



# Resettlement Monitoring Report

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## PRC: Xi'an Urban Transport Development Report

Prepared by Xi'an Academy of Social Sciences

For Xi'an Third Ring Road Construction and Development Corp. Ltd.



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## Chapter I The Project

### 1.1 Introduction

1 This resettlement external Monitoring and Evaluation (M&E) report is submitted to the Asian Development Bank (ADB) by Xi'an Academy of Social Sciences (XASS), which accepts the entrustment from the Executive Agency of the Third Ring Road Project in accordance with ADB's requirement. This M&E report mainly includes the revision particularly toward the Resettlement Plan (RP) according to two months' research on the affected villages and persons.

2 For the Third Ring Road Project is undertaking, this report is not the final report but an initial result reflecting whether RP is progressing smoothly and raising revision suggestions on the RP (November 2003), and it includes the adverse impacts and the remedial measures as well as the time table and progress of implementing rehabilitation plan for affected persons (APs) and seriously affected villages along the East, West part of Third Ring Road and three connected roads.

3 The RP aims to ensure the affected persons unavoidably losing land or property as a result of a development project attain equal or better livelihoods and living standards than "without" project status. All policies, proposals and relative suggestions contained in this M&E report are raised to meet RP's objective.

4 This M&E report was prepared based on: (i) relative state, provincial and local governmental laws, regulations and documents concerning to resettlement and land acquisition; (ii) resettlement, compensation criteria and rehabilitation plan particularly of the Weiyang, Yanta, Baqiao districts government; (iii) relative project's proposal and plan including the revised redline drawings designed by the Xi'an Municipal Urban Planning Bureau, and the Resettlement Action Plan (November 2003); (iv) consultations with various local governments, village leaders and APs; (v) socio-economic surveys of affected households.

5 The RP is based on the inventory data from the redline impact survey on the whole third ring road (70.98 km) and five connected roads of the project, and it is not an accurate resettlement action plan, which needs revising with the project developing. M&E report is based

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#### ATTACHED PHOTOS

on the determined proposal of implementing the project, and the M&E report of this phase concerns the affected villages, persons and enterprises only along the East and West part of the Third Ring Road as well as the Zhuhong extension road, northern Second Ring Road eastern extension, eastern Second Ring Road northern extension. Since the detailed proposal on the north and south part of the Third Ring Road has not been determined, and Kunming road western extension and Taiyi road southern extension are not included in the Third Ring Road project, the M&E in this phase excludes them.

6 The data has a high level of reliability as they have been assessed based on the determined proposal. However, the final construction project may get some slight revision with the construction progressing; besides, the date of starting the construction is different in different working areas, and in some areas the resettlement work has not been finished completely. Therefore, the data may be a little different from the data of 2003. For the data is not the final result, it will be revised in the next M&E surveys.

## 1.2 Project Description

7 According to the newest revised road designing plan in 2005, the project involves construction of a 75.65- km road around the Xi'an City and 3 inter-connectors between the Second and the Third Ring Road.(see Figure 1-2) The primary aim of the project is to ease up the citywide traffic congestion by providing faster access to in-and-out bound traffic from the surrounding satellite cities and villages, and to promote economic growth through expansion of urban areas and creation of numerous new development opportunities in the vicinity of the city. The main physical component of the present project consists of the following ring road systems: (i) western ring road, same to the original plan; (ii) northern ring road, 6.8 km longer than the original plan and details unknown because of the plan is being made; (iii) eastern ring road, 2.1 km shorter than the original plan; (iv) southern ring road, details unknown because of the plan is being made; (v) 3 inter-connectors or link roads, but 5 in the original plan.(see Figure 1-2). According to the newest data, the present total length of Third Ring Road system should be 4.67 km more than that in the original plan. And the data is based on the survey of XASS, which is practically reliable (see Table 1-1).

Figure 1-1: Map of the Project Road Network(of the original RP)

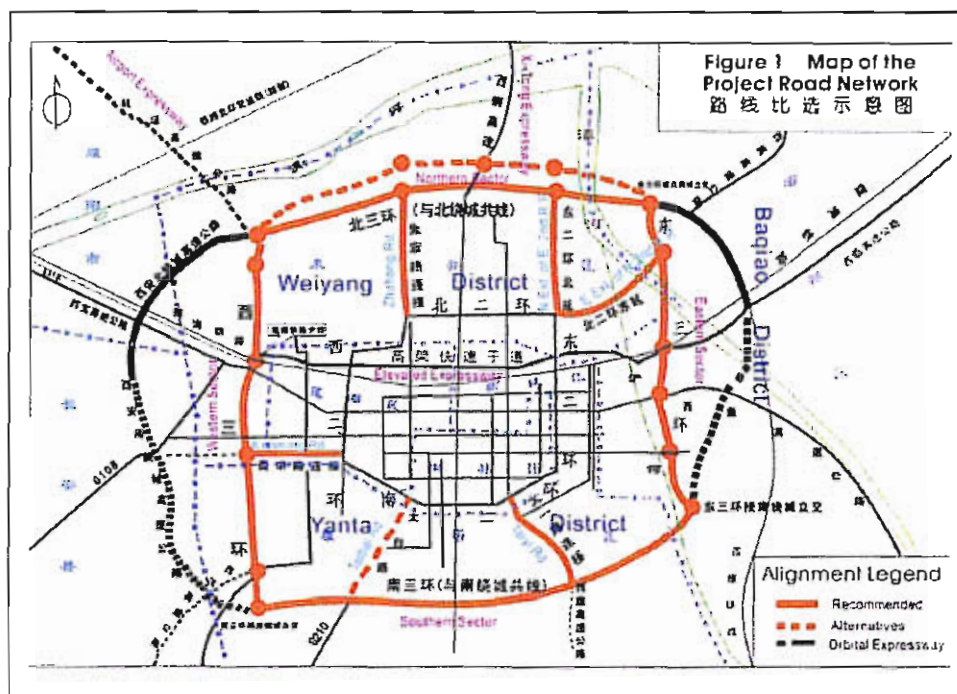


Figure 1-2: Present Map of the Project Road Network

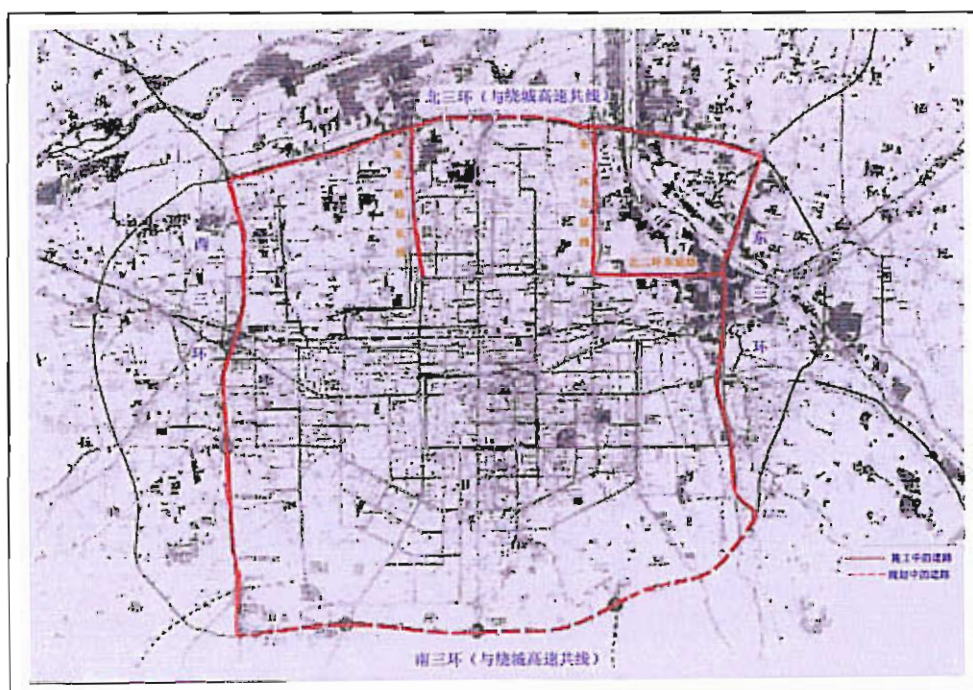


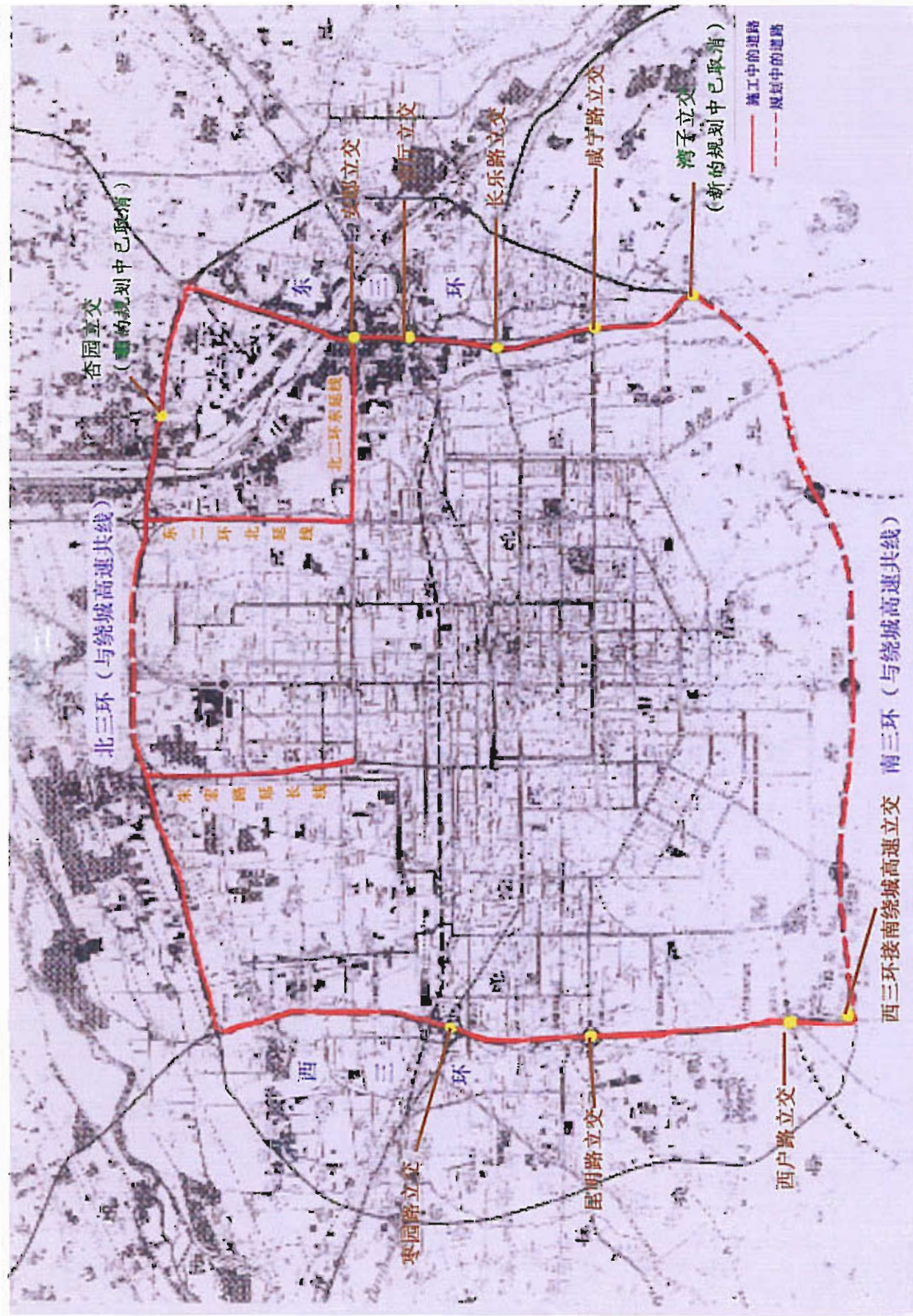


Table 1-1: Comparison of Project Roads and Inter-connectors

Road	Of the Original RP			Of M&E Survey		
	Sector	Number Of interchange	Length (km)	Sector	Number Of interchange	Length (km)
Third Ring Road	Northern Sector	2	14.83	Northern Sector	2	21.6
	Southern Sector	0	21.57	Southern Sector	0	21.57
	Eastern Sector	6	18.30	Eastern Sector	4	16.2
	Western Sector	4	16.28	Western Sector	4	16.28
Subtotal		12	70.98		10	75.65
Inter-connector	North Extension of Zhu Hong Road	0	5.74	North Extension of Zhu Hong Road	0	16.23
	North Extension of East 2 <sup>nd</sup> Road		6.73	North Extension of East 2 <sup>nd</sup> Road		
	East Extension of the North sector of 2 <sup>nd</sup> Road		5.71	East Extension of the North sector of 2 <sup>nd</sup> Road		
	South Extension of Taiyi Road					
	Kunming Road/ west extension					
Subtotal			18.18			16.23
Total			89.16			91.88

8 The northern and southern sectors of the Ring Road are side roads to the existing expressway while eastern and western alignments are new alignments. Among 3 inter-connectors, Zhu Hong Road has been largely widening and improvement of existing alignments, and North Extension of East 2<sup>nd</sup> Road as well as East Extension of the North sector of 2<sup>nd</sup> Road both are new alignments. According to the feasibility study report, ROW width for the ring road is 100m while the width for inter-connectors varies from 80 to 100m. The Ring road sectors contain proposal for four lanes on either side of the median with provision for three-lane relief/service roads for slower traffic. There will be 10 interchanges in the Ring Road System (see Figure 1-3). The link roads or inter-connectors will have two-way three-lane for motorized traffic with service lanes on both sides. The designed speed for the ring road system is 80km/h for motorway, 40 km/h for relief roads, and 30~40 km/h for ramps at interchanges. The link roads are classified as urban trunk road with a designed speed for 50~60 km/h.

Figure 1-3: Inner Ring Road



Note: Xing Yuan Interchange has been canceled for northern sector will be extended eastward, and Wan Zi Interchange canceled for south end of the Eastern Sector being planned. Northern and Southern Sectors are not included for designing plan is in adjustment.

### 1.3. Project Area of Influence/Impacts

#### 1.3.1 Influence/Impact Area

9 The Project area of influence covers three administrative districts of Yanta, Weiyang, and Baqiao, with an area of 73500 ha. and a total population of 1.5853 million in 2004. According to the survey on the exactly influenced area, the project at present has passed through 65 villages and 13 wards, excluding those uncertain on the map of project. Suppose the proposals for northern and southern sectors are unchanged, the total number of impact villages should be 104 within 17 wards, and among them 39 villages should be calculated as of northern and southern sectors. Table 1-2 presents a list of villages and urban communities to be affected by the project.

Table 1-2: Administrative Areas and No. of Villages to be Affected by the Project

District	Ward	No. of villages affected				Total	
		Of the Original RP		Of M&E Survey		Of RP	Of M&E
		Third Ring Road	Inter-connector	Third Ring Road	Inter-connector		
Yanta	Qujiang	5	-	Proposal is uncertain	-	5	-
	Changyanbu	6	-		-	6	-
	Dianzicheng	5	-		-	5	-
	Zhangba	7	-	1	-	7	1
	Yuhuaazhai	5	-	7	-	5	7
Subtotal	5	28	0	8	0	28	8
Weiyang	Sanqiao	8	-	13	-	8	13
	Liucunbu	14	-	3	-	14	3
	Weiyanggong	1	1	1	-	2	1
	Hancheng	13	8	-	10	21	10
	Caotan	3	-	Proposal is uncertain		3	-
	Tanjia	1	3	-	4	4	4
	Xujiawan	3	2	-	1	5	1
	Xinjiamiaio	-	2	-	2	2	2
	Daminggong	-	1	-	1	1	1
Subtotal	9	43	17	17	18	60	35
Baqiao	Baqiao	5	-	4	-	5	4
	Xiwang	9	-	10	1	9	11
	Hongqi	3	-	7	-	3	7
Subtotal	3	17	0	21	1	17	22
Total	17	88	17	46	19	105	65

10 Villages suffer from the project quite differently mainly because of the difference of location. Generally speaking, villages around interchanges always are along vital



communication lines with dense population, so the adverse impacts in terms of loss of structures in these villages are more serious than in other villages. Particularly, villages along Zhu Hong road are seriously affected for there were a large number of stores before it was widened. In some villages, the road is designed across the habitants' area, so naturally, the resettlement work there needs paying much more time to handle; that leads to the difference of working progress. In some villages, land acquisition per capita decreases below 0.3 mu, and a large number of villagers are influenced indirectly more or less in terms of communication, drinking water, electricity, sewerage and so on.

