

Resettlement Plan

Project Number: 51036-002
August 2021

Pakistan: Khyber Pakhtunkhwa Cities Improvement Project

Pedestrianizing of the Old City Commercial Area, Abbottabad

Prepared by Project Management Unit, Local Government, Elections and Rural Development Department, Government of Khyber Pakhtunkhwa for the Asian Development Bank.

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Pak: Khyber Pakhtunkhwa Cities Improvement Project (KPCIP)



Draft Resettlement Plan for Pedestrianizing of the Old City Commercial Area, Abbottabad

August 2021

Prepared by:

**Social Safeguard Team of Project Management Unit (PMU), Local Government Election
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(KPCIP) Peshawar**

NOTES

- (i) The fiscal year (FY) of the Government of the Islamic Republic of Pakistan and its agencies ends on 30 June.
- (ii) In this report “\$” refer to US dollars.

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ABBREVIATIONS

| | |
|---------|--------------------------------------------------------------|
| ADB | Asian Development Bank |
| AIIB | Asian Infrastructure Investment Bank |
| AFs | affected families |
| CAP | corrective action plan |
| CDIA | Cities Development Initiative for Asia |
| DPs | displaced persons |
| EA | executing agency |
| EDCM | engineering, design, and construction management |
| GRC | grievance redress committee |
| GRM | grievance redress mechanism |
| IA | implementing agency |
| IRCB | institutional review and capacity building |
| IR | involuntary resettlement |
| IPs | indigenous peoples |
| IVS | independent valuation study |
| KP | Khyber Pakhtunkhwa |
| KPCIP | Khyber Pakhtunkhwa Cities Improvement Project |
| LAA | Land Acquisition Act 1894 |
| LAR | land acquisition and resettlement |
| LGE&RDD | Local Government, Elections and Rural Development Department |
| PAM | project administration manual |
| PKR | Pak Rupees |
| PMU | program management unit |
| ROW | right of way |
| RP | resettlement plan |
| SDDR | social due diligence report |
| SES | socio economic survey |
| SPS | Safeguard Policy Statement 2009 |
| TMA | tehsil municipal administration |
| TOR | terms of reference |

DEFINITION OF TERMS

| | |
|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Displaced Household | All members of a subproject affected household residing under one roof and operating as a single economic unit, who are adversely affected by the Project or any of its components; may consist of a single nuclear family or an extended family group. |
| Displaced Persons | In the context of involuntary resettlement, displaced persons are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. |
| Compensation | Payment in cash or in kind of the replacement cost of the acquired assets. |
| Cut-of-Date | The completion date of the census of project-displaced persons is usually considered the cut-off date. A cut-off date is normally established by the borrower government procedure that establishes the eligibility for receiving compensation and resettlement assistance by the project displaced persons. In the absence of such procedures, the borrower/client will establish a cut-off date for eligibility. |
| Encroachers | People who have trespassed onto private/community/public land to which they are not authorized. If such people arrived before the entitlements cut-off date, they are eligible for compensation for any structures, crops or land improvements that they will lose. |
| Entitlement | Range of measures comprising compensation, income restoration, transfer assistance, income substitution, and relocation, which are due to displaced persons, depending on the nature of their losses, to restore their economic and social base. |
| Economic Displacement | Loss of land, assets, access to assets, income sources, or means of livelihood because of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. |
| Involuntary Resettlement | Land and/or asset loss, which results in a reduction of livelihood level. These losses have to be compensated for so that no person is worse off than they were before the loss of land and/or assets. |
| Meaningful Consultation | Is a process that (i) begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues. |
| Physical displacement | Meaning relocation, loss of residential land, or loss of shelter as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. |

| | |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Rehabilitation | Compensatory measures provided under the ADB Policy Framework on Involuntary Resettlement other than payment of the replacement cost of acquired assets. |
| Relocation Assistance | Support provided to people who are physically displaced by a project. Relocation assistance may include transportation, food, shelter, and social services that are provided to the displaced persons during their relocation. It may also include cash allowances that compensate displaced persons for the inconvenience associated with resettlement and defray the expenses of a transition to a new locale, such as moving expenses and lost work days. |
| Replacement Cost | The rate of compensation for acquired housing, land and other assets will be calculated at full replacement costs. The calculation of full replacement cost will be based on the following elements: (i) fair market value; (ii) transaction costs; (iii) interest accrued, (iv) transitional and restoration costs; and (v) other applicable payments, if any. In applying this method of valuation, depreciation of structures and assets should not be considered. |
| Squatters | Meaning those people who do not own the land but are possessing and using it for residential, commercial, agricultural or other economic purposes, and as such they usually not entitled to land compensation but sometimes provided with assistance if they are found vulnerable; they are, however, entitled to compensation for the loss of built-up structures, trees, crops and other assets. |
| Vulnerable Groups | Distinct group of people who may suffer disproportionately from resettlement effects. The ADB SPS 2009 defines vulnerable groups as households below the poverty line, the elderly, those without legal title to assets, landless, women, children and indigenous people. |

EXECUTIVE SUMMARY

1. **Background:** The Government of Khyber Pakhtunkhwa (Go-KP) obtained financing from the Asian Development Bank (ADB) through the loan number 6015 and grant number 6016 PAK – Project Readiness Facility (PRF) for Khyber Pakhtunkhwa Cities Improvement Project (KPCIP). The Project involves construction, rehabilitation and up-gradation of water supply, drainage and sanitation, solid waste management, urban livability, smart cities, traffic management and green fields in five cities of Abbottabad, Kohat, Mardan, Mingora and Peshawar of Khyber Pakhtunkhwa (KP) province. The Asian Infrastructure Investment Bank (AIIB) is a co-financier for the KPCIP project. The project steering committee has approved a total of 24 subprojects with detailed engineering design finalized already. Project implementation for the first batch of subprojects is expected to start in the 1st quarter of 2022. The Local Government Election and Rural Development Department (LG&RD) is the project executing agency (EA) while respective City Governments are the project implementing agencies (IAs).

2. **Pedestrianizing of the old city commercial area:** Pedestrianizing of the old city commercial area Abbottabad is one of the 24 subprojects selected under KPCIP. The subproject is situated in Sadar Bazar in Union Council (UC) Abbottabad, a congested marketplace with narrow historical streets. The proposed interventions include street lighting for 15 streets, street furniture (benches, planters, street names signs, set of recycling dustbins etc.), new awning (shade) and signage frames for over 810 shops, covering of open drains with slate stone steps, reinforced cement concrete (RCC) slabs and steel gratings, construction of slate stone sidewalks and shared pathways with ramps, speed tables and zebra crossings on access roads, upgradation of Gol Mandi meat market, construction of public washroom & prayer area for women and development of green parklet (Noordin Park) and façade uplift through repainting.

3. **Scope of land acquisition and Resettlement:** This resettlement plan (RP) has been prepared based on the detailed engineering design to cover potential involuntary resettlement impacts from the proposed subproject interventions. The assessment of impacts has been done based on the final design for 15 streets possessing the right of way (ROW) with a width of 7 – 35 feet and a total length of 6593 feet. As per the design, all the activities will be limited to the government owned ROW, therefore no land acquisition is involved. The businesses in these streets include selling garments clothes, fruit, groceries, meat and pharmaceutical products. Mobile vendors also roam these streets to sell their goods. The temporary impacts (expected during construction) are expected on the structures of 128 shops that have encroached into the street at Eid Gah Road, Masjid Road, Atta Mandi, Gol mandi, Gurdwara street, and Noor Din Mohalla. The mobile vendors in the area are not expected to be affected as they trade in different locations including the main road. Among the total 128 encroached structures, 107 are wooden stalls (from non-mobile vendors) and 21 are iron shade of some permanent shops.

4. Temporary disruption to shops along these streets in terms of access to customers will be managed as part of the environment and social management

plan (ESMP). In case there are unforeseen disruptions to businesses during the construction period, then additional compensation will be decided by Project Management Unit (PMU)/Tehsil Municipal Administration (TMA) on a case-to-case basis. A provision for such losses will be covered by the contingency of the budget.

5. This resettlement plan (RP) has been prepared to address the temporary involuntary resettlement impacts to be caused by the pedestrianizing of the old city commercial area, Abbottabad subproject of KPCIP, in compliance with the national/provincial regulatory requirements and ADB Safeguard Policy Statement (SPS).

6. **Detailed Engineering Design (DED) of Subproject:** The DED of the proposed pedestrianizing of the old city commercial area Abbottabad was completed in January 2021. Bidding is expected to start in 2021 and contract award by first quarter of 2022.

7. **RP and its Updating:** Socio-economic information was collected only from 51 of the 128 shop owners. This is due to the absence or reluctance of 77 displaced persons (DPs) at the time of census survey in March 2021. These DPs either closed their shops or their children were reluctant to provide the data in the absence of their parents. A few DPs wanted to share the data in the presence of their union leaders who were not available during the survey. Further efforts will be done to collect socio-economic information on all DPs. This RP will be updated once socioeconomic information is collected on the remaining 77 DPs.

8. **Impacts Screening and Project Categorization (Involuntary Resettlement):** In terms of temporary impacts expected during the construction stage, the subproject has been initially classified as Category B for involuntary resettlement, according to the SPS, because no DPs are required to be displaced physically from housing/buildings or lose more than 10% of their productive assets. Impacts on the shops are temporary. Works in each street is expected to be completed in less than three months. All DPs can resume their business activities after the completion of the works in their streets.

9. **Indigenous Peoples (IPs):** The subproject area was surveyed for presence of any indigenous people or groups having customary rights on use and access of land and natural resources, socioeconomic status, cultural and communal integrity and self-recognition as IPs. However, no such groups were found present in entire subproject area. Local people do not recognize themselves as IPs as described above and in SPS. Therefore, the subproject is categorized as "C" for IP safeguards. Therefore, no indigenous peoples plan is required for this subproject.

10. **Cut-Off Date (COD) for subproject impacts:** The socioeconomic survey and census of potential DPs was conducted on 18 June 2021. Thus, this date was established as COD for the subproject. All 128 structures and APs who own/use them are considered eligible based on the cut-off date. Only 51 DPs were available or willing to be interviewed at the time of the survey. Follow-up surveys will be conducted for the remaining 77 DPs.

11. **Summary of Socioeconomic Survey:** The socio-economic survey was conducted in June 2021. The results of survey of 51 DPs indicate female and male ratio as 52:48; average household size of 6.2 persons; and literacy level of 72%. The monthly average income of DPs is pegged at PKR33,426 and there are 3 DPs falling below the poverty-line. None of the surveyed DPs belong to any other categories of vulnerable groups e.g., elderly, those without legal title to assets, landless, women, children and indigenous people. In terms of access to social amenity, 100% (51) houses in the subproject areas are electrified. Potable drinking water supply is accessible to 94% (48) of the households, whereas 80% (41) of the households have access to the sewerage and drainage system. Health and education facilities are available to 90% (46) and 96% (49) of the households, respectively.

12. **Information Disclosure, Consultations and Participation:** The participants were fully informed and consulted on the potential impacts and the mitigation measures to be implemented as part of the project. Some of the stakeholders consulted were traders and business unions in the subproject area, affected persons, officials of Tehsil Municipal Administration and District administration, visitors and users of the project corridor and other relevant stakeholders. Majority of the people, especially the non-mobile vendors, showed their concerns that the department may not allow them to continue trading at the same location after construction works. The TMA representatives confirmed that the shopkeepers will be allowed to continue their businesses on the same location. The vendors requested to have a written guarantee from the government to give them permission to sit at the same place for doing the business. The stakeholders appreciated the initiative to upgrade the streets that will improve the quality of life and recognized that it will also improve the environmental condition. Some of the key concerns raised by the stakeholders were that damage to private property (commercial structures) should be avoided, alternate vending spaces should be provided to the vendors during the construction period and timely compensation should be provided in case of damage to private property.

13. There are no women among the DPs to be displaced from the subproject. Consultations were conducted with the women customers who frequently visit the markets for shopping purposes. Most of the women are very supportive of the subproject as they believe that this will provide them a safe and more dignified way of shopping. The DPs were informed about how their concerns have been addressed through design considerations and have been incorporated in the safeguard documents. The consultation process will continue throughout the subproject implementation and the RP will be made available to all the stakeholders and disclosed on LGE & RD and ADB websites.

13. **Entitlement Assistance and Benefits:** Entitlements have been proposed to ensure that the DPs are compensated for their losses and their livelihoods are restored regardless of their formal legal rights. An entitlement matrix following the land acquisition and resettlement framework (LARF) is presented in Table ES.1. The DPs are eligible for compensation for loss of business/livelihood, severity and shifting allowance. Vulnerable DPs are entitled to vulnerability allowance. Provision of temporary and permanent vending spaces to the DPs, priority employment during construction and project implementation and opportunities for skills development is also included.

Table ES.1: Eligibility and Entitlement Matrix (as per LARF)

| Type of Loss | Specification | Eligibility | Entitlements |
|----------------------------------|----------------------------------------------------|------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. LAND | | | |
| Permanent impact on arable land | All land losses independently from impact severity | Owner (titleholder, or holder of traditional rights) | <ul style="list-style-type: none"> Land for land compensation with comparable productivity and suitability to be explored (if feasible) OR Cash compensation at full replacement cost (RC¹) including fair market value plus 15% compulsory acquisition surcharge all transaction costs, applicable fees and taxes and any other payment applicable If BoR² compensation falls below RC, the project will pay the differential as resettlement assistance to the DPs to restore affected livelihoods. Additional compensation to be worked out in consultation with DPs if the loss is 10% or more of productive resources including land. |
| | | Leaseholder titled/untitled | <ul style="list-style-type: none"> Compensation commensurate to lease type and duration to be defined in LARP Production based on relevant cropping pattern/cultivation record (additional to standard crop compensation as defined below) and other appropriate rehabilitation, to be defined in the LARPs based on project situation and AP consultation. |
| | | Sharecropper/ tenant (titled/untitled) | <ul style="list-style-type: none"> Cash compensation equal to gross market value of crop compensation (see below) to be shared with the land owner based on the sharecropping |
| | | | <ul style="list-style-type: none"> Income rehabilitation allowance in cash equal to net value of annual crop production based on relevant cropping pattern/cultivation record (additional to standard crop compensation and other appropriate rehabilitation to be defined in the LARPs based on project situation and DP consultation). |
| | | Squatter, encroacher. | <ul style="list-style-type: none"> No compensation for land loss IN addition to standard crop compensation, income rehabilitation allowance in cash equal to net value of annual crop production and other appropriate rehabilitation to be defined in the LARPs based on project specific situation and DP consultation. Compensation for any irrigation infrastructure and other improvements made to the land (but not for the land) at full replacement cost. |
| Severe impact on productive land | Loss of 10% of productive (income earning) land | Titleholder, or holder of traditional rights | <ul style="list-style-type: none"> Cash compensation for 3 months equal to national minimum wage i.e. PKR 20,000/month as fixed by the Federal Government for the year 2021-22. The amount for three months will be equal to PKR 20,000 X 3 = 60,000 |
| Residential/ commercial land | All land losses | Titleholder, or holder of | <ul style="list-style-type: none"> Cash compensation at full replacement cost (RC) including fair market value plus 15% compulsory acquisition surcharge all transaction |

¹ Refer to IR safeguards as in SR2 para 10 of SPS 2009² Board of Revenue, provincial agency with a mandate to approve compensation rate/amount

| Type of Loss | Specification | Eligibility | Entitlements |
|----------------------------------------------------------|----------------------------------------------|--------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | traditional rights | costs, applicable fees and taxes and any other payment applicable <ul style="list-style-type: none">If BoR compensation falls below RC, the project will pay the differential as resettlement assistance to the DPs to restore affected livelihoods.Additional compensation to be worked out in consultation with DPs if the loss is 10% or more of productive resources including land. |
| | | Lessee, tenant | <ul style="list-style-type: none">Cash refund/payment at the rate of lease or house rent for remaining lease period or house rent |
| | | Renter/ leaseholder | <ul style="list-style-type: none">Rent allowance in cash equivalent to 3-6 months' rent to be decided in consultation meetings with DPs. |
| | | Non-titled user without traditional rights (squatters) | <ul style="list-style-type: none">No compensation for land lossSelf-relocation allowance in cash equivalent to 3 months livelihood based on OPL, or as assessed based on income analysis. |
| Temporary land occupation | Land temporarily required during civil works | Owner, lessee, tenant | <ul style="list-style-type: none">Lease agreements to be signed between the DPs and the contractor for the period of occupation of land. Rental fee payment for period of occupation of land, as mutually agreed by the partiesRestoration of land to original stateGuarantee of access to land and structures located on remaining land |
| | | Non-titled user | <ul style="list-style-type: none">Restoration of land to original stateGuarantee of access to land and structures located on remaining land |
| 2. STRUCTURES | | | |
| Residential, agricultural, commercial, public, community | Partial Loss of structure | Owner (including non-titled land user) | <ul style="list-style-type: none">Cash compensation for affected structure (full or partial taking into account functioning viability of remaining portion of partially affected structure) at full replacement cost and repair of remaining structure at market rate for materials, labor, transport and other incidental costs, without deduction of depreciation.Right to salvage materials (without deduction) from lost structureFor vulnerable households, provide legal and affordable access to adequate housing to improve their living standard to at least national minimum standard.Any improvements made to a structure by a tenant will also be taken into account in the calculation of compensation at full replacement cost payable to the owner and any apportionment due to the tenant as agreed at consultation meetings. |
| | | Lessee, tenant | <ul style="list-style-type: none">Cash refund at rate of rental fee proportionate to size of lost part of structure and duration of remaining lease period already paid.Any improvements made to a structure by a tenant will also be taken into account in the calculation of compensation at full replacement cost payable to the owner and any |

