

Resettlement Plan

September 2014

PAK: Punjab Wholesale Market (Rawalpindi)

Prepared by the Department of Agriculture of the Government of Punjab Province for the Asian Development Bank.

NOTE

- (i) In this report, "\$" refers to US dollars. unless otherwise stated.

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Islamic Republic of Pakistan

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Punjab Wholesale Market Project (Rawalpindi)

(ADB Grant: SC 102714 PAK)

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Land Acquisition and Resettlement Plan

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Department of Agriculture

Government of Punjab Province

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Abbreviations

ADB	Asian Development Bank
ADC-R	Additional District Collector (Revenue), Rawalpindi
AMIS	Agricultural Marketing Information Service (Subsidiary of Agriculture Department)
AP	Affected Person (Same as DP)
DA	Agriculture Department, Punjab Province (see also IA)
DCO	District Coordination Officer (who is the District Collector), Rawalpindi
DP	Displaced Person (Economically or Physically Displaced / AP: Affected Person)
DPAC	District Price assessment Committee (Rawalpindi)
EA	Executing Agency (P&D Department)
EADA (E&M)	Extra Assistant Director Agriculture (Economics and Marketing), Rawalpindi
EIA	Environmental Impact Assessment
EPA	Environmental Protection Agency (Pakistan/Punjab)
ESSU	Environmental and Social Safeguard Unit (PMO)
FGD	Focus Group Discussion
GRC	Grievance Redress Committee
IA	Implementing Agency (Agriculture Department, Punjab Province)
IP	Indigenous People
IR	Involuntary Resettlement
IRP	Islamic Republic of Pakistan
LAA	Land Acquisition Act, 1894 (amended)
LAC	Land Acquisition Collector (Rawalpindi)
LAR	Land Acquisition and Resettlement (Impacts)
LARP	Land Acquisition and Resettlement Plan
MIS	Management Information System
PBOR	Punjab Board of Revenue
PIB	Project Information Brochure
P&DD	Planning & Development Department, Punjab Province
PLAR	Punjab Land Acquisition Rules, 1973
PM	Project Manager (E&M), Lahore
PMO	Program Management Office
RDA	Rawalpindi Development Authority (TMA)
RFS	Resettlement Field Surveys (Inventory & Costing of Assets, Census, Consultation)
RMC	Rawalpindi Market Committee
SPS	ADB's Safeguard Policy Statement, June 2009.
TA	Technical Assistance

Definition of Terms

Affected persons/households	mean all the people affected by land acquisition, relocation, or loss of assets or incomes and include any person/household, firms, or public or private institutions. DPs therefore include: (i) people whose productive lands or other productive assets such as trees or crops are affected; (ii) people whose built-up structures (such as houses, shops, tube-wells, mosques, graves, etc.) are affected; (iii) people whose business is affected and who might experience loss of income due to project impact; (iv) people who lose work/employment as a result of project impact; and (v) people who lose access to their resources/property or established easements.
Compensation	means payment in cash or kind for an asset to be acquired or affected by a project at replacement cost at current market value.
Cut-off-date	means the date after which people will NOT be considered eligible for compensation for any changes/alterations in the land use patterns or investments, i.e. they are not included in the list of DPs nor inventory of losses. Normally, the cut-off date is the date of the AP Census and detailed measurement survey.
Displaced persons	in the context of involuntary resettlement, displaced persons are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.
Economic displacement	means loss of land, assets, access to assets, income sources, or means of livelihoods as a result of (i) involuntary acquisition of land (by using eminent domain under the country's law, i.e.), or involuntary restrictions on land use or on access to legally designated parks and protected areas.
Encroachers	mean those people who extend their occupation beyond the lands they legally own, usually not entitled to compensation but sometimes provided with assistance if they are found vulnerable; they are, however, entitled to compensation for the loss of built-up structures, trees, crops and other assets.
Entitlement	means the range of measures comprising cash or in-kind compensation, relocation cost, income rehabilitation assistance, transfer assistance, income/livelihood restoration which are due to DPs, depending on the type

	and degree nature of their losses to restore their social and economic base.
Inventory of losses	means the pre-appraisal inventory of assets as a preliminary record of affected or lost assets, including lands, built-up structures, installations, trees, crops, etc.
Land acquisition	means the process whereby a person is compelled by a public agency by using eminent domain (under the Land Acquisition Act, 1894- amended) to alienate all or part of the land s/he owns or possesses, to the ownership and possession of the agency for public purposes in return for fair compensation.
Meaningful consultation	is a process that (i) begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues.
Non-titled	means those who have no recognizable rights or claims to the land that they are using and includes people using private or state land without permission, permit or grant i.e. those people without legal title to land and/or structures occupied by them. ADB's policy explicitly states that such people cannot be denied compensation and resettlement.
Physical displacement	means relocation, loss of residential land, or loss of shelter a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions or land use or on access to legally designated parks and protected areas.
Poor	means those falling below the official national poverty line, equivalent to 2,350 calories per day) of Rs 2,290 per person per month (April 2014).
Replacement cost	means the method of valuing assets to replace the loss at current market value, or its nearest equivalent, and is the amount of cash or kind needed to replace an asset in its existing condition, without deduction of transaction and depreciation costs or for any material salvaged.
Resettlement field survey	means the detailed inventory of losses that is completed after detailed design and marking of project boundaries on the ground, socioeconomic data on the affected

	households/families, and stakeholder consultations.
Sharecropper	means the same as tenant cultivator or tenant farmer, and is a person who cultivates land they do not own, for an agreed proportion of crop or harvest.
Significant impact	means 200 people or more will experience major impacts, which are defined as; (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets or income generating activities.
Squatters	mean those people who do not own the land but are possessing and using it for residential, commercial, agricultural or other economic purposes, and as such they usually not entitled to land compensation but sometimes provided with assistance if they are found vulnerable; they are, however, entitled to compensation for the loss of built-up structures, trees, crops and other assets.
Vulnerable person/people	means any people who might suffer disproportionately or face the risk of being marginalized from the effects of resettlement and includes; (i) female-headed households with dependents; (ii) disabled household heads; (iii) poor households (within the meaning given previously); (iv) landless; (v) elderly persons with no means of support; (vi) households without security of tenure; (vii) ethnic minorities; and (viii) marginal farmers (with landholdings of five acres or less).

1. Executive Summary

Purpose of Land Acquisition: The establishment of Punjab Wholesale Market in Rawalpindi to target removal of marketing constraint at the wholesale node of the value chain, with interventions focusing on increased product quality and value adding through quality price differentiation with internationally accepted grades and standards.

Site Location and Land Status: The site measuring 50.2 ha of land has been selected by the Rawalpindi Market Committee (RMC), near Rawat town, and is situated at 26 km to the south of Rawalpindi city and 400 meter to the east of the National Highway (N-5). It was mostly rainfed agricultural land which was set aside for sale for housing development purposes some 30 years ago. Since then it has been lying abandoned from cropping or any other productive use.

Site Ownership and Affected Persons: The land is owned by five investment companies (76%) and 141 individual landowners (24%), and small parts of the land have been rented out by the individual landowners to 22 families of hut-dweller tenants. The total population of the 163 displaced families has been estimated at 1,257 persons. All the lands to be acquired are unproductive, already set aside for sale; the companies and individual landowners have long been very anxiously looking for land buyers and this land acquisition represents an attractive opportunity for them. The 22 tenant families (179 persons) living in the temporary make-shift mud-thatched huts built on rented lands will physically relocate, and assurance has been given by the landlords that nearby replacement land will be made available to them on rent.

Entitlements and Eligibility: Compensation entitlements are summarized in Table 1.1 below, and the eligibility cut-off date for this project has been fixed on 30th April 2014.

Table 1.1: Compensation Eligibility and Entitlement Matrix (RWM)

Affected Asset	Specific Action	Displaced Persons	Compensation Entitlements
Land (unused rural land open for sale or acquisition)	Land to be Acquired for a Public Purpose under the Government's right of <i>eminent domain</i> as provided in Land Acquisition Act, 1894.	5 Companies (37.2 ha)	Compensation will be assessed and paid by District LAC to all landowners (companies and individual) at current market (replacement) value of land, plus 15% Land Acquisition Surcharge.
		141 Landowners (13.0 ha)	
Huts (mud-thatched temporary huts on rented lands)	Relocation and Reconstruction of mud-thatched huts to vacate the rented for acquisition for a public purpose under LAA.	22 Tenant Households (36 huts)	<p>Compensation will be assessed paid at relocation and reconstruction cost, without any legal deductions or depreciations, and they will be allowed to take salvageable material for free. Any rent paid in advance will be refunded.</p> <p>APs will also be paid a transportation allowance of PRs. 1,000 per family to meet the cost of shifting household effects and salvageable materials.</p>

Handpumps	Relocation and Reconstruction of Handpumps along with relocation of mud-thatched huts	4 Tenants (4 Handpumps)	Compensation will be assessed and paid at current re-installation (replacement) costs without any legal deductions or depreciations (as they will have to re-install the handpumps anew), plus they will be allowed to take along their salvageable material for free.
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Consultation and Information Dissemination: Information disclosure and consultation meetings have been held with landowners and tenants. Consultations have indicated that landowners are willing to let their lands be acquired by RMC for constructing the wholesale market, against cash compensation to be based on the current replacement values of the affected lands and other assets.

Land Acquisition Process: LAA section 4 was notified in December 2011, and the DPs will be given a right to complain upon notification of LAA sections 5 and 5A, and their complaints and grievances will be resolved on merit basis. The tenants will be provided grievance redress opportunity through GRCs.

Resettlement Budget: The land acquisition and resettlement has been estimated at total of \$ 3.37 million, as shown in Table 1.2 below:

Table 1.2: Estimated Resettlement Cost of RWM (PDAC: Feb. 2012 & RFS: Apr. 2014)

No.	Resettlement Asset / Activity	Unit	Quantity	Average Rate (Rs./Unit)	Total Estimated Cost	
					Pak Rupees	US Dollars**
A.	Land Compensation (Landowners):	-	-	-	274,319,563	2,784,970
A.1	PDAC Assessed Land Price (All Lands)	kanal*	991.35	240,620	238,538,750	2,421,713
A.2	Compulsory Acquisition Surcharge (15%)	Number	0.15	238,538,750	35,780,813	363,257
B.	Other Compensations (Land Tenants):	-	-	-	572,000	5,807
B.1	Reconstruction of Mud-Thatched Huts	Number	36	8,000	288,000	2,924
B.2	Re-installation of Handpumps	Number	4	60,000	240,000	2,437
B.3	Household Transportation Cost	Number	22	2,000	44,000	447
C	Administration Costs (10% of A+B)	-	0.1	274,891,563	27,489,156	279,078
D	Subtotal (A+B+C):	-	-	-	302,380,719	3,069,855
E	Contingency (10% of D)	-	0.1	302,380,719	30,238,072	306,986
F	Grand Total Amount (PRs./US\$):	-	-	-	332,618,791	3,376,841

* 1.0 hectare = 19.768 kanals

** US\$ 1.00 = Pak. Rs. 98.50

2. Project Description

1. The Government of Punjab Province, Pakistan (the Government) has requested Asian Development Bank (ADB) for providing assistance in establishing a new agro-horticultural wholesale market in Rawalpindi under the Punjab Wholesale Market Project (Rawalpindi). In response, ADB has agreed to provide financial and technical assistance to the Government for the preparation of this project through a supplemental grant (ADB SC 102714 PAK), including the preparation of this Land Acquisition and Resettlement Plan (LARP).

2. The Punjab Wholesale Market Project in Rawalpindi targets removal of marketing constraint at the wholesale node of the value chain through which 85 percent of all agro-horticultural produce flows. The project interventions focus on increased, product quality and value adding through quality price differentiation with internationally accepted grades and standards.

3. The main intervention is the construction and operation of a modern wholesale market complex with a transparent price discovery and transaction mechanism. Constraints will be addressed using a comprehensive and systemic approach to remove market distortions, institutional failures and rigidities that impede the development of agricultural and horticultural marketing sector in the Punjab province, and promote demand-driven development with maximum participation of the private sector.

4. The construction of new wholesale market in Rawalpindi (see Figure 2.1), the only physical component of this project, will require a considerable size of land acquisition. Accordingly, a site measuring 991.35 kanals (50.2 ha) of land has been selected by the Rawalpindi Market Committee (RMC), which is located between Rawat and Mandra towns (see Figure 2.2), situated at 26 km to the south of Rawalpindi city and 400 meter to the east of the National Highway (N-5).

Figure 2.1: Diagram / Lay-out of Rawalpindi Wholesale Marketing Complex

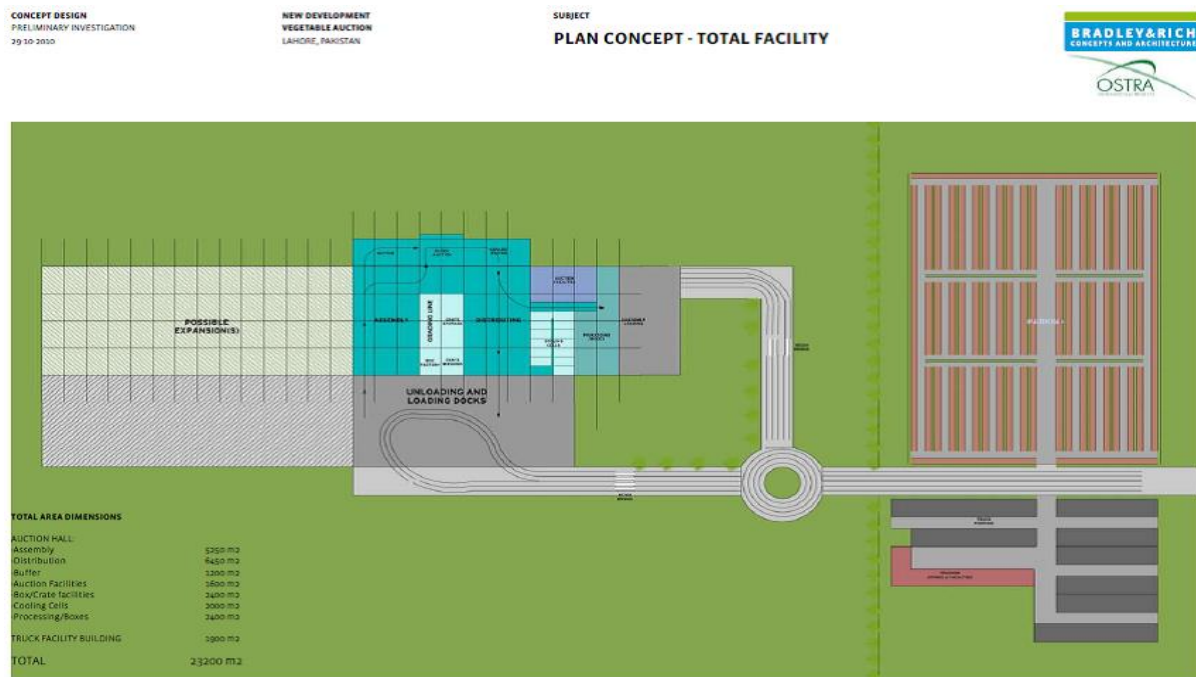
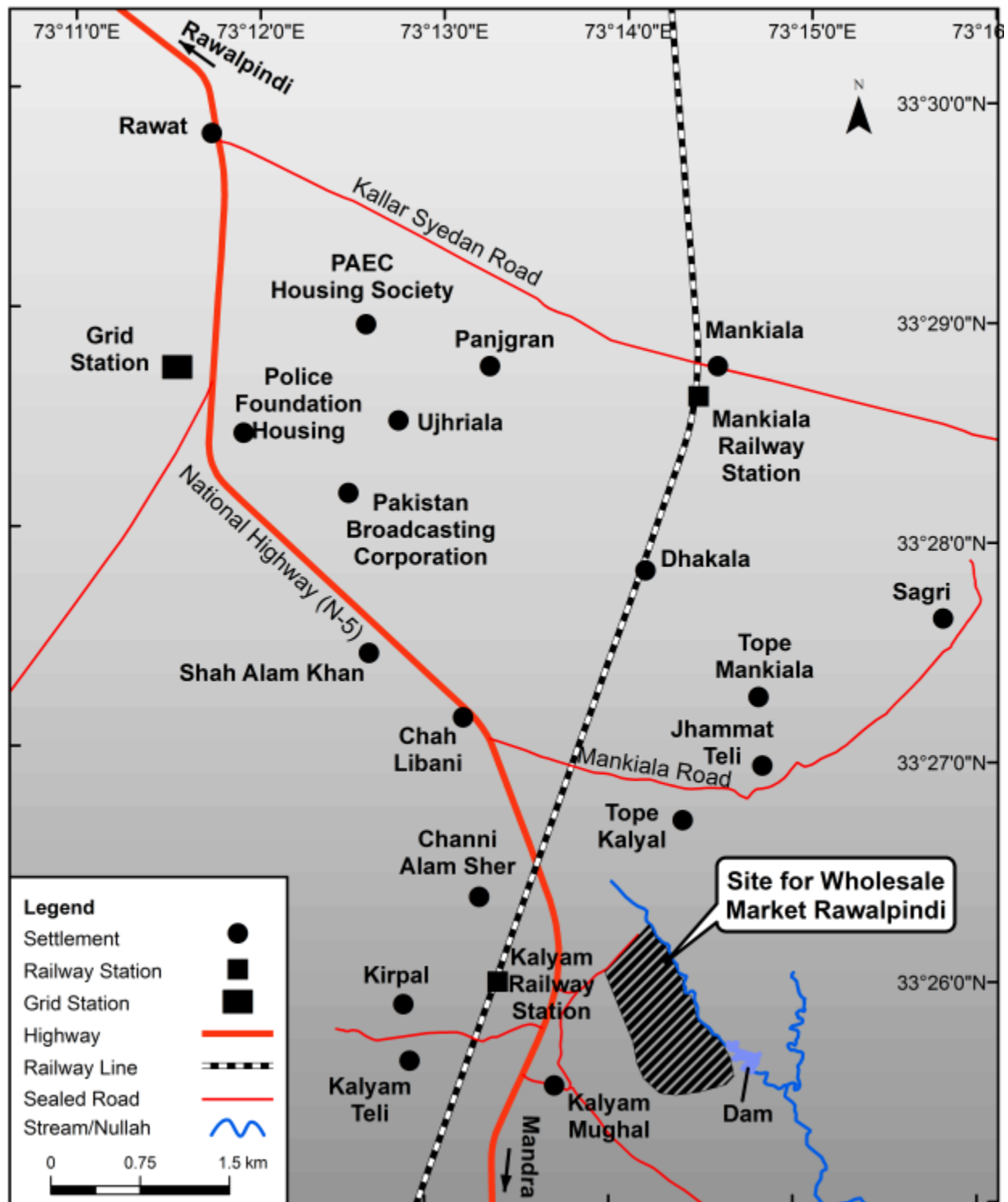


Figure 2.2: Location of Site for Rawalpindi Wholesale Market



3. Scope of Land Acquisition and Resettlement

3.1 Background

5. The Agricultural Department, Punjab province had directed the Rawalpindi Market Committee (RMC) in December 2010 to look for a suitable piece of land for establishing a new Wholesale Market. The RMC advertised for the purchase of about 1000 kanals of land for establishing a new wholesale market in Rawalpindi in two national Urdu newspapers, namely Daily Pakistan, on December 23, 2010 and Daily Jang, on December 27, 2010. In response, the RMC received one offer from a private party, through a property consultant, based in Rawalpindi, and another offer from the Rawalpindi Development Authority (RDA). Both the sites were reported to be located along G. T. Road (N-5: National Highway) falling between Rawat and Mandra towns. The RMC after carrying out a thorough comparison of both the sites found out that the land being offered by the private party, the property consultant representing five companies, was more feasible than that of the RDA land. Hence, the first offer was accepted and the RMC started negotiations with the private party for purchase of the land.

6. The RMC selected 991.35 kanals (50.2 ha) of the total approximately 4,000 kanals (202.35 ha) of land lying vacant for sale (see Figure 3.1), and started negotiations with the property consultant representing the five companies. Reportedly, this land was originally planned by a housing development company for establishing a large housing scheme, namely the Quaid City in the 1980s, but it failed and the developer went bankrupt. Consequently, the Government sold the land out to five other private developers and investors companies through an open auction. All these marginal agricultural lands which used to be cultivated once a year in summer season under rainfed conditions, have since 1980s been unused for any productive purpose and lying vacant in the possession of the five companies.

7. The companies had since then been trying to sell these lands in bulk to any potential buyers but had not been able attract any such buyers mainly because of long distance from the main cities of Rawalpindi and Islamabad. So, when the RMC advertised for a bulk purchase of about 1000 kanals of land for establishing a wholesale market, all the five companies considered this a good opportunity and filed in a joint offer through a property consultant. The offer was initially accepted by RMC. But when the RMC collected land records from the District Revenue Office, Rawalpindi, it came to know that all the five companies actually owned a total of 734.65 kanals (37.2 ha) of the identified lands, while the remaining 256.70 kanals (13.0 ha) of the lands were still registered in the names of 141 original landowners.