### **1.3.2 Land Acquisition Impacts**

11 Based on the M&E impact survey, regarding the eastern and western ring road and three inter-connectors, the total expected permanent acquisition of land is around 8,809 mu (587.27 hectares). About 66% of the land is currently productive land. The number of house holds who have lost land around 2,759. The number of village households whose houses will be demolished is 1,748. There are 664 enterprises, businesses and schools that will suffer from losing land or demolition. And the total number of APs regarding the eastern and western ring road and three inter-connectors is supposed to be 23554 and will risen up as the detailed plan of northern and southern ring road is carried out. Next M&E surveys and reports will reflect the changes of these numbers with construction going.

## **1.4 Objectives of the RP**

### **1.4.1 Objectives of the RP**

12 (i) Set up guidelines for mitigation measures; (ii) Identify the work of EA and dissatisfaction of EA' work from the APs; (iii) Promote EA to solve the issues left over by resettlement and livelihood restoration for APs.

### **1.4.2 Guidelines for Mitigation Measures**

13 The chief objectives of revising the RP are to mitigate the adverse impacts of the project and to assist the APs in resettlement and restoration of their income and livelihood. The RP identifies (i) type and extent of loss of assets, including land and houses/shops and businesses enterprises; (ii) type and extent of loss of livelihood or income opportunities; and (iii) collective

losses, such as common property resources and infrastructure; (iv) serious problems raised by APs. According to this, the resettlement work should be developed by means of (i) relocation sites close their existing locations, (ii) additional assistance for shifting and resettlement, and (iii) detailed planning for income restoration in severely affected villages/communities.

#### 1.4.3 Outstanding tasks to finalize RP by EA

14 Since the project and resettlement work is developing, EA continues processing the measurement and evaluation of acquired land and fixtures in the area project has not been undertaken. As RP indicates, EA needs to assist households reconstruct houses and provide APs entirely losing land employment guidance. Besides ensuring the restoration develop smoothly and deficiency be made up, EA should revise the data with the project processing to ensure the resettlement of next phase develop smoothly.

## **Chapter II Land Acquisition and Resettlement Impact**

### **2.1 Measures to Minimize Impacts**

15 Measures to minimize the impacts of project in RP are: (i) acquisition of as little farmland as possible; (ii) demolition of as few houses/structures as possible; and, (iii) re-routing the alignment close to village instead of going through the village. By having analyzed on engineering, environment protection and resettlement feasibility before the construction was begun, the alignment optimization was based on the principle of keeping away densely populated residential areas. Until the end of first phase M&E survey, excluding the land acquisition and resettlement impacts of northern and southern ring road, the number of land acquisition is 4035 mu less than that of the RP, and resettlement area reduces 180910.6m<sup>2</sup>, which is the minimized.

16 It is especially wide of the effect that 3<sup>rd</sup> ring road project take on loss of land, buildings/houses and fixtures. The survey shows that TRCDC and LAR office of each ward have held a serial of consultations and interviews from the beginning of preparing the project until now, particularly in the first half year of 2005. With patient and thorough publicity, EA has partially learned APs' opinions and suggestions and taken them into necessary consideration. The RP has been implemented smoothly in the first half year of 2005 as the timetable indicates.

### **2.2 Requirements for Land and Property**

17 The loss of property lead by land acquisition and resettlement mainly includes building/houses, fixtures, trees, infrastructure and non-residential establishments.

- Land: irrigated, non-irrigated, vegetable land, orchard, residential, processing enterprise, timberland. In addition, other land area covered by water/fish ponds, road and river beach are also identified.

- Housing categorized by type of construction: e.g. brick-concrete, brick and wood, clay and wood house, and simple house/shed.

- Structures and fixtures: e.g. gateway, enclosure wall, water pond, wells fishpond, greenhouse and tomb.

- Planting and breeding: fish ponds, green house, fruit trees, and scattered timber trees.

- Infrastructure: e.g. power lines, telecommunication lines, and pipelines.

- Non-residential establishments: e.g. schools, enterprises, shop/businesses, gas station, guesthouse and restaurant.

**Table 2-1: Land Acquisition and Resettlement Impact(Summarized)**

Item	District						Total	
	Yanta		Baqiao		Weiyang			
	Of RP	Of M&E	Of RP	Of M&E	Of RP	Of M&E	Of RP	Of M&E
Affected Wards	5	2	3	3	9	8	17	13
Affected Villages	28	8	17	22	60	35	105	65
Permanent Land Requirements (in mu)	3469	1011	2790	4042	6329	3756	12588	8809
	27.56%	11.48%	22.16%	45.88%	50.28%	42.64%	100%	100%
Productive land (arable land+orchard)	3123	929	2005	2829	4346	2065	9474	5823
% of productive land over total district land loss	90%	92%	72%	70%	69%	55%	75%	66%
Private Households Requiring Relocation	297	21	883	724	1556	1003	2376	1748
Floor space (m <sup>2</sup> )	94662	12805	365901	352368	499878	367266	960441	732439
	(9.87%)	(1.75%)	(38.10%)	(48.10%)	(52.05%)	(50.15%)	(100%)	(100%)
Enterprises/Premises Requiring Relocation	23	45	16	61	112	558	151	664
Floor space (m <sup>2</sup> )	26516	8817	78033	53877	236287	325234	340836	387928
	(7.78%)	(2.27%)	(2.89%)	(13.89%)	(69.33%)	(83.84%)	(100%)	(100%)
Total Building Requiring Relocation (m2)	121178	21621	443934	406245	736165	692500	1301277	1120366
	(931%)	(193%)	(34.12%)	(36.26%)	(56.57%)	(61.81%)	(100%)	(100%)

Note: For further details, see Annex 1, 2 and 3. The data of Yanta in M&E is much more different from that in RP chiefly because the data of northern and southern ring road has not been surveyed. For more accurate data, see M&E of next phase.

18 Table 2-1 summarizes the principal categories of land and property acquisition. More details, including a breakdown by village, are contained in Annexes 1, 2 and 3. Around 66% of the land to be acquired is currently farmed and most of this land is irrigated. Around 1748 private households will require relocation, and around 664 enterprise/businesses and social organizations will be affected in varying degrees. Excluding the impact of northern and southern

ring road, the land and property acquisition impact mainly concentrated in Weiyang District, accounting for over half of the total land area and building /houses to be acquired (see Table 2-1). The reason for the large coverage for land acquisition in Weiyang District is that the alignment length in Weiyang District is the longest. Sanqiao Ward is the ward acquiring relocation the most in Weiyang District, and it's the same of Xiwang Ward in Baqiao District, for there are big inter-changes across villages.

19 According to the M&E survey of the first phase, the impact of land and property acquisition is widely spread with over 65 villages in 13 wards losing land or property along the eastern, western ring road and three inter-connectors. 63 villages lose farmland and 21 lose property, of which, 26 villages affected seriously, lose more than 20% productive land. On average, villages lose around 10% of their productive land. Over the 65 villages that lose property, 33% involve in household relocation. If including enterprise/business relocation, the percentage of villages involving relocation will be 46%.

20 There are 664 enterprises/businesses, schools and gas station affected, and they are mainly sited in Weiyang District, accounting for 558 organization units along three inter-connectors. These organizations can be categorized as educational organization, enterprise, market and business.

## **2.3 Number of Affected Persons (APs)**

### **2.3.1 Population Requiring Resettlement**

21 According to the M&E survey of this phase, around 1748 households requiring resettlement along the eastern and western ring road as well as three inter-changes, involve the population of 7080 affected by the project.

22 Along the eastern and western ring road and three inter-connectors, there are 21 villages requiring relocation, of which relocation work concentrates in 6 villages involving at least 100 households. These villages account for 44.1% of the total demolition and 67.8% of total households that need relocation. These villages are Sanqiao, Hutuo, Xinfang, Andi, Guanting and Liangjiatie.

23 Around 664 enterprises/social organizations are affected by the demolition (wholly or partially), the population is estimated at 7652 persons affected directly or indirectly.



24 The total number of persons affected by demolition is therefore around 14732.

### 2.3.2 Population Affected by Loss of Land

25 Estimated in a way of RP providing, the number of households affected by the loss of land along the eastern and western ring road and three inter-connectors, is around 2759 and the total affected population is about 10790 with average 3.911 people per household.

### 2.3.3 Total Population Affected

26 The total number of population affected by land and/or property acquisition will be less than the total of the estimates obtained in the previous paragraphs due to an overlap between the two categories. In order to obtain the reliable and more accurate number of APs to assess the degree of impact of APs in each village, the survey group estimates the affected population in a way of RP providing as 15902 people belonging to about 4066 households, among which 441 households will suffer the double impacts of land loss and resettlement. With the affected population belonging to enterprises and social organization, the total number get to about 23554. (See Table 2-2 and 2-3)

**Table 2-2: Estimation of Total Population Affected by Project (of RP)**

District	Ward		Village		Household		Affected Enterprises		Population	
	Total	Affected	Total	Affected	Total	Affected	Unit	Person	Total	Affected
Yanta	8	5	201	28	147275	1394	23	442	588102	6004
Weiyang	12	9	252	60	116614	2982	112	4071	385731	12154
Baqiao	11	3	259	17	121944	1754	16	574	433623	10866
Total	31	17	712	105	385833	6130	48	5087	1407456	29044

**Table 2-3: Estimation of Total Population Affected by Project (of M&E)**

District	Ward		Village		Household		Affected Enterprises		Population	
	Total	Affected	Total	Affected	Total		Total	Affected	Total	Affected
Yanta	8	2	201	8	147275	268	45	552	588102	1600
Weiyang	12	8	252	35	116614	1916	558	6301	385731	13794
Baqiao	11	3	259	22	121944	1882	61	799	433623	8160
Total	31	13	712	65	385833	4066	664	7652	1407456	23554

### Chapter III Issues Mostly Concerned by APs

27 The survey shows that there are five issues mostly concerned by APs, including compensation rate, livelihood restoration, social security, environment, information transparency and APs' participation, which are same with the issues concerned in other state financed projects. Since the area occupied by the third ring road project, mostly joining town and country, is pretty large, and the present situation is so complicated and the number of APs is so great that much more money needs to be injected into resettlement work.

28 **Issue of compensation rate.** The project is regarded as governmental public welfare undertaking instead of commercial activity, so the EA must implement the resettlement compensation rate strictly according to the legal articles of state, provincial and municipal laws. The planting economy in suburban area of Xi'an is lack of variety, which limits villages' economic development and the promotion of villagers' livelihood. The third ring road project has actually considered APs' difficulties, and raised the compensation rate much higher based on the relative policies and laws. The state land law stipulates that the compensation rate concerns land acquisition compensation, resettlement compensation, compensation for structure and fixture, and compensation for crops. According to the M&E survey, the compensation is undertaken with the adjusted price measured by the assets evaluation agency. The compensation rate for young crops, which is 800 CNY per Mu for vegetable land and 700 CNY per Mu for other crops land, is based on the relative articles stipulated in the Municipal Government's eighty-eighth document. The complaints from the public mainly concentrate on the compensation rate for acquired land and resettlement, which is stipulated in the Municipal Government's eighty-eighth document as 30,000 CNY per Mu for vegetable land and 25,000 CNY per Mu for other land. Actually, such a compensation rate is almost 18 to 22 times of AAOV in the previous three years, much higher than that of state land law. Besides, the surveys shows that the compensation rate of third ring road project is higher than that of Xi Yan railway project in 2004 with the rate of 18,800 CNY per Mu, and also higher than that of special transport railway project in 2005 with the rate of 24,000 CNY per Mu. Obviously, the compensation rate of third ring road project is higher than that of many other governmental construction projects, but the public still considers it pretty lower. In fact, such a problem taken place in Xi'an ever throughout the whole state, is caused by the difference of compensation rate for acquired land and resettlement undertaken by different construction agencies. For example, the compensation rate in some open economic zones of Xi'an has reached to 74,000 CNY per

Mu, and the compensation rate under commercial interests is high up to more than 100,000 CNY per Mu. Finally, the difference leads to the disorder of compensation rate for land and leads APs to the psychological unbalance, which blocks the processing of third ring road project. While the state government has realized the necessity to end such a disordered situation, so that the State Council and the State Land and Resource Department have issued relative documents to require each Provincial Government draw up and publicize the land price matching the local economy before the end of 2005. In fact, farmers of Xi'an outskirts occupy cultivable land no more than one mu per capita, and a few of them have only several fens land, so that it is easy to understand their requirement for higher compensation. Secondly, many farmers of Xi'an outskirts, encouraged by government carrying out the policy of contract system with remuneration linked to output for thirty years unchanged, consequently plant fruit trees for more economic efficiencies, and the value of land acquisition will increase in the future for the convenient communication brought by the Third Ring Road; therefore, it means much more loss for the non-land farmers who undoubtedly hope to get land through land redistribution within villages they belong to.

**29 Issue of information transparency and APs' participation.** EA has learned about open information and participation rate concerned by APs through on-the-spot meetings and environmental, economic surveys in 2002 and 2003. Each LAR agency has held dozens of consultations participated by relative officers of each level and APs representatives, discussing on the land acquisition, resettlement, compensation allocation, grievances procedure and so on. In some villages, farmers participate a little less into the land measuring course, and they acquire a few about the resettlement policy and the compensation rate that it is natural for difficulties to exist in these villages. Lack of affected persons' participation, the evaluation progress is not transparent. For example, affected persons of eighth group, Hutuo Village (belonging to Tanjiaxiang Ward, Weiyang District) do not take part in during the evaluation for lack of organization, while the compensation will be paid according to the previous evaluation result so that farmers have opinions on it. Omissions and mistakes taken place in the measurement and resettlement evaluation have been made up as soon the APs reported them to LAR office. In order to guarantee APs' interests not being damaged, the TRCDC determines to ask asset evaluation agency to evaluate all the acquired land and structures at first, and under the approval of LAR, the notary office will particularly notarize on the assets evaluation result for those land owners who can not participate the evaluation course for any reason. As a result, the conflicts are avoided, and the resettlement continues smoothly.

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30 **Issue of restoration and rehabilitation** may be concerned by APs naturally after the land acquisition and resettlement evaluation is completed. EA implements restoration plan with three strategies as (i) the income strategy within community, (ii) allocation of compensation to individuals, and (iii) training program. These strategies aim to keep most of APs continuously living by agriculture and to promote minority of APs hunting for job in the urban area. Under the assistance by LAR agencies and local government, affected villages will make use of compensation to increase the productive rate of cultivable land, to enlarge the irrigate land area, and to develop vegetable green houses, poultry, agricultural processing industry and crops diversification. In fact, the Municipal Government and TRCDC have concluded a serial of measures to solve the problem of restoration and rehabilitation. Firstly, certain land area will be directly allocated to the village committee for commercial use. Besides, the problem also can be handled by undertaking the program of rebuilding villages within the town. The government should assist villagers to change the planting agricultural pattern lacking variety into multiple productive pattern, and to organize young labors joining into professional training program for the purpose of promoting the employment among young labors. The survey shows that most of villages are in the phase of resettlement and the restoration plan has not been widely implemented. Since the resettlement work is processing, most of non-land farmers just prepare to open shop along the Third Ring Road, and live by house leasing even though the restoration plan has been drawn up. However, according to the economy theory, the over supply of renting house may not increase the revenue and as a result, APs' income and life may not get promoted. Lacking necessary market-oriented techniques and bravery, non-land farmers need the guidance and support from government and industries especially from the LAR agencies to avoid the dangers caused by aimlessness and disorder. That should be EA's initial task in the next phase. For the cost of production restoration, most villages solve it by deducting part from the compensation paid to village committee. About some APs' distrust on restoration plan and individual restoration activities, EA will consult with them in the next phase. The project will promote the urbanization of Xi'an, and villages along the third ring road will be included into the urban area in the future so that great changes will be taken place within these villages. For the urbanization and the improvement of investment environment within the areas along the third ring road, the land price will be raised greatly that is useful to enhance the investment and economy to be prosperous and that will promote villagers to become urban residents and enter into service industry. However, it is such a course that the government and villagers must pay adequate efforts to complete it.

