of the sampled 91 AHs is 1,772. The household composition of these sample AHs are given in Table 3.1. 41% of population in AHs are children below 10 years of age, 50% are adult and 9% are aged over 60 years.

Table 3.1: Household Composition of AHs
(Sample Size=91 AHs)

No. of Family Member	Male	Female	Total	% of Total Population
Children (below 10 years)	370	352	722	40.74
Adult (10 to 60 years)	470	418	888	50.11
Aged (above 60 years)	88	74	162	9.14
Total	928	844	1,772	100.00

No.=number.

49. Total affected population of the Project based on full census survey of 179 AHs, including those who are dependent on the affected facilities, is 2,762. Male and female population of the total APs and their percentages are given in Table 3.2.

Table 3.2: Male and Female Population of AHs
(Total 179 AHs)

Sex	Number of APs	Percentage
Male	1,459	52.82
Female	1,303	47.18
Total	2,762	100.00

AH=affected household; AP=affected person.

2. Type of Family

50. Details of family types (whether joint/nuclear/extended) of 179 AHs based on census data is given in Table 3.3. Nearly 55% of the total AHs live in joint families followed by 42% in nuclear families and 3% in extended families. A description of each of this family type is explained below.

- Nuclear Families: Nuclear family consists of single family.
- Joint families: Joint family consists of family of two or three generations. It usually consists of a grandfather, sons and their family, and grandsons and their family. The land is usually controlled by grandfather or by his eldest son.
- Extended families: Extended family consists of two or more families of three to four generations. It is a typical to only Pasthun families and these families may consist of up to 50 members living under a same roof. These families usually consists of two or three grand fathers, sons and their families, un married daughters (in some cases daughters with their families), grandsons and families and unmarried granddaughters. The lands are usually controlled by eldest grandfather or by his eldest son.

Table 3.3: Type of Family
(Total 179 AHs)

Particulars	No. of AHs	% of AHs (n=179)
Joint	98	54.75
Nuclear	75	41.90
Extended	6	3.35
Total	179	100.00

AH=affected household; no.=number.

3. Ethnic Composition of Households

51. Ethnic groups of the total 179 AHs based on census data is given in Table 3.4. There are only two ethnic group resided in the project area. 84% of AHs are Pasthun and 16% are Tajik. Both these ethnic groups are very much in the main stream and do not fall under the definition of ADB's indigenous people

Table 3.4: Ethnic Composition
(Total 179 AHs)

Ethnicity	No. of AHs	% of AHs (n=162)
Pasthun	150	83.80
Tajik	29	16.20
Total	179	100.00

AH=affected household; no.=number.

4. Occupation

52. Based on sample survey of 91 AHs, agriculture and daily wage earning are the main occupation in the project area. Most of the sampled AHs mentioned (83.5%) that agriculture is the main economic activity. Daily wage (56%) is the second major economic followed by working for other farmers (20.9%). The details are given in Table 3.5.

Table 3.5: Occupational Pattern of the Households
(Sample Size–91 AHs. Multiple Responses)

Particulars	No of AHs	% of AHs (n=91)
Agriculture	76	83.52
Working for other farmers	19	20.88
Small enterprise	9	9.89
Government & NGO	18	19.78
Business and trading	9	9.89
Hunting or gathering	5	5.49
Daily Wage	51	56.04
Other	1	1.10
Total	91	

(multiple responses)

AH=affected household; no.=number.

5. Women's Activities

53. Details of activities carried out by the women of the sampled 91 AHs are given in Table 3.6. The predominant activity of women is household work (97.8%) where they spend most of their time. Additionally, women spend time for collection of fuel wood and forest product (4%). Women also participate in the cultivation, business, and services.

Table 3.6: Type of Activities for Women
(Sample Size–91 AHs. Multiple Responses)

Activities	No of AHs	% of AHs (n=91)
Cultivation	8	8.79
Trade & Business	5	5.49
Service	2	2.20
Households Work	89	97.80
Others (fuel collection)	4	4.40
Total	91	

(multiple responses)

AH=affected household; no.=number.

6. Women's Participation in Decision Making

54. Details of women participation in decision making of household issues are given in Table 3.7. 71 AHs reported that women usually take part in decision making process of the family. It is found that the households give importance to women in decision making related to family matters such as child education (45%), healthcare (42%), etc.

Table 3.7: Women's in Decision Making
(Sample Size–91 AHs. Multiple Responses)

Details	No. of AHs	% of AHs (n=91)
Women play role in decision making	71	78.02
Women has no role in decision making	20	21.98
<i>Particulars of 71AHs in which women play role in Decision Making (Multiple Responses)</i>		
Issues	No of AHs	% of AHs (71)
Financial matters	12	7.69
Education of child	71	45.51

Details	No. of AHs	% of AHs (n=91)
Health care of child	66	42.31
Purchase of assets	2	1.28
Day to day activities	2	1.28
On social functions	2	1.28
Other	1	0.64

AH=affected household; no.=number.

C. Economic Profile of the Project Population

1. Poverty Status

55. Poverty status of the all the 179 AHs, collected based on the census survey, is given in Table 3.8. A per capita income of US\$ 1 per day was taken as poverty line for assessing the poverty status in Afghanistan by the 'Ministry of Rural Rehabilitation and Development' for its Nationwide Risk and Vulnerability Assessment Sample Survey (NRVA) in 2005. The same bench mark was considered in the present analysis also. Nearly 99 % of the total AHs are non poor and 2 households are considered as vulnerable households.

Table 3.8: Poverty Status of AHs
(Total 162 AHs)

Poverty Status	Total AHs	% of AHs (n=179)
Poor	2	1.12
Non Poor	177	98.88
Total	179	100.0

AH=affected household.

2. Income and Sources

56. Agriculture, labor, service, and business contribute the most to annual income of the 91 sampled AHs. Details of various sources of income and it average annual income from these sources for 91 sampled AHs are given in Table 3.9. All households are involved in agriculture and it is their primary source of income.

Table 3.9: Average Annual Income from Various Sources
(Sample Size-91-Multiple Responses)

Source of Income	Average Annual Income from respective Source (AF)	% of Income	% of AHs involved (n= 91)
Agriculture	40,727	33.35	100.00
Service	26,575	21.76	87.91
Business	12,780	10.46	87.91
Labor	33,159	27.15	93.41
Professional	6,400	5.24	82.42
Other	2,494	2.04	84.62

AF=Afghanistan currency. AF50 is equivalent to 1USD.

57. The total average annual income of the sampled 91 AHs is AF 113,682 and the average monthly income is AF 9,473.

3. Annual Expenditure

58. Average annual expenditure of the sampled 91 AHs on various types of items is shown in Table 3.10. Food is the major type of expenditure and contributes to 58.5% of the total expenditure followed by transportation (8.7%), and health (8.0%). The average total annual average expenditure per AH is AF7,499.

Table 3.10: Average Annual Expenditure
(Sample Size–91)

Type of expenditure	Average Annual Expenditure (AF)	% of Expenditure
Food	48,252.97	58.49
Transportation	7,201.32	8.73
Clothing	4,910.95	5.95
Health	6,661.10	8.07
Education	2,415.23	2.93
Communication	2,907.69	3.52
Social functions	4,061.89	4.92
Agriculture	4,061.89	4.92
Consumption of fuel for household	1,226.02	1.49
Electric bill	598.57	0.73
Other expenses	193.85	0.23

AF=Afghanistan currency.

4. Indebtedness

59. Indebtedness is quite prevalent in the sampled 91 AHs. Around 62% AHs reported that they took loan from different sources for various households needs. Around 38% of the households reported that they didn't take any loan. Details are given in Table 3.11.

Table 3.11: Status of Indebtness
(Sample Size–91 AHs)

Particulars	No of AHs	% of AHs (n=91)
Indebted Households	56	61.54
Non Indebted Households	35	38.46
Total	91	100.00

AH=affected household; no.=number.

5. Assets Possessions

60. Details of various types of common household assets possessed by the sample 91 AHs are given in Table 3.12. The main common household assets possessed by the AHs are radio (91%), bicycle (51.7%), and television (24%).

Table 3.12: Possession of Durable Goods
(Sample Size–91. Multiple Responses)

Item	Number of AHs	% of AHs (n =91)
Radio	83	91.21
Bicycle	47	51.65
Television	22	24.18
Computer	1	1.10
Washing Machine	1	1.10

Item	Number of AHs	% of AHs (n =91)
Motor cycle/Scooter	11	12.09
Car	12	13.19
Air Conditioner	2	2.20

AH=affected household.

D. Migration Pattern

61. Due to unavailability of jobs throughout the year, people usually migrate to other places for employment and earnings. Responses of the sampled AHs when they were asked whether they migrate to work are given Table 3.13. 53 AHs from the 91 surveyed households reported that one of their family members migrate in search of work.

Table 3.13: Migration Pattern
(Sample Size–91)

Migration	No of AHs	% of AHs (n=91)
Yes	53	58.24
No	38	41.76
Total	91	100.00

AH=affected household; no.=number.

1. Place of Migration

62. Among 53 AHs of total sampled 91 AHs, who said their family members migrate to work, 60% migrate to other countries (mostly Pakistan) and 34% to other provinces. Details of migrating places of 53 AHs are given in Table 3.14.

Table 3.14: Place of Migration
(Sample Size - 53,who said yes in Table 3.13)

Place of Migration	No of AHs	% of AHS (n=53)
Outside district	3	5.66
Outside province	18	33.96
Outside country	32	60.38
Total	53	100.00

AH=affected household; no.=number.

2. Nature of Job during Migration

63. The type of jobs generally taken up by the migrant population of 53 AHs are given in Table 3.15. The jobs are generally involved with agriculture labour (15%), non agricultural labor (28%), trade/business (20.7%) and others (36%).

Table 3.15: Pattern of Job during Migration
(Sample Size–53,who said yes in Table 3.13)

Type of Job	No. of AHs	% of AHs (n=53)
Agricultural Labor	8	15.09
Non agricultural Labor	15	28.30
Trade and business	11	20.75
Other	19	35.85
Total	53	100.00

AH=affected household; no.=number.

E. Quality of Life Indicators

1. Literacy

64. The literacy² rate of the APs from 91 sampled AHs is given in Table 3.16. Overall literacy rate of the sampled AHs is about 54%. The male literacy rate (60.3%) is higher than women literacy rate (46.2%).

Table 3.16: Literacy Status
(Sample Size–91 AHs)

Particulars	Population	Literate Population	% of Literacy (n=91 AHS)
Male	928	560	60.34
Female	844	390	46.21
Overall	1772	950	53.61

AH=affected household.

2. Source of Drinking Water

65. The major source of drinking water at Project area is from open wells fitted with hand pumps. Out of the 91 surveyed AHs, it is noted that 81% AHs use well water as the source of drinking water, 13% of AHs drink spring water, and 4.4% use stream or surface water. Only one household reported to have piped water as a source of drinking water. Details are given in Table 3.17.

Table 3.17: Source of Drinking Water
(Sample Size–91 AHs)

Sources	No of AHs	% of AHs (n=91)
Piped water	1	1.10
Spring	12	13.19
Well	74	81.32
Stream/river/canal	4	4.40
Total	91	100.00

AH=affected household; no.=number.

3. Sanitation Facilities

66. Type of toilet facilities in the 91 sampled AHs are given in Table 3.18. Most of the sampled AHs (96.7%) use traditional latrine. Only 3.3% of AHs reported to have flush toilets.

Table 3.18: Type of Sanitation Facilities
(Sample Size–91 AHs)

Type of Toilet	No. of AHs	% of AHs (n = 91 Ahs)
Flush toilet	3	3.30
Latrine	88	96.70
Total	91	100.00

AH=affected household; no.=number.

4. Illness

67. Responses of 91 sampled AHs whether any of their family members were affected by any major illness in last one year are given in Table 3.19. 68 AHs (74.4%) reported that they had major illness. These illnesses are generally due to fever, heart disease, malaria, TB, kidney problem, diabetic, hepatitis, etc.

² Person who has passed primary school and/or can read and write

Table 3.19: Responses of AHs on illness in the Family Members
(Sample Size–91 AHs)

Major illness	No. of Ahs	% of Ahs (n =91)
Yes	68	74.73
No	23	25.27
Total	91	100.00

AH=affected household; no.=number.

5. Use of Fuel for Cooking

68. Wood is the main source of fuel being used by 91 surveyed households for cooking at the Project area. Though some of the households use gas as the source of fuel for cooking; only one household is reported to solely depend on the gas. Details are given in Table 3.20.

Table 3.20: Type of Fuel Use for Cooking
(Sample Size–91 AHs)

Sources of fuel	No of AHs (n = 91)
Wood	90
Gas	1
Total	91

AH=affected household; no.=number.

6. Structures/Building Information

69. Uses of the structures/building in which 91 sampled AHs live are given in Table 3.21. Most (93.4%) of these structures are being for residential purpose and only 2 structures are being used for commercial purposes.

Table 3.21: Use of Structures/Buildings
(Sample Size–91 AHs)

Use of Structure	No. of AHs	% of AHs (n = 91)
Residential	85	93.41
Commercial	2	2.20
Residential cum commercial	4	4.40
Total	91	100.00

AH=affected household; no.=number.

7. Construction Type of Structure/Buildings

70. Details construction types of structures/buildings (whiter brick made or mud made) in which sampled 91 AHs live are given in Table 3.22. About 93% of these structures are mud made and 5.5% are brick made.

Table 3.22: Type of Construction
(Sample Size–91 AHs)

Type of Construction	No. of AHs	% of AHs (n = 91)
Mud made	85	93.41
Brick made	5	5.49
Other	1	1.10
Total	91	100.00

AH=affected household; no.=number.

8. Interior Details of Structure

71. The average number of rooms per structure/building for the 91 sampled AHs is five, out of which the average lighted room per structure is three. The average heated room per structure is also three. Details are given in Table 3.23.

Table 3.23: Interior Details of Structures
(Sample Size–91 AHs)

Particulars	Total Room
Average number of rooms in house/structure	5
Average lighted rooms	3
Average heated rooms	3

9. Access to Road Facilities

72. Details of road facilities available to 91 sampled AHs are given in Table 3.24. 21 AHs (23%) don't have access to any road facilities while 70 AHs have access to some kind of road facilities. 65% of AHs have access to village roads, 5.5% to district roads and 6.5% to provincial roads.

Table 3.24: AHs Access to Various Approach Roads
(Sample Size 91 AHs)

Type of Access Road	No. of AHs	% of AHs (n = 91)
No Road	21	23.08
Village road	59	64.84
District road	5	5.49
Provincial road	6	6.59
Total	91	100.00

AH=affected household; no.=number.

10. Condition of Roads

73. Details of the perception of the above 70 AHs (who have access to the roads) on condition of these roads are given in Table 3.25. Most of these AHs (74.7%) opined that the condition of the existing road is very poor. None of the respondents said that condition of the existing road is good.

Table 3.25: Condition of the Approach Road
(Sample Size–70 of 91 AHs, who have access to approach road)

Condition of Approach Road	No. of AHs	% of AHs (n =70)
Good	0	0.00
Average	12	17.14
Poor	6	8.57
Very poor	52	74.29
Total	70	100.00

AH=affected household; no.=number.

11. Monthly Expenditure and Willingness to Pay for Transportation

74. The average monthly expenditure of 91 sampled AHs on transportation is AF629 (with a range of AF 50 to 3,000 per month).

75. Willingness of the 91 sampled households on paying the toll if the road is developed is given in Table 3.26. Nearly 93% of the sampled AHs agreed that they are willing to pay for better road services, while 6.6% of the AHs are not in favor of paying tax.

Table 3.26: Willingness to Pay Toll
(Sample Size=91 AHs)

Willingness	AHs	% of AH (n=91)
Yes	85	93.41
No	6	6.59
Total	91	100.00

AH=affected household; no.=number.

IV. CHAPTER 4: RESETTLEMENT POLICY, LEGAL FRAMEWORK AND ENTITLEMENT

A. General

76. The LARP along with compensation policy framework and entitlements is based on ADB's *Safeguards Policy Statement of 2009* (SPS 2009) as well as the Borrower's domestic policy instruments and laws, particularly the provisions made under Law on Land Acquisition in the constitution of Afghanistan. The LARP fits with the provisions of the Land Acquisition and Resettlement Framework (LARF) approved for MFF. The following section deals with these policies with a comparison of two policies and subsequently deals with the entitlements and eligibility for compensation and other resettlement entitlements.