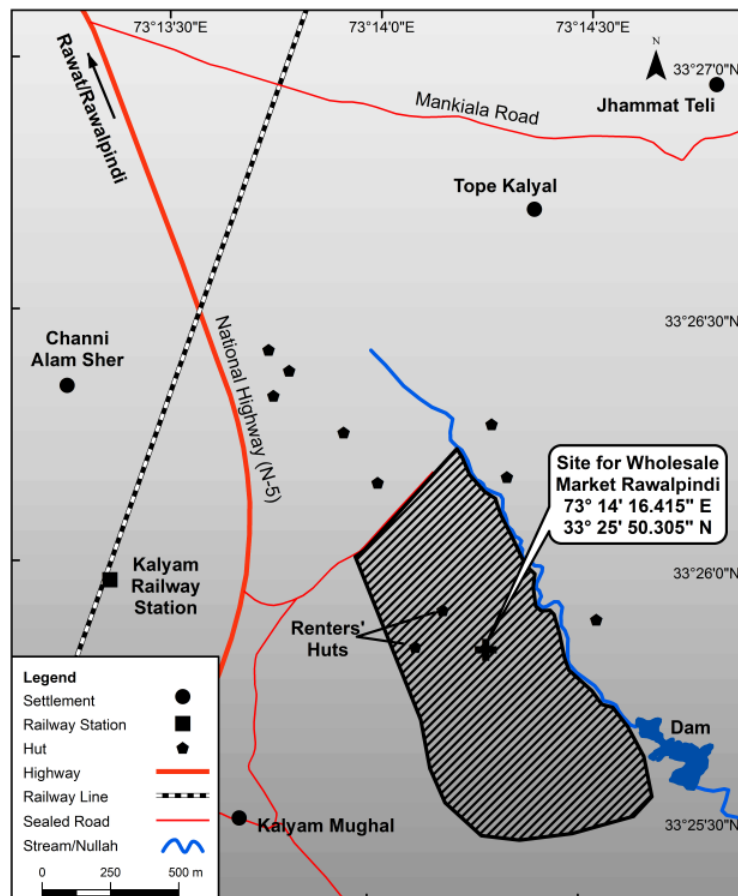
8. Reportedly, the individual landowners had informally authorized the companies to broker-deal the sale of their lands but no formal land transfer and mutation deed were completed and registered with District Revenue Department, Rawalpindi. So, the RMC, in consultation with the ADC (Revenue) and District LAC, decided to acquire the total (991.35 kanals (50.2 ha) of the identified lands by triggering the eminent domain under Land Acquisition Act, 1894 (amended), rather than purchasing the lands through voluntary price negotiations with the property consultant representing the five companies.

3.2 Preliminary Notification

9. Accordingly, the RMC prepared preliminary notification for land acquisition under the LAA section 4 and submitted it to District Collector (DC), Rawalpindi on 8th August 2011, for his approval and publication. LAA section 4 notification was published in The Punjab Gazette¹ on 10th December 2011, and the District Price Assessment Committee (DPAC) made assessment of land compensation² to total amount of PRs. 274.32 million including the 15% compulsory acquisition charges.

10. The Additional District Collector (Revenue) communicated the results of the PDAC's land compensation assessment to RMC on February 1, 2012, with a request for depositing the total assessed amount in the Government Treasury in Rawalpindi, so that land compensation can be paid to the landowners, and the land possession can be taken and transferred to RMC. The RMC forwarded all the information to Agriculture Department, Lahore, seeking its approval and depositing of funds in the District Treasury, Rawalpindi. Since then the Agriculture Department, Lahore, has not responded to the RMC's request due to non-availability of funds. The Agriculture Department has now requested ADB assistance.

Figure 3.1: Google Image of Site for Rawalpindi Wholesale Market



¹ Appendix 1: LAA Section 4 Notification, dated December 10, 2011.

² Land Price Assessment is included in Appendix 1 (LAA Section 4 Notification).

3.3 Current Status

11. The Government of Punjab province approached the Asian Development Bank (ADB) in late-2013 seeking possible assistance for this wholesale market project in Rawalpindi. In response, the ADB agreed to provide technical and financial assistance in the planning and implementation of this project. Accordingly, ADB fielded a Resettlement Specialist, to prepare a Land Acquisition and Resettlement Plan in accordance with Pakistan Land Acquisition Act, 1894 and ADB Safeguard Policy Statement (SPS), 2009 (Involuntary Resettlement)..

12. The Resettlement Specialist (RS) mobilized in mid-March 2014 and held meetings with all concerned officers in Lahore and Rawalpindi³, wherein he explained to them the ADB involuntary resettlement (IR) policy as provided in the Safeguard Policy Statement (SPS), 2009, and collected copies of land records, and land acquisition and valuation documents from them. Resettlement field surveys (RFS), included measurements of lands and other assets, interviewing and consulting the likely affected people (or DPs: displaced persons), and market prices survey.

13. The Section 4 notification, dated December 10, 2011, remains valid today, in accordance with the decision of the Lahore High Court, dated December 1, 1998⁴. Upon depositing the requisitioned funds in District Treasury, section 5 and section 5A notifications will be issued to affected landowners of their land compensation amounts. Complaints and grievances relating to incorrect entries of land size, price and/or assessment of compensation amounts, if any, will be resolved by the District LAC under the direction of ADC-R and DCO, Rawalpindi.

3.4 Resettlement Impacts

14. Of the total 202.34 ha (4,000 kanals) of land area available for sale/acquisition, RMC has notified for acquisition an area of 50.2 ha (991 kanals and 7 marlas)⁵. Of this, 37.2 ha (74%) is owned by the five investment companies and 13.0 ha (26%) is owned by 141 individual landowners. It was previously rainfed agricultural land which was set aside for sale for housing development purposes some 30 years ago. Since then it has been lying unused, with no cropping or other productive use. The 36 mud-thatched huts constructed by the 22 tenant families on lands rented from two of the DPs (affected landowners) and four handpumps will also be affected (see Table 3.1).

Table 3.1: Summary of IR Impacts of Rawalpindi Wholesale Market

Affected Asset	Owned by	Unit	Quantity	Percentage
Unproductive Land	Investment Companies	Hectare	37.2	74.1
Unproductive Land	Individual Landowners	Hectare	13.0	25.9
Sub-total (a): Lands		Hectare	50.2	100.0

³ Appendix 2: List of Officers Contacted.

⁴ Copy of the Lahore High Court's decision is included in Appendix 1: LAA Section 4 Notification.

⁵ **Local Land Measuring Units:**

- (i) *Marla* is the smallest land measuring unit which is 16.5 ft x 16.5 ft = 272.25 ft² or 25.3 m²; and,
- (ii) *Kanal* is made up of 20 *marlas*, and there are 19.768 *kanals* in 1.0 hectare (ha).

Mud-Thatched Huts	22 Tenant Families (Rented Lands)	Number	36	---
Handpumps	4 of 22 Tenant Families	Number	4	---

15. The original developer of Quaid City had initiated some preliminary physical development works which were left incomplete. In fact, the lands were auctioned to five new investment companies inclusive of unfinished structures, namely, (i) a link road (1.5 km), (ii) two gravel paved streets (2.5 km), and (iii) an unfinished support structure for an overhead water-tank. These structures have since then been deteriorated badly. The new five companies got the structures along with the lands, without paying any additional charges, nor investing anything on preservation or further development of the structures. So, the net IR impact of the project will be the loss of unproductive lands belonging to five companies and 141 individual original landowners⁶. Besides five companies, the 141 individual landowners (114 males and 27 females) have a total of 116 land titles (see Table 3.2 below).

Table 3.2: Distribution of Affected Lands by Companies and Individual Landowners

Category of Landowners	Number of Land Title	Number of Landowners	Land Owned (Kanals)		Land Owned (ha)	
			Total	Average	Total	Average
Companies	5	5	734.35	146.87	37.15	7.43
Individual Owners	116	141	257.00	2.22	13.00	0.11
All Landowners	121	146	991.35	8.19	50.15	0.41

16. Overall percentage of affected lands of the APs' total landholdings averages at 5.01%, and range from a mere 0.26% to 7.56% (see Table 3.3 below). This indicates an "insignificant" IR impact of this project. Even if the percentage of affected lands was higher than 10%, the IR impact could not be "significant" as the affected lands has been lying abandoned from crop farming for the past 30 years, and thus, APs would not lost any crop income from these lands.

Table 3.3: Percentage of Affected Lands of Total Landholdings of Landowners

Description	Unit	Sum-Total	Average	Minimum	Maximum
Total Land-Holdings	Kanal	5,131.15	44.23	1.20	560.00
Affected Lands (116 Land Titles)	Kanal	257.00	2.22	0.03	40.45
	Percentage	5.01	5.01	0.26	7.56

17. The landowners will rather benefit from this land acquisition action, as they have been waiting for buyers of land for the past 30 years. The tenant families are contractors, who own and operate heavy carriage and construction machinery in various housing development schemes in and around the twin city of Rawalpindi-and-Islamabad. As such they are not poor and will not suffer from any significant losses by physically relocating their mud-thatched huts which they built themselves.

18. Moreover, their landlords are willing to accommodate the renters' relocation onto their other lands, across the nullah (water-stream) in the eastern side of the land being acquired. There already exist some 60 huts of similar tenant families renting on the land proposed for relocation, and the same rent will be charged, which is PRs. 3,000 per 6 months for a

⁶ Appendix-3: Percentage of Affected Lands by Each Landowner

maximum of 10 marlas (250 m²) of land. Credit will be given for advance land rents that have already been paid by the tenant families.

19. All the lands to be acquired are unproductive, already set aside for sale. The companies and individual landowners have long been looking for land buyers and this land acquisition represents an opportunity to dispose of what has amounted to a non-performing investment.; The 22 tenant families who work as contractors (179 persons) living in the temporary make-shift mud-thatched huts built on rented lands will physically relocate, with assurance from the landlords of providing replacement land and appropriation of paid rent. The total population of the 163 families of displaced persons is estimated at 1,257 persons (see Table 3.4 below).

Table 3.4: Estimated Population of Displaced Families

Displaced Family	Number of Families	Average Family Size	Estimated Population
<i>Investment Companies</i>	<i>Not Applicable</i>	<i>Not Applicable</i>	<i>Not Applicable</i>
Individual Landowners	141	7.65	1,078
Tenants (Hut-Dwellers)	22	8.14	179
Total:	163	7.71	1,257

4. Socioeconomic Information and Profile

4.1 Field Methodology

20. After obtaining land records and land acquisition related documents from the District Revenue department and Rawalpindi Market Committee in March 2014, detailed Resettlement Field Surveys (RFS) were carried in out in April-May 2014. The RFS consisted of the following activities:

- (i) **Site observation** by touring the identified land along with concerned Patwari and landowners;
- (ii) **Field verification** of the land measurements provided in the land records with the landowners;
- (iii) **Land prices** of the most recent land sales around the land notified for acquisition were collected from local property dealers and landowners;
- (iv) **Quantification and replacement costing** of the affected built-up structures (mud-thatched huts) and installations (handpumps) of the Tenants (temporary settlers on rented lands);
- (v) **Socioeconomic data** was collected from 20% sample of landowners (28 DPs) and 100% census of the Tenants (22 DPs), by interviewing the heads of households, or where the household heads were not available, their spouses; and,
- (vi) **Information disclosure and consultation sessions** were held separately with the men and women from the landowner and squatter communities,

companies' representatives, local leaders, and the AMIS, RMC and District officials (see **Appendix 2: List of Officers Contacted**).

21. The findings of the first four activities formed the bases for Scope of Resettlement Impacts, entitlements and assessment and estimation of resettlement costs (Chapters 3, 8 and 10, respectively). The outcome of the last two activities provided bases for the Socioeconomic Profiles of DPs and Information Disclosure and Consultation (Chapter 4 and 5, respectively). This Chapter presents the findings of Socioeconomic Survey through individual interviewing with 28 of 141 – Landowners (20% Sample) and 22 Tenants (100% Census), as shown in Table 4.1 below.

Table 4.1: Sampling of Displaced Persons for Individual Interviews

Displaced Persons (Households)		Sample Interviewed		
Type of DP	Total Number	Gender	Number	Percentage
Male Landowners	114	Male Respondents	23	20.2
Female Landowners	27	Female Respondents	5	18.5
All Landowners	141	All Respondents	28	19.9
Tenants	22	Male Respondents	2	09.1
<i>Note: Mostly Women were interviewed because most Men were not available during daytime, and night time they were too tired.</i>		Female Respondents	20	90.9
		All Respondents	22	100.0

4.2 General Information

22. Besides the five investment companies, the individual displaced persons of this project are of two types, namely the landowners and the Tenants.

- The landowners are the original residents of this area, while the Tenants are temporary settlers on the lands rented from the local landowners.
- Ethnically, the landowners belong mainly to the Bhatti Rajpoot, Chohan, Malik and Syed clans, and they speak Potohari dialect of the Punjabi language.
- The Tenants are basically Pashto speaking Pathans who had migrated and settled on these lands some 8/10 years ago.
- The tenants moved in under a long-term work arrangement as sub-contractors with a housing development contractor, Gulab Khan, for providing heavy carriage equipment and skilled services in various housing projects in Rawalpindi area.

- The contractor himself is a Pashto speaking Pathan living in a large owned house across the link road, and they consider him as their patron or leader.
- All the DPs, the landowners and Tenants, belong to Sunni sect of Muslims.

4.3 Indigenous People

23. Both the landowners and Tenants actively participate in the local mainstream socioeconomic network, none living as a secluded tribal or minority group, and all the land is held in private ownership (i.e. no tribal or communal ownership). Though ethnically the tenants belong to Wazir and other Pathan tribes and they live on rented lands in and around RWM site, they are very much part of the local mainstream economy and not a separate tribal minority.

4.4 Data on Affected Households

4.4.1 Demography

24. The total population of 163 DPs has been estimated at 1,257 persons, of which the 141 affected landowners have an estimated population of 1,078 persons, while the 22 affected tenants have a total population of 179 persons (see Table 4.2). The household sizes of DPs average overall at 7.7 persons, indicating a dominant trend of extended and joint family system practiced by both landowners with average 7.6 persons per household and tenants with average 8.1 persons per household.

25. The extended-cum-joint family system is mainly a tradition of rural societies for both security and economic reasons. Gender composition (see Table 4.3) shows that the female members of DP households account 51/52% and the male members account for 48/49%. Distribution of DP population by age groups (see Table 4.4) shows that approximately one adult person (16 to 60 years) supports one child (up to 15 years) or elderly person (above 60 years).

Table 4.2: Estimated Population of Displaced Families

Type of Displaced Family	Coverage	Number of Households	Average Household Size (Persons)	Estimated Population (Persons)
Individual Landowners	Sample (20%)	28	7.6	214
	Total (100%)*	141	7.6	1,078
Tenants (Hut-Dwellers)	Total (100%)	22	8.1	179
Total:		163	7.7	1,257

* Extrapolated from 20% Sample (28 Households).

Table 4.3: Gender Composition of Displaced Population

Gender Group	Landowners (N = 141)*		Tenants/Huts (N = 22)		Overall (N = 163)	
	No.	%age	No.	%age	No.	%age
Male	519	48.1	88	49.2	607	48.3
Female	559	51.9	91	50.8	650	51.7
Total	1,078	100.0	179	100.0	1,257	100.0

* Extrapolated from 20% Sample (28 Households).

Table 4.4: Age Distribution of Displaced Population

Age Group	Age in Years	Landowners (N = 141)*		Tenants/Huts (N = 22)		Overall (N = 163)	
		No.	%age	No.	%age	No.	%age
Children	Up to 15	423	39.2	89	49.7	512	40.7
Adults	16 to 60	569	52.8	80	44.7	649	51.6
Elderly	Above 60	86	8.0	10	5.6	96	7.6
Total		1,078	100.0	179	100.0	1,257	100.0

* Extrapolated from 20% Sample (28 Households).

4.4.2 Housing and Utilities

Table 4.5: Size of Housing Plot per Displaced Household

Type of Displaced Household	Tenure of Land	Number of Households	Size of Land in Marlas (1.0 Marla = 25 m ²)		
			Average	Minimum	Maximum
Landowners	Owned	28 (Sample)	16.5	8.0	30.0
Tenants (Huts)	Rented	22 (Total)	10.0	10.0	10.0
Overall:		50	13.6	8.0	30.0

Table 4.6: Number of Rooms per Displaced Household

Type of Displaced Household	Tenure of Land	No. of Households	Number of Rooms		
			Average	Minimum	Maximum
Landowners	Owned	28 (Sample)	4.5	2	6
Tenants	Rented	22 (Total)	1.6	1	3
Overall:		50	3.2	1	6

Table 4.7: Built of Houses of Displaced Household

Built of Houses	Landowners		Tenants		All DPs	
	No.	%age	No.	%age	No.	%age
Totally Concreted	9	32.1	0	0.0	9	18.0
Partially Concreted	19	67.9	0	0.0	19	38.0
Mud-Thatched Hut	0	0.0	22	100.0	22	44.0
Total:	28	100.0	22	100.0	50	100.0

26. The DPs use multiple sources of drinking water, lighting and cooking fuel. Table 4.8 shows that majority of the landowners have in-house drinking water wells (57%) or handpumps (39%), while they rarely collect water from the community wells or handpumps (32%). In contrast, the tenants collect drinking water from the privately owned community handpumps (82%), while the 4 tenant families living in huts in nullah side cluster fetch water from a natural spring in the nullah.

27. All the landowners houses have electricity connections but they also use mini-generators and solar power as standby facilities for lighting purposes, as the power supply is not regular because of the country-wide load-shedding problem. The tenants on the other hand mostly use rechargeable batteries (82%) and solar power (27%) for lighting purposes. But for cooking purposes both the landowners and tenants use firewood as the main source of energy, while some of them also use partially dung cakes and cylinder gas as secondary sources of energy for cooking purposes.

Table 4.8: Sources and Types of Basic Utilities Used by Displaced Households

Type of Utility	Sources Used*	Landowners (N=28)		Tenants (N=22)		All DPs (N=50)	
		No.	%age	No.	%age	No.	%age
Drinking Water	In-House Well/Bore	16	57.1	-	-	16	32.0
	Community Well/Bore	9	32.1	-	-	9	18.0
	In-House Handpump	11	39.3	4	18.2	15	30.0
	Community Handpump	-	-	18	81.8	18	36.0
	Natural Spring / River	-	-	4	18.2	4	8.0
Lighting	IESCO Power Supply	28	100.0	-	-	28	56.0
	Diesel Mini-Generator	15	53.6	2	9.1	17	34.0
	Solar Energy	7	25.0	6	27.3	13	26.0
	Rechargeable Battery	-	-	18	81.8	18	36.0
Cooking	Firewood	28	100.0	22	100.0	50	100.0
	Dung Cakes	15	53.6	-	-	15	30.0
	Cylinder Gas	11	39.3	3	13.6	14	28.0

- Some displaced households use **multiple** sources of these utilities.

4.4.3 Livelihood and Income

(a) Landowners:

28. The major sources of livelihood of landowners are employment and agriculture, while small businesses, public transport and construction labor are secondary level sources for them. The following Table 4.9 show their agricultural land sizes and percentage of total annual income from crop production. They grow sufficient wheat grains for their domestic consumption and market out the surplus in Rawat and Mandra town. Overall income of the affected landowners from employment (42.5%) and agricultural crop production (30.3%) account for 73% of the their household incomes, while make for the remaining balance of 27% from small businesses, public transport and construction labor work (Table 4.10) . The land being abandoned for over 30 years, landowners do not earn any significant livelihood from the land to be acquired.

Table 4.9: Agricultural Lands, Production and Income of Displaced Landowners

Land/Production/Income	Unit	Average	Minimum	Maximum
Agricultural Land Area (Owned/Operated)	Kanal	93.7	10	1,200
	Hectare	4.7	0.5	60.7
Wheat Production (One Crop a Year)	Monds	379.3	40	4,800
	Tonnes	15.2	1.6	192
Agricultural Income* (Annual Income)	Rupees	455,100	48,000	5,760,000
Percentage of Total Annual Income	%age	30.3	10.3	88.9

* Computed @ PRs. 1,200 per Mond (40 Kgs).

Table 4.10: Percentage Comparison of Incomes from Various Sources of Landowners

Livelihood Source	Number of Landowners (DPs)	Percentage of Total Annual Income		
		Average	Minimum	Maximum
Agriculture	28	30.3	10.3	88.9
Employment	23	42.5	16.5	67.7
Small Business	12	18.0	10.0	25.0
Public Transport	3	7.2	20.0	40.0
Construction Labor	2	2.0	25.0	25.0

(b) Tenants:

29. The sole sources of livelihood of the hut-dweller tenants is heavy construction equipment for carriage of building materials and excavation services, by means heavy dumper trucks and excavators, and tractor trailers. They earn a reasonable monthly income from these services, which averages at PRs. 33,318 per family, and ranges from PRS. 29,672 to 35,487 (see Table 4.11). Having good enough incomes, they live comfortably with good food and they can afford rechargeable batteries and solar power for lighting and cars and motor-bikes for convenient mobility of the family members.