31 **Issue of infrastructure and environment restoration** is widely concerned by APs,

villages and enterprises/ organizations. In order to ensure the communication and other infrastructures continue to serve the public, EA, LAR offices and local government of each level pay quite a lot efforts to complete the reconstruction of roads, electric cable, communication cable and optical cable but wells charged by each village committee. However, the communication and transport in some villages did not get in-time restoration, and the restoration plan pays inadequate attention to the transport problem in some villages. For example, the communication of Lingao Village in Sanqiao Ward has been blocked from the neighboring villages. In some villages, since LAR agencies handle the work of cleaning the construction sites not once for all, the construction dust and garbage bring residents inconvenience. But these problems have been fairly solved as soon as they are raised. At present, TRCDC has completed the designing work of making project concerned areas green and beautiful, and the public bidding is going to be held. The future environmental restoration work will be undertaken with detailed proposals, and be completed through rebuilding villages, absorbing investment and adjusting land. However, it particularly depends on the improvement of economy and villagers' qualities as well as on the continuous efforts.

32 **Issue of social security.** Farmers losing land mostly concentrate on the social security issue, and ask to enter into the social security system, but some of them whose ideas are out of date, consider it unreasonable to spend some money on paying the insurance fees, with expecting the resettlement and land acquisition compensation from the 3<sup>rd</sup> ring road project. On this issue, local government should encourage APs to find new employment opportunities through the education and publicity. Certainly, the disables should get favorable policies on re-employment. However, the survey shows that part of APs losing land have complaints to pay the insurance fees with LAR compensation, which is limited in amount. So the civil department, labor department and land administration department explain and publicize policies patiently toward APs. At present, the standard of endowment and medical insurance for agricultural population losing land has been drawn up and the detailed procedure of joining the insurance system will come into the open very soon. Endowment insurance fees can be burdened both by village and individuals, and for those who have difficulties to pay the insurance fees, it is feasible for them to apply for installment toward insurance administration agency. The M&E survey group suggests that explanation and appropriate direction is necessary to make farmers losing land learn the benefits of joining in the social security system. According to the latest governmental document about APs' employment and social security, TRCDC regards those possessing land less than 0.3 Mu as farmers losing land, and manages to assist each district government working on right classification. The document stipulates that for farmer losing land

caused by land acquisition, the medical insurance and endowment insurance fees should be included in the land and resettlement compensation. But because of the land occupation per person within the third ring road project is so low that the compensation can not meet the requirement of insurance fees, many APs give up entering the social security system. Therefore, TRCDC pay APs certain sum of money as livelihood subsidy, and the total sum of subsidy paid to APs along western, eastern ring road and three connectors is 91,770,000 CNY, the highest subsidy per household even being up to 40,000 CNY. The total number of livelihood subsidy actually occupies 61% of total compensation. To solve the problem of social security for APs is a complicated work led by the Municipal Government concerning departments of civil affair, social security, public security and land & resource etc. Suggest relative departments responsible for this issue to solve problems in a practical way. Moreover, the social security concerning venerable group should be handed over to civil affair department and the venerable group will enjoy the benefits brought by urban social security system of residents while they become the urban residents according to the relative policy.



## Chapter IV Legal Framework and Resettlement Policy

33 The legal framework and resettlement policies for the project are derived from two sets of sources: laws and regulations of the People's Republic China (PRC) and ADB policy requirements. A brief overview of the PRC laws and regulations is presented in this chapter, followed by a discussion on the gaps between ADB policy and PRC regulations. This chapter mainly summarize on the project resettlement policy and strategies for land acquisition and compensation payments.

### 4.1 Legal Framework—Overview National/Local By-laws

34 The resettlement and compensation toward affected persons of the third ring road project is carried out abiding by the Land Administration Law (LA Law, revised in 2004), which stipulates the ownership and the land use rights, utilization and protection of land and the compensation costs, resettlement subsidies, and the proper measures of resettlement for those affected. According to the LA Law (article 8), land in the urban districts are state-owned while land in rural and suburban areas (house plots, farm land, hills) shall be owned by collectives of the peasantry. The collective and its members (by two-thirds majority) can re-distribute or re-allocate land (article 14) or make adjustments to arable or reclaimed land (article 31). The LA Law further stipulates (article 47) that in case land acquisition shall take place, compensation shall be made in accordance with the original usage of the acquired land, which shall include land compensation fee, resettlement subsidies and compensation fee for the attachment of the land and standing crops. The compensation fee for the acquired cultivated land will be 6 to 10 times (based on local standards of law and regulation) of the average annual output value (AAOV) of the land in the previous 3 years before land acquisition. Similarly, the compensation fee for resettlement for each of the agricultural population will be four to six times of the AAOV of the land in the previous three years. The provinces or municipalities directly under the central authority determine the standards of compensation for the attachment of the land and standing crops. Articles 48 and 49 require consultation and disclosure of compensation rates and the flow of funds to the land-owning collectives. All compensation funds are typically paid to the land owning unit/collective.

35 Specific implementation guidelines define eligibility, cut-off date, timing and procedure of information dissemination, resettlement action plan and monitoring. In case of demolition of

urban buildings, separate central policies and local by-laws apply legal support for management, demolition, compensation and resettlement. The following laws and regulations will be utilized for this project:

- *Land Administration Law of PRC*, effective on August 28, 2004(Revised Version)
- *Measures of Information Publicizing for Land Acquisition*, No. 10 Order, Ministry of Land and Resources, effective on January 1, 2002.
- *Implementation Measures for the Land Administration Law of PRC in Shaanxi Province*, effective on January 1, 1999
- *Ordinance for Urban Building Management in PRC*, November 2001.
- *Implementation Measures for Urban Houses Resettlement Plan Administration in Shaanxi Province*, effective on November 1, 2004.
- *Decree on the Adjustment of Replacement Price of Relocation Building/ Houses*, Xi'an Municipal Government (1995, No.40).
- *Decree on the Price Adjustment for the Resettlement Building/ houses*, Xi'an Municipal Government (1997, No.114).
- *Measures of Municipal Construction and Resettlement in Xi'an* (Second Revised Version) , effective on April 1, 1993, approved by Shaanxi Provincial NPC on April 23, 1998.
- *Decree on Strengthening the Processing of Land Acquisition and Resettlement Work regarding the Urban Road Construction*, Xi'an Municipal Government (2003, No.39).
- *Provisional Decree on Appraising the Value of Municipal Demolished Houses in Xi'an*, Xi'an Municipal Government (2004, No.62).
- *Municipal Housing Resettlement Administration Rules and Regulations for Implementation in Xi'an*, Xi'an Municipal Government (May 10, 2004, No.22)

36 The No.88 document issued by Xi'an Municipal Government in 2004 stipulates the compensation rate suited for 3rd ring road project.

## 4.2 Gaps Between PRC Laws and ADB Policy

37 PRC laws and regulations provide "land-for-land" and/or replacement value for all rural households affected by development projects. However, in practice, land redistribution in many

instances is difficult due to scarce land resources. Many affected villages do not have any residual land for redistribution. Also, employment in village enterprises can no longer be guaranteed. As a result, many rural households do not receive adequate or good quality cultivable land and their living standard get impacted to some extent. ADB policy requires that people displaced should be compensated and assisted, so that their economic and social lives would be generally as favorable as in the absence of the project. The survey suggests that local government should make an adjustment on some policies so that the gap can be lower down.

38 There are also issues like absence of legal titles or social protection of workers in the case of the affected enterprises. Many project-affected people with small shops and sideline business, which are not officially recognized as enterprises, are considered ineligible for compensation, except for the building area. Until recently, unregistered migrants or floating population were not accorded entitlements that are provided to local residents such as provision for new housing plots, replacement land and access to social services.<sup>10</sup> Further, the workers and employees affected by the demolition/relocation of the affected enterprises are at risk of unemployment. PRC regulations provide compensation to the affected enterprise, who are responsible for re-employment of workers but this only applies to permanent staff and excludes contract or temporary labor/migrant workers that comprise a significant portion of the workforce. However, with the new decree on the rights of migrant workers, may soon change the situation substantially.

39 According to ADB requirements, all affected persons irrespective of titles are eligible for compensation for their losses and should receive resettlement assistance/benefits. The absence of formal title to land or other assets should not be a bar to compensation; particular attention should be paid to households headed by women and other vulnerable groups (e.g., migrant labor/floating population) and appropriate assistance provided to help them improve their status. Refer to Table 21, which provides entitlements.

### **4.3 Project Resettlement Policy**

#### **4.3.1 General Objectives and Principles**

40 Policies regarding compensation and resettlement for the APs in the project are based on a combination of the PRC laws and regulations and ADB's policy and requirements. The primary objective of the RP is to restore the income and living standards of the APs in post-resettlement

period and with as little disruption possible in their own economic and social environment. Particular attention has been paid to needs of the poorest and vulnerable groups to be resettled. The RP has been prepared with this as the guiding principle. Further, the need for involuntary resettlement has already been reduced through re-routing and refinement of the alignments by CECC. 91. The resettlement principles adopted in the project reflect the legal and policy requirements of PRC and ADB. The principles are summarized in Table 19. The adopted principles with regard to compensation, resettlement and income restoration are flexible enough, allowing for considerable variability from village to village and urban communities; between land redistribution and cash payments on the one hand, and community-based and individually organized income restoration options on the other. The key is to ensure that all APs receive adequate compensation and assistance to restore their incomes in post-resettlement period.

**Table 4-1: Resettlement Principles – Summary**

	Principles
1	That compensation and entitlements provided to APs are adequate to at least maintain their “without project” standard of living, with prospect of improvement.
2	All APs, titled or non-titled, are taken into account for compensation and resettlement assistance.
3	Land redistribution will ensure per capita minimum holding in post-resettlement period to maintain livelihood standards.
4	Where land acquisition per capita is not sufficient to maintain livelihood, compensation in cash or kind for replacement land other income-generating activities will be provided for.
5	All APs will be adequately informed on eligibility, compensation rates and standards, livelihood an income restoration plans, project timing, and will be involved in RP implementation.
6	No land acquisition will take place prior to satisfactory compensation resettlement of APs
7	The EA and independent/third party will monitor compensation and resettlement operations.
8	Vulnerable groups should receive special assistance or treatment to ensure they are better off.
9	Resettlement affected people should have opportunities to benefit from the project.
10	Resettlement plan should be combined with the overall municipal planning.

### 4.3.2 Land Redistribution

41 The households losing their farmlands will be given “land-for-land” through redistribution of land generally available within the village. If such redistribution fails to provide the households enough area of farmland, the redistribution of the land within wards/townships shall be conducted. The maximum distance between a household and their new land shall not be longer than 3000 meter. Cash compensation will be paid to who chose so in lieu and/or lack of replacement land for redistribution. The compensation rate shall be decided according to actual condition and based on the agreement reached between the district government and the affected people after consultation.

### 4.3.3 Compensation Rates for Structures

42 In this project, compensation rates have been fixed higher than any recent projects due to the critical importance of the project to the growth and development of Xian City. The rates for various types of losses are listed in Table 4-2.

**Table 4-2: Compensation Rates by Types**

1. Compensation Rates for House/Building				Unit: Y/m2				
House Type	Brick & Concrete	Brick & wood	Earth & Wood	Simple				
Private	375	291	54	10				
Common property/ Social buildings	375	407	54	10				
2. Compensation Rates for Land						Unit: Y/Mu		
Item	Vegetable land		irrigated Land		orchard Dry land, farmer house plots, and land used for enterprises			
Total	30000		25000		25000			
3. Young Crops Compensation						Unit: Yuan/Mu		
Item	Vegetable			Grain Crops				
Proposed 3rd Ring Road Project	800			700				
4. Compensation Rates for Other Assets						Unit: Yuan/unit		
Fruit Tree (with fruit)	Fruit Tree (young)	Adult tree	Young tree	Green house (m2)	Gate way (no.)	Brick enclosure wall (m)	(Earth enclosure Wall (m)	Grave (No.)
90	30	10-45	5--10	5—10	200	60	15	170

#### 4.3.4 Eligibility and Entitlements

43 In PRC, resettlement is mandated in development projects. In accordance with the LA Law, the EA must provide assistance to those losing lands, houses and other productive condition to recover or raise their living standard to or above the 'without project' level. In order to adapt to the central government laws and local by-laws, the Xi'an Municipal Land, Natural Resources and Housing Administration Bureau shall prepare the policy measures in the light of the adopted principles in the RP and submit to the municipal governments for approval (see 4.1).

45 All APs, including migrants/floating population (persons without residence registration certificates), will be paid compensation for all affected assets at the replacement value of those assets. Depreciation will not be deducted from the current replacement prices. The salvageable materials from demolished houses shall be given to the APs free of costs.

46 All affected enterprises will be paid compensation and allowances according to the compensation policies. Affected enterprises requiring relocation will be relocated close to their existing locations, and all the affected workers, including temporary workers, will be employed in the rehabilitated enterprises. The affected workers will be eligible to allowance and compensation for work stoppage.

#### 4.3.5 Cut-Off Date

47 The cut-off date for compensation eligibility will be set as 30 July 2003 or whenever the DMS is concluded. APs' cultivating land, constructing buildings, or settling in project affected areas after the cut-off date will not be eligible to compensation or subsidies. Compensation will also not be paid for any structure erected, or crops or trees planted purely for the purpose of gaining additional compensation.

#### 4.3.6 Payments of Compensation

48 In principle, the compensation for structures and attachments to the affected land will be paid directly to APs who own those assets. Compensation money will be paid at the replacement rate for the demolished houses. In rural area, local government will allocate house plots to affected people and the new house will be constructed either by affected people themselves or by the village committee. The compensation for urban houses will take two forms – pre-built house (exchange of property right) or cash compensation, which can be used to purchase or rent a

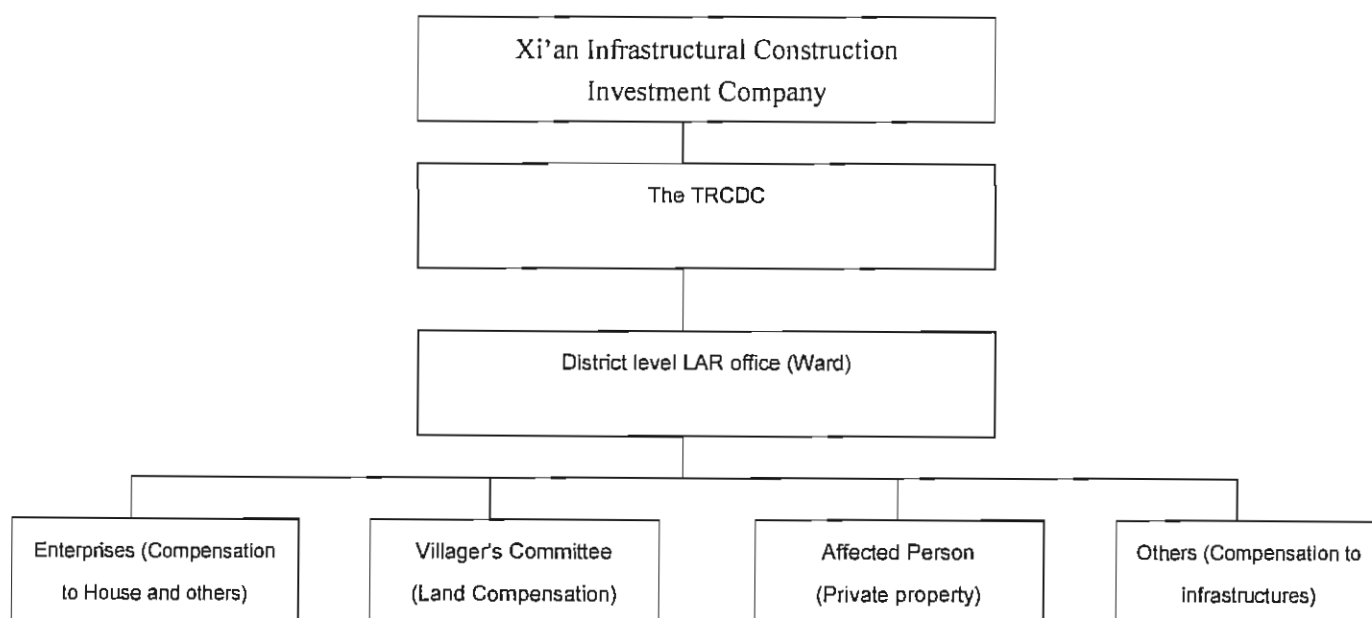
housing unit. Shifting and transition allowances will also be payable to the asset owners (i.e., individual farmers). The concerned local government in consultation with the local communities/affected groups will build the affected common/social properties.

