

Resettlement Plan

June 2017

TAJ: Building Climate Resilience in the Pyanj River Basin, Output 3: Rural Water Supply Grant 0352

Land Acquisition and Resettlement Plan

Kommunism Water Supply Subproject, Pyanj District

Prepared by State Unitary Enterprise “Khojagii Manziliyu Kommunalali (KMK) for the Asian Development Bank (ADB).

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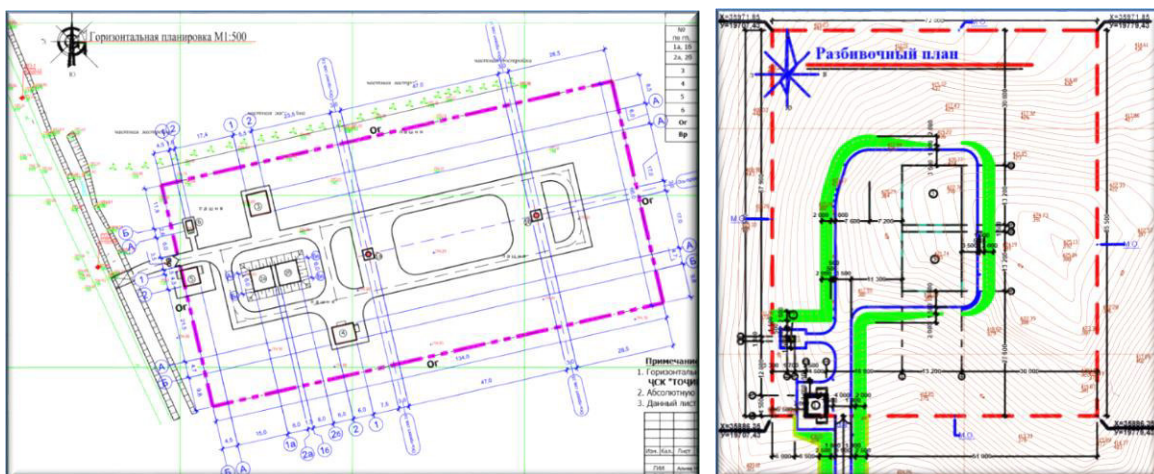
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Government of the Republic of Tajikistan
State Unitary Enterprise “Khojagii Manziliyu Kommunalni (KMK)”

ADB Grant No. 0352-TAJ: Building Climate Resilience in the Pyanj River Basin,
Output 3: Rural Water Supply

**Implementation Support to State Unitary Enterprise for
Housing and Communal Services**



Land Acquisition and Resettlement Plan
Kommunism Subproject, Pyanj District

June 2017

**Prepared by State Unitary Enterprise (KMK) in association
with BETS Consulting Services Ltd., Bangladesh and LLC
Panasia Ltd, Tajikistan**

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Abbreviations & Acronyms

ADB	- Asian Development Bank
ALRI	- Agency for Land Reclamation and Irrigation
CC	- Civil Code
CLAG	- Committee for Land Administration and Geodesy
DMC	- Development Member Country
DP	- Displaced Person
DRMC	- Disaster Risk Management Committee
EA	- Executing Agency
ESO	- Environmental and Social Officer
FGD	- Focus Group Discussion
GAP	- Gender Action Plan
GRC	- Grievance Redress Committee
GRM	- Grievance Redress Mechanism
Ha	- Hectare
ID	- Identity
KMK	- Khojagii Manziliyu Kommunal
LAR	- Land Acquisition and Resettlement
LARC	- Land Acquisition and Resettlement Committee
LARF	- Land Acquisition and Resettlement Framework
LARP	- Land Acquisition and Resettlement Plan
LC	- Land Code
M	- Meter
NGO	- Non Government Organizations
O&M	- Operation and Maintenance
PAM	- Project Administrative Manual
ISC	- Project Implementation Consultant
PIG	- Project Implementation Group
PIO	- Project Implementation Office
PMO	- Project Management Office
PPCR	- Pilot Program for Climate Resilience
RIP	- Registration of Immovable Property
SPCR	- Strategic Program for Climate Resilience
SPS	- Safeguard Policy Statement
Sqm	- Square Meter
SSG	- Social Safeguard and Gender
SUE	- State Unitary Enterprise
TJRM	- Tajikistan Resident Mission
TJS	- Tajik Somoni
USD	- United States Dollar
WCG	- Water Consumer Group
WUA	- Water Users Association

Definition of Terms

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, i.e. they are not included in the list of DPs as defined by the census.
Dekhan Farm	means farms, usually mid-sized, that are legally and physically distinct from household plots, for which full user rights but not ownership is allocated to either individuals or groups. Regulations concerning Dekhan farms in Tajikistan are laid out in the Law No. 48 on Dekhan Farms, dating from 2002.
Detailed measurement survey	means the detailed inventory of losses that is completed after the fixed road alignment for the LARP Part I and detailed design and marking of Project boundaries on the ground for the LARP Part II.
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.
Encroachers	mean those people who move into the Project area after the cut-off date and are therefore not eligible for compensation or other rehabilitation measures provided by the Project.
Entitlement	means the range of measures comprising cash or kind compensation, relocation cost, income rehabilitation assistance, transfer assistance, income substitution/business restoration, which are due to DPs, depending on the type, extent and nature of their losses, and which suffice to restore their social and economic base.
Hukumat	This is the District administration
Inventory of losses	means the pre-appraisal inventory of assets as a preliminary record of assets to be affected or lost as a result of the Project
Jamoat	This is the Sub-district administration under each District
Land acquisition	means the process whereby a person is compelled by a public agency to alienate all or part of the land s/he owns or possesses, to the ownership

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and possession of that agency, for public purposes, in return for fair compensation.