| Type of Loss | Specification | Eligibility | Entitlements |
|-----------------|-----------------------------------------------------------|------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | apportionment due to the tenant as agreed at consultation meetings. |
| | Full loss of structure and relocation. | Owner (including nontitled land user) | <p>The DP may choose between the following alternatives:</p> <ul style="list-style-type: none"> • Compensation through provision of fully titled and registered replacement structure of comparable quality and value, including payment of all transaction costs, such as applicable fees and taxes, at a relocation site or a location agreeable to the DP. • Any improvements made to a structure by a tenant will also be taken into account in the calculation of compensation at full replacement cost payable to the owner and any apportionment due to the tenant as agreed at consultation meetings. • If the market value of the replacement structure is below that of the lost structure, cash compensation for the difference in value without deduction of depreciation. • If the market value of the replacement structure is above that of the lost structure, no further deductions. or • Cash compensation at full replacement cost, including all transaction costs, such as applicable fees and taxes, without deduction of depreciation for age, for self-relocation. In any case, DP has the right to salvage the affected structure. • Severity assistance to all losing structures permanently equivalent to 3 months equal to national minimum wage i.e. PKR 20,000/month as fixed by the Federal Government for the year 2021-22. The amount for three months will be equal to PKR 20,000 X 3 = 60,000 |
| | | Lessee, tenant | <ul style="list-style-type: none"> • Cash refund at rate of rental fee proportionate to duration of remaining lease period |
| | Moving of minor structures (fences, sheds, latrines etc.) | Owner, lessee, tenant | <p>The DP may choose between the following alternatives:</p> <ul style="list-style-type: none"> • Cash compensation for self-relocation of structure at market rate (labor, materials, transport and other incidental costs, as required, without deduction of depreciation for age) Or • Relocation of the structure by the Project. |
| | Stalls, kiosks | Vendors (including titled and non-titled land users) | <ul style="list-style-type: none"> • Allocation of alternative location comparable to lost location, and • Cash compensation for self-relocation of stall/kiosk at market rate (labor, materials, transport and other incidental costs, as required, without deduction of depreciation for age) |
| 3. Crops | Affected crops | Cultivator | <ul style="list-style-type: none"> • Cash compensation at current market rate proportionate to size of lost plot, based on crop type and highest average yield over past 3 years. • Additional compensation to be worked out in consultation with DPs if the loss is 10% or more of productive resources including land. |

| Type of Loss | Specification | Eligibility | Entitlements |
|------------------------------|----------------------------------------------|-----------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | Parties to sharecrop arrangement | <ul style="list-style-type: none"> Same as above and distributed between land owner and tenant according to legally stipulated or traditionally/informally agreed share |
| 4. Trees | Affected Trees | Cultivator | <ul style="list-style-type: none"> Cash compensation for perennial crop trees at current market rate of crop type and average yield (i) multiplied, for immature non-bearing trees, by the years required to grow tree to productivity or (ii) multiplied, for mature crop bearing trees, by the average years of crops forgone; plus cost of purchase of seedlings and required inputs to replace trees. Cash compensation for timber trees at current market rate of timber value of species at current volume, plus Cost of purchase of seedlings and required inputs to replace trees |
| | | Parties to sharecrop arrangement | <ul style="list-style-type: none"> Same as above and distributed between land owner and tenant according to legally stipulated or traditionally/informally agreed share |
| 5. RESETTLEMENT & RELOCATION | | | |
| Relocation Assistance | All types of structures affected | All DPs titled/untitled requiring to relocate as a result of losing land and structures | <ul style="list-style-type: none"> The project will provide logistic support to all eligible DPs in relocation of affected structures whether project based relocation or self-relocation as opted by the DPs. If project-based relocation, DPs will be provided with fully functional public services and facilities including school, health center, community center, electricity, water supply and sewage and irrigation facility with their long term operation and maintenance planned and agreed. |
| Security of tenure | Replacement land and structures | All DPs and tenants needing to relocate to project relocation sites. | <ul style="list-style-type: none"> If DPs are required to relocate to project relocation sites, they will be provided with secure tenure to the replacement land and structures. |
| Transport allowance | All types of structures requiring relocation | All DPs and tenants required to relocate as a result of losing land and structures | <ul style="list-style-type: none"> Compensation (in cash or kind as agreed with DPs) to all eligible DPs and tenants. For residential structure a lump sum amount of Rs. 15,000/ or higher depending upon the situation on ground. For commercial structure a lump sum amount of Rs. 10,000/ or higher depending upon the situation on ground. For Kiosk a lump sum amount of Rs.3000/ or higher depending upon the situation on ground. |
| House rent | All types of structures requiring relocation | All DPs and tenants required to relocate as a result of losing land and structures | <ul style="list-style-type: none"> A lump sum amount, as agreed between the DP and project team, to assist the DPs in renting house for a negotiated period of time, for a comparable structure or apartment to the one lost. |
| Transition allowance | All types structures requiring relocation | All DPs and tenants required to relocate | <ul style="list-style-type: none"> On a case to case basis, transitional allowance equal to 3 months of recorded household income or equal to inflation adjusted official poverty line, whichever is higher. |

| Type of Loss | Specification | Eligibility | Entitlements |
|--------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Arable, residential and commercial land and structures | All types of structures | All DPs titled/untitled losing land & structures | <ul style="list-style-type: none"> Additional cash compensation of 15% as solatium over and above the BOR compensation price. Payment of any price differential or top-up, based on replacement cost study. |
| 6. INCOME RESTORATION | | | |
| Permanent loss of agriculture based livelihood | Partial loss of agricultural land with viable land remaining | Owner, lessee, sharecrop tenant, non-titled land user | <ul style="list-style-type: none"> Provision of support for investments in productivity enhancing inputs, such as land leveling, terracing, biological, erosion control, sprinkler/drip irrigation, composing, tools and agricultural extension, as feasible and applicable; additional financial support if land compensation is insufficient to allow for adequate investments to maintain livelihood |
| | Full loss of viable agricultural land without availability of alternative land. | Owner, lessee, sharecrop tenant, non-titled land user | <ul style="list-style-type: none"> Provision of re-training, job-placement, additional financial grants and micro-credit for equipment and buildings, as well as organizational/logistical support to establish DP in alternative income generation activity |
| Maintenance of access to means of livelihood | Avoidance of obstruction by project facilities | All DPs | <ul style="list-style-type: none"> Provide un-interrupted access to agricultural fields, business premises and residences of persons in the project area. |
| Businesses | Temporary business loss due to LAR or construction activities by Project | Owner business (registered, informal) | <ul style="list-style-type: none"> Cash compensation equal to lost income during period of business interruption based on tax record or, in its absence, comparable rates from registered businesses of the same type with tax records, or at least inflation adjusted OPL. |
| | Permanent business loss due to LAR without possibility of establishing alternative business | Owner business (registered, informal) | <ul style="list-style-type: none"> Cash compensation equal to lost income for 12 months based on tax record or, in its absence, comparable rates from registered businesses of the same type with tax records, or at least inflation adjusted OPL And Provision of training, job-placement, additional financial grants and micro-credit for equipment and buildings, as well as organizational/logistical support to establish DP in alternative income generation activity |
| Employment | Temporary employment loss due to LAR or construction activities | All affected employees of affected businesses and agricultural workers | <ul style="list-style-type: none"> Cash compensation equal to lost wages during period of employment interruption up to 3 months based on tax record or registered wage, or, in its absence, comparable rates for employment of the same type, or at least inflation adjusted OPL. If required by Pakistan's labor laws and regulations/codes, the compensation will be paid to the employer to enable him/her to fulfill legal obligations to provide compensation payments to laid-off employees, to be verified by EA/relevant government official. |
| | Permanent employment loss due to LAR without possibility of re-employment in similar sector and position in or near area of lost employment | All laid-off employees of affected businesses and laid-off agricultural workers from | <ul style="list-style-type: none"> Cash compensation equal to lost wages for 6 months, based on tax record or registered wage, or, in its absence, comparable rates for employment of the same type, or at least inflation adjusted OPL. If required by the applicable labor code, compensation will be paid to employer to enable him/her to fulfill legal obligations to provide |

| Type of Loss | Specification | Eligibility | Entitlements |
|------------------------------------------|-------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | affected farms | severance payments to laid-off employees, to be verified by government labor inspector And <ul style="list-style-type: none"> Provision of training, job-placement, additional financial grants and micro-credit for equipment and buildings, as well as organizational/logistical support to establish DP in alternative income generation activity |
| 7. PUBLIC SERVICES AND FACILITIES | | | |
| Loss of public services and facilities | Schools, health centers, administrative services, infrastructure services, graveyards etc | Service Provider | <ul style="list-style-type: none"> Full restoration at original site or re-establishment at relocation site of lost public services and facilities, including replacement of related land and relocation of structures according to provisions under sections 1 and 2 of this entitlement matrix |
| 8. SPECIAL PROVISIONS | | | |
| Vulnerable APs | Support to disproportionately affected persons | All vulnerable DPs including those below the poverty line, the landless, the elderly, women and children, and indigenous peoples. | <ul style="list-style-type: none"> Provision of training, job-placement, additional financial Cash allowance equal to 3 months of official minimum wage to all vulnerable DPs. grants and micro-credit for equipment and buildings, as well as organizational/logistical support to establish DP in alternative income generation activity. Subsistence allowance equal to 3 months of official poverty line, and other appropriate rehabilitation to be defined in the LARPs based on income analysis and consultations with DPs. Preferential selection for project related employment. |
| | Loss of land | All vulnerable DPs | <ul style="list-style-type: none"> Assistance in identification and purchase or rental of new plot |
| | Loss of structure | All vulnerable DPs | <ul style="list-style-type: none"> Assistance with administrative process of land transfer, property title, cadastral mapping and preparation of compensation agreements Assistance in construction of new structure Assistance in identification and purchase or rental of new structure Assistance with administrative process of registration of property and preparation of compensation agreements Assistance with transition to relocation site |
| | Temporary land acquisition | All vulnerable DPs | <ul style="list-style-type: none"> Preferential treatment to avoid or mitigate as quickly as possible Provision of access to land and residence suitable to disabled and elderly DPs |
| | Loss of livelihood | Female livelihood losers directly affected | <ul style="list-style-type: none"> Compensation paid directly to female livelihood loser |

14. **Livelihood Restoration and Rehabilitation:** Impact on the DPs' livelihood is expected to be temporary. Once the upgrading works have been completed and the DPs resume their trading on the same location, these streets will attract more shoppers and help improve the shops' income. The transitional support to be provided to DPs during the expected temporary disruption (about 3 months) is assessed to be sufficient.

15. **Resettlement Budget and Financing Plan:** Based on the current market rates of 2021, total resettlement budget has been estimated as PKR 11.18 million. The compensation payments for iron shade are estimated at PKR 0.32 million based on market rates obtained from the market (also agreed by the DPs during consultation meeting). Other cost includes the allowances (vulnerability, income restoration, relocation assistance) is PKR 7.67 million worked out based on the minimum wage rate fixed by the government for the year 2021-22. administrative costs as PKR 1 million, monitoring and evaluation cost as PKR 2 million and contingencies as PKR 1 million. All costs will be updated after the socioeconomic survey of the remaining 77 shop owners.

16. **Grievances Redress Mechanism (GRM):** A three-tier grievance redress mechanism will be established for the subproject. Three-tier GRM system will be available at (a) the field level, (b) city level, and (c) PMU level. The GRM will ensure easy access to all stakeholders including DPs who wish to access the system for resolution of their concerns and grievances. The GRM will be gender-sensitive, culturally appropriate, widely publicized, and well-integrated in the subproject's management system. The system considers recording and resolving any grievances by GRM within the allocated time of 7-21 days. The complainants will be timely informed about the progress regarding their logged complaints and action to be taken by the project. The record for the complaints received and resolved will be well maintained. Irrespective the establishment of GRM, a DP can approach the courts at any time in accordance with the applicable legal provisions under Pakistan law.

17. **Institutional Arrangements:** The LGE&RDD is the subproject executing agency (EA). The PMU is responsible for the day-to-day management of the subproject (through respective city implementation units-CIUs). The social safeguard staff of the PMU is responsible to manage the LAR-tasks and activities including handling/resolving of any complaints or grievances of those displaced by the subproject and fulfilling safeguard requirements.

18. **Implementation Schedule:** RP compensation payment is expected to commence by November 2021, while the external monitoring report will be submitted immediately after the completion of compensation disbursement (expected at the end of December 2021).

19. **Monitoring and Reporting:** Both internal and external monitoring will be carried out. The internal monitoring will be the responsibility of PMU, who with the support of CIU, will be responsible for monthly monitoring of the progress of resettlement activities. The PMU will review the efficacy of the monitoring arrangements semi-annually and refine the arrangements accordingly.

20. PMU with the support of CIU will hire the services of a firm, NGO or a qualified and experienced resettlement expert, to undertake external monitoring. The expert will be selected with concurrence of ADB. The objective of the external monitoring will be to determine the Project's achievement of resettlement activities in line with the objectives of this RP and identify any longer-term changes in livelihoods and socio-economic conditions of DPs (both negative and positive), any need for mitigation measures and lessons learned.

SECTION 1

PROJECT DESCRIPTION

21. This chapter presents the history and background of the proposed subproject of pedestrianizing of the old city commercial area, Abbottabad. It also describes the subproject components, scope of resettlement, efforts made to avoid/minimize the resettlement impacts, and objectives of the resettlement plan (RP).

1.1 Background of the Project

22. The proposed KPCIP project includes five major cities of KP namely Abbottabad, Kohat, Mardan, Mingora, and Peshawar with the aim to improve their access to quality urban services through two interlinked outputs: (i) enhanced municipal infrastructure and public urban spaces, and (ii) strengthened institutional capacities and efficiency of provincial, municipal and city governments and water & sanitation services. The Asian Development Bank (ADB) is assisting the Government of KP in the preparation of the proposed KPCIP project through a Project Readiness Facility (PRF) that aims to fast-track project preparation including the detailed engineering designs and necessary due diligence assessments including safeguards, procurement, capacity development and other project preparatory works ahead of the approval of the ensuing KPCIP project loan. The Asian Infrastructure Investment Bank (AIIB) is also a co-financier for the KPCIP. **Figure 1.1** provides the project map of KPCIP.

23. Initially, a comprehensive list of 62 potential subprojects was prepared for the project in consultation with various stakeholders mainly the Water and Sanitation Companies in all five project cities. These subprojects were initially proposed based on a Pre-Feasibility Study (PFS) of three cities in Khyber Pakhtunkhwa, i.e., Abbottabad, Mardan, and Peshawar, with support from the Cities Development Initiative for Asia (CDIA) in 2017. The study assisted the Government of Khyber Pakhtunkhwa (GoKP) in preparing an integrated, climate-resilient urban environmental infrastructure investment plan based on Pakistan's Vision 2030, KP's Integrated Development Strategy 2014-2018, and City Development Plans (CDPs). The initial list of subprojects was screened through i) engineering, hydrological, and topographic assessment of all subprojects concerning the end-to-end solution, i.e., to ensure that the selected subprojects can provide an end-to-end solution for service delivery benefits for end-users and ii) the subprojects were further assessed for ADB's safeguard requirements and to ensure that selected subprojects do not pose significant adverse impacts and can move to the design stage. Finally, a list of 24 subprojects (Annex-A) was agreed upon for completion of detailed design. The proposed pedestrianizing of the old city commercial area Abbottabad is one of the 24 subprojects under KPCIP.

24. This resettlement plan (RP) has been prepared to address the involuntary resettlement impacts to be caused by the pedestrianizing of the old city commercial area subproject of KPCIP, in compliance with the national/provincial regulatory requirements and ADB Safeguard Policy Statement (SPS).

Status of Detailed Engineering Design

25. The detailed engineering design (DED) of the project has been finalized and approved in January 2021.

1.2 Subproject Description

26. **Pedestrianizing of the old city commercial area:** The subproject is situated in Sadar Bazar in Union Council (UC) Abbottabad. It is a congested marketplace with narrow historical streets. The proposed interventions include street lighting for 15 streets, street furniture (benches, planters, street names signs, set of recycling dustbins etc.), new awning (shade) and signage frames for over 810 shops, covering of open drains with slate stone steps, RCC slabs and steel gratings, construction of slate stone sidewalks and shared pathways with ramps, speed tables and zebra crossings on access roads, upgradation of Gol Mandi meat market, construction of public washroom & prayer area for women and development of green parklet (Noordin Park) and façade uplift through repainting.

27. **Scope of Land Acquisition and Resettlement Impacts (LAR):** The assessment of impacts has been done based on the final design for 15 streets possessing the ROW of 7 – 35 feet wide with a total length of 6593 feet. As per the design all the activities will be limited to the government owned ROW, therefore no land acquisition is involved. The businesses along these streets include those selling garments clothes, fruit, groceries, meat and pharmaceutical products. Mobile vendors also roam these streets to sell their goods. The temporary impacts (expected during construction) are expected on the structures of 128 shops that have encroached into the street at Eid Gah Road, Masjid Road, Atta Mandi, Gol Mandi, Gurdwara street, and Noor Din Mohalla. The mobile vendors are not expected to be affected as they trade in different areas and sometimes sell their goods at the main road. Among the total 128 encroached structures, 107 are the wooden stalls (non-mobile vendors who have been trading in the area for several years) and 21 are iron shades of the shops.

1.3 Project Categorization

28. **Impacts screening and categorization for Involuntary Resettlement (IR):** As per ADB SPS 2009, the LAR impacts are considered significant if 200 or more persons experience major impacts which are physical displacement from housing and/or losing 10% or more of income-generating resources. As far as this RP is concerned, an estimated 128 shop owners are expected to be impacted but none of these DPs will be displaced from their housing/buildings. Furthermore, none of the surveyed DPs (51 of 128) are not losing 10% or more of their productive assets. The permanent shops are only losing the iron shades, while the non-mobile vendors can easily shift their temporary wooden stalls to another location and re-install in the same location after the works. Thus, the impacts are deemed as insignificant at this stage and have been classified as Category B for involuntary resettlement (IR) in accordance with the ADB SPS.

29. **Impacts screening and categorization for Indigenous Peoples (IP):** In term of indigenous people category, the Kalash people have socio-economic and cultural characteristics of indigenous people as defined by the World Bank Policy on Indigenous People. They are identified as an indigenous community due to their distinct tribal customs, religion and a unique language. Kalash communities reside in Chitral District at the Kalash valley which is not covered by the project. In the same manner, the social safeguard team carefully reviewed the project documents, visited the subproject areas, conducted consultations with the project staffs, consultants and locals in the subproject areas to find out about the presence of any IPs communities. It was found that the entire population is Muslims (no ethnic and religious minority exists) and they did not consider themselves to be any other type of population such as Indigenous Peoples as described in the ADB's SPS 2009. As the subproject does not entail any impact on indigenous peoples owing to the nonexistence of the IP in the subproject area, therefore it is categorized as "C" for IPs in accordance with the ADB SPS. Therefore, no indigenous peoples development plan (IPDP) is required for the subproject.