30. Their main aim is saving money for buying more heavy equipment usually on installments. They allocate a higher priority to accumulating funds for paying down-payments and monthly installments for the heavy construction equipment than they do to buying their own land and constructing houses. They are satisfied to live in mud-thatched huts mainly in order to save money to buy more and heavier construction machinery to take on more and bigger construction contracts, but they also enjoy the mobility that this affords.

Table 4.11: Heavy Construction Equipment and Average Incomes of Tenants

Name of Huts Cluster	No. of Families	No. of Dumper Trucks	No. of Excavators	No. of Tractor Trailers	No. of Family Cars	Average Monthly Income (PRs./HH)
Charmagh Huts	8	2	1	0	1	32,430
Shardi Huts	10	4	1	0	3	35,487
Nullah-side Huts	4	1	0	3	0	29,672
Total:	22	7	2	3	4	33,318

4.4.4 Poverty Status

31. The National Poverty Line for the Financial Year 2013-14 has been fixed at PRs. 2,290 per person per month⁷ (or \$ 0.78 per person per day). The data presented in the following two tables, show average monthly incomes of households and monthly per capita incomes, respectively, for both groups of DPs, confirm that none of the DPs fall below or even on the national poverty line (see Table 4.12 & 4.13). They are all economically average type to better-off and not considered vulnerable as a result of land acquisition for RWM.

Table 4.12: Monthly Household Incomes of the Displaced Persons

Type of DP	No. of DPs	Monthly Household Income (PRs.)		
		Average	Minimum	Maximum
Landowners	28	83,532	30,300	540,000
Tenants	22	33,318	15,000	80,000
Overall:	50	61,438	15,000	540,000

Table 4.13: Monthly Per Capita Incomes of Displaced Persons

Type of DP	No. of DPs	Monthly Per Capita Income (PRs.)		
		Average	Minimum	Maximum
Landowners	28	11,457	3,367	77,143
Tenants	22	4,449	3,273	7,500
Overall:	50	8373	3,273	77,143

⁷ The poverty line of Pakistan is based on a consumption of 2,350 calories per adult equivalent per day. The latest estimate of the inflation-adjusted poverty line for 2006 as reported in the FY2008 Economic Survey of Pakistan was Rs 944.47 per adult equivalent per month. Inflating this number for inflation estimates of FY2007 through FY2014 has been calculated as Rs 2,290.00.

4.4.5 Literacy

32. There exists a big difference of literacy between the landowners and tenants (see Table 4.14). While, the landowners' overall literacy rate is 70%, the overall literacy rate of the tenants just 10%. The male versus female literacy rates of landowners are 74% and 67%, and such small difference is normal in Pakistani society. But literacy rate of the tenants is very low at 10%, almost totally composed of the male members (18%) and there are only two married women with primary education. Yet, almost all adults and children can read Quraan.

Table 4.14: Comparison of Literacy Rates of Affected Landowners and Tenants

Type of DPs	No. of DPs	Number of Literate Persons			Literacy Rate (%)		
		Male	Female	Total	Male	Female	Overall
Landowners	28	76	74	150	73.8	66.7	70.1
Tenants	22	16	2	18	18.2	2.2	10.1

33. Currently, almost all the school-age boys and girls of the landowners are enrolled in schools and colleges, while only 5 boys, but no girl, of the tenant families are enrolled in a primary school at Kalyam Mughal village. The mobility of women including the young age girls are culturally restricted, and the same custom applies to the girls' education among these hut-dweller but rich transporter Pathan. In fact, educating children is triggered by political will than by large money inflows. Many poor people can educate their children with determination and some rich people do not care or rather oppose education of their children, especially the girls. And, these Pathan tenants generally do not care about educating their boys arguing they will learn skills of operating the heavy construction equipment to earn a reasonable living, and oppose educating their girls in the name of their conservative traditions.

5. Consultation, Participation and Information Disclosure

34. Information and Consultation with stakeholders at different stages of the subproject are required by ADB's Safeguard Policy Statement (SPS), 2009 (Involuntary Resettlement). Consultations with the concerned Government Officers and Displaced Persons (DPs) were conducted⁸ in a semi-structured manner as a part of the inventory taking of affected lands and other assets. The communities' and especially the DPs' responses (both positive and negative) to land acquisition for the RWM project have been collected and incorporated into this LARP.

35. During the same consultation sessions, the cut-off-date of 30 April 2014, the last day of completion of the Resettlement Field Surveys (RFS) for compensation eligibility was communicated to the participants. They were clearly told that no subsequent changes in the land use would be considered by the Government for any compensation or financial assistance.

5.1 Preliminary Information Disclosure and Consultations

36. The preliminary process of information disclosure, consultation and participation in connection with land acquisition and resettlement of the RWM Project was initiated by RMC in December 2010, by publishing advertisement for land purchase in the national Urdu newspapers. Subsequently the RMC and District Land Revenue Department officials, especially the concerned Patwari (Land Records Clerk), contacted and consulted the representatives of private companies and individual landowners, on several occasions, in order to obtain further clarifications on land records and tenures, and to gain an appreciation of current land prices.

37. The RMC learnt through those consultations that: (a) purchasing the land from the companies may impede the original landowners in exercising their right to compensation; and, (b) the potential may exist for some companies and landowners to complicate the land purchase and possession process, by artificially inflating land prices and/or making investments on the land to maximize their monetary return in the shape of increased land compensation. RMC in consultation with DCO therefore decided to acquire the total land by application of the Government's right of eminent domain, under the Land Acquisition Act, 1894.

38. In August 2011 ADB engaged a Resettlement Specialist to conduct a preliminary land acquisition and resettlement planning fieldwork, wherein he held informal information sharing and consultation sessions with representatives of the companies and individual landowners.

39. LAA section 4, preliminary notification for land acquisition, was published in December 2011 to formally inform the companies and landowners that their land was being considered for acquisition for establishing a new Rawalpindi Wholesale Market (RWM). Immediately after the publication of section 4 notification, a District Price Assessment Committee (DPAC) was constituted by ADC-R. DPAC besides reviewing land prices of the registered land mutation records for the past one year, also consulted some representatives of the affected companies and individual landowners, in January 2012, to come up with a balanced assessment of the land prices and land compensations. This was confirmed by the representatives of

⁸ See Appendix 2: List of People Contacted and Participants in Consultation Sessions

companies and affected landowners during consultation sessions conducted by ADB appointed Resettlement Specialist in April 2014.

40. The process of land acquisition was suspended from February 2012 onwards because the Agriculture Department was not able to deposit the assessed land compensation amount in the District Treasury. The RWM project was revived in November 2013 with ADB support.

5.2 Information Disclosure and Consultations

41. The Resettlement Specialist held orientation and consultation meetings with the Agricultural Department, RMC and District Officers in March 2014. His prior fieldwork for the preparation of a preliminary LARP in August 2011 proved helpful in providing background knowledge of the concerned officers and field situation. The Involuntary Resettlement part of the ADB Safeguard Policy Statement, 2009 was explained to RMC officers, and their support was requested in conducting detailed fieldwork, especially for obtaining cooperation from the displaced persons, i.e., companies, individual landowners and hut-dwellers tenants occupying part of the land.

42. Resettlement field survey (RFS) activities were initiated in April 2014 by visiting the site and meeting with the representatives of DPs along with the RMC officers. An inventory of affected assets was prepared, and collection of socioeconomic data and information disclosure and consultation sessions with DPs were carried out. A male and a female Resettlement Assistant were engaged on a part-time basis to provide support in carrying out the RFS activities.

43. The female Resettlement Assistant was hired specifically for interviewing and meeting the hut-dweller women who rigidly practice traditional gender segregation and who can speak only Pashto language. This assistant was also helpful in interviewing and consulting with affected female landowners and the wives of the affected male landowners.

5.3 Participation of DPs in Consultation Sessions⁹

44. The consultation and information disclosure process was initiated by Resettlement Specialist by holding an Introductory Meeting with the affected persons (APs) on April 17, 2014. The meeting was convened with the assistance of the following persons:

- (i) Raja Jahandad, Chairman, Rawalpindi Market Committee (RMC);
- (ii) Azhar Hussain, Secretary, Rawalpindi Market Committee (RMC);
- (iii) Raja Farooq Ahmed, Real Estate Consultant (Property Dealer);
- (iv) Haji Khalid Mehmood, Real Estate Consultant (Property Dealer); and,
- (v) Aurang Zeb Khan, Patwari, Kalyam Mughal Circle.

45. Some 30 affected landowners had gathered at Quaid City office. The Resettlement Specialist explained the purpose of the meeting as:

- (i) Land Acquisition for establishment of Rawalpindi Wholesale Market (RWM) by the Government of Punjab Province, with technical and financial assistance from Asian Development Bank (ADB).

⁹ Appendix-4: Record of Consultation and Information Disclosure Process (with signed Lists of Participants).

- (ii) Resettlement Policy principles as laid down in ADB's Safeguard Policy Statement, 2009.
- (iii) Preparation of Land Acquisition and Resettlement Plan (LARP), a pre-requisite for ADB loan approval, for which Resettlement Field Surveys (RFS) will be conducted.
- (iv) RFS will include, detailed Inventory of Losses (IOL), Socioeconomic Survey and Meaningful Consultations with All the Affected Persons, including Landowners and Hut-Dwellers Tenants.
- (v) Their cooperation and assistance was requested for successful completion of RFS.

46. Initially, the participants responded quite positively by welcoming the guests and promised all possible assistance in RFS. But soon the crowd turned furious over extremely slow process of land acquisition. The crowd was led and represented in discussions by 72 years old Chaudhry Riasat, Number (Village Headman) of Tope Kalyal village, who said:

- (i) The government issued LAA section 4 notification for land acquisition in December 2011 and the land prices were assessed by a committee in January 2012 but after that no action was taken by the government to complete the land acquisition process by paying us land compensation and taking possession of the land.
- (ii) Though the land price assessment has not yet been disclosed officially by the government, yet we came to know through our informal means that the land prices had been assessed far lower than the current land prices.
- (iii) We want the process be completed with compensations paid to all the affected landowners and the land possessed by the government immediately, and not keep on wasting our time by data collection and holding conferences.
- (iv) We are busy people and cannot afford to attend to your formalities and policy requirements for which we will not get paid remuneration or honorarium; the maximum we may receive from the government will be only the land compensation. Do not come to us empty-handed, pay us the money and take the land; do not waste our time; we are busy people and have been waiting for the money for more than two years.

47. The RMC officials and RS told them that the land acquisition process had been suspended for short of funds with the government for constructing the wholesale market, and now as ADB has agreed to provide a loan for the Project, the government would soon resume the activity by transferring funds to DCO for onward payment of compensation to them. They were further told that land acquisition is totally a government's responsibility, and ADB will provide assistance for constructing the market and for the land acquisition activity. However, ADB will monitor the process strictly to make sure that its resettlement policy is followed by the government in true spirit, and especially compensation is assessed at replacement values of their lands and other assets, all grievances are redressed amicably, and that all APs are paid their due compensation satisfactorily prior to possession of land by the government before approving the loan.

48. But they said they would not believe in anyone from the government until they receive compensation cheques. Meanwhile, almost all the participants skipped the noisy scene so fast that even their names could not be recorded, except the remaining participants: (1)

Chaudhry Riasat, Numberdar (DP), (2) Raja Farooq Ahmad (Companies' representative), and (3) Sajjad Ahmed Chohan and (4) Kashif Bashir (Community Activists).

49. When Chaudhry Riasat left, Raja Farooq Ahmed, Sajjad Ahmed and Kashif Bashir, the voluntary community activists, stayed back to console the guests and to assure them all possible assistance to RS in carrying out RFS satisfactorily. The RS together with them planned for conducting informal consultations with individual and small groups of APs, side by side with socioeconomic surveys. To obtain a larger representation, the sample size was then increased from the required 10% to 20%.

50. The results of those informal consultations were included in the first draft of this LARP, dated July 28, 2014. But ADB review pointed out that the process and results of those informal consultations were found not meeting the SPS requirements, and therefore instructed him to do additional work on conducting consultations in a proper manner. Thus, detailed formal consultation and information disclosure sessions were organized and carried out, as described below.

51. The first formal consultation session was held at Tope Kalyal village with total 38 participants (37 APs and 1 Companies' representative), on September 14, 2014, from 10:00 to 12:30 hours. The second consultation meeting, scheduled on September 21, 2014, could not be conducted because of non-availability of participants. The activists and APs suggested that the next consultation meeting/s should be held on the next weekend (September 27-28, 2014) as there is a wedding ceremony in the village where most APs will be available.

52. Having had difficulties with finding and gathering APs and convincing them to participate in the Consultation sessions, the Resettlement Specialist and EADA (E&M) Rawalpindi held an exhaustive meeting on 23rd September 2014 (Tuesday) to discuss and devise a strategy to satisfactorily complete the task. Together, they came up with the following strategy:

- (i) To reach all the male APs by involving also their women along with the female APs in consultations and thereby to achieve a possible level of gender-balance; and,
- (ii) To explain and distribute Urdu Translation of the Project Information Brochure (PIB) in the same sessions, to avoid duplication of effort and further delay in the consultation and information disclosure processes.

53. Through all those efforts, consultation sessions with the tenant and landowner women and tenant men were organized for the next weekend. Consultations with the male landowners had already been organized through the two activists (Sajjad Chohan and Kashif Bashir) during a wedding ceremony in village over the same weekend.

54. Following the recommendation of the two activists, the Resettlement Specialist made a successful use of the villagers' gathering at a wedding ceremony in Top Kalyal village. He arrived there at 9 AM and started consultation and PIB distribution session with a small group of Landowner APs which gradually increased over 60 participants. He repeatedly stated the purpose and agenda of the consultations, and distributed and explained Urdu version of PIB to the 55 participants.

55. However, during the discussions some landowners had slipped out of consultation session without saying anything, and their names and signatures could not be recorded. To

make up for the loss, another consultation session was necessary, and the two activists were requested to kindly arrange another and final session within the next few days. They responded immediately by arranging another and final session after two days. This final session was held with a group of 10 landowners for 1.5 hours (04:00 to 5:30 PM). The consultation and PIB distribution process was concluded with this final session, as all the APs were consulted in person or through their women and close relatives and Urdu PIB was distributed to them quite successfully (see Table 5.1 below).

Table 5.1: Number of Participants in Consultation and PIB Distribution Sessions

No.	Date	Day	Landowners		Tenants		Session Total	PIB Copies Distributed
			Men	Women	Men	Women		
1	14-Sep-14	Sunday	38	-	-	-	38	-
2	26-Sep-14	Friday	-	-	-	21	21	-
3	26-Sep-14	Friday	-	-	9	-	9	27
4	27-Sep-14	Saturday	-	40	-	-	40	-
5	28-Sep-14	Sunday	55	-	-	-	55	88
6	30-Sep-14	Tuesday	10	-	-	-	10	46
Total Participants:			103	40	9	21	173	161

56. The process of consultation, however, was quite difficult as APs, particularly the landowners, had lost any hope in land acquisition by the government as no further action was taken by the government after the section 4 notification and land price assessment almost 3 years ago. However, dedicated and repeated efforts for about one month and adoption of workable strategies made it possible.

57. In total, some 173 APs participated in the consultation sessions and a total of 161 copies Urdu PIB were distributed and explained to them. As a result, all the APs were successfully reached and involved by themselves or through their women or close relatives in the process of meaningful consultation and information disclosure, as an essential part of this Land Acquisition and Resettlement Plan (LARP).

5.4 Consultations with Affected Landowners

5.4.1 Land Acquisition Process

58. The companies and individual landowners demonstrated willingness to let their lands be acquired by the Government for the proposed establishment of Rawalpindi wholesale market. Concern was expressed that the Government had been taking too long to complete the land acquisition process. Since the process has been suspended for over two years, they expressed doubts regarding the Government's intentions and plans.

59. Landowners stated that there had been attempts to locate bulk buyers but had been unable to sell these lands for 30 years. When the Government expressed an interest in acquiring part of the lands in 2011, they expressed enthusiasm. However, since then the Government has not taken any further action.

5.4.2 Land Price Assessment

60. Landowners noted that the assessed land prices have not yet been officially disclosed, but in some cases they expressed optimism that the establishment of a new wholesale market may catalyze an increase in land prices in the area and increase the value of their remaining lands.

61. Landowners were advised to wait for LAA sections 5 and 5A notifications, meant respectively, for officially disclosing price/compensation information to them and providing opportunity to register any concerns regarding inventory taking of their affected assets, and prices/rates used for compensation assessment. They were encouraged to respond quickly to the LAA sections 5 and 5A notifications by filing in their complaints and grievances, if any, legally within 30 days, so that grievances may be resolved before the final section 6 is notified for land transfer and possession.

62. Landowners were informed that Grievance Redress Committees (GRC) will be constituted at both village and district levels, for considering and resolving their grievances.. In the event that they are not satisfied with the decisions, they may register their cases in the law courts.

5.4.3 Status of Tenants

63. The 22 AH renting portions of the affected land work as subcontractors to a large construction and carriage contractor, Gulab Khan. He is de facto their patron, taking care of their needs for work, rental land for their family huts, and providing them necessary legal support. He finds the rental lands, arranges rental agreements with the landowners, collects the land rent biannually from all the tenants and pays in bulk to the respective landowners. He also plays a decisive role in resolving their minor inter-clan and inter-family disputes where necessary to preserve harmony among them.

64. According to the informal agreement, the tenants are allowed to cover and utilize up to 10 marlas of land per family for a fixed rent of PRs. 3,000 for 6 months, payable in advance with a grace period of one month. They can construct only temporary residential structures, like mud-thatched huts and shelters, but not any permanent or concrete structure, and that they are bound to vacate the lands within 15 days when the landowner wants them to.

65. When asked about the relocation of tenants, the landowners indicated a willingness to provide them alternative rental space on their remaining unproductive lands across the nullah where there are already some 60 families living, under the same conditions, if they would like to move there.

5.5 Consultations with Affected Tenants

66. The hut-dweller tenants consider their status on these rental lands to be temporary. They indicated a readiness to vacate the land within 15 days upon receiving a verbal notification from their respective landlords or the Government officials. When informed that the land will be acquired by the Government for establishing a new wholesale market, and that they will need to vacate the land and relocate, they indicated that this would not be a problem, as there is abundant vacant land in the vicinity available for rent under similar conditions. They pointed out that the cost of renting similar vacant land in the vicinity is comfortably affordable given their incomes as construction sub-contractors.

67. The renters did express a minor concern over cost of reconstruction of their huts, wells and handpumps, as according to their verbal agreement with the present landlords, this is their own responsibility, and they had heard that the Government does not pay any compensation for such assets to the non-titled persons like them. They stated that assistance or compensation for relocating assets would be appreciated.

68. It was explained to the renters that the project will be implemented with ADB loan, to which the ADB policy on involuntary resettlement will be applied. Under the ADB policy, all the displaced or affected persons, whether titled or non-titled, will be entitled to receive compensation for the loss of their assets on replacement value basis. They were further assured that the Government will pay their due compensations on replacement cost basis, without depreciation or deductions for salvaged material, for reconstruction of new huts and handpumps, plus transportation costs of moving their families and belongings, including the salvaged building materials.

69. The replacement costs of their affected assets and the transportation costs were initially assessed in consultation with the participating men and women groups. Those costs were verified with the current market rates at the nearest Rawat town and readjusted accordingly. The readjusted compensation rates were presented to the representatives of affected tenants who after some discussions accepted the rates. The agreed replacement cost or replacement values of their affected assets and transportation costs are given below:

- (i) Mud-thatched huts: Compensation assessed at PRs. 8,000 per unit, assessed at current replacement cost of constructing a new hut, totaling to PRs. 288,000;
- (ii) Handpumps: Compensation assessed at PRs. 60,000 per unit, assessed at current replacement cost of a new well with pump installations, totaling to PRs. 240,000; and,
- (iii) Transportation costs: assessed at PRs. 2,000 per family, totaling to PRs. 44,000.

70. When told about the present landlords' willing offer to provide them with alternative rental lands across the nullah and nearby remaining empty lands, most tenants agreed to preferably move in there. But one clan-head Haji Charmagh told that he along with his sons, totaling to 8 affected families, would prefer to move on to another place near Rawat town, to be closer to their workplace and clan-group. Two others told that they are already planning to move elsewhere to be closer to their workplace, regardless of the Project. So, out of a total 22 tenant families, 12 families may opt for the nearby rental lands to resettle themselves, while the other 10 families would prefer to move on to farther rental lands for getting themselves resettled closer to their workplaces and relatives.

71. Tenants were advised that when LAA section 5 and 5A notifications are issued to the landowners for confirming acquisition of this land, they will be paid their due compensations and given a notice of 15 to 30 days to vacate the lands. They indicated agreement to vacate within a maximum of 30 days after receiving the cheques.

5.6 Consultations with Affected Women

72. The Female Resettlement Assistant, under the guidance from Resettlement Specialist, held separate information disclosure and consultation sessions with the women

DPs and wives of DPs of both the Landowner and tenant groups, wherein all the above stated consultations were made with the woman participants.