49 Land compensation and resettlement allowance paid by the construction unit will be allocated to each level. Based on the LA Law, the land compensation will be provided to the landowners and land users; the resettlement subsidy shall be used to the resettlement of agriculture population affected by the land acquisition. Therefore, land compensation will be paid to the land owning groups (sub-villages) with land losses and their villages; the units in charge of the resettlement of affected agricultural population will manage subsidy. Where the APs would be rearranged through sub-villages, the subsidy will be paid to individuals.

#### 4.3.7 Flow of Funds for Compensation

50 Figure 4-1 provides a simplified description of the flow of funds and its management and supervision. The land acquisition and resettlement (LAR) funds are allocated from the project construction unit to each LAR office of the respective district government through designated banks. The district government then allocates the money to ward and village committees for management and supervision. The district government shall supervise these of funds through periodic visits and audit, evaluate the results and provide necessary instructions to avoid any embezzlement.

Figure 4-1: **Flow of Funds for Compensation**



## Chapter V Resettlement and Income Restoration Plans

### 5.1 Resettlement Needs

51 The resettlement needs for the entire project can be characterized as follows: (i) loss of a large number of individually owned houses in the affected villages; (ii) loss of residential and apartment units in townships/urban areas; (iii) loss of commercial structures/shops, particularly in urban areas; (iv) loss of medium to large enterprises; and (v) loss of civic/common properties. Among three districts affected, Weiyang has experienced the most serious impacts concentrated around the inter-connectors, Baqiao and Yanta district along the eastern and western ring road impacted the less. Based on the M&E survey, majority of households needing resettlement reconstruct new houses by redistributing land within the village they belong. Most of Aps who can not reacquire land within their own villages indicate that the resettlement means of purchasing apartment in the urban area can be accepted.

### 5.2 Strategies for Resettlement Management

52 Three strategies have been raised for resettlement management in the RP.

(i) First, for villages with small or limited number of households (< 20 households), the new housing sites will be selected in the same village/sub-village to minimize disruption. This will help maintain the existing social network and re-establish income level within a short time.

(ii) Second, in case of moderate impact (21-50 households) requiring house relocation but lack adequate land for their livelihood, a site suitable for apartment buildings will be selected with the consideration of both farming and opportunities for small business.

(iii) Third, villages and urban communities with severe impact (>50 households) -- for example, cluster impacts around interchanges and villages like Dongsanyao; the relocation strategy will be integrated with "urban village re-construction" program for comprehensive income restoration program.

53 For affected enterprises, the relocation site(s) will be determined by the municipal planning department/agency in keeping with the economic development zones of the city.



54 The survey shows that some enterprises can not acquire approval timely from land administrative department for resettlement land, which are strictly controlled for the comprehensive consideration of social and economic development by programming department/ organization.

## 5.3 Relocation Plans

### 5.3.1 Relocation and Resettlement of Private Households

55 Until now, the total number of households needing resettlement is estimated to 1748, separating along the western and eastern ring road, north extension of Zhu Hong Road, north extension of east 2<sup>nd</sup> road and east extension of the north sector of 2<sup>nd</sup> road. Most of them chose to reconstruct houses in their own villages, and they have gotten or are to get compensation from TRCDC.

56 Where relocation sites are required, the following procedure has been adopted:

(i) In the early stages of the resettlement process, the project implementation agency (IA), working with local leaders and officials, will identify possible relocation sites. Where possible, these sites should be within the land owned by the affected land-owning group (sub-village). Where this is not feasible, sites will be found within the village as a whole.

(ii) Discussions with affected households will be held to identify their relocation preferences.

(iii) New sites will be allocated to affected households with maximum effort given to ensuring that individual preferences are satisfied.

57 In cases, where the village authorities provide relocation sites, the village committee will receive the compensation fee for the land with householders receiving compensation for the house and buildings lost. Additionally, these households will receive the moving allowances. Household units will sign contract for compensation in order that the construction of new houses can be completed prior to the clearance of the ROW.

58 The IA will provide the overall supervision for these tasks but the direct responsibility for ensuring the timely availability of suitable relocation sites and the allocation of these to affected householders will lie with village and land-owning group officials. Individual households will be

responsible for the construction of their new houses. Collectively built apartment will be based on the “urban village re-construction” program, which has been carried 59 Village and ward/township authorities will provide special assistance to assist vulnerable households already experiencing hardship (e.g., through sickness, disability, lack of labor, old age, etc.) in the reconstruction of their houses.

### 5.3.2 Relocation of Non-residential Establishments

60 For non-residential houses and estate owned by enterprises/ organizations, TRCDC have signed the resettlement agreements with enterprises/ organizations and house owners as RP indicates, and have paid them 50% of compensation and resettlement expense as soon as the agreements were signed for the purpose of the resettlement developing smoothly, the rest 50% to be paid when resettlement begins. Except for some enterprises lack of approval from land administrative department, it is pretty enough for most of enterprises/ organizations to resettle with certain sums within certain months as agreement stipulates.

### 5.3.3 Reconstruction of Physical Infrastructure

61 The reconstruction of damaged infrastructure including wells, electric cables, communication lines and optical cable is charged by relative departments, and the subsidies of reconstructing agricultural wells have been paid to villages.

## 5.4 Income Restoration Measures

62 Three key strategies considered for income restoration activities in post-resettlement period are (i) community-based income restoration measures; (ii) use of compensation funds by individuals; and (iii) training program.

### 5.4.1 Community-based Income Restoration Measures

63 The affected communities will likely suffer from decreased agricultural production at least in the short-term due to loss of valuable cultivable land. Compensation funds accruing to the village are invested to improve agricultural productivity of the reclaimed and/or redistributed land by taking the following steps: (a) the improvement of irrigation facilities and their extension to non-irrigated areas; (b) development of other agriculture-related infrastructure such

as agro-processing; (c) crop diversification, including development of orchard and other cash crops; (d) green house; and (e) improving animal husbandry/poultry. Since the progress of resettlement is different in different districts, the survey shows that some villages in Baqiao have not drawn up detailed restoration plan.

#### 5.4.2 Use of Compensation funds by Individuals

64 The APs who have noticed the training and working opportunities and such an advantageous investment environment in the area involved by the project, which can enlarges the service industry, mostly intend to benefit from investing on business and traffic communication.

#### 5.4.3 Training Program

65 During the interviews between the survey group and villagers, APs conveyed their demand for training opportunities provided by the district government, ward/ township government or village committee, which include: (a) economic crop planting; (b) repair and maintenance of farm machinery and equipments; (c) animal husbandry/poultry; (d) sewing and knitting skills; and (e) small business registration and operation. While the detailed training plan have not been drawn up by district, ward/township government and village committee because of considering the feasibility of plan.

### 5.5 Employment in Project Activities

66 The construction of the ring road system will create a large number of temporary and semi-permanent construction jobs, including material hauling, stone material processing and earth/rock works. The survey shows that the construction agencies avoid employing labors of surrounding areas. Such an issue was raised by APs during interviews that TRCDC, construction agencies and district government should reach consensus through consultation and provide APs more employment vacancies.

responsible for the construction of their new houses. Collectively built apartment will be based on the “urban village re-construction” program, which has been carried 59 Village and ward/township authorities will provide special assistance to assist vulnerable households already experiencing hardship (e.g., through sickness, disability, lack of labor, old age, etc.) in the reconstruction of their houses.

### 5.3.2 Relocation of Non-residential Establishments

60 For non-residential houses and estate owned by enterprises/ organizations, TRCDC have signed the resettlement agreements with enterprises/ organizations and house owners as RP indicates, and have paid them 50% of compensation and resettlement expense as soon as the agreements were signed for the purpose of the resettlement developing smoothly, the rest 50% to be paid when resettlement begins. Except for some enterprises lack of approval from land administrative department, it is pretty enough for most of enterprises/ organizations to resettle with certain sums within certain months as agreement stipulates.

### 5.3.3 Reconstruction of Physical Infrastructure

61 The reconstruction of damaged infrastructure including wells, electric cables, communication lines and optical cable is charged by relative departments, and the subsidies of reconstructing agricultural wells have been paid to villages.

## 5.4 Income Restoration Measures

62 Three key strategies considered for income restoration activities in post-resettlement period are (i) community-based income restoration measures; (ii) use of compensation funds by individuals; and (iii) training program.

### 5.4.1 Community-based Income Restoration Measures

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as agro-processing; (c) crop diversification, including development of orchard and other cash crops; (d) green house; and (e) improving animal husbandry/poultry. Since the progress of resettlement is different in different districts, the survey shows that some villages in Baqiao have not drawn up detailed restoration plan.

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## Chapter VI Evaluation on Rehabilitation Plan

### 6.1 Introduction

67 In order to meet the RP objective to ensure that the unavoidably affected APs will at least recover their livelihood and economic situation compared with the “without” project status, based on ADB policy, IA drew up a rehabilitation plan during April, 2003, and submitted it to ADB in November, 2003. According to ADB’s requirement of monitoring and evaluation on the project, IA entrusts Xi’an Academy of Social Sciences(XASS) as the independent third group to survey on the resettlement of project between June and July, 2005. The group is made up with more than twenty experts from XASS, and is responsible for revising the RP and providing reasonable suggestions to EA. Based on the data that the group acquires during the survey, a detailed and reasonable impact estimation within the area of project involving, has been made and the revision of numbers of affected villages and enterprises has been completed. With a great deal of efforts from interested party, the revised rehabilitation plan in M&E report is much clearer and more feasible than that in RP.

68 It needs to mention that the plans presented here are not final because the planning is still ongoing. The revision in M&E report aims to ensure the effective implementation of RP on the one hand, and to facilitate the “stakeholder-oriented” RP planning on the other.

### 6.2 Economic Rehabilitation Plans for Seriously Affected Villages

69 In 2003, the RP reported twenty-three seriously affected villages along the 3rd ring road as the original project planning and redline survey indicated, while the M&E report just involves into the survey on seriously villages along western, eastern ring road and three inter connectors. Therefore, the M&E survey group takes research only in the areas that project has been implemented definitely, and details as follows.

70 Since the number of affected villages and population in the areas that project has been definitely implemented, could be counted, it is quite convenient for survey group to have thorough discussion on relative issues with APs, and to improve the RP.

Besides of the M&E surveying result of seriously affected villages, some villages in RP of 2003, which are actually affected by the project, also are included in this chapter.

71 There is no revision on the rehabilitation plan of affected villages, which are along northern and southern ring road because the detailed plan has not been publicized until the end of first phase M&E survey.

72 During the village rehabilitation planning, M&E survey staff has briefed the village leaders and villagers' representatives, and a SWOT analysis approach was continuously used. With the efforts of participants, staff outlines the strength, weakness, opportunity and threat of villages. Based on this analysis, strategies and possible measures have been more reasonable and feasible. This planning process really reflects the way for the affected villagers to formulate their own village rehabilitation plan. Village representatives very much appreciated this approach of mobilizing their own efforts to do their own planning based on the policy framework, over which participants have a strong feeling of the ownership for the village plans.

73 Currently the economic rehabilitation plans for the most affected villages by land acquisition and relocation are summarized as follows (details in Annex 1,2,3)

#### 6.2.1 Pangma Village

74 There are 106 households with 420 persons in this village. The total farmland area is 500 mu. This village is pre-dominated by construction about 35%, with additional income from transportation(7.8%), business(16.7%), fishery (21%) and temporary labor(18%). The annual average net income per household was CNY12,482 in 2004.

75 LAR impact: the land to be acquired will be 81.44 mu, accounted for 16% of total land, which will affect 20 households. In fact, the number of affected land area reaches to 150 mu because 60 mu cultivable land is isolated by the 3<sup>rd</sup> ring road and become uncultivable. None of household needs relocation in this village. Acquired land involves orchard, and fishery pool which get compensation of CNY380, 000 and 200,000 respectively.

76 Economic rehabilitation: this village intends to develop the third industry through opening more shops, and restore the affected enterprises. Villagers expect more house leasing income by taking the house a new look with compensation. Fishery pool owners plan to live on the rest of fishery pool.

### 6.2.2 Qingdong Village

77 There are 140 households with 532 persons in this village. The total farmland area is 185 mu. This village was pre-dominated by orchard in 2003, and by house and land leasing about 78.4% since 2004, with additional income from construction (6.4%), business, transportation (5.7%) and temporary labor.

78 LAR impact: the land to be acquired will be 49.07 mu, accounted for 26.5% of total land. The number of household need relocation is 53, accounted for 50% of total households. The total floor space of affect building/ houses is 19,058 square meters.

79 Economic rehabilitation: Qingdong Village is one of the earliest resettled village along the 3<sup>rd</sup> ring road. In July, 2005, villagers have moved into newly constructed houses continuously, locating to the north of demolished village, near to the previous site of village( See attached photos). Resettlement houses are prior to be reconstructed, and the public infrastructures have been restored with the efforts of village and EA. Resettlement houses are constructed with a wholly planned outside decoration and arrangement, and the village takes on a new look. Villagers plan to continue house and land leasing, or to open stores. The investment comes from the compensation and personal savings, and villagers feel quite confident to future life.

### 6.2.3 Zhuhongbu Village

80 There are 110 households with 432 persons in this village. The total farmland area is 540 mu. This village was pre-dominated by transportation about 51%, with additional income from house and land leasing (25%), business (13.8%) and temporary labor (8.3%). The annual average net income per capita was CNY 4,200 in 2004.

81 LAR impact: the land to be acquired will be 170.52 mu, accounted for 31.58% of total land, which will affect 47 households. The total floor space of affect building/ houses is 16846 square meters, less than Qingdong Village. The acquired land mostly was occupied with buildings and market.

82 Economic rehabilitation: this village plans to enlarge the present market at first. On the other hand, a new business center is planned to be constructed, with a construction style of Han Dynasty for simple classical outside. Villagers plan to pay the construction costs with the compensation for acquired land and resettlement, while the future life is relied on house leasing.



Undoubtedly, in order to improve their livelihood, villagers are also eager to get training and information about certain profession from government.

#### 6.2.4 Jiaojia Village

83 There are 380 households with 1600 persons in this village, which locates in Liucunbu Ward, Weiyang District. The total farmland area is 380 mu. This village was pre-dominated by cropping, with additional income from temporary labor about 10%. The annual average net income per household was CNY 14,340 in 2004.

84 LAR impact: the land to be acquired will be 1125.86mu, accounted for 33.12% of total land, which will affect 96 households. None of household needs relocation, and the total compensation amount is about CNY 378,000, which has been distributed to individuals.

85 Economic rehabilitation: the leftover land is used for developing business and third industries. On the other hand, development of small sized enterprises is also on the restoration plan of this village. Investment money comes chiefly from part of villagers' compensation and enterprises. To dig a new well is part of restoration plan of this village.

#### 6.2.5 Nanzaohe Village

86 There are 214 households with 780 persons in this village, which locates in Liucunbu Ward, Weiyang District. The total farmland area is 310 mu. This village was pre-dominated by orchard, with chief fruit products of grape and peach. There is only about 10 mu for cropping. The annual average net income per household was about CNY 10,000.

87 LAR impact: the land to be acquired will be 99.92 mu, accounted for one third of total productive land, and 20 to 30 mu land is affected indirectly. None of household needs relocation and the land acquisition compensation amount is about CNY 340,000, and the fixtures compensation has been paid.

88 Economic rehabilitation: compensation firstly is used for reconstructing road, wells and other infrastructure, and the development of third industries through opening stores and market is dependent on uncultivable land.

#### 6.2.6 Dongwali Village

89 There are 145 households with 580 persons in this village, which locates in Sanqiao Ward, Weiyang District. The total farmland area is 400 mu. This village was pre-dominated by temporary labor (60%) and business (10%), with additional income from land leasing about 9.4% and agriculture, trees and fishery. Peach orchard occupies around 40 mu. The annual average net income per household was CNY 30,000 in 2004.

90 LAR impact: the land to be acquired will be 206.06 mu, accounted for 50% of total land, which will affect 120 households. The total floor space of affect building/ houses is 43,676 square meters. Total compensation for the land and property loss is around CNY1.78 billion, one of the most among affected villages.