1.4 Efforts to Minimize Resettlement Impacts

30. Efforts were made to minimize the resettlement related impacts by restricting the design to façade-to-façade improvements remaining within the government-owned ROW. Six streets (with significant LAR impacts) were also excluded to minimize the LAR impacts. This approach has resulted in reducing the impacts from the subproject.

1.5 Objectives of Resettlement Plan

31. This RP has been prepared in accordance with ADB Safeguard Policy Statement 2009 (SPS) and Pakistan's laws and regulations. It outlines impacts, compensation policy, compensation and rehabilitation provisions, cost estimates, and an implementation schedule to compensate for the impacts caused by pedestrianizing of the old city commercial area Abbottabad. The overall objective of this RP is to ensure that the livelihoods of all displaced persons are improved or at least restored to the pre-project levels and the standards of living of the displaced poor and other vulnerable groups are improved. With this objective in mind, following aspects of RP have been well taken into account for implementation:

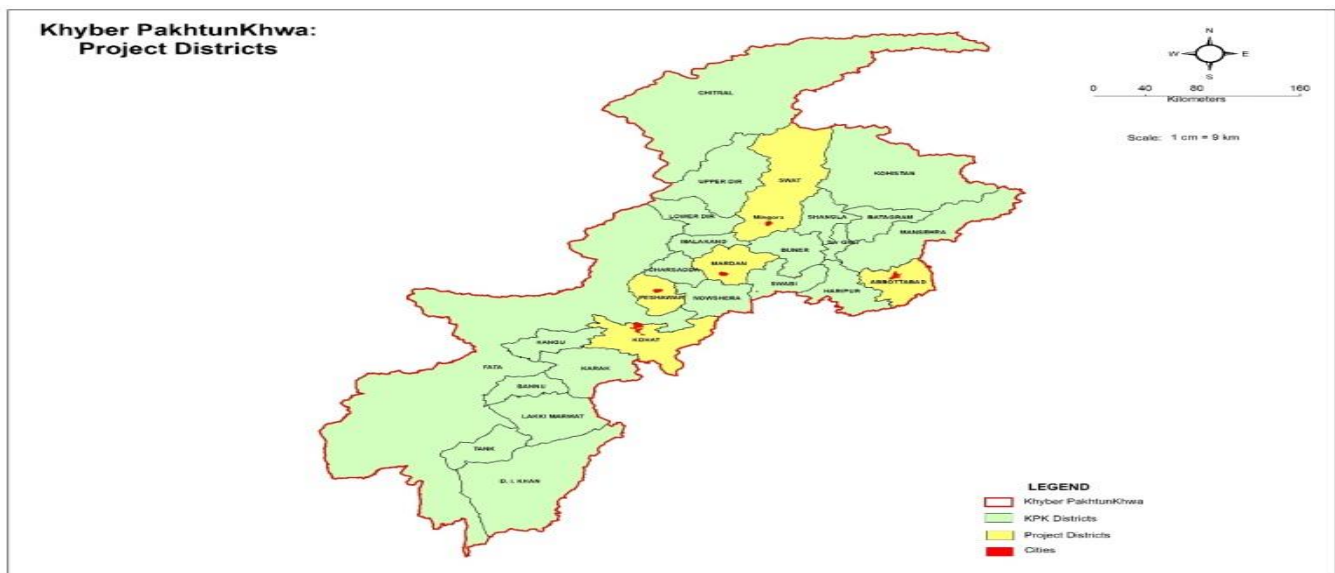
- Avoid or minimize LAR impacts of on local communities.
- Ensure compensation for lost assets is based on current market rate taking into account and full replacement costs for all affected assets.
- Undertake meaningful consultations with DPs take their concerns into account and adopt all possible design and alternate options to appropriately and adequately address their concerns,
- Provide a time-bound plan for RP implementation without delays.
- Ensure disbursement of compensation to all DPs before their displacement and undertake monitoring of this process and validation of compensation disbursement through independent external monitoring consultant.

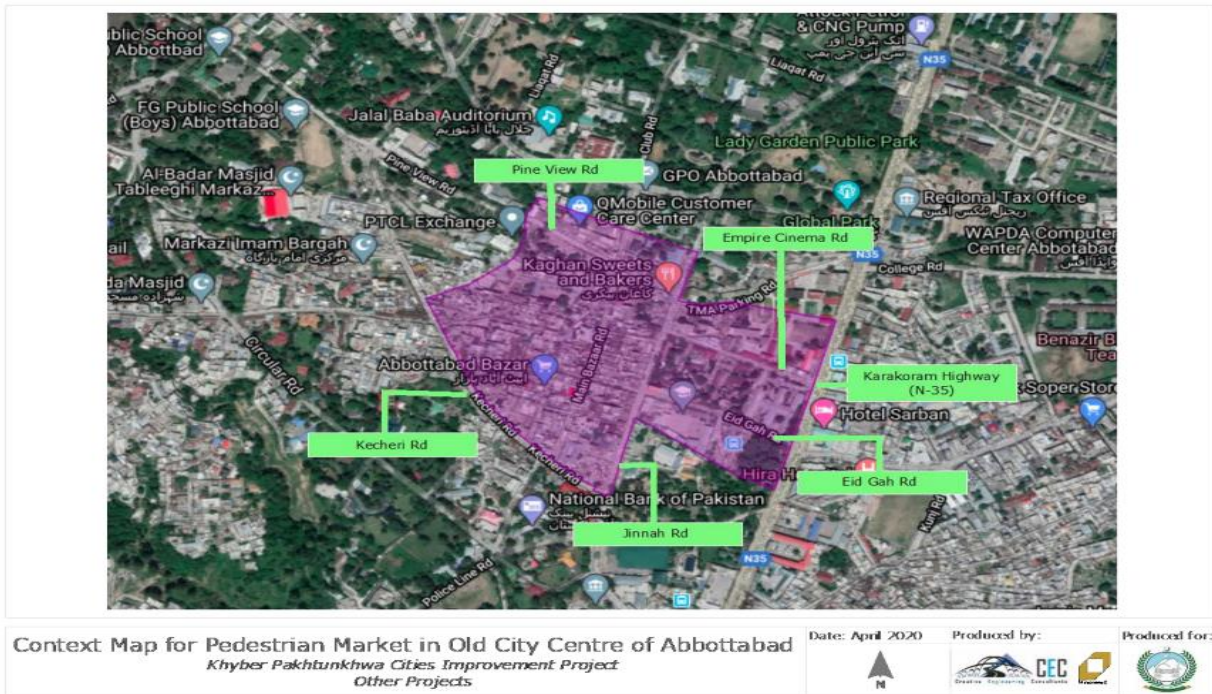
1.6 LAR Conditions/ Requirements of subproject

32. This RP is prepared based on detailed engineering design. Its approval from ADB and full implementation is required before start of construction work to remain fully compliant with ADB SPS 2009 and corresponding loan and project agreements:

- a. **Civil works contract award:** Conditional on acceptance or approval by ADB of the updated RP based on the detailed engineering design, complete census of all DPs and inventory of losses based on final/actual impacts, final entitlements and compensation and itemized LAR budget at current market rates and timed implementation schedule of RP synchronized with construction plan.
- b. **Commencement of civil works:** Conditional upon (a) full disbursement of compensation and allowances to all DPs, (b) a comprehensive income and livelihood rehabilitation program in place, if required, issuance of compensation disbursement validation report by an independent monitoring expert and its acceptance by ADB. No part of right-of-way (full or partial) will be handed for construction before fulfilling the aforementioned requirements.

Fig 1.1 showing location of LFS, Abbottabad





Map 1. Context map demarcating the area selected for the pedestrian market project in Abbottabad – **the area to the east of Jinnah Rd has been excluded from the project as per latest changes in scope** (Geographic Coordinates: 34.147130, 73.211537)

SECTION 2

SCOPE OF LAND ACQUISITION AND RESETTLEMENT

33. The assessment of impacts has been done based on the final design for 15 streets possessing the ROW of 7 – 35 feet wide with a total length of 6593 feet. As per the design all the activities will be limited to the government owned ROW, therefore no land acquisition is involved. The businesses include selling garments clothes, fruit, groceries, meat and pharmaceutical products. Mobile vendors also roam these streets to sell their goods. The temporary impacts (expected during construction) are expected on the structures of 128 shops that have encroached into the street at Eid Gah Road, Masjid Road, Atta Mandi, Gol mandi, Gurdwara street, and Noor Din Mohalla. The mobile vendors are not expected to be affected as they are mobile and sometimes sell their goods at the main road. Among the total 128 encroached structures, 107 are the wooden stalls (of non-mobile vendors) and 21 are iron shades of permanent shops.

34. The public utilities (electric poles) will need to be relocated for which the relevant departments will be involved. The public utilities are located in all of the 15 streets. Relocation of these utilities will be included in the scope of work of the civil works contractor or by the concerned utility company following an agreement with the EA/IA.

35. The subproject activities may also impact the access and operations of businesses along these streets during the construction phase. These impacts will be managed as part of the environment and social management plan (ESMP) to ensure unhampered access of customers to the shops so that no economic loss is incurred during this period. In case there are unforeseen disruptions to businesses, then additional compensation will be decided by PMU and construction supervision consultants (CSC) on a case-to-case basis as per the entitlement matrix and the land acquisition and resettlement framework (LARF) for KPCIP. A provision for such losses will be covered by the contingency of the budget. This RP will be updated once the complete census is done for the remaining 77 DPs. The summary of the RP will be translated in Urdu and distributed to the DPs.

2.1 Impact Assessment Methodology

36. The following approach and methodology were adopted for conducting social impact assessment of the subproject:

- a. Review of social due diligence report (SDDR) of the overall KPCIP project, detailed engineering design (DED) and design parameters to identify any potential resettlement impacts.
- b. Field visits along with the design team to identify, assess and reconfirm the LAR impacts of the subproject.
- c. Public consultations with DPs and the general public on the measures adopted to minimize LAR impacts in the subproject.
- d. The consultations meetings with the subproject stakeholders, including ADB (project officer, coordinators, international experts in solid waste management and safeguard unit), P&D (Planning & Development),

- Local Government, Elections and Rural Development Department LGE&RDD, project technical & steering committees, district administration, tehsil municipal administration, general population, Engineering, Design and Construction Management (EDCM) consultants, and meetings with PMU on LAR impacts and requirements.
- e. Multiple site visits conducted to confirm whether the design-related measures and steps including alternatives considered and adequately addressed (avoided or minimized) the LAR impacts.
 - f. Recording the field observations, impacts and consultations as an evidence of the situation on ground, to respond to any objections and avoid any conflicts with communities of Pedestrianizing of the old city commercial area Abbottabad as well as any false claims of compensation.
 - g. The collected data was processed according to separate category of the indicators for analysis purposes. All analysed data was tabulated for interpretation and deriving conclusions and recommendations.

Scope of land acquisition and resettlement impacts and potential landowner DPs

37. The subproject will have temporary impacts only. No permanent land acquisition is involved here. DPs (including non-mobile vendors) are expected to be able to resume their business activities in the same location after the completion of the upgrading works.

2.1.1 Land Lease for Contractor's Camp and other Facilities

38. The land needed for setting up the contractor's office, residential quarters for contractor's staff/workers, workshop of equipment, vehicles and borrow/spoils deposit areas will be taken by contractor through negotiation with the landowners in the form of lease agreement under the supervision and approval of the PMU. However, the rental fee is to be based on applicable market rates (replacement cost) for land leases. This implies that the land for the facilities of the contractor would be taken through a voluntary agreement which the landowner may refuse if s/he is dissatisfied with the terms offered. There are sufficient suitable alternative plots available for this purpose. The contractor will restore the land to its original condition before handing it back to the landowner after the completion of the contract agreement. The conditions to this extent will be made in the bidding document.

2.1.2 Impacts on Buildings (Commercial Structures)

39. The subproject does not have any impact on the permanent building structures. However, 21 permanent shops have the extended iron shades, which need to be removed owing to the construction activities. The size of the shades are around 5 feet. These shades will be removed and remain in the custody of the DPs. In its place, new awning (shade) and signage frames will be installed for over 810 shops under the subproject.

2.1.3 Impact on wooden Stalls

40. A total of 107 wooden temporary stalls (by non-mobile vendors) will need to be shifted during the construction period. These structures are not fixed but lying there for 5-10 years for business purposes. In the evening or on Friday close of business), most of the wooden stalls are removed by the shop owners. The subproject will not cause any impact on the wooden stalls/benches. Only the livelihood will be impacted during the construction stage.

2.1.4 Impact on Livelihood

41. The subproject will temporarily impact on the business operation of 107 stall owners as they have shift to another location during the construction, as described above. No impact on livelihood is expected on the 21 permanent shops, which will lose their iron shades. These permanent shops can continue their businesses during the construction period. Care will be made to ensure that their customers will have unimpeded access to their shops.

2.1.5 Public Structure/Utilities

42. The Project will require relocating some of the public utilities located within the ROW of 15 streets, i.e., power and communication cables as well as electricity poles in the stretch of 6593 feet. Temporary suspension of services (planned or accidental) can affect the economy, businesses and residents' daily lives and will need to be managed in order to avoid serious impacts. The relocation of these utilities will be part of the scope of work of the contractors. Alternatively, these utilities may be shifted by the responsible utility company based on agreement with TMA.

2.1.6 Impact Severity

43. An estimated 128 businessmen are expected to be impacted but none of these DPs will be displaced from housing or lose 10% or more of their productive assets. Likewise, impact on the livelihood of the non-mobile vendors is expected to be temporary. Thus, the impacts are deemed as insignificant at this stage and have been classified as Category B for involuntary resettlement (IR) in accordance with the ADB SPS.

2.1.7 Impact on Vulnerable Groups

44. The ADB policy defines vulnerable groups as households below the poverty line, the elderly, those without legal title to assets, landless, women, children and indigenous people. As per socio economic survey and census of 51 DPs, the pedestrianizing of the old city commercial area Abbottabad has impact on 3 vulnerable DPs (among the surveyed 51 DPs) whose income is below the poverty line, i.e., PKR 20,000 per month, minimum wage rate fixed by the government for the year 2021-22. However, number of vulnerable DPs may increase once the 77 remaining DPs are surveyed.

2.1.8 Indigenous Peoples (IPs)

45. There are no IP communities in the subproject area. The IP groups in KP province (Kalash) are residing in Chitral district which is not covered by KPCIP. In the same manner, the social safeguard team carefully reviewed the project documents, visited the subproject areas, conducted consultations with the project staffs, consultants and locals in the subproject areas to know the presence of any IPs communities. It was found that the entire population is Muslims (no ethnic and religious minority exists) and they did not consider themselves to be any other type of population such as Indigenous Peoples as described in the ADB's SPS 2009. As the subproject does not entail any impact on indigenous peoples owing to the nonexistence of the IP in the subproject area, it has been categorized as C for IPs in accordance with the ADBSPS. No indigenous peoples development plan (IPDP) is therefore required for this subproject.

SECTION 3

SOCIO ECONOMIC INFORMATION AND PROFILE

3.1.1 General

46. This section presents an overview of the socio-economic information of subproject area in general but more focused on the displaced persons. The key socio-economic indicators are demography, literacy rate, income, employment, and access to infrastructures. The main objective of this section is to analyze socioeconomic and cultural characteristics of the affected population to understand their interrelationships and dynamics of community. The section also provides information to the design staff to make the subproject interventions more effective, socially acceptable, culturally appropriate, gender sensitive and economically viable. The socio-economic questionnaire, presented as Annex-C, was used for data collection.

3.1.2 Information/Data Collection Methodology

47. The methodology adopted for the survey included a detailed desk review of subproject documents and secondary information including official records and statistics, academic and other subject matter reports. The secondary sources of information/ data/ reports include Population Census Report (2017) of district Abbottabad.

48. The primary sources of information were included in focus group discussions (FGDs) with selected households and the general community, individual interviews with DPs and key informants and transect walk in the area. Meetings were held with stakeholders including district administration representatives.

49. The socioeconomic profile was prepared based on interviews of 51 DP of businessman/traders affected households aided by questionnaire. General consultation meetings with 10% of the total population was also conducted in affected communities during June 2020-21. In addition, a census of 51 DPs was carried out by using pre-structured questionnaires. The census of remaining 77 DPs will be conducted in August 2021. The key variables covered in the surveys and qualitative interviews included the following:

- Identification of the affected population.
- Demography, literacy level, occupational structures,
- Income and expenses levels,
- Access to public services, personal property,
- Education and health
- Project's impacts on the poor, indigenous and/or ethnic minorities, and other vulnerable groups,
- Identification of gender and resettlement impact and
- Impacts, priorities and needs of the women.

3.1.3 Limitations in the Data Collection

50. The team faced various challenges in data collection. Generally, the people expressed distrust on the nature of the surveys and were hesitant to provide correct information especially regarding the income-related aspects of their businesses. Some of the DPs refused to provide any information and/or take part in the survey exercise. Some the specific challenges faced during data collection are as follows:

- DPs were reluctant to provide information such as amounts of investment, daily income, amount of taxes paid, details on dependents and vulnerability.
- Missing or expired identity cards (NICs). Some of the DPs either did not have identity cards or their ID cards were expired and needed renewal.
- Some DPs were reluctant in providing full names, contact information especially cell phone and ID card numbers.
- Some DPs believed that the survey teams were part of the Government's anti-encroachment drive and were gathering information to take action against the encroachers.

3.2 Identification of Displaced Persons

51. Any person, whose land, asset/infrastructure, source of income or access to resources/workplace is likely to be affected by the project's operations is a displaced person (DP). These include businessmen, traders whose business is affected owing to the subproject implementation. No other category of DP is found in the project due to limited impact of the subproject. These are 128 DPs and socio-economic survey was conducted for 51 DPs. The remaining 77 DPs were not surveyed as they were i) absent during the surveyed time, ii) their children did not provide the data in the absence of their parents, iii) few DPs wanted to be interviewed in the presence of their union leaders who were not available during the time of the interview. Census and socioeconomic survey of the remaining 77 DPs will be done in August, 2021 and RP will be updated accordingly.

