Office of the Special Project Facilitator
Asian Development Bank

Contract No. A11314
RSC-C61051 (PAK): Complaint Enquiry
PAK National Highway Development Sector Investment Program

Wiqar Abbas
December 2006
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December 2006
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1. INTRODUCTION

1-1 Background

1. The Office of the Special Project Facilitator (OSPF) received an email from Malik Wazir Dogar, a resident of Muzaffargarh Punjab, Pakistan on 09 September 2006 with a letter attachment addressed to the “Director of the Asian Development Bank (ADB)”. The letter referred to two previous letters requesting for information on the construction of a bypass road in Mauza Taleeri near Muzaffargarh, Punjab which it says will cause displacement of village residents. OSPF acknowledged receipt of the email and met with the project officer concerned from the Central and West Asia Department Infrastructure Division (CWID) on 14 September 2006. In this meeting, OSPF learned that: (i) CWID had not been able to contact the affected people despite several attempts since they received the complaint on 20 June 2006 through the Pakistan Resident Mission (PRM); but (ii) it has already requested the National Highway Authority (NHA) to look into the complaint and submit a formal report on the actions and remedies that it will take to address the concerns. In the same meeting, the project officer assured OSPF that construction will not commence until the problem has been satisfactorily resolved.

2. OSPF sent a letter to the affected people on 25 September 2006 explaining that it has approached the operation department (OD) concerned and that OD has requested NHA to look into the issues. OSPF also requested the affected people to confirm the information that NHA with the assistance of resettlement consultants met with the affected people and are in a continuing dialogue to address the concerns. A set of OSPF brochures was also enclosed with the letter. On 29 October 2006, OSPF received an email from the affected people saying that they awaited SPF’s visit to the area to discuss their concerns. The email also made reference to a number of documents which OSPF received on 10 November 2006 and needed to be translated into English. In this set of documents, the affected people (the Group) designated Malik Wazir Dogar as their official representative. Unfortunately, on 04 November 2006, OSPF was informed of his demise.

3. In an email, OSPF requested (i) information from the Group on who would take Malik Wazir Dogar’s place in communicating with OSPF; and (ii) to be kept posted on the progress with regard to their efforts to resolve issues with the assistance of the government and OD; and (iii) informed them that the SPF visit will normally be undertaken only if and when a complaint has been formally filed with OSPF. In the most recent information received, the Group indicated that the tendering process has been completed and the construction of the bypass road will start soon.

4. In its e-mail communication (in English) the Group did not always respond to the questions raised and OSPF is not entirely sure that its communication, including the procedure for the filing of a complaint is really fully understood by the recipients.

1-2 Objectives of Assignment and Specific Tasks

5. The objectives of the assignment were to (i) advise and guide the Group on the complaint procedure, and the requirement to file a complaint and (ii) do a preliminary assessment of the complaint including progress made by the government and OD to resolve the issues.

6. According to the TOR for the Consultant, the specific tasks for the assignment were as follows:

   a) Visit the local project implementation office-local National Highway Authority office or any other office as needed to explain the Accountability Mechanism/ the Consultation
Phase, and the assignment, find out the current stage in the process of involuntary resettlement of the villagers, and assess efforts to resolve concerns of the Group;

b) Visit the Project area, meet and discuss with the Group and find out the actual situation in the field;

c) Discuss with the Group what are the next steps they are planning to undertake, and what they expect from EA, IA, ADB Operations or OSPF;

d) Explain the Accountability Mechanism, in particular the consultation phase, the criteria for eligibility if they decide to file a complaint, and the procedures;

e) Prepare a short report on the findings and agreements with the EA, IA and the Group.

7. For completing the assignment, telephonic contacts were established with the NHA project office and representative of the group for obtaining initial information. In accordance with the information provided by the representative of the group, visits to (i) Basti Gujja, Mauza Doaba; (ii) Basti Hanjrawali, Mauza Taleri, and (iii) settlement near Mahmood Textile Mills, Mauza Taleri, as well as the site of Muzaffargarh bypass, were required to meet the group of complainants and observe the situation. Visit to Multan city was necessary to meet the NHA staff. Accordingly, for conducting these meetings with the Group and NHA staff\(^1\), visits were arranged from 22\(^{nd}\) December 2006 to 27\(^{th}\) December 2006. The Consultant explained to the stakeholders the accountability mechanism of ADB, its procedures and criteria for eligibility with the help of the brochure “An Information Guide to the Consultation Phase of ADB Accountability Mechanism” (in Urdu). This information guide was also distributed to the Group.

2. ISSUES AND CONCERNS

2-1 Issues according to Complainants’ Communication with OSPF

8. The first e-mail received by OSPF on 9\(^{th}\) September 2006, from Malik Wazir Dogar informed that Muzaffargarh Bypass which is a part of the improvement of Multan-Muzaffargarh road (N-70) will cause displacement of residents. Malik Wazir Dogar died and in his place Mr. Khalid Abdul Qadir (a complainant/affectee of the proposed project) became the Representative of Mutasireen\(^2\) Muzaffargarh Bypass.