91 Economic rehabilitation: this village is prior to construct stores and market in order to develop third industries. The net income per capita is expected to increase CNY 728. The development capital comes from part of compensation to individuals, enterprise investment and individual savings.

#### 6.2.7 Lingao Village

92 There are 456 households with 1869 persons in this village, which locates in Sanqiao Ward, Weiyang District. The total farmland area is 1092 mu. This village was pre-dominated by temporary labor (37%) and business, with additional income from transportation (29%), land leasing (23%), construction (6.4%) and house leasing (4%). The annual average net income per capita was CNY 4,024.

93 LAR impact: the land to be acquired will be 206.06 mu, none of household needs relocation.

94 Economic rehabilitation: (i) since the land area per capita is less than 0.5 mu, this village intends to strengthen the labor export; (ii) land leasing; (3) private business.

#### 6.2.8 Nanhe Village

95 There are 325 households with 1,197 persons in this village. The total land area is 125 mu and farmland area 53 mu. This village was pre-dominated by business (60.2%), with additional

income from temporary labor (21%), transportation, land leasing (10.6%) and agriculture (5.4%). The annual average net income per capita was CNY 2,740 in 2004.

96 LAR impact: the land to be acquired will be 92.86 mu, accounted for 74.33% of total land, which will affect 63 households. None of household need resettlement except one enterprise. Total compensation for the land and property loss is around CNY 3,000,000.

97 Economic rehabilitation: this village is prior to establishing market and enterprises, or intends to develop house leasing. Capital comes chiefly from compensation, enterprise investment, individual savings and bank's credit.

#### 6.2.9 Sanqiao Village

98 There are 1,480 households with 5,370 persons in this village. The total cultivable land area is 1,590 mu. In the respect of economic development and scale, it has the fame of No. 1 Village in the west of China, performing quite outstanding of high income per capita. The annual average net income per capita was CNY 7,000 in 2002

99 Economic structure covers wheat, corn, fruit and vegetable planting, which is a small part of village's gross income (5%). The annual gross product is about CNY 36.4 million, mainly coming from (i) land leasing to enterprises and small business (27.8%); (ii) construction (16.8%); (iii) private business (18.9%); (iv) house leasing (15.2%); (v) transportation (13%); (vi) other.

100 LAR impact: the land to be acquired will be 1068.52 mu, accounted for 68% of total land. The total floor space of affect building/ houses is 74491 square meters, which will affect 235 households. Total compensation for the land and property loss is around CNY 1.1224 billion.

101 Economic rehabilitation: this village has a favorable location; that has become the regional business center and the gateways of Xi'an. Xi'an & Xianyang Municipal Circle promotes this village into more favorable development. According to the speedy development tendency, this village intends to apply for redistributing state owned land to reconstruct the village in a new site, and develop business in the present land. If such an application gets improved, the net income per capita will be increased greatly. Capital partly comes from compensation, and chiefly from (i) capital owned by village, (ii) enterprise investment, (iii) credit of banks.

#### 6.2.10 Shijia Village

102 There are 212 households with 815 persons in this village, which locates in Sanqiao Ward, Weiyang District. The total land area is 412.24 mu and farmland 40 mu. Land area per capita is only 0.5 mu. This village was pre-dominated by land leasing, with additional income from construction. The average household income is CNY 6000 annually, lower than other villages. Even the high income households with more than CNY 8000 per year only occupy 10% of total households, and medium occupying 40%. The households under the poverty line are amounted 8, and about 26 persons.

103 LAR impact: the land to be acquired will be 34.21 mu, accounted for 8.2% of total land, and cultivable land 15 mu accounted for 37.5% of farmland.

104 Economic rehabilitation: this village is prior to establishing market and enterprises, or intends to develop house leasing. Capital comes chiefly from compensation, enterprise investment, individual savings and bank's credit.

#### 6.2.11 Zhangwan Village

105 There are 101 households with 393 persons in this village. The average household population is 3.89. The total land area is 71 mu and farmland area 51 mu. The land area per capita is 0.18 mu. This village was pre-dominated by transportation (68.2%), with additional income from temporary labor (22.72%), transportation (68.2%), land leasing (9.1%). The annual average net income per capita was CNY 2,644.

106 LAR impact: the land to be acquired will be 33.92 mu, all being cultivable land, with loss of CNY 47,300. Compensation rate for acquired land is CNY 30,000 per mu. Total compensation for the land and property loss is around CNY 1,039,200, 1017600 paid to collective, 21600 to individuals.

107 Economic rehabilitation: (i) to construct houses for sale or leasing; (ii) to lease out the rest land as a whole charged by village committee.

#### 6.2.12 Hutuo Village

108 There are 108 households with 716 persons in this village, which locates in Tanjia ward,

Weiyang district. The average household population is 6.62. The total land area is 2300 mu and farmland area 243.44 mu. The land area per capita is 0.34 mu. The major crops are corn and wheat. This village was pre-dominated by land leasing (30%), with additional income from temporary labor (30%), and cropping (20%). The annual average net income per household was CNY 12,000.

109 LAR impact: the land to be acquired will be 187.26 mu, accounted for 20.8% of total land, and cultivable land 15 mu accounted for 37.5% of farmland. The total floor space of affect building/ houses is 33581 square meters, which affects 105 households involving relocation.

110 Economic rehabilitation: a serial of meeting s were held to determine the reconstructed village develop urbanization, involving into beautifying the environment, improving the road condition, regulating the electric lines and so on. The construction of market is also on the restoration plan of this village for the purpose of developing private economy.

#### 6.2.13 Tuanjie Village

111 There are 331 households with 1326 persons in this village, which locates in Tanjia ward, Weiyang district. The average household population is 4. The total land area is 2262 mu and farmland area 88.42 mu. The land area per capita is 0.67 mu. The major crops are corn and wheat, with vegetable, grape, peach etc. economic agricultural products. This village was pre-dominated by land leasing (20%), with additional income from construction (20%), and vegetable (20%). The annual average net income per household was CNY 10,000.

112 LAR impact: the land to be acquired will be 150.56 mu, accounted for 7.6% of total land, and cultivable land 15 mu accounted for 37.5% of farmland. The total floor space of affect building/ houses is 17887 square meters, which affects 50 households involving relocation.

113 Economic rehabilitation: (i) adequate in land resource, it is proper to develop economic cropping.(ii) reconstruct village in a new site, involving into beautifying the environment, improving the road condition, regulating the electric lines and so on, (3) build up houses for leasing

#### 6.2.14 Beishiqiao Village

114 There are 292 households with 1213 persons in this village, which locates in Yuhua ward,

Yanta district. The total land area is 2262 mu and farmland area 1050 mu. The land area per capita is 1.1 mu. This village was pre-dominated by orchard (30%), with additional income from transportation (20%) and temporary labor (15%). The annual average net income per household was CNY 20,000.

115 LAR impact: the land to be acquired will be 285.94 mu, accounted for 27.23% of total land, affecting 84 households. None of household needs acquiring land. The total compensation for acquiring land is CNY 10,290,000.

116 Economic rehabilitation: this village intends to increase villagers' income by (i) opening stores and enterprises, (ii) bring barren land under cultivation. On the other hand, this village has planned to build up a market by real estate agency, supported financially by compensation, credit and enterprise investment.

#### 6.2.15 Laoyanzhuang Village

117 There are 350 households with 1575 persons in this village, which locates in Yuhua ward, Yanta district. The total land area is 1800 mu and farmland area 1700 mu. The land area per capita is 1.08 mu. This village was pre-dominated by business (83%), with additional income from temporary labor (4%), and transportation (12.5%). The annual average net income per household was CNY 37270.

118 LAR impact: the land to be acquired will be 124.83 mu, accounted for 6.9% of total land, and none of household involves relocation.

119 Economic rehabilitation: (i) opening stores with compensation, (ii) attracting the investment from real estate agency, (iii) establishing a market with financial support from enterprises and banks.

#### 6.2.16 Yingfazhai Village

120 There are 186 households with 605 persons in this village. The total land area is 71 mu and farmland area 457 mu. The land area per capita is 0.76 mu. This village was pre-dominated by construction (40%), with additional income from transportation (26%), land leasing (13%). The annual average net income per household was CNY 8,000.

121 LAR impact: the land to be acquired will be 104.11 mu, accounted for 20% of total land and 30% of total cultivable land, and none of household involves relocation. The losses of infrastructures and public property include five economic orchards, 4000 fruit trees, 500000 trees and one pig farm as well as electricity lines 3000m, and nearly 800 m<sup>2</sup> roads. Total compensation for the land and property loss is around CNY 4,830,000.

122 Economic rehabilitation: there is a long-term development strategy, but the strategies to increase villagers' income in a short-term are more practical. They are: (i) attracting enterprises investments, and establishing a market or business center with compensation, (ii) land leasing, (iii) house leasing. For those households whose income is not sufficient, they can depend on small business in the market.

#### 6.2.17 Mujiangwang Village

123 There are 380 households with 610 persons in this village, which locates in Hongqi ward, Baqiao district. The total farmland area is 400 mu. This village was pre-dominated by agriculture (44%), with additional income from business, temporary labor and land leasing. The annual average net income per capita was CNY 3,000.

124 LAR impact: the land to be acquired will be 247 mu, accounted for 62% of total land. The total floor space of affect building/ houses is 217202.73 square meters, which affects 53 households involving relocation. There are 17 enterprises involving relocation, and the total floor space of affect building/ houses is 19763.99 square meters. The total compensation for land acquisition and resettlement is about CNY 72,960,000.

125 Economic rehabilitation: this village has the advantageous location , so it is suitable for this village to establish a vegetable wholesale market. On the other hand, this village intends to increase 1285 CNY of the net income per capita by opening 100 stores. Money comes from compensation and enterprises investments.

#### 6.2.18 Wuxi Village

126 There are 153 households with 612 persons in this village, which locates in Baqiao ward, Baqiao district. The annual product of this village is CNY 8,970,000, depending mainly on vegetable, crops, kiwi. This village was pre-dominated by orchard (31%), with additional income from business (15%), temporary labor (30%) and cropping (18%).

127 LAR impact: the land to be acquired will be 221.8 mu, involving households 200 for land acquisition, and 15 household involves relocation.

128 Economic rehabilitation: this village plans to distribute land of 0.3 mu per household to those losing the house plot. And APs intend to reconstruct houses for leasing and to continue cropping.

#### 6.2.19 Andi Village

129 There are 320 households with 1,200 persons in this village, which locates in Xiwang ward, Baqiao district. The total land area is 1080 mu. The land area per capita is 0.9 mu. This village was pre-dominated by transportation (86%), with additional income from investment on Ba rive (9%), and construction (5%).

130 LAR impact: the land to be acquired will be 474.45 mu, accounted for 44% of total land, and 18 household involves relocation acquiring reconstruction land area of 500 mu. The total floor space of affect building/ houses is 12104.7 square meters, and 3689.3 square meters for enterprises.

131 Economic rehabilitation: this village plans to (i) retain 7% of compensation for the cost of infrastructure reconstruction, (ii) develop business and big market for land rent increasing (iii) help to arrange temporary working opportunities in the urban area. The development capital comes from part of compensation to individuals, enterprise investment and individual savings.

#### 6.2.20 Guoqu Village

132 There are 84 households with 416 persons in the third group of this village, which locates in Xiwang ward, Baqiao district. The total land area is 330 mu and farmland area 243.44 mu. This group was pre-dominated by transportation (35.4%), with additional income from temporary labor (2.5%), business (1%), construction (1.5%), vegetable (7.5%), poultry (15.7%) and orchard (36.4%). The annual average net income per household was CNY 19,395.

133 LAR impact: the land to be acquired will be 202.98 mu, and 41 household involves relocation. The total floor space of affect building/ houses is 6372 square meters. There is only 127 mu land left to villagers. The actual number of affected households reaches 61. The grape product base, which has been formed, is seriously damaged by the project.



134 Economic rehabilitation: this village plans to guarantee the regular production of grape bas, and intends to develop small sized fruit production base for the future communication convenience. On the other hand, households intend to construct houses for leasing. The development capital comes from part of compensation to individuals, enterprise investment and individual savings.

#### 6.2.21 Liangjiajie Village

135 There are 537 households with 1944 persons in this village, which locates in Xiwang ward, Baqiao district. The total farmland area is 504 mu. This village was pre-dominated by land leasing (45.8%) and house leasing (24.6%), with additional income from temporary labor, business (12.3%), transportation (6.3%) and vegetable (6%).

136 LAR impact: the land to be acquired will be 286.51 mu, accounted for 56.8% of total land. The total floor space of affect building/ houses is 79271.37 square meters, which affects 438 households involving relocation. 40.6% of total population are affected by the project.

137 Economic rehabilitation: since this village is affected seriously, the initial work should be to reconstruct the village and houses, and secondly to develop real estate industry. Besides, the net income per capita could be increased CNY2572 through establishing stores and three markets. The development capital comes from part of compensation to individuals, enterprise investment and individual savings.

#### 6.2.22 Guanting Village

138 There are 406 households with 1,944 persons in this village, which locates in Xiwang ward, Baqiao district. The total farmland area is 559 mu. This village was pre-dominated by temporary labor (26%), with additional income from cropping (21%), transportation (15%), business (15%) and house leasing (15%).

139 LAR impact: the land to be acquired will be 511.45 mu, accounted for 91.5% of total land. The total floor space of affect building/ houses is 40247.12 square meters, which affects 205 households involving relocation. 50.5% households need relocation. The total floor space of affect building/ houses is 24683.44 square meters, which affects 10 enterprises involving relocation.

140 Economic rehabilitation: since this village is affected seriously, the initial work should be to establish the market and open stores, so that the net income per capita could be increased CNY1489. The development capital comes from part of compensation to individuals, enterprise investment and individual savings.

#### 6.2.23 Xinfang Village

141 There are 910 households with 3225 persons in this village, which locates in Xinjiamiao ward, Weiyang district. The total farmland area is 4400 mu. This village was pre-dominated by fruit and vegetable production (46%), with additional income from house leasing (26%), land leasing (20%) and business. The annual average net income per capita was CNY 4366 in 2004.

142 LAR impact: the land to be acquired will be 280.89 mu. The total floor space of affect building/ houses is 92640 square meters, which affects 241 households involving relocation about 26.4% of total households. Total compensation for the land and property loss is around CNY 34,430,000.

143 Economic rehabilitation: this village is prior to establish market as Xi'an Municipal Government's regulations indicate. The government promises to finance the project. This village intends to construct a refrigerated storage for fruit wholesale, and a hotel. As a result, the net income per capita will be increased CNY1057. The development capital comes from part of compensation to individuals, governmental investment and individual savings.

#### 6.2.24 Lihuashui Village

144 There are 387 households with 1,299 persons in this village. The total farmland area is 1619 mu. This village is pre-dominated by cropping, with additional income from transportation, business and house leasing. The annual average net income per capita was CNY2,117 in 2002.

145 LAR impact: the land to be acquired will be 327 mu, accounted for 20% of total land, which will affect 75 households. The number of household need relocation is 56, accounted for 14.5% of total households. The total floor space of affect building/ houses is 14,432 square meters. Total compensation for the land and property loss is around CNY14.15 million.

146 Economic rehabilitation: with a good opportunity for future development (in the vicinity of the Xi'an High-tech Development Zone), this village plans to seize this change to conduct

business operation, mainly include 1) the construction of a hotel and related parking lot; 2) build a marketplace. In addition, the production scale of their advantaged animal husbandry industry will be enlarged. It is expected that the net income per capita can be increased by CNY1,271. The development fund could be from the compensation of land loss (both from the ring road project and the High-tech Development Zone) and enterprise investment.

#### 6.2.25 Nanshenjiaqiao Village

147 There are 375 households with 1,234 persons in this village. The total farmland area is 960 mu. The largest income source is agriculture, accounted for 56.6% of total village net income. The remaining 43.4% is from temporary worker earnings, land and house leasing and transportation. The annual average net income per capita was CNY1,224 in 2002.

148 LAR impact: the land to be acquired will be 230 mu, accounted for 24% of total arable land, which will affect 70 households. The number of household needs relocation is 30, which accounts for 8% of total households. The total floor space of affect building/ houses is 6,000square meters. Total compensation for the land and property loss is around CNY8.5 million.