B. Land Acquisition Law in Afghanistan

77. There is no country specific resettlement policy in Afghanistan. A comprehensive land policy was approved in 2007 by the cabinet; however, it has to be fully operationalised. Ratified in early 2004, the new Constitution of Afghanistan has 3 articles that closely relate to compensation and resettlement. For the purpose of public interest, such as the establishment/ construction of public infrastructure and facilitation for acquisition of land with cultural or scientific values, land of higher agricultural productivity, large gardens, the Law for Appropriation of Property for the Public Welfare in Afghanistan (Land Acquisition Law, LAL) provides that:

- The acquisition of a plot or a portion of plot, for public interest is decided by the Council of Ministers and will be compensated at fair value based on the current market rates (section 2).
- The acquisition of a plot or part of it should not prevent the owner from using the rest of the property or hamper its use. If this difficulty arises, the whole property will be acquired (section 4).
- The right of the owner or land user will be terminated 3 months prior to start of civil works on the project and after the proper reimbursement to the owner or person using the land has been made. The termination of the right of the landlord or the person using the land would not affect their rights on collecting their last harvest from the land, except when there is emergency evacuation (section 6).
- In case of land acquisition, the following factors shall be considered for compensation: value of land; value of houses, buildings and the land; values of trees, orchards and other assets on land (section 8).
- The value of land depends on the category and its geographic location (section 11).
- A person whose residential land is subject to acquisition will receive a new plot of land of the same value. He has the option to get residential land or a house on government property in exchange, under proper procedures (section 13).
- It can be arranged with the owner if he wishes to exchange his property subject to acquisition with government land. The difference on the values of land will be calculated (section 15).
- The values of orchards, vines and trees on land under acquisition shall be determined by the competent officials of the municipality (section 16); and
- A property is evaluated at the current rate at the locality concerned. The owner of his representative must present at the time of measuring and evaluation of property.
- It is Afghan practice to recognize traditional or informal land rights.
- Compensation is and rehabilitation is provided before the land is acquired.

C. ADB's Safeguards Policy Statement

78. The ADB's Safeguards Policy Statement, 2009 (SPS 2009) aims to avoid or minimize the impacts on people affected by a project, and to provide support and assistance for those who lose their land and property, as well as for others whose livelihood is affected by the acquisition of land or temporary construction activities. Resettlement planning has the objectives of providing APs with a standard of living equal to, if not better than, that which they had before the project. The three important elements of the involuntary resettlement policy are (i) compensation to replace lost assets, livelihood, and income; (ii) assistance for relocation, including provision of relocation sites with appropriate facilities and services; and (iii) assistance for rehabilitation to achieve at least the same level of well-being with the project as without it. Some or all of these elements may be present in a project involving involuntary resettlement. For any ADB operation requiring involuntary resettlement, resettlement planning is an integral part of project design, to be dealt with from:

- Involuntary resettlement should be avoided or wherever feasible
- Where population displacement is unavoidable, it should be minimized by providing viable livelihood options.
- Replacing what is lost: If individuals or a community must lose all or part of their land, means of livelihood, or social support systems, so that a project might proceed, they will be compensated and assisted through replacement of land, housing, infrastructure, resources, income sources, and services, in cash or kind, so that their economic and social circumstances will be at least restored to the preproject level. All compensation is based on the principle of replacement cost.
- Each involuntary resettlement is conceived and executed as part of a development project or program. ADB and executing agencies or project sponsors, during project preparation, assess opportunities for affected people to share project benefits. The affected people need to be provided with sufficient resources and opportunities to reestablish their livelihoods and homes as soon as possible, with time-bound action in coordination with the civil works.
- The affected people are to be fully informed and closely consulted. Affected people are to be consulted on compensation and/or resettlement options, including relocation sites, and socioeconomic rehabilitation. Pertinent resettlement information is to be disclosed to the affected people at key points, and specific opportunities provided for them to participate in choosing, planning, and implementation options. Grievance redress mechanisms for affected people are to be established. Where adversely affected people are particularly vulnerable groups, resettlement planning decisions will be preceded by a social preparation phase to enhance their participation in negotiation, planning, and implementation.
- Social and cultural institutions: Institutions of the affected people, and, where relevant, of their hosts, are to be protected and supported. Affected people are to be assisted to integrate economically and socially into host communities so that adverse impacts on the host communities are minimized and social harmony is promoted.
- No formal title. Indigenous groups, ethnic minorities, pastoralists, people who claim for such land without formal legal rights, and others, who may have usufruct or customary rights to affected land or other resources, often have no formal legal title to their lands. The absence of a formal legal title to land is not a bar to ADB policy entitlements. APs who neither have formal legal rights nor recognized or

recognizable claims to land should be compensated for all non-land assets and for other improvements to the land.

- Identification: Affected people are to be identified and recorded as early as possible in order to establish their eligibility through a population record or census that serves as an eligibility cutoff date, preferably at the project identification stage, to prevent a subsequent influx of encroachers or others who wish to take advantage of such benefits.
- The Poorest: Particular attention must be paid to the needs of the poorest affected people, and vulnerable groups that may be at high risk of impoverishment. This may include those without legal title to land or other assets, households headed by females, the elderly or disabled and other vulnerable groups, particularly indigenous peoples. Appropriate assistance must be provided to help them improve their socio-economic status.
- The full resettlement costs are to be included in the presentation of project costs and benefits. This includes costs of compensation, relocation and rehabilitation, social preparation and livelihood programs as well as the incremental benefits over the without project situation (which are included in the presentation of project costs and benefits). The budget also includes costs for planning, management, supervision, monitoring and evaluation, land taxes, land fees, and physical and price contingencies. Where loans include subprojects, components or investments prepared only after project approval and loans through financial intermediaries that are likely to cause involuntary resettlement, sufficient contingency allowance must be allocated for resettlement prior to approval of the loan. Similarly, resettlement plans should also reflect the timeframe for resettlement planning and implementation.
- Eligible costs of compensation: Relocation and rehabilitation may be considered for inclusion in ADB loan financing for the project, if requested, to assure timely availability of the required resources and to ensure compliance with involuntary resettlement procedures during implementation.
- Compensation and rehabilitation is to be provided before the land is acquired.

D. Comparison of Policies

79. A comparison between ADB's Safeguards Policy Statement of 2009 and Land Acquisition Law (LAL) of Afghanistan is provided in Table 4.1.

Table 4.1: Comparison of ADB's Safeguards Policy Statement of 2009 (SPS 2009) and Land Acquisition Law in Afghanistan

ADB SPS 2009	Land Acquisition Law	Remarks/Resolution
APs should be fully informed and consulted in resettlement and compensation options.	National legislation does not provide for public consultation.	This LARP recommends the provision for consultation and information dissemination.
APs should be compensated for all their losses at replacement cost.	Land acquisition for public interest is to be compensated based on equal/fair value based on current market rates. In case of residential land, land x land is offered. Affected orchards, vines, tree values are valued by competent municipal officials.	The LARP specifies that affected land will be compensated at replacement cost, free of transaction cost, while buildings/structures are compensated without deducting for depreciation. Crops, or trees will also be compensated in cash at replacement rates.
Lack of formal land title should not be a bar to compensation or rehabilitation.	LAL provides for compensation only for those who have titles of ownership. LAL does not cover APs who may have usufruct or customary rights.	This provision in this LARP provides for compensation at replacement cost for titled and customary users, and rehabilitation for non title holders
APs should be timely compensated.	Land owners/users rights on a plot will be terminated 3 months prior to start of civil	This LARP provides for crops compensation whether they have been harvested or not to

works and after compensation is given to avoid civil works delays and pressures on them. The termination of the owner/user land users to harvest a crop before it is fully right would not affect their rights to collect ripe. Land users harvesting their crops after their last harvest from the land, except if notification of the land occupation date will there is emergency not lose any part of their due compensation.

The APs should be compensated and/or assisted, be given for land, house, crops, and trees for relocation costs will be given if these so that their economic/social losses. No consideration is given to impacts occur. future is generally as favorable income losses or relocation costs. as it would have been without the Project.

ADB=Asian Development Bank; AH=affected household; AP=affected person; LAL=Land Acquisition Law; LARP=land acquisition and resettlement plan; no.=number; SPS=Safeguards Policy Statement.

E. Principles and Policies Adopted for this Project

80. Based on the above analysis of national provisions and ADB's Safeguards Policy Statement of 2009 (SPS 2009), the broad resettlement principles for this project shall be the following:

- The negative impact on AP must be avoided or minimized as much as possible;
- Where negative impacts are unavoidable, the persons affected by the project and vulnerable groups will be identified and assisted in improving or regaining their standard of living.
- Information related to the preparation and implementation of resettlement plan will be disclosed to all stakeholders and people's participation will be ensured in planning and implementation. All RPs for the roads with resettlement impacts will be disclosed to the APs;
- Land acquisition for the project would be done as per the Land Acquisition Law of Afghanistan. The Act specifies payment of adequate compensation for the properties to be acquired. Additional support would be extended for meeting the replacement value of the property, that includes all transactions costs and without deduction for depreciation, and salvageable materials. APs who neither have titles nor recognized or recognizable claims to land will be compensated for their structures and for other improvements to the land.
- Widening and strengthening work will take place mostly on the existing alignment except at locations where the existing alignment may require shifting to accommodate bridges reconstructed in new locations adjacent to existing structures;
- Before taking possession of the acquired lands and properties, compensation and resettlement and rehabilitation (R&R) assistance will be paid in accordance with the provision described in this document;
- An entitlement matrix for different categories of people affected by the project has been prepared and provisions will be kept in the budget for those who were not present at the time of census survey. However, people moving in the project area after the cut-off date will not be entitled to any assistance. In case of land acquisition the date of notification for acquisition will be treated as cut-off date. For non-titleholders such as squatters and encroachers the date of project census survey or a similar designated date declared by the executing agency will be considered as cut-off date;
- Appropriate grievance redress mechanism will be established at the district level to ensure speedy resolution of disputes;
- All activities related to resettlement planning, implementation, and monitoring would ensure the involvement of women and other vulnerable groups; and
- Consultations with the APs will continue during the implementation of resettlement and rehabilitation works.
- Compensation and rehabilitation is to be provided before the land is acquired.

81. In accordance with the R&R measures suggested for the Program, all affected households and persons will be entitled to a combination of compensation packages and resettlement assistance depending on the nature of ownership rights on lost assets and scope of the impacts including socio-economic vulnerability of the affected persons and measures to support livelihood restoration if livelihood impacts are envisaged. The affected persons will be entitled to the following five types of compensation and assistance packages (i) compensation for the loss of land, crops/ trees at their replacement value; (ii) compensation for structures (residential/ commercial) and other immovable assets at their replacement value; (iii) assistance in lieu of the loss of business/ wage income; (iv) assistance for shifting, and (v) rebuilding and/ or restoration of community resources/facilities.

F. Compensation Eligibility and Entitlements

82. The following section deals with eligibility and entitlement of the APs

1. Eligibility

83. AHs entitled to land compensation are AHs with (i) title, (ii) official deed, (iii) unofficial written deed, or (iv) AHs that in absence of these documents are declared as legitimate traditional land holders of the land they use by the shura, jirga or elders of the local village. All AHs no matter their land occupation status will be compensated for structures, crops, trees and business losses.

84. Compensation eligibility will be limited by a cut-off date, i.e., **31 May 2011**. This survey will also serve the purpose of cut-off-date for the non titleholders as well. People moving in the project area after the 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/dismantle affected structures prior to project implementation. Their dismantled structures will not be confiscated and they will not pay fines or sanctions. Forced eviction will only be considered if all other efforts are exhausted.

2. Entitlements

85. Entitlement provisions for APs losing land, houses, and income losses and rehabilitation subsidies include provisions for permanent and temporary land losses, house and buildings losses, crops and trees losses, a relocation subsidy, and a business losses allowance based on tax declarations and/or lump sums. These entitlements are detailed below:

- **Acquisition of land** will be compensated at replacement value either through replacement plots or in cash based on replacement/current market to be approved by the council of ministers. MPW will shoulder all fees, taxes, and other charges, as applicable under relevant laws incurred in the acquisition and resource establishment.
- **Houses, Structures and Buildings** will be compensated in cash at replacement cost free of depreciation. or transaction costs. Replacement costs are calculated in consultation with local governments, provincial MPW engineers and AP and will not include depreciation or salvaged materials which can be used for free by the AH. A lump sum shifting allowance of AF5,000 will be paid for each resettled AH in addition to building compensation.
- **Loss of crop** will be compensated at market rate along with additional assistance of for purchase of seeds and restoration of future crop activities.
- **Loss of trees:** Fruit bearing trees will be compensated at the value of 1 harvest multiplied by the number of years needed to re-grow a tree at the same productive level of the tree lost. Non-fruit bearing/Timber trees will be valued based on the market value of their dry wood volume. The compensation for the tree will be free of deduction for the value of the wood left to the AH.

- **Loss of business** will be compensated based on tax receipts/ other valid documents or, if these are not available, based on the average net income of typical road businesses in project areas as determined by surveys. Compensation for permanent business losses will amount to six month of actual income or of the monthly allowance. Compensation for temporary business losses will cover income losses of the interruption period and will amount to up to three months³ of actual income or monthly allowance.
- Other employment and livelihood will be compensated at one-time allowances as 3 months of their salary.
- **Loss of Community or Government Property** will be compensated at full replacement.
- **Vulnerable Households** will be given an additional three months of income as assistance.
- **Severe agricultural land impacts**—When greater than 10% of an AP's agricultural land is affected, the AP will get an additional allowance for severe impacts equal to the market value of a year's net income crop yield of the land lost.

86. The determination of replacement cost is based on a detailed assessment undertaken to verify local market rates from local people (based on land transactions done in the area in the last three years) and government rates (if any) prevalent in this region. The government-registered price will be ascertained from the revenue papers. However, there is generally no such market price for the land and asset in Afghanistan available thus the replacement value will be mutually decided by the AP and the competent authority. The council of ministers approves the replacement value of the property. Assessment of value for other assets will be determined by the concerned departments along through discussion with the affected persons. Based on the above, an Entitlement Matrix is given in Table 4.2

Table 4.2: Entitlement Matrix

Item	Application	Eligibility	Compensation Entitlements
Agricultural/ residential land loss	Land affected by right-of-way (ROW)	AP with title, formal/customary deed, or traditional land right as vouched by local Jirga, elders or Community Development Council.	<ul style="list-style-type: none"> • Cash compensation at replacement cost. All fees, taxes, or other charges, as applicable under relevant laws are to be borne by the project • Households who have sold their land during the period between the first survey and second survey will be entitled for compensation equal to the difference between the land rate as per LARP and their sale value.
Residential and commercial buildings loss	Residential/ commercial structure affected	Owners of structures (including informal settlers)	<ul style="list-style-type: none"> • Cash compensation for affected structure and other fixed assets at replacement cost of the structure free of depreciation, taxes/fees and salvaged materials. In case of partial impacts full cash assistance to restore remaining structure. Compensation for temporary structures (brick and mud made) is AF1,000/m² for wall and AF 2,000/m² for structure. Compensation for permanent structures (concrete) is AF 1,500/m² for wall and AF4,000/m² for structure. • Right to salvage material from demolished structure
Crops losses	Crops on affected land	Owners of crops / sharecroppers	<ul style="list-style-type: none"> • Cash compensation at full gross market rate for full harvest, based on average production of the crops, which is estimated as AF 10,000 per jerib. Crop compensation will be provided by default whether the crops have been harvested or not at time of impact. • An assistance grant of AF5,000 for the purchase of agricultural inputs for the next season
Trees Losses	Trees on affected land	Owner of trees (including informal settlers)	<ul style="list-style-type: none"> • Fruit bearing trees will be compensated at the value of 1 harvest multiplied by the number of years needed

³ It is estimated that structures typically used for road side businesses can be constructed in less than three months. Hence, it is assumed that affected road side business will be able to continue their operations within a period of 3 months

Item	Application	Eligibility	Compensation Entitlements
			to re-grow a tree at the same productive level of the tree lost. Cash compensation of AF 6,000 x tree
			<ul style="list-style-type: none"> • Non-fruit bearing/timber trees will be valued based on the market value of their dry wood volume. • The compensation of the tree will be free of deduction for the value of the wood left to the AH.
Business losses by shop owners and employees	Permanent / temporary business losses along the ROW	Business / shop owners (including informal settlers), employees	<ul style="list-style-type: none"> • Business compensation based on monthly income from that business by month of business stoppage. The compensation for business loss will be calculated based on tax receipts or when these are not available based on a fixed rate of AF9,500 per month⁴. • Employees: indemnity for lost wages up to three months income
Loss of Community, Cultural, Religious, or Government Sites	Temporary or permanent loss due to the Project activities	Community/ Affected households	<ul style="list-style-type: none"> • Conservation, protection and cash compensation for replacement (Schools, communal centers, markets, health centers, shrines, other religious or worship sites, tombs,. Cash compensation for affected structures based on the above structures entitlements
Transitional Allowance	Residential/Commercial Structures affected	All AHs	<ul style="list-style-type: none"> • Relocated owners/renters will receive a transitional allowance for livelihood losses at AF5,200 for 3 months
Relocation Allowance	Residential/Commercial Structures affected	All AHs	<ul style="list-style-type: none"> • Relocated owners/renters (including informal settlers) will receive a relocation allowance of AF5,000
Assistance to vulnerable AH	Affected by land acquisition, resettlement etc.	AH which are: female-headed; poor (below poverty line) or headed by handicapped/disabled persons	<ul style="list-style-type: none"> • Vulnerable households will be provided an additional three months of average household income allowance (AF28,500) as assistance. • Preferential employment in the project construction.
Severe impact allowance	Agricultural land	Agricultural land owners, leaseholders or sharecroppers losing >10% of their holdings	<ul style="list-style-type: none"> • Allowance for severe land impacts equal to replacement cost of a year's net income from crop yield of land lost
Unidentified Impacts		AH or individuals	<ul style="list-style-type: none"> • Unforeseen impacts compensated based on above entitlements during project implementation by the EA.

ADB=Asian Development Bank; AF=Afghanistan currency; AH=affected household; AP=affected person; LAL=Land Acquisition Law; LARP=land acquisition and resettlement plan; no.=number; SPS=Safeguards Policy Statement.