73. The proposed depositing of compensation cheques in a joint account of a husband and wife in order to provide a safeguard and security measure for the welfare of the family was strongly opposed by the women landowner DPs. They all indicated that they did not wish to be forced to interrupt their routines to travel to a bank to open a joint account and stated a strong preference to have compensation paid to their husbands' bank accounts.

74. It is proposed that crossed cheques for the land compensation meant for the women DPs will be issued in the names of their male relatives under their formal authorization. And, the tenant families, which are all headed by men, will be issued crossed cheques of compensation for their lost assets and transportation costs.

5.7 Information Disclosure

75. To maintain transparency and enhance the involvement of DPs and other stakeholders, project information will continue to be disseminated through disclosure of resettlement planning documents. A Project Information Brochure (PIB), containing resettlement information on compensation, entitlements and resettlement management adopted for the Project has been prepared in English¹⁰, which was translated into Urdu and distributed to all APs in the joint Consultation and Information Disclosure sessions (see Table 5.1 above). The PIB as a tool to information disclosure to the DPs was distributed and explained to the participants in addition to what information was provided to APs in the consultation sessions.

76. The LARP implementation team will keep DPs informed about the impacts, the compensation and assistances proposed for them and facilitate addressing any grievances. They will hold special meetings to orally brief those who are illiterate regarding their entitlements, the compensation methods and means of recourse to grievances redress mechanisms established for the Project. In addition, literate members of the community will be encouraged to provide the same assistance to the less literate DPs. Copies of the LARP will be available at the RMC office will be provided to DPs on demand.

77. The English version of this LARP, including as Appendix 5, will be disclosed on ADB's website and the Punjab Government's website relating to the Agriculture Marketing Department. Moreover, as required in the new ADB public communications policy, monitoring reports on the LARP implementation will also be posted on both the ADB and AMIS websites.

¹⁰ See Appendix 5: Project Information Brochure (Resettlement Information).

6. Grievance Redress Mechanisms

78. The Government usually takes care to prevent grievances rather than going through a redress process. This can be obtained through careful LAR design and implementation, by ensuring full participation and consultation with DPs and by establishing extensive communication and coordination between the community and the Government.

79. A grievance mechanism will be made available to allow a DP appealing against any disagreeable decision, practice or activity arising from the quantification and/or compensation for the affected land or other assets. The DPs will be fully informed of their sizes of land being acquired and the compensation amounts assessed for each DP through LAA section 5 notification. Following this, they will also be provided a sufficient opportunity of filing in their complaints and grievances within 30 days, under LAA section 5A notification.

80. They will also be provided information on the procedures for addressing the DPs' complaints verbally during consultation meetings and through PIB distribution. A complaint register will be kept at the office of ADC (Revenue), Rawalpindi. The Project Management Unit (PMU) to be established at Rawalpindi Marketing Committee office will inform the DPs of the availability of this arrangement verbally as well as through PIB distribution. The complaints received will be processed and resolved by the PMU's Environmental and Social Cell (ESC) through active involvement of ADC (Revenue) office and the local leadership and union council.

81. Firstly, attempts will be made to redress the grievances through a local level grievance redress committee (GRC) comprised of ESC, concerned Patwari, and the village notable elders, like village leader (Malak, Chaudhry, Numbardar), other influential person/s, and elected Union Council Member/s (Councilor/s). But if a grievance cannot be redressed satisfactorily at the village level, a grievance redress mechanism will be established at the district level, comprising of Additional District Collector (Revenue), District LAC (DOR), EADA AMIS, Chairman RMC, and ESC. But if not satisfied, as a last resort, the aggrieved DP may seek justice through the Court.

82. As finances will move differently for (i) land acquisition (for land use or access impacts), and (ii) other items (huts, handpumps, etc.), compensation or rehabilitation (in the first case funds will move from the PMU through the ADC (Revenue) and District LAC, Rawalpindi to the DPs, while in the second case, funds will go directly from the PMU to the DPs. The complaints and grievances will be addressed through two different processes as described in Table 6.1 overleaf.

Table 6.1: Grievance Resolution Process

Land Compensation Issues	Other Assets Compensation Issues
1. First, complaints resolution will be attempted at village level through the involvement of the ESC, concerned Patwari/s, and local influential leaders.	1. First, complaints resolution will be attempted at village level through the involvement of the ESC, local influential people and informal mediators.
2. If still unsettled, a grievance can then be lodged to ADC (Revenue)/District LAC, under section 5A, and they will have 30 days to decide on the case.	2. If still unsettled, a grievance can be lodged to the Chairman/Secretary RMC who will have 30 days to respond and decide amicably on the case.
3. If no solution could be reached, a grievance can be lodged with the support of ESC to the PMU. The DP must lodge the complaint within 1 month of the lodging the original complaint with ADC (Revenue) / District LAC and must produce valid documents supporting his/her claim. The PMU will provide the decision within 30 days of registering the complaint. The PMU decision must be in compliance with this LARP provisions.	3. If no solution could be reached, a grievance can be lodged with the support of ESC to the PMU. The DP must lodge the complaint within 1 month of lodging the original complaint with the RMC and must produce documents supporting his/her claim. The PMU will provide the decision within 30 days of registering the complaint. The PMU decision must be in compliance with this LARP/SPS provisions
4. Should the grievance redress system fail to satisfy the DP, they can further submit their case to the appropriate court of law as per the process set out in sections 18 to 22 of the LAA, 1894.	4. Should the grievance redress system fail to satisfy the AH, they can further submit their case to the appropriate court of law as per the process set out in Sections 18 to 22 of the LAA, 1894.

7. Legal Framework

7.1 Land Acquisition Act, 1894 (LAA)

83. The Pakistan law governing land acquisition is Land Acquisition Act, 1894 (LAA) with successive amendments. LAA regulates the land acquisition process and enables the federal and provincial governments to acquire private land for public purposes and for companies through the exercise of the right of eminent domain. Land acquisition is a provincial responsibility and each province has specific implementation regulations and rules. The law deals with matters related to the acquisition of private land and other immovable assets required for a public purpose and companies.

84. A brief explanation and salient features of different sections of LAA are given in Table 7.1. The right to acquire land for public purposes is established when Section 4 of LAA is triggered. The LAA specifies a systematic approach for acquisition and compensation of land and other properties for public development purposes. It stipulates various sections pertaining to notifications, surveys, acquisition, compensation and apportionment awards, along with dispute resolution, penalties and exemptions.

85. The measurements and price surveys for land acquisition are to be disclosed to displaced persons. The LAA is operationalized through Punjab Land Acquisition Rules (PLAR), 1983 in Punjab Province. However, PLAR sections 7 and 8, putting time limitation on LAA section 4, have been omitted by the Lahore High Court (see Appendix 1). Thus, LAA section 4 once notified remains valid indefinitely until it is formally de-notified, or the next sections 5 and 5A are notified and the land acquisition process is completed.

Table 7.1: Salient Features of Pakistan's Land Acquisition Act, 1894

LAA Section	Brief Description
Section 4	Publication of preliminary notification and power for conducting survey and investigation.
Section 5	Formal notification of land needed for a public purpose.
Section 5A	Providing right of complaints to DPs for review/enquiry of quantities and compensations
Section 6	The Government makes a more formal declaration of intent to acquire land.
Section 7	Land Commissioner shall direct Land Acquisition Collector (LAC) to take order for the acquisition of land.
Section 8	The LAC to direct the land required to be physically marked out, measured and planned.
Section 9	The LAC gives notice to all affected/displaced persons (DPs) that the Government intends to take possession of the land and if they have any claims for compensation then those claims are to be made to him at an appointed time.
Section 10	Delegates power to the LAC to record statements of DPs in the area of land to be acquired or any part thereof as co-proprietor, sub-proprietor, mortgagee, and tenant or otherwise.
Section 11	Enables the LAC to make enquiries into the measurements, value and claim and then to issue the final "award". The award includes the land's marked area and the valuation of compensation.
Section 16	When the LAC has made an award under Section 11, he will then take possession and the land shall thereupon vest absolutely in the Government, free from all encumbrances.
Section 17	<i>Urgency acquisition whereby land possession is taken prior to payment of compensation</i>
Section 18	In case of dissatisfaction with the award, DPs may request the LAC to refer the case onward to the court for a decision. This does not affect the Government taking possession of the land.

Section 23	The award of compensation for the owners for acquired land is determined at its market value plus 15% in view of the compulsory nature of the acquisition for public purposes.
Section 28	Relates to the determination of compensation values and interest premium for land acquisition
Section 31	Authorizing LAC, instead of awarding cash compensation in respect of any land, to make any arrangement with DPs having an interest in such land, including grant of other lands in exchange.

Source: Pakistan Land Acquisition Act, 1984 (amended to-date)

7.2 ADB's Policy Principles for Involuntary Resettlement

86. The objectives, scope and triggers, and policy principles of the ADB's Social Safeguard Policy are presented in Table 7.2 below:

Table 7.2: ADB Involuntary Resettlement Policy (Objectives, Scope and Principles)

Objectives	To avoid involuntary resettlement wherever possible; to minimize involuntary resettlement by exploring project and design alternatives; to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and to improve standards of living of the displaced poor and other vulnerable groups.
Scope and Triggers	The involuntary resettlement safeguards covers physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.
Policy Principles:	
<p>1. Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.</p> <p>2. Carry out meaningful consultations with displaced persons, host communities, and concerned non-government organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line. These include the landless, the elderly, women and children. Specific safeguards cover Indigenous People, including those without statutory title to land, including those having communal rights, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the displaced persons' concerns. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.</p> <p>3. Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based and where it is possible to give cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where these are possible.</p> <p>4. Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.</p> <p>5. Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.</p> <p>6. Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.</p>	

7. **Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.**
8. Prepare a **resettlement plan elaborating on displaced persons' entitlements**, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
9. **Disclose a draft resettlement plan**, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to displaced persons and other stakeholders. Disclose the resettlement plan and its updates to displaced persons.
10. **Conceive and execute involuntary resettlement as part of a development project or program.** Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
11. **Pay compensation and provide other resettlement entitlements before physical or economic displacement.** Implement the resettlement plan under close supervision throughout project implementation.
12. **Monitor and assess resettlement outcomes**, their impacts on the standards of living of displaced persons and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of the resettlement monitoring. **Disclose monitoring reports.**

Source: Asian Development Bank, Safeguard Policy Statement (SPS), 2009.

7.3 Comparison of LAA and ADB Policy Principles and Practices

87. A comparison between the LAA and ADB safeguard policy statement's principles (SPS) with regard to key land acquisition and resettlement (LAR) aspects is shown in Table 7.3 below. The object of this exercise is to identify if and where the two sets of procedures are in conformity with each other and more importantly where there are differences and gaps. The key ADB Policy Principles are:

- (i) the need to screen the project early on in the planning stage;
- (ii) carry out meaningful consultation and establish a grievance redress mechanism;
- (iii) at the minimum, restore livelihood levels to what they were before the project and improve the livelihoods of affected vulnerable groups;
- (iv) prompt compensation, at full replacement cost, is to be paid before physical and economic displacement;
- (v) provide displaced people with adequate assistance;
- (vi) ensure that displaced people who have no statutory rights to the land that they are working are eligible for resettlement assistance and compensation for the loss of non- land assets; and,
- (vii) disclose the LARP endorsed by the government.

Table 7.3: Comparison of Pakistan Land Acquisition Act 1894 and ADB Safeguard Policy Statement 2009 and Gap Filling Measures (LAA vs. SPS)

Pakistan Land Acquisition Act, 1894	Gap Filling Measures (ADB SPS 2009 Requirements)
Only titled landowners or customary rights holders are recognized for compensation.	Lack of title should not be a bar to resettlement & rehabilitation support. Requires equal treatment of those without clear land titles (for example, squatters or other informal settlers) in terms of their entitlements for resettlement assistance and compensation for the loss of non-land assets.
Only registered landowners, sharecroppers and lease holders are eligible for compensation of crop losses.	Crop compensation is to be provided irrespective of the land registration status of the affected farmer/share cropper.
Tree losses are compensated based on outdated	Tree losses are to be compensated according to market rates

officially fixed rates by the relevant forest and agriculture departments.	based on productive age or wood volume, depending on tree type.
Negotiated Purchase, no LARP required. Procedures available through instructions and agreement signed.	Prepare LARP in accordance with the provisions detailed in the SPS (2009).
Land valuation is based on the median registered land transfer rate over the 3 years prior to Section 4 of the LAA being invoked. A 15% compulsory acquisition charges are paid over and above the assessed compensation. However, recent practice is that prices based on the average over the last one year prior to acquisition commencing is applied. Provinces have also issued instructions for assessing compensation to ensure displaced persons receive compensation at market price.	Replacement cost surveys undertaken by the EA and shared with assessors when determining compensation.
The valuation of structures is based on official rates, with depreciation deducted from gross value of the structure and also 15% of the value of salvaged materials.	The valuation of built-up structures is based on current market value but with consideration of the cost of new construction of the structure, with no deduction for depreciation.
The decisions regarding land acquisition and the amounts of compensation to be paid are published in the official Gazette and notified in accessible places so that the people affected are well informed.	Carry out consultations to inform potentially displaced persons about the likely impacts, finalization of award and payment of compensation. Disclose draft LARPs and their updates, as applicable.
There is no provision for income and livelihood rehabilitation measures. There are also no special allowances for vulnerable groups. There are no requirements to assess opportunities for benefit sharing. Untitled DPs are not entitled to rehabilitation support.	The ADB policy requires rehabilitation of livelihoods, and support during the relocation process. There are also provisions to be made to cover transitional period costs, and livelihood restoration. Particular attention must be paid to the poor and vulnerable groups, including women. A guiding principle is that DPs should at least be able to reach a defined minimum livelihood standard. In rural areas DPs should be provided with legal access to replacement land and resources to meet the defined minimum livelihood level. In urban areas provision should be made for appropriate income sources and the legal and affordable access to adequate housing. Untitled DPs have rights.
Prepare and disclose land acquisition and resettlement plans LARPs. There is no law or policy that requires preparation of LARPs.	Resettlement plans are prepared and disclosed.
Grievance redress is established through the formal land acquisition process at a point in time or through appeals to the court.	Provide mechanisms that are accessible locally and available throughout project implementation.
Only compensation is paid but not resettlement allowances, there is no mechanism to ensure payment is made before displacement	All compensation and allowances to be paid prior to physical or economic dislocation.
No requirements to prepare and disclose monitoring reports	Prepare and disclose monitoring reports
No special provisions to deal with support to displaced, vulnerable, and tribal groups.	Combined resettlement and indigenous peoples plan prepared

8. Entitlements, Assistance and Benefits

8.1 Entitlements

88. The entitlements for compensation may be enhanced to mitigate and improve livelihoods of the DPs but not be reduced or lowered in any case in the LARP planning and implementation. Compensation and rehabilitation entitlements are summarized in Table 8.1 below.

Table 8.1: Compensation Eligibility and Entitlement Matrix (RWM)

Affected Asset	Specific Action	Displaced Persons	Compensation Entitlements
Land (abandoned agricultural land open for sale or acquisition)	Land to be Acquired for a Public Purpose under the Government's right of eminent domain as provided in Land Acquisition Act, 1894.	5 Companies (37.2 ha)	Compensated will be assessed and paid by District LAC to all landowners (companies and individual) at current market (replacement) value of land, plus 15% Land Acquisition Surcharge.
		141 Landowners (13.0 ha)	
Huts (mud-thatched temporary huts on rented lands)	Relocation and Reconstruction of mud-thatched huts to vacate the rented for acquisition for a public purpose under LAA.	22 Tenants (36 huts)	Compensation will be assessed paid at relocation and reconstruction cost, without any legal deductions or depreciations, and they will be allowed to take salvageable material for free.
			They will also be paid a transportation allowance of PRs. 1,000 per family to meet the cost of shifting household effects and salvageable materials.
Handpumps	Relocation and Reconstruction of Handpumps along with relocation of mud-thatched huts	4 Tenants (4 Handpumps)	Compensation will be assessed paid at current re-installation (replacement) costs without any legal deductions or depreciations (as they will have to re-install the handpumps anew), plus they will allowed to take along their salvageable material for free.

8.2 Eligibility

89. The DPs eligible for the payment of land compensation are all the landowners (the five companies, 141 individual landowners) of the notified land, and the 22 tenants living in mud-thatched huts built on the rented pieces of the notified land. All the DPs (landowners & renters) will be paid their due amounts of land compensation individually, in the form of crossed cheques. They will have to open bank accounts individually in their names, so that when they receive the cheques, they should be able to deposit the same immediately. In order to avoid an influx of outsiders and/or changes in the land use pattern, eligibility for payment of land price will be limited by a cut-off date. The cut-off date for this project has been fixed on 30th April 2014, the day of completion of resettlement field surveys (RFS). This cut-off date was declared verbally to the DPs during the RFS, and has been written in the information disclosure brochure¹¹ (PIB) to be distributed to all the DPs. After this cut-off date, no further claims or changes in land use will be accepted or payments made for those changes.

¹¹ Appendix 5: Project Information Brochure.

9. Relocation of Housing and Settlements

9.1 Affected Assets

90. As part of the land acquisition process of the Rawalpindi Wholesale Market (RWM) project, the 22 families of hut-dwellers who in fact are renting land from two affected landowners (DPs), Chaudhry Riasat Ali and Basharat Mehmood, will need to be physically evacuated and relocated to a nearby location of their choice. The detailed inventory of affected assets of these 22 families comprises 36 mud-thatched huts and 4 handpumps (see Table 9.1 below).

Table 9.1: List of Tenants with Affected Assets for Relocation

Cluster of Huts	Land Tenant			No. of Persons	Affected Assets	
	Sr. No.	Name of HHH	Age (Years)		Mud-Hut (No.)	Handpump (No.)
Charmagh Jhugian (Total: 8 HH) (Total Huts: 15) Landowner's Name: Basharat Hussain	1	Haji Charmagh Khan	72	6	3	1
	2	Nawaz Khan	30	4	1	
	3	Tehsil Khan	45	10	2	
	4	Zo Khan	35	11	2	
	5	Ashraf Khan	38	10	2	
	6	Shaista Khan	38	12	2	
	7	Tore Khan	36	7	1	
	8	Nazar Khan	40	10	2	
Gardai Jhugian (Total: 10 HH) (Total Huts: 16) Landowner's Name: Chaudhry Riasat (Numberdar)	9	Gardai Khan	67	9	2	1
	10	Zahir Khan	35	5	1	
	11	Akhtar Khan	37	9	2	
	12	Sardar Khan	32	6	1	
	13	Naazir Khan	50	12	2	1
	14	Rahman Khan	60	12	2	
	15	Janbaz Khan	60	21	3	1
	16	Ramzan Khan	26	4	1	
	17	Khudai Noor	28	3	1	
	18	Barara Khan	28	2	1	
Nullah Side Huts (4 HH; 5 Huts) Landowner's Name: Basharat Hussain	19	Aqal Khan	60	6	1	
	20	Painda Khan	32	10	2	
	21	Taweez Khan	26	4	1	
	22	Nawab Khan	28	6	1	
Total:				179	36	4

9.3 Compensation Assessment and Payment

91. Compensations for the affected assets and transportation costs have been assessed through consultations with the affected tenants' representative elders, verified with the current market costs in Rawat town, and re-adjusted as follows:

- (a) Mud-thatched huts: Compensation assessed at PRs. 8,000 per unit (36 huts);
- (b) Handpumps: Compensation assessed at PRs. 60,000 per unit (4 handpumps); and,
- (c) Transportation costs: assessed at PRs. 2,000 per family (22 Tenant families).

92. The PMO/RMC will be directly paying compensation cheques to all the tenants for the loss of their assets and transportation costs, alongside the distribution of land compensation cheques to the affected landowners by the District LAC. The crossed cheques may be issued in the names of individual heads of the affected families, or the person/s they would legally authorize to receive the cheques on their behalf.

10. Resettlement Budget and Financing Plan

10.1 Land Compensation

93. Following the publication of the section 4 (preliminary notification) in December 2011, ADC-R Rawalpindi constituted a District Price Assessment Committee (PDAC) for assessing the prices of and compensation for the notified lands. The PDAC made the price and compensation assessment by three types of the notified lands (see Tables 10.1 & 10.2). The ADC-R communicated the same assessment results to RMC on 1st February 2012, and requested for depositing the total assessed amount in District Treasury, Rawalpindi so that the land acquisition process could be completed. The RMC forwarded the same information and request to Agriculture Department, Lahore for further necessary action. But there was no further action until the revival of RWM project in late-2013 through ADB assistance, initially for the project preparation.