149 Economic rehabilitation: this village also close to the Xi'an High-tech Development Zone), plans to seize this change to conduct business operation including 1) the construction of a marketplace; 2) build shops for small business. It is expected that the net income per capita can be increased by CNY1,053. The development fund would be from the compensation of land loss, bank loan and enterprise investment.

#### 6.2.26 Qiwang Village

150 There are 220 households with 725 persons in this village. The total farmland area is 684 mu. The largest income source is agriculture, accounted for 55.2% of total village net income. The remaining 44.8% is from temporary worker earnings, land and house leasing and transportation. The annual average net income per capita was CNY3,540 in 2002.

151 LAR impact: the land to be acquired will be 147 mu, accounted for 14% of total land area, which will affect 30 households. There is no villager household relocation, but there is enterprise relocation with a total floor space of 6,044 square meters. Total compensation for the land and property loss is around CNY6.21 million.

152 Economic rehabilitation: located in the southwestern suburb of Xi'an City, this village has the advantage of strong fruit and vegetables development. Thus the first priority is to conduct greenhouse vegetable production. In addition, shops for business operation, and a wholesale market for vegetables trading are also planned. It is expected that the net income per capita could be increased by CNY1,019. The development fund would be from the compensation of land loss, enterprise investment and bank loan

#### 6.2.27 Beizhaizi Village

153 There are 158 households with 610 persons in this village. The total land area is 152 mu. The largest income source is agriculture, accounted for 70% of total village net income. The remaining 30% is from temporary worker earnings, house leasing and transportation. The annual average net income per capita was CNY 1,200 in 2002.

154 LAR impact: the land to be acquired will be 36 mu, accounted for 23% of total arable land, which will affect 38 households. There is no villager household relocation. Total compensation for the land and property loss is around CNY1.21 million.

155 Economic rehabilitation: located in the southern suburb of Xi'an City and near the "University Town", this village has the advantage of strong fruit and vegetables cultivation for the universities. Thus the first priority of this village is to develop 50 mu new land for greenhouse vegetable production. In addition, shops for business operation, marketplace construction and house/apartment leasing are also planned. It is expected that the net income per capita could be increased by CNY846. The development fund would be part from the compensation of land loss, enterprise investment and land rental.

#### 6.2.28 Wuxing Village

156 There are 1,172 households with 4,039 persons in this village. The total land area is only 997 mu. This is a vegetable production village and the net income share derived from vegetable cultivation is 25%, ranked second after income from temporary worker (29%). Other income sources are private business, land leasing and transportation. The annual average net income per capita was CNY1,999 in 2002.

157 LAR impact: the land to be acquired will be 240 mu, accounted for 22% of total land, which will affect 254 households. The floor space of houses requiring relocation is 23,100

square meters, which will affect 77 households, accounted for 6.6% of total households. Total compensation for the land and property loss is around CNY15.77 million.

158 Economic rehabilitation: The priority of this village is to focus on real estate development. In addition, shops for business operation and rehabilitation of marketplace are also planned. It is expected that the net income per capita could be increased by CNY299. The development fund would be part from the compensation of land loss and the rest from investment of real estate developers.

#### 6.2.29 Qinjia Village

159 This is a professional vegetable production village since 1958, thus villagers in this village are experienced in vegetable cultivation. There are 137 households with 550 persons in this village. The total land area is 550 mu. The income is dominated by agriculture (77%), and then followed by frozen storage operation (12%), transportation (10%), and the remaining 1% from land leasing. The annual average net income per capita was CNY3,000 in 2002.

160 LAR impact: the land requiring acquisition in this village would be 105 mu, which is 19% of total productive land, and will affect 26 households. The building/houses requiring demolition is 360 square meters, which will affect 1 household only. Total compensation for the land and property loss is around CNY3.27 million.

161 Economic rehabilitation: the priority of this village is to focus on greenhouse vegetable production and related frozen storage operation and large-scale marketplaces establishment for vegetable wholesale. In addition, “environment friendly” vegetable processing is also planned. It is expected that the net income per capita could be increased by CNY1,003. The development fund could be part of the compensation of land loss, others from investment of real estate developers and villagers themselves.

#### 6.2.30 Zhouhewan Village

162 There are 240 households with 986 persons in this village. The total land area is 685 mu. The income is dominated by temporary worker earnings (44%) and agriculture/fruit production (29.3%), then followed by private business (14%), and the rest from land leasing and transportation. The annual average net income per capita was CNY3,997 in 2002.

163 LAR impact: the land requiring acquisition in this village would be 211 mu, which is 31% of total productive land, and will affect 67 households. The building/houses requiring demolition are 21,864 square meters, which will affect one household and other enterprises/businesses. Total compensation for the land and property loss is around CNY17.38 million.

164 Economic rehabilitation: the preliminary priority of this village is to focus on the construction of a eco-tourism site (herbal plant garden) in order to develop the tertiary industry as well as herbal production. In addition, small business shops are also planned. It is expected that the net income per capita could be increased by CNY1303. The development fund could be part of the compensation of land loss, others from enterprise/medicine factory investment and back loan.

#### 6.2.31 Luxiaozhai Village

165 There are 175 households with 635 persons in this village. The total land is 560 mu. The income is dominated by agriculture/fruit production (32.4%) and transportation (35.8), and then followed by private business/gas station operation (17.9%). The rest is from construction. The annual average net income per capita was CNY3,958 in 2002.

166 LAR impact: the land requiring acquisition in this village would be 271 mu which is 35% of total productive land, and will affect 61 households. The villager's building/houses requiring demolition are 53,970 square meters, which will affect 132 households (75.4%). Total compensation for the land and property loss is around CNY27.94 million.

167 Economic rehabilitation: the priority of this village is to focus on the construction of business shops and house/apartment leasing. It is expected that the net income per capita could be increased by CNY888. The development fund could be part of the compensation of land loss.

### 6.3 Monitoring and Supplementary Remarks on Restoration Plans for Non-residential Establishment

168 During the M&E survey process, the survey group managed to interview with the leading officers of affected enterprises, schools/colleges and business structure (such as market, stores, petrol station and poultry farm), and to discuss with them on the resettlement process in different

phases. Considering the difference of resettlement process, the survey group and interviewees drew up a more feasible and practical restoration plan.

169 As the RP the enterprise need relocation will account for 30%, buildings/houses partially affected will account for another 30% and the slighted affected will account for the remaining 40%. The restoration or relocation plans for these enterprise/businesses are more diversified. However, the following features can be summarized:

(i) Schools, Kindergarten requiring relocation will be re-constructed before the existing ones and dismantled.

(ii) Relocation site has been primarily selected.

(iii) In order to use this opportunity to improve their building or incorporate images, either in terms of structure or size, the development funding between the replacement value of the "old" building and the new one will be provided by the entrepreneurs or the building owners.

170 Table 6-1 shows the survey result and monitoring suggestions toward RP, and there are something need noted:

171 According to the evaluation result on affected enterprises along western, eastern ring road and three interconnect road, TRCDC has signed compensation agreement with them and has paid or is to pay the compensation to them. With the standard of evaluation price of demolished structure, the final compensation is actually higher than the replacement price, so that the livelihood and production of APs is the same or better than that before the resettlement

172 With the discussion between survey group and APs, the restoration plans of enterprises raised in the RP of November 2003 and actually affected by the project, have been revised and improved in M&E report.

173 The restoration plans of enterprises actually unaffected by the resettlement have been canceled in the M&E report, only with names of them for purpose of comparison.

174 For those enterprises excluded in the RP of November 2003, but actually affected by the project, have been added into the M&E report. (See Table 6-1, details in Annex 4)

175 Since the detailed construction plan on southern and northern ring road has not been implemented, the survey result and data will be provided in the next report.

Table 6-1: Sample Survey Result of Affected Enterprises and Organizations

Organization/Location	Basic Information Plan	Plan	Implementation of RP	Remarks
1、Yangcheng Paper Mill; Nanzaohe Village, Liucunbu, Weiyang (Relocation)	Total area 40 mu. It needs relocation, with total building floor space 26660 m <sup>2</sup> , of which, brick and concrete building 16500 m <sup>2</sup> , and brick and wood houses 10160 m <sup>2</sup> . This factory is one of the ten star township enterprises in Xi'an City.	Relocation in a new site	Plan to reconstruct factory as large as the previous one. The relocation site has been settled down, the area is about 60 mu, within which the enclosure walls have been constructed. The enterprise is satisfied with the compensation about 6,700,000. However, since the environmental protection laws limits the reconstruction of factory, the enterprise stops reconstructing.	
2、Sangqiao State-owned Restaurant, Weiyang District (Relocation)	Established in 1987, serving chiefly on catering and lodging, the hotel occupies the area of 7000m <sup>2</sup> , the fixed capital 9,000,000.	Relocation in a new site	Be in reconstruction, and the enterprise is satisfied with the compensation	
3、Dongyun Paper Factory, Sangqiao, Weiyang (Relocation)	Total land area 40 mu Building demolition 16650 m <sup>2</sup> , of which, brick and concrete building 8325 m <sup>2</sup>	Relocation in a new site	In order to reduce pollution, Sangqiao Ward of Weiyang District has planned a Paper Making Special Area in line with the environmental protection policy. All papermaking factories in this ward will relocate to that area. It is satisfied with the compensation.	
4、Huanyu Cement Factory, Sangqiao, Weiyang (intermediate)	Affect factory gate and building on its both sides 2000 m <sup>2</sup> This will not affect production	Re-building Move the gate backward about 25 meters. affected building will be re-built within the factory, total 1000 m <sup>2</sup> .	Be in rehabilitation	



Organization/Location	Basic Information Plan	Plan	Implementation of RP	Remarks
5、Purchasing and Sales Station of Xinxin Chemical Factory, Dongwaili Village, Weiyang. (Seriously affected)	Affect office building 2000 m <sup>2</sup> Rend other office building	Re-build office	Preliminary office selected nearby about 400 meters, the demolished building will be re-built by themselves. Its business is not impacted.	
6、Weihai Industrial and Trading Company (Seriously affected)	Affect office building 1746m <sup>2</sup>	Re-build in a new site	New site has been selected, 3km far from the original site, and in order to reconstruct office building, the company uses its own capital except compensation	
7、Fenghui Papermaking Factory, Dongwaili Village, Weiyang (Relocation)	total land area 28 mu, affected building 9000 m <sup>2</sup> , of which brick and concrete building 8000 m <sup>2</sup> , loss of fixed capital is 6,000,000	Rebuild in a new site	Relocate to the Paper Making Special Area of Sangqiao Ward	
8、Cui Xingyang Chemical Factory, Dongwaili Village, Weiyang (Relocation)	Affect workshop and office building 1700 m <sup>2</sup> , of which brick and concrete building 400 m <sup>2</sup> ,	Re-establishment based on village planning	Building floor space will be a little smaller than the original. Now it is in construction, and is satisfied with the compensation.	
9、Wang Xuanliang Frozen Storage, Yanghe Village, Weiyang. (Relocation)	Affected storage area 1500m <sup>2</sup>	Re-build	Re-establishment based on new village land planning, floor space is the same as the original, brick and concrete structure	
10、Gelins Company, Lingao Village, Weiyang (Seriously affected)	Affect office building 2100m <sup>2</sup> , of which brick & concrete 2000m <sup>2</sup>	Re-build	Re-build based on new village land planning, with floor space 1800 m <sup>2</sup> , smaller than the original	
11、Dongruida company, Lingao Village, Weiyang (Seriously affected)	Affect office building 1200m <sup>2</sup> , brick & concrete structure	Re-establishment	Re-build based on new village land planning, 1000 m <sup>2</sup> , smaller than the original	

Organization/Location	Basic Information Plan	Plan	Implementation of RP	Remarks
12、Honghui Papermaking Mill, Lingao Village, Weiyang (Relocation)	Affect office building, workshop and dormitory 2554 m <sup>2</sup> . All are brick and concrete structure	Re-establishment	Relocate to the Special Zone of Papermaking in Sanqiao Ward.	
13、Lanjian Community of Missile Academy (Relocation)	Affected construction area 723.25 m <sup>2</sup>	Currency compensation	Be compensated of CNY1183871.55. There is no new construction, and the enclosure walls' reconstruction handled by themselves.	
14、Xi'an Feiyu Industrial Co. Ltd. (Relocation)	Established in Sept., 2002, the chief commodity is concrete. The total area is 49 mu, and total construction area is 3000m <sup>2</sup> . It owns fixed capital of 36,000,000. There is 7 mu land acquired, leading to the loss of 180,000	Currency compensation	Compensation for fixtures has been paid about 131,000. there exists the problem of drainage.	
15、Xinfang Primary School (Relocation)	Established in 1964, with staff of 27 and area of 19.33 mu. All of the construction area of 3137 m <sup>2</sup> need relocation.	Re-locate in new site.	The relocated school will decrease the area of land with 17 mu, so the space for students to have outdoor activities is lessened even though the school is much more beautiful and modernized	
16、Mixer Factory under Xi'an Road Bureau (Relocation)	Established in 1983, and moved to the present site in 1991, the chief product is asphalt concrete. It owns staff of 70 and land area of 23 mu. There is 3,591 mu land acquired and 984.29 m <sup>2</sup> demolished, including the operation center.	Currency compensation	It gains the compensation of CNY 1290410.51 for construction. A new entrance is opened for the convenience of vehicles. It brings some inconvenience for using the operation facilities, which are stored in the storehouse	
17、Huahai Vehicle Company (Only the yard acquiring resettlement)	Moved in 1999, it serves chiefly in vehicle sale, repairing and machinery, and it occupies land of 20 mu, with 6 mu acquired and 46.55 m <sup>2</sup> needing resettlement.	Currency compensation	It gains compensation amounted CNY137954.43 for construction. Besides, it meets the land acquisition by governmental project, so it is small of space for enterprise in operation.	

Organization/Location	Basic Information Plan	Plan	Implementation of RP	Remarks
18、Star Optical Facility Factory (Partial relocation)	Established in 1988, chiefly produces optical facility. It is affected by land acquisition of 2 mu and 446.2 m <sup>2</sup> construction.	Currency compensation	It gains compensation of CNY192834.67 for construction. Since the workshop and dormitory building get demolished, the area of office now is decreased. Staff living in the dormitory now rents room in neighboring village. Three months are waste for adjusting the facilities caused by the resettlement. Now, the production is in regular order.	
19、Xi'an Hongyuan Hostel (Relocation)	Established in 1998, with contracted staff of 4 and waitresses of 8. The total floor space area is 1392.71 m <sup>2</sup> .	Currency compensation with the assistance from high level	Since the whole relocation, the hotel stops opening. The compensation is not used on restoration, so the high level has decided to distribute some sum of money to rebuild the hotel. The site is determined and the livelihood of four staffs is as same as before.	
20、Xi'an No. 16 Middle School( Only playground)	Established in 1992年, occupies land of 31 mu. The project acquires the playground about 17.44mu and damages some physical facilities.	Redistribute land for playground	With the efforts of LAR office, the school has got the land by consulting with its neighborhood.	
21、Xi'an Haihong Bearing Factory (Only hospital demolished and some land acquired)	Established in 972 and moved here in the early 1990's. the hospital is demolished with impact of 1312.27m <sup>2</sup> . the total number of acquiring is 3.233, which affects people 50.	Searching for new site	It gains acquired land compensation of CNY412114.53, and resettlement compensation of CNY211312.9. there are 30 APs losing their job for the resettlement having got resettlement from the factory. For affected staff in hospital, they keep their job vacaneies by working with sequency, and for those working in sales department, they are arranged other working opportunities.	