⁴ This fixed rate is based on the average net income of road businesses in project areas as determined by the surveys conducted during LARP preparation.

V. CHAPTER 5: PUBLIC CONSULTATION AND DISCLOSURE

A. General

87. Public participation and consultation are the major keys to any success in infrastructure development. The sustainability of any infrastructure development depends on the participatory planning in which public consultation plays a major role. To ensure peoples' participation in the planning phase of this project and to treat public consultation and participation as a continuous two way process, numerous events were arranged at various stages of project preparation i.e., inception, interim and draft final stages of the project. Aiming at promotion of public understanding and fruitful solutions of developmental problems such as local needs of road users and problem and prospects of resettlement, various stakeholders i.e., affected persons, government officials, local community, elected representatives of the people and NGO were consulted through focus group discussions, individual interviews and formal consultations. The options of alternative design were also discussed to meet their local needs and to achieve speedy implementation of the project with peoples' participation. The project will therefore ensure that the affected population and other stakeholders are informed, consulted, and allowed to participate actively in the development process. This will be done throughout the implementation, and monitoring of project results and impacts.

88. Public participation and community consultation has been taken up as an integral part of social and environmental assessment process of the Project. Consultation was used as a tool to inform and educate stakeholders about the proposed action both before and after the development decisions were made. It assisted in identification of the problems associated with the project as well as the needs of the population likely to be impacted. This participatory process helped in reducing the public resistance to change and enabled the participation of the local people in the decision making process. Initial Public consultation has been carried out in the Project areas with the objectives of minimizing probable adverse impacts of the project through alternate design solutions (alignment and cross-sectional) and to achieve speedy implementation of the project through bringing in awareness among the community on the benefits of the project.

B. Objective of the Consultation

89. The broad objectives of the consultation were as follows:
- Understand the views of the people affected, with reference to acquisition of land or loss of property and its due compensation.
 - Identification of road alignment
 - Understand views of people on resettlement options, if any.
 - Identify and assess major economic and social characteristics of the project area to enable effective planning and implementation.
 - Resolve issues related to impacts on community property and their relocation.
 - Examine APs' opinions on health safety issues during the construction and selection garbage materials or the waste materials.
 - Identify levels and extent of community participation in project implementation and monitoring.
 - To establish an understanding for identification of overall developmental goals and benefits of the project.
 - To develop a thorough coordination between all the stakeholders for the successful implementation of the project.

90. Community consultations in the project was undertaken with specific objectives, which may be grouped into (a) information sharing, (b) appraisal and assessment of the community needs, and (c) development of specific design solutions. These objectives are discussed below:

1. Information Sharing

- To promote public awareness about the proposed project especially amongst the potentially impacted communities/individuals.
- To educate the potentially impacted communities/individuals about the proposed course of action and the project alternatives.
- To explain the project related terms and definitions for easier understanding of the project, the policy and the safeguards documents.
- To explain to the community the importance of their role in supporting/facilitating the implementation of the safeguards issues in the project.
- To introduce and explain the roles of the safeguards specialist of the PMO, and other officers of the MPW to the APs and the affected communities for developing a mutually supportive working relationship.

2. Appraisal and Assessment

- To inform APs about the entitlement framework and LARP, and to settle their problems with mutual consent and to assist them during relocation and resettlement.
- Deduce information from the local people about their socio-economic status and the resources they depend upon for their livelihood.
- Collect peoples' perceptions about the project and how the negative effects of the project should be mitigated.

3. Devising Specific Solutions

- To solicit the views of affected communities/individuals on environmental and social problems.
- Receive suggestions from the villagers/APs with regard to the preferences and options about the project in general, avoidance measures, mitigation/compensation measures, and benefits being provided, in particular.
- To ensure lessening of public resistance to change by providing them a platform in the decision making process.

91. Thus, constructive participation by the affected population can influence not only social impact of relocation, but also the costs, success and duration of the main investment project itself. The possibility of active participation by APs, NGOs and local government staff varies by project and stage of the project

C. Methods of Public Consultation

92. Public consultations in the project area were held at different level. The following methodology has been adopted for carrying out public consultations in this project: Newspaper advertisement for public consultation is not recommended due to security reason and discouraged by the MPW offices.

- Disseminating information and requesting villagers to attend the public consultation meetings at various sensitive places.
- Sharing the opinions and preferences of the APs.

- Involving the APs and all other stake holders in decision-making including implementation of LARP.
- Walk-through / informal consultation along the road.

93. Different techniques of consultation with stakeholders were used during project preparation, e.g., in-depth interviews, public meetings, group discussions, etc. To understand the socio-economic profile of the affected persons, questionnaires were designed and information was collected from the affected persons on one-to-one basis. Public consultations were conducted at Bagramy (May 6, 2008), Khaki Jabbar (May 8, 2008), Bagramy (April 8, 2011) and Khaki Jabbar (April 9, 2011). The participants of these events were the district governors, local shura leaders and affected community. Consultations have also been carried out with special emphasis on the vulnerable groups. The key informants during the project preparation phase included both individuals and groups namely:

- Heads and members of households likely to be affected.
- Groups/clusters of APs.
- Village head.
- Government agencies/departments and NGO.
- Other project stakeholders with special focus on APs belonging to the vulnerable group excluding the women since participation of women in public meeting in the rural areas are usually not acceptable by the local community.

D. Level and Process of Community Consultation

94. The consultation process established for the project has employed a range of formal and informal consultations at this stage. As per the requirement, the present consultation has followed three main levels. They are as: individual consultation through questionnaire, FGDs through structured open ended interview schedule and formal and informal discussion with various government official and stakeholders like civil society and NGO.

1. Individual Consultation

95. Individual consultations were made with all the affected households whose property fall under the road design. A door-to-door census was done by administering a scientific questionnaire in order to know the socio- economic condition of the APs. Additionally, 20% of the baseline survey was also carried out in the project affected area.

2. Community Consultation / Focused Group Discussions

96. Community level discussions were held in different sensitive areas by conducting various FGDs. The views of the people on social, environmental and resettlement issues are always essential for suggesting the requisite mitigations. Discussions were also held with the owners and stakeholders of the various cultural properties, such as mosques, burials etc. The benefits of the project were explained in detail to them and solicited their views on relocation of such properties from their present locations. The summary of the public consultations is presented below and the details of the issues covered in the public consultation is at Annex 3.

97. In the process of public consultation, it was observed that most of the people are concerned about their livelihood issues. The majority fears the loss of the commercial

activities which will have direct impact on their livelihood. However, it is noted that the loss of livelihood will be very minimal and can be well compensated by the project. Most of the people welcome the project. The major findings of the consultations held at various locations are summarized as follows.

- Most of the people are aware of the project and are willing to render the support whenever required including the security support.
- The people also suggested a proper compensation package to be granted who are losing their properties.
- Most of the APs know that the commercial activities and structures along the road are mostly on the government land and are considered to be squatters. They are willing to shift from present location but at the same time the people expected that the authorities should be little considerate towards their problems and they seek some assistance to restore their livelihood.
- They were also concerned about the compensation. People requested all the shops displaced should get adequate compensation and advance notice before construction of the project.
- Proper measures need to be taken to restore loss of livelihood by displacement
- Proper safety measures to be adopted for preserving the cultural property like mosques, burial grounds etc. This should be replaced by the project authority if there is any damage. However, this will require the consent of the community and due consultation.
- People advised that there are no such archaeological sites or any protected place in the vicinity of the project area.
- Government Departments should join hands with the NGOs during the implementation of LARP.
- Government should provide the adequate land to the landless people for their relocation.
- The compensation should be based on the current market value.
- They also support the project since they will be getting job during the construction.
- People consented to cooperate if adequate compensation is given.
- Requests for facilities and amenities like drinking water or lighting was advised during the construction phase
- APs requested for local representation in the project activities
- Contractors should be advised by the project authority to employ the local people with due consultation with the local community and with the elected bodies.
- Points were raised to involve the small local contractor during construction period.
- People suggested that adequate safety measures should be provided for uninterrupted social life.
- Participants suggested that the success of the project implementation depends on the security situation also. Therefore, the involvement of local people will be highly advisable so that the security problem may be managed adequately.

3. Consultation with Government Officials and Officials of Donor Agencies

98. Attempts were made to involve the various concerned government officials during the project design. A holistic approach was adopted during the study in order to gather the information about the project area and about the other developmental activities which are going on parallel to the proposed plan. These officials represent from local, district, province

and national level. Consultations have been carried out with officials of MPW in order to incorporate their feedbacks to the project planning. Additionally, the team (engineers) trained under ADB's capacity building components, have also been consulted in order to share the proposed project and their potential involvement during the implementation of the project. Focus was given more to the specific officials dealing with the safeguards issues. Additionally, officials of European Commissions (EC), European Union (EU) and United Nations Office for Project Services (UNOPS) were consulted in many occasions for various engineering components.

E. Continuation of Public Consultations

99. The consultation will remain continued all through the project cycle. The effectiveness of resettlement implementation is directly related to the degree of continuing involvement of those affected by the project. Several additional rounds of consultations with APs will be required during LARP implementation. Consultations during LARP implementation will involve agreements on compensation, assistance options, and entitlement package and income restoration. The other round of consultations will occur when compensation and assistance are provided and actual resettlement begins. Information disclosure is pursued for effective implementation and timely execution of the LARP. For the benefit of the community in general and APs in particular, the LARP should be made available at concerned offices of MPW and revenue offices. The Project Management Office (PMO) will provide information on Resettlement policies and features of the LARP. For continued consultations, the following steps are envisaged in the project:

- The NGOs to be involved in implementation of the LARP will organize public meetings and will apprise the communities about the progress in the implementation of resettlement, social and environmental activities.
- There will be Grievance Redress Committees (GRC). The APs will be associated with such committee along with their representatives.
- NGOs will organize public meetings to inform the community about the compensation and assistance to be paid. Regular update of the progress of the resettlement component of the project will be placed for public display at the PMO offices.
- All monitoring and evaluation reports of the resettlement components of the project will be disclosed in the same manner as that of the LARP.
- Key features of the entitlements will be displayed along the project corridor.
- Together with the NGO, the PMO will conduct information dissemination sessions at major intersections and solicit the help of the local community leaders to encourage the participation of the APs in LARP implementation.
- Attempts will be made to ensure that vulnerable groups understand the process and to take their specific needs into account.

F. Disclosure of LARP

100. To keep more transparency in planning and for further active involvement of APs and other stakeholders, the project information will be disseminated through disclosure of resettlement planning documents. A resettlement information leaflet containing information on compensation, entitlement and resettlement management adopted for the Project will be made available in Pasthu and Dari (local languages) and distributed to APs. Each AP will be provided information regarding specific entitlements. The NGO to be hired for involvement in the implementation activities will keep the affected people informed about the impacts, the

compensation and assistances proposed for them and facilitate addressing any grievances. The Project summary Resettlement Plan will be translated in to local language and disclosed to affected persons at local level. The copy of the full Resettlement Plan will be available with PMO and district governments and will be available for the APs as and when asked for. A copy of the LARP will be disclosed in ADB's website in English.

G. Project Impacts

101. Most of the affected persons knew the forthcoming project. This could be so because there were a lot of talks about these impending projects. They also expressed that they knew about it as there were engineers and others measuring the road. Most respondents expressed that road is advantageous for them.

1. Positive Impacts

102. Potential positive impacts of the project as discussed by the respondents are summarized. These perceived advantages in order of importance as expressed by respondents are:

- The project will lead to improved transportation facilities. As of now, there is only seasonal facility of road and only small vehicles run here. The transportation cost (fare) is considered high.
- It was expected that there will be income opportunities created because of the access of the road.
- More employment opportunities will be created because of business and trade.
- The value of land will increase;
- It will be easy to commute with the district, provincial level town, capital Kabul, and market.

2. Negative impacts

103. The negative impacts as expressed by the respondents are in order of their importance:

- There will be loss or damage to their private and community property during the construction of the road.
- There will be disruption in social life during the project construction. The presence of outsiders and many people will lead to such disruption.
- Some of the respondents expressed their concern that they may not get the proper compensation
- There will be some negative impacts on non-title holders such as encroachers and squatters who are living near the immediate corridor. The impacts could be in terms of loss of structures and livelihoods.

3. Perception about the Participation in the Project

104. A large majority of respondents were eager to get employment opportunity in construction of road, and earn some experience and income. They can participate as construction labors and as petty contractors.

4. Support needed from the Project

105. Local people had expected training and credit facilities in order to use the opportunity created by the project. Training in the skills needed in the project would be important, and with skills, they can easily participate in the project. Around 6% respondents showed their interest in vocational training.

Table 5.1: Summary of Public Consultation Meetings and Focus Group Discussion

Date	Place	No. of Participants	Issues/Concerns Raised	Mitigation Measures
May 6, 2008 and April 8, 2011	Bagramy	78 37	<ul style="list-style-type: none"> ▪ People in general are in favour of the Project ▪ Concern for alignment to be followed ▪ Concern for loss of land and structure ▪ Concern for loss of business units and livelihood ▪ Concern for compensation rate and mechanism ▪ Concern about the quality of construction ▪ Safety for road users and especially school children ▪ Preservation of the irrigation canal in the Project 	<ul style="list-style-type: none"> ▪ The proposed road construction is limited to existing RoW ▪ The existing alignment is followed except small realignment to avoid resettlement issues ▪ Loss of land and structure shall be compensated and financial assistance shall be provided to overcome the income loss during re-establish period ▪ Provision of adequate notice for clearing ROW to avoid mental and psychological trauma ▪ Compensation will be paid before work is taken up in the affected areas ▪ Adequate provision in the design for safety of road users and necessary safety arrangement at locations like school, hospitals, market area by way of signs, rumble strip etc.
May 8, 2008 and April 9, 2011	Khaki Jabbar	47 26	<ul style="list-style-type: none"> ▪ People welcomed MPW's effort to construct a new road that will benefit the area ▪ Concern for loss of land and structure ▪ Concern for loss of business units and livelihood ▪ Concern for compensation rate and mechanism ▪ Concern about the quality of construction ▪ Safety for road users and especially school children 	<ul style="list-style-type: none"> ▪ The proposed road construction is limited to existing RoW ▪ The existing alignment is followed except small realignment to avoid resettlement issues ▪ Loss of land and structure shall be compensated and financial assistance shall be provided to overcome the income loss during re-establish period ▪ Provision of adequate notice for clearing ROW to avoid mental and psychological trauma ▪ Compensation will be paid before work is taken up in the affected areas ▪ Adequate provision in the design for safety of road users and necessary safety arrangement at locations like school, hospitals, market area by way of signs, rumble strip etc.

VI. CHAPTER 6: INSTITUTIONAL ARRANGEMENTS

A. General

106. The implementation of LARP requires involvement of various adequate institutions at different stages of project cycle. This section deals with roles and responsibilities of various institutions for a successful implementation of the LARP. The primary institutions to be involved in the process are as follows:

- Ministry of Public Works (MPW)
- District Government
- Project Management Office (PMO)
- Due Diligence Team (DDT) at PMO Level
- Construction Supervision Consultant (CSC)
- Implementing Non-government Organization (NGO)
- Grievance Redress Committee (GRC)

B. Executing Agency

107. MPW will be the EA for this project. The minister and the deputy minister will be responsible for the overall policy level decision, planning, implementation and coordination of the project activities. The EA will have proper coordination with other departments in Government of Afghanistan, *i.e.*, Ministry of Finance.

C. Local Government

108. District governments are key implementing agencies for LARP. They are responsible for establishing compensation rates and validation of surveys and in delivering compensation. District government is represented by representatives of villages (Shura) and headed by district Governor, who was appointed by the provincial Governor. Each village will elect a Village Committee (Shura) in a village meeting (Jirga). The shura consists of village elders and representatives of shura of subvillages or hamlets. The head of shura is called, Malek.

D. Project Management Office in MPW

109. A Project Management Office (PMO) has been established in MPW to handle implementation of the ADB financed projects. The PMO is headed by a Director. It has separate teams to oversee different aspects of the MFF and liaise with stakeholders. These teams will oversee technical and engineering functions under each contract, legal matters, due diligence on new projects, safeguards, finance and administration, evaluation, monitoring and reporting, and results measurement and capacity development (training, policy advisory, management information systems and procedures). The PMO will engage the services of national and international staff. The budget to run it will cater for a core team of experts and then leave sufficient contingencies to engage short-term advisors to undertake specific jobs at short notice. The services of advisors will be secured from firms and directly from individuals. The PMO will

have a Due Diligence Team (DDT) consisting of social and environmental specialists for safeguard monitoring of MFF.

E. Due Diligence Team at PMO Level

110. The Due Diligence Team (DDT) will be formulated as part of the PMO. The DDT will work closely with other staff of the PMO and will be specifically looking after the safeguards issues. The DDT will assist the PMO for getting all the necessary clearances and implementation of the resettlement activities prior to start of any civil work. The DDT will be supported by International Resettlement Specialist (IRS) and one Domestic Resettlement Specialist (DRS). Similarly, there will be one International Environment Specialist (IES) who will be assisted by a Domestic Environmental Specialist (DES). Both the international and domestic resettlement specialists will work closely with the PMO.

