

Asian Development Bank (ADB), Accountability Mechanism, Complaint Form

(Add rows or pages, if needed)

A. Choice of function - problem solving or compliance review *(Choose one below)*

Special Project Facilitator for problem solving *(Assists people who are directly and materially harmed by specific problems caused, or is likely to be caused, by ADB-assisted projects through informal, flexible, and consensus-based methods with the consent and participation of all parties concerned)*

Compliance Review Panel for compliance review *(Investigates alleged noncompliance by ADB with its operational policies and procedures in any ADB-assisted project in the course of the formulation, processing, or implementation of the project that directly, materially, and adversely affects, or is likely to affect, local people, as well as monitors the implementation of remedial action relates to the harm or likely harm caused by noncompliance)*

B. Confidentiality

Do you want your identities to be kept confidential? **Yes** **No**

C. Complainants *(Anonymous complaints will not be accepted. There must be at least two project-affected complainants.)*

Name and designation (Mr., Ms., Mrs.)	Signature	Position/ Organization <i>(If any)</i>	Mailing Address	Telephone number (landline/mobile)	E-mail address
1. Sardar Mohammed S/O Khair Din		Retired Govt Servant	House No 56 Block Y.Farid Town Sahiwal , Punjab , Pakistan	0092404553656- 00923326282821	Imranengr37@hot mail.com
2. Nasser Ahmad S/O Din Muhammad		NA	House No 56 Block Y.Farid Town Sahiwal , Punjab , Pakistan	00923457435255	Not available

Authorized Representative or Assistant *(if any)*. *(Information regarding the representatives, or persons assisting complainants in filing the complaint, will be disclosed, except when they are also complainants and they request confidentiality.)*

Complainant represented	Name and designation (Mr., Ms., Mrs.)	Signature	Position/ Organization <i>(If any)</i>	Mailing Address	Telephone number (landline/mobile)	E-mail address

	Muhammad Imran Sardar S/O Sardar Mohamed – Implementation Coordinator		Private Employment	House No 56 Block Y.Farid Town Sahiwal , Punjab , Pakistan	0092404553656 / 00923326282821	E-mail address Imranengr37@hot mail.com
--	---	--	--------------------	--	-----------------------------------	---

D. Project

Name	Waste Water Treatment Plant
Location	Sahiwal , Punjab , Pakistan
Brief description	We are from Chak No 66/G.D. Sahiwal.I am doing Job outside the country and My father is a retired Govt servant who is taking care of all of our family with cultivating land located in Chak 66/G.D. Since last few months we received many notices from the local Government that our land is required by ADB for Waste Water treatment plant , we tried to peruse with the local authorities and submit our reservation without getting any Positive feedback till now. However, recently we received the notice that they applied the Section 9 & 11 acquiring act of land which is totally reflecting one sided action. We are one of the 33 families part of Chak 66 / G/D Land Owners who are raising mater since there is no replacement of land offered or any other option provided to us with which we can take care of our families, Even the rates offered to us much Lower than nearby areas.

E. Complaint:

<p>Have the complainants made prior efforts to solve the problem(s) and issue(s) with the ADB operations department including Resident Mission concerned?</p> <p><input type="checkbox"/> Yes. If YES, please provide the following: when, how, by whom, and with whom the efforts were made. Please describe any response the complainants may have received from or any actions taken by ADB.</p> <p><input checked="" type="checkbox"/> No</p>

F. Optional Information

<p>1. What is the complainants' desired outcome or remedy for the complaint?</p> <p>Below are the comments from our side with reference to the conclusive Email from Mr. Syed Umer.</p>

From: Syed Umar Ali Shah <ushah@adb.org>

Sent: Saturday, August 27, 2022 7:44 AM

To: imran sardar <imranengr37@hotmail.com>

Cc: Viswanathan Ramasubramanian <vramasubramanian@adb.org>; Olivia Rosita D. Llanillo <ollanillo@adb.org>; Complaint Receiving Officer <amcro@adb.org>; Mian S. Shafi <mshafi@adb.org>; Craig Andrew Clark <caclark.consultant@adb.org>; Michael J. Beauchamp <mbeauchamp@adb.org>; Warren Evans <wevans@adb.org>; Wilfredo R. Agliam <wragliam@adb.org>; Yong Ye <yyong@adb.org>; m.hamza.salick@gmail.com <m.hamza.salick@gmail.com>; PD PICIIP <pd@piciip.gop.pk>; pmu.piciip <pmu.piciip@punjab.gov.pk>; Sehrish Ashraf <sehrishmsh@gmail.com>; HASH1947@GMAIL.COM <hash1947@gmail.com>; Ayaz Asif <ayzasif.consultant@adb.org>; zamanzahid1@gmail.com <zamanzahid1@gmail.com>; Maira Khan <mkhan3.consultant@adb.org>; Mohsin Khan <mohsinislamkhan@gmail.com>; Dinesh R. Shiwakoti <dshiwakoti@adb.org>; Ron H. Slangen <rslangen@adb.org>; Gia Heeyoung Hong <hyhong@adb.org>; Rabia Arif <rarif@adb.org>

Subject: RE: Redressal of Grievances made on the Land Acquisition under Punjab Intermediate Cities Improvement Investment Program (Case No. SPF-2021-01-01-104) (PICIIP) funded by Asian Development Bank -Loan 3562-PAK

Dear Imran Sardar,

The EA and the Project Team have worked very closely in trying to resolve the concerns raised in your complaint. The efforts included the following:

- extensive IVS study to determine the current market value of the land and provide replacement cost, the IVS determined 50.59% higher compensation as compared to the rates determined by the BOR,
- identifying alternate parcel of land, although this was not a resettlement option for the EA, however, to try to accommodate your concerns, alternate parcels of comparable land in the vicinity were identified and the EA offered to facilitate negotiations between the two parties,
- PMU and TRTA consultants were continuously in contact with you and the representatives of your family through numerous consultation sessions and GRC meetings; and
- the compensation amount has been deposited in an escrow account with the district treasury and the information has already been provided about the availability of funds so that you can claim the compensation if you choose to do so.

Despite the efforts made, it is unfortunate that you are not satisfied with the outcome. Please note that we have exhausted all possible options in trying to resolve your complaint. We have concluded our findings of the complaint and complaint closing report has been disclosed on ADB website i.e. Ref: [Pakistan: Punjab Intermediate Cities Improvement Investment Project \(adb.org\)](#); and is also attached with this email for your reference.

In future, please feel free to reach out to ADB or the Project Director-PICIIP (Mr. Hamza Salick ccd) and PMU team in case you have any further concerns. The Project Team will do its best to facilitate you to the extent possible.

With Regards
Umar

1. Regarding the IVS studies, we Landowners refused to accept these rates as during the whole process no one approached or contacted us, and results were announced by following only single side parameters or sceneries. However, In IVS even it was mentioned favorably that Rates are very high in neighboring areas, but rates offered to us were very low while we provided multiple registries after that showing even higher rates. Already provided the Registries with higher rates than offered but rejected by saying that cutoff date is Sep 2020 while registry is after March 2021. How Cut off date was fixed without IVS which was executed in March 2021? However, our concern is never to improve the rates until ADB can provide us Land in place of Land.



Sehrish Ashraf <sehrishmsh@gmail.com>

Tue 12/21/2021 10:35 AM

To: You

Cc: Maira Khan; Syed Umar Ali Shah; Wilfredo R. Agliam; asifa.piciip; dpd@piciip.gop.pk; pd@piciip.gop.pk +3 others

Dear Imran Sb,

Thank you for your email!

Your Query was again discussed with ADB's safeguard consultant and in the light of their advice, it has been concluded that:

The transaction attached is after the cutoff date and as per ADB safeguard policy statement 2009, any transaction after the cut off date is not considerable on ADB financed projects. The cutoff date for the Land Acquisition and Resettlement Plan of your concerned land acquired is September 5th 2020.

The Implementing Agency and Execution Agency have fulfilled the requirement of ADB SPS and conducted third party validation of the land and non-land assets under PICIIP Land and Resettlement (LAR) sub projects. Initially the Independent valuation was conducted on 24/03/2021 and revised IVS conducted on 21st August 2021. Hence even IVS conducted before the transaction shared by you, which is simply not comparable.

Regarding your 2nd query the BOR offered rate in 66 GD is PKR 16,49,462 including 15% Land Acquisition Charges where due to IVS the rate has been enhanced to PKR 24,84,000 difference in PKR 834,538 (50%)

Whereas at Muhammad Pur the BOR offered rate is PKR 24,34,225 per acre where due the IVS the rate has been enhanced PKR 29,70,000 the difference in PKR is 536,175 (22%). Therefore, your concern land rate has been enhanced 50% whereas Muhammad Pur land has been enhanced 22%

On behalf of the Implementing Agency and Execution Agency we once again request you and the rest of land owners to accept the enhanced 50% rate of PKR 24, 84,000 which was the market prevailing rate at the time of IVS in the best interest of Public.

Kind Regards

2. Parcel of Land Replacement: We disagreed on replacement land offered to us by ADB having reason is that It's really illogical that the Land Owner was asking same price or even higher price which ADB offered to us around (28 Lacs Per acor) for the Land which is approximate 4 KM away from Chak 66GD While Market rates are way low in that area!! and though it becomes more far from By-pass where new housing societies are build already due to which Land rates becomes more higher.

3. Here I would also highlight which PMU is trying to hide intentionally I guess that we requested ADB to secure the piece of replacement Land for us located Chak 66 GD Owned by Bashir Bajwa who has almost 500 Acors there and also willing to sale their land, ADB arranged meeting with Shareef Lumberd (representative of Bashir Bajwa) who informed to PMU team that they can't give us land on so low rates as they sold around 100 acors of Approx. 130 crore per acor to some Society.

Re: Response Awaiting on Complaint on Loan 3562-PAK: Punjab Intermediate Cities Improvement Investment Project (Case No. SPF-2021-01-01-104)



imran sardar

To: pmu.piciip

Cc: pd@piciip.gop.pk; Akhtar Abbasi; Dir.ME@piciip.gop.pk; Sehrish Ashraf; Syed Umar Ali Shah; Hashmat Khan; Maira Khan +7 others

10.05.2022 mom.pdf
1 MB

Dear Miss Asifa,

Thanks for sharing the details of last meeting held with regards to our discussion for the Land Option highlighted in Chak 66 GD with concerned Owner. Please be informed that below major points were discussed as well during meeting but not added in the MOM document which must need to be added.

- **Mr.Shareef (Numberdar of Chak 66GD)** has acknowledged and informed in the meeting that Mr.Bashir has established a deal with a Society Owner for around **100 Acors** out of his total land on installment basis with rate approximately **2 Cror per acor**.
- Above statement was given in front of all attendees which is the major reason of refusal or giving excuses for not giving piece of land to DP/AP's.
- We notified in the meeting as well that due to having such a high rates in the area, it's not feasible to find any new piece of land.
- Above acknowledgment is endorsing our stance clearly which we are highlighting since beginning that Land rates are very high as compared to the approved rates by ADB.

It's a humble request to add all above points in minutes of meeting so that higher management of ADB and Local Government can understand our real concerns to skip our land from the Project which is our sole source of earning. The non-stoppage of financial murder of small families of village 66GD has led to death of few members and even my father become heart patient. During the last full period we couldn't even focus properly on crops and got a huge loss in terms of output. We people of Chak 66/GD, plead to your good office either to shift/move this project to some other nearby area or provide Land in replacement of Land in Chak 66/GD so that we, the plaintiffs, keep on earning our livelihood through cultivation on our inherited/owne lands.

Regards,
Muhammad Imran Sardar

A) Our stance was very clear since day first that Due to high inflation in Pakistan, offering rates are not enough to buy new piece of Land, we need land in replacement of land in the same village.

However, For the betterment of Project in our area even we offered yourself to keep half of the Land in Project and ADB to support to skip the rest half for us when at least we can continue our cultivation to fulfill basic requirements, but it wasn't considered.

2. Anything else you would like to add?

Further I have few queries regarding my complaints,

- B) Senior management or authorized ADB representatives never visited us or even attended any single meeting. Since there was no any positive enhancement or outcome of our concerns by having meeting with your team, we were in contact with yourself in last couple of months and as per your last email shared on Jan 2022, the moment when we are expecting your intelligible feedback, Surprisingly you come up with the conclusion that the amount is deposited in some Govt account without any direct notification shared to us. How do you yourself consider our complaint as a closed complaint?
- C) Is ADB policy allowing to secure Final Project Execution approval while more than 20% Landowners didn't agree or receive the compensation amount? **(Landowners of more than 40 acors out of 200 acors)**

The people who had received compensation amounts are in trouble now and unable to arrange their bread and butters. Please also inform Local authorities not to threaten the people who haven't receive compensation to occupy the land until any conclusion is done.

At the end, I will request you again and ADB headquarter, please listen to us on merit but not biased because **the purpose of initiate such community projects doesn't mean only for the development of infrastructure, the aim is to serve the community by given economic strength of the needy areas/ needy people.**

Name of the person who completed this form: Muhammad Imran Sardar

Signature:  _____

Date: 10-Oct-2022

Please send the complaint, by mail, fax, e-mail, or hand delivery, or through any ADB Resident Mission, to the following:

Complaint Receiving Officer (CRO), Accountability Mechanism
ADB Headquarters, 6 ADB Avenue, Mandaluyong City 1550, Philippines,
Telephone number: +63-2-6324444 local 70309, Fax: +63-2-6362086,
E-mail: amcro@adb.org