Table 10.1: Assessment of Land Prices by DPAC, Rawalpindi (01 February 2012)

Name of Village	Kind of Land with Khasra Numbers	Area under Acquisition (Kanals)	Estimated Land Rate (PRs./Kanal)	Total Cost (Rupees)
Kalyam Mughal	Maira	6.80	450,000	3,060,000
Tope Kalyal	Khasra Nos. 804 to 871 & 927 to 944	279.10	275,000	76,752,500
	Khasra Nos. 872 to 926 & 945 to 1061	705.45	225,000	158,726,250
Total Cost of Land:		991.35	-	238,538,750
15% Compulsory Acquisition Charge (CAS):				35,780,813
Grand Total (Land Compensation Amount):				274,319,563

Table 10.2: Estimated Land Compensation based on DPAC Assessment

Name of Village	Description of Land with Khasra Numbers	Area under Acquisition (Kanals)	Land Price (PRs./Kanal)	CAS (15%)	Compensation Rate (PRs./Kanal)	Amount of Compensation (Rupees)
Kalyam Mughal	Maira Lands (Road-Side Land)	6.80	450,000	67,500	517,500	3,519,000
Tope Kalyal	Leveled Lands: Khasra Nos. 804 to 871 & 927 to 944	279.10	275,000	41,250	316,250	88,265,375
	Depressed Lands: Khasra Nos. 872 to 926 & 945 to 1061	705.45	225,000	33,750	258,750	182,535,188
Total Cost:		991.35	-			274,319,563

94. The Resettlement Specialist (Consultant) mobilized in March 2014 to prepare Land Acquisition and Resettlement Plan (LARP), a mandatory document under the ADB Safeguard Policy (SPS, 2009). He tried to convince the Government to issue afresh notification of LAA section 4 and to reassess the land prices and compensations. But the ADC-R explained that:

- (i) Legally the powers of land acquisition for a public purpose, like this RWM, are vested in the District Revenue department, headed by the District Coordination Officer or District Collector;
- (ii) The assessment and disbursement of land compensation will be carried out by District LAC;
- (iii) However, assessment and payment of compensation to the land tenants for losses of other assets (huts and handpumps) may be carried out independently by the concerned department, i.e., Agriculture Department;
- (iv) The same section 4 notification of December 2011 will remain valid until it is officially withdrawn;
- (v) Under section 4, the land prices and compensations can be assessed for once;
- (vi) DPAC follows the set up procedures of valuing the lands and other assets, based on registered land deeds during the past one year and readjusted to match current market values;
- (vii) Before issuing afresh section 4 notification, the existing section 4 notification has to be withdrawn, and that may cause difficulties in re-notification of the same later on because of the likely land sales and artificial price hikes;
- (viii) After receiving the total assessed amount in the District Treasury, information regarding price and compensation will be disclosed to landowners by LAA section 5 notification;
- (ix) In addition, LAA section 5A will be notified to provide an opportunity to the grieved landowners to file their complaints and get the same resolved amicably; and,
- (x) The complaints concerning land prices/compensation amounts will be resolved purely on merit basis, and revised according to the Government's set of rules and regulations.

95. The ADC-R therefore advised RMC and Resettlement Specialist to live with the same land prices and compensations assessments for the time being and wait for the revision of the same in response to landowners' complaints under section 5A. Thus, the land prices and compensation amounts as assessed by DPAC have tentatively been accepted and used in the Resettlement Budget below (see Table 10.4), which will be updated upon receiving the revised land price/compensation assessments from the ADC-R.

10.2 Compensation Assessment for Other Assets

96. Compensation assessment for affected mud-thatched huts and handpumps was made through discussions and consultations with the affected tenants and market survey in Rawat town. Construction of a mud-thatched hut is actually a family activity wherein all family members collectively participate making a hut ready in a matter of two to three days. It is mainly a labor intensive activity done totally by the family. A new construction cost of an average sized hut, with all material and labor costs included, was assessed at PRs. 8,000 per average hut. But bore-making and installation of handpumps is totally carried out by commercial material and service providers based in Rawat town. The installation costs of handpumps were collected from the handpump owners and validated with two materials and service providers based in Rawat town. The current replacement cost of bore-making and installation of a handpump has thus been assessed at PRs. 60,000. Finally, the transportation cost of relocating families, household effects and salvageable but-building material was assessed in consultation with the two elders of affected tenants, at PRs. 2,000 per affected family (see Table 10.3).

Table 10.3: Estimated Replacement Cost of Relocation of Settlers (RFS: April 2014)

Sr. No.	Type of Affected Asset	Unit	Quantity	Replacement Cost (PRs./Unit)	Compensation Amount (PRs.)
1	Mud-Thatched Huts	Number	36	8,000	288,000
2	Handpumps	Number	4	60,000	240,000
3	Transportation Cost	Number (Families)	22	2,000	44,000
Total Estimated Cost (Pak. Rupees):					572,000

10.3 Estimated Total Resettlement Budget

97. The following resettlement budget is based on compensation assessments for the affected lands and other assets (huts and handpumps), as explained above. The following Table 10.4 contains detailed resettlement costs for the RWM project totaling at PRs. 332.6 million (\$ 3.4 million). The resettlement budget includes PRs. 274.3 million (\$ 2.8 million) for land compensation, and PRs. 572,000 (\$ 5,807) for other assets to be affected by the project. In addition, a 10% amount of the total compensations has been added for meeting administrative costs, and 10% of the total estimated amount has been added for the unforeseen contingency requirements.

98. Payment of the two types of compensations will be channeled through two departments, as explained below:

- (i) The total land compensation amount of PRs. 274,319,563, including 15% compulsory acquisition surcharge (CAS), will be deposited in District Treasury, Rawalpindi, from where the District LAC will distribute the land compensation cheques to the affected companies and individual landowners; and,
- (ii) Compensations for the other assets will be paid by the RMC directly to the land tenants, for loss and relocation of their huts, handpumps and families (as provided in Table 10.4 below).

Table 10.4: Estimated Resettlement Cost of RWM (PDAC: Feb. 2012 & RFS: Apr. 2014)

No.	Resettlement Asset / Activity	Unit	Quantity	Average Rate (Rs./Unit)	Total Estimated Cost	
					Pak Rupees	US Dollars**
A.	Land Compensation (Landowners):	-	-	-	274,319,563	2,784,970
A.1	PDAC Assessed Land Price (All Lands)	kanal*	991.35	240,620	238,538,750	2,421,713
A.2	Compulsory Acquisition Surcharge (15%)	number	0.15	238,538,750	35,780,813	363,257
B.	Other Compensations (Land Tenants):	-	-	-	572,000	5,807
B.1	Reconstruction of Mud-Thatched Huts	number	36	8,000	288,000	2,924
B.2	Re-installation of Handpumps	number	4	60,000	240,000	2,437
B.3	Household Transportation Cost	number	22	2,000	44,000	447
C	Administration Costs (10% of A+B)	-	0.1	274,891,563	27,489,156	279,078
D	Subtotal (A+B+C):	-	-	-	302,380,719	3,069,855
E	Contingency (10% of D)	-	0.1	302,380,719	30,238,072	306,986
F	Grand Total Amount (PRs./US\$):	-	-	-	332,618,791	3,376,841

* 1.0 hectare = 19.768 kanals

** US\$ 1.00 = Pak. Rs. 98.50

99. These resettlement costs, especially the land compensations, will be updated according to the DPAC revised land prices in response to the landowners' complaints under LAA section 5A notification, and submitted to ADB for approval. The Government of Punjab Province is committed to provide the total resettlement costs by depositing the land compensation amount in the District Treasury, Rawalpindi for onward distribution to the affected landowners, and providing the remaining amount to RMC for onward distribution to the affected tenants. Moreover, the Government is also committed to accept and provide resources for the revised land prices/compensations in response to section 5A notification. To sum up, provision of funds for land acquisition has been the main bottleneck which will now be overcome shortly.

11. Institutional Arrangements

100. The institutional arrangements for the planning and management of the ADB-funded Punjab Wholesale Market Project (Rawalpindi) are described in this Chapter. The Planning and Development Department (P&DD), Government of Punjab, is the executing agency (EA), while the Agriculture Department is the implementation agency (IA) for the execution of this Project. The Extra-Assistant Director Agriculture (EADA), Economics and Marketing (E&M) and the Rawalpindi Market Committee (RMC) will be in the forefront of implementing the Project. In addition, a Project Management Office (PMO) will set up provide proper technical assistance to EADA and RMC in the execution, supervision and monitoring of the Project implementation works. The PMO will contain an Environmental and Social Safeguard Unit (ESSU), for planning, updating, implementing, supervising, monitoring the environmental mitigations, and land acquisition and resettlement activities. The PMO including ESSU will ensure that all the Project-related activities are planned and implemented in line with the ADB policies and under the rules and regulations of the Government of Punjab Province.

11.1 Planning and Development Department (P&DD)

101. The Planning and Development Department (P&DD), Lahore, is the top decision making body of the Provincial Government of Punjab. As Executing Agency (EA) of the Punjab Wholesale Market Project (Rawalpindi), P&DD will bear the overall responsibility of keeping liaison with the Government of Pakistan and Asian Development Bank (ADB) on behalf of the Agriculture Department and Rawalpindi Market Committee (RMC), and taking care of disbursement of funds (including ADB loan), and provision of technical assistance and coordination of the program planning and management activities of the Project.

11.2 Agriculture Department and Rawalpindi Market Committee (RMC)

102. The Agriculture Department, Lahore, as the implementing agency (IA) of the Punjab Wholesale Market Project (Rawalpindi) will be responsible for implementing all the planned activities, including safeguards, and post-completion operation and maintenance of the Rawalpindi Wholesale Market (RMC). The Agriculture Department is represented in Rawalpindi by EADA (E&M) who is also the executive head of the Rawalpindi Market Committee (RMC). As such, the EADA together RMC will be taking care of all the responsibilities of Agriculture Department, in the planning, implementation, and in future operation and maintenance of the RMC.

11.3 Project Management Office (PMO)

103. The Project Management Office (PMO) will be established in Rawalpindi prior to start of any project related activities, with sole responsibility of the project's planning, implementation, supervision and monitoring activities. PMO will also contain Environmental and Social safeguard Unit (ESSU), responsibly specifically for the planning, implementation, supervision and monitoring of the environmental mitigations and land acquisition and resettlement activities.

11.4 Land Acquisition and Resettlement Activities

104. The PMO will coordinate its land acquisition and resettlement activities with ADC-R and District LAC who are legally powered and responsible for completing the land acquisition process, by assessing, revising, and paying land compensations to the affected landowners,

and formally transferring the notified land and handing over physical possession of the land to the RMC. In addition, PMO will pay compensation to the hut-dweller tenants through RMC. ESSU will be monitoring the compensation disbursement process and convincing the tenants to vacate the notified land within a maximum of 30 after receiving the cheques.

12. Implementation Schedule

105. The process of land acquisition for establishing a new wholesale market in Rawalpindi was actually started by publishing preliminary notification under LAA section 4 in December 2011 in the Punjab Government's Gazette, and the subsequent compensation assessment by the District Price Assessment Committee (DPAC) in February 2012. But then it was suspended in February 2012 because of non-availability sufficient funds with the acquiring Agriculture department for paying the assessed land compensation to the affected companies and individual landowners.

106. However, the Agriculture Department requested ADB for providing technical and financial assistance for establishing a wholesale market in Rawalpindi in 2013. With ADB's positive response in November 2013, the RWM project was revived and land acquisition process was resumed. Thus, the ADB hired and mobilized a Resettlement Specialist (Consultant) to prepare this Land Acquisition and Resettlement Plan (LARP), a mandatory document for loan approval, in line with the ADB's Safeguard Policy, as provided in the Safeguard Policy Statement (SPS), 2009.

107. Further details on the previous preliminary land acquisition process, and the resumed and planned activities for implementation of this LARP are provided in the following Tables 12.1 and 12.2 respectively. It must be highlighted here that still the major deciding factor in land acquisition under this LARP remains the actual transfer of funds to District Treasury and RMC for the disbursement of assessed compensation to the affected people. Once the funds are actually transferred to both the entities, the subsequent activities will follow in a chronicle order, as planned hereunder in Table 12.2.

Table 12.1 Preliminary Land Acquisition Activities for RWM

No.	Description of Activity	Period
1	Department of Agriculture Authorized RMC to Select a Site for RWM	December 2010
2	RMC Advertised for Purchase of Land for RWM	December 2010
3	RMC Receives Offers of Land from a Private Party and RDA	January 2011
4	RMC Selects the Land offered by the Private Party	March 2011
5	RMC submits draft LAA section 4 Notification to DCO for Approval	August 2011
6	RWM Pre-Feasibility Report (ANNEX 4: Preliminary LARP) prepared.	September 2011
7	Preliminary Notification of LAA Section 4 Published in Punjab Gazette	December 2011
8	District Price Assessment Committee Assessed Land Prices	January 2012
9	ADC-R Communicated Land Prices to RMC and Requested for Depositing Funds in District Treasury, vide Letter No. 45/LAC/ADC, dated Feb. 1, 2012	February 2012
10	RMC forwarded the ADC-R's Letter to AMIS, Lahore with a Request for Approval and Necessary Action (Depositing of Funds in District Treasury)	February 2012

11	No Action Taken by Department of Agriculture in response to ADC-R's Letter	Mar-12 to Oct-13
12	Agriculture Department revived RWM Project by requesting ADB for providing Technical and Financial assistance, and ADB agreed	November 2013

Table 12.2: LARP Preparation and Implementation Activities (RWM)

LARP Activity/Task		Responsibility		Year 2014												Year 2015					
		Primary	Secondary	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6		
Preparations	RFS & Preparation of Draft LARP	Consultant	RMC/EADA	Intermittent																	
	Submission of Final LARP	Consultant	RMC/EADA																		
	Distribution of Project Information Brochure to All DPs	AD/AMIS	RMC																		
	Disclosure of LARP on ADB and AMIS Websites	ADB	AMIS																		
	PMU and ESC are Established at RMC under EADA Rawalpindi	AD/AMIS Lahore	RMC/EADA																		
	Depositing Funds for Land Acquisition in District Treasury, Rawalpindi	AD/AMIS Lahore	RMC/EADA																		
	Transfer of Funds to RMC for Paying Compensation for Relocation of Huts	AD/AMIS Lahore	RMC/EADA																		
Implementation	Publication of Notifications under LAA sections 5 and 5A (Confirmation of Land Acquisition and Inviting Complaints)	ADC-R	District LAC																		
	Filing of Complaints by Landowners and Tenants	DPs	ADC-R/GRC																		
	Resolution of Complaints by ADC-R /District LAC	ADC-R	District LAC																		
	Grievance Redress by GRCs	RMC/EADA	PMU/ESC																		
	Updating of Resettlement Budget (if	PMU/ESC	Consultant																		

necessary, in case of any delays or problems. Specific activities under LARP implementation to be monitored are as follows:

- (i) Information campaign and consultation with DPs on a continued basis;
- (ii) Status of land acquisition/purchase and payments of crop and tree compensations;
- (iii) Status of restoration of damaged community infrastructure (water pipelines, irrigation channels / watercourses, drains, roads, streets, etc.)
- (iv) Grievances redress activities.

111. The ESSU will be responsible for monitoring the day-to-day resettlement activities of the subproject. The socio-economic census and land acquisition data will provide the necessary benchmark for field level monitoring, to be carried out through:

- (i) Review of IOL/Census information for all DPs;
- (ii) Consultation and informal interviews with DPs;
- (iii) In-depth case studies;
- (iv) Informal sample survey of DPs;
- (v) Key informant interviews; and
- (vi) Community public meetings.

112. Based on the findings, a performance data sheet will be developed to monitor the project performance on LARP implementation at the field level. Quarterly reports will be received from the field office and ESSU will be responsible for overall project level monitoring.

13.2 Indicators for Monitoring and Evaluation

113. The following will be considered as the basis for indicators in monitoring and evaluation of the subproject's LARP implementation:

- (i) Socio-economic conditions of the DPs in the post-resettlement period;
- (ii) Communications and reactions from DPs on entitlements, compensation, options, alternative developments and relocation timetables etc.;
- (iii) Changes in housing and income levels;
- (iv) Valuation of property;
- (v) Grievance procedures;
- (vi) Disbursement of compensation; and
- (vii) Level of satisfaction of DPs in the post resettlement period.

13.3 Resettlement Databank

114. All the information concerning resettlement issues related to land acquisition, socio-economic information of the acquired land; inventory of crop and tree losses by individual DPs, compensation and entitlements and payments will be collected by ESSS and the Consultants through their concerned field offices and computerized by the ESC, at PMU in Rawalpindi, and AMIS in Lahore. This databank will form the basis of information for implementation, monitoring and reporting purposes and facilitate efficient resettlement management.

13.4 Reporting Requirements

115. The ESC responsible for supervision and implementation of LARP will prepare quarterly progress reports on resettlement activities and submit the same to the ADB for review and approval. The Resettlement Specialist (Consultant) will also conduct internal monitoring of the LARP implementation independently and submit quarterly reports to the AMIS and ADB. These internal quarterly monitoring reports will also highlight the bottlenecks and recommend ways and means to improve such problematic situations.

116. The external LARP monitoring consultant will submit a one-time consolidated review report directly to ADB and determine whether or not resettlement goals have been achieved, more importantly whether livelihoods and living standards have been restored/enhanced and suggest suitable recommendations for improvement. S/he will also provide a copy of the same report to PMU in Rawalpindi, AMIS in Lahore for information and successive necessary actions.

Appendix 1:

LAA Section 4 Notification and Land Price Assessment



The Punjab Gazette

PUBLISHED BY AUTHORITY

LAHORE SATURDAY DECEMBER 10, 2011

OFFICE OF THE DISTRICT COLLECTOR RAWALPINDI

Notification under section (4) of the land acquisition Act, 1894

No. 309/LAC/PC

Dated: 02-12-2011

- Whereas, it appears to the collector Rawalpindi district, Rawalpindi that the land is likely to be taken by government of the Punjab Agriculture Department, for public purpose namely "Establishment of Fruit & Vegetable Market Rawalpindi" at public expenses. It is therefore, hereby notified that the land locality described below is likely to be acquired for the above purpose.
- This notification is made under the provision of Section 4 of the Land Acquisition Act, 1894 to all whom it may concern.
- In exercise of the powers conferred by the aforesaid section, the Collector Rawalpindi district, Rawalpindi is pleased to authorized the officer / official for the time being engaged in the undertaking with there servants and workers enter upon and survey the land in the locality and do all other acts required or permitted by that section.

Note: Land upon which any religious shrine, tomb & graveyard or any immovable property attached to any institution shall be excluded from the said land WAQF and evacuee property and state land shall also be excluded.

Name of Mouza	Khasra Number	Area		Khasra Number	Area		Khasra Number	Area		Khasra Number	Area
		K	M		K	M		K	M		K
	804	4	19	841	13	11	876	18	19	913	4
	805	2	3	842	2	7	877	3	13	914	0
	806	2	6	843	2	9	878	6	15	916	2

Price Rs. 10.00 Per Page

(38613)

TOP
KALYAL
(TEHSIL
& DIST.
RWP)

807	1	2	844	2	8	879	1	6	917	1	7
809	0	3	845	2	12	880	1	14	918	4	17
810	1	5	846	1	13	881	2	14	919	0	13
811	1	11	847	2	7	882	4	17	920	2	2
812	2	9	848	2	17	883	4	18	921	2	3
813	4	5	849	7	12	884	6	14	922	4	7
814	2	11	850	2	18	886	1	0	923	3	10
815	4	18	851	1	0	887	2	10	925	3	6
816	1	3	852	3	14	888	3	4	926	4	9
817	6	11	853	0	17	889	3	3	927	4	13
818	1	3	854	0	17	890	7	17	928	3	16
819	3	9	855	2	5	891	9	11	929	5	9
820	1	18	856	0	5	892	3	5	930	1	14
821	1	16	857	1	12	893	11	10	931	1	15
822	2	4	858	2	3	894	10	4	932	1	6
823	5	3	859	4	4	895	3	8	933	1	6
824	3	14	860	3	1	896	1	13	934	1	6
825	5	1	861	1	8	897	2	9	935	1	5
826	1	16	862	2	4	898	1	11	936	0	9
827	7	8	863	6	5	899	6	8	939	3	14
829	3	0	864	6	19	900	2	11	941	5	14
830	4	17	865	1	13	901	2	9	942	3	4
831	5	2	866	1	7	902	2	10	943	10	8
832	4	7	867	2	15	903	1	7	944	5	15
833	1	16	868	19	18	904	13	2	945	11	3
834	1	6	869	3	18	906	2	13	946	4	12
835	1	3	870	2	19	907	8	6	947	2	6
836	3	16	871	9	1	908	5	19	948	2	19
837	7	16	872	65	4	909	5	1	949	4	6
838	1	1	873	2	0	910	1	18	950	2	3
839	3	3	874	5	0	911	2	9	951	2	17
840	2	4	875	11	19	912	2	2	952	2	9

TOP KALYAL (TEHSIL & DIST. RWP	953	6	13	987	1	3	1039	0	10	978	4	5
	954	2	4	988	1	19	1040	4	13	979	4	1
	955	5	16	989	2	16	1041	1	3	980	14	10
	956	4	7	990	4	4	1042	3	7	981	3	4
	957	13	7	992	2	11	1043	0	16	982	2	3
	958	4	17	993	2	11	1044	6	1	983	2	1
	959	5	12	994	3	5	1045	1	1	984	3	12
	961	26	15	995	3	3	1046	7	11	985	5	4
	962	5	17	996	2	9	1047	3	4	986	3	16
	963	5	14	997	9	6	1048	1	10	1010	3	13
	964	5	17	998	3	0	1053	2	8	1015	6	13
	965	4	12	999	3	10	1054	1	14	1017	5	8
	966	1	9	1000	5	7	1056	4	0	1018	3	5
	967	1	17	1001	7	8	1057	1	11	1020	3	12
	968	3	2	1002	2	11	1058	2	8	1022	3	0
	969	3	16	1003	2	19	1059	2	8	1023	3	0
	970	4	8	1004	5	19	1060	5	4	1024	3	10
	971	4	7	1005	4	0	1061	5	3	1027	5	11
	972	1	8	1006	0	19	1596 / 1011	2	3	1031	3	1
	973	7	18	1007	2	7	1597 / 1011	1	3	1038	38	1
	974	1	19	1008	2	3	976	2	1	0	0	0
	975	1	18	1009	4	12	977	1	14	0	0	0
KALYAM MUGHAL (TEHSIL & DIST. RWP	840	1	16	2615 / 836	5	0	0	0	0	GRAND TOTAL	991	07

Assistant Commissioner/
Land Acquisition Collector
Rawalpindi

District Collector
Rawalpindi

Administrator
Market Committee
Rawalpindi

From

The Additional District Collector
Rawalpindi

To

✓ The Administer,
Market Committee,
Rawalpindi.