3.2.1 Administrative Set up

52. The subproject area is in District Abbottabad of Hazara Division of Khyber Pakhtunkhwa (KP) province. It is surrounded by Haripur district in Southwest, Mansehra district in north and Muzaffarabad and Rawalpindi districts in the east. At the district level, three-tier government system has been put in place, consisting of the district government, tehsil municipal administration (TMA) and union council administration. The district is headed by a Deputy Commissioner (DC) who supervises and coordinates the functioning of all the provincial departments in the district. The District Revenue Officer (DRO) directly looks after the matters of the Revenue offices at tehsil level. Each tehsil (subdivision) has a revenue setup consisting of tehsildar and naib tehsildar, who have a number of quangos. Each qanungo looks after the work of several patwaris of his patwar circle. The patwaris stay in their villages/mouzas and maintain and update the land record of their 'mouzas'.

3.3 Population Profile

53. According to latest census (2017), the total population of District Abbottabad is 1,332,912. Among the total population males are 49.04% while the females are 49.96%. Among the surveyed DPs, total household members is 316, males are slightly lower (48%) than the females (52%).

3.4 Household Size

54. As per social survey, the average household size is 6.2 persons among the DPs. The high family size reflects the dominance of an extended family system in the subproject area.

3.5 Age Structure

55. Age is another important demographic characteristic which has a bearing on employment and mobility. A study of distribution of heads of households by age will throw light on the type of strategies which may be helpful in raising their income and employment. The data regarding the distribution of heads of households by age categories are presented below.

Table 3.1: Age Distribution of Respondents of Affected Households

| Age Distribution | Number | Percentage |
|------------------|--------|------------|
| Below 30 Years | 06 | 12 |
| 31 – 45 | 09 | 18 |
| 31 – 60 | 14 | 27 |
| 61 and above | 22 | 43 |
| Total | 51 | 100 |

Source: Sample survey June 2021 by PMU Social Safeguard Team

3.6 Literacy rate and Education Level of Respondents

56. Education is an essential component of human capital and it is very much effective in poverty reduction. As per field survey, (as given in Table 3.2 below) 28% of head of the households are illiterate while 72% are literate, however field investigation also revealed that most of illiterate DPs are those in the age category of 61 and above (see Table 3.1).

Table 3.2: Education Level of Members of Affected Households

| Education Level | Number | Percentage (%) |
|-----------------|--------|----------------|
| Illiterate | 14 | 28 |
| Primary | 14 | 28 |
| Middle | 9 | 17 |
| Matriculation | 7 | 13 |
| Intermediate | 5 | 10 |
| Graduate | 02 | 04 |
| Total | 51 | 100 |

Source: Sample survey June 2021 by PMU Social Safeguard Team

3.7 Housing Structure

57. Housing structure of the local community is classified into two categories i.e., “pacca”, and “semi pacca” according to the type of structure. Pacca houses 82% (42) are constructed with bricks, cement and concrete having wooden and steel doors and windows. Semi pacca houses 18% (9) are made of bricks (joint with mud) and their roofs are mostly of wood, iron sheet and partially bricks. The field investigation shows that 94% (48) of the respondents live in their own self-made house, while 6% (3) live in rented houses. House property is allotted in the names of male family members. None of the women in the area owns a house.

3.8 Toilet Facility

58. The toilet facility is available to 98% (50) of the households, while 2% (1) of the households use the open field for defecation purposes. Field investigation reveals that 94% (48) of the households have flush latrine in their houses.

3.9 Household Income Sources

59. Numerous income-generating activities are practiced in the area as reported by the survey. These include employment in government and private sector, wage labor, operating own business, shopkeeper, traders, plumber, and few are working abroad. The dominant was the shopkeepers.

3.10 Household Income

60. Survey data presented in Table 3.3 shows the income analysis of 51 DPs of commercial area and their monthly average income is PKR 33,426. However, in term of income category, 43% (22) of the DPs have a monthly income PKR 30,001 – 50,000 and 29% (15) earn PKR 20,001 to PKR 30,000. While 22% (11) of the surveyed households' income is above PKR 50,000 per month. Three of the surveyed DPs (6%) reported having an income below the poverty line, i.e., PKR 20,000, minimum wage rate fixed by the government for 2021-22.

Table 3.3: Monthly Income Category and Households

| Serial No. | Income Level (PKR /Month) | No. of Households | Percentage of Households (%) |
|------------|---------------------------|-------------------|------------------------------|
| 1 | Less 20,000 | 3 | 06 |
| 2 | 20,001- 30,000 | 15 | 29 |
| 3 | 30,001- 50,000 | 22 | 43 |
| 4 | Above- 50,000 | 11 | 22 |
| Total | | 51 | 100 |

Source: Sample survey by PMU Social Safeguard team, June 2021

3.11 Expenditure

61. The average monthly expenditures are calculated as PKR 27,511. These expenditures include food and non-food items like fuel, education, health, clothing, utility charges, and other miscellaneous expenditures. Table 3.4 below shows that the households with higher income have more saving capacity than the low income who hardly meet their expenses.

Table 3.4: Detail of Household Expenditures

| S # | Description of Expenditure (PKR) | No. of Households | Percentage of Households (%) |
|-------|----------------------------------|-------------------|------------------------------|
| 1. | Below 20,000 | 3 | 06 |
| 2. | 20001-30000 | 28 | 55 |
| 3. | 30001-50,000 | 14 | 27 |
| 4. | Above-50,000 | 6 | 12 |
| Total | | 51 | 100 |

Source: Sample survey by PMU Social Safeguard team, June 2021

3.12 Household Possessions

62. The possession and use of durable household goods have multiple effects and implications. For instance, access to a satellite dish or television helps household members to remain updated about daily events, information, and educational materials. Similarly, a refrigerator prolongs food storage and keeps food fresh and healthy. Ownership of transportation allows greater access to services away from the local Area and enhances social and economic activities. Table 3.5 presents the percentages of the surveyed households that possess various durable commodities and means of transportation. The table shows that televisions and mobile phones are common devices possessed by most of the households for information and communication. The households that possess mobile phones are 94% (48). The households are more likely to have a television 92% (47) and possession of a radio is 20% (10). Another indicator of household socioeconomic status is having the sewing machine owned by 55% (28) households, 60% (31) of the households have a computer and an Internet connection. A refrigerator is available in 37% (19) of the households. About 80% (45) of the households have a washing machine. Motorcycles are the most common means of transportation in the subproject area as 80% (41) of households own a motorcycle, whereas 16% (8) use a car for travelling purpose.

Table 3.5: Possession of Household Goods

| Item | Households | Item | Households | Item | Households |
|-----------------|------------|--------------|------------|------------|------------|
| Mobile Phone | 94% | Television | 92% | Car | 16% |
| Sewing Machine | 55% | Refrigerator | 37% | Motorcycle | 80% |
| Washing Machine | 80% | Computer | 60% | Radio | 20% |

Source: Sample survey by PMU Social Safeguard team, June 2021

3.13 Access to Civic Facilities

63. Access to drinking water and sanitation is believed to be essential for health, security, livelihood, and quality of life, and is especially critical for women and children. Improved water supply and sanitation interventions could thus provide a wide range of benefits like longer lifespan, reduced morbidity and mortality from various diseases, and low health costs. Table 3.6 depicts the picture of available social amenities in the sub-project area.

Table 3.6: Access to Social Amenities in the Sub-project Area

| S# | Social Amenities | Available to Household (No) | Available to Household (%) |
|----|-------------------|-----------------------------|----------------------------|
| 1 | Electricity | 51 | 100% |
| 2 | Natural gas | 45 | 88% |
| 3 | Water Supply | 48 | 94% |
| 4 | Sewerage/Drainage | 41 | 80% |
| 5 | Hospital | 46 | 90% |
| 6 | School | 49 | 96% |
| 7 | Road | 45 | 88% |

Source: Sample survey by PMU Social Safeguard team, June, 2021

64. The above table indicates that 100% (51) houses in the subproject areas are

electrified. However, the people are not satisfied about the power supply. Natural gas is available to 88% (45) of the households in the subproject area. Potable drinking water supply is accessible to 94% (48) of households with most of the people relying on spring water. Only 80% (41) of the households have access to the sewerage and drainage system. Health and education facilities are available to 90% (46) and 96% (49) of the households, respectively. Surveyed households complained of the low-quality services provided in the Government hospitals and schools. Hence, they are forced to get the services from the private sources, which are more expensive. Local people are not happy on the available road infrastructure, as it mostly requires the extensive repair.

3.14 Gender Situation/ Analysis

65. Females in the subproject area have no recognized role in the authority structure of the villages. Most of the women stay at home and only travel outside the village in case of visiting relatives, weddings and to hospitals in nearby towns and Abbottabad. However, the traditional attitude of not sending girls to school is changing now, because parents realize and understand that basic education is necessary for everyone without the discrimination of sex.

3.15 Women's Participation

66. During consultation it was found that mostly decisions are taken by men. In educated families the decision is taking jointly particularly in younger generations. However, since women are not seen outside their houses, it is difficult to approach them for information dissemination or stakeholder engagement activities.

3.16 Concerns and Suggestion of Women related to the subproject

67. The female pointed out the following major issues relating to subproject activities:

- Local women mobility will be restricted because of construction activities.
- Timing of construction activities should be adjusted in such a way that it does not disturb the mobility of locals especially women and children during their routine activities (schools timing and working/ jobs timing);
- In case of emergencies, women and children will have to go to hospitals for health care purposes so the subproject construction work should be completed as per schedule. Alternate route should be provided during construction in case of blocked access; working women, schoolteachers/ students of the area will feel uncomfortable for traveling/mobility during the construction activities.
- Office/ computer jobs should be provided to educated family members in project.
- Women demanded the compensation as per replacement value of the affected assets.

SECTION 4

INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

4.1 General

68. This section describes the subproject stakeholders and their attitude towards the Pedestrianizing of the old city commercial area Abbottabad and the process which was adopted in consulting the displaced persons. During peak COVID-19 period, the social distance was maintained and consultations were held telephonically as well. These meetings were held with groups of 8-10 persons as there was no restriction on the small groups. The section presents the views and perceptions of the DPs and local population on the subproject as expressed during the consultation meetings. The Section also presents the disclosure activities.

4.2 Consultation with Stakeholders

69. In the process of preparing this RP, individual, and focus group discussions were held with the DPs, and officials of concerned departments especially with the TMA, Building and Works and district administration. These meetings were held from September 2020 to June 2021. A total of 8 group meetings were held with the DPs in which a total of 81 persons participated. Separate meetings were held with the women keeping in view the local traditions so that the women could freely express their opinions and concerns regarding the subproject. A summary of the consultations done is shown in Table 4.1. These consultations will be continued by the subproject staff throughout the subproject cycle.

4.3 Stakeholders' Perceptions about the Project

70. The pedestrianizing of the old city commercial area Abbottabad will have impacts on the local population. Despite the impacts, the affected communities did not have a hostile attitude towards the subproject although there were some concerns regarding the permission from government to restart their business at the same place after the completion of the subproject.

71. The meetings were attended by the DPs. In addition, the individual meetings were held with the DPs for census, socio-economic survey, officials of TMA, and district administration.

72. The consultation meetings on pedestrianizing of the old city commercial area Abbottabad were conducted during September 2020 – June 2021, as listed in **Table 4.1**.

Table 4.1: Detail of Consultation Meetings

| S # | Date | Place | No. of Participants | Remarks |
|------------|-------------|----------------------------------|----------------------------|--------------------------|
| 1 | 27-09-2020 | Eid Gah road | 11 | Meeting with the DPs |
| 2 | 25 -11-2020 | DC Office Abbottabad | 10 | Meeting with TMA, and DC |
| 3 | 10-06-2020 | Masjid Road, & Noor Din Mohalla. | 09 | Meeting with DPs |
| 4 | 17-07-2020 | Atta Mandi & Gol mandi, | 15 | Meeting with DPs |
| 5 | 02-03-2021 | Gurdwara street | 08 | Meeting with the DPs |
| 6 | 14-04-2021 | DC office | 09 | Meeting with TMA & DC |
| 7 | 09-06-2021 | Gol Mandi | 09 | Meeting with the DPs |
| 8 | 18-06-2021 | Masjid Road, & Noor Din Mohalla. | 10 | Meeting with the DPs |
| Total | | | 81 | |

73. The participants were encouraged to express themselves and engage in detailed discussion on impacts, compensation, consultation, and awareness. The concerns were raised by the participants, particularly about compensation and entitlement package. The main concern among the non-mobile vendors was the government may not allow them to reuse the same place for business purpose (after the completion of construction work), as summarized in **Table 4.2**.

Table 4.2: Concerns of DPs and Responses by Consultant

| S# | Concerns of DPs | Response from Consultant | Action to be Taken | Responsibility |
|-----------|----------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| 1 | The Government will not give the market rate of their lost assets. | No land acquisition is involved in the subproject | <ul style="list-style-type: none"> As per assessment only iron sheds and wooden stalls be affected. Hence, wooden stall will not be damaged and for shifting Rs. 10,000 will be paid to each owner of wooden stall while for iron shade Rs. 15, 000 will be paid to each DP for removing the shade and repairing purpose. The government will not take the iron shade, it will be given under the ownership of DPs. | TMA, CIU & PMU |
| 2 | Will Government arrange alternate business for the DPs | Subproject will cause temporary impact on the business and compensation will be given for this loss | <ul style="list-style-type: none"> Consultations will continue with DPs throughout the subproject cycle. In case there is any permanent impact on structures and businesses during construction, it will be compensated as per approved RP in accordance with SPS. | TMA, CIU & PMU |
| 3 | The construction work is usually getting delayed; eventually their livelihood will be disturbed. | The contractor will be given the timeline to complete the work and will be supervised by the consultant and compliance will be ensured. | <ul style="list-style-type: none"> The timeline will be strictly observed and in case of any delay in the completion of work, penalty will be imposed on the contractor. | CIU, PMU, CSC & Contractor |
| 4 | Any payment schedule to DPs | The payments are expected to start in November 2021. | <ul style="list-style-type: none"> The payment will start after final RP is approved by ADB. | CIU & PMU |
| 5 | Provision of jobs for skilled and qualified local should be accepted as the right of inhabitants of Area | Priority of jobs will be given to local inhabitants on merit basis by following the codal procedures. | <ul style="list-style-type: none"> Special clause will be added in the contract of contractor to ensure full compliance. | TMA, CIU, PMU, CSC & Contractor |
| 6 | Chances of some environmental effects like noise/ vibration and dust emissions to the nearby community | The contractor will be bound to implement the measures in this regard by putting clause in his contract | <ul style="list-style-type: none"> Special clause will be added in the contract of contractor to ensure the full compliance. These issues are already included in the EIA and corresponding | TMA, Contractor, CIU PMU, & Environment Expert |

| S# | Concerns of DPs | Response from Consultant | Action to be Taken | Responsibility |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
| | | | mitigation measures have been added. | |
| 7 | Is there any forum for the complaint registration? | GRM will be addressed the complaints of the DPs who will have the complete access over it. | <ul style="list-style-type: none"> A multi tiers GRM will be established. The detailed GRM procedure is given in section 9 of this RP document. | TMA, Contractor, CIU & PMU |
| 8 | The movement towards the masjid, school, playground and hospitals should not be disturbed. | Special instructions will be given to the design consultant followed by the contractor to avoid the disturbance of these critical places. | <ul style="list-style-type: none"> Alternate route will be provided to avoid the disturbance and the issue will be discussed in the construction management plan. GRM is established to address the local complaints | TMA, Contractor, CSC, CIU, Environment Expert & PMU |
| 9 | How much time will the Government give them (DPs) for shifting? Is there any assistance for shifting the material? | The temporary relocation of wooden stalls is involved in this subproject. Those DPs will be given one-month notice for shifting their temporary structures after receiving their compensation. Transportation/ shifting allowance (Rs.10,000/-) will be provided to shift their structures and merchandise (Discussed above in S#1) | <ul style="list-style-type: none"> PMU will give DPs 30 days' period as agreed here in the consultation meetings and that can be extended with consensus. Similarly, reasonable amount of money (Rs. 10,000/-) will also be given to shift their salvage material to another place. | TMA, Contractor, CSC, CIU & PMU |
| 10 | Government will not allow them to do the business at the same place after completion of the construction. Also, Government should give them Guarantee in writing. | The project is not caused the permanent dislocation. The DPs can use their place after the completion of the project. | <ul style="list-style-type: none"> To make the environment clean, the DPs must follow the code of conduct for using the same place. However, in case of permanent dislocation they will be provided an alternate place. | TMA, PMU& CIU |

4.4 Meetings with the Government Officials

74. A series of meetings throughout the subproject period were held at detailed design stage with the TMA, building and works and District administration for the following purposes:

- a) Losses assessment survey
- b) to estimate compensation cost of private assets.
- c) Facilitation to conduct the consultation meetings with the DPs and
- d) Timely completion of compensation disbursement

75. **Outcome of the Meetings:** The support provided/to be provided by the government departments is as follows; i) properly make the assessment survey, ii) determining compensation value as per replacement cost of the lost assets, iii) provided the support to field staff during the field survey, iv) timely disbursement of compensation payment to DPs.

4.5 Gender Involvement in the Consultation Process

76. According to ADB's safeguard policy statement, consultation process must be gender inclusive and responsive and tailored to the needs of disadvantaged and vulnerable groups. To explore the gender related issues, female staff was included in the team. Formal meetings with the women were held to explore their needs, problems and priorities related to the sub-project execution. In addition, individual interviews were also held with the affected women to effectively involve them in the planning process.

77. Women DPs actively participated in the meetings and came up with several issues specially about the provision of facilities for the women in the subproject.

4.5.1 Fears and Concerns about the subproject

78. A few women DPs (among the affected households) were un-aware about the subproject. Their views are mentioned below.

- Special care/assistance should be provided to get the timely compensation of their lost assets.
- Damage to private property (residential and commercial structures) should be avoided;
- The movement of the working women and female students will be disturbed during the construction work.
- Jobs will not be provided to the local people during the construction, though their children are jobless.
- The compensation of the lost assets will not be provided as per the replacement cost.