9. An e-mail from Mr. Khalid Abdul Qadir son of Abdul Rahim was received by OSPF requesting information about the latest situation of the N-70 project as (i) the NHA staff were informing them that the tendering process has been completed and the construction award would be given in the near future; the community should be ready to move as the land along with the trees, crops and houses is being acquired; and (ii) the community is disturbed because they are not being informed properly about the acquisition and compensation.

2-2 Issues according to Complainants’ Communication with NHA

10. During the consultant’s visit a number of additional documents were provided by the Group which are listed in Annex 2. These include three applications/letters to the Chairman, National Highway Authority (NHA) discussed below:

\(^1\) List of persons met is attached as Annex 1.

\(^2\) Affectees. Therefore, “Mutasireen Muzaffargarh Bypass” means the “Affectees of Muzaffargarh Bypass”
11. The application by the complainants dated 28th June, 2006 sent to the Chairman, NHA listed the following issues/ concerns and requested that the bypass may be built on an alternate alignment:

a) That NHA has prepared the (alignment of) Muzaffargarh Bypass plan on the suggestion of the large landowners, industrialists and people having political influence. Accordingly the agricultural lands and orchards of large landowners, industrialists and people having political influence are not affected by this alignment. The orchards, agricultural lands and houses of only the small landholders and poor farmers are affected and they will permanently lose their livelihood.

b) That NHA had earlier prepared a plan for construction of the Bypass road over the “Doaba Flood Protection Dam” but, without any reason, this plan was shelved on the wishes of the large landowners and people with political influence.

c) That in district Muzaffargarh there is sufficient state land along the railway line on which the Muzaffargarh Bypass can be built without adversely affecting any person.

d) That in case the Bypass is built on the alignment according to the present plan, then the orchards having fully grown mango trees belonging largely to small landholders and poor farmers will be cut and their land used for the Bypass. This will affect their sole source of income and the affectees/applicants will have to bear this permanent loss of income.

e) It is, therefore, requested that the NHA should be directed to build the Muzaffargarh Bypass on alternate alignments along the railway line or on the “Doaba Flood Protection Dam” instead of constructing it according to the alignment according to the present plan.

12. Another letter of the complainants sent to the Chairman, NHA on 6th November, 2006 lists the same issues/ concerns and suggests the same alternate alignment for the bypass as given in the previous para. This application was strongly recommended for action by Mr. Amjad Hameed Dasti, Member of the Provincial Assembly of Punjab from Muzaffargarh.

13. In another letter of the complainants sent to the Chairman, NHA, dated 6th December, 2006 the same issues/ concerns were again listed and suggestions were given for alternate alignment. The application highlighted that the land that will have to be acquired in the suggested alternate alignment belongs to the Government and therefore this will reduce acquisition cost of land as well as displacement of persons.

14. According to these complainants, the problem of the affected persons (APs) is due to the land acquisition for the Muzaffargarh Bypass on Multan Muzaffargarh Road (N-70) which is a sub-project of an ADB Project.

15. Thus the issues/ concerns which are the subject of this report by the Consultant are:

a) that due to the designed alignment of the Muzaffargarh Bypass of Multan Muzaffargarh Road (N-70), a number of persons would be displaced and lose their livelihood. With an alternate alignment suggested in these letters this loss could have been reduced;

b) that the affected persons have not been taken into confidence/informed about: (i) the details of their assets that will be acquired; (ii) the basis/unit rate of different assets; (iii) total compensation which they will be entitled to receive; (iv) the timing of compensation; and (v) when they will be required to move from the place, etc. (All this generally concerns the administration of the resettlement plan).
3. COMPLAINT ENQUIRY

3-1 Results of Meetings with NHA

16. In meetings with the Project Director and Deputy Director of N-70 Project, NHA, at their office in Multan the following issues were discussed:

a) Confirmation of Project Area: It was confirmed that the complainants’ houses, agricultural lands and orchards, etc fall within the area that is being acquired for the proposed Muzaffargarh Bypass;

b) Request for change of alignment: the issue of changing the alignment of the bypass from the designed alignment to that suggested by the complainants is a technical issue and the alternate alignments too may have been considered at the time of design of this sub-project by the consultants. In the PD’s opinion, the concerns could have been redressed by a slight change in alignment. However, he considers that this is a now a closed issue and any change at this time is inappropriate, as “the adopted alignment has been directed/ requested by ADB Specialist Team namely Dr. Michael, Dr. Jamsheed and Mr. Peter etc after detailed investigation” (please see next para for details). The complainants have, however, not been provided with any written rejection of their appeal for change in alignment.

c) In the context of changing the alignment, the Project SITREP Report dated 30th November 2006 sent by the Project Director Multan Muzaffargarh Road (N-70), NHA, Multan to the Director (MW&HW)/ PCO, NHA, Islamabad against “Serial Number 17 Other Points: (i) Complaint from concerned individual regarding Muzaffargarh Bypass” states that:

“For group of complainants was contacted and their views listened which could be redressed by a slight change in alignment from km 23+900 to 26+450. Matter was reported to PCO on 4th July 2006. In this context NHA’s Geometric Expert, Mian Noor Mehmood has visited the site on 25th July 2006. However as the adopted alignment has been directed/ requested by ADB Specialist Team namely Dr. Michael, Dr. Jamsheed and Mr. Peter etc after detailed investigation, any change at this stage does not feel appropriate.”

d) Land Acquisition: The land acquisition program is in process. The project SITREP report of November 30, 2006, refers to land acquisition at the following serial numbers:

i) Sr. 9 Land Acquisition program (i) Notification u/s 4 “completed and published in Punjab Gazette”.

ii) Sr. 9 Land Acquisition program (ii) Notification u/s 4 for minor left over portions “completed and published in Punjab Gazette”.

iii) Sr. 9 Land Acquisition program (iii) Notification u/s 5 “Record of all 9 villages ready. However, revenue department advised to submit the funds which has been requested NHA, HQ, Islamabad”.

iv) Sr. 9 Land Acquisition program (iv) Transfer of State Land to NHA “Case submitted to concerned Revenue Officer Multan and Muzaffargarh”.

v) Sr. 9 Land Acquisition program (v) Cost Estimate of Land “DO (R) Muzaffargarh has submitted the cost estimate. NHA has been requested for funds”.

vi) Sr. 9 Land Acquisition program (vi) Cost Estimates of Structures “Survey of structures will follow survey of crops and orchards”.

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3 Copy attached as Annex 3.
vii) Sr. 10 Mobilization of NHA HQ Team Leader for Land and Social Welfare Teams “In Process”.

viii) Sr. 11 Dispatching social worker teams for acquisitions and resettlement. Team to accompany Land officers “In Process”.

ix) Sr. 12 Amount required for Land Acquisition “In Process”.

x) Sr. 14 Land and Resettlement Progress Report No. 1 “Acquisition Process on. Resettlement progress will start after completion of Land Acquisition and possession of Land”.

e) We were informed by the PD that survey of crops is being undertaken by the Agriculture Department and that for the orchards by the Horticulture Department of the Punjab provincial government. The progress of these surveys was not known and no progress or other report was available.

f) Resettlement: Resettlement is in process, and according to the PD, the resettlement plan is being followed. The project SITREP report of November 30, 2006, refers to resettlement issues at the following serial numbers:
   i) Sr. 10 Mobilization of NHA HQ Team Leader for Land and Social Welfare Teams – Resettlement Plan handed over by ADB Inception Mission “In Process”.
   ii) Sr. 11 Dispatching social worker teams for acquisitions and resettlement. Team to accompany Land officers “In Process”.
   iii) Sr. 14 Land and Resettlement Progress Report No. 1 “Acquisition Process on. Resettlement progress will start after completion of Land Acquisition and possession of Land”.

3-2 Results of Meetings with Affected People

17. The Consultant held meetings at Basti Gujja attended by a large number of APs, complainants and villagers and conducted an ocular visit of the area affected by the construction of Muzaffargarh Bypass. It was confirmed that

18. Confirmation of Project Area: The complainants’ houses, agricultural lands, orchards, etc fall within the area that is being acquired for the proposed Muzaffargarh Bypass (this was also stated by PD).

19. Request for Change of Alignment: A request for changing the alignment of the Bypass from the designed alignment to that suggested by the complainants has been repeatedly made by the complainants to the Chairman, NHA. They have not been informed in writing about the fate of their request. However, the project-affected people feel that fixing of boundary marking pillars or burjis\(^4\) for the alignment of the Muzaffargarh Bypass and publication of notice for acquisition of land in the Punjab Gazette in effect means that their request for change in alignment has effectively been rejected.

20. Land Acquisition: The main issues are that (i) the land acquisition process as required under the law has been started (through issuing notices under section 4 and 5 of Land Acquisition Act); (ii) NHA has started fixing burjis\(^5\) to show the alignment of the bypass and consequently what area is planned to be acquired; and (iii) NHA staff continuously talk about the contract being awarded and that work on construction of the bypass will start soon; however, the APs are not being taken into confidence or being informed about: (i) the exact size of each APs agricultural land that will be acquired; (ii) the rate at which it will be acquired; (iii) when will they receive the payment; and (iv) when will they be required to vacate the land.

\(^4\) Small white pillars showing the area which will be acquired.

\(^5\) Small white pillars showing the area which will be acquired.
21. The APs/complainants attending our meeting informed that one day before our visit, notices (handwritten notices on paper) were pasted at various places showing that the area is being acquired for the Muzaffargarh Bypass. These notices show the name of the owner of land and the khasra number (reference number in the land record) of land that is being acquired. This pasting of notices for acquisition of land appears to be direct result of this complaint enquiry and the proposed visit of the Consultant to the area.

22. **Resettlement:** The APs state that since their crops, orchards, houses, tubewells and shops will be acquired for the Muzaffargarh Bypass, their livelihood will be affected and they would require proper resettlement. They feel that they have not been taken into confidence or informed about (i) the exact number of fruit and other trees, tubewells, houses, structures, etc of each AP that is being acquired; (ii) the rate/amount of compensation at which these will be acquired; (iii) when will they receive the payment; and, (iv) when will they be required to shift from their houses or shops.

### 3-3 Review of the Complainants’ Issues

23. Feasibility of three sub-projects (including Multan-Muzaffargarh Road N-70 and the Muzaffargarh bypass) were prepared before the loan was considered by the Management Review Meeting (MRM) of the ADB. A draft resettlement plan (RP) was prepared for the N-70 subproject in July 2005 to serve as a model for future sub-projects.

24. The issues raised by the affected persons have been reviewed by the Consultant in this report in the light of (i) "model" RP of the sub-project N-70; (ii) Situation Report (SITREP) of November 2006 sent by the PD to NHA Islamabad; (iii) meetings with the complainants; and (iv) meetings with the NHA project staff.

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| 1. This resettlement plan has been prepared based on the detailed designs of sub-project N-70 Multan Muzaffargarh with a census, 100% asset inventory, and 20% socio-economic survey of affected households in the villages along the candidate road, consultation with the primary and secondary stakeholders (para 1 of RP). Annex 5 of the RP shows the census detail for Muzaffargarh Bypass. | The main concern of the complainants is that they have not been taken into confidence and informed about  
- the list of APs;  
- the exact assets of each AP that are being taken over;  
- the amount which each AP will be entitled to as compensation against this acquisition of assets; and,  
- when will they receive this compensation.  
Until they know what is being taken over, they are unable to file specific objections to the quantity of assets being acquired or the valuation of acquired assets. This concern appears to be valid on account of the following:  
- “Census of affected persons of agriculture land N-70” lists only seven affected persons (AP) of Basti Gujja and none from Basti Hinjrawali. According to the lists of APs of Basti Gujja and Basti Hinjrawali (provided to Chairman NHA by the complainants with various letters) the actual number of APs is much higher.  
- For most of the APs shown in this census, the size of land that will be acquired is different from that shown in the list provided by the complainants.  
- “Census of affected persons of residential area N-70” mentions that houses of only one person of Basti Gujja and three of Basti Hinjrawali will be affected. This again is quite different from the list provided by the complainants. |
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<td>• In case of houses, the size of land has been mentioned only if the plot is vacant. In most case of built houses, only the dimensions of rooms have been mentioned and the size of land on which the house has been built has not been mentioned.</td>
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2. The detailed measurement survey was completed and the RP has been disclosed to the APs (para 1).  
   • Please see previous comment on the data of APs and their affected assets shown in the census (attached as Annex 5 of the RP) which is based on detailed measurement survey.  
   • The complainants stated that no RP has been disclosed to them.

3. “Census of Project Affected Community Structure N-70”  
   During the meeting with the complainants, it was pointed out by participants that some of their community structures/religious sites are also being taken over but they have not been informed about what exactly will come in the alignment of the bypass.  
   The “Census of Project Affected Community Structure N-70” does not mention any Imambargah, however, Sr. 17 of SITREP of November 2006 against (iv)(b) states that “Meeting regarding Imam Bargah convened on 27th November for sorting out assessment of structure”.

4. NHA has disclosed the RP to the APs before the Management Review Meeting (MRM) of ADB (para 5).  
   The complainants stated that no RP has been disclosed to them.

5. In addition, the RP will also be disclosed through the official websites of NHA, and ADB (para 5).  
   • The RP is on ADB’s website but is currently not available on the NHA’s website.  
   • The document stage of RP is “Draft” and this is dated July 2005. There is no disclosure of any changes that have been made to this document, or, whether the RP has been finalized during these 18 months.

6. The NHA and field offices will establish and continuously maintain ongoing interaction with the APs and communities to identify problems and undertake remedial/ correctional actions (para 6).  
   The complainants protested about the continued lack of interaction and remedial/ correctional actions.

7. The project will provide adequate advance notification to the APs and will be paid their due settlement benefits and income restoration/ assistance prior to start of construction work. All activities related to land acquisition and resettlement will be completed prior to award of civil works contract (para 9).  
   Land acquisition and resettlement activities have not been completed till now. The complainants stated that NHA is saying that their lands etc will be acquired but till now they have not been informed about the exact assets that will be taken over and the basis of valuation and exact amounts at which these will be acquired.  
   On the other hand, Sr. 7 of SITREP of November 2006 states that “Standard Bidding Documents complete and bidding for civil works also complete”. The PD informed that the Award of Contract is being finalized and is expected within a month.

8. The RP has been translated into local languages (Urdu) and disclosed to the APs (Para14).  
   The complainants have not seen any RP (neither in English or Urdu).
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| 9. The project proposes to achieve fair and timely compensation through the establishment of affected persons committees (APC) for each village which will be charged with determining fair prices for each village and recommending them to the LAC for adoption in the Award (Para 36). List of members of APC’s committees for Basti Guija and Basti Hinjrawali (Annex 4 of RP). | Detail of members of APCs for Basti Guija and Basti Hinjrawali are given in Annex 4 of the RP.  
- The complainants claimed that meetings of these committees have not been held and they have not been consulted for determining the fair value of land.  
- This seems plausible because:  
  - four members (including the President and Secretary) of the APC for Basti Guija are complainants in this complaint;  
  - the President of the APC for Basti Guija (Mr. Mohammad Wazir Dogar, now deceased) is the elected representative of the affectees that have approached OSPF for this complaint;  
  - Two members (including the President) of the APC for Basti Hinjrawali are complainants in this complaint. |
| 10. Compensation and resettlement will be satisfactorily completed before a No Objection Certificate can be provided by ADB for award of civil works contract (para 38d) | Land acquisition and resettlement activities have not been completed till now. However, Sr. 7 of SITREP of November 2006 states that “Standard Bidding Documents complete and bidding for civil works also complete”. The PD informed that the Award of Contract is being finalized and is expected within a month. |
| 11. APs will be systematically informed and consulted about the project, and RPs will be made available in both English and Urdu languages to the affected persons and communities (para 38e). | The complainants denied having seen any RP (neither in English or Urdu). |
| 12. NHA has disclosed the RP to the affected persons before the MRM of ADB. In addition to this, a summary of RP will be prepared specifically for this purpose (disclosure) and translated into simple Urdu language (para 44) | The complainants denied having seen any RP (neither in English or Urdu). |
| 13. The disclosure schedule includes: During project implementation, based on revised/updated RP, disclosure to APs on ADB website. (Para 44) | The Draft RP (July 2005) is on ADB’s website. No revised/updated RP (if any has been prepared) has been posted on the ADB’s website. |
| 14. During Project implementation, a resettlement specialist (consultant) will explain the entitlement policy and various options to the APs prior to payments of compensation and other financial assistance, etc. (para 45). | The main issues in the complaint seem to arise from a combination of continued lack of interaction, inadequate disclosure and public awareness (probably due to not administering the RP strictly). According to SITREP of November 2006:  
Sr. 10 Mobilization of NHA HQ Team Leader for Land and Social Welfare Teams is “In Process”.  
Sr. 11 Dispatching social worker teams for acquisitions and resettlement. Team to accompany Land officers is “In Process”. |
25. The affected persons informed the consultant that they had learnt about OSPF in 2006 from some well-informed person. They, however, were unable to provide the name of that person.

4. RESULTS AND RECOMMENDATIONS

26. The results of our visits, interviews and documents review are summarized below:

   a) The group of affected persons have submitted a number of letters addressed to the Chairman NHA regarding their concerns/ issues arising due to construction of Muzaffargarh Bypass. No action has been taken on these letters.

   b) The affected persons have submitted e-mails and letters to voice their issues/ concerns to OSPF and are thankful that OSPF has taken quick action on their communication and deputed a Consultant to meet the stakeholders and review the ground realities (In fact, in the view of the affected persons, their communications to OSPF are already in the nature of a complaint – see para 28 below).

   c) It was observed that the houses, agricultural lands, orchards, etc of the affected persons fall within the area that is being acquired for the proposed Muzaffargarh Bypass. Hence their concern is due to an ADB assisted project.

   d) The request for changing the alignment of the Bypass (so that government land is utilized and private land would not be required) was repeatedly made to the Chairman, NHA. These requests were not responded to, but the complainants feel that this suggestion has effectively been rejected.

   e) Although Land Acquisition process has been started, the APs are not being informed about: (i) the exact size of each APs agricultural land that will be acquired; (ii) the rate at which it will be acquired; (iii) when will they receive the payment; and (iv) when will they be required to vacate the land.

   f) The crops, orchards, houses, tubewells and shops, etc of the APs will be acquired for the Muzaffargarh Bypass affecting their livelihood and requiring their proper resettlement. The APs are not being informed about: (i) the exact number of fruit and...
other trees, tubewells, houses, structures, etc of each AP that are being acquired; (ii) the rate at which these will be acquired; (iii) when will they receive the payment; and, (iv) when will they be required to shift from their houses or shops.

27. The affected persons expect the redressal of their grievances. For the redressal of their grievances it is recommended that transparency and public awareness in the land acquisition and resettlement process in accordance with the (draft) “model” RP should be strictly adhered to. Consequently the complainants/ APs should be informed about their concerns as detailed in the previous para.

28. The APs consider their e-mail and communications with OSPF as a Complaint and expect speedy relief. The complainants informed that they do not want to conceal their names and they have nominated Mr. Khalid Abdul Qadir as their representative.

29. The APs prima facie have a strong case. If the e-mail and communication of the affected persons is considered as a complaint, then in order to provide interim relief to the APs, further proceedings in the land acquisition process may be postponed pending decision of the “complaint”.
Photographs

Mr. Khalid Abdul Qadir representative of Affectees of Muzaffargarh Bypass explaining the grievances of the complainants

APs attending the meeting with the Consultant

Another view of meeting with the APs/Complainants/ villagers
Another view of the meeting with the APs/Complainants

Another view of the meeting with the APs/Complainants

Accountability Mechanism/Consultancy Phase being explained
Another view of the meeting with the APs/Complainants.

Consultant visiting the affected agricultural land and mango orchards.

Complainant explaining status of the affected land to the Consultant.
Agricultural Fields and mango orchards of the complainants/ APs of Muzaffargarh Bypass.
White boundary marking pillar (Burji) fixed in the agricultural fields of complainants / APs being acquired for the Muzaffargarh Bypass.

Complainants APs during the field visit

White boundary marking pillar (Burji) fixed in the agricultural fields of complainants / APs being acquired for the Muzaffargarh Bypass.
Notice, (which according to the complainants was pasted one day before our visit) mentioning the name of the owner and the khasra number (reference number of the land in the revenue record) which is being acquired for the Muzaffargarh Bypass.

Consultant’s meeting with the Project Director & Deputy Director NHA

Consultant’s meeting with the Project Director & Deputy Director NHA
ADB Accountability Mechanism/Consultation Phase being explained to the APs

ADB Accountability Mechanism/Consultation Phase being explained to the Project Staff
Annex 1: List of Persons Met

1. Mr. Sajjad Goraya,
   Project Director,
   Muzaffargarh/ Multan Section,
   National Highway Authority,
   Multan.

2. Mr. Shaukat Khan Baloch,
   Assistant director,
   Muzaffargarh/ Multan Section,
   National Highway Authority,
   Multan.

3. Khalid Abdul Qadir s/o Abdul Rahim
   Complainant/ AP,
   (Representative of the Affectees of Muzaffargarh Bypass)
   Near Mahmood Textile Mills.

4. Ghulam Mustafa s/o Mohammad Bashir,
   AP,
   Village Gujja.

5. Syed Mazhar Husain Shah s/o Syed Mazahir Husain Shah,
   Complainant/ AP,
   Near Mahmood Textile Mills.

6. Muhammad Siddiq s/o Khushi Mohammad,
   Complainant/ AP,
   Village Gujja.

7. Liaqat Ali s/o Mohammad Wazir,
   AP
   Village Gujja.

8. Sadiq Ali s/o Mohammad Wazir,
   AP,
   Village Gujja.

9. Arshad Ali s/o Mohammad Wazir
   AP,
   Village Gujja.

10. Muhammad Jamil s/o Wali Mohammad,
    Complainant / AP,
    Village Gujja.

11. Abdul Rasheed s/o Wali Mohammad,
    AP,
    Village Gujja.
12. Ghulam Nabi s/o Mubarik Ali,  
Complainant/ AP,  
Village Gujja

13. Muhammad Shafiq s/o Nasr Din,  
AP,  
Village Gujja.

14. Muhammad Idrees s/o Mohammad Hanif (alias Hanafi),  
Complainant/ AP,  
Village Gujja.

15. Abdul Qayyum s/o Abdul Rahim,  
Complainant/ AP,  
Village Gujja.

16. Ghulam Mohiuddin s/o Sadruddin,  
AP,  
Village Gujja.

17. Ghulam Murtaza s/o Mohammad Bashir,  
AP,  
Village Gujja.

18. Muhammad Ramzan s/o Ghulam Farid,  
AP,  
Village Gujja.

19. Abdul Ghafoor s/o Ghulam Farid,  
AP,  
Village Gujja.

20. Muhammad Habib s/o Dara,  
AP,  
Village Gujja.

21. Muhammad Farooq s/o Maqbool Ahmed,  
AP,  
Village Gujja.

22. Mukhtiar Ahmed s/o Allah Ditta,  
Complainant/ AP,  
Village Hinjrawali.

23. Nayyar Abbas s/o Mazahir Husain,  
Complainant/ AP,  
Near Mahmood Textile Mills.

24. Hafiz Ibrahim,  
AP,  
Village Gujja.

25. Lal Khan s/o Ghulam Qadir Khan,  
AP,  
Village Gujja.
26. Muhammad Rafiq s/o Muhammad Ismail,
Complainant/ AP,
Village Gujja

27. Muhammad Bashir s/o Mohammad Wazir,
Complainant/ AP,
Village Gujja.

28. Sulaiman s/o Ahmad Ali,
AP,
Village Gujja.

29. Muhammad Saleem s/o Rafi,
AP,
Village Gujja.

30. Muhammad Shakoor s/o Ali Muhammad,
Complainant/ AP,
Village Gujja.

31. Arshad Ali s/o Gulzar,
AP,
Village Gujja.

32. Muhammad Hanif (alias Hanafi) s/o Nabi Bakhsh,
Complainant/ AP,
Village Gujja.

33. Nazeer s/o Khushi Mohammad,
AP,
Village Gujja

34. Haneef s/o Khushi Mohammad,
AP,
Village Gujja.

35. Nazeer Ahmed s/o Islamuddin,
AP,
Village Gujja.

36. Sajid Ali s/o Mohammad Wazir,
AP,
Village Gujja.

37. Abdul Raheem s/o Ghulam Qadir,
Complainant/ AP,
Near Mahmood Textile Mills.

38. Arshad Ali s/o Rafi,
AP,
Village Gujja.

39. Ms. Niazi Mai w/o Ali Mohammad,
Complainant/ AP,
Village Gujja
40. Manzoor Husain s/o Ali Mohammad, Complainant/ AP
   Village Hinjrawali.

41. Muhammad Shehzad Ali s/o Liaqat Ali, AP,
   Village Gujja.

42. Sadiq Ali s/o Riasat Ali, AP,
   Village Gujja.

43. Abdul Bari s/o Khalid Abdul Qadir, AP,
   Village Gujja.

44. Ilm Din s/o Fazal Din, AP,
   Village Gujja.

45. Shabeer Ahmad s/o Abdul Hameed, Complainant/ AP,
   Village Hinjrawali.

46. Ghulam Yasin s/o Fazal Din, AP
   Village Gujja.

47. Ms. Hanifan Mai widow of Gulzar Ahmad, Complainant/ AP,
   Village Gujja.
Annex 2: List of Document Received During Site Visits

a) List of 13 affectees of Mauza Doaba, Basti Gujja of Muzaffargarh Bypass - showing name, father's name, affected asset (such as orchard, agricultural lands, house, shop, tubewell, etc), and size of land. (in Urdu)

b) List of 18 affectees of Mauza Taleri, Basti Hanjrawali of Muzaffargarh Bypass - showing name, father's name, affected assets (such as orchard, agricultural lands, houses, shops, tubewells), and size of land. (in Urdu)

c) List of 10 affectees of Mauza Taleri, near Mahmood Textile Mills (eastern side of Multan Road, Muzaffargarh) of Muzaffargarh Bypass - showing name, father's name, affected assets (such as orchard, agricultural lands, houses, shops, tubewells), and size of land. (in Urdu)

d) Application sent to the Chairman, NHA dated 28th June, 2006 explaining the problems faced by the affectees and requesting for change in the alignment of Muzaffargarh Bypass. (in Urdu)

e) Application sent to the Chairman, NHA dated 6th November, 2006 explaining the problems faced by the affectees and requesting for change in the alignment of Muzaffargarh Bypass. This application/complaint has been strongly recommended by Mr. Amjad Hameed Dasti, Member of the Provincial Assembly of Punjab from Muzaffargarh. (in Urdu)

f) Application to the Chairman, NHA dated 6th December, 2006 explaining the problems faced by the affectees (list of 39 affectees is attached), requesting that the construction of Muzaffargarh Bypass on the designed alignment may be stopped and built on an alternate alignment. (in Urdu)

g) A sketch showing (i) the present Multan-Muzaffargarh Road; (ii) the designed alignment of the Bypass; and, (iii) alternate alignment suggested by the affectees. (in Urdu)
Annex 3: Situation Report SITREP of November 2006 sent by PD to NHA Islamabad

<table>
<thead>
<tr>
<th>No.</th>
<th>Item/Action to Be Taken</th>
<th>Party Responsible</th>
<th>Due Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Land folders data received by PD</td>
<td>Design Consultant</td>
<td>Received on 13-12-2006</td>
</tr>
<tr>
<td>2</td>
<td>Utilities survey – Start Date</td>
<td>Design Consultant</td>
<td>Drawing received on 10-02-06</td>
</tr>
<tr>
<td>3</td>
<td>Utility survey – Progress to date – Km</td>
<td>PD (N-70)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Joint survey with utility Departments to have Estimates for shifting,</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>i) Optical Fiber Cable</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>ii) Pakistan Telecommunication Corporation (PTCL) &amp; Pakistan Telegraph</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>iii) Mepco (11 KV Lines)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>iv) SNGPL (Transmission)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>v) Thermal Power Station (Muzaffargarh)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>vi) Forest Department</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>vii) Mepco (56KV &amp; 132KV Lines)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>viii) Mepco NGDGSCO (220KV &amp; 500KV)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>ix) SNGPL (Distribution)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Utilities survey – Completion Date</td>
<td>PD (N-70) NHA</td>
<td>Joint survey has been completed. Most of the estimates have been compiled. Estimated completion of work in progress.</td>
</tr>
<tr>
<td>5</td>
<td>Detailed Design Approval Status</td>
<td>GM (Design) NHA &amp; Design Consultants</td>
<td>Design approved by NHA</td>
</tr>
<tr>
<td>6</td>
<td>Engineers Estimate Finalization – status</td>
<td>GM (Design)</td>
<td>Finalized</td>
</tr>
<tr>
<td>S. No.</td>
<td>Description</td>
<td>Responsible Officer/Body</td>
<td></td>
</tr>
<tr>
<td>-------</td>
<td>-----------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Std Bidding Document Completion by Design Consultant; status of completion</td>
<td>GM(P&amp;CA)/Design Consultant</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>BCQ finalization — status</td>
<td>GM(P&amp;CA)/Design Consultant</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Land Acquisition Program — Start up status</td>
<td>GM (Lands)/PD(N-70)/AD(LM&amp;IS)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>i) Notification u/s 4</td>
<td>i) Completed &amp; published in Punjab Gazette</td>
<td></td>
</tr>
<tr>
<td></td>
<td>ii) Notification u/s 4 for minor left over portions</td>
<td>ii) Completed and Published in Punjab Gazette</td>
<td></td>
</tr>
<tr>
<td></td>
<td>iii) Notification u/s 5</td>
<td>iii) Record for all 9 No villages ready. However Revenue Department advised to submit the funds which has been requested to NHA, HQ, is awaited.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>iv) Transfer of state land to NHA</td>
<td>iv) Case submitted to concerned Revenue Officer Multan &amp; Muzaffargarh.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>v) Cost Estimate of Land</td>
<td>v) D.O.R. Muzaffargarh has submitted the cost estimate. NHA has been requested for funds. D.O.R. Multan has not yet finalized the land cost.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>vi) Cost Estimate of Structures</td>
<td>vi) Survey of structures will follow survey of crops and orchards.</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Mobilization of NHA HQ Team Leader for Land and Social Worker Teams — Resettlement Plan handed over by ADB inception mission</td>
<td>GM(Land)/Masood Shah</td>
<td></td>
</tr>
<tr>
<td></td>
<td>in Process</td>
<td>in Process</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Dispatching social workers teams for acquisition and resettlement, Team to accompany Land officers</td>
<td>GM(Lands)/Masood Shah</td>
<td></td>
</tr>
<tr>
<td></td>
<td>in Process</td>
<td>in Process</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Amount required for Land Acquisition</td>
<td>GM(Land)/Masood Shah</td>
<td></td>
</tr>
<tr>
<td></td>
<td>in Process</td>
<td>in Process</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Amount required for Imprint Account</td>
<td>PD(N-70)/NHA</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rs 0.3 Million requested to NHA and funds released by GM(P&amp;CA); BSA)</td>
<td>Rs 0.3 Million requested to NHA and funds released by GM(P&amp;CA); BSA)</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>Land and Resettlement Progress Report No. 1 by email in timetable format as provided — hard copy report is not required at this stage. First report prepared by Masood Shah.</td>
<td>Masood Shah (Consultant Land)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Acquisition Process on Resettlement progresses will start after completion of Land Acquisition &amp; possession of Land</td>
<td>in Process</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>Procurement — Bid Documents readiness for sending to ADB for comments</td>
<td>GM(P&amp;CA)/GM(Design)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Status explained in column No. 7</td>
<td>Status explained in column No. 7</td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>Reporting Requirement for above items, PD to provide to PCO and copy to ADB in email format only on 1st of each month starting 1st February 2006 onwards</td>
<td>PD(N-70)/NHA</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Reports being sent regularly</td>
<td>Reports being sent regularly</td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>Other Points</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>i) Complaint from concerned individual regarding Muzaffargarh Bypass:</td>
<td>i) Group of Complainants was contacted and their views listened which could be redressed by a slight change in alignment from Km 23+400 to 23+450. Matter was reported to PCO on 4th July 2006. In this context, NHA's Geometric Expert, Mr. Mohamad Ihsan has visited the site on 25-07-06. However as the adopted alignment has been directed by ADB Specialist Team namely Dr. Michael, Dr. Jamsheer and Mr. Peter etc. after detailed investigation, any change at this stage does not appear feasible.</td>
<td></td>
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<tr>
<td></td>
<td>ii) Request by Mr. Malik Abdul Zafar Qasim for conversion of flyover to an underpass at Km 16+540.</td>
<td>ii) A meeting was convened in Islamabad in Member (Planning) Office on 02-11-2006. Issue sorted out. Complainant agreed on construction of flyover at Km 16+540.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>iii) A Petition of people regarding change in alignment received from Begum Tehmina Dasti (NHA).</td>
<td>iii) Detailed comments forwarded to NHA, HQ Islamabad that change in alignment as per proposals of petitioners is not feasible.</td>
<td></td>
</tr>
</tbody>
</table>
iv) Visits/Meetings.

b. Meeting regarding Imam Bargah convened on 27-11-2006 for sorting out assessment of structure.

c. Several attempts were made to meet D.Q.R. Multan but he remained busy with Pakistan Cricket Team who visited Multan during the reporting month and other official assignments.

(SAJJAD AHMAD GORAYA)
Project Director Sher Shah Bridge
PD Multan-Muzaffargar (N-70)
NHA, Multan

CC:
General Manager (Const) ADBP, NHA, Lahore.
General Manager (Const) NHA, HQ.
General Manager (Design) NHA, HQ.
General Manager (LM&IS) ADBP, NHA, HQ.
Mr. Shigehiko Muramoto, ADBP. (By E.mail: smuromoto@adb.org)