No. 45

/LAC/ADC

Dated the 01st February 2011

Subject:

ACQUISITION OF LAND MEASURING 991 KANAL 07 MARLA FOR
ESTABLISHMENT OF FRUIT AND VEGETABLE MARKET IN
MOUZA TOPE KALYAL & KALYAM MUGHAL TEHSIL & DISTRICT
RAWALPINDI

Please refer to the subject cited above.

The price of land has been assessed by District Price Assessment Committee. You are requested to deposit the following estimated cost and 15% compulsory acquisition charges in Government Treasury at the earliest to proceed further in the matter:

Name of Village	Kind of Land	Area Under Acquisition		Approved Estimated Cost per Kanal As per DPAC	Total Cost.
		K	M		
Kalyam Mughal	Maira	06	16	Rs. 4,50,000/-	Rs. 30,60,000/-
Tope Kalyal	Khasra No. 804 to 871 & 927 to 944	279	02	Rs. 2,75,000/-	Rs. 7,67,52,500/-
	Khasra No. 872 to 926 & 945 to 1061	705	09	Rs. 2,25,000/-	Rs. 15,87,26,250/-
Total.					Rs. 23,85,38,750/-
15% Compulsory Acquisition Charges					Rs. 3,57,80,813/-
Grand Total.					Rs. 27,43,19,563/-

Katy Mughal
Additional District Collector
Rawalpindi

✓ No. & date even

A copy for favour of information is forwarded to the District Coordination Officer, Rawalpindi.

Katy Mughal
Additional District Collector
Rawalpindi

From

The Additional District Collector
Rawalpindi.

To

The Director
Market Committees
Provincial Fund Board
Government of the Punjab
Agriculture Department, Lahore

No. 82 /LAC/ADC

Dated 04-04-2014

Subject:

AFRESH NOTIFICATION UNDER SECTION 4 OF LAND
ACQUISITION ACT 1894 FOR FRUIT & VEGETABLE MARKET
RAWALPINDI

Please refer to your office letter No. DIR(FB)X-2/84-A dated 17.03.2014 received through the District Coordination Officer, Rawalpindi vide his office diary No. 1321 dated 22.03.2014, on the subject cited above.

2 It is informed that fresh notification can not be issued in presence of an earlier notification. If department desires to move a fresh notification, the earlier one needs to be withdrawn by department. You are therefore requested to withdraw the earlier notification in the first instance. Once that is done, new notification can be moved after that. It is further informed that fresh notification has to be moved by department on prescribed format.

3 Regarding question of invoking Section 17 or 5, it is informed that it is the acquiring department who moves these notification and not this office.

Atiq Ahmad
Additional District Collector
Rawalpindi

No. & date even

A copy for favour of information is forwarded to the District Coordination Officer, Rawalpindi, w.r.t. above quoted letter.

Atiq Ahmad
Additional District Collector
Rawalpindi

2
To circulate
proven all

No. 9210712.

No. 2659-98/14-75 -S.(IV),
Board of Revenue, Punjab,
Lahore, dated the Dec; 1998.

From

The Board of Revenue, Punjab.

To

- 1) All the Commissioners,
in the Punjab;
- 2) All the Deputy Commissioners,
in the Punjab;

5482/100-B
9/12/98

SUBJECT: ACQUISITION OF LAND-IMPLEMENTATION OF LAND
ACQUISITION RULES 1983.

MR. IMTIAZ MASRUR, MEMBER (REVENUE), BOARD OF REVENUE, PUNJAB, LAHORE.

Memorandum:

In Writ Petition No. 2694/90 the Hon'able Full Bench of
Lahore High Court, Lahore, has decided that the rule 7 and 8 framed for
the Land Acquisition Rules 1983 are ultra vir es. The Hon'able court has
observed as under:-

" We, therefore, hold that both Rules 7 & 8 of the Rules
are ultra vires the Act and declare them to be bad in
Law and strike them down as being of no legal affect
leaving the competent legislature to make suitable
amendments by fresh legislation."

You are, therefore, requested that in the light of the
Judgement of the Hon'able Lahore High Court, Lahore, that the rule 7 & 8
are declared ultra virse and not applicable in future and case of 60 days
extension in acquisition cases may not be forwarded to the Board of
Revenue and the case be processed under land Acquisition Act, 1894,
accordingly.

SECRETARY (SETTLEMENTS),
BOARD OF REVENUE, PUNJAB.

2284/W/10
10-12-98

A copy forwarded to all H.O.s

910

Appendix 2: List of Officers Contacted

A. Orientation Meetings with Government Officers

a. Meetings in Lahore (11 - 13 March 2014):

1. Mr Muhammad Ajmal, Project Manager AMIS; He organized my contact/meeting with following people.
2. Mr. Rizwan Mehboob, Special Secretary AIMS (He was on long leave; Mr Ajmal explained to him by phone my purpose of visit, and he advised us to meet directly with Secretary Agriculture).
3. Dr. Ejaz Munir, Secretary Agriculture, Lahore
4. Mr. Muhammad Aqil Butt, Deputy Director, P&D Cell, Department of Agriculture.

b. Meetings in Rawalpindi (Repeated Meetings: 25 March to 08 April 2014):

1. Mr. Muhammad Zia Satti, EADA AMIS, Rawalpindi,
2. Mr. Raja Jahandad, Chairman, Market Committee, Rawalpindi,
3. Mr. Azhar Hussain, Secretary, Market Committee, Rawalpindi,
4. Mr. Talat Mehmood Gondal, Assistant District Collector (Revenue), Rawalpindi,
5. Mr. Muhammad Fayyaz Malik, Land Acquisition Collector, Rawalpindi District.

Appendix 3: List of Landowners by Size and Percentage of Affected Lands

Sr. No.	Name of Landowner	Total Land (Kanals)	Affected Land (Kanals)	Percentage of Affected Land
1	Basharat Mehmood S/o Muhammad Hanif	560.00	40.45	7.22
2	Sardar Muhammad Rafique S/o Allah Ditta	500.00	36.40	7.28
3	Rao Farman Ali S/o Abdul Rehman	428.00	28.00	6.54
4	Mehmood Hussain S/o Sakhi Muhammad	36.00	1.95	5.42
5	Ch. Muhammad Hussain S/o Ch. Sain	350.00	21.85	6.24
6	Parveen Shafique W/o Shafique Khan	30.00	1.70	5.67
7	Sayed Haider S/o Haider Ali	42.00	2.00	4.76
8	Muhammad Riaz, Muhammad Riasat S/o Mohabbat Hussain	120.00	6.85	5.71
9	Abdul Rehman S/o Muhammad Khan	13.00	0.40	3.08
10	Kalo S/o Wali Muhammad	25.00	0.40	1.60
11	Muhammad Qadeer S/o Gul Zaman	22.50	0.30	1.33
12	Gul Nazir S/o Gul Zaman	42.00	0.50	1.19
13	Muhammad Nazir S/o Gul Zaman	23.00	0.30	1.30
14	Ali Zaman S/o Wali Muhammad	27.50	0.30	1.09
15	Siraj Din S/o Kamal Din	12.50	0.20	1.60
16	Qari Barkat Ullah Rabbani S/o Khan Gee	64.00	1.00	1.56
17	Muhammad Yaqoob, Muhammad Ayub S/o Muhammad Yousaf	375.00	25.80	6.88
18	Muhammad Ashraf S/o Allah Ditta	67.50	5.10	7.56
19	Nuzhat Jan W/o Sardar Muhammad Rafique	48.00	2.60	5.42
20	Taj Muhammad Rizwi S/o Sharf Ali	74.00	4.10	5.54
21	Muhammad Faryad S/o Muhammad Hussain	53.00	1.50	2.83
22	Muhammad Missri Chohan S/o Noor Wali Khan	28.00	0.30	1.07
23	Ayesha Farman W/o Rao Farman Ali	8.00	0.40	5.00
24	Shamim Bibi W/o Khan Zaman	10.00	0.30	3.00
25	Muhammad Rafique S/o Muhammad Ismail	16.00	0.75	4.69
26	Muhammad Shabir S/o Said Wali	18.00	0.40	2.22
27	Abdul Ghani S/o Sada Khan	32.00	0.80	2.50
28	Ghulam Nabi Pardesi S/o Molvi Ismail	7.50	0.25	3.33
29	Shoukat Ali S/o Tofel Din	9.00	0.25	2.78
30	Tazeem Akhtar D/o Haider Zaman	3.50	0.25	7.14
31	Salma Sadiq D/o Abdul Hameed	17.50	0.55	3.14
32	Munawar Jabeen Kiyani W/o Manzoor Hussain	12.50	0.25	2.00
33	Mudassar Ali S/o Abdul Hameed	23.00	1.00	4.35
34	Nosheen Shahid W/o Shahid Mehmood	14.50	0.50	3.45

35	Kalsoom Akhtar D/o Ali Muhammad	3.50	0.15	4.29
36	Muhammad Ibrahim S/o Hazrat Noor	8.00	0.40	5.00
37	Noor Din S/o Sain	11.00	0.25	2.27
38	Muhammad Sadiq, Walayat Hussain	24.00	1.20	5.00
39	Sakhawat Hussain, Fazaldad	20.00	0.30	1.50
40	Saeed Zaman 1/4, Muhammad Azad, Qamar Zaman, Muhammad Zaman 2/5,	18.00	0.15	0.83
41	Farukh Parveen D/o Abdul Almas	2.50	0.05	2.00
42	Riasat Hussain S/o Mohabbat Khan	28.00	0.80	2.86
43	Muhammad Riasat Khan, Liaquat Ali Khan	20.00	0.75	3.75
44	Adeel Ahmad S/o Muhammad Sharif	25.00	1.00	4.00
45	Muhammad Asif S/o Mehboob Elahi	30.00	1.55	5.17
46	Muhammad Rasheed S/o Muhammad Gee	32.00	1.50	4.69
47	Khalid Mehmood S/o Muhammad Afsar	15.00	0.30	2.00
48	Resham Jan	6.25	0.35	5.60
49	Khurshid Alam S/o Muhammad Alam	7.50	0.20	2.67
50	Ghos Muhammad S/o Moladad	80.00	1.10	1.38
51	Saleem Akhtar W/o Muhammad Sabir	2.40	0.05	2.08
52	Tanveer Ahmad, Ziafat Ahmad, Adeel Ahmad S/o Muhammad Sharif	32.00	0.10	0.31
53	Kosar, Shazia D/o Muhammad Shaif	5.00	0.10	2.00
54	Abdul Ghafoor S/o Shah Nawaz	21.00	0.60	2.86
55	Ameer Jan, Elahi Jan, Kaneez Fatima	24.00	0.90	3.75
56	Zareef Khan S/o Akram	26.00	0.35	1.35
57	Parvez Akhtar, Nisar Ahmad S/o Raj Wali	24.00	1.00	4.17
58	Muhammd Sharif, Muhammad Iqbal, Muhammad Hanif, Muhammad Siddique, Zohra Begum	37.00	0.30	0.81
59	Muhammad Zamurad, Wahid Hussain	102.00	0.35	0.34
60	Kamran Ali S/o Muhammad Sabir	96.00	0.25	0.26
61	Muhammad Ramzan S/o Mir Zaman	48.00	0.35	0.73
62	Muhammad Riaz, Riasat Hussain	82.00	5.70	6.95
63	Ameer Ahmad S/o Mir Kabul	37.00	0.15	0.41
64	Muhammad Bashir S/o Fazal Din	14.00	0.10	0.71
65	Muhammad Sarwar S/o Mir Zaman	160.00	12.00	7.50
66	Siddique S/o Farman Ali	12.00	0.20	1.67
67	Muhammad Aslam S/o Shah Gee	12.00	0.10	0.83
68	Khan Muhammad S/o Sawar	9.50	0.15	1.58
69	Muhammad Hussain S/o Fatima Bee	10.00	0.20	2.00
70	Iftikhar Ahmad S/o Abdul Rehman	24.50	0.70	2.86
71	Rifat Parveen D/o Abdul Rehman	6.00	0.35	5.83
72	Nighat Parveen, Robina Shaheen	25.00	1.20	4.80

73	Raja Asif Mehmood S/o Raja Muhammad Fazal	36.00	0.75	2.08
74	Raja Muhammad Sadiq S/o Raja BalochKhan	52.00	0.45	0.87
75	Javed Iqbal S/o Abdul Rehman	5.80	0.10	1.72
76	Muhammad Shah S/o Fatima Bee	3.50	0.15	4.29
77	Zahor Ahmad S/o Karamat Hussain	87.00	6.25	7.18
78	Khalid Mehmood S/o Karamat Hussain	12.00	0.18	1.46
79	Abdul Shakoor S/o Manzoor Hussain	19.00	0.05	0.26
80	Qasim Zia S/o Manzoor	3.50	0.05	1.43
81	Sobia Manzoor D/o Manzoor	2.00	0.03	1.50
82	Muhammad Ramzan S/o Nazakat Hussain	27.00	0.45	1.67
83	Sultan Mehmood S/o Muhammad Nazir	34.00	0.35	1.03
84	Fazal Hussain S/o Nazir	34.00	0.35	1.03
85	Rozma D/o Nazir	52.00	0.17	0.33
86	Barkat Jan W/o Nazir	10.00	0.30	3.00
87	Qaiser Sultan	37.00	2.00	5.41
88	Muhammad Siddique S/o Ramzan	62.00	3.80	6.13
89	Sajjad Ahmad S/o Muhammad Shabir	24.00	0.60	2.50
90	Mehmood Akhtar S/o Fatima Bibi	5.00	0.10	2.00
91	Hameed, Qamar, Javed Iqbal	22.00	0.70	3.18
92	Kosar Jan, Fazal Jan	6.00	0.10	1.67
93	Asif Mehmood S/o Muhammad Sadiq	12.00	0.35	2.92
94	Dunya Bee D/o Muhammad Azam	1.20	0.05	4.17
95	Abdul Razaq S/o Mirza	3.50	0.10	2.86
96	Maalik Hussain S/o Muhammad Hussain	17.50	0.10	0.57
97	Bakhat Anwar D/o Daud	8.00	0.10	1.25
98	Mehboob Elahi S/o Bostan	14.00	0.40	2.86
99	Rukaiya D/o Daud	4.00	0.25	6.25
100	Ashiq Hussain S/o Majeed	2.00	0.05	2.50
101	Muhammad Riasat, Muhammad Ziafat	13.60	0.70	5.15
102	Rasheeda Begum etc. D/o Sawar Khan	2.40	0.05	2.08
103	Sarwar Jan W/o Sarwar	3.00	0.15	5.00
104	Muhammad Zahid S/o Sajawal Khan	6.00	0.35	5.83
105	Farman Ali S/o Sultan	28.00	1.90	6.79
106	Kareem Bakhsh S/o	17.00	0.45	2.65
107	Muhammad Sarwar S/o Fazal	53.00	3.50	6.60
108	Aftab Ahmad S/o Riasat	13.00	0.70	5.38
109	Abdul Kareem S/o Muhammad Sadiq	12.50	0.75	6.00
110	Ghulam Rabbani etc. S/o Fazal Elahi	12.00	0.35	2.92
111	Jhandad S/o Sharif	6.50	0.25	3.85
112	Muhammad Zaman S/o Jaffar	28.00	2.10	7.50

113	Mukhtar Khan	4.50	0.10	2.22
114	Kazam Khan	4.00	0.20	5.00
115	Raj Wali, Rukiya Begum etc.	37.00	2.05	5.54
116	Muhammad Nawaz, Muhammad Zahid,	42.00	2.55	6.07

Appendix-4: Record of Consultations and PIB Distribution

1. The consultation process was initiated by holding an Introductory Meeting with the affected persons (APs) of the Punjab Wholesale Market Project in Rawalpindi on April 17, 2014. The meeting was convened with the assistance of the following persons:

- (i) Raja Jahandad, Chairman, Rawalpindi Market Committee (RMC);
- (ii) Azhar Hussain, Secretary, Rawalpindi Market Committee (RMC);
- (iii) Raja Farooq Ahmed, Real Estate Consultant (Property Dealer);
- (iv) Haji Khalid Mehmood, Real Estate Consultant (Property Dealer); and,
- (v) Aurang Zeb Khan, Patwari, Kalyam Mughal Circle.

2. Some 30 affected landowners had gathered at the old Quaid City office. The Resettlement Specialist explained the purpose of the meeting as:

- (i) Land Acquisition for establishment of Rawalpindi Wholesale Market (RWM) by the Government of Punjab Province, with technical and financial assistance from Asian Development Bank (ADB).
- (ii) Resettlement Policy principles as laid down in ADB's Safeguard Policy Statement, 2009.
- (iii) Preparation of Land Acquisition and Resettlement Plan (LARP), a pre-requisite for ADB loan approval, for which Resettlement Field Surveys (RFS) will be conducted.
- (iv) RFS will include, detailed Inventory of Losses (IOL), Socioeconomic Survey and Meaningful Consultations with All the Affected Persons, including Landowners and Hut-Dwellers Tenants.
- (v) Their cooperation and assistance was requested for successful completion of RFS.

3. Initially, the participants responded quite positively by welcoming the guests and promised all possible assistance in RFS. But soon the crowd turned furious over extremely slow process of land acquisition. The crowd was led by 72 years old Chaudhry Riasat, Number (Village Headman) of Tope Kalyal village, who said:

- (i) The government issued section 4 notifications for land acquisition in December 2011 and the land prices were assessed by a committee in January 2012 but after that no action was taken by the government to complete the land acquisition process by paying us land compensation and taking possession of the land.
- (ii) Though the land price assessment has not yet been disclosed by the government, yet we came to know unofficially that the land prices had been assessed far lower than the current land prices.
- (iii) We want the process be completed with compensations paid to all the affected landowners and the land possessed by the government

immediately, and not waste our time by data collection and holding conferences.

- (iv) Do not come to us empty-handed, pay us the money and take the land; do not waste our time; we are busy people and have been waiting for the money for more than two years.

4. The RMC officials and RS told them that the land acquisition process suspended for short of funds, and now as ADB has agreed to provide a loan for the Project, the government would soon resume the activity by transferring funds to DCO for onward payment of compensation to them. They were further told that ADB will monitor the process strictly to make sure that all grievances are redressed amicable and they are paid their due compensation satisfactorily prior to possession of land before approving the loan.

5. But they said they would not believe in anyone from the government until they receive compensation cheques. Meanwhile, almost all the participants skipped the noisy scene so fast that even their names could not be recorded, except the remaining participants: (1) Chaudhry Riasat, Numberdar, (2) Sajjad Ahmed Chohan and (4) Kashif Bashir.

6. Among them only Chaudhry Riasat is AP, while the other three men are non-APs but positive-minded voluntary community activists. When Chaudhry Riasat left, Raja Farooq Ahmed, Sajjad Ahmed and Kashif Bashir, the voluntary community activists, stayed back to console and guests and to assure all possible assistance to RS in conducting RFS satisfactorily. The RS together with planned for conducting informal consultations with individual and small groups of APs, side by side with socioeconomic surveys. To obtain a larger representation, the sample size was then increased from the required 10% to 20%.

7. The results of those informal consultations were included in the First Daft of LARP, dated July 28, 2014. But ADB review pointed out that the process and results those informal consultations were found not meeting the SPS requirements, and therefore instructed the RS to do additional work on conducting consultations in a proper manner. Thus, RS resumed the field work as follows:

Formal Consultations

8. **September 1, 2014 (Monday):** RS held a meeting with EADA (E&C) and Secretary, RMC to explain further requirement for and to plan for conducting proper consultations with all APs to meet the SPS requirement for LARP preparation. The Secretary RMC and RS made telephone calls to the three activists, namely, Raja Farooq Ahmed, Sajjad Chohan and Kashif Bashir to make appoint for a meeting with them regarding some additional field work on LARP. They agreed to hold the meeting on Thursday (September 4, 2014).