4.5.2 Responses to the Fears and Concerns raised by women

79. According to SPS, 2009, the compensation will be provided as per the replacement cost of the lost assets. Regarding the local movement during the construction stage, alternate routes will be provided, and contractor will be bound to make compliance through the construction management plan. Jobs will be provided to the local people on priority basis and the contractor will be contractually bound to make the full compliance.

4.6 Disclosure of RP

80. The PMU and CIU will be responsible to ensure that all resettlement information is properly and meaningfully disclosed to all the DPs in local language, their concerns are addressed, and necessary changes are made in the design for this purpose, even 6 streets having significant impacts were dropped from the subproject.

81. For transparency in the RP implementation process and for further active involvement of DPs and other stakeholders, information will be disseminated through the disclosure of RP document in local language. The SPS, 2009 requires that all reports are made available to subproject displaced persons and other stakeholders and to public at large. The RP will be available on the websites of PMU-LGE & RDD and ADB for disclosure purpose.

82. The following steps will be undertaken for disclosure of RP:

- RP will be disclosed to DPs in local language.
- An information booklet containing summary of DPs compensation and assistance will be prepared specifically for this purpose. This information booklet will be translated into Urdu and distribute to all DPs and other stakeholders by the subproject Office as and when approved by ADB.
- Enable the DPs to read it by themselves and be aware of their entitlements, unit rates of compensation/income restoration and rehabilitation assistance and payment procedures available for various types of DPs as given in the entitlement matrix. In addition, the information regarding the GRM will be reflected in the booklet.
- A schedule explaining the date, time and venue for disbursement of compensation and livelihood assistance will be prepared in local language and distributed among all the DPs.

SECTION 5

POLICY FRAMEWORK

83. The only policy that is applicable in this case is the ADB safeguard policy statement 2009 which is discussed in detail below. Although, to avoid illegal encroachments from occurring following the implementation of the RP, the PMU in collaboration with the District Government will provide continuous oversight and reinforcement to facilitate the subproject to remain free from illegal encroachments as outlined in the KPK Public Property (Removal of Encroachment) Bill, enacted in 1977.

84. This section describes national laws and regulations that apply to the subproject and identify gaps between national laws and ADB's policy requirements relating to land acquisition and involuntary resettlement; and also discusses the subproject policy to be followed to address the involuntary resettlement impacts.

5.1 National Legal Instruments

5.1.1 Constitution of the Islamic Republic of Pakistan

85. The Constitution of Pakistan (1973) clearly addresses the protection of property rights (Article 24) that it includes “no person shall be compulsorily deprived of his property save in accordance with law” and “no property shall be compulsorily acquired or taken possession of save for a public purpose, and save by the authority of law which provides for compensation” therefore and either fixes the amount of compensation or specifies the principles on and the manner in which compensation is to be determined and given. Further, Article 4 (sub-clause/a of 1) reiterates the legislative right of the people by stating that: “No action detrimental to the life, liberty, body, reputation or property of any person shall be taken except in accordance with law.

5.1.2 National Legislation

86. In the absence of a specific resettlement policy, the Land Acquisition Act (LAA) of 1894 is the de-facto legal instrument governing resettlement and compensation to DPs. However, it does not provide consideration to social, cultural, economic, and environmental conditions associated with and affected by resettlement. Although LAA lays down detailed procedures for acquisition of private properties for public purposes and compensation, it does not extend to resettlement and rehabilitation of persons as required by donor agencies including the ADB. Further, experience in other projects has established that compensation stipulated in the law may not be adequate to provide for equal or enhanced living status to resettle DPs.

5.1.3 Pakistan's Law and Regulations on Land Acquisition and Resettlement

87. The LAA deals with matters related to the acquisition of private land and other immovable assets that may exist on it when the land is acquired for public purpose. The LAA lays down definite procedures for acquiring private land and payment of compensation. For the proposed subproject, land acquisition is involved, as per design all kinds of construction activities will be carried out within the acquired private land, hence LAA will be applicable for the subproject. The LAA comprises 55 sections pertaining to area notifications and surveys, acquisition, compensation and apportionment awards and disputes resolution, penalties and exemptions. A few relevant sections, synthesized from the LAA, are summarized below (Table 5.1).

Table 5.1: Relevant Sections of the Land Acquisition Act 1894

| Sections of Act | Salient Features of the Sections |
|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Section 4 | Publication of preliminary notification and power for conducting survey. |
| Section 5 | Formal notification of land needed for a public purpose. Section 5a covering the need for enquiry |
| Section 6 | The Government makes a more formal declaration of intent to acquire land. |
| Section 7 | The Land Commissioner shall direct the Land Acquisition Collector (LAC) to take order the acquisition of the land. |
| Section 8 | The LAC has then to direct the land to be marked out and measured |
| Section 9 | The LAC gives notice to all DPs that the Government intends to take possession of the land and if they have any claims for compensation then these claims are to be made to him at an appointed time. |
| Section 10 | Delegates power to the LAC to record statements of the DPs in the area of land to be acquired or any part thereof as co-proprietor, sub-proprietor, mortgage, and tenant or otherwise. |
| Section 11 | Enables the Collector to make enquiries into the measurements, value and claim and then to issue the final “award”. The award includes the land’s marked area and the valuation of compensation. |
| Section 11 A | Enable the Collector to acquire the land through the private negotiation. |
| Section 16 | When the LAC has made an award under Section 11, he will then take possession and the land shall thereupon vest absolutely in the Government, free from all encumbrances. |
| Section 17 | This section allows government to acquire land through emergency or urgency procedure which is 17/4/6. However this will not be applicable to ADB funded projects including LFS Abbottabad due to its conflict with SPS principles for IR. |
| Section 18 | In case of dissatisfaction with the award, DPs may request the LAC to refer the case onward to the court for a decision. This does not affect the Government taking possession of land. |
| Section 23 | The Collector announces the award of compensation for the owners after necessary enquiries and compensation for acquired land is determined at its market value plus 15% in consideration of compulsory nature of the acquisition for public purposes. |

5.2 ADB’s Safeguard Policy Statement 2009

88. The ADB's Safeguard Policy Statement (SPS) 2009 comprises three safeguard policies, including one on involuntary resettlement which aims to:

- Avoid involuntary resettlement wherever feasible
- Minimize resettlement where population displacement is unavoidable by exploring all viable Project options.
- However, if resettlement is not unavoidable following careful consideration of all design options, the individuals or communities who lost their land, means of livelihood, social support systems, or way of life should be: (i) compensated for lost assets and loss of income and livelihood, assisted for relocation, (ii) assisted so that their economic and social future will generally be at least as favorable with the project as without it; (iii)

provided with appropriate land, housing, infrastructure, and other compensation, comparable to the without-project situation; and (iv) fully informed and closely consulted on resettlement and compensation options.

89. ADB's SPS also specifies that lack of formal legal title to land is not a bar to compensation, which is a distinct difference to the LAA, as outlined previously. The ADB's safeguard requirements on involuntary resettlement cover physical displacement (relocation, loss of residential land or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources or means of livelihoods) as a result of involuntary acquisition of land, involuntary restrictions on land use or on access to legally designated parks and protected areas. The SPS covers all affected people, whether the losses and involuntary restrictions are full or partial, permanent or temporary. The following principles are applied to reach the objectives:

- i. **Screen the project** early on to identify past, present and future involuntary resettlement impacts and risks.
- ii. **Determine the scope of Land Acquisition and resettlement planning** through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
- iii. **Carry out meaningful consultations** with affected persons, host communities, and concerned non-government organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring & evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.
- iv. **Improve, or at least restore, the livelihoods of all displaced persons** through (i) land-based resettlement strategies when affected livelihoods are land-based where possible, or cash compensation at replacement costs for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
- v. **Provide physically and economically displaced persons with needed assistance**, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- vi. **Improve the standards of living** of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas, provide them with legal and affordable access to land and resources; in urban areas, provide them with appropriate income sources and legal and affordable access to adequate housing.
- vii. **Develop procedures** in a transparent, consistent, and equitable manner if land

- acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
- viii. **Ensure that displaced persons without titles** to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
 - ix. **Prepare a Resettlement Plan** elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
 - x. **Disclose a resettlement plan** or the compensation matrix, eligibility criteria or rates determined for the affected land, structures, trees etc., including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final land acquisition and resettlement plan and its updates to affected persons and other stakeholders.
 - xi. **Conceive and execute involuntary resettlement as part of a development project or program.** Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
 - xii. **Pay compensation and provide other resettlement entitlements before physical or economic displacement.** Implement the land acquisition and resettlement plan under close supervision throughout project implementation.
 - xiii. **Monitor and assess resettlement outcomes,** their impacts on the standards of living of displaced persons, and whether the objectives of the land acquisition and resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring.
 - xiv. Disclose monitoring reports

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

90. Table 5.2 below discuss the reconciliation measures between two safeguard instruments.

Table .5.2: Measures to address gaps between LAA and SPS

| Pakistan LAA 1894 | ADB SPS 2009 | Measures to Address the Gap on ADB funded subproject |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Compensation for land and other assets is based on average values and department unit rates that do not ensure replacement market value of the property acquired. However, LAA requires that a 15% compulsory acquisition surcharge supplement the assessed compensation. | DPs are to be compensated for all their losses at replacement cost, including transaction cost and other related expenses, without deducting for depreciation. | Land valuation is to be based on current replacement (market) value with an additional payment of 15%. The valuation for the acquired housing land and other assets is the full replacement costs keeping in view the fair market values, transaction costs and other applicable payments that may be required. |
| No provision for resettlement expenses, income/livelihood rehabilitation measures or allowances for displaced poor | Requires support for rehabilitation of income and livelihood, severe losses, and for | Provision will be made to pay for resettlement expenses (transportation and transitional allowances), compensate for loss of |

| Pakistan LAA 1894 | ADB SPS 2009 | Measures to Address the Gap on ADB funded subproject |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| and vulnerable groups. | vulnerable groups. | income, and provide support to vulnerable persons and those severely impacted (considered to be those losing more than 10% of their productive assets). |
| Lack of formal title or the absence of legally constituted agreements is a bar to compensation/rehabilitation. (Squatters and informal tenants/leaseholders are not entitled to compensation for loss of structures, crops) | Lack of formal title is not a bar to compensation and rehabilitation. All DPs, including non-titled DPs, are eligible for compensation of all non-land assets. | Squatters, informal tenants/leaseholders are entitled to compensation for loss of all non-land assets like crops, trees, structures, livelihood and for relocation assistance. |
| Land acquisition and compensation process is conducted independently by the Land Acquisition Collector following a lengthy prescribed legal and administrative procedure. There are emergency provisions in the procedure that can be leveraged for civil works to proceed before compensation is paid. | Involuntary resettlement is conceived, planned and executed as part of the project. Affected people are supported to re-establish their livelihoods and homes with time-bound action in coordination with the civil works. Civil works cannot proceed prior to compensation. | Respective EAs will prepare land acquisition and resettlement plans, as part of project preparation based on an inventory of losses, livelihood restoration measures, Pakistan law and principles enumerated in SPS. Where gaps exist in the interpretation of Pakistan law and resettlement practices, requirements of ADB's involuntary resettlement policy will prevail. Civil works may only proceed when the RP approved by ADB is fully implemented with all APs fully compensated and validated by an ADB acceptable independent/external monitoring consultant before the start of construction work in any subproject. |
| No convenient grievance redress mechanism except recourse of appeal to formal administrative jurisdiction or the court of law | Requires the establishment of accessible grievance redress mechanisms to receive and facilitate the resolution of DPs' concerns about displacement and other impacts, including compensation | EAs will establish easily accessible grievance redress mechanism available throughout project implementation that will be widely publicized within respective project area and amongst the DPs. |

5.3 Resettlement principles applicable to for Pedestrianizing of the old city commercial area Abbottabad

91. This RP for the subproject has been developed based on the national legal framework and ADB's SPS 2009. The core involuntary resettlement principles for this Project are:

- i. This RP for pedestrianizing of the old city commercial area Abbottabad subproject has been developed based on the national legal framework and ADB's SPS 2009.
- ii. The core involuntary resettlement principles for this Project are:
- iii. As required under SPS, 2009, the project objectives are to achieved, avoid, minimize or mitigate involuntary resettlement impacts causing physical and/or economic displacement.
- iv. Meaningful consultations with all stakeholders are continued. Particular attention is paid to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and their participation in consultations is ensured.
- v. Final RP will be submitted to ADB for review/approval, endorsed by the borrower/client and will be disclosed on the ADB website.
- vi. A grievance redress mechanism with representation of all stakeholders will be established.

5.4 RP Procedure for Compensation Payment Disbursements

92. Following procedure is suggested for the disbursement of compensation payments amongst the DPs.

5.4.1 Verification of DPs

93. Verification of the DPs will be made through their National Identity Cards (NIC) numbers. All DPs must bring their original NIC and to enable a copy to be made of it at the time of receiving cheques. If a DP is below 18 years or does not have NIC, his identity will need to be verified in person by a minimum five DPs above the age of 18. The PMU and CSC's Resettlement Specialist will be responsible for the verification process.

5.4.2 Payment of compensation

94. Payment to DPs will be made at least one month prior to actual possession of the space by TMA. The payments will follow a schedule issued separately upon approval of the updated RP. LGE&RD-PMU is responsible for timely provision of financing for RP implementation and for providing the compensation/resettlement funds into the Project's designated bank account, while the PMU will be responsible for disbursing the agreed amounts to the DPs. Allocations will be reviewed on a monthly and quarterly basis on the budget requirements in the updated RP.

95. Payment of compensation and resettlement assistance will be made one month prior to the possession of the ROW. The ROW will not be possessed by the PMU or handed over to contractors for the commencement of construction works without payments being made to the DPs, except for in circumstances of dispute that requires a lengthier time period. Whether disputes are solved by the GRC or the courts, the PMU will need to follow the decision taken. This will also be communicated to the DPs representatives. In case of a dispute, the final amount of compensation will be deposited in an escrow account until a decision from the GRC or respective court has been reached. In such cases, the PMU needs to suspend the civil works for that particular location until the issue has been

resolved and the compensation payment has been completed. Grievances or objections will be redressed as per the grievance redress procedures outlined in Chapter 9.

5.4.3 Evacuation of site

96. A one-month notice will be given to vacate the site to DPs to vacate when they receive their compensation payments, at which time the alternative vending sites will be made available. Following the one month notice the DP is expected to remove all business equipment and materials off the ROW. If a DP does not vacate the ROW after getting compensation within the one-month period, the PMU/CIU will submit an application to GRC if it cannot be resolved, the GRC will also decide on a course of action on a case-to-case basis in coordination with DPs' representatives. However, the PMU/CIU reserve the right to remove structures, if a DP is not willing to move by the agreed deadline.

5.4.4 Absentee non-respondent DP

97. The PMU will make all possible efforts to contact these nonrespondents, any potential absent DPs who might surface as part of the finalization of the RP and any others who are listed as DPs but were found missing at the time of disbursement of payments. If not possible then the PMU will issue three consecutive official notices and a public notice in local newspaper informing the DPs to contact the PMU. Absent DPs may receive the compensation after the notified schedules of payments by providing genuine proof that s/he could not receive compensation during the announced timeframes. They will be eligible to receive payments before completion of the Project. The LGE&RDD will leave the deposited amount of money in a Project account until the Project is completed

SECTION 6

ENTITLEMENTS ASSISTANCE AND BENEFITS

6.1 Eligibility

98. Eligible for compensation, relocation and livelihood assistance entitlements are the persons who were on the subproject site prior to the cut-off date and who are physically and/or economically displaced due to permanent or temporary loss of land, structures and/or livelihood, whether full or partial, as a consequence of subproject execution. Such eligible DPs include the following:

- i. All owner of the structures losing structure, i.e., Iron shade and wooden stall whether covered by legal title or traditional land rights.
- ii. Non-titled occupants of land, such as squatters or encroachers are entitled to compensation of non-land assets only.
- iii. DPs losing the use of structures and utilities, including titled and non-titled owners, registered, unregistered, tenants and leaseholders plus encroachers and squatters.
- iv. Business owners DPs whether informal register or register under national law.
- v. Distinct group of people who may suffer disproportionately from resettlement effects. The SPS, 2009 defines vulnerable groups as households below the poverty line, the elderly, those without legal title to assets, landless, women, children and indigenous people. The vulnerable displaced persons were identified through the impact assessment.
- vi. In the event of relocation, all DPs will receive transitional and other support to re-establish shelter and livelihoods.

6.1.1 Cut-off date

99. The census was completed on 18 June 2021. Hence, it has been established as the subproject's cut-off date for determining eligibility of DPs. Persons who put up structures or improvements within the subproject alignment after the cut-off date will not be eligible for compensation and support provided in the RP.

6.2 Entitlements

6.2.1 Compensation and Entitlement Policy

100. Compensation and entitlements have been determined on the basis of SPS 2009. Table 6.1 provides an entitlement matrix for different types of losses following the land acquisition and resettlement framework (LARF) prepared for KPCIP. It also covers the provisions for any unanticipated impacts arising during subproject implementation. Compensation and other assistances will be paid to DPs prior to dislocation and dispossession from acquired assets. In case, the payment is delayed more than a year from the date of valuation, the values will be adjusted annually before payment to DPs.

