

COMPLAINT CLOSING REPORT

PROJECT NAME	Peshawar Sustainable Bus Rapid Transit Corridor Project
ADB DEPARTMENT/DIVISION	CWUW/CWRD
AM FUNCTION	OSPF
ELIGIBILITY RESULT	Not Eligible
ELIGIBILITY DETERMINATION DATE	
I. Complaint and issues	<p><i>Hashthnagri</i> Underpass at BS-07 was one of underpasses in the Peshawar BRT project, that had to be restructured to allow the BRT infrastructure construction. Under the LARP all shopkeepers, owners and employees were compensated for their business, rental and employment loss for the period of dislocation during construction. The shop keeper/owners filed first complaint on 30th August 2020 after refurbishment of underpass and formal handing / taking over of the underpass shops, that 22 shops out of the total handed over could not be rented out at same or better rents then before because the flow of people in-front of these 22 shops was drastically reduced as these were outside the passage to the entry point of the BRT station from the point of entry to the underpass – something they realized after the start of the BRT system and after happily taking over the shops first.</p> <p>In their first complaint they blamed the new design which was proposed and agreed by the complainant representative in due consultation with all the shop owners of BS07 underpass (A signed copy of the initial drawing by the complainant representative is available on record). The complaint demanded that the underpass/entry point should be again restructured to ensure that commuters are forced to pass in front of all the shops, including the 22 shops that had lost their commercial value.</p> <p>In June 2021, the complainants registered second complaint with the ADB AM to initiate and expedite the construction activities at site.</p>
II. Actions taken to address the problems or issues	<p>For an amicable resolution of the complaint PDA revitalized the grievance redress committee (GRC) by appointing a new focal person and including few active representatives of the shopkeepers. GRC meetings were held in which the suggestions of the shopkeepers were solicited, technical opinions were sought from the structural engineers and technical teams. Due diligence and fact-finding missions were conducted by ADB teams to find out an amicable solution and closure of complaint.</p>
III. Decisions or agreements by parties concerned	<p>Three possible design options were presented to the ADB, Complainants and the Government by consultants. The most feasible option for the second restructuring of the underpass (BS-07), acceptable to all including the complainant was selected that included slip road for left turning vehicles and provided an added benefits to the public as well as to the complainants. This option was finalized/signed-off by PDA, the complainants and GRC.</p>
IV. Results and lessons learned	<p>The underpass was redesigned as per the agreement between PDA and shopkeepers and the remodeled shops were officially handed over to the DPs upon completion in Dec 2021. Upon full resolution of their complaint in December, 2021 the shopkeepers of underpass BS-07 formally withdrew both complaints from the ADB AM. The complainants confirmed in writing (via email to PDA dated 18th Jan. 2022) that they are full satisfied with the resolution of their complaints and have no further reservations to their two complaints</p> <p>Lesson learned</p> <p>The initial data collection at the time of LARP development like commuter counts in the underpass, shops areas and dimensions, and agreements could have been better documented and disclosed, including the agreements reached with DPs on the sign of under pass – this could have reduced the risk of issues that arose after completion.</p>

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	<p>GRC members should have remained fully functional and active even after the initial completion and handing over of the shops in order to handle complainants at the project level.</p> <p>The design of underpass agreed with DPs had be to changed after it was construction – the project team after developing a common understanding on the design rather than taking the design at face value should have analyzed the design not just on technical grounds but also on social aspects to ensure that DPs would be equal or better off as a result of that restructuring, so that the design decision was well informed, and consequences were well documented and shared with all parties before finalizing the design.</p>
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