111. For better implementation facilities in resettlement, it is proposed that the domestic resettlement specialist will work closely with the PMO engineers and implementing NGO at the Project's site level. The staff of PMO was recently trained in the safeguards issues through ADB Capacity Building TA. Attempts have been made to involve those trained engineers in this project to deal with the safeguards issues. These engineers can be deputed by MPW as support staff to look after the resettlement activities at PMO for the smooth functioning of resettlement implementation.

1. Resettlement Specialist (International) at PMO Level

112. The candidate to be selected as IRS is desired to have similar earlier experience in resettlement and social development planning and implementation. The IRS will be assisted by PMO and staff, NGO, for planning and implementation of resettlement activities in the project. The specific functions of the PMO in regards to resettlement management are:

- Overall responsibility of planning, implementation and monitoring of R&R activities in the Project;
- Ensure availability of budget for R&R activities;
- Liaison lined agencies support for land acquisition and implementation of land acquisition and resettlement
- Selection and appointment of the NGOs.
- Coordinating with line Departments, implementing NGO and Construction Supervision Consultant (CSC)

F. Construction Supervision Consultant

113. The Construction Supervision Consultant (CSC) will closely work with the PMO to support in monitoring, supervision and coordination of all activities related to resettlement implementation. The CSC will deploy sufficient local and international expertise on resettlement. The detailed tasks of the CSC will include the following:

- Supervise the project implementation.

- Ensure that project-specific social mitigating measures are incorporated into the contract documents.
- Work in close coordination with PMO and the engineering team.
- Verify implementation and assess impacts of the LARP through the conduct of necessary surveys and investigations

G. Implementing NGO

114. MPW has engaged a local NGO named Afghan Bureau Collaboration Office (ABCO) to assist in implementation of LARP. The NGO will play the role of a facilitator and will work as a link between the PMO and the APs. Further the NGO will educate the APs on the need to implement the Project, on aspects relating to land acquisition and R&R measures and ensure proper utilization of various compensations extended to the APs under the R&R entitlement package. The major LARP implementation responsibilities will be with NGOs. The NGO will be the link between the PMO and APs. Specific tasks of the NGO are as follows:

- Work under close coordination of the PMO, and DDT to implement the LARP.
- Involve the shura and local leaders, wherever necessary to implement the LARP to facilitate transparency in the process and public participation.
- Assist the PMO in dissemination of the LARP and other resettlement related information.
- Take lead in joint verification and identification of APs.
- Identify between AHs whose land can be acquired through negotiation and those that will require expropriation
- Identify absent AHs
- Carry out a census of the APs and identify the vulnerable households (if required).
- Identify training needs of APs for income generation activities and ensure that they are adequately supported.
- Counsel, generate awareness, and resolve the grievances of the affected persons.
- Put forth the unresolved grievances of the APs to the GRC.
- Generate awareness about the livelihood restoration activities, and help the APs to make informed choices. Including assisting APs in participating in government development programs.
- Prepare sub-project level plans for implementation of LARP and issue ID cards.
- Assist in disbursement of compensation checks.
- Participate in public meetings as and when required.
- Submit periodical LARP implementation report to the PMO.

H. Roles and Responsibilities of Various Agencies

115. The MPW will do the overall coordination and planning. District Governments, with the help of MPW through its PMO and NGO, are responsible for implementation of LARP and delivering compensation. Local Governments are also responsible for establishing compensation rates and validation of surveys. The PMO will maintain all databases, work closely with APs and other stakeholders. The role of ADB will be to review the Resettlement Plans and their proper implementation. The monitoring reports will also be reviewed by ADB. ADB will also approve the award of the civil contract along with no objection to initiate the civil

work. The roles and responsibilities of various agencies to be involved in implementation of resettlement activities are summarized in Table: 6.1.

Table 6.1: Roles and Responsibilities of Agencies in Resettlement Implementation

SI No	Activity	Agency Responsible
1	Setting up of DDT	MPW
2	Hiring of implementing NGO	MPW
3	Hiring of Supervision Consultant	MPW
4	Updating the resettlement plan (if required) including verification survey, identification of APs, fixing of replacement cost, fixing of assistance and disclosure of resettlement plan.	DDT, PMO, NGO, and District Government
5	Establishing compensation rates	District Government
5	Review and Approval Resettlement Plan	ADB
6	Approval for award of civil work contracts	ADB, PMO and MPW
7	Compensation award and payment of compensation	District Government with the help of MPW through PMO and NGO
8	Takeover the possession of acquired land/houses	District Government
9	Hand over acquired land to contractors for construction	District Government
10	Notify construction starting date to APs	NGO, District Government
11	Beginning of the civil work	Contractor
12	Restoration of temporarily acquired land to its original state including restoration of private or common property resources	Contractors subject to monitoring by Implementing NGO and PMO
13	Income restoration activities, particularly for vulnerable groups	DDT and Implementing NGO
14	Internal monitoring	District Government, DDT, PMO and Implementing NGO
15	External Monitoring during and immediately after LARP implementation to ascertain whether compensation was provided correctly to everyone. In addition, one year after the end of LARP implementation to carry out a study to document the affect of LARP implementation.	External Monitoring and Evaluation Agency (EMA)

ADB=Asian Development Bank; DDT= Due Diligence Team; AH=affected household; AP=affected person; LARP=land acquisition and resettlement plan; MPW=Ministry of Public Works; no.=number; NGO=non-government organization; PMO= program management office; SPS=Safeguards Policy Statement.

116. An organizational chart for this LARP implementation is given in Figure 6.1, which shows the relevant agencies to be involved in the process.

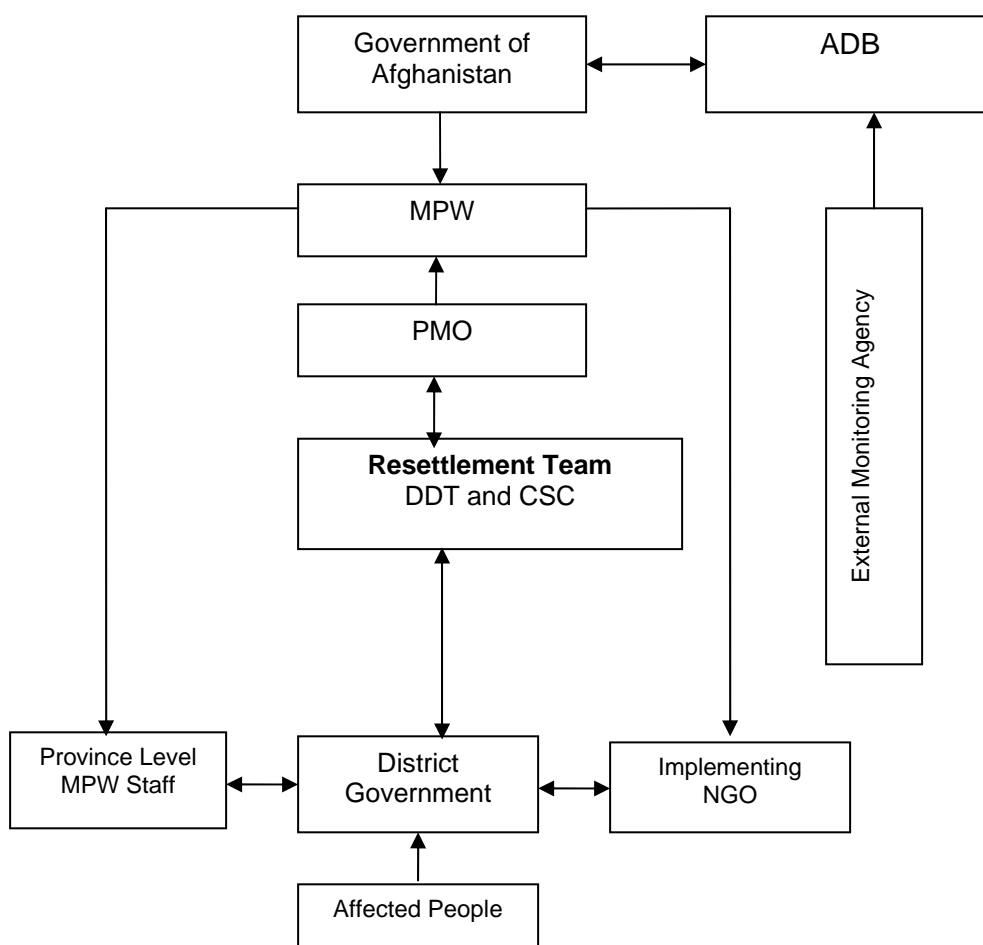
I. Grievance Redress Committee (GRC)

117. Formation of GRC is important for addressing the grievance of APs during the implementation of LARP. The GRC has been established at the district level in November 2009 with the primary objective of providing a mechanism to mediate conflict and cut down on lengthy litigation process. It is tasked to provide people, who might have objections or concerns about their assistance, a public forum to raise their objections and through conflict resolution, address these issues adequately. The GRCs will continue to function, for the benefit of the APs, during the entire life of the Project including the defects liability periods. The GRC comprises of district

government with representatives from MPW, PMO, APs and NGO etc. The specific functions of the GRC are as follow:

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

Figure 6.1: Organization Chart



VII. CHAPTER 7: COMPLAINTS AND GRIEVANCES REDRESS

118. The various queries, complaints and problems that are likely to be generated among the APs and that might require mitigation, include the following:

- APs not enlisted;
- Losses not identified correctly;
- Compensation/assistance inadequate or not as per entitlement matrix;
- Dispute about ownership;
- Delay in disbursement of compensation/assistance; and
- Improper distribution of compensation/ assistance in case of joint ownership.

119. An efficient grievance redressal mechanism will assist the APs in resolving queries and complaints. The main objective of MPW in providing redress mechanism is to avoid potential delays on the commencement of construction works for the project; address and resolve the issues and complaints raised by the APs. The APs should be aware of the procedures on the resolution of grievances, which the resettlement team will inform to project stakeholders during project disclosures and public consultations.

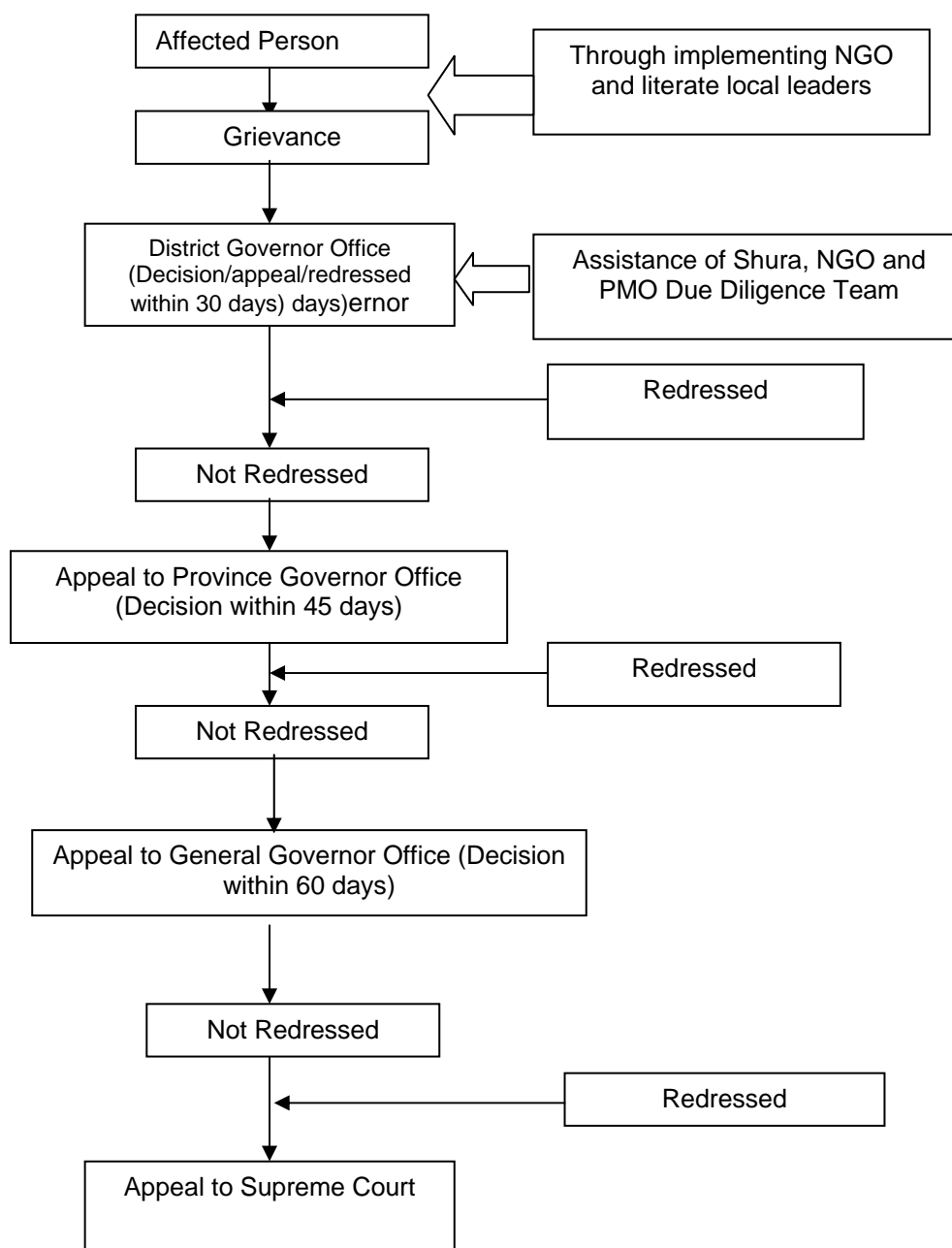
120. As the concept on compensation is new to the Government of Afghanistan, the DDT will design a pro-forma letter to be used by APs for filing their complaints or grievances. Local leaders who are literate will be identified in every project area and made known to APs. These local leaders can assist the APs in filling out the form in every stage of filing the complaint. Additionally, the implementing NGO will help the APs in preparing the grievance and sending it to the concerned authority. The DDT will inform the public of this requirement and the procedures for filing complaints and grievances during public consultations.

121. There will be four-stage procedures for redress of grievances and complaints. These are as follows:

- Complaints are to be filed at the district governor offices. The district government with the help from Shura, NGO and PMOs resettlement team is obliged to reply and explain the decision within 30 days from the date the complaint was received. The Grievance Redress Committee (GRC) will assist the district governor offices in the mediation and resolution of conflict.
- If AP is unsatisfied or has no reply from the district governor office, grievances can then be lodged with the Province Governor offices. The Governor office will issue the final decision within 45 days.
- If AP is unsatisfied or has no reply from the province governor office, grievances can then be lodged with General Governor office in Kabul. The General Governor office will issue the final decision within 60 days.
- The AP always has final recourse through Afghanistan's legal channels and referred to the appropriate courts; however, every effort will be made to avoid this since the system is presently critically weak. Should the AP want to pursue legal recourse, however, MPW through its DDT and implementing NGO will ensure that support is given to the AP to prepare a case.

122. The APs can call upon the support of the NGO to assist them in presenting their grievances or queries to the GRC if necessary. The NGO will act as an in-built grievance redress body. The APs, who would not be satisfied with the decision of the GRC, will have the right to take the grievance to Judiciary. Taking grievances to Judiciary will be avoided as far possible and the NGO will make utmost efforts at reconciliation at the level of GRC and MPW will make every effort to solve the issue before going to the court as a last resort. The complaints and grievance redress process is shown in Figure 7.1.

Figure 7.1: Complaints and grievances redress process



VIII. CHAPTER 8: RESETTLEMENT BUDGET

A. General

123. The resettlement cost estimate for this Project includes eligible compensation, resettlement assistance, and support cost for LARP implementation. The support cost, which includes staffing requirement, monitoring and evaluation, involvement of NGO in project implementation, and other administrative expenses are part of the overall project cost. The unit cost for land and other assets in this budget has been derived through rapid field appraisal, consultation with affected families, relevant local authorities and reference from old practices. Contingency provisions have also been made to take into account variations from this estimate. Some of the features of this R&R cost estimate are outlined below:

- Compensation for acquired land at the rates approved by the local governments
- Compensation for all structures and other immovable assets at their replacement cost
- Compensation for crops and trees for all kind of land acquisition
- Assistance in lieu of the loss of business/ wage income/ employment and livelihood
- Assistance for shifting of the structures
- Assistance for the documentation and administrative fees
- Assistance for vulnerable groups for their livelihood restoration
- Cost for implementation of LARP.

124. As agreed between the Government and ADB, the Government will bear the cost of land and ADB will provide funding for resettlement assistance.

B. Compensation Valuation

1. Assets Valuation

125. **Land valuation** has been done based on rates approved by the district governments and MPW. The approved copies of land rates and other compensations proposed in LARP are in Annex. Lands are divided in to 3 categories for valuation, (i) Agricultural Irrigated land in Bagramy (Urban), (ii) Agricultural Irrigated land in Khakhi Jabbar/Sourbi (Urban) and (iii) Non-agricultural land for residential and commercial purposes. For land compensation only legally owned land holders [AHs with (i) titles, (ii) official deeds, (iii) unofficial written deeds, or (iv) declaration from Shura, Jirgas or elders of the village] were considered. In Afghanistan, there are no open markets for sale or purchase of land. Generally, very negligible land registration takes place officially in respect of sale/purchase of land. Moreover, there are no established official rates for various types of lands. As such, determining the optimum rate payable to the affected households losing lands was an important task. The location and type of land influence the actual price per square meter. As per the site survey, the nearer the land to a build-up area (e.g. village proper), the higher the valuation and perception of the affected households. The land rates payable to the affected households were determined based on extensive consultations with the local Jirgahs and the affected households. These rates were subsequently endorsed by the Governor's Office. The rates were determined based on the type and location of the land affected which is presented in Table 8.1.