Table 6.1 Eligibility and Entitlement Matrix (as per LARF)

| Type of Loss | Specification | Eligibility | Entitlements |
|----------------------------------|----------------------------------------------------|------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. LAND | | | |
| Permanent impact on arable land | All land losses independently from impact severity | Owner (titleholder, or holder of traditional rights) | <ul style="list-style-type: none"> Land for land compensation with comparable productivity and suitability to be explored (if feasible) OR Cash compensation at full replacement cost (RC³) including fair market value plus 15% compulsory acquisition surcharge all transaction costs, applicable fees and taxes and any other payment applicable If BoR⁴ compensation falls below RC, the project will pay the differential as resettlement assistance to the DPs to restore affected livelihoods. Additional compensation to be worked out in consultation with DPs if the loss is 10% or more of productive resources including land. |
| | | Leaseholder titled/untitled | <ul style="list-style-type: none"> Compensation commensurate to lease type and duration to be defined in LARP Production based on relevant cropping pattern/cultivation record (additional to standard crop compensation as defined below) and other appropriate rehabilitation, to be defined in the LARPs based on project situation and AP consultation. |
| | | Sharecropper / tenant (titled/untitled) | <ul style="list-style-type: none"> Cash compensation equal to gross market value of crop compensation (see below) to be shared with the land owner based on the sharecropping |
| | | | <ul style="list-style-type: none"> Income rehabilitation allowance in cash equal to net value of annual crop production based on relevant cropping pattern/cultivation record (additional to standard crop compensation and other appropriate rehabilitation to be defined in the LARPs based on project situation and DP consultation). |
| | | Squatter, encroacher. | <ul style="list-style-type: none"> No compensation for land loss IN addition to standard crop compensation, income rehabilitation allowance in cash equal to net value of annual crop production and other appropriate rehabilitation to be defined in the LARPs based on project specific situation and DP consultation. Compensation for any irrigation infrastructure and other improvements made to the land (but not for the land) at full replacement cost. |
| Severe impact on productive land | Loss of 10% of productive (income earning) land | Titleholder, or holder of traditional rights | <ul style="list-style-type: none"> Cash compensation for 3 months equal to national minimum wage i.e. PKR 20,000/month as fixed by the Federal Government for the year 2021-22. The amount for three months will be equal to PKR 20,000 X 3 = 60,000 |
| Residential/commercial land | All land losses | Titleholder, or holder of | <ul style="list-style-type: none"> Cash compensation at full replacement cost (RC) including fair market value plus 15% compulsory acquisition surcharge all |

³ Refer to IR safeguards as in SR2 para 10 of SPS 2009⁴ Board of Revenue, provincial agency with a mandate to approve compensation rate/amount

| Type of Loss | Specification | Eligibility | Entitlements |
|----------------------------------------------------------|----------------------------------------------|--------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | traditional rights | transaction costs, applicable fees and taxes and any other payment applicable <ul style="list-style-type: none">If BoR compensation falls below RC, the project will pay the differential as resettlement assistance to the DPs to restore affected livelihoods.Additional compensation to be worked out in consultation with DPs if the loss is 10% or more of productive resources including land. |
| | | Lessee, tenant | <ul style="list-style-type: none">Cash refund/payment at the rate of lease or house rent for remaining lease period or house rent |
| | | Renter/ leaseholder | <ul style="list-style-type: none">Rent allowance in cash equivalent to 3-6 months' rent to be decided in consultation meetings with DPs. |
| | | Non-titled user without traditional rights (squatters) | <ul style="list-style-type: none">No compensation for land lossSelf-relocation allowance in cash equivalent to 3 months livelihood based on OPL, or as assessed based on income analysis. |
| Temporary land occupation | Land temporarily required during civil works | Owner, lessee, tenant | <ul style="list-style-type: none">Lease agreements to be signed between the DPs and the contractor for the period of occupation of land. Rental fee payment for period of occupation of land, as mutually agreed by the partiesRestoration of land to original stateGuarantee of access to land and structures located on remaining land |
| | | Non-titled user | <ul style="list-style-type: none">Restoration of land to original stateGuarantee of access to land and structures located on remaining land |
| 2. STRUCTURES | | | |
| Residential, agricultural, commercial, public, community | Partial Loss of structure | Owner (including non-titled land user) | <ul style="list-style-type: none">Cash compensation for affected structure (full or partial taking into account functioning viability of remaining portion of partially affected structure) at full replacement cost and repair of remaining structure at market rate for materials, labor, transport and other incidental costs, without deduction of depreciation.Right to salvage materials (without deduction) from lost structureFor vulnerable households, provide legal and affordable access to adequate housing to improve their living standard to at least national minimum standard.Any improvements made to a structure by a tenant will also be taken into account in the calculation of compensation at full replacement cost payable to the owner and any apportionment due to the tenant as agreed at consultation meetings. |
| | | Lessee, tenant | <ul style="list-style-type: none">Cash refund at rate of rental fee proportionate to size of lost part of structure and duration of remaining lease period already paid.Any improvements made to a structure by a tenant will also be taken into account in the calculation of compensation at full replacement cost payable to the owner and any |

| Type of Loss | Specification | Eligibility | Entitlements |
|-----------------|-----------------------------------------------------------|------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | apportionment due to the tenant as agreed at consultation meetings. |
| | Full loss of structure and relocation. | Owner (including nontitled land user) | <p>The DP may choose between the following alternatives:</p> <ul style="list-style-type: none"> • Compensation through provision of fully titled and registered replacement structure of comparable quality and value, including payment of all transaction costs, such as applicable fees and taxes, at a relocation site or a location agreeable to the DP. • Any improvements made to a structure by a tenant will also be taken into account in the calculation of compensation at full replacement cost payable to the owner and any apportionment due to the tenant as agreed at consultation meetings. • If the market value of the replacement structure is below that of the lost structure, cash compensation for the difference in value without deduction of depreciation. • If the market value of the replacement structure is above that of the lost structure, no further deductions. or • Cash compensation at full replacement cost, including all transaction costs, such as applicable fees and taxes, without deduction of depreciation for age, for self-relocation. In any case, DP has the right to salvage the affected structure. • Severity assistance to all losing structures permanently equivalent to 3 months equal to national minimum wage i.e. PKR 20,000/month as fixed by the Federal Government for the year 2021-22. The amount for three months will be equal to PKR 20,000 X 3 = 60,000 |
| | | Lessee, tenant | <ul style="list-style-type: none"> • Cash refund at rate of rental fee proportionate to duration of remaining lease period |
| | Moving of minor structures (fences, sheds, latrines etc.) | Owner, lessee, tenant | <p>The DP may choose between the following alternatives:</p> <ul style="list-style-type: none"> • Cash compensation for self-relocation of structure at market rate (labor, materials, transport and other incidental costs, as required, without deduction of depreciation for age) Or • Relocation of the structure by the Project. |
| | Stalls, kiosks | Vendors (including titled and non-titled land users) | <ul style="list-style-type: none"> • Allocation of alternative location comparable to lost location, and • Cash compensation for self-relocation of stall/kiosk at market rate (labor, materials, transport and other incidental costs, as required, without deduction of depreciation for age) |
| | | | |
| 3. Crops | Affected crops | Cultivator | <ul style="list-style-type: none"> • Cash compensation at current market rate proportionate to size of lost plot, based on crop type and highest average yield over past 3 years. • Additional compensation to be worked out in consultation with DPs if the loss is 10% or more of productive resources including land. |

| Type of Loss | Specification | Eligibility | Entitlements |
|------------------------------|----------------------------------------------|-----------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | Parties to sharecrop arrangement | <ul style="list-style-type: none">Same as above and distributed between land owner and tenant according to legally stipulated or traditionally/informally agreed share |
| 4. Trees | Affected Trees | Cultivator | <ul style="list-style-type: none">Cash compensation for perennial crop trees at current market rate of crop type and average yield (i) multiplied, for immature non-bearing trees, by the years required to grow tree to productivity or (ii) multiplied, for mature crop bearing trees, by the average years of crops forgone; plus cost of purchase of seedlings and required inputs to replace trees.Cash compensation for timber trees at current market rate of timber value of species at current volume, plusCost of purchase of seedlings and required inputs to replace trees |
| | | Parties to sharecrop arrangement | <ul style="list-style-type: none">Same as above and distributed between land owner and tenant according to legally stipulated or traditionally/informally agreed share |
| 5. RESETTLEMENT & RELOCATION | | | |
| Relocation Assistance | All types of structures affected | All DPs titled/untitled requiring to relocate as a result of losing land and structures | <ul style="list-style-type: none">The project will provide logistic support to all eligible DPs in relocation of affected structures whether project based relocation or self-relocation as opted by the DPs.If project-based relocation, DPs will be provided with fully functional public services and facilities including school, health center, community center, electricity, water supply and sewage and irrigation facility with their long term operation and maintenance planned and agreed. |
| Security of tenure | Replacement land and structures | All DPs and tenants needing to relocate to project relocation sites. | <ul style="list-style-type: none">If DPs are required to relocate to project relocation sites, they will be provided with secure tenure to the replacement land and structures. |
| Transport allowance | All types of structures requiring relocation | All DPs and tenants required to relocate as a result of losing land and structures | <ul style="list-style-type: none">Compensation (in cash or kind as agreed with DPs) to all eligible DPs and tenants.For residential structure a lump sum amount of Rs. 15,000/ or higher depending upon the situation on ground.For commercial structure a lump sum amount of Rs. 10,000/ or higher depending upon the situation on ground.For Kiosk a lump sum amount of Rs.3000/ or higher depending upon the situation on ground. |
| House rent | All types of structures requiring relocation | All DPs and tenants required to relocate as a result of losing land and structures | <ul style="list-style-type: none">A lump sum amount, as agreed between the DP and project team, to assist the DPs in renting house for a negotiated period of time, for a comparable structure or apartment to the one lost. |

| Type of Loss | Specification | Eligibility | Entitlements |
|--------------------------------------------------------|---------------------------------------------------------------------------------------------|------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Transition allowance | All types structures requiring relocation | All DPs and tenants required to relocate | <ul style="list-style-type: none"> On a case to case basis, transitional allowance equal to 3 months of recorded household income or equal to inflation adjusted official poverty line, whichever is higher. |
| Arable, residential and commercial land and structures | All types of structures | All DPs titled/untitled losing land & structures | <ul style="list-style-type: none"> Additional cash compensation of 15% as solatium over and above the BOR compensation price. Payment of any price differential or top-up, based on replacement cost study. |
| 6. INCOME RESTORATION | | | |
| Permanent loss of agriculture based livelihood | Partial loss of agricultural land with viable land remaining | Owner, lessee, sharecrop tenant, non-titled land user | <ul style="list-style-type: none"> Provision of support for investments in productivity enhancing inputs, such as land leveling, terracing, biological, erosion control, sprinkler/drip irrigation, composing, tools and agricultural extension, as feasible and applicable; additional financial support if land compensation is insufficient to allow for adequate investments to maintain livelihood |
| | Full loss of viable agricultural land without availability of alternative land. | Owner, lessee, sharecrop tenant, non-titled land user | <ul style="list-style-type: none"> Provision of re-training, job-placement, additional financial grants and micro-credit for equipment and buildings, as well as organizational/logistical support to establish DP in alternative income generation activity |
| Maintenance of access to means of livelihood | Avoidance of obstruction by project facilities | All DPs | <ul style="list-style-type: none"> Provide un-interrupted access to agricultural fields, business premises and residences of persons in the project area. |
| Businesses | Temporary business loss due to LAR or construction activities by Project | Owner business (registered, informal) | <ul style="list-style-type: none"> Cash compensation equal to lost income during period of business interruption based on tax record or, in its absence, comparable rates from registered businesses of the same type with tax records, or at least inflation adjusted OPL. |
| | Permanent business loss due to LAR without possibility of establishing alternative business | Owner business (registered, informal) | <ul style="list-style-type: none"> Cash compensation equal to lost income for 12 months based on tax record or, in its absence, comparable rates from registered businesses of the same type with tax records, or at least inflation adjusted OPL And Provision of training, job-placement, additional financial grants and micro-credit for equipment and buildings, as well as organizational/logistical support to establish DP in alternative income generation activity |
| Employment | Temporary employment loss due to LAR or construction activities | All affected employees of affected businesses and agricultural workers | <ul style="list-style-type: none"> Cash compensation equal to lost wages during period of employment interruption up to 3 months based on tax record or registered wage, or, in its absence, comparable rates for employment of the same type, or at least inflation adjusted OPL. If required by Pakistan's labor laws and regulations/codes, the compensation will be paid to the employer to enable him/her to fulfill legal obligations to provide compensation payments to laid-off employees, to be verified by EA/relevant government official. |
| | Permanent employment loss due to LAR without possibility of re- | All laid-off employees of affected | <ul style="list-style-type: none"> Cash compensation equal to lost wages for 6 months, based on tax record or registered wage, or, in its absence, comparable rates for |

| Type of Loss | Specification | Eligibility | Entitlements |
|------------------------------------------|-------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | employment in similar sector and position in or near area of lost employment | businesses and laid-off agricultural workers from affected farms | employment of the same type, or at least inflation adjusted OPL. <ul style="list-style-type: none"> If required by the applicable labor code, compensation will be paid to employer to enable him/her to fulfill legal obligations to provide severance payments to laid-off employees, to be verified by government labor inspector And Provision of training, job-placement, additional financial grants and micro-credit for equipment and buildings, as well as organizational/logistical support to establish DP in alternative income generation activity |
| 7. PUBLIC SERVICES AND FACILITIES | | | |
| Loss of public services and facilities | Schools, health centers, administrative services, infrastructure services, graveyards etc | Service Provider | <ul style="list-style-type: none"> Full restoration at original site or re-establishment at relocation site of lost public services and facilities, including replacement of related land and relocation of structures according to provisions under sections 1 and 2 of this entitlement matrix |
| 8. SPECIAL PROVISIONS | | | |
| Vulnerable APs | Support to disproportionately affected persons | All vulnerable DPs including those below the poverty line, the landless, the elderly, women and children, and indigenous peoples. | <ul style="list-style-type: none"> Provision of training, job-placement, additional financial Cash allowance equal to 3 months of official minimum wage to all vulnerable DPs. grants and micro-credit for equipment and buildings, as well as organizational/logistical support to establish DP in alternative income generation activity. Subsistence allowance equal to 3 months of official poverty line, and other appropriate rehabilitation to be defined in the LARPs based on income analysis and consultations with DPs. Preferential selection for project related employment. |
| | Loss of land | All vulnerable DPs | <ul style="list-style-type: none"> Assistance in identification and purchase or rental of new plot |
| | Loss of structure | All vulnerable DPs | <ul style="list-style-type: none"> Assistance with administrative process of land transfer, property title, cadastral mapping and preparation of compensation agreements Assistance in construction of new structure Assistance in identification and purchase or rental of new structure Assistance with administrative process of registration of property and preparation of compensation agreements Assistance with transition to relocation site |
| | Temporary land acquisition | All vulnerable DPs | <ul style="list-style-type: none"> Preferential treatment to avoid or mitigate as quickly as possible Provision of access to land and residence suitable to disabled and elderly DPs |
| | Loss of livelihood | Female livelihood losers directly affected | <ul style="list-style-type: none"> Compensation paid directly to female livelihood loser |

SECTION 7 LIVELIHOOD RESTORATION AND REHABILITATION

101. Impact on the DPs' livelihood is expected to be temporary. Once the upgrading works have been completed and the DPs resumed their trading on the same location, these streets will attract more shoppers and help improve the shops' income. The transitional support provided to DPs during the expected temporary disruption (about 3 months) is assessed to be sufficient. TMA has given the assurance that the non-mobile vendors will be allowed to shift back to their current trading places.

102. Although project construction related employment is not a priority of the DPs as they are earning more than what the construction jobs pay, however, priority for project related employment will be provided to the DPs and their family members to enable them to diversify their overall household income.

103. The contractors will be contractually bound to work with PMU and CSC to communicate the number of skilled and unskilled labor positions available. The resettlement specialist of the PMU through CSC will prepare the lists of eligible DPs who can be employed and provide the list to the contractor for consideration. PMU and CSC will be responsible for monitoring the hiring of the DPs and employee data will be presented in the internal monitoring report and validated through EMA.

SECTION 8

RESETTLEMENT COSTS AND BUDGET

104. This section outlines the resettlement cost estimate for the subproject, including all eligible compensation and allowances as outlined in the entitled matrix. The cost of resettlement will be included in the overall Project cost to be financed by ADB to support the implementing of the resettlement plan. As some of the costs could not be accurately determined at this stage, due to the absence of DPs, the numbers reflected in the budget have been based on the primary data collected during resettlement surveys, the cost and the number may change once the entire DPs are surveyed and the RP will have revised accordingly. Additionally, to avoid double calculation it is assumed that DPs will prefer the option which pays highest compensation amount, therefore, only such scenario is considered and calculated.

8.1 Approval of the Resettlement Budget

105. All resettlement funds will be provided by the GoKP. The EA will ensure to use these funds for the disbursement of compensation payment and other expenses. The project will also ensure that funds for entitlements under the RP are fully disbursed among DPs prior to the commencement of civil work.
106. The project will determine the annual inflation rates to be applied to all cash entitlements. The PMU will assist the EA in identifying additional loss/s of assets during construction and proposing entitlements for such DPs. These budget revisions will be approved by LGE&RDD with the concurrence of the ADB.
107. All payment to the displaced persons will be paid through crossed cheques. Vouchers for payment will be prepared in triplicate, for PMU and CIU. Payment will be made, and record maintained as per approved implementation guidelines. There is only one mode of payments, i.e., Compensation will be provided to the DPs by PMU/CIU with the support of TMA.

8.2 Resettlement Cost

108. The cost was calculated based on the rates provided by the concerned departments while the resettlement assistance was estimated as per minimum wage rate fixed by the federal government for the year 2021-22, the detailed provided in section 6 of the RP. The total cost has been estimated to be PKR 11.18 million, as reflected in Table 8.1. This budget has been estimated based on the impacts of the subproject determined as per final design and census of the DPs. The cost will be revised and updated once the socioeconomic information from the remaining 77 DPs has been obtained.

Table 8.1: Summary of Resettlement Cost

| Serial No | Description | Qty/ Nos. | DPs | Unit Rate (PKR) | Total Cost (PKR) | PKR (Million) |
|-----------|-------------------------------------------------------------------------|-----------|-----|-----------------|-------------------|---------------|
| 01 | Compensation of iron structure (for permanent shop owners) | 21 | 21 | 15,000 | 315,000 | 0.32 |
| 02 | Relocation of wooden stalls (for non-mobile vendors) | 107 | 107 | 10,000 | 1,070,000 | 1.07 |
| 04 | Cash assistance for temporary loss of business (for non-mobile vendors) | - | 107 | 60,000 | 6,420,000 | 6.42 |
| 05 | Vulnerability allowance | - | 03 | 60,000 | 180,000 | 0.18 |
| | Sub-Total | | | | 7,985,000 | 9.99 |
| 05 | Monitoring and Evaluation @ 20% of the Total Cost | | | | 1,597,000 | 1.59 |
| 06 | Administrative & Security Cost @ 10% of the Total Cost | | | | 798,500 | 0.79 |
| 07 | Contingencies @ 10 % of the Total Cost | | | | 798,500 | 0.79 |
| | Total | | | | 11,179,000 | 11.18 |
| | Total in US\$ (Million) @ PKR 157.000= 1\$ | | | | 71,203 | |

Monitoring and evaluation will cover the cost of external monitoring agent (EMA) while the implementation support will be from the administrative and contingency cost.