9. **September 4, 2014 (Thursday)**: RS and EADA held a meeting with the three activists, wherein they explained the additional work requirement and requested them for assistance on a priority basis, so that LARP could be revised accordingly at the earliest possible. They agreed to provide all out help but advised RS to wait patiently for a week or two so that they could convince the APs to actively participate in the consultation sessions. They said a weekend should be preferred for holding consultation meetings, as most APs are employed and running small businesses in Rawalpindi and Islamabad, and thus, they are not available during the normal workdays.

10. Subsequently, RS and EADA kept making telephone calls off and on to the activists to get a green signal from them. Finally, activists confirmed on September 12, 2014 (Friday) that they were able to convince some 40 APs to participate in a consultation meeting on September 14, 2014 (Sunday).

11. **September 14, 2014 (Sunday)**: The first formal consultation session was held at Tope Kalyal village with a total of 38 participants (37 APs, Landowners, and 1 companies' representative; List attached herewith), on September 14, 2014 (Sunday), from 10:00 to 12:30 hours. The discussions are summarized as follows:

- (i) APs are aware that the government is planning to acquire their lands for establishing a modern wholesale market, as per the LAA section 4 notification of December 2011.
- (ii) They also know the land prices were assessed by an independent committee in consultation with local land dealers and village representatives.
- (iii) Though the land prices have not yet been officially disclosed to them but they have come to know the prices, which are far lower than the current land prices.
- (iv) They are willing to let the government acquire their lands as they have been waiting for buyers for their lands for over 30 years.
- (v) Land acquisition and establishment of a wholesale market would be beneficial for them in terms of rapid sales and increased prices of their remaining lands.
- (vi) They would certainly lodge their complaints and grievances to make sure that they get a good land compensation based on the current market prices of similar lands in the area.
- (vii) However, they assured that they would not cause a fuss nor create unnecessary hurdles to land acquisition process, as they expect it to trigger land sales and price hike in the area.
- (viii) The government has already delayed the process for about three years, which is too long a time in waiting for them, and further delaying the process may cause them higher compensation costs.

- (ix) If the government is not willing to acquire the land within this year, it should remove section 4, so that they are free to sell the lands to any future buyers.
- (x) The ADB resettlement policy is highly appreciable and it must be followed by the government in its true spirit to safeguard APs concerns and interests amicably.

12. **September 21, 2014 (Sunday)**: The second consultation meeting, scheduled on September 21, 2014, could not be conducted because of absence of participants; only 12 men showed up, which included 9 men who had already attended the first meeting and 3 new APs. The 9 men came to help in gathering other APs for the second meeting. They included 2 activists, namely: (1) Sajjad Chohan and (3) Kashif Bashir; and 7 APs (Landowners), namely, (1) Gul Nazir, (2) Maalik Hussain, (3) Mohd. Zaman, (4) Fazal Hussain, (5) Mehboob Elahi, (6) Aftab Ahmed and (7) Mehmood Husain. The new APs included, (1) Qaisar Sultan, (2) Abdul Kareem and (3) Mehmood Akhtar.

13. After waiting for about half an hour, they decided to call the APs individually. Mr. Sajjad Chohan (Non-AP Activist) and Aftab Ahmed (AP) went for door-to-door knocking but returned after about one hour with no AP accompanying. They had knocked at the doors of the following 16 APs:

- (i) Muhammed Shah – Not Available
- (ii) Abdul Razzaq – Sick, lying in bed
- (iii) Mehmood Akhtar – Not Available
- (iv) Kazam Khan – Sleeping, had traveled all night before
- (v) Farman Ali – Not Available
- (vi) Mukhtar Khan – Child Sick
- (vii) Ghulam Rabbani – Not Available
- (viii) Muhammed Qadeer – Not Available
- (ix) Ali Zaman – Not Available
- (x) Muhammed Sadiq – Not Available
- (xi) Shaukat Ali – Not Available
- (xii) Saeed Haider – Wife Sick
- (xiii) Siraj Din – Not Available
- (xiv) Abdul Ghani – Not Available
- (xv) Muhammed Ibrahim – Sick, sleeping.
- (xvi) Ameer Ahmed – Not Available

14. **September 23-24, 2014 (Tuesday)**: Having had difficulties with finding APs and convincing them to participate in the Consultation sessions, the Specialist held a meeting with EADA (E&M) Rawalpindi on 23rd September 2014 (Tuesday) to discuss and find out a way to complete the task. Together, they came up with the following strategy:

- (i) To reach all the male APs by involving also their women along with the female APs in consultations and thereby to also achieve a possible level of gender-balance; and,
- (ii) To explain and distribute Urdu Translation of Project Information Brochure (PIB) in the same sessions, to avoid further delay in the consultation and information disclosure processes.

15. Thus, Ms Shameen Khan, Female Resettlement Assistant was called back for holding Consultation sessions with the Women of Landowners and Tenants, including Female Landowner APs. Moreover, the English version of PIB was translated into Urdu language and reproduced for explanation and distribution to the APs and their relatives in the same Consultation sessions.

16. The Resettlement Specialist and Female Assistant visited Tope Kalyal village and hut-dwellers at the site on 24th September 2014 (Wednesday) to make arrangements for holding consultation and PIB distribution sessions with the APs, particularly the with landowner and tenant women. They spent almost the whole day in meeting the villagers and upon suggestion from tenant women, met with Gulab Khan (Patron) at his office in Bahria Town.

17. Through all those efforts, consultation sessions with the tenant and landowner women and tenant men were organized for ring the next weekend. Consultations with male landowners had already been organized though the two activists (Sajjad Chohan and Kashif Bashir) during a wedding ceremony in village over the same weekend. The same arrangement was reconfirmed with the activists.

18. **September 26, 2014 (Friday):** Two consultation sessions were held with the Hut-Dweller (Tenants), separately with 21 women in the afternoon and with 9 men in the evening.

19. **Tenant Women Session: 15:00 to 18:00 Hours:** The Female Assistant (Ms Shameen Khan) gathered a total of 21 women at Charmagh cluster of huts and explained project purpose, land acquisition requirement and ADB Resettlement Policy to them, and asked for their responses. The responses of women participants are summarized as follows:

- (i) We know that the government intends to acquire this land for constructing a Wholesale Market, and we will have to vacate this land and shift elsewhere.
- (ii) We have been hearing this for several years but so far nothing has happened.
- (iii) We thought the government might have changed its plans, and may not be require us to relocate. As and when we get a final say from the

landowners or Gulab Khan in this regard, we will move away from here without any delay. We are willing to vacate the land when are required to do so.

- (iv) Construction of a mud-thatched hut is totally a family activity done collectively by the men and women of the same families and clans.
- (v) All the families are headed by men, and there is no woman-headed family among them.
- (vi) Our overall patron and decision-maker is Gulab Khan, Contractor, with whom our men work as subcontractors for providing heavy equipment services (dumpers, excavators, shovels).
- (vii) Gulab Khan and our elders will decide where to we relocate and our young men and we the women will follow their decision and reconstruct our huts at the new place/s.

20. Tenant Men Session: 18:30 to 21:00 Hours: In response to the Resettlement Specialist's request two days earlier, Mr. Gulab Khan (Patron) had called the tenants for the consultation session. All the 3 cluster-heads and 5 family-heads of tenants participated in the consultation and PIB distribution session held at Gulab Khan's house. After project introduction and explanation of the agenda, Mr. Gulab Khan played a leading role and the 3 cluster-heads participated actively in the discussions, as summarized below:

Gulab Khan said:

- (i) "I hired and brought all these hut-dwellers to work for me as my subcontractors, and I take care of their purchase of heavy equipment under my guarantee, provision of work, land for housing (huts) and financial and legal assistance, and even resolving even their internal disputes.
- (ii) The land they are occupying now was arranged by me through informal deals with landowners and I collect the nominal land rent from them and pay in bulk to the respective landowners.
- (iii) The informal deal is that whenever the landowners require, they will have to vacate the land within 15 days, and they are all bound by that informal agreement.
- (iv) I had informed them all regarding land acquisition by the government some 3 years ago and they had agreed to move out of this land as and when they are given a final notice. But then, the land acquisition got suspended for whatever reason/s and landowners kept quiet, so we thought the land may not be acquired by the government.
- (v) I have even made alternative arrangements for their relocation on the vacant lands owned by the same landowners across the nullah (water-stream) on the same conditions and land rent.

Cluster-Heads and Tenants:

- (i) All the hut-dweller tenants expressed their unconditional willingness to vacate the land within 15 days after the landowners require them to do so.
- (ii) Only Gardai cluster tenants (10 families) are willing to move to the lands across the nullah, while the Charmagh cluster (8 families) and Nullah-side cluster (4 families headed by Nawab Khan) would prefer to move near Rawat town to be close to their respective relatives and workplaces.
- (iii) The government normally does not pay any compensation to informal settlers. They appreciated ADB's policy on resettlement for persuading the government to pay them compensation for their movable assets (huts and handpumps); they as tenants do not deserve any land compensation.
- (iv) None of the tenants' families is poor, woman-headed or vulnerable, and they said they can easily afford to relocate and reconstruct their huts and handpumps within 15 to 30 days.

21. **September 27, 2014 (Saturday):** The Female Assistant went door-to-door in the village to gather a total of 40 women, 27 female APs and 13 close relatives, mostly wives of the male APs, to obtain a possible level of gender participation in the consultation and information disclosure session. It took her a total 3.5 hours (from 15:00 to 18:30 hours). She explained the project's land acquisition process, ADB policy on involuntary resettlement (SPS), and agenda for the meeting. But Urdu PIB was not distributed to them as most of them are illiterate and they wanted their men to take care of all those outdoor activities. Their responses are summarized below:

- (i) The landowner women are aware of the project and land acquisition by the government but they expressed a dire concern and disappointment over its prolonged suspension of the process.
- (ii) They are very much willing to let their lands be acquired by the project provided they are paid a fair compensation based on the current market rates.
- (iii) They had set this land aside for sale some 30 years ago, whether government or a private party, and since then they have not cultivated any crop on these lands.
- (iv) However, they said the land mutation and assessment and receipt of compensation should totally be dealt with their men and the women should not be dragged into such cumbersome outdoor tasks.
- (v) They trust their men and would authorize them to take care of all outdoor activities related to land transfers and receiving compensations.

22. **September 28, 2014 (Sunday):** Following the recommendation of the two activists, the Resettlement Specialist made a successful use of the villagers' gathering at

a wedding ceremony in Top Kalyal village. He arrived there at 9 AM and started consultation and PIB distribution session with a small group of Landowner APs which gradually increased over 60 participants. He repeatedly stated the purpose and agenda of the consultations, and distributed and explained Urdu version of PIB to the participants. Their collective responses are summarized below:

- (i) All the APs are aware that the government's intention to acquire their lands for establishing a modern wholesale market, as per the LAA section 4 notification of December 2011.
- (ii) The APs are also aware of the land prices assessment by a committee which had also consulted local dealers and village leaders.
- (iii) They have come to know that the assessed prices are based on 2011-12 land prices, which would need to be updated to match the current market prices of the lands.
- (iv) All the landowners approve the land acquisition, and none of them has so far opposed it.
- (v) They had abandoned the lands from crop cultivation some 30 years ago and since then they have been waiting the buyers but they were not able to sell it out.
- (vi) The notice for land acquisition proved a positive sign for them but that one also got delayed for some 3 years for reasons not known to them; what a bad luck.
- (vii) The government has already delayed the process for about three years, which is too long a time in waiting for them, and further delaying the process may cause them higher compensation costs.
- (viii) The ADB resettlement policy is highly appreciable and it must be followed by the government in its true spirit to safeguard APs concerns and interests amicably.
- (ix) They wondered why so much time is being wasted on data collection and holding repeated meetings with them? Why does the government not making it a simple transaction by paying the price and possessing the land? Is it not a delaying tactic being played with them?
- (x) Whether a simple or complicated process, the landowners may eventually get paid for their lands, but not for the time consumed by data collection and a series of meetings; time is money.
- (xi) Land acquisition and establishment of a wholesale market would be beneficial for them in terms of rapid sales and increased prices of their remaining lands.
- (xii) They would certainly lodge their complaints and grievances to make sure that they get a good land compensation based on the current market prices of similar lands in the area.
- (xiii) They assured that they would not cause any difficulties for the government in land acquisition, as it will bring about further land sales and land price increases in the area, and they can sell their remaining lands for far higher prices.
- (xiv) If the government is not willing to acquire the land within this year, it should remove section 4, so that they are free to sell the lands to any future buyers.

23. During the discussions some landowners slipped out of consultation session without saying anything, and their names and signatures could not be recorded. To make

up for the loss, another consultation session was necessary, and the two activists were requested to kindly arrange another and final session within the next few days. They responded immediately by arranging another and final session after two days.

24. **September 30, 2014 (Tuesday)**: This final session was held with a group of 10 landowners for 1.5 hours (04:00 to 5:30 PM). The Resettlement Specialist, after explaining the ADB safeguard policy (involuntary resettlement), purpose of consultation and Urdu PIB, asked them to discuss and spell out their views and concerns regarding the land acquisition. Their responses are summarized below:

- (i) They reported that they had already heard about the proceedings of earlier consultation sessions and the responses of their fellow villagers, and they consented with the same.
- (ii) They stressed on the need for speeding up the land acquisition process or cancelling section 4 notifications to free them to look for some other land buyers.
- (iii) They also requested for the reassessment and updating of the land prices according to the current open market rates.
- (iv) Their lands being far away from the village, rainfed and marginally productive, with uneconomic crop farming were abandoned in a hope to sell out and make some money but their luck has not been with them for as long as 30 years.
- (v) They said, enough is enough, they have been looking for land buyers for 30 years, and waiting for the government's land acquisition for 3 years and both have failed; they feel quite helpless.
- (vi) All the landowners are very much willing to sell the lands and none of them is even thinking of resuming crop cultivation on the same land.

25. The consultation and PIB distribution process was concluded with this final session, as all the APs were consulted in person or through their women and close relatives and Urdu PIB was distributed to them quite successfully. The process of consultation, however, was quite difficult as the APs, particularly the landowners, had lost any hope in land acquisition by the government as no further action was taken by the government after the section 4 notification and land price assessment almost 3 years ago. However, dedicated and repeated efforts for about one month and adoption of workable strategies made it possible. In total, some 173 APs participated in the consultation sessions and a total of 161 copies Urdu PIB were distributed and explained to them. As a result, all the APs were successfully reached and involved by themselves or through their women or close relatives in the process of meaningful consultation and information disclosure, as an essential part of this Land Acquisition and Resettlement Plan (LARP).

Landowners: 38 men 1/2

①

Punjab Wholesale Market Project in Rawalpindi
LARP Consultations: LIST OF PARTICIPANTS

Venue: TOPE KALYAL Date: 14-9-14 Time: From 10:00 To 12:30
Participants' Group: Landowners Tenants Gender: Men Women Size (No.): 37

No.	Name of Participant	DP/Other	Signature/Thumb-Mark
1	Basharat Mehmood S/o M. Hanif	DP	
2	Sultan Mehmood S/o M. Nazir	DP	
3	Muhammad Yaqub S/o M. Yusuf	DP	
4	Gul Nazir S/o Gul Zaman	DP	
5	Muhammad Ashraf S/o Allah Dita	DP	
6	Mehboob Elahi S/o Bostan	DP	
7	Mudassar Ali S/o Abdul Hameed	DP	
8	Aftab Ahmad S/o Riasat	DP	
9	Muhammad Ayub S/o M. Yusuf	DP	
10	Ch. M. Hussain S/o Ch. Sain	DP	
11	Sakhawat Hussain	DP	
12	Ch. Riasat Hussain S/o Mohabbat	DP	
13	Parvez Akhtar S/o Raj Wali	DP	
14	Hafiz Ahmad S/o Abdul Rahman	DP	
15	Ghous Muhammad S/o Moladad	DP	
16	Abdul Ghaffoor S/o Shah Nawaz	DP	
17	M. Zahid S/o Sajawal Khan	DP	
18	Ashiq Hussain S/o Abdul Majeed	DP	
19	M. Zaman S/o Jaffar	DP	
20	Azif Mehmood S/o M. Sadiq	DP	

2/2

Punjab Wholesale Market Project in Rawalpindi
LARP Consultations: LIST OF PARTICIPANTS

Venue: TOPE KALYAL Date: 14-9-14 Time: From 10:00 To 12:30
 Participants' Group: Landowners Tenants Gender: (Men) Women Size (No.): 37

No.	Name of Participant	DP/Other	Signature/Thumb-Mark
21	M. Siddique S/O M. Ramzan	DP	
22	Zahoor Ahmad S/O Karamat Hussain	DP	
23	Raja M. Sadiq S/O Raja Balouch Khan	DP	
24	Maalik Hussain S/O M. Hussain	DP	
25	Fazal Hussain S/O Nazir	DP	
26	Siddique S/O Farman Ali	DP	
27	Khan Muhammad S/O Sarwar	DP	
28	M. Riay S/O Mohabbat Hussain	DP	
29	M. Sarwar S/O Mir Zaman	DP	
30	M. Rafique S/O M. Ismail	DP	
31	Taj M. Rizwi S/O Sharf Ali	DP	
32	Kalo S/O Wali Muhammad	DP	
33	Sardar M. Rafique S/O Allah Ditta	DP	
34	M. Zahid S/O Sajawal Khan	DP	
35	Abdul Rehman S/O M. Khan	DP	
36	Ghulam Nabi S/O Molvi Ismail	DP	
37	Adul Ahmed S/O M. Shareef	DP	
38	Raja Farooq Ahmad (Company Rep)	Dealer	

Res. #

(2)

Tenants (Women) = 21 ^{1/2}

Punjab Wholesale Market Project in Rawalpindi
LARP Consultations: LIST OF PARTICIPANTS

Venue: Charmagh's Date: 26.09.2017 Time: From 15:00 To 18:00
 Participants' Group: Landowners Tenants Gender: Men Women Size (No.): 21

No.	Name of Participant	DP/Other	Signature/Thumb-Mark
1.	Lajbara w/o Charmagh.	w/o	
2.	Sakeen w/o Zokhan.	w/o	
3.	Ramona w/o Ashraf Khan.	w/o	
4.	Sultain Bibi w/o Shaukat Khan.	w/o	
5.	Badranger w/o Toke Khan.	w/o	
6.	Laila w/o Nazar.	w/o	
7.	Gul Makai w/o Zahid Khan.	w/o	
8.	Banata w/o Gardai.	w/o	
9.	Anara w/o Akhtar.	w/o	
10.	Zar Lasht w/o Rangzan Khan.	w/o	
11.	Amina w/o Jan Bag.	w/o	
12.	Perveen w/o Rehman Khan.	w/o	
13.	Naima w/o Taweez Khan.	w/o	
14.	Kabala w/o Khudai Noor.	w/o	
15.	Rauqai w/o Najar Khan.	w/o	
16.	Hanra w/o Nisab Khan.	w/o	
17.	Patasa w/o Agal Khan.	w/o	
18.	Shah Nazim w/o Pindak Khan.	w/o	
19.	Palwasha w/o Baran Khan.	w/o	
20.	Shamzila w/o Sardar Khan.	w/o	
21.	Bakhtiar w/o Charmagh's.	w/o	

Sham.
 (Shamim Khan)

Miss
 Res. Sp.
 Sh. P. Nazki

3

Venue: Gulab Khan's House (Site) Date: 26-9-14 Time: From 18:30 To 21:00

[illegible]

Landowners (Women) = 40

1/2

④

Punjab Wholesale Market Project in Rawalpindi
LARP Consultations: LIST OF PARTICIPANTS

Venue: JOP Kalyal Date: 27.09.14 Time: From 5:00 PM To 18:30 PM
Participants' Group: Landowners Tenants Gender: Men Women Size (No.): 40.

No.	Name of Participant	DP/Other	Signature/Thumb-Mark
1	Rukhsa D/o Daud.	DP.	
2	Roshanum Jan	DP.	
3	Perveen Shafique w/o Shafique Khan.	DP.	
4	Zarina Shahoona	wife.	
5	Nughat Jan w/o Sardar Muhammad Rafique	DP.	
6	Roshanum Jan	DP.	
7	Kulsoom Bibi.	Daughter.	Kulsoom
8	Farrukh Perveen d/o Abdul Alwas.	DP.	Farrukh
9	Sabeen Akhtar w/o Muhammad Sabir.	DP.	
10	Riffat Perveen w/o Abdul Rehman.	DP.	
11	Bilquise Fatima.	wife.	
12	Rugia Begum.	Daughter.	
13	Ayesha Farman w/o Rao Farman Ali	DP.	Ayesha Farman
14	Rugia Begum.	DP.	
15	Sarwar Jan w/o Sarwar.	DP.	
16	Zahra Begum.	DP.	Zahra Begum
17	Kaniz Fatima	Daughter.	Fatima
18	Kulsoom Akhtar d/o Ali Muhammad.	DP.	
19	Bakht Anwar d/o Daud.	DP.	
20	Shahim Bibi w/o Khan Zaman	DP.	