Organization/Location	Basic Information Plan	Plan	Implementation of RP	Remarks
22、Xi'an Profession-oriented Technical Institute (Partial relocation)	Established in 1965, and moved to present site in 1976, owns land of 239 mu, construction floor space area of 18000m <sup>2</sup> . the resettlement involves in demolition of one unit of a building, about floor space area with 620 m <sup>2</sup> , as well as three greenhouses, about acquired land of 6.7mu.	Currency compensation	Resettlement evaluation has been started, but the resettlement has not been implemented.	
23、Silkroad Parking Station (Relocation)	Established in 1989 with staff of 9 persons, and floor space area of 1500m <sup>2</sup> . The total acquired land area is 40 mu, and 1500m <sup>2</sup> area is all demolished including the staff dormitory with floor space area of 80 m <sup>2</sup>	Relocate in new site	Since the land is leased from collective, the compensation only includes the construction part. It is searching for new site to relocate, so all of the staff lose their job.	
24、Xingyun Steel Pipe Sale Store (Relocation)	Established in 1998 with staff of 4 persons, land area of 1 mu, and floor space area of 200m <sup>2</sup> . the fixed capital of CNY 20000 is affected and the annual gross product is decreased CNY70000	Relocate in a new site	It gains CNY190,000 compensation for land and resettlement, and reconstructed in a new site.	
25、Dongfeng Chemical Industry (Partial relocation)	Established in 1978 with staff of 15 persons among which there are 5 person affected, land area of 3 mu acquired 2 mu, and floor space area 700 m <sup>2</sup> affected 500 m <sup>2</sup> . it has fixed capital of CNY 500,000, affected CNY 300,000.	Relocate in a new site	It has gained compensation for acquired land and resettlement in March, 2005. it has stopped to produce and is in reconstruction.	
26、Xi'an Paper Mill (relocation)	Established in 1990 with staff number of 60, land area of 6 mu and floor space area of 3500 m <sup>2</sup> as well as staff dormitory of floor space area of 1000 m <sup>2</sup> . it need relocate wholly.	Relocate in a new site	It has been demolished and is in reconstruction.	

Organization/Location	Basic Information Plan	Plan	Implementation of RP	Remarks
、 Sangiao Construction Material Industry (relocation)	Established in 1998 with staff number of 30, land area of 25 mu, floor space area of 400 m <sup>2</sup> and fixed capital of CNY. resettlement made loss of fixed capital of CNY73000.	Relocate in a new site	It has gained all the compensation for land acquisition and resettlement in July, and is satisfied with the compensation amount. It is searching for new site to relocate.	
、 Sangiao Bleaching Company (relocation)	Established in 1980 with staff number of 45, got compensation of CNY 600,000	Reconstruct	It has been reconstructed	
、 Chanhe Petrol Station (out of management)	Established in 1993 with staff number of 13, there is 6 mu land acquired, 50% of total land area.	Relocate in a new site	It is hard for it to find out new site to continue business, besides, the cost of developing market is increased. So it has not been reconstructed.	
、 Sandian Brick Factory in Jiqiao District	It is in the process of establishment. It has been invested of CNY 200,000, chiefly on machinery and processing. Constructed buildings about floor space area of 1200 m <sup>2</sup> and wells are demolished.	Reconstruct in a small size	It is affected of fixtures excluding fixed capital. It prepares to lessen the size of enterprise and relocate in a new site.	
、 Baqiao Fangxing Print Factory (relocation)	Private business, established for 20 years, chiefly produce on package and paper print product, with staff number of 10, land area 3 mu, floor space area of 1020 m <sup>2</sup> , and fixed capital of CNY600,000, no staff dormitory, annual product value of CNY 300,000, tax payment of CNY3000 per year. Staff's average wage is CNY7000~8000		Project acquires all land of this factory, total compensation is CNY500,000, it has gained half of compensation for the resettlement is not started. It is searching for new site to relocate.	
、 Sandian Jujube Orchard (partial relocation)	Private business, established 6 years ago, with staff number of 40, land area of 18 mu, floor space area of 100m <sup>2</sup> , facilities of well and pumps, fixed capital of CNY160,000, annual gross product of 100,000, staff average wage of CNY5000. acquired land area is 9 mu	Rehabilitation	Rehabilitation on some facilities, but the final compensation has not been cleared, suggest the business owner consult with LAR office.	

Organization/Location	Basic Information Plan	Plan	Implementation of RP	Remarks
33、Bampo Construction Material Market (Relocation)	Collective owned, established in 1993 with staff number of 420, total number of land acquired is 30 mu and floor space area involving resettlement is 14000 m <sup>2</sup> .	Relocate in a new site	Annual gross product value is more than CNY90,000,000, important in eastern urban area. It will be reconstructed more modernized	
34、Sandian Dairy Farm (Relocation)	Established for 21 years, with fixed staff number of 6 and temporary of 2. all the land is acquired, amounted of 3 mu, and floor space area demolished is 850 m <sup>2</sup> and dormitory area 100 m <sup>2</sup>		Evaluation has been finished. The business owner hopes to solve the issue of compensation on death of cows during the course of resettlement. Resettlement has not been started.	
35、Baqiao Machinery Company (Affected partially)	Loss of land is about 1.5 mu and floor space area about 200 m <sup>2</sup> . infrastructures has been reconstructed.	Develop normally	Production and staff dormitory is not affected, and the facilities is on working.	
36、Apanggong Branch of Agricultural Band (Relocation)	Total loss of floor space area is 296 m <sup>2</sup>	Rent office or reconstruct	No opinions on compensation, it has been reopened in new site, windows preventing bullets and monitors are not been compensated	
37、Qilianshan Concrete Factory (Relocation)	Established in 1996, chiefly on concrete. With land area of 60 mu which is acquired by project, floor space area of 1350 m <sup>2</sup> , including dormitory of 350 m <sup>2</sup>	Relocate in a new site	Prepare to relocate in a new site	
38、Baqiao Liangjiatie Primary School (Relocation)	Established in 1951, with staff number of 40, land area of 13 mu, floor space area of 15000 m <sup>2</sup> , total loss of floor space area is 4565 m <sup>2</sup>	relocate	According to the Village in Urban Area Reform Plan, it will be moved in another community	

## Chapter VII Stakeholders Participation and Consultation

### 7.1 Public Participation and Consultation Before and After Project's Start

#### 7.1.1 Public Participation and Consultation Before Project's Start

176 The public consultation process for the project began in 2002 with a series of surveys by the EA. These included the first transect survey by the Planning and Design Team and an initial socio-economic survey as well as environmental survey. The transect survey served principally to alert villages along the proposed alignment (and possible alternatives) that the 3rd Ring Road system was being planned. This survey also served to make the design team aware of local conditions and of farmers' concerns including the need to adequate crossing points and other local needs. The majority of the affected population became aware of the project at that time.

177 The two socio-economic surveys revealed a high degree of support for the 3rd ring road system. SKCC consultants conducted 33 focused group discussions (FGD) between July 2002 and February 2003. Major concerns raised by the villagers relate to (i) fair compensation; (ii) adequate land allocation, and (iii) assistance for livelihoods. Public consultation was also a major focus of the PPTA feasibility study, undertaken between January and March 2003. Four major consultation meetings (two at the district and two at the village level) were held in the project area. Among others, local officials/APs attended the meetings from districts and township/ward governments (including the Land Administration Bureau), and the PPTA consultants.

178 The policies and matrix contained in RP have been heavily influenced by the results of these meetings and surveys. This applies particularly to the derivation of the compensation rates and the formulation of an income restoration strategy based around land redistribution, cash compensation, and livelihood/training programs. (See Table 7-1)

#### 7.1.2 Public Participation and Consultation Plan After Project's Start

179 Notwithstanding the amount of public consultation already carried out, the EA fully

accepts that additional consultative meetings are required after PPTA mission and during the implementation of the resettlement and land acquisition process. The principal activities to be undertaken are:

(i) Publication and dissemination of a Resettlement booklet, in standard Chinese, summarizing the policies, entitlements, compensation standards and rates, grievance procedures and resettlement/ land acquisition program.

(ii) Formal village meetings to determine the options relating to land re-distribution and compensation disbursement.

(iii) Detailed Measurement Survey in the field to measure and agree the final requirements for land, property and other acquisition, from each affected household/enterprise. (See Table 7-2)

## **7.2 Disclosure of RP**

180 Resettlement is a significant society related activity. Each Group and ward office, LAR, village committee can perform the information dissemination work well in advance to assure that all people concerned understand the purpose of the project and the policies and procedures regarding land acquisition, resettlement, compensation, payment, and provision of grievance redress and appeal procedures. The External Monitoring Agency will submit report to the ADB regularly about the disclosure of RP within the requirement of ADB.

## **7.3 Steps to Ensure Participation**

181 The effectiveness of the project is directly related to the degree of continuing involvement of those affected by the project. During the preparation stage, consultations were held at local and district level as documented above. Several additional rounds of consultations with APs have been planned through NGO involvement during Reimplementation. Consultations during RP implementation will involve agreements on compensation and assistance options and entitlement package.

182 Xi'an Academy of Social Sciences (XASS) held an overall survey on public participation and consultation as the independent third agency responsible for the external monitoring work in May, 2005 until which the resettlement, compensation and assistance have occurred. The survey group is divided into three sub-groups respectively working in Yanta, Baqiao and Weiyang



districts. Each monitoring sub-group firstly contacted with three project groups and obtained the detailed land acquisition and resettlement process, and secondly held conversations about participation and consultation with relative employees in each ward/township office and village committee. Finally, they entered into villages and met with some affected on public participation and consultation issues. During the meetings, the survey group collected some suggestions raised by the affected about land redistribution, compensation disbursement and resettlement management. Besides, they collected the problems and controversial issues on land measuring, structure and fixture estimation, resettlement procedure, compensation rate, rehabilitation plan and later assistance reflected by stakeholders during the meetings, which have been written into the M&E report.

183 Survey group held consultative meetings especially within some seriously affected villages and enterprises, which are interfered into a large number of resettlement or land acquisition, such as Caoli village in Yanta district, Sanqiao (Sanqiao ward), Zhuhongbu (Hancheng ward), Hutuozhai (Tanjia ward) in Weiyang district, Andi and Guanting village (Xiwang ward) in Baqiao district. During these consultative meetings, the survey group collected opinions and suggestions from delegate villagers and reflect them back to TRCDC by classification.

184 Certainly, both the consultative meetings and external monitoring will continue to be held with the development of ring road construction. The feedback of suggestions and opinions toward RP from APs will be provided to IA to adjust RP as ADB acquires. (See Table 7-2)

## 7.4 RP Information Booklet

185 To inform the APs and collectives, the EA/IA will publish an RP Information Booklet covering the following aspects: (i) description of the project; (ii) project influence/Impact area; (iii) compensation rates and policies; (iv) entitlement matrix; (v) institutional/implementation arrangements; and (vi) grievance procedures. The booklet will be distributed in the project area and would be available at LA&R Offices in each District and Village Committees.

Table 7-1: Public Participation and Consultation Plan (of RP)

Purpose of Event	Task	Timing	Implementing Agencies	Participants	Remarks
1. Publicizing of RP and Program.	Resettlement Booklet	July 1 – August 1 2003	IA, District and Ward/Township Resettlement Agencies	All APs	To be distributed to all APs.
2. Disclosure of final RP	Distribution of Chinese version of RP	July, November 2003	IA, District and Ward/Township Government	All APs	Distribution of final RP to all affected villages
3. Conduct Detailed Measurement Survey (DMS)	Face to face meetings with APs	June-October 2003	EA, IA, Resettlement Offices at district and Township/ward levels and township/ward officials	All APs	(i) Inventory of all assets and landholdings; (ii) Creation of definitive list of APs; (iii) Prepare basis for household compensation contracts
4. Village level RP implementation	Village meetings	September 2003 onward (likely to involve several meetings to deal with all RP issues)	District and Ward/Township level Resettlement Offices and village leaders	All APs	(i) Identification and allocation of new housing sites; (ii) Finalization of land redistribution and compensation disbursement options in each village; and (iii) Discussion of, and decisions on how to invest/ use compensation funds not distributed to individual APs
5. Establishment of mechanisms for addressing grievances and information publicizing	Posters and leaflets	July-September 2003	IA, District and Ward/Township Resettlement Offices, local officials	All APs	(i) Provide procedure for APs to air their grievances; (ii) Provide system for grievance resolution; and (iii) Publicize in affected villages

Table 7-2 : Public Participation and Consultation Plan (of M&amp;E)

Purpose of Event	Task	Timing	Implementing Agencies	Participants	Remarks
Collect opinions and suggestions about measuring, estimation and resettlement process, and provide feedback to TRTDC	Interview with villagers	June 2005	External Monitoring Agency	Part of APs	Sample survey and Interview within all APs (Ended)
Monitoring survey on compensation rate, amount, timing, resettlement location, shifting costs and housing	Survey with emphasis, and check the data	December 2005	External Monitoring Agency	Some APs in seriously affected villages	Chose population intensifying area as survey sample, such as area with interchange and area along Zhuhong road
Evaluate and monitor APs' production, livelihood rehabilitation, living pattern and quality	Survey in Questionnaire, and mark on each item	2006	External Monitoring Agency	Focus on venerable group	Visit villages of each ward, and evaluate on the survival statue quo and living standards of the poverty-stricken
Evaluate on the satisfaction rate toward the ring road project, and summarize the suggestions and opinions on future assistance toward APs and submit it to ADB	An overall Survey in questionnaire and interview	2007	External Monitoring Agency	Representatives of APs	Representatives including governmental officers, cadres, villagers and enterprises employees

## Chapter VIII RP Implementation Framework

### 8.1 Resettlement Organization

#### 8.1.1 Executing Agency

186 Xi'an Infrastructure Construction Investment Company have been responsible on behalf of the Xi'an Municipal Government for the general administration of the project implementation. The Foreign Funds Management Office under the Xi'an Municipal Construction Commission will be responsible for the concrete work of overall administration of the project including the work contacting the ADB.

#### 8.1.2 Implementation Agency

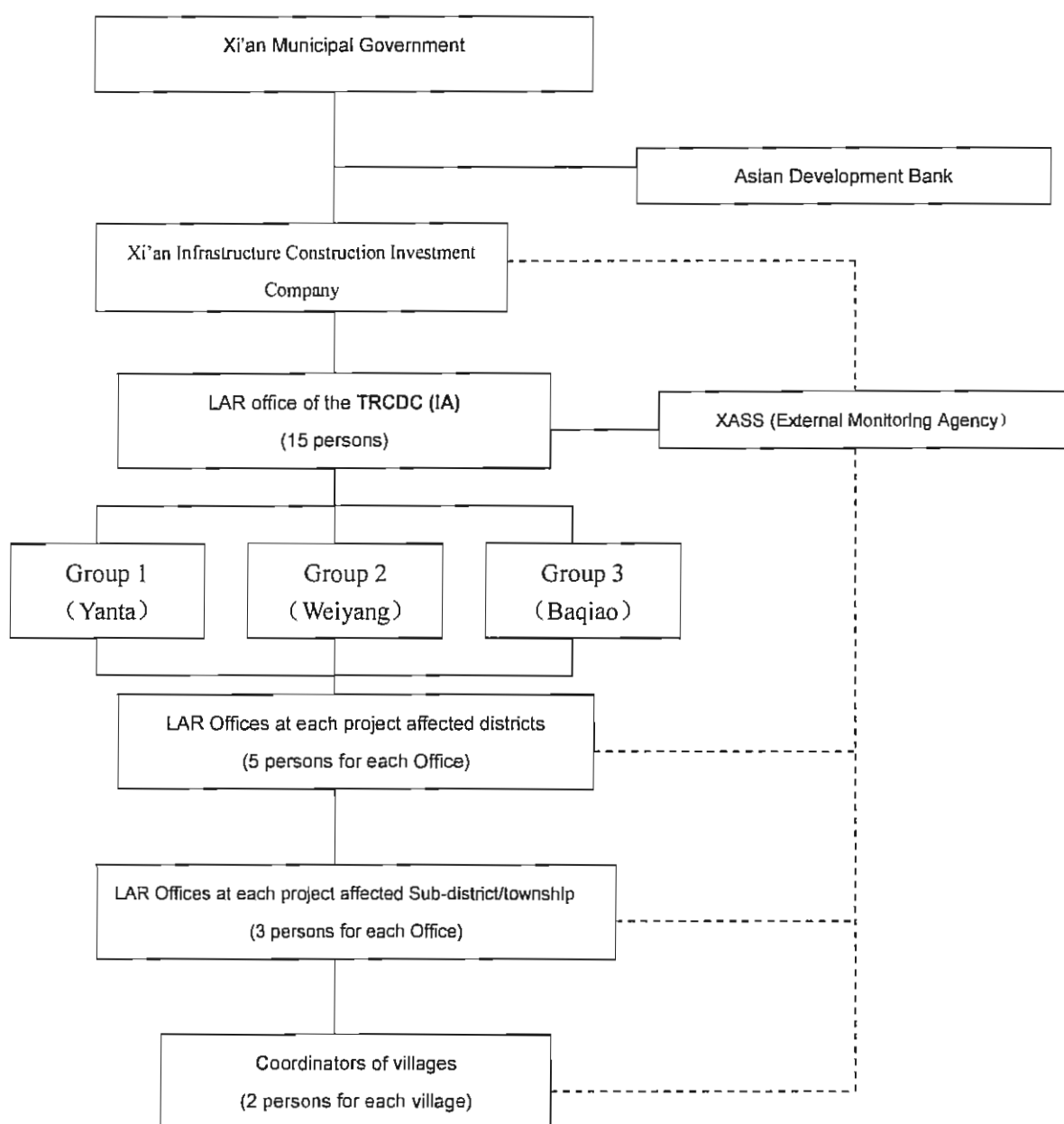
187 The IA for the project is the Xian Third Ring Road Construction and Development Co. Ltd. (TRCDC). The IA shall be in charge of the implementation of the project and the execution and coordination of land acquisition and resettlement. A LAR Division shall be setup within the TRCDC. Further, LAR Coordination Division has been established in each affected district. The Division will headed by 1 district leader and shall consists of 5 members from different municipal government departments like the land administration, municipal construction, environment protection and urban transportation, usually one from each department. Each affected street/township and village committee shall nominate one person to LAR Coordination Division. The person so nominated will be responsible for all resettlement-related work and carry out economic rehabilitation plan together with the street/township government and villager committee.