SECTION 9

GRIEVANCE REDRESS MECHANISM

109. An integrated GRM for environment and social aspects will be established at the subproject level to facilitate amicable and timely resolution of complaints and grievances of the DPs and local communities regarding the social, environmental, and resettlement aspects of the subproject.
110. The grievance redress mechanism will have a three-tiers structure, i) Grievance Redress Committee (GRC) at field level, ii) GRC at Deputy Commissioner level and iii) GRC at PMU level. The GRM will be a gender responsive, culturally appropriate, and readily accessible to the stakeholders at no cost and without retribution. The step-wise process of the proposed GRM is described below.
111. **Stage 1:** The affected person(s) may submit an oral or written complaint to the GRC at Field Level. The GRC will log the complaint along with relevant details in the community complaint register. The displaced person(s) can directly approach GRC. For each complaint, the GRC must investigate the complaint, assess its appropriateness/eligibility, and identify an appropriate solution. It will provide a clear response within seven working days to the complainant, PMU/CIU and Contractor (where relevant). The GRC will, as appropriate, instruct the responsible entity to take corrective actions. The GRC will review the responsible entity's response and undertake additional monitoring as needed. During the complaint investigation, the GRC will work in close consultations with the Contractors, the construction supervision consultants (CSC), PMU/CIU and other relevant agencies. The responsible entity should implement the redress solution and convey the outcome to GRC within seven working days.
112. **Stage 2:** If no solution can be identified by the GRC or if the complainant is not satisfied with the suggested solution under Stage 1, the complainant can approach to stage 2 at City Level (Deputy Commissioner Office). The committee will review the case and give the solution within seven days of its submission.
113. **Stage 3:** In case of dissatisfaction of the complainant at stage 2, he/she can approach to stage 3 at PMU level. Here, the GRC is headed by the Special Secretary Local Government Election & Community Development Department. The GRC at PMU level will resolve the complaint/grievance and the agreed action thus determined should be implemented within 21 days (if additional time is needed to implement the corrective action, it should be discussed and decided during the meeting).
114. Implementing the GRC's decision will be contractually binding on the contractor. Irrespective the establishment of GRM, a DP can approach the courts at any time in accordance with the applicable legal provisions under Pakistan law.

SECTION. 10 INSTITUTIONAL ARRANGEMENTS

10.1 Introduction

115. This section outlines the institutional arrangements for RP implementation. The roles of the various organizations/departments involved in the implementation of the RP are as follows: The LGE&RDD of the GoKP is the executing agency for the project. A PMU has been established at provincial level while at city level, City Implementation Unit (CIU) will be established. The PMU is headed by a Project Director and supported by a team of specialists responsible for liaison and coordination with CIU. Each CIU is headed by a City Manager with support from other wings working closely with City officials to implement the project.
116. PMU will be provided the additional support through the consultants for Project Management and Implementation Support (PMIS). The consultants will assist the PMU and CIU in project management, procurement, supervision and safeguard monitoring.
117. The roles and responsibilities for the planning, implementation and supervision of LAR functions of institutional actors (see Fig 9.1), are defined below:

10.2 Local Government and Community Development

118. The LGE&RDD (project executing agency) has overall responsibility for resettlement functions including preparation, implementation, financing and supervision of all resettlement tasks and cross-agency coordination. LGE&RDD will exercise its functions through the PMU and CIU, to be tasked with daily RP implementation activities.
119. The coordination involved for various institutions for the implementation of RP include District government (including concerned DC). The detail of team is given below in Table 10.1.

Table: 10.1 Roles and Responsibilities in RP Implementation

| S # | Institution | Roles and Responsibilities |
|-----|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | PMU | The overall coordination will be provided by Project Management Unit (PMU) at Peshawar (headed by the Project Director) in addition to recruitment of PRF consultant, contract signing and preparation of key reports. The Social and Environment team under the PMU is already in place to manage the LAR-tasks and activities including handling/resolving any complaints or grievances of those displaced by the Project (DPs). |
| 2 | CIU | CIU will manage the Project's day-to-day implementation, approval of project design, contract management and technical input of engineering design through TMA. |
| 3 | TMA | TMA to assist CIU in the implementation of the project through the management of social safeguard activities. |
| 4 | Contractor | Contractor is responsible for the construction works under the social and environment conditions. |

| S # | Institution | Roles and Responsibilities |
|------------|---------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5 | CSC | CSC is responsible for the overall supervision of the projects and ensure that RP is implemented in a smooth and timely manner in accordance with the provisions of the RP. |
| 6 | District Government | Role of district administration is to provide full support and coordination to all stakeholders and keep law and order related to security measures. |
| 7 | Community | Local Community is the affectees as well as beneficiary of the sub-project. Community is responsible to resolve social conflicts and to safeguard their rights. |
| 8 | ADB | ADB is the donor of the subproject and has supervisory role. |
| 9 | Revenue Department | District Collector/Deputy Commissioner is responsible for the evaluation of the lost assets and disbursement of the compensations to DPs for their lost assets. |

10.3 City Implementation Unit

120. The scope of CIU will include on the following;

- Submit to PMU quarterly progress reports based on information provided by the consultants.
- Verify and process all invoices for the payment.
- Assist PMU, as needed, in the administration of other consultants' contract.
- Facilitate all monitoring requirements and reporting of GoKP and ADB.
- Support consultants in all survey, data provision, studies and provide office space as required.
- Ensure financial and safeguards compliance and reporting, in line with loan and grant agreements.
- Monitor and ensure preparation of the gender action plan.
- Support the City Governments in establishing and maintaining proper coordination with TMA.

10.4 Construction Supervision Consultants

121. The Construction supervision consultants will report to CIU/PMU and prepare the implementation program, quality of works, delivery of works, and certify the quantities of work carried out and the payments. The CSC will also help the PMU in project planning and management, quarterly progress reporting, procurement planning, contract management, financial management and overall project management. They will also be tasked to implement the RP prepared for the subproject. Their scope of work will include but not be limited to the following:

- Preparation of database of all the affected households and review their eligibility and entitlement based on the final RP;
- Assist in disbursement of compensation and ensure that affected persons are compensated as per the RP before commencement of civil works
- Undertake training workshops for the implementation of the RP to build the capacity of the PMU, CIU, TMA, contractors, service providers and relevant staff of other

departments. The training will include the following elements and will be adjusted as necessary: i) Introduction of ADB SPS 2009 and its principles, ii) Introduction to the assessment of social impacts, iii) Introduction to the RP, its importance and step-by-step implementation of RP, iv) Consultation, participation and disclosure, v) Entitlements and compensation/resettlement and rehabilitation assistance, vii) Institutional arrangements, viii) GRM, and ix) Distribute the notices to the entitled DPs regarding their payment of compensation

- Provide proper guidance to DPs for the submission of their requests for compensation as per eligibility and entitlement
- Facilitate the DPs in compensation payment through the completion of necessary documentation to receive their entitled payments like payment vouchers, opening of bank account and formation of CNIC, etc.;
- Facilitate the DPs in term of resolving the legal and administrative impediments for the compensation payment;
- Help the DPs to put their complaints (if any) in front of GRCs;
- Conduct the community consultation and disclosure process throughout the sub-project cycle;
- Assist PMU/CIU in the preparation of progress and monitoring reports.
- Review, monitor and evaluate the effectiveness with which the RP is implemented, and recommend necessary corrective actions to be taken. Advise on corrective measures where necessary to the PMU;

10.5 Grievance Redress Committees (GRCs)

122. Grievance redress committee will be established for addressing conflicts and appeal procedures regarding subproject design, compensation assessment, eligibility and entitlements followed in the implementation of resettlement activities, and impacts of construction work including the jobs to DPs and local population etc. GRCs will receive and facilitate the resolution of affected persons' concerns and grievances. It explains how the procedures are accessible to affected persons and are gender sensitive. The detail already discussed in the section 9 of this RP.

10.6 District Government

123. District Government based agencies have jurisdiction over compensation activities. Functions pertaining to compensation of non-land assets rest on Provincial line agencies and their city level offices. The building structure will be assessed through the building and works department. The role of revenue department is not recognized here.

10.7 Displaced Persons Committee

124. The DPs will be encouraged and mobilized to form a Displaced Persons Committee (DPC). DP representation facilitates communication and information flow among DPs and with other stakeholders. The representatives will closely liaison with Grievance Redress Committees (GRC) formed at PMU, Commissioner Office and field levels. The DPC will meet monthly and on demand from members, due to Resettlement planning and implementation issues. The DPC members may elect from among themselves a representative to the GRC or hold elections in a meeting of all subproject DPs. In

subprojects with a very small number of DPs, one or two GRM representatives may be elected at one of the first consultation meetings.

10.8 Contractor

125. Contractors will be responsible for implementing the social mitigation clauses and RP provisions as part of the Project Contract Documents. The RP will be included in the tender and contract documents for civil works and service providers, and completion of implementation of mitigation measures will be linked to payment milestones.

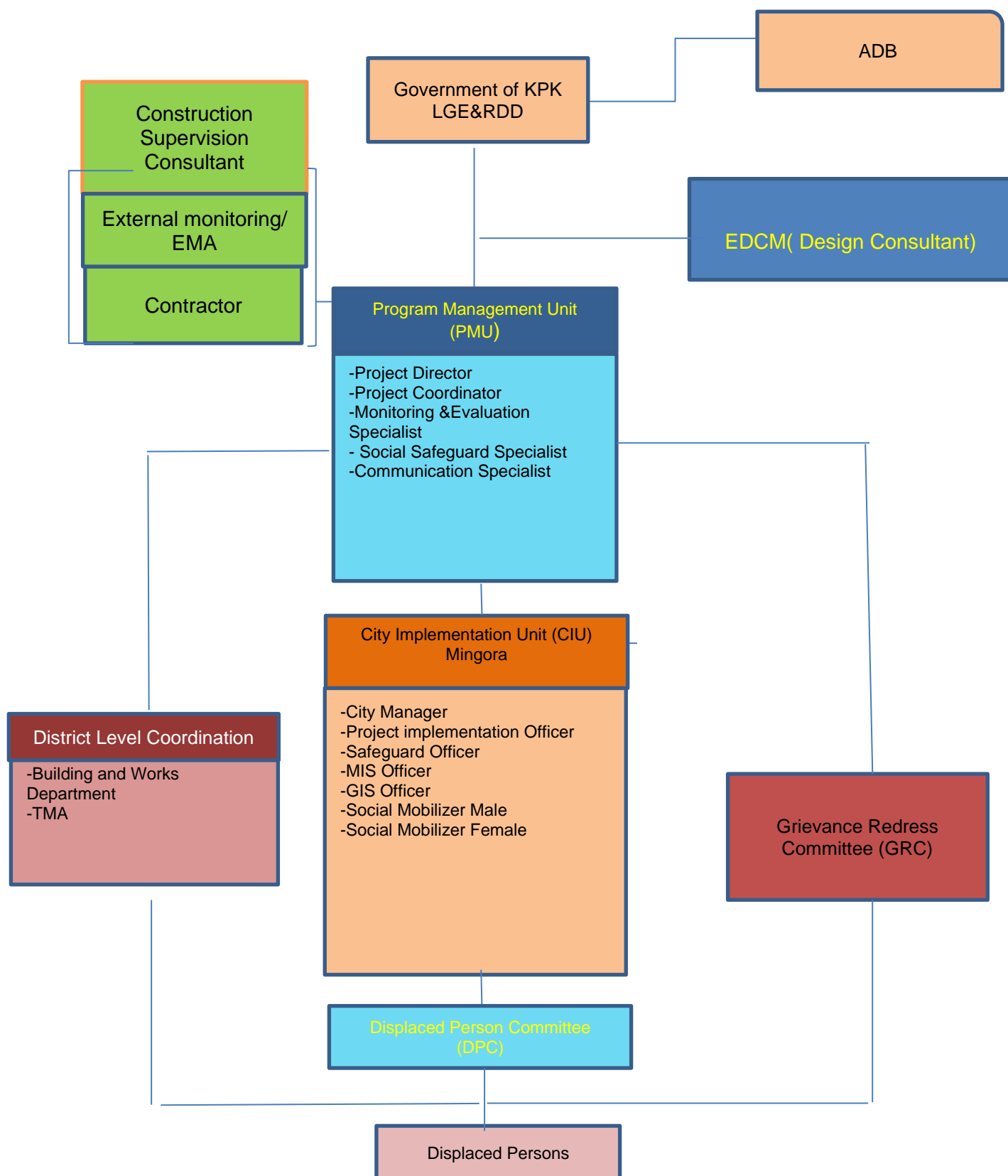
10.9 ADB

126. ADB reviews RP and confirms their responsiveness to ADB's safeguards requirements. In cases where these do not meet ADB's requirements, additional assessment and improvement of the RP will be undertaken. ADB will also conduct periodic social safeguards reviews; to verify Resettlement planning and implementation is being carried out as agreed in this RP.

10.10 Organizational Chart

127. An organogram showing the institutional arrangements for the implementation of RP has been illustrated through a diagram presented in figure below (Figure 10.1).

Figure.10.1: Institutional set-up for the Implementation of Resettlement Plan



SECTION 11

IMPLEMENTATION SCHEDULE

11.1 Introduction

128. The implementation schedule has been formulated (in consultation with LGE & RDD) to accommodate different activities of the subproject and therefore different times of LAR as necessitated by the civil works. Social preparation, particularly information dissemination and maintaining a constant dialogue with the DPs, will be continued by the Executing Agency (EA), Project Management Unit (PMU), City Implementation Unit (CIU) till the completion of sub-project.
129. The relocation of the DPs in the area will be required towards the end of this year, 2021 and the schedule has taken these into consideration. The compensation payments if delayed for more than a year after computation will be indexed considering rate of inflation and rates prevailing at the time.

11.2 Sequence of activities for Resettlement Plan preparation and implementation

130. The implementation of the RP will commence after 3 months of the ADB's approval. ADB will issue a no objection for the initiation of civil works once the payment of compensation to the DPs is confirmed by the external monitor. The Project will need to complete all payments of compensation and resettlement assistance prior to the commencement of all civil works that cause impacts on DPs. Consultations with DPs and stakeholders as well as internal monitoring and grievance redress will be undertaken throughout the Project duration. For a clear and transparent resettlement process the following sequence of activities as described in Table 11.1 is to be ensured by the PMU-LGE&RDD.

Table 11.1: RP Preparation and Implementation Activities/Schedule







| S/No | Activity | Responsibility | Schedule |
|------|------------------------------------------------------------------------------------------------------------------|-----------------------|----------------|
| 1 | Finalization of Detailed Design | PMU & EDCM Consultant | Done |
| 2 | SIA, Census, LAR impact inventory with extent of loss to each DP prepared, compensation, entitlements finalized. | PMU | Under process |
| 3 | Preparation of draft RP | PMU | Done |
| 4 | ADB reviews and comments on RP | ADB | August 2021 |
| 5 | Notification of GRC | PMU | September 2021 |
| 6 | Updated of socio economic and census survey | PMU | September 2021 |
| 7 | Updated & Final RP | PMU | October 2021 |
| 8 | Institutional arrangements put in place for RP implementation | PMU -LGE&RDD | Done |
| 9 | Arrangement of resettlement Budget | PMU-LGE&RDD | November 2021 |

| S/No | Activity | Responsibility | Schedule |
|------|--------------------------------------------------------------------------------------------------------------------------------------------|----------------|-------------------------------------------------------------------------------------------|
| 10 | Distribution of executive summary of RP, and notices to receive DPs for compensation payment | PMU | RP will be disclosed after approval by ADB and notices will be served until December 2021 |
| 11 | Completion of payment of compensation according to the procedure provided in the RP | PMU & CIU | January 2022 |
| 12 | Submission of RP implementation compliance report | EMA | February 2022 before award of contract |
| 13 | Issuance of no-objection for contract award and commencement of civil works for Pedestrianizing of the old city commercial area Abbottabad | ADB | February 2022 |
| 14 | Semi-annual social monitoring during subproject implementation | PMU | Bi annual basis |

11.3 Implementation Schedule

131. The commencement of civil work will be subject to the satisfactory implementation of final Resettlement Plan including payment of compensation and livelihood assistance and redress of community concerns. Based on the implementation experience of previous projects, it is expected that the implementation of final RP for the Pedestrianizing of the old city commercial area Abbottabad Landfill site be completed till January 2022. The detail of proposed schedule is presented below.

Fig 11.1: RP Implementation Schedule

| Sr. No | Items | Status | Year 2021-22 | | | | | | | | | Responsibility |
|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|------------------------------------------------------------------------------------|-----|-----|------------------------------------------------------------------------------------|-----|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-----|-----------------------|
| | | | MAY | JUN | JUL | AUG | SEP | OCT | NOV | DEC | JAN | |
| 1 | Socio economic, gender survey and census of DPs | Done |  | | | | | | | | | |
| 2 | Conducting public Consultations and Disclosure | Continuous process |  | | | | | | | | | PMU & Consultant |
| 3 | Formation of GRC: Complaint from Aggrieved DPs, Investigation and Actions & Monitoring Resolution of Complaint | Under process | | | |  | | | | | | PMU |
| 4 | Preparation of a final RP and Disclosure | Not Yet | | | | | |  | | | | PMU & Consultant |
| 5 | Compensation Payment: Compensation payment for wooden stalls & iron shades | Not Yet | | | | | | |  | | | PMU, WSSC & Revenue |
| 6 | Monitoring and Reporting: Review of RP Implementation & If RP Implementation found satisfactory, notice to proceed for Civil works is issued | Not Yet | | | | | | | |  | | EMA |
| 7 | Contractor mobilization/ commencement of civil works (after ADB review of the RP implementation compliance report) | Not Yet | | | | | | | | | | PMU, CIU & Contractor |

SECTION 12

MONITORING AND REPORTING

12.1 Monitoring and Reporting

132. This section provides a description of the monitoring and reporting that will be carried out for the Project. Monitoring involves periodic checking to ascertain whether activities are progressing as per the Project schedule and following the required standards, while reporting is summing up and assessing performance at the end of the Project. The objectives of M&R are to identify any problems or improvements needed in the RP implementation, with the aim to allow changes to be made to improve the implementation as early as possible and ensure that DPs are settled and better off at the new locations with their standard of living restored or improved.