Table 8.1: Approved Land Rates

Type of Land/ Classification of Land	Location	Rate (AF) Per m ²
I. Agricultural Land		
Irrigated Land	Bagramy	1500
	Khaki Jabbar/Sourbi	750
II. Non-Agricultural Land		
Residential/Commercial Land	Bagramy	1500
	Khaki Jabbar/Sourbi	750

AF=Afghanistan currency; m²=square meter.

126. 17 households, who were considered affected in the survey conducted in 2008–2009, sold their land (measuring 2,347 m²) in Khaki Jabbar/Sourbi to other AHs in order to concentrate on cultivation in other areas. However, they are required to be paid differential compensation i.e., the difference between the compensation as per the land rate in the LARP and the sale value realized by them. In the LARP, a provision for payment of the differential compensation has been made.

127. **Structure** loss valuation was done based on ‘replacement cost’ free of depreciation and other costs. Replacement costs are calculated in consultation with the local governments and provincial MPW engineers. The replacement costs are arrived at by assessment of market value for replacement of structures and include costs of material, labor and transport. There are only temporary structures / walls in the Project area. Unit rates for temporary structures and walls are given in Table 8.2.

Table 8.2: Details of Structure Compensation

S.No.	Item	Unit	Rate (AF)
1	Boundary Wall (Mud, brick, wood made)	m	1,000
3	Structure (Mud, brick)	Sq.m	2,000

AF=Afghanistan currency; m² =square meter; no.=number.

128. **Crop** compensation: As explained above, the land owners have not been cultivating the land for the last 3–4 years. In the earlier LARP approved in October 2009, due to a misinterpretation of the entitlement for crop compensation, the affected households losing agricultural productive land were proposed to be paid crop compensation based on their earlier cropping pattern. However, this discrepancy is now being removed since no cultivation was undertaken in the affected lands and as such, there is no impact due to loss of crop. No compensation is payable to the land owners. This has also been confirmed by the Village *Shuras*/Leaders and the Governor’s Office.

129. **Tree** compensation for fruit trees are calculated for each main tree type at annual average production multiplied with value/kg at market prices and number of years needed to re-grow the tree to the same productive level. The detailed calculations are given in Table 8.3.

Table 8.3: Compensation of Fruit Trees

S.No.	Tree	Average Annual Yield, Kg	Rate, AF/kg (Market prices)	Years to regrow to productive level	Rate per tree (AF)
1	Berry	65	45	2	5,850
2	Almond	35	90	2	6,300
3	Senjed	20	190	2	7,600
4	Apricot	25	60	4	6,000

AF=Afghanistan Currency; kg=kilogram; no. =number.

130. Based on these calculations it was found that the rates of fruit trees vary from AF5,850 to 7,600. A uniform rate of AF6,000 is considered for all fruit trees in consultation with the APs.

131. Compensation for non-fruit trees is calculated based on the cost of reproducing the tree to the level of growth it was cut. Compensation of non-fruit trees is calculated based on the statistics of common wood tree in the project area. Chinar (Timber tree) is a common wood tree in project area. The general height of the tree is 10 m and girth of 0.5 m and produce about 1,000 kg of firewood. Cost of firewood per kg is AF4 and hence the cost of tree is calculated as AF 4,000. The compensation of the tree will be free of deduction for the value of the wood left to the AH.

2. Income Restoration / Other Allowances

132. The project's resettlement strategy is to provide compensation for all lost assets at replacement cost in order that APs' incomes and livelihoods are not adversely affected and where possible improved. All APs whose livelihoods are affected will be supported for income losses and those whose livelihoods are affected adversely provide them with livelihood restoration measures (including allowances and interventions for severely affected, poor and vulnerable APs):

- **Income Restoration Allowance for Business Losses** -- compensation for permanent business losses will be in cash for the period deemed necessary to re-establish the business (6 months). Business losers will receive AF9,500 a month for 3 months.
- **Vulnerable Group Allowance** -- Vulnerable people (APs below the poverty line, women household heads, mentally challenged headed households, etc.) will be given assistance in the form of a one-time allowance for vulnerable AHs equivalent to AF28,500 and priority in employment in project-related jobs.
- **Transitional Allowance** -- Affected households or renters forced to relocate will receive a transitional allowance for livelihood losses for 3 months at AF5,200 per month.
- **Relocation Allowance** -- Affected households forced to relocate will receive a relocation allowance for transportation of AF5,000.

C. LARP Implementation and Support Cost

133. Implementing NGO: The unit cost for hiring the implementing NGO has been calculated on a lump sum basis at AF5,000,000/-. This is based on the informal consultation and feedback received from the local staff.

134. External Monitoring and Evaluation Agency: The unit cost for hiring one EMA has been calculated on a lump sum basis at AF1,500,000/-. This is based on informal consultation and feedback received from the local staff.

135. Costs will be updated during implementation. A 10% contingency has been added.

D. Cost Estimate and Budget

136. The detailed cost estimate for each type of compensation has been derived based on the above unit rates. The total compensation payable for each type of loss/allowance is as under.

137. **Compensation for Land:** The total compensation payable for land works out to **AF230,087,325.00**. The details are shown in Table 8.4

Table 8.4: Compensation for Land

Type of Land/ Classification of Land	Location	Rate (AF) Per m ²	Affected Area (m ²)	Total (AF)
I. Agricultural Land				
Irrigated Land	Bagramy	1500	79,648.55	119,472,825.00
	Khakhi Jabbar/Sourbi	750	147,275.00	110,456,250.00
II. Non-Agricultural Land				
Residential/Commercial Land	Bagramy	1500	27.75	41,625.00
	Khakhi Jabbar/Sourbi	750	155.50	116,625.00
Total			227,106.80	230,087,325.00

AF=Afghanistan currency; m² =square meter.

138. **Differential compensation to the AHs who have sold their land:** 17 households, who were considered affected in the survey conducted in 2008–2009, sold their land (measuring 2,347 m²) in Khaki Jabbar/Sourbi to other AHs. They will be paid differential compensation i.e., the difference between the compensation as per the land rate in the LARP and the sale value realized by them as per the calculation shown in Table 8.5 below:

Table 8.5: Compensation Payable for Structures

Type of Land	Location	Affected Area (m ²)	Entitlement as per AF750 per m ²	Value realized by the AHs	Differential Amount Payable to the AHs (AF)
Agricultural Land	Khakhi Jabbar/Sourbi	2,347.00	1,760,250.00	1,482,820.00	277,430.00
Irrigated Land					
Total		227,106.80	1,760,250.00	1,482,820.00	277,430.00

AF=Afghanistan currency; m² =square meter.

139. **Compensation for Houses/Walls:** The total compensation payable for houses/shops works out to **AF1,303,000.00**. The details are shown in Table 8.6

Table 8.6: Compensation Payable for Structures

S.No.	Item	Unit	Rate (AF)	Affected Area (m ²)	Total (AF)
1	Houses/Shops (Mud, brick, wood made)	Sq.m	2,000	570.00	1,140,000.00
3	Walls (Mud/Brick/Wood)	Sq.m	1,000	163.00	163,000.00
Total				733.00	1,303,000.00

AH=affected household; AP=affected person; m²=square meter; no.=number.

140. **Compensation for Trees:** The total compensation payable for the trees works out to **AF4,138,000.00**. The details are shown in Table 8.7

Table 8.7: Compensation for Trees

Type of Trees	No. of Trees	Unit (AF)	Rate	Total (AF)
Non-fruit Timber Trees	100	4,000		400,000.00
Almond	117	6,000		702,000.00
Apricot	229	6,000		1,374,000.00
Berry	4	6,000		24,000.00
Senjed	273	6,000		1,638,000.00
Total Trees (Fruit Trees)	623			3,738,000.00
Total (All Trees)	723			4,138,000.00

AF=Afghanistan currency.

141. **Compensation for Business Loss:** The total compensation payable for business loss works out to **AF28,500.00**. The details are shown in Table 8.8

Table 8.8: Compensation for Business Loss

Type of Loss	No./ AH	Rate (AF)	Total (AF)
Business Loss (Owners)	1	28,500	28,500.00
Total			28,500.00

AF=Afghanistan currency; AH=affected household.

142. **Special Allowances:** The total amount payable for special allowances works out to **AF139,400.00**. The details are shown in Table 8.9

Table 8.9: Compensation for Business Loss

Type of Allowance	AH	Rate (AF)	Total (AF)
Vulnerable Allowance for households below poverty line and women headed families	2	28,500	57,000.00
Transitional Allowance	4	5200 X 3	62,400.00
Relocation Allowance	4	5,000	20,000.00
Total			139,400.00

AF=Afghanistan currency; AH=affected household.

E. Summary of Total Cost

143. The total estimated resettlement cost for the Project is **AF266,721,020.50** equivalents to USD **5.93 million**. Details of the LARP cost are given in Table 8.10.

Table 8.10: Resettlement Budget

Sr. No.	Item	Unit	Rate per Unit (AF)	Quantity	Cost (In AF)
A	Land				
1	Agricultural Irrigated Land				
	Bagramy	m ²	1,500	79,648.55	119,472.825.00
	Khaki Jabbar/Sourbi	m ²	750	147,275.00	110,456,250.00
2	Non-agricultural Land				
	Residential Land				
	Bagramy	m ²	1,500	27.75	41,625.00
	Khakhi Jabbar/Sourbi	m ²	750	155.50	116,625.00
	Sub Total (A)				230,087,325.00
B	Differential Compensation to 17 AHs who sold their land	m ²		2,347.00	277,430.00
	Sub Total (B)				277,430.00
C	Structures				
1	Houses/Buildings (Mud/brick/wood)	m ²	2,000	570	1,140,000.00
2	Walls (Mud/brick/wood)	m ²	1,000	163	163,000.00
	Sub Total (C)				1,303,000.00
D	Trees				
1	Non-fruit Timber Trees	No.	4,000	100	400,000.00
2	Fruit Trees	No.	6,000	623	3,738,000.00
	Sub Total (D)				4,138,000.00
E	Business/Income Loss				
1	Business Loss	AH	1	9,500 X 3 months	28,500.00
	Sub Total (E)				28,500.00
F	Other Allowances				
1	Relocation Allowance	AH	4	5,000	20,000.00
2	Transitional Allowance	AH	4	5,200 X 3 months	62,400.00
3	Vulnerable Allowance	AH	2	28,500	57,000.00
	Sub Total (F)				139,400.00
	Total (A+B+C+D+E+F)				235,973,655.00
G	Support Cost for RP Implementation				
1	Implementing NGO	Lump sum	5,000,000	1	5,000,000.00
2	Independent Monitoring Agency	Lump sum	1,500,000	1	1,500,000.00
	Sub Total (F)				6,500,000.00
	Total Cost				242,473,655.00
	Contingency at 10 % *				24,247,365.50
	Total LARP Budget (in AF)				266,721,020.50
	Grand Total in Million US\$				5.93

AF=Afghanistan currency; AH=affected household; AP=affected person; no.=number; NGO=non-government organization; RP=resettlement plan.

F. Summary of Budget (Funding Source-wise)

144. The following table summarizes the budget as per the source of financing. As agreed between ADB and the Government, the cost for land will be met by the Government and the cost of assistance shall be met out of the funds provided by ADB under the Grant. The details are shown in Table 8.11.

Table 8.11: Summary of Budget Source-wise

Purpose	Amount (AF)
I. Funding by the Government of Afghanistan	
Land	230,087,325.00
Differential Compensation to AHs who have sold land	277,430.00
Sub-total	230,364,755.00
Contingency (10%)*	23,036,475.50
Total (A)	253,401,230.50
II. Funding by ADB	
Structures	1,303,000.00
Trees	4,138,000.00
Business/Income Losses	28,500.00
Relocation Allowance	20,000.00
Transitional Allowance	62,400.00
Vulnerable Allowance	57,000.00
Fees for NGOs and Monitoring Consultant	6,500,000.00
Sub-total	12,108,900.00
Contingency (10%)	1,210,890.00
Total (B)	13,319,790.00
Total (A+B)	266,721,020.50
In Million US\$	5.93

AF=Afghanistan currency.

IX. CHAPTER 9: IMPLEMENTATION SCHEDULE

A. General

145. The implementation schedule for implementation of resettlement plan will be scheduled as per the overall project implementation. The construction period for the Project is tentatively scheduled for three years. All activities related to the land acquisition and resettlement must be planned to ensure that the compensation is paid prior to displacement and commencement of civil works. Public consultation, international monitoring and grievance redress will be undertaken intermittently throughout the project duration. However, the schedule is subject to modification depending on the progress of the project activities. As part of advance actions following loan negotiations the EA will establish the PMO, GRC, and appoint the NGO for resettlement implementation. The proposed LARP activities are divided in to three broad categories based on the stages of work and process of implementation. The details of activities involved in these three phases are project preparation phase, LARP implementation phase, Monitoring and Evaluation phase.

B. Project Preparatory Stage (Pre-Implementation)

146. Setting up relevant institutions for the resettlement activities will be the major task during the preparatory stage which is pre implementation phase. The major activities to be performed in this period include establishment of PMO, DDT along with appointment of both international and domestic resettlement specialists in the DDT. Additionally, the implementing NGO needs to be appointed at this stage followed by setting up of GRC.

C. LARP Implementation Phase

147. The LARP, at this stage, needs to be approved by ADB and will be disclosed to the APs. Upon the approval of LARP, all the arrangements for fixing the compensation and the disbursement needs to be done which includes payment of all eligible assistance; relocation of APs; initiation of economic rehabilitation measures; site preparation for delivering the site to contractors for construction and finally commencement of the civil work.

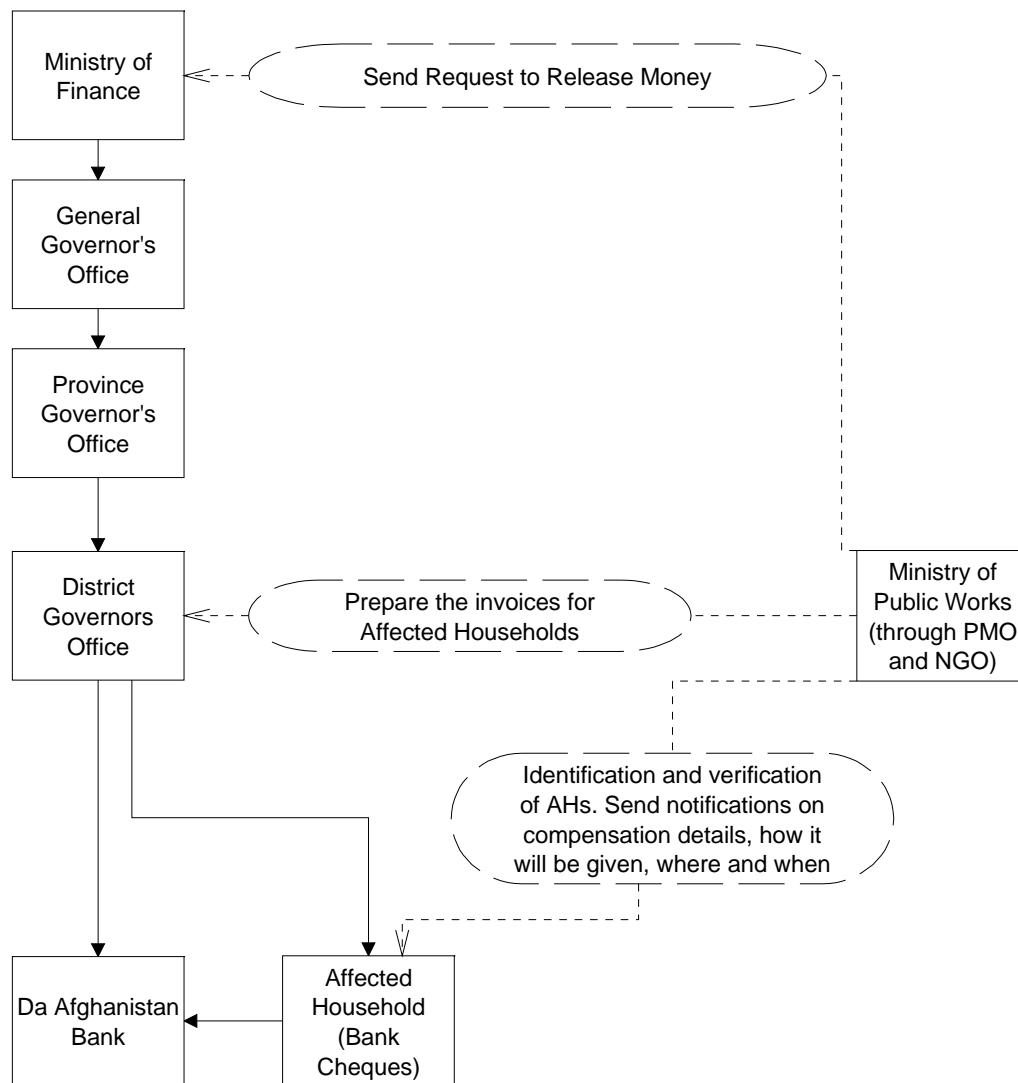
D. Monitoring and Evaluation Period

148. Internal monitoring will be the responsibility of PMO, DDT and implementing NGO and will start early during the project when implementation of LARP starts and will continue till the complementation of the project. The independent monitoring and evaluation by an EMA will start immediately after the start of the construction and will be carried out intermittently on a half yearly basis.