188 The project has already established a Leading Group for Project Implementation and a Working Office under the Leading Group, located in the Municipal Construction Commission. The agencies mainly include Municipal Government sectors such as Development and Planning Commission, Municipal Administration Commission, Municipal Construction Commission, Financial Bureau, Communications Bureau, Land Administration Bureau, and Environmental Protection Bureau. Similarly the LAR Leading organization at each affected district has also been established. Currently the Working Office is conducting the preparation and coordination tasks for the Project. To date, various meetings focusing on different aspects of the Project has been held to facilitate the project progress.

189 Within IA, the LAR Department has been established, consisting of fifteen staff. They have organized the routine work for the project LAR and capacity building of the local LAR organizations.

190 Under the guidance of the Leading Group and the affiliated Working Office, the following organizational set up has been formulated with detailed LAR tasks. (See Figure 8-1)

Figure 8-1: Project Land Acquisition and Resettlement Organization



## 8.2 Accountability

### 8.2.1 Role of LAR Division

191 The LAR division within the TRCDC will take the following responsibilities:

- (i) To organize and coordinate, following the decision made by the Xi'an Municipal Government, the land acquisition and resettlement work and compensation payment, and sign resettlement agreements with LA & R. Coordination offices of the districts.
- (ii) To investigate and study the resettlements assignment, and consult the comments from affect agencies and individuals, deal with various grievance and appeal, and make a quick responses.
- (iii) To supervise and inspect the payments and utilization of resettlement fund.
- (iv) To provide guidance to the districts, streets/townships and villages on the preparation of rehabilitation plan.

### 8.2.2 Responsibility District level LAR Offices

192 The District level LAR Office is primarily responsible for RP implementation and supervision. Principal tasks of the LAR Office include:

- (i) Checking, based on the assignment and requirement set by the TRCDC, the volume and number of affected land, houses, infrastructure and special purpose facilities, etc.
- (ii) Appraising the value of the land and houses to be acquired and demolished and making compensation rates.
- (iii) Signing land acquisition and resettlement agreements with affected enterprises and individuals.
- (iv) Payment of compensation to affected families/units.
- (v) Carrying out the specific implementation of land acquisition and resettlement and ensuring timely construction of new houses and timely resettlement progress.

- (vi) Supervision and inspection of the payment and utilization of resettlement fund.
- (vii) Monitoring execution of RP in street/township and villages.
- (viii) Reporting to the LAR Division of the TRCDC on resettlement situation periodically, and submit statistics/data as required.

### **8.3 Grievances Redress**

193 To ensure that the APs have avenues for redressing grievances related to any aspect of land acquisition and resettlement, detailed procedures for the redress of grievances have been established for the project. The objective is to respond to the complaints of the APs speedily and in a transparent manner. The mechanism is designed to be easy, accessible, transparent and fair. As far as possible, the objective will be to avoid the need to resort to complicated formal channels to redress grievances. It is considered that by resolving grievances within the project's administrative structures, not only will the process be more effective and efficient, but also progress of the project is less likely to be affected.

194 In order to ensure that the interests and assets of the affected enterprises and individuals are not invaded or damaged, grievances and appeals should be reported according to the following procedures:

- (i) Stage 1: Anyone who has grievance against the LAR activities should bring an oral or written grievance to the villagers' Commission. If not solved, it can be transferred to the street/township authorities or LAR Office at district level. A written grievance can be submitted to the City level if there is no satisfactory result obtained within 3 weeks. Direct grievance to the city, district level LAR Offices is acceptable.
- (ii) Stage 2: Having received a complaint from an affected person or enterprise, the LAR leading group should resolve it in 4 weeks; if the affected person is still not satisfied, he/she can then lodge a written appeal to the district level People's Court.
- (iii) Stage 3: If the affected person or enterprise is still unsatisfied with the decision made by the district-level People's Court, he/she can lodge an appeal to the Intermediate People's Court of the City, whose decision shall be the final decision and shall be forced.

195 APs can make and appeal on any aspect of the resettlement and rehabilitation program,

including compensation rates offered. Detailed procedures for redress of grievances and the appeal process will be publicized among the APs in the Resettlement Booklet. The grievance procedures will also be explained to the APs through public meetings to be conducted by the IA/District LAR Offices prior to land acquisition and resettlement.

196 The grievance procedures will be operative throughout the entire construction period so that they can be used by villagers to deal with problems relating to infrastructure rehabilitation, such as the reconstruction of irrigation networks, the positioning and design of drainage culverts and pedestrian underpasses, local road access, the use of temporary land, etc. In this way villagers will have an effective procedure to bring these matters to the attention of IA and the contractors, as well as a forum, for their timely resolution. As an additional measure, village leaders will be provided with a name and contact point (e.g., telephone numbers), to whom they can raise matters relating to the Project's construction as they arise.

#### **8.4 Staff Training and Capacity Building**

197 According to Xi'an resettlement by-laws, the resettlement staff must have certain qualification to conduct the resettlement tasks<sup>12</sup>. To further enhance the capacity of the resettlement staff, a short staff training and orientation meeting have been conducted prior to land acquisition and resettlement in to implement the RP successfully. LAR Division of TRCDC has organized the training seminar from August 9 to 12 in 2005.

198 Further, a variety of measures will be taken to support capacity building and ensure effective implementation and management of the RP. These include:

- (i) Vertical linking agencies will set up reporting system, to report once a month.
- (ii) Horizontal linking agencies will hold coordinating meetings quarterly to enhance information exchange.
- (iii) Issues put forward by the APs will be reported and disseminated through the resettlement offices at each level.
- (iv) Issues which occur during construction will be reported by the resident engineer, first to his/her organizational level and then, if necessary, upwards through each of the hierarchical levels;

(v) Issues of the APs and contractors will be forwarded to the Village Committee, local construction coordination groups at sub-district/township and District levels, and, if serious, also to the EA and to the Project Leading Group.

(vi) Disciplinary measures will be introduced to constrain individuals from shifting responsibilities onto others and from delaying the resettlement process. People responsible for causing trouble will be punished.



## Chapter IX Project Evaluation

### 9.1 Legal Resettlement

199 At the beginning of resettlement, the LAR offices have been established in each affected district, and the cadres employed by the LAR office have accepted the systematical training on practicing laws and policies including *Land Administration Law of PRC* ( revised version in 2004), *Implementation Measures for Urban Houses Resettlement Plan Administration in Shaanxi Province*, *Measures of Municipal Construction and Resettlement in Xi'an*, *Municipal Housing Resettlement Administration Rules and Regulations for Implementation in Xi'an*, *Provisional Decree on Appraising the Value of Municipal Demolished Houses in Xi'an* and so on. These legal documents and decrees provide the 3rd ring road resettlement work a legal support platform. During the course of resettlement implementation, each district LAR office can work by law.

### 9.2 Civilized Resettlement

200 The difficulties exist in the process of LAR, especially in the resettlement work. For example, there are 250,000 m<sup>2</sup> areas and more than 400 households with 140 enterprises/businesses are involved into the resettlement of Sanqiao Ward locating in the western 3<sup>rd</sup> ring road, and the impact is so great that the resettlement is hard to be processed. Sanqiao ward combines Xi'an with Xianyang in communication, and the businesses there develop pretty well. It is hard for residents there to leave such a prosperous life that the LAR office must face tremendous pressures from them. However, the LAR office in Sanqiao Ward ask the employees to win the understanding and support from the public through patient and thorough publicity with hearing service. The LAR officers publicized the project and relative policies in the form of distributing leaflets, sending publicity trunks, and holding meetings, for the purpose of persuading APs to resettle voluntarily. During the publicity course, LAR officers in Sanqiao ward are divided into several groups to enter into villages and to convey the state, provincial and municipal government laws or regulations stipulating the compensation rate and resettlement plan. Especially, the LAR office hold more than ten public meetings and forty consultations among villager representatives and village committee cadres. Since the publicity in Sanqiao ward is under the guide of law and civilization-oriented patterns, the resettlement in Sanqiao develops smoothly.

### 9.3 Evaluation on Compensation and Satisfaction Rate

#### 9.3.1 Legal Grounds for Compensation Rate

201 The article forty-seven of Land Administration Law of PRC says, “Compensation fee for acquired cultivable land should include compensation for acquired land, the resettlement subsidy and compensation for land fixtures and young crops. The compensation for acquired cultivable land should be six to ten times of the average annual output value (AAOV) of the land in the previous 3 years before land acquisition. The resettlement subsidy of acquired cultivated land is calculated on agricultural resettlement population. The agricultural resettlement population comes from the result of gross acquired cultivable land area being divided by cultivable land occupation per capita before land acquisition. The resettlement subsidy standard for each AP should be four to six times of the average annual output value (AAOV) of the acquired land in the previous 3 years before land acquisition. However, the resettlement subsidy per hectare acquired land should be no more than fifteen times of the average annual output value (AAOV) of the land in the previous 3 years before land acquisition.” And the compensation rate is based on those legal articles.

#### 9.3.2 Satisfaction Rate on Land Acquisition Compensation Standard

202 The compensation standard of 30,000 RMB per Mu for acquired cultivable land and 25,000 RMB per Mu for acquired crops land seems a little bit lower for farmers along the 3<sup>rd</sup> ring road. Since the patient publicity by LAR employees, 95% APs express their support and understanding on the resettlement by signing the agreement with TRCDC in stead of refusing cooperation. Finally, the resettlement develops smoothly.

#### 9.3.3 Satisfaction Rate on Resettlement Compensation Standard

203 The resettlement compensation standard is base on *Implementation Measures for Urban Houses Resettlement Plan Administration in Shaanxi Province, Measures of Municipal Construction and Resettlement in Xi'an, Municipal Housing Resettlement Administration Rules and Regulations for Implementation in Xi'an*. Since the compensation rate and resettlement building/ house evaluation rate are addressed within the state, provincial and municipal laws, 23.4% households involving in resettlement satisfy with the compensation rate, and 76.6% basically satisfying.

#### 9.3.4 Evaluation on the Resettlement Process

204 The resettlement process mainly contains house reconstruction, employment guidance, and land adjustment.

##### 9.3.4.1 House Reconstruction

205 The households requiring resettlement all have settled the new house plots, and in Sanqiao village and Dongwali village, there is little land for new house plots that have been solved by dividing some from land reserve in Xi'an. Such an action wins the high praise from majority of households requiring resettlement.

206 Qingdong and Zhonghongbu village have reallocated house plots to households impacted. Seven households in Zhonghongbu village have moved into new constructed houses, while the other forty are building up new houses and prepare to move in at the end of 2005. (See attached photos)

##### 9.3.4.2 Land Adjustment

207 Half of affected villages have a little land to redistribute to households requiring resettlement, and these APs basically are satisfying. While in the rest of affected villages such as Sanqiao, Dongwali, and Buzi village lacking land, the APs take strong exception to the fact of losing fundamental productive materials and of livelihood being affected seriously.

##### 9.3.4.3 Employment Guidance

208 Farmers' livelihood and production mainly depends on land, and the loss of it means the loss of productive materials. So that, the loss of land, less education and the lack of professional techniques lead to worries from APs about their future life and about how to feed their families. Therefore, employment guidance should be essential issues considered by government and EA. According to the M&E survey, one third of young labors hunt for job opportunities in the urban of Xi'an, one fourth earn their life on transport, one fourth on business, and 17% young labors kill the time by idling or playing card.

### 9.3.5 Evaluation on Infrastructure Restoration

#### 9.3.5.1 Villages

209 Transport and communication, electric devices, irrigation facilities and other infrastructures such as wells are damaged to certain extent during the resettlement. Although the compensation standard has touched upon the compensation fee on infrastructures, the TRCDC pays little attention to the inconvenience of communication and watering brought by 3<sup>rd</sup> ring road separating the cultivable land from residential area. The compensation excludes these factors.

#### 9.3.5.2 Enterprises

210 Enterprises mostly reflect that the compensation rate for aluminium alloy window and door is much lower than the market price. Besides, enterprise must take money to move infrastructures such as water pipelines and transformers concerning enterprises' production, which are out of TRCDC's compensation standard. Such a problem mainly exists in Hancheng and Sanqiao ward of Weiyang district.

## Chapter X Suggestions on the Resettlement Plan

### 10.1 Issues on Farmers' Livelihood and Production after Land Acquisition

211 Suggest to bring the production and livelihood restoration issue into the work of rebuilding villages within urban area so that the LAR office can solve it with the proposal of one village, one program as early as possible.

212 About the resettlement land, it should be solved based on the suggestions of experts, under government's comprehensive proposal, considering the production and livelihood of the public.

213 Suggest relative government departments to pay enough concerns on production and livelihood improvement and to draw up the detailed proposals and undertake them as soon as possible.

214 The reconstruction and restoration of public infrastructures including education organization, medical organization, transport, electric facility, communication cable, watering pipe line, and toilet, should be undertaken.

### 10.2 Issues on APs' Social Security

215 Farmers losing land should be guided into the social security system, which demands the insured pay certain sum of money for social security insurance. For those whose economic situation is worse, the pattern of instalment should be considered, while the insured economically capable can pay the insurance once. Departments of Civil Affairs and Land Administration should explain and publicize policies patiently toward APs so that APs losing land could understand permanent benefits of entering into the social security system.

### 10.3 Issues on Invulnerable Groups

216 During the resettlement, LAR office should pay special attention and provide favorable policies to widows and orphans, disables, households under the poverty line and other invulnerable groups, for the purpose of giving them priority to restore their livelihood and supporting them with opportunities to improve their life standard to some extent.

#### **10.4 Issues on Allocation of Compensation for Acquired Land and Resettlement**

217 The LAR office should implement the PRC Land Administration Law and relative provincial, municipal laws and regulations strictly. Since compensation for acquired land is paid to land owners or users and resettlement compensation is paid to resettle the agricultural population acquiring land, the village committee has the right to allocate the acquired land compensation, and resettlement compensation should be allocated by those who charge the population resettlement. If APs intend to resettle on their own, the resettlement compensation should be paid directly to APs.

#### **10.5 Issues on Mistakes and Omissions**

218 The area concerning resettlement and land acquisition is so large and the population affected is so great that the mistakes and omissions are unavoidable. However, the LAR offices of each level should decrease the mistakes and omissions to the lowest extent as possible as they can, and serve the APs with highest responsibility.



**Relocation Site of Tuanjie Village**



**Relocation Site of Tuanjie**



**Shops needing relocation in Mujiangwang Village**



**Building needing relocation in Mujiangwang Village**





Extension road of Zhuhong in construction



Extension road of Zhuhong in construction



Haihong Hospital affected

Xi'an No.16 Middle School affected by the project





**Qingdong Village before resettlement**



**Qingdong Village in resettlement**



**Reconstructed Qingdong Village**



**Reconstructed Qingdong Village along Zhuhong road**



Sanqiao Ward in resettlement





**Household's reconstructed house in Zhuhongbu Village**



**Villager's home in Zhuhongbu**



**Village in reconstruction**





**Villager's reconstructed house in Zhuhongbu**



**Discussion with villagers**



**Introduction on resettlement**



**Reconstructed building in Zhuhongbu**





**Reconstructed building in Zhuhongbu**



**Villager's reconstructed house in Zhuhongbu**



**Discussion with villagers in new house**



**Introduction on resettlement**