12.2 Internal monitoring

133. The roles and responsibilities for internal monitoring involve:
- a. The PMU/CIU with the support of the consultant will be responsible for monthly monitoring of the progress of resettlement activities
 - b. The PMU will review the efficacy of the monitoring arrangements quarterly and refine the arrangements accordingly
 - c. Six monthly monitoring reports will be submitted to ADB by PMU/CIU with the inputs from Consultant.
134. Specific internal monitoring benchmarks will include the following:
- d. Number of consultation meetings and activities with DPs and stakeholders carried out
 - e. Status of the compensations, resettlement and rehabilitation assistance
 - f. Selection and distribution of relocation areas for vendors
 - g. Livelihood restoration activities carried out
 - h. Problems encountered and actions taken
 - i. Number and type of resettlement grievances received, how they are being addressed and how long they take to be closed out.
135. Currently all the DPs registered to date are male. If, upon updating the RP, female DPs are identified, the reporting of internal and all other M&E activities will present gender disaggregated data. Where livelihood restoration activities target or include women, gender disaggregated data will be collected and reported.

12.3 External monitoring

136. PMU with the support of CIU will hire the services of a firm, NGO or a qualified and experienced resettlement expert, to undertake external monitoring. The expert will be selected with concurrence of ADB. The objective of the external monitoring will be to determine the Project's achievement of resettlement activities in line with the objectives of this RP and identify any longer-term changes in livelihoods and socio-economic conditions of DPs (both negative and positive), any need for mitigation measures and lessons learned.

137. Key external monitoring tasks will include to:

- Review and verify internal monitoring reports
- Review socio-economic baseline and household asset census survey information of pre-displaced persons
- Identify and select impact indicators ▪ Assess impact through formal and informal surveys with the DPs
- Consult with DPs, officials, community leaders for preparing monitoring report
- Assess the efficiency, effectiveness, impact and sustainability of resettlement, drawing lessons learned for future resettlement activities.

12.4 External evaluation

138. The external monitor to be recruited by December 2021 will conduct a close out evaluation of overall RP implementation following its completion, to determine whether the standards of living of the DPs have been maintained, improved or diminished and planned activities achieved their intended objectives or not. The evaluation will concentrate on following parameters:

- Efficacy of mechanisms and indicators for internal and external monitoring
- Mechanisms used for disclosure of information, consultation and participation of DPs
- Effectiveness and efficiency of the PMU/CIU in RP implementation
- Assessment of the resettlement efficiency, effectiveness, impact and sustainability for drawing lessons for future resettlement policy formulation and planning
- Evaluation of adequacy of compensation given to DPs and livelihood opportunities as well as the quality of life of DPs from project-induced changes
- Evaluation and assessment of the adequacy and effectiveness of the consultative process with DPs, particularly those are vulnerable, including the adequacy and effectiveness of livelihood activities, grievance procedures and legal redress available to the affected parties, and dissemination of information about these
- Institutional arrangements
- Level of satisfaction of DPs in the post resettlement period

139. 161. An estimated budget of PKR 15,000,000/- has been included for external monitoring and evaluation activities in the resettlement budget. This figure remains in line with the figure presented in the PRF but has been adjusted for the relevant inflation rate.

12.5 Reporting requirements

140. PMU/CIU will submit the RP internal monthly monitoring reports to the ADB, which will cover the status of RP implementation in terms of required mitigation measures and necessary remedial actions to effectively address social and resettlement impacts due to Project implementation, status of implementation of livelihood activities, status of capacity building activities and documentation of complaints received and corresponding actions taken. The Resettlement Specialist of the PMU will maintain up-to-date records of RP implementation and other social safeguard activities and will provide findings of monitoring activities in the monthly progress reports.

141. In addition, a completion report on payments of compensation, allowances and clearing of the site will be prepared by the PMU with the support of CSC prior to mobilization of civil works, which will be verified by an external monitoring expert/agency at the end of December

31, 2021.

142. The PMU will be required to submit external monitoring reports to ADB for review, to be disclosed on the ADB, LGE&RD websites. Relevant information from the monitoring reports will also be disclosed to the DPs upon submission, including information on financial progress/disbursement and progress on livelihood/income restoration, relocation, resettlement assistance and rehabilitation and grievances. EMA will submit 1st safeguard monitoring report as the compensation disbursement is completed (and later it will be submitted on semiannual basis.

ANNEX-A: LIST OF 24 SUBPROJECTS OF KPCIP

| Sr. No | Subprojects | City |
|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| 1 | New Surface Water Treatment Plant (WTP) and Intake structure | Abbottabad |
| 2 | Rehabilitation and upgradation of water supply system connected to the WTP: a. Rehabilitation or provision of water storage reservoirs b. New distribution network and water metering system | Abbottabad |
| 3 | Integrated solid waste management system including landfill | Abbottabad |
| 4 | Pedestrianization of Old City Commercial Area Abbottabad | Abbottabad |
| 5 | Urban/Green Space initiatives - Shimla Hill Urban Forest Abbottabad | Abbottabad |
| 6 | Urban/Green Space initiatives - Remediation of Solid Waste Dump & Conversion into Park | Abbottabad |
| 7 | New Sewage Treatment Plant (STP) at KDA | Kohat |
| 8 | Water supply improvements in Kohat city. a. Rehabilitation or provision of water storage reservoirs b. New distribution network and water metering system | Kohat |
| 9 | Integrated solid waste management system including landfill | Kohat |
| 10 | Women Business Development and Community Center | Kohat |
| 11 | Urban/Green Space initiatives - Sports Complex Kohat | Kohat |
| 12 | Operationalization & upgrade of Sewage Treatment Plant (STP) | Mardan |
| 13 | Integrated solid waste management system including landfill | Mardan |
| 14 | Urban/Green Space initiatives - Ring Road Green Belt Mardan | Mardan |
| 15 | Urban/Green Space initiatives - N-45 National Highway Mardan | Mardan |
| 16 | Urban/Green Space initiatives - Ghulam Nabi Park Mardan | Mardan |
| 17 | Urban/Green Space initiatives - Ladies Park Mardan | Mardan |
| 18 | Mingora Greater Water Supply Scheme including new Water Treatment Plant (WTP), Intake Structure, transmission and distribution systems. | Mingora |
| 19 | Integrated solid waste management system including landfill | Mingora |
| 20 | Development of Neighbourhood Park on Old Slaughter House Site | Mingora |
| 21 | Water supply system improvements in city a. Rehabilitation or provision of water storage reservoirs b. New distribution network and water metering system | Peshawar |
| 22 | Integrated solid waste management system including landfill | Peshawar |
| 23 | Urban/Green initiatives - Hayatabad Besai Park Peshawar | Peshawar |
| 24 | Urban/Green initiatives - Bagh-e-Naran Park Extension Peshawar | Peshawar |

ANNEX-B: LIST OF SURVEY QUESTIONNAIRE

Khyber Pakhtunkhwa Cities Improvement Project (KP-CIP)
Local Government KP

Land Acquisition and Resettlement Plan

SOCIO-ECONOMIC SURVEY OF THE DISPLACED PERSONS

A. IDENTIFICATION

| | |
|-------------------|---------------------|
| Sr. | Date: |
| No. _____ | _____ |
| _____ | |
| Interviewer: | Name of |
| _____ | Respondent/DP:_____ |
| S/o: | Caste:_____ |
| _____ | _____ |
| _____ | Location: |
| Union | _____ |
| Council:_____ | |
| Residential | Cell No: |
| Address:_____ | _____ |
| Age: | Marital Status: |
| _____ | _____ |
| years | |
| Education: | Profession: |
| _____ | _____ |
| Category of DP: - | DP-ID: |
| _____ | _____ |

B. Household / Family Profile of the Displaced Persons

| Sr. No. | Name | Relationship with House.Head | Age | Marital Status | Education | Occupation/Income Status | | | | Total Monthly Income (PKR) |
|------------|------|------------------------------------|-----|-------------------|-----------|--------------------------|---------------------------|------------|---------------------------|-------------------------------------|
| | | | | | | Major | | Minor | | |
| | | | | | | Occupation | Income Monthly (Rs) | Occupation | Income Monthly (Rs) | |
| 1 | | | | | | | | | | |
| 2 | | | | | | | | | | |
| 3 | | | | | | | | | | |
| 4 | | | | | | | | | | |
| 5 | | | | | | | | | | |
| 6 | | | | | | | | | | |
| 7 | | | | | | | | | | |
| 8 | | | | | | | | | | |
| 9 | | | | | | | | | | |
| 10 | | | | | | | | | | |
| 11 | | | | | | | | | | |
| 12 | | | | | | | | | | |
| 13 | | | | | | | | | | |
| 14 | | | | | | | | | | |

Q.1.How much is your landholding? _____ Acres

Q.1.1: How much is located in the project area:

Acres and how much is outside the project area:_____acres

Land Utilization

| Land | Acre | Kanal | Marla |
|----------------------------------|------|-------|-------|
| Total Area owned | | | |
| Total Cultivated Area | | | |
| Area Under Rabi(winter) Crops | | | |
| Area Under Kharif (summer) Crops | | | |
| Uncultivated Area | | | |
| Waste land | | | |
| Area Under Farm Houses | | | |
| Barren Land | | | |

Q.2.How much is your average H.H. monthly expenditure? PKR _____

Q.3. What is type of your family system? 1. Joint 2. Nuclear

C. HOUSING/ HOUSEHOLD ITEMS

Q.4. What is type of your household structure?

1. Pucca 2. Semi Pucca 3. Kacha

Q.5. What is the type of ownership of your house?

1. Owned 2. Rented 3. Any other: _____

Q.6. Possession of Household Items?

| Sr. No. | Household Item | Yes/No | Sr. No. | Household Item | Yes/No |
|---------|-----------------|--------|---------|----------------|--------|
| | Television | | | Truck | |
| | Refrigerator | | | Motorcycle | |
| | Computer | | | Rickshaw | |
| | Smart phone | | | Other | |
| | DVD player | | | | |
| | Electric cooker | | | | |
| | Washing machine | | | | |
| | Electric fan | | | | |
| | Iron | | | | |
| | Misc. items | | | | |
| | Car/jeep | | | | |

D. LIVESTOCK POSSESSION

Q.7. Details about Livestock

| Sr. No. | Household Item | Yes/ No |
|---------|----------------|---------|
| 1 | Cow | |
| 2 | Buffalo | |
| 3 | Sheep | |
| 4 | Chicks | |
| 5 | Goats | |
| 6 | Other | |
| | | |
| | | |
| | | |
| | | |
| | | |

E. DRINKING WATER

Q.8.What is the source of drinking water?

1. Municipal Tap Water 2. Hand Pump 3. Water carrier

4. Any Other: _____

Q.9. Are you satisfied with quantity and quality of drinking water?

1. Satisfied 2. Not Satisfied

If Not, Then what are the reasons _____?

F. FUEL SOURCES FOR COOKING

Q.10.What are the sources of fuel for cooking purpose?

1. Sui gas 2. Gas cylinder 3. Coal/ wood

G. COMMUNICATION SYSTEM

Q.11. What do you use as source of communication system?

1. Mobile Phone 2. Both Mobile Phone & Landline 3. No Phone

4. Internet

H. SOLID WASTE

Q.12. Is there any collection system of solid waste in your community?

1. Collected by the government 2. No collection service 3. Society own collection system

I. EDUCATIONAL FACILITIES

Q.13.Which of the following Educational Facility is available in or nearby your residential area?

| SR. No. | Educational Facility | Yes | Number | No |
|---------|----------------------|-----|--------|----|
| 1 | Religious Institute | | | |
| 2 | Primary School | | | |
| 3 | Middle School | | | |

| | | | | |
|---|-------------------|--|--|--|
| 4 | High School | | | |
| 5 | Vocational School | | | |
| 6 | College | | | |
| 7 | University | | | |
| 8 | Private schools | | | |

J. MEDICAL FACILITIES

Q.14.Are you or any of your family members is suffering from any disease?

1. Yes 2. No

Q.15.If yes, then who and what kind of disease(s)

Q. 16. No. of visits to health care facility during last three months?

No. of Visits: _____

Q.17. Which of the following Health Facility is present in or nearby your residential area?

| Sr. No. | Health Facility | Yes | No |
|---------|--------------------------------------|-----|----|
| 1 | Basic Health Unit (BHU) | | |
| 2 | Dispensary | | |
| 3 | Rural Health Unit (RHU) | | |
| 4 | Hospital | | |
| 5 | Clinic/ Private Practitioner/ Hakeem | | |
| 6 | Homeopathic Practitioner | | |

Access to Social Amenities (Tick)

| Social Amenities | Available | Satisfactory | Non-Satisfactory | No Access |
|-------------------|-----------|--------------|------------------|-----------|
| Electricity | | | | |
| Sui Gas | | | | |
| Water Supply | | | | |
| Telephone | | | | |
| Sewerage/Drainage | | | | |
| BHU | | | | |
| School | | | | |
| Others | | | | |

K. CREDIT

Q.18. Did you borrow money during the last one year?

1. Yes 2. No

Q.19. If yes, for what purpose

1. For Business 2. For other family needs

How much amount did you borrow: _____

Q.19A. What was the source of loan?

1. Bank 2. Relatives 3. Friends

Social Organizations

Specify the existing village/social organizations in your area and state their functional status?

| Sr. No. | Name of Organization | Category | Registered/ Unregistered | Functions |
|---------|----------------------|--------------------|--------------------------|-----------|
| 1 | | Religious | | |
| 2 | | Educational | | |
| 3 | | Skill Development | | |
| 4 | | Social Welfare | | |
| 5 | | Women Organization | | |
| 6 | | Other | | |

Perceptions of Respondents for Action Associated with the Project

| | Increase | Decrease |
|------------------------------------|----------------------|----------------------|
| Employment opportunities | <input type="text"/> | <input type="text"/> |
| Marketing facilities opportunities | <input type="text"/> | <input type="text"/> |
| Living standard | <input type="text"/> | <input type="text"/> |
| Unemployment | <input type="text"/> | <input type="text"/> |
| Income generating activities | <input type="text"/> | <input type="text"/> |
| Mobility (Access to Resources) | <input type="text"/> | <input type="text"/> |
| Quality of drinking water | <input type="text"/> | <input type="text"/> |
| Agriculture water | <input type="text"/> | <input type="text"/> |
| Trend of fish farm | <input type="text"/> | <input type="text"/> |
| Other specify _____ | | |

Signature of the

Interviewer: _____

ANNEX-C: LIST OF THE DPS**List of the APs of Pedestrian Street Abbottabad**

| S.NO | Name | Type of losses |
|-------------|-------------------|-----------------------|
| 1 | Sajjad Ali | Iron Shade |
| 2 | Muhammad Iqbal | Iron Shade |
| 3 | Saqiab Khan | Wooden stall |
| 4 | Ikram ul haq | Wooden stall |
| 5 | Muhammad Yasin | Wooden stall |
| 6 | Muhammad Rizwan | Wooden Stall |
| 7 | Muhammad Ramzan | Wooden stall |
| 8 | Abdul Ghafoor | Wooden stall |
| 9 | Shoukat Khan | Wooden stall |
| 10 | Muhammad Tayyab | Wooden Stall |
| 11 | Muhammad Siddique | Wooden stall |
| 12 | Muhammad Ishaque | Wooden stall |
| 13 | Muhammad Ismail | Wooden stall |
| 14 | Muhammad Tahir | Wooden Stall |
| 15 | Alam Ali | Iron Shade |
| 16 | Skindar Ali | Iron Shade |
| 17 | Muhammad Shafique | Iron Shade |
| 18 | Muhammad Muzaffar | Iron Shade |
| 19 | Farhan Ali | Iron Shade |
| 20 | Shezad Akbar | Iron Shade |
| 21 | Muhammad Toufeeq | Iron Shade |
| 22 | Hashmat Ali | Iron Shade |
| 23 | Karim Bhaksh | Wooden stall |
| 24 | Zia ud din | Wooden stall |
| 25 | Attif Ali | Wooden stall |
| 26 | Sheroz Khan | Wooden Stall |
| 27 | Muhammad Boota | Wooden stall |
| 28 | Touqeer Ali | Wooden stall |
| 29 | Riza Khan | Wooden stall |
| 30 | Fayyaz Khan | Wooden Stall |
| 31 | Saeed Khan | Wooden stall |
| 32 | Abdul waheed | Wooden stall |
| 33 | Shakeel Ahmad | Wooden stall |
| 34 | Nazeer Ahmad | Wooden Stall |
| 35 | Amanat Ali | Wooden stall |
| 36 | Muhammad Asad | Wooden stall |
| 37 | Inyat Ullah | Iron Shade |
| 38 | Mehmood Ahmad | Iron Shade |
| 39 | Akbar Ali | Iron Shade |
| 40 | Ashiq Hussain | Wooden stall |
| 41 | Manzoor Ahmad | Wooden stall |
| 42 | Ashfaq Ahmad | Wooden Stall |
| 43 | Munir Muhammad | Wooden stall |
| 44 | Jameel Ahmad | Wooden stall |
| 45 | Imdad Ali | Iron Shade |

| S.NO | Name | Type of losses |
|-------------|------------------|-----------------------|
| 46 | Muhammad Aslam | Iron Shade |
| 46 | Muhammad Mushtaq | Iron Shade |
| 47 | Aftab Ahmad | Iron Shade |
| 48 | Asim Khan | Iron Shade |
| 49 | Muhammad Naeem | Iron Shade |
| 50 | Dalawar Hussain | Iron Shade |
| 51 | Ghulfam khan | Iron Shade |

PHOTO GALLERY



Meeting with Deputy Commissioner, Abbottabad.



A View of the Pedestrian streets Abbottabad