2/2

Punjab Wholesale Market Project in Rawalpindi
LARP Consultations: LIST OF PARTICIPANTS

Venue: Tp Kalyal Date: 27/9/14 Time: From 15:00 To 18:30
 Participants' Group: Landowners Tenants Gender: Men Women Size (No.):

No.	Name of Participant	DP/Other	Signature/Thumb-Mark
21.	Almas Bibi	wife	
22.	Dunya Bee D/o Muhammad Nizam	DP.	
23.	Kameez Fatima D/o Shah Niaz	DP.	
24.	Tazeem Akhtar D/o Haider Zaman	DP.	Tazeem Akhtar
25.	Bibi Firozan	wife	
26.	Aunsa Bibi	Mother	
27.	Kausar D/o Muhammad Sharif	DP.	
28.	Shazia D/o Muhammad Sharif	DP.	Shazia
29.	Kausar Jan	DP.	
30.	Salma Sadig D/o Abdul Hamid	DP.	
31.	Bibi Fatima	wife	
32.	Amina Bibi	wife	
33.	Zahooran Bibi	wife	
34.	Nighat Perveen D/o Abdul Rehman	DP.	Nighat perveen
35.	Munawar Jabeen Kiyam w/o Manzoor Hussain	DP.	
36.	Raboolan Bibi	wife	
37.	Rozma D/o Nazir	DP.	Rozma
38.	Barkat Jan w/o Nazir	DP.	
39.	Sobia Manzoor D/o Manzoor	DP.	Sobia
40.	Baheeran	wife	

Shau.
 (Shauin Khan)

Niaz
 Res. Sp.

Landowners (Men) = 55

1/3 (5)

LARP: Punjab Wholesale Market Project in Rawalpindi
Participation in Consultations and Distribution of Project Information Brochure (PIB)

Venue: Top Kalyal

Date: 28-9-14

Time: From 9:30 To 13:30



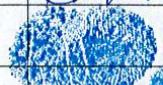
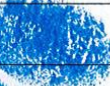
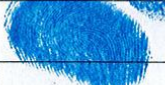


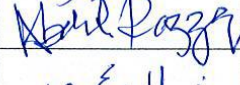

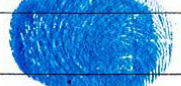
No.	Name of Participant in Consultation & Recipient of PIB	No. of PIBs	Signature/Thumb-Mark
01	Muhammad Ibrahim	2	ا. ا. ا. ا.
02	Kamran Ali	1	کامران علی
03	Muhammad Hussain	1	محمد حسین
04	Thandad	1	
05	Mehmood Hussain	3	محمود حسین
06	Muhammad Asif	2	محمد اسف
07	Muhammad Qadeer	1	ایم قریب
08	Muhammad Riasat Khan	1	ریاست خان
09	Noor din	2	Noor din
10	Fairman Ali	2	فرمان علی
11	Sayed Haider	1	Haider
12	Walayat Hussain	3	Walayat
13	Shoukat Ali	1	شوکت علی
14	Ameer Ahmad	1	
15	Muhammad Bashir	1	Bashir
16	Qaiser Sultan	1	قائس سلطان
17	Muhammad Shabir	2	شابر
18	Ali Zaman	1	علی زمان
19	Kareem Bakhsh	1	کریم بخش
20	Abdul Ghani	1	عبد الغنی

LARP: Punjab Wholesale Market Project in Rawalpindi
Participation in Consultations and Distribution of Project Information Brochure (PIB)

Venue: Top Kalyal

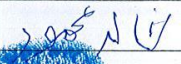
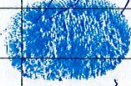

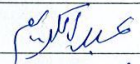

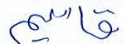
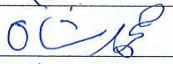




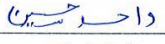



Date: 28-9-14

Time: From 9:30 To 13:30

No.	Name of Participant in Consultation & Recipient of PIB	No. of PIBs	Signature/Thumb-Mark
21	Muhammad Misseri Chohan	1	
22	Khurshid Alam	2	
23	Muhammad Faryad	3	
24	Muhammad Ziafat	1	
25	Zareef Khan	3	
26	Qari Baskatullah Rabbani	1	قاری ربانی
27	Muhammad Rasheed	1	
28	Nisar Ahmad	1	نثار احمد
29	Hameed	1	حمید
30	Muhammad Sarwar	1	
31	Abdul Razaq	2	
32	Khalid Mehmood	1	نار محمد
33	Faved Qarbal	2	فاوید اقبال
34	Muhammad Aslam	1	اسلام
35	Rao Farman Ali	1	فرمان علی
36	Ghulam Rabbani	2	غلام ربانی
37	Ameer Jan	1	
38	Mukhtar Khan	1	مختیار خان
39	Kalo	1	
40	Muhammad Azad	2	محمد آزاد

LARP: Punjab Wholesale Market Project in Rawalpindi
Participation in Consultations and Distribution of Project Information Brochure (PIB)

Venue: Top KalyalDate: 28-9-14 Time: From 9:30 To 13:30

No.	Name of Participant in Consultation & Recipient of PIB	No. of PIBs	Signature/Thumb-Mark
41	Khalid Mehmood S/o M. Afsar	1	
42	Muhammad Ramzan S/o Mir Zaman	1	
43	Muhammad Zamurad	1	
44	Abdul Kareem	1	
45	Muhammad Nazir	1	
46	Qasim Zia	3	
47	Muhammad Shah	1	
48	Mehmood Akhtar	1	
49	Kazam Khan	2	
50	Ziafat Ahmad	1	
51	Adeel Ahmad	1	
52	Wahid Hussain	1	
53	Khalid Chohan (Activist, Non-AP)	5	
54	Kashif Bashir (Activist, Non-AP)	4	
55	Raja Farooq Ahmad (Company's Rep)	Dealer 6	
		<u>(88)</u>	


 Res. Sp.

⑥

Participation in Consultations and Distribution of Project Information Brochure (PIB)

Time: From 16:00 To 17:30

~~Miss~~
Liam Nicks
Res. Sp.

**Appendix 5: Project Information Brochure
(WITH URDU TRANSLATION)**

**Punjab Wholesale Market Project in Rawalpindi – Land Acquisition and
Resettlement Plan**

A. Introduction

1. Government of Punjab Province, Pakistan intends to establish a new modern wholesale market in Rawalpindi, at the site located Rawat town, with technical and financial assistance from Asian Development Bank (ADB). The Project's objective is: to target removal of marketing constraint at the wholesale node of the value chain through which 85 percent of all agro-horticultural produce flows, with interventions focusing on increased, product quality and value adding through quality price differentiation with internationally accepted grades and standards.

B. Project Description:

2. The main intervention planned under this Project is the construction and operation of a modern wholesale market complex with a transparent price discovery and transaction mechanism. Constraints will be addressed using a comprehensive and systemic approach to remove market distortions, institutional failures and rigidities that impede the development of agricultural and horticultural marketing sector in the Punjab province, and promote demand-driven development with maximum participation of the private sector.

3. The construction of new wholesale market in Rawalpindi, the only physical component of this Project, will require a considerable size of land acquisition. Accordingly, a site measuring 991.35 kanals (50.2 ha) of land has been selected by the Rawalpindi Market Committee (RMC). This site is located between Kalyam Mughal and Tope Kalyal villages, near Rawat town, and situated at a distance of 26 km towards south of Rawalpindi city and 400 meter towards east of the National Highway (N-5).

C. Project Impacts

4. Of the total 202.34 ha (4,000 kanals) of land area available for sale/acquisition, RMC has notified for acquisition of an area of 50.2 ha (991 kanals and 7 marlas). Of this 37.2 ha (74%) is owned by the five investment companies and 13.0 ha (26%) is owned by 141 individual landowners. It was mostly rainfed agricultural land which was set aside for sale for housing development purposes some 30 years ago. Since then it has been lying abandoned from cropping or any other productive use. Besides, 36 mud-thatched huts constructed by 22 Tenant families on lands rented from two affected landowners, and four handpumps will also be affected.

5. Thus, the overall resettlement impacts of this project are "insignificant", as (a) all the lands to be acquired are unproductive, already set aside for sale; (b) the companies and individual landowners have long been very anxiously looking for land buyers and this land acquisition is a golden opportunity for them; and, (c) only 22 tenant families living in the temporary make-shift mud-thatched huts built on rented lands will physically relocate, with assurance from the landlords of providing replacement land and appropriation of paid rent.

D. ADB Policy and its objectives

6. ADB's Social Safeguard Policy Statement 2009 (SPS 2009) ensures social and environmental sustainability of the project it supports. The goal of SPS 2009 is to promote sustainability of the project outcomes by protecting the people from project's potential adverse impacts. The objectives of the ADB's safeguard on Involuntary Resettlement are:

- i) avoid involuntary resettlement wherever possible;
- ii) minimize involuntary resettlement by exploring project and design alternatives;
- iii) enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and
- iv) improve the standards of living of the displaced poor and other vulnerable groups.

7. The involuntary resettlement safeguards cover physical and economical displacement as a result of land acquisition, involuntary restriction on land use or on access to legally designated parks and protected areas. It applies whether such losses or involuntary restrictions are full or partial, permanent or temporary.

E. Resettlement principals for the project

8. Based on ADB policy requirements, the resettlement and rehabilitation measures to offset any adverse impacts on the project displaced persons will be planned and implemented. The provisions of compensation will be restricted according to eligibility and entitlement criteria. The start date for census and peroration of impact inventory will be cut-off date to determine the eligibility and entitlements. For this project the cut-off date is April 30, 2014, and any person encroaching into project influence area after this date will not be entitled for compensation, however, he will be allowed to demolish and take salvage material. The Compensation and rehabilitation measure for entitled APs will be based on the following principals:

- (i) Land will not be acquired and all construction works will be confined within the acquired land's limits as confirmed by the local revenue authorities;
- (ii) Lack of title will not bar to compensate the AP's and all the hut-dweller tenants will be compensated for their lost assets, namely the mud-thatched huts and water handpump, and transportation costs of families' belongings and salvaged material to new sites;
- (iii) The assessment and valuation of the impacted assets including structures, will be based on replacement cost basis at current market value to replace/rehabilitate the affected assets and no depreciation cost will be deducted from the APs;
- (iv) The salvaged material of all affected assets will be the property of the APs and no deductions will be made in this regard;
- (v) Grievance redress mechanism for the project will be established and made functional to facilitate the AHs to raise their concerns and complaints for addressing the resettlement issues of the project at project level;
- (vi) During resettlement planning, preparation and implementation meaningful consultations will be held with the stakeholder including APs who will be kept informed on project impacts, asset valuation, entitlements and

available grievance redress mechanism for the project resettlement issues;

- (vii) The resettlement plan will be disclosed both at draft phase and after its approval from ADB during implementation phase. The disclosure process will keep continued till project completion and APs will be kept informed about developments in resettlement implementation and grievance redress; and,
- (viii) A proper institutional arrangement for resettlement planning, preparation, implementation and monitoring will be put in place.

اطلاعاتی کتابچہ برائے بحالی متاثرین پنجاب منڈی پراجیکٹ راولپنڈی منصوبہ برائے حصول اراضی و بحالی متاثرین

1. ابتدائی:-

حکومت پنجاب راولپنڈی میں روات کے نزدیک ایک جدید منڈی بنانے کا ارادہ رکھتی ہے۔ جس کے لئے ایشیائی ترقیاتی بینک امداد فراہم کرے گا۔ اس منصوبے کا مقصد زرعی پیداوار کے تھوک پینے پر مارکیٹنگ کے مسائل کو حل کرنا اور اس کے معیار کو بہتر بنانا ہے۔

2. منصوبہ کی تفصیل:-

اس منصوبے کے اہم ترین مقاصد میں ایک جدید مارکیٹنگ کمپلیکس کی تعمیر، قیمتوں کی معلومات اور ترسیل اجناس شفاف طریقے سے سرانجام دینا ہے۔ مارکیٹنگ کو جدید پیمانہ پر استوار کیا جائے گا اور پرائیویٹ سیکٹر کو بھی اس میں شامل ہونے کی حوصلہ افزائی کی جائے گی۔ اس جدید منڈی کی تعمیر کے لئے ایک وسیع رقبہ کی ضرورت ہونے کے تحت مارکیٹ کمیٹی راولپنڈی نے 991 کنال 7 مرلہ رقبہ منتخب کیا ہے۔ یہ رقبہ موضع ٹوپ کھیل اور کھلیام مغل کے درمیان، روات کے نزدیک اور راولپنڈی سے جنوب کی سمت 26 کلومیٹر کے فاصلے پر اور نیشنل ہائی وے سے مشرق کی طرف 400 میٹر کے فاصلے پر واقع ہے۔

3. منصوبہ کے اثرات:-

مارکیٹ کمیٹی راولپنڈی نے مجموعی طور پر 991 کنال 7 مرلہ رقبہ زمین کے حصول کے لئے نوٹس جاری کیا ہوا ہے اس میں سے 735 کنال 7 مرلہ رقبہ (74 فیصد) پانچ کمپنیوں کی ملکیت ہے جبکہ باقی 257 کنال رقبہ (26 فیصد) 141 مالکان کی ملکیت میں ہے۔ یہ رقبہ پہلے بارانی زرعی رقبہ تھا جو کہ 30 سال قبل ایک رہائشی منصوبہ کی خاطر مختص کر دیا گیا تھا جس کے بعد اس پر کاشت کاری ترک کر دی گئی ان کے علاوہ اس رقبہ زمین پر 22 خانہ بدوش خاندان آباد ہیں جنہوں نے مقامی مالکان سے چھوٹے چھوٹے قطعہ زمین کرایہ پر لے کر 36 عدد عارضی جگیاں بنا رکھی ہیں اور پانی کے لئے 4 اینڈ پمپ لگائے ہوئے ہیں۔ اس منصوبہ کے مجموعی اثرات معمولی نوعیت کے ہیں کیونکہ (الف) اس تمام رقبہ پر کوئی فصل کاشت نہیں ہو رہی اور مالکان نے 30 سال سے اس رقبہ زمین کو فروخت کے لئے مختص کیا ہوا ہے۔ (ب) کمپنی مالکان بھی یہ رقبہ جلد از جلد فروخت کرنے کے خواہاں ہیں۔ (ج) صرف 22 خانہ بدوش خاندانوں کو نقل مکانی کرنی پڑے گی جس کے لئے ان کے موجودہ مالکان زمین کرایہ پر متبادل جگہ فراہم کرنے پر رضامند ہیں۔

4. ایشیائی ترقیاتی بینک (ADB) کی پالیسی برائے سماجی تحفظ 2009 کے اغراض و مقاصد:-

ایشیائی ترقیاتی بینک کی پالیسی برائے سماجی تحفظ 2009 ایشیائی بینک کی مدد سے قوع پزیر ہونے والے تعمیراتی منصوبہ جات کے دوران سماجی و ماحولیاتی تحفظ کی ضمانت کے ذریعے ترقیاتی کاموں کی پائیداری مہیا کرتی ہے۔ سماجی تحفظ کی پالیسی کا بنیادی مقصد منصوبہ کی

پائیداری کے لئے منصوبہ سے پیدا شدہ برے اثرات سے اہل علاقہ کو محفوظ کرتے ہوئے جبری انتقال آبادی کے اثرات کو کم سے کم کرنا اور تمام متاثرین کی بحالی کے لئے متاثرہ اثاثہ جات و نقصان کا روپار/روزگار کا ازالہ کرنے کے لئے معاوضہ کی ادائیگی ہے۔ ADB کی جبری منتقلی سے متعلق پالیسی کے اغراض و مقاصد درج ذیل ہیں:-

- ﴿ ممکن حد تک جبری انتقال آبادی سے پرہیز۔
- ﴿ منصوبہ وڈیزائن کے متبادلات کے ذریعے جبری انتقال آبادی کے اثرات کو کم سے کم حد تک رکھنا اور متاثرہ اثاثہ جات، املاک و تعمیرات کا معاوضہ ادا کرنا۔
- ﴿ متاثرہ لوگوں کے معیار زندگی میں بہتری لانا اور اگر ایسا ممکن نہ ہو تو ان کے معیار زندگی کو منصوبہ سے پہلے کی حالت پر برقرار رکھنا۔
- ﴿ تدار و دوسرے مستحقین بشمول ایسے گھرانے جہاں خواتین سربراہ ہوں کے معیار زندگی میں بہتری لانے کے لئے کوشش کرنا۔
- ﴿ ADB کی پالیسی لوگوں سے حاصل کی گئی ذاتی زمین و دیگر املاک و غیر ملکیتی زمین کے استعمال یا قانونی طور پر محفوظ شدہ علاقہ جات میں داخلہ میں رکاوٹ سے پیدا شدہ نقصان کی وجہ سے انتقال آبادی یا معاشی نقصان کے خلاف تحفظ فراہم کرتی ہے۔ اور تمام نقصانات بشمول حصول اثاثہ جات استعمال زمین میں رکاوٹ چاہے کھلی ہو یا جزوی عارضی ہو یا مستقل کی صورت میں ایسی پالیسی کا اطلاق ہوتا ہے۔

5. بحالی متاثرین کے اصول:-

ADB کی پالیسی کے راہنمائی اصولوں کو مد نظر رکھتے ہوئے متاثرہ افراد پر ہونے والے اثرات کو ختم کرنے کے لئے لوگوں کی بحالی و بہتری کے اقدامات بشمول ادائیگی نقصان اثاثہ جات بحالی کا روپار/روزگار متاثرین کی اہلیت برائے ازالہ نقصان حقاری کے اصول کے مطابق کی جائے گی۔ اس منصوبہ کے لئے اہلیت تعین حق کی تاریخ جو کہ نقصانات کے تخمینہ حقداران کے اندراج کے اجراء کے دن /تاریخ سے ہوگا جو کہ 30 اپریل 2014 متعین کی گئی ہے۔

اس تاریخ کے بعد منصوبہ کے زیر اثر آنے والے حصہ میں تباہ و زات کرنے والا کوئی بھی شخص نقصانات کے ازالہ کا حقدار تصور نہ ہوگا تاہم اسکو بذریعہ پیشگی نوٹس آگاہ کر دیا جائے گا کہ وہ اپنی تمام تباہ و زات کو گرا کر تعمیر کے احاطہ اثر کو خالی کر دے۔ اور اپنے ملکہ جات کو اٹھالے۔ نقصانات کے ازالہ و متاثرہ لوگوں کی بحالی کے لئے کیے جانے والے اقدامات درج ذیل ہونگے۔

- ☆ تمام تعمیراتی کام مختص شدہ زمین میں محکمہ مال کی نشاندہی کردہ حدود کے اندر کیے جائیں گے۔
- ☆ اثاثہ جات کے نقصان کے ازالہ کے لئے قانونی ملکیت و دستاویزات کی غیر موجودگی رکاوٹ نہیں ہوگی اور تمام متاثرین بشمول مالکان تباہ و زات و دیگر اپنے متاثرہ اثاثہ جات و آمدن کے نقصانات کے ازالہ کے حقدار ہونگے۔
- ☆ تمام اثاثہ جات بشمول زمین و تعمیرات کے نقصان کا تخمینہ مرحہ شرح مارکیٹ کے مطابق بطور متبادل قیمت متعین کیا جائے گا اور بوقت ادائیگی معاوضہ کسی قسم کی کوتاہی نہ کی جائے گی۔

- ☆ ملہ جات ماکان اثاثہ کی ملکیت ہونگے اور ملہ کے عوض کوئی کٹوتی نہیں ہوگی۔
- ☆ شکایات کے ازالہ کا نظام وضع کیا جائے گا تاکہ لوگ منصوبہ سے پیدا شدہ برے اثرات و ازالہ نقصان کی ادائیگی سے متعلق اپنی شکایت کا اندراج کر سکیں بلکہ انکی شکایات کا ازالہ بھی کیا جاسکے۔
- ☆ انتقال آبادی سے متعلق منصوبہ کی ترتیب، تیاری، اطلاق و جائزہ کے دوران منصوبہ سے متعلق تمام لوگوں بشمول متاثرین منصوبہ سے مشاورت کی جائیگی اور انہیں منصوبہ سے متعلق تمام اہم امور بشمول اثرات نقصان اثاثہ جات، تخمینہ قیمت و حق ازالہ نقصان بعد ادائیگی معاوضہ اور ازالہ شکایات کے نظام سے متعلق آگاہی فراہم کی جائے گی۔
- ☆ انتقال آبادی کے منصوبہ کی ابتدائی رپورٹ سے متاثرین کو آگاہ کیا جائے گا اور بعد ازاں منصوبہ کی ADB سے منظوری کے بعد سے نہ صرف متاثرین کو بہم پہنچایا جائے گا بلکہ اسے ADB اور AMIS کی ویب سائٹس پر بھی رکھا جائے گا تاکہ لوگ اسے دیکھ سکیں۔ معلومات کی فراہمی کا سلسلہ منصوبہ کے مکمل اطلاق تک جاری رہے گا۔ معلومات دفتر مارکیٹ کمیٹی راولپنڈی سے بھی حاصل کی جاسکتی ہیں۔