Non-titled	means those who have no recognizable rights or claims to the land that they are occupying 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 or used by them. ADB's safeguards explicitly states that such people cannot be denied compensation.
Oblast	a Region in Tajikistan
Poor	means households falling below the monthly income of TJS 1020/- (per household per month).
Presidential Land	means land for which use rights have been allocated by Presidential Decree but ownership remains with the state.
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 equivalent in kind needed to replace an asset in its existing condition, without deduction of transaction costs or for any material salvaged and depreciation for age cannot be deducted from the compensation. Calculation of full replacement cost is based on following elements (i) fair market price (ii) transaction costs (iii) interest accrued (iv) transitional and restoration costs and (v) other applicable payments, if any.
Reserve Fund Land	means land owned by the state and controlled by the district administration that may be rented, mainly for agricultural use.
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 the crop or harvest.
Significant impact	means 200 people or more will experience major impacts, which are defined as; (i) being physically affected from housing, or (ii) losing ten per cent or more of their productive assets (income generating).
Vulnerable	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 ¹ (within the meaning given previously); (iv) landless; (v) elderly households with no means of support; (vi) households without security of tenure; (vii) ethnic minorities; and (viii) marginal farmers (with landholding of five acres or less).

¹ The poverty line is taken as TJS 455 per month, based on the poverty line published by World Bank for Tajikistan in March 2017 of \$ 57 per month, and an exchange rate of TJS 7,9988 per USD.

I. EXECUTIVE SUMMARY

The Government of the Republic of Tajikistan represented by the State Unitary Enterprise “Khojagii Manziliyu Kommunalni (KMK)”, is implementing the Rural Water Supply Component of the ADB grant project titled Building Climate Resilience in the Pyanj River Basin in the Republic of Tajikistan (ADB Grant No. 0352-TAJ). The component activities are being implemented in Kulob, Vose and Pyanj districts under three separate works packages. This Land Acquisition and Resettlement Plan (LARP) has been prepared based on results of due diligence of the subproject activities for water supply in Kommunism village under Namuna Jamoat of Pyanj District. Civil works have been designed for construction on a 1.2 ha of privately owned land in Saraikamar village for pump house and associated plant and infrastructures and on a 1.0 ha of village reserve land in the Kommunism village for secondary water reservoir. The State Subsidiary Enterprise on Water supply of the Pyanj district (Pyanj Vodokanal) is implementing the Subproject under the guidance and support from the Executing Agency, KMK.

The 1.2 ha of land owned by a family dehkan farm “Mustofo” has been expropriated and the 1.0 ha land has been confiscated from the village reserve land (state land) under the Land Act of the Republic of Tajikistan. The LARP has been prepared for the Kommunism Subproject in compliance with the ADB SPS 2009 and the Land Act of the Republic of Tajikistan to compensate the one affected household. Land for land and compensation for damage to standing crops have been decided. The affected family and any of the beneficiaries of the subproject do not belong to the indigenous communities.

A consultative process was followed for identification of the subproject activities and the locations for civil works as well as preparation of this LARP. A grievance redress mechanism has been proposed for establishment at the Jamoat level with options for reference to the district level Grievance Redress Committee (GRC). Project Implementation Group (PIG) of SUE-KMK has assigned one of its officials as the Environmental and Social Officer for the Project. A summary of the LARP will be translated in local language and disclosed locally.

The affected person has agreed to receive the allocated replacement land and a compensation of the sum of TJS 13,200 (thirteen thousand and two hundred) for loss of standing cotton crops. KMK officially requested the government of Tajikistan on transfer of required funds to the Special Account of the republican budget for allocation the two sites for the subprojects amounting TJS 35,579 (thirty five thousand five hundred seventy nine) for the village reserve land and TJS 138,136 (one hundred and thirty-eight thousand one hundred and thirty-six) for the irrigated land of the affected dehkan farm land. Implementation of the LARP will be monitored for safeguard compliance of the Subproject implementation.

II. PROJECT DESCRIPTION

A. Project Background

1. Tajikistan is one of the most climate vulnerable countries in Central Asia². It frequently experiences extreme climate events such as intense spring rainfall, excessive melt-waters from large snow accumulations, droughts and occasionally devastating floods released from temporary glacial lakes. These also causes mudflows and floods or reduce water availability and avalanches, landslides, and rock-falls in the mountainous regions. These hazards routinely take lives and destroy or degrade land, crops and infrastructure. Country's rural and suburban areas experience acute shortage clean drinking water. As a result of the climate vulnerabilities, Tajikistan is a focus country for the Pilot Program for Climate Resilience³ (PPCR), a multilateral development programme for integration of actions to increase climate resilience and for adapting to climate change into development activities. The Tajikistan's Strategic Program for Climate Resilience (SPCR), therefore includes a program for building climate resilience in the Pyanj basin under the coordination of the PPCR Secretariat. The Pyanj River Basin is the largest in Tajikistan (covering an area of over a hundred thousand square kilometres), contains a large proportion of the country's agricultural land and has a population of about 1.3 million people.

2. The Government of the Republic of Tajikistan is implementing "Building Climate Resilience in the Pyanj River Basin Program" with a grant (No. 0352-TAJ) from the Asian Development Bank (ADB). