

**COMPLAINT CLOSING REPORT
OF CONCERNED ADB OPERATIONS DEPARTMENT**

12 October 2023

PROJECT NAME	PAK: Peshawar Sustainable Bus Transit Corridor Project
ADB DEPARTMENT/DIVISION	PRM, CWRD
AM FUNCTION	PROBLEM-SOLVING
ELIGIBILITY RESULT	INELIGIBLE
NON-ELIGIBILITY DETERMINATION	11 July 2023
I. Complaint and issues	<p>The complaint was lodged on 22 March 2023 by shop keepers of Firdos Underpass (Mr. Mirza Khan, Mr. Noor Muhammad, Mr. Ayub Shah, Mr. Wajid Ali Nadeem, Mr. Niaz Muhammad, and Mr. Hashmat Ali).</p> <p>The complainants allege that several shops were demolished in the underpass to make way for the BRT station at BS-08 from the existing underpass market. The demolished shops were subsequently reconstructed in consultation with the primary leaseholder (Mr. Mirza Khan) of the market, and his proposed recommendations were incorporated into the design and implementation process.</p> <p>The extended portion of the underpass, which is part of the BRT project, and the possession of the market/shops were handed over to the entitled owners in September 2019. The complainants reported in their complaint that eight shops remained unused after the takeover due to the reconfiguration of the pedestrian pathway, as pedestrians no longer pass in front of these unused shops. The complainants are requesting the restructuring of the underpass pathway to redirect pedestrians in front of these redundant shops.</p>
II. Actions taken to address the problems or issues	<p>A virtual meeting was held on 7 July 2023 between the OSPF team, ADB team and Director Coordination PDA to discuss the subject complaint. The purpose of the meeting was to address the complaint and reassure the complainants that the team is actively working on resolving their issues. The Director Coordination informed the OSPF team to formally share the complaint with PDA for early resolution.</p> <p>The OSPF team apprised the forum that the complainants have two main concerns:</p> <ol style="list-style-type: none"> 1). The pedestrians no longer pass in front of the redundant shops, leading to a loss of business and they are requesting restructuring the pathway. 2). The redundant shop owners have not received any compensation for the loss of their businesses since September 2019. It was decided that PDA will conduct a meeting with the complainants to address and resolve these issues. <p>A series of consultative meetings, both formal and informal, were conducted with the complainants with the primary objective of thoroughly investigating the matter and reaching a mutually agreeable resolution. It was reminded to the complainants that the design of the underpass reconstruction was agreed upon with the main leaseholder and the Chief of the Shura Council, Mr. Mirza Khan. The agreed-upon design was implemented in the presence of Mirza Khan. Therefore, the</p>

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	complainants are not eligible for any further compensation related to restructuring or business loss.
III. Decisions or agreements by parties concerned	During a meeting on 7 Aug 2023, the complainants agreed that they are not eligible for compensation, as the underpass shops were reconstructed in consultation with their own representative.
IV. Results and lessons learned	<p>The decision was communicated to the complainants, ensuring that both parties fully understood the rationale behind it. The complainant subsequently withdrew their complaint on 31 August 2023.</p> <p>Lesson learned: Documentation plays a crucial role when addressing such matters. Clear communication, understanding the other party's position, and effective negotiation are key aspects that greatly facilitate the resolution process.</p>

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DATE 12 October 2023