E. LARP Implementation Schedule

149. A composite implementation schedule for LARP activities in the project including various sub tasks and time line matching with civil work schedule is prepared and presented in Figure 9.1.

Figure 9.2: Compensation Mechanism for Affected Households



Affected Household (AH) refusing to move

1. In case, an AH refuses to move, MPW (through its PMO and NGO) will arrange a meeting with the village shura and elders to attempt last conciliation.
2. If the above meeting fails, another meeting will be held with District Shura and the Governor
3. District Governor will give expropriation order and compensation will be paid to AH

Absentee AH and AH that cannot be compensated for some administrative reasons

1. MPW (through its PMO and NGO) will try to locate absentee AH or solve outstanding problems of AH in consultation with village Shura and local government.
2. In cases where the above efforts failed, the compensation will be kept with the district government under a separate head of account and will be paid to AHs when they were returned or the conditions were met.

X. CHAPTER 10: MONITORING AND EVALUATION

A. General

151. LARP implementation will be closely monitored to provide the PMO with an effective basis for assessing resettlement progress and identifying potential difficulties and problems. Internal monitoring will be undertaken by the PMO. Monthly progress reports will be prepared and submitted to the PMO. The EA will appoint an independent agency to undertake external monitoring. The independent agency will monitor sub-projects twice a year and submit reports directly to the EA. The EA will submit all external monitoring reports to ADB for review. Broadly, the monitoring and evaluation system will involve:

- Administrative monitoring including but not limited to: daily planning, implementation, feedback and trouble shooting, individual AP file maintenance, progress reporting;
- Socio-economic monitoring including but not limited to: case studies, using baseline information for comparing AP socio-economic conditions, evacuation, demolition, salvaging materials, morbidity and mortality, communal harmony, dates for consultations, number of grievances and resolutions; and
- Impact evaluation monitoring including but not limited to income standards restored or improved.

B. Internal Monitoring

152. Internal monitoring for LARP implementation will be carried out during the entire project period. Regular monitoring of resettlement progress will identify potential difficulties and problem areas. After 3 months of project initiation, monitoring will be performed with an inception report detailing how the compensation process has been planned and an evaluation at the end. The DDT through the NGO will undertake internal monitoring and reports will be submitted to the PMO documenting actual achievements against targets fixed and identifying reasons for shortfalls, if any.

1. Monitoring Physical and Financial Progress

153. Internal monitoring will involve the following:

- Administrative monitoring to ensure that implementation is on schedule and problems are dealt with on a timely basis.
- Socio-economic monitoring during and after the relocation process to ensure that people are settled and recovering. This will utilize the baseline information established by the socio-economic survey of APs undertaken during sub-project preparation.
- Overall monitoring whether recovery has taken place successfully and on time.

154. Data from baseline socio-economic surveys undertaken during sub-project preparation will provide the benchmark for monitoring to assess the progress and success of LARP implementation. Monitoring will also include the following:

- Communication with and documentation of reactions from APs.
- Information from APs on entitlements, options, alternative developments, etc.

- Valuation of properties.
- Usages of grievance redress mechanism.
- Disbursement of compensation amounts and all assistance.
- Physical progress of the LARP implementation which will include relocation of APs and affected community properties

2. Internal Monitoring Indicators

155. The indicators for achievement of objectives during LARP implementation are of two kinds:

- Process Indicators: Indicating project inputs, expenditure, staff deployment, etc.
- Output Indicators: Indicating results in terms of numbers of APs compensated, area of temporarily occupied lands restored with topsoil (and other pre-project features), number of APs provided with skills training, etc.

156. Input and output indicators related to physical progress of the work will include items such as:

- Training of PMO and other staff completed
- Census, assets inventories, assessments and socio-economic studies completed
- NGO recruited and trained
- Grievance redress procedures in-place and functionality
- Compensation payments disbursed
- Relocation of APs completed
- Project employment provided to APs
- Infrastructure rehabilitated or constructed
- Income restoration activities initiated
- Skills training of APs initiated
- Number of households displaced and resettled, and
- Monitoring and evaluation reports submitted.

157. A set of indicators will be used to monitor project's objectives. These indicators will form the basis of the monitoring and evaluation of LARP implementation. The information collected through the household survey will provide benchmarks for comparison on the socio-economic status of the APs in the project implementation period. A key objective will be the estimation of the APs incomes and quality of lives. If monitoring and documentation done during the first 6 months of LARP implementation indicated that these objectives are not being achieved, more resources will be allocated for implementation. During implementation, benchmarks and indicators will be monitored to ensure that comparisons made on socio-economic status including income streams and not just fixed assets lost due to the sub-project.

C. External Impact Monitoring & Evaluation

158. The objectives of the external evaluation are to:

- a. During and immediately after LARP implementation:
 - All AH have received their compensation and entitlement as per this LARP. The EMA will review all compensation tallies and ascertain whether compensation was provided correctly and to everyone.
 - Prepare a compliance report based on which ADB will decide whether to provide no objection to the beginning of civil works.
- b. One year after the end of LARP implementation:
 - assess whether APs have improved living standards, in terms of income, housing, access to basic amenities, ownership of land and material assets;
 - monitor schedules and achievement of targets; and
 - evaluate whether social development objectives of the project are achieved.

159. An external monitoring and evaluation agency (EMA) with prior experience in resettlement implementation monitoring and evaluation will be engaged by the MPW. Immediately after LARP implementation the agency will prepare a compliance report assessing whether all APs have been compensated as required by this LARP. Based on the Compliance report ADB will give no-objection to start civil works.

160. In addition, one year after the conclusion of LARP implementation the EMA will carry out a study to document the following: (i) restoration of income levels; (ii) changes and shifts in occupation patterns; (iii) changes in AP type of housing and asset ownership; (iv) assessment of APs access to amenities, such as water, electricity, and transportation; and (v) performance of the NGO, and PMO in resettlement implementation.

161. The EMA will monitor the entire process of LARP implementation and submit at its end the compliance report directly to the EA which will then transmit it to ADB.

D. EMA Tasks

154. The EMA will closely monitor the implementation of the LARP and engage in the following tasks: (i) review of LARP and Information pamphlet disclosure; (ii) review of action taken by the PMO to compensate the APs with particular attention to the way this action fits the stipulation of the LARP; (iii) review all compensation tallies; (iv) verify whether the compensation is provided thoroughly to all APs and in the amounts defined in the LARP and in the AP contracts; (v) assess the satisfaction of the APs with the information campaign and with the compensation/rehabilitation package offered to them; (vi) review the legalization process and assess its effectiveness; (vii) review complaints & grievances case; (viii) carry out an AP satisfaction survey with a 20% sample of the APs. Immediately after the implementation of the LARP the EMA will prepare the Compliance Report. The report will include well argued sections on the following:

- (i) Assessment of the way the compensation has been carried out in relation to the stipulations of the LARP;
- (ii) Verification that all APs have been compensated in the amounts stipulated in the LARP
- (iii) Assessment of the accuracy of survey and asset valuation
- (iv) Assessment of the effectiveness and thoroughness of the Legalization process
- (v) Review of complaint and grievance cases and of their solution
- (vi) Assessment of the rehabilitation program for severely affected and vulnerable APs
- (vii) Assessment of the satisfaction of the APs
- (viii) Lesson learned to be applied to the next projects, and;
- (ix) General assessment of LARP implementation and recommendations to ADB regarding the provision of No Objection Letter to start the civil works.

155. The EMA will carry out its activities in close communication with the PMO and will engage in desk activities and field activities and for this s/he will hire an appropriate number of assistants to carry out the AP satisfaction survey and to review the compensation tallies. The monitoring activities assigned to the consultant will start immediately after Government approval of the LARPs and will last until LARP implementation is concluded.

E. Reporting

162. Internal monitoring will be reflected in the standard project implementation reports submitted quarterly to ADB. The EMA compliance report will be sent to ADB as a stand-alone document. The final Evaluation study will be included in the standard project implementation report a year after LARP implementation was concluded.

Annex 1: Census Survey Questionnaire

GENERAL

A. Questionnaire No: B. Subproject Road Name:
 C. Village: D. District: E. Province:
 F. Plot No. G. Km/Chainage..... H. Side 1. Left 2. Right

DETAILS OF LAND

1. Ownership of the Land
 1. Private
 2. Government
 3. Religious
 4. Community
 5. Others
2. Type of Land
 1. Irrigated
 2. Non-Irrigated
 3. Barren
 4. Forest
 5. Other
3. Use of Land
 1. Cultivation
 2. Orchard
 3. Residential
 4. Commercial
 5. Forestation
 6. Others
 7. No Use/ Barren
4. Affected area of the Land (in square meter)
5. Total Area of the Land/Plot (in square meter)
6. Rate of the Land (Per sq. m) 1. Market Rate (AF)..... 2. Govt Rate (AF).....
7. Status of Ownership
 1. Titleholder (Pvt Owner)
 2. Customary Right
 3. Encroacher
 4. Squatter
8. Name of the Owner/Occupier:
9. Father's Name:
10. Total Land Holding (in Jerib)
11. Any of the following people associated with the Land
 - A. Agricultural Laborer
 1. Yes
 2. No
 - (i) If Yes then How many
 - B. Tenant
 1. Yes
 2. No
 - (ii). If Yes then How many
 - C. Sharecropper
 1. Yes
 2. No
 - (iii). If Yes then How many
12. Number of trees within the affected area
 1. Total.....
 2. Fruit Bearing.....
 3. Non-fruit Bearing.....

DETAILS OF STRUCTURES

13. Any structure in the Affected Land
 1. Yes.....
 2. No.....
14. Area of the affected structure (in Square Meter)
 - a) Length
 - b) Width
 - c) Height
15. Area of the total structure (in Square Meter)
 - a) Length
 - b) Width
 - c) Height
16. Distance of structure from center line of the road (in mtr.).....
17. Scale of Impact
 - 1) 25%
 - 2) 50%
 - 3) 75%
 - 4) 100%
18. Type of Construction of the Structure

- 1. Temporary (buildings with mud/brick/wood made walls, thatched/tin roof)
- 2. Semi-Permanent (buildings, with tiled roof and normal cement floor)
- 3. Permanent (with RCC, Single/ Double storey building)
- 19. Market Value of the Structure (in AF).....
- 20. Use of the Structure (select appropriate code from below)

A. Residential Structure	1 House	2 Hut	3 Other		
B. Commercial Structure	4 Shops	5. Hotel	6 Small Eatery	7 Kiosk	8 Farm House
	9 Petrol Pump	10 Clinic	11 STD Booth	12 Workshop	13 Vendors
	14 Com. Complex	15 Industry	16. Restaurant	17. Others.....	
C. Mixed Structure	18 Residential-cum-Commercial Structure				
D. Community Structure	19 Comm. Center	20 Club	21 Trust	22 Memorials	23 Other....
E. Religious Structure	24 Mosque	25 Shrine	26 Burial	27. Temple	28. Other...
F. Government Structure	29 Govt. Office	30 Hospital	31 School	32 College	33 Other
G. Other Structure	34 Boundary Wall	35 Foundation	36 Cattle Shed	37 Well/Tube Well	

- 21. Status of the Structure
 - 1. Legal Titleholder
 - 2. Customary Right
 - 3. Encroacher
 - 4. Squatter

22. Name of the Owner/Occupier:

23. Father's Name:

- 24. Any of the following people associated with the Structure?
 - A. Tenant
 - 1. Yes
 - 2. No
 - (i) If Yes, How Many?.....
 - B. Employee/ wage earner in commercial structure
 - 1. Yes
 - 2. No
 - (ii). If Yes, How Many?.....
 - C. Employee/ wage earner in residential structure
 - 1. Yes
 - 2. No
 - (iii). If Yes, How Many?.....

- 25. Number of trees within the affected area
 - 1. Total.....
 - 2. Fruit Bearing.....
 - 3. Non-fruit Bearing.....

SOCIOECONOMIC DETAILS

- 26. Social Category
 - 1. Pashton
 - 2. Tajik
 - 3. Uzbek
 - 4. Hazara
 - 5. Others (specify).....
- 27. Religious Category
 - 1. Muslim
 - 2. Hindu
 - 3. Other (specify).....
- 28. Number of family members Total.....Male.....Female.....
- 29. Vulnerability Status of the Household:
 - A. Is it a woman headed household?
 - 1. Yes
 - 2. No
 - B. Is it headed by physically/mentally challenged person?
 - 1. Yes
 - 2. No
 - C. Is it a household Below Poverty Line (BPL)
 - 1. Yes
 - 2. No
- 30. Monthly income of the family AF.....
- 31. Resettlement/ Relocation Option
 - 1. Self Relocation
 - 2. Project Assisted Resettlement

32. Compensation Option for Land loser
 1. Land for land loss 2. Cash for Land loss
33. Compensation Options for Structure loser
 1. House/Shop for House/ Shop loss 2. Cash for House/ Shop loss
34. Income Restoration Assistance (The most preferred option)
 1. Employment Opportunities in Construction work
 2. Assistance/ Loan from other ongoing development scheme
 3. Vocational Training
 4. Others (specify)
35. Details of Family Members above 18 years old only: (fill appropriate code)

Sl. No	Name of the Family Member	Age (in years)	Sex 1. Male 2. Female	Marital Status 1. Married 2. Unmarried 3. Widow 4. Widower 5. Others	Education 1. Illiterate 2. Literate 3. Up to middle 4. Below metric 5. Metric 6. Graduate 7. Above 8. NA	Occupation 1. Service 2. Business 3. Agriculture 4. Study 5. Housewife 6. Labor 7. Unemployed 8. Professional 9. No occupation
1						
2						
3						
4						
5						

(Name of the Investigator)

Date:

(Signature of the investigator)

Annex 2: Socio-Economic Questionnaire for Households Survey

Questionnaire No.....

1. GENERAL IDENTIFICATION

1.1. Name of the Road Section

1.2. Address a. Village/Town:

b. District:

c. Province:

1.3. Settlement Type: 1 Rural 2 Semi- Urban 3 Urban

1.4. Distance from the district center (Km)

1.5. Distance from province centre (Km)

2. HOUSEHOLD INFORMATION

2.1. Name of the head of Household.....

2.2. Household Composition (Population)

SI. No.	Category	Male	Female	Total
1	Children (Below 10 Years)			
2	Adult (10 to 60 Years)			
3	Aged (Above 60 Years)			
4	Total			

2.3. Family Type: 1. Joint 2. Nuclear 3. Extended 4. Other 2.4. Ethnic Group: 1. Pashtun 2. Tajik 3. Uzbek..... 4. Hazara. 5. Other (Specify).....

3. ECONOMIC ACTIVITY OF HOUSEHOLDS

3.1. What are the economic activities of household?

SI No	Type of Activities	1. Yes 2. No	
		Main	Allied
1	Agriculture		
2	Working for other farmers		
3	Small enterprise		
4	Government & NGO		
5	Business and trading		
6	Hunting or gathering		
7	Daily Wage		
8	Others (Specify).....		

3.2. Landholding (In Jarib)

Cultivable	Non-Cultivable	Total Land Area

4. CROPPING PATTERN

SI No.	Type of Crops	How many seasons per Year	Total Yield (Quintile)	Price per Quintile (AF)
1	Wheat			
2	Barley			
3	Rice			
4	Maize			

5	Vegetables			
6	Fruits and Dry Fruits			
7	Others			

5. ANNUAL INCOME

Sl. No.	Source	Monthly Income (AF)	Annual Income (AF)
1	Agriculture		
2	Service		
3	Business		
4	Labor		
5	Professional		
6	Any other		
7	Total		

6. CONSUMPTION PATTERN

Kindly indicate the consumption/expenditure on different items in last one year.

Sl. No.	Particulars / Source	Expenditure (AF)	
		Monthly	Annual
1	Food		
2	Transportation		
3	Clothing		
4	Health		
5	Education		
6	Communication		
7	Social functions		
8	Agriculture (such as seeds, hiring of farm implements etc.)		
9	Consumption of fuel for household		
10	Electric Bill		
11	Others (Specify		
12	Grand total (1-12)		

7. POSSESSION OF DURABLE CONSUMER ITEMS:

Do you possess following items?

Sl. No.	Items	1. Yes	2. No
1	Radio		
2	Bicycle		
3	Television		
5	L.P.G Connection/ Gas Cylinder		
6	Computer		
7	Refrigerator		
8	Washing Machine		
9	Motor cycle/Scooter		
10	Car		
11	Air Conditioner		
12	Any other (specify)		

8. INDEBTEDNESS (AF)8.1. Do you have debt or loan? 1. Yes 2. No

8.2. If yes, please indicate your borrowings during last one year (in AF):

SL. No	Source	Amount taken	Amount returned	Balance	Interest Rate
1	Bank (Name).....				
2	NGO (Name)/ Funding Agencies				
3	Relatives				
2	Private money lender				
3	Others (Specify)				
Total					

9. COVERAGE UNDER GOVERNMENT DEVELOPMENT SCHEMES9.1. Have you availed any benefit scheme? 1. Yes 2. No

9.2. If 'Yes', kindly give us the following details

Source	Name of the scheme	Kind of Help 1 Loan, 2 Training, 3 Employments, 4. Grant
Government		
NGO		
Funding Agencies		
Others		

9.3. If '1', kindly indicate the amount:

9.4. If '2', kindly indicate the type of training.....

9.5. After availing this scheme did your annual income increase? 1 Yes 2 No

9.6 If 'Yes', how much?:

9.7. If 'No', Why

10. HEALTH STATUS10.1. Was any member of your family affected by any major illness in last one year? 1 Yes 2 No

10.2. If 'Yes', please indicate the details

No. of Cases	Type of disease/ illness	Treatment Taken*

* 1. Allopathic 2. Homeopathic 3. Herbal 4. Traditional 5. No treatment

11. MIGRATION11.1. Do you migrate for work? 1 Yes 2 No 11.2. If 'Yes', for how many months in a year..... 11.3. Where do you migrate mostly? 1. Outside the District 2. Outside the Province.

3. Outside the country

11.4. What kind of job do you undertake?

1. Agricultural Labor 2. Non Agricultural Labor 3. Trade & Business
4. Others (Specify)

11.5. How much do you earn per month?

11.6. Trend of Migration 1. Once in a year 2. Twice in a year

3. Every alternative year 4. Once in every three years

5. No regular interval/as and when required

11.7. At what time of the year do you migrate? 1 Summer 2 Winter

3 Rainy Season

12. STATUS OF WOMEN

12.1. Kindly indicate what kind of economic/ non-economic activities female members of your family are engaged in?

SI. No.	Economic/Non-economic Activities	1. Yes	2. No
1	Cultivation		
2	Allied Activities*		
3	Collection and Sale of forest products		
4	Trade & Business		
5	Agricultural Labor		
6	Non Agricultural Labor		
7	HH Industries		
8	Service		
9	Households Work		
10	Others (Specify):		

* Dairy, Poultry, Sheep rearing, etc.

12.2. If, engaged in economic activities how much they contribute to total family income of the year:

12.3. Does your female member have any say, in decision making of household matters?

1. Yes 2. No

12.4. If 'Yes, give the following details?

SI.No.	Issues	1 Yes	2 No
1	Financial matters		
2	Education of child		
3	Health care of child		
4	Purchase of assets		
5	Day to day activities		
6	On social functions and marriages		
7	Others.....		

13. EDUCATION

	School going	Primary	Secondary	Graduate	Illiterate	Total
Male						
Female						
Total						

14. AMENITIES

- 14.1. Source of Drinking Water: 1. Piped-water supply 2. Spring 3. Well
 4. Stream 5. Others
- 14.2. Type of Toilet: 1. Flush toilet 2. Latrine 3. No toilet
- 14.3. Fuel for Heating: 1. Electricity 2. Wood 3. Gas
 4. Diesel/Kerosene 5. Solar

15. STRUCTURE/ BUILDING INFORMATION

- 15.1. Use of Structure 1. Residential. 2. Commercial 3. Residential- cum- Commercial.
 4. Other
- 15.2. Age of the Structure.....
- 15.3. Type of Construction
 1 Mud made 2 Brick made 3 Cemented 4 Thatched 5 Wooden
 6. Others.....
- 15.4. Distance from the project site (Km):
- 15.5. Type of Structure 1 Temporary 2 Semi Permanent 3 Permanent
- 15.6. How many rooms are there in your house?
- 15.7. How many rooms are lighted in your house?
- 15.8. How many rooms are heated in your house?

16. TRANSPORT USAGE

- 16.1. Is your house immediately connected to road 1. Yes 2. No
- 16.2. If Yes, to which road 1. Village Road., 2 District Road, 3. Provincial road (High Ways),
- 16.3. What is the distance of the village from the main road?KM
- 16.4. How is the condition of the connected road? 1. Good, 2. Average, 3. Poor, 4. Very Poor
- 16.5. How much money do you spend per month on transportation?(AF)
- 16.6 Will you be willing to pay Toll Tax if the road is built in a developed way? 1. Yes, 2. No

16.6. Transport Uses

Purpose	Starting from	Destination	transport Mode	One-way fare	One-way time	use of main road	use of local road	frequency	Distance Km

ANY OTHER ISSUES (COMMENTS/ SUGGESTIONS)

(Name of the Investigator) Date: (Signature of the investigator)

Annex 3: Public Consultation and Focused Group Discussions

Issues	Participants' Opinion, Comments and Suggestions
General perception about the project and the awareness about the proposed project.	Most of the participants are in favor of the project and are aware about the proposed project since there has been project activities and initial consultations going on the project areas for a long time.
Support of local people for the proposed project?	Almost everybody are of the opinion that they will support the project and also they will render their services for keeping the security issue safe and intact during the project planning as well as during the implementation.
Any critical issue or concern by the local people regarding the project? Any criteria you would like to see considered during project design, construction and operation stage?	. Preservation of the irrigation canals in all project villages is the demand of the people. People also requested for supply of adequate drinking water and sanitation facilities to the local area during the construction.
Do you have any problem due to the existing road?	There is no paved road and there is no any immediate access to the main road and towns. People face problems for availing adequate transport facilities and they spend lot of time for travelling as well as money.
What is the usual mode of transport and how much time do you spend for reaching Kabul or Jalalabad?	People usually travel by the road. Most of the people take the private transport and very few people have their own transport facilities like car and motor cycle.
How is the Frequency of Public Transport?	There is no public transport facility except last 23 km of Project road
What is the average monthly Income	The average monthly income in this area is AF13,000–16,000
How much money do you spend per month on Transport	Most of the people viewed that they spend around AF500–3,000 for the transport.
Do you sell your agricultural product in the market, if yes, How do you transport them? How much money is spent on transportation out of your total expenditure in agriculture	Very few people sell their agricultural products out of their locality. They usually transport the product by the public transport in case they have to sell out of the local area. They usually spend 20–35% of the total agricultural expenditure on transportation of the agricultural product.
Will you be willing to pay road tax if the road is built in a good way?	Most of the people are in favour of paying the toll if it is small in amount. However, toll is not a usual practice in Afghanistan and therefore, some of the people expressed their unwillingness and inability to pay the toll.
Is the proposed project going to reduce accidents and provide better traffic system?	All the participants opined that the proposed road development project will facilitate better traffic system. However, accidents might increase if proper engineering solutions are not made in the engineering design, like speed breakers, road sign etc.
What are the numbers of shops/commercial establishments in the surrounding area? Is there any industrial unit in the project area?	Around 150 to 200 small shops are found along the project road. No industrial units are said to be found in the project area.
General socio-economic Condition: What are the economic activities, land use, cropping pattern (Seasonal), types of crops, value of the crops and average land holding size etc.	The general socio-economic condition of the project vicinity area is agriculture and small commercial activities like shops. Daily wage is also a general practice in the area. The usual crops grown in the area is wheat, maize, ground nuts and fruits.
Is there any access to the forest land) if yes, what is the use of the	There is no forest land in the project area.

Issues	Participants' Opinion, Comments and Suggestions
forest land.	
Current rates for the land (Government as well as market rates)	The approximate rate of agricultural land is between AF100,000 to AF1500,000. There is no government record for the price of land
Source of drinking water	The source of drinking water is well, canal and stream in the project area.
Loss of residential/commercial structures, if any due to the project	There will be loss of agricultural land, residential and commercial structures foreseen due to the proposed road alignment. Some of the commercial structures as per their views are squatters and they have been operating along the road for a long time.
Loss of community life like any Market Places or community activities to be affected	There will be no loss of community life as such as advised by the local people. However, they advised that there will be loss of some community property like, mosques and burial grounds etc.
Is there shortage of water for human consumption	Yes, there is a shortage of water both during summer and winter.
Has there been land acquisition before? If yes, what was the process of land acquisition and compensation package?	Land acquisition will be inevitable for the project. According to the local people they don't have any previous experience in land acquisition and resettlement.
Is there a protected area (national park, protected forest, religiously sensitive sites, historical or archaeological sites)? if any	There is no such protected area to be affected due to the project.
What is the health status, availability of hospitals and over all environmental condition? Is there any chronic disease prevalent in this area and are you aware about HIV/AIDS and STP?	The overall health condition is not good since availability of hospitals and adequate facilities are not so easily available in the project area. Good hospitals are available either in Kabul or Jalalabad. There is no such chronic disease prevalent in the area. However, according to the people, the common disease is malaria and tuberculosis. Few participants, who are educated, aware about the HIV/AIDS or STP. They usually don't prefer to discuss on these topics and did not share any of the information related to this question.
Poverty Level: Is the area poor or very poor or well off	People having shops and other employment mechanisms are not poor. Approximately 30.47% of the people are not poor. Most of the people are poor and the area can be considered as poor.
Education Status: Literate, illiterate etc	According to the local people, around 30–35% of the people are literate at the moment and the majority is illiterate.
Employment Status: Percentage of employment/ unemployment/ underemployment	Un employment is prevalent in the area and it is acute at some villages.
Migration Pattern (If any), inward or outward	People usually migrate to Pakistan in search of jobs and business. However, the migration pattern is temporary and seasonal.
If the widening of the road necessitates dislocation, where would you like to be relocated?	Yes, the widening of the road will lead to dislocation if proper measures are not taken.
What is the possibility of shifting the religious structure(s)? And where to relocate?	People viewed that religious monuments should remain untouched if there is an engineering solution. In case of dislocation, it should be properly shifted to the nearby area within the locality with due consultation with the village community.
Type of compensation expected	Most of the people opted for cash compensation. However, the

Issues	Participants' Opinion, Comments and Suggestions
(Cash or Kind)	landless APs advised for the land for land compensation. Almost all the participants expect some additional assistance along with the compensation
Perceived benefits from the project	According to the local people, the proposed project will enhance the communication system and people will stay connected to the main stream. The mobility will be enhanced which will allow them to do more business. There will be savings in time as far as travelling is concerned. The proposed project will fetch some temporary employment opportunities to the local community. Additionally, more number of traffic will pave the way to do new business along the highway.
Perceived losses from the project	Land acquisition and resettlement will be the major issue. According to the participants, this can be mitigated through proper compensation and assistance to the affected persons.
What other organizations of a social nature (NGOs/CBOs/ Civil Society) active in the area?	People are aware about many donor and other agencies working for the development of Afghanistan. However, they are not aware about any particular organization in specific area.
Any Other Issues you may feel to share	According to the participants, there should be over all resettlement and rehabilitation of the affected persons. Community should be involved in all the stages of project development.
Is this consultation useful? Comments	Everybody was of the opinion that the consultation is very useful and they expect the continued consultation in the future also.

Annex 4
IMPACTS COMPENSATION/REHABILITATION: INFORMATION BOOKLET
Bagramy–Sapary Road Project

I. INTRODUCTION

1. The Asian Development Bank (ADB) has agreed to provide the Government of Afghanistan with a Multitrance Financial Facility (MFF) for Transport Network Development Investment Program (the Program). The Program, to be implemented in four tranches targets the construction and improvement of several roads across the country. Tranche 1 of the program covers the construction of three roads, namely: i) the Jabul Saraj–Nijrab road; 2) the Faizabad–Beharak road and 3) the Bagramy–Sapary Road.

2. This Land Acquisition and Resettlement Plan (LARP) has been prepared for the Bagramy–Sapary road project by the Ministry of Public Works (MPW), the Executing Agency (EA) as part of the feasibility studies supporting PFR approval of Tranche 1 of the Program. The LARP provides an assessment of the road's LAR impacts and costs and details an action plan to for the delivery of the LAR compensation/rehabilitation measures to the affected People (AP) and households (AH). The LARP fits relevant Afghan laws, the ADB's Safeguards Policy Statement of 2009 (SPS 2009) and the Program's Land Acquisition and Resettlement Framework (LARF). Its preparation involved: (i) detailed measurement surveys, (ii) asset valuation/documentary research on affected plots, (iii) consultation with the AH; (iv) 100% AH census; and (v) a socio-economic surveys of the AH.

3. The 50 km Bagramy–Sapary road segments passes through districts of Bagramy, Khakijabbar and Surobi in Kabul province and Hisarak in Nangarhar province. The major settlements located along the Project road are Buthkak, Khord Kabul, Dawran Khail, Tizin, Gulab Dand, and Sapary.

4. In addition to the LARPs, MPW has also prepared information booklets summarizing the main provisions of each LARP which will be sent to all parties negatively affected by the relevant road. This information Booklet summarizes the LARP for the Yakawlang–Bamyang Road.

II. SUMMARY OF IMPACTS

5. The impacts of the project are summarized in table 1 below.

Table 1: Summary Impacts on Land Acquisition and Resettlement

Impacts	No./Qty.
I. Land (m²)	
Agricultural Land	
Irrigated Land	
Bagramy	79,648.55
Khaki Jabbar and Sourobi	147,275.00
Non-Agricultural Land	
Residential/Commercial Land	183.25
Total (Land)	227,106.80
II. Structures (m²)	
Mud/brick/wood, mud/tin roof structures	570.00
Mud/brick/wood walls	163.00
III. Trees (No.)	
Wood tree (Chinar)	100
Productive Fruit Tree (Almond)	117
Productive Fruit Tree (Berry)	4
Productive Fruit Tree (Senjed)	273
Productive Fruit Tree (Apricot)	229
IV. Households Affected	
No. of households affected	179
No. of households losing Irrigated Land	178
No. of households losing Residential/Commercial Land	9

Impacts	No./Qty.
No. of households losing structures	9
No. of households suffering permanent business/ income loss	1
No. of households needing relocation (due to affected structures)	4
Vulnerable Households	2

m² =square meter; no.=number.

III. PRINCIPLES FOR COMPENSATING AND/OR REHABILITATING THE AH/AP

6. The Principles for the compensation/rehabilitation of the Affected Households (AH) and People (AP) are:

- i. The APs are those who stand to lose land, houses, structures, trees, crops, businesses, income and other assets due to the implementation of the project.
- ii. AP losing assets, livelihood or other resources will be fully compensated and/ or assisted so that they improve or at least restore their former economic and social conditions. Compensation will be provided at full replacement cost, free of depreciation, transfer costs or eventual salvaged materials.
- iii. Compensation will include immediate losses and temporary business-income losses
- iv. Lack of formal land title should not be the bar to compensation or rehabilitation.
- v. All possible attention will be paid to households headed by women and other vulnerable groups and appropriate assistance provided to help them to improve their status and other compensation/ rehabilitation provisions will equally apply across gender line.
- vi. All APs are equally eligible for cash compensation and rehabilitation assistance.
- vii. Compensation and resettlement must be satisfactorily completed before a No-Objection Certificate can be provided by ADB for commencement of civil works.
- viii. APs will be systematically informed and consulted about the project, and the LARP will be disclosed in Dari to the affected persons and communities.
- ix. AP customs and culture need to be considered as the basis for the resettlement policy and plan formulation.

IV. COMPENSATION AND REHABILITATION ELIGIBILITY AND ENTITLEMENTS

7. The people/households eligible to compensation/rehabilitation for impacts caused by the road are all those residing in affected areas and holding the affected assets/incomes before the eligibility cut-off date for the project which is 31 May 2011 (the date of the end of the impact survey). This includes:

- (i) All APs holding/using land under formal title, formal/customary deed, or traditional land right as vouched by local Jirga, elders or community Development Council.
- (ii) All tenants and sharecroppers whether registered or not;
- (iii) All owners of affected buildings, crops, plants, or other objects attached to the land (including those with no legal rights to the land); and
- (iv) All APs losing business, income, and salaries (including those with no legal rights to the land).

8. Table 2 below details the entitlements for each type of loss

Table 2: Entitlement Matrix

Item	Application	Eligibility	Compensation Entitlements
Agricultural/residential land loss	Land affected by right-of-way (ROW)	AP with title, formal/customary deed, or traditional land right as vouched by local Jirga, elders or Community Development Council.	<ul style="list-style-type: none"> Cash compensation at replacement cost. All fees, taxes, or other charges, as applicable under relevant laws are to be borne by the project Households who have sold their land during the period between the first survey and second survey will be entitled for compensation equal to the difference between the land rate as per LARP and their sale value.
Residential and commercial buildings loss	Residential/commercial structure affected	Owners of structures (including informal settlers)	<ul style="list-style-type: none"> Cash compensation for affected structure and other fixed assets at replacement cost of the structure free of depreciation, taxes/fees and salvaged materials. In case of partial impacts full cash assistance to restore remaining structure. Compensation for temporary structures (brick and mud made) is AF1,000/m² for wall and AF 2,000/m² for structure. Compensation for permanent structures (concrete) is AF 1,500/m² for wall and AF4,000/m² for structure. Right to salvage material from demolished structure
Crops losses	Crops on affected land	Owners of crops / sharecroppers	<ul style="list-style-type: none"> Cash compensation at full gross market rate for full harvest, based on average production of the crops, which is estimated as AF 10,000 per jerib. Crop compensation will be provided by default whether the crops have been harvested or not at time of impact. An assistance grant of AF5,000 for the purchase of agricultural inputs for the next season
Trees Losses	Trees on affected land	Owner of trees (including informal settlers)	<ul style="list-style-type: none"> Fruit bearing trees will be compensated at the value of 1 harvest multiplied by the number of years needed to re-grow a tree at the same productive level of the tree lost. Cash compensation of AF 6,000 xt tree Non-fruit bearing/timber trees will be valued based on the market value of their dry wood volume. The compensation of the tree will be free of deduction for the value of the wood left to the AH.
Business losses by shop owners and employees	Permanent / temporary business losses along the ROW	Business / shop owners (including informal settlers), employees	<ul style="list-style-type: none"> Business compensation based on monthly income from that business by month of business stoppage. The compensation for business loss will be calculated based on tax receipts or when these are not available based on a fixed rate of AF9,500 per month⁵. Employees: indemnity for lost wages up to three months income
Loss of Community, Cultural, Religious, or Government Sites	Temporary or permanent loss due to the Project activities	Community/ Affected households	<ul style="list-style-type: none"> Conservation, protection and cash compensation for replacement (Schools, communal centers, markets, health centers, shrines, other religious or worship sites, tombs,. Cash compensation for affected structures based on the above structures entitlements
Transitional Allowance	Residential/Commercial Structures affected	All AHs	<ul style="list-style-type: none"> Relocated owners/renters will receive a transitional allowance for livelihood losses at AF5,200 for 3 months
Relocation Allowance	Residential/Commercial Structures affected	All AHs	<ul style="list-style-type: none"> Relocated owners/renters (including informal settlers) will receive a relocation allowance of AF5,000

⁵ This fixed rate is based on the average net income of road businesses in project areas as determined by the surveys conducted during LARP preparation.

Item	Application	Eligibility	Compensation Entitlements
Assistance to vulnerable AH	Affected by land acquisition, resettlement etc.	AH which are: female-headed; poor (below poverty line) or headed by handicapped/disabled persons	<ul style="list-style-type: none"> Vulnerable households will be provided an additional three months of average household income allowance (AF28,500) as assistance. Preferential employment in the project construction.
Severe impact allowance	Agricultural land	Agricultural land owners, leaseholders or sharecroppers losing >10% of their holdings	<ul style="list-style-type: none"> Allowance for severe land impacts equal to replacement cost of a year's net income from crop yield of land lost
Unidentified Impacts		AH or individuals	<ul style="list-style-type: none"> Unforeseen impacts compensated based on above entitlements during project implementation by the EA.

AF=Afghanistan currency; AH=affected household; AP=affected person; EA=executing agency.

V. COMPENSATION RATES

8. Table 3 below details the compensation rates for land, buildings and crops/trees.

Table 3 Compensation Rates

Asset/ Allowance	Item	Unit	Rate
	Agricultural Land		
Land	Irrigated Land		m ²
	Bagramy		AF1,500
	Khaki Jabbar/Sourbi		AF750
Structure	Non-Agricultural Land		m ²
	Residential/Commercial		
	Bagramy		AF1,500
Tree	Khaki Jabbar/Sourbi		AF750
	House/Building (mud/brick/wood, mud/tin roof)	m ²	AF2,000
	Walls (mud/brick/wood)		AF1,000
Rehabilitation Allowance	Productive Fruit tree	Tree	AF6,000
	Non-fruit Timber tree (Chinar)	Tree	AF4,000
	Business losses	Per business	AF9,500 up X 3 months = 28,500
Rehabilitation Allowance	Transitional livelihood allowance	Per AH	AF5,200 up to 3 months = 15,600
	Relocation Allowance	Per AH	AF5,000
	Assistance for Vulnerable Groups	Per AH	AF28,500

AF=Afghanistan currency; AH=affected household; m²=square meter.

VI. GRIEVANCE REDRESS

The APs will have the right to file complaints and/or queries on any aspects of land acquisition compensation, and resettlement. In order to ensure that grievances and complaints are addressed in a timely and satisfactory manner and that all possible avenues are available to APs to air their grievances, following mechanism for grievances will be set up.

Step-1: AP will be encouraged but not mandatory to share his/her grievances or complaints with the GRC members. The APC in its meeting will discuss the issues and their solution. If the AP is not satisfied with the discussion and explanation of the GRC, he/she has the right to forward the complaint(s) to the Project Management Office (PMO). GRC will be used as facilitation body towards resolution of grievances or complaints but it is not authorised to make any decision. It will help in exploring the options for solutions of these complaints. The GRC may seek advice from the Project Director / Concerned officials of EA (MPW) or consultant and facilitate in resolving the issues.

Step-2: AP will submit his/her complaint or grievance signed by him/her to the Project Director in writing form explaining the nature of complaint, location, village name and his/her complete address. The GRC may help the AP to submit his/her complain to the Project Director in writing with suggested options for resolution of the complaint.

Step-3: Within fifteen (15) days of receipt of complaint, the Project Director (PD) will invite the complainant to present and discuss his/her complaint. The PD may call the meeting, comprising of officials of MPW, consultants and representatives of APs from the area to facilitate the resolution of the complaint. Based on the meeting with the complainant, the Project Director will inform the complainant in writing through registered mail about the decision on his/her complaint within fifteen (15) days after the meeting with the complainant.

Step-4: If the complainant is not satisfied with the decision of the Project Director and willing to continue his/her complaint, he/she and willing to continue with his complaint, he/she can register/file his case in the court whose decision will be final.

All efforts will be made to settle the issues at the PMO level through community consultation, involvement of the consultants and local councils. If not, possible attempts will be made to resolve the issues at the PMO level to avoid the judiciary to minimize litigation as much as possible. All complaints and resolutions will be properly documented by the PMO through the consultants and be available for review and monitoring and evaluation purposes.

Annex-5
List of Affected Households

Name	Father's Name	District	Total Affected Land (SqM)	Total Area of Structures Affected (SqM)
Hajy Nazar mohmmad	Delawar khan	Bagramy	3,841.00	-
Fiaz mohammad	Saleh mohammad khan	Bagramy	568.10	-
Sekandar	Khan agha	Bagramy	575.00	-
Hajy Hamayon	Hajy Ajab gull	Bagramy	1,825.00	-
Hajy noor mohammad		Bagramy	1,969.00	-
Mohammad Qasem	Ahmad khan	Bagramy	506.00	-
Waseq Ahmad	Sheer agha	Bagramy	913.00	-
Dawood	Mohammad ghulam	Bagramy	540.00	-
Hajy Rahmat sha	Hajy shokrollha	Bagramy	1,356.00	-
Mohammadullah	Haju amenullah	Bagramy	630.00	-
Gulabuden	Bahramudeen	Bagramy	702.00	-
Mohammad shoaeb	Mohammad osman	Bagramy	418.00	-
Khuja ferozuden	Mohammad rasol	Bagramy	1,282.50	-
Hajy Mohammad Gul	Hajy Mohammad khan	Bagramy	1,289.50	15.00
Noor mohammad	Hazrat	Bagramy	130.00	-
Hajy zolmay	Hajy Ahmad khan	Bagramy	924.75	33.00
gulam zekreya	Ghulam Yahya	Bagramy	862.00	-
Khan kochy		Bagramy	351.00	-
Rafeq	Hosean	Bagramy	157.50	-
Nawab	Nazeer	Bagramy	1,180.00	-
Shamsudeen	Aunoden	Bagramy	1,853.50	-
Qalamodeen	Aunoden	Bagramy	31.50	-
Abdul lateef	Abdul Qadeer	Bagramy	456.00	-
Hashmatullha	Arsalah khan	Bagramy	735.00	-
Hajy meser khan	Mohammad hafez	Bagramy	504.00	-
Hajy Abdul shokor	Abdul rawof	Bagramy	576.00	-
Noor alli	Mohammad Alli	Bagramy	650.00	-
Hajy Abdul shokor	Abdul Qadeer	Bagramy	703.25	13.00
Zoor mahad Khan	Hemat Khan	Bagramy	306.00	-
Said adeel	Said mosleem	Bagramy	306.00	-
Said mokaram	Said mosleem	Bagramy	306.00	-
Said Hamayon	Said mosleem	Bagramy	1,356.00	-
Haju sultan	Hajy arsallha	Bagramy	758.00	-
Jalat khan	Hajy arsallha	Bagramy	104.00	-
sahadat khan	Hajy arsallha	Bagramy	104.00	-
Gulroz khan	Hajy arsallha	Bagramy	104.00	-
Dawood	Hajy arsallha	Bagramy	104.00	-
Yahya khan	Hajy arsallha	Bagramy	104.00	-
Hajy Awal gul	Hajy Ameer gul	Bagramy	104.00	-
Samar gul	Hajy Ameer gul	Bagramy	104.00	-

Name	Father's Name	District	Total Affected Land (SqM)	Total Area of Structures Affected (SqM)
Hajy gullab	Mohammad jan	Bagramy	416.00	-
Hajy rahmodeen	sharafodeen	Bagramy	810.25	-
Hajy Khawany	Meer afghan	Bagramy	1,212.75	-
Alamudeen	Aunoden	Bagramy	904.00	-
Zewarodeen	Fakhrodeen	Bagramy	611.50	-
Mohammad Nabi	Mohammad Yaseen	Bagramy	1,812.00	-
Ghulam Azrat	Ghulam hedar	Bagramy	1,260.00	-
Obedullah	Amanullah	Bagramy	3,432.00	-
Abdurahman	Masjedy	Bagramy	282.70	-
Hajy mobarak sha	Hajy shokrollha	Bagramy	760.00	-
Hajy noorullah	Hajy amenullah	Bagramy	480.00	-
Anat khan	Abdul hasheem	Bagramy	1,160.00	-
Hajy seleman	Mahbob khan	Bagramy	810.00	-
Mohammad akbar	Allah meer	Bagramy	620.00	-
Falak	Mostajab	Bagramy	450.00	-
Besmellah	Abdul jehat	Bagramy	130.00	-
Faheem	Meya jan	Bagramy	1,960.00	-
Dell agha	Modam	Bagramy	203.50	-
Hamayoon	Mohammad afzal	Bagramy	470.00	-
Mohammad azam	Mohammad afzal	Bagramy	272.00	-
Sohrab	Mohammad afzal	Bagramy	272.00	-
Noor	Noor Alli	Bagramy	102.00	-
Hajy Mohammad	Ghulam Yahya	Bagramy	578.00	-
Fazeel Ahmad	Gull noor	Bagramy	348.50	-
Sheer agha	Mohammad noor	Bagramy	229.50	-
Mahmood	Yaqob	Bagramy	187.00	-
Ahmad zay	Ayamodeen	Bagramy	6,715.00	-
Mohammad azeem	Mohammad sharef	Bagramy	688.50	-
Seleman	Mohammad ashraf	Bagramy	1,450.00	-
Hajy eslamodeen	Guladen	Bagramy	1,180.00	-
Waysodeen	Guladen	Bagramy	538.00	-
Mama taleb	Mohammad naeem	Bagramy	836.00	-
Faheem agha	Meya jan agh	Bagramy	2,673.00	-
Meraj	Mehrabudeen	Bagramy	12.50	50.00
Hajy tawez khan	Zar khan	Bagramy	8,105.00	-
Mohammad mosa	Hajy Ahmad alli	Bagramy	8,415.00	-
Akhtar mohammad	Abdul satar	Khak Jabar	138.00	-
Amanullah	Esmayel	Khak Jabar	3,503.00	-
Malek Qeas	Malek Gulagan	Khak Jabar	647.00	-
Hajy mohammad	Hajy Najmodeen	Khak Jabar	1,489.00	-

Name	Father's Name	District	Total Affected Land (SqM)	Total Area of Structures Affected (SqM)
Said Omar	Mohammad Omar	Khak Jabar	870.00	-
Anat khan	Akbar khan	Khak Jabar	77.00	-
Malang	Ghosodeen	Khak Jabar	77.00	-
Alli khan	Mohammad shakhan	Khak Jabar	1,047.00	-
Sheer zade	Raz mohammad	Khak Jabar	300.00	-
Omar khan	sheer mohammad khan	Khak Jabar	183.00	-
Faiz mohammad khan	Sheer Ahmad khan	Khak Jabar	202.00	-
Honar khan	Sheer Ahmad khan	Khak Jabar	202.00	-
Soheal khan	shakar khan	Khak Jabar	202.00	-
Barat khan	shakar khan	Khak Jabar	202.00	-
Mohammad khan	Jan mohammad	Khak Jabar	600.00	-
Masjedy	Abdurrasool	Khak Jabar	1,500.00	-
Mohammadullah	Mohammad jan	Khak Jabar	200.00	-
Lala khan	Fazludeen	Khak Jabar	675.00	-
Hajy wazeer	Najmodeen	Khak Jabar	1,275.00	-
Ghulan said	Gul Afghan	Khak Jabar	2,003.00	-
Khaleq dad	Jan dad	Khak Jabar	280.00	-
Between 2 person		Khak Jabar	855.00	-
Alam gul	Pacha khan	Khak Jabar	810.00	-
Dena gul	Sardar	Khak Jabar	1,398.00	-
Mohammad ajan	Sarfazar	Khak Jabar	1,862.00	-
Khaesta khan	Arsalah khan	Khak Jabar	3,006.00	-
Sedeq	Sheen gul	Khak Jabar	5,056.00	-
Gul mohammad	Said mohammad	Khak Jabar	4,143.00	-
Ajab gul	Noor khan	Khak Jabar	3,457.00	-
Zameen	Ghani gul	Khak Jabar	784.00	-
Boy khan	Aziz khan	Khak Jabar	3,047.00	-
Hajy wazeer	Zafar khan	Khak Jabar	9,280.00	-
Fareed	Said rahman	Khak Jabar	2,917.00	-
Gul mohammad	Joma khan	Khak Jabar	1,250.00	-
Amanullah	Sardar mohammad	Khak Jabar	208.00	-
Gul hassan	Mar jan	Khak Jabar	365.00	-
Babrak	Agha mohammad	Khak Jabar	3,285.00	-
Alli mohammad	Mohammad osman	Khak Jabar	799.00	-
Aslam	Header khan	Khak Jabar	2,280.00	-
Abdul jan	Gul Zar	Khak Jabar	4,607.00	-
Hamedullah	Zar gul	Khak Jabar	360.00	-
Khody noor	Ahmad khan	Khak Jabar	2,288.00	-
Gulestan	Sardar	Khak Jabar	1,095.00	-
Naem jan	Gul jan	Khak Jabar	648.00	-

Name	Father's Name	District	Total Affected Land (SqM)	Total Area of Structures Affected (SqM)
Mohammad raheem	Omara khan	Khak Jabar	994.00	-
Noor khan	Madad khan	Khak Jabar	225.00	-
Abdul ghani	Agha meer	Khak Jabar	1,674.00	-
Mohammad hossen	Faqeer mohammad	Khak Jabar	2,700.00	-
Abdullah	sardar	Khak Jabar	450.00	-
Khan mohammad	Gullab	Khak Jabar	84.00	-
Rangeen	Mohammad khan	Khak Jabar	3,627.00	-
Kochy	Akhtar mohammad	Khak Jabar	1,326.00	-
Zearat gul	Hajy wazer gul	Khak Jabar	1,875.00	-
Jameel	Abdul ghafoor	Khak Jabar	450.00	-
Mohammad wali	Mohammad ebrahem	Khak Jabar	1,232.00	-
Mohammad raheem	Abdul manan	Khak Jabar	189.00	-
Hajy sheer afzal	said khan	Khak Jabar	570.00	60.00
Hajy khan zada	Shahzadah	Khak Jabar	385.00	-
Malek sha mohammd	Bahram khan	Soroby	7,200.00	-
Hajy mohammad dell	Meer aleem	Soroby	2,535.00	-
Lal mohammad	Saleh mohammad khan	Soroby	2,138.00	-
Hajy hakeem khan	Khan mohammad	Soroby	1,884.00	-
Mohammad hassan	Sultan mohammad	Soroby	1,747.50	-
Mer agha	Mohammadullah	Soroby	540.00	-
Naqebullah	Mohammad gul	Soroby	55.00	-
Ali sha	Header khan	Soroby	960.00	-
Zareef khan	Kach kool	Soroby	2,194.00	-
Najebullah	Meya jan	Soroby	2,100.00	-
Aazam	Abdul satar	Soroby	906.00	-
Zolmay	Habebullah	Soroby	1,550.00	-
Molla noorullah	Mohammad ajan	Soroby	45.00	-
Wazer	Gul alam	Soroby	449.50	-
Abdul malek	Abdullah khan	Soroby	1,710.00	-
Said ajan	saheeb jan	Soroby	780.00	-
Abdul zaheer	Abdul ghani	Soroby	3,000.00	-
Hayatullah	Hajy saydullah	Soroby	1,285.50	102.00
Khayesta khan	Joma khan	Soroby	1,665.00	-
Momen	Mohammad afzal	Soroby	120.00	-
Abdul qadeer	Mohammad nader	Soroby	580.00	80.00
Hazrat gul	Yaqob	Soroby	255.00	60.00
Alli mohammad khan	Abdul wahed	Soroby	900.00	-
Zareef	Wali mohammad	Soroby	1,200.00	-
Hajy mohammad dell	Meer alam	Soroby	2,535.00	-
Malek momen	Hajy mer alam	Soroby	18,283.00	320.00
Abdul raheem	gholam faroq	Soroby	3,960.00	-
Qadam gul	Hajy eshaq	Soroby	1,600.00	-

Annex 6
Approvals of Rates for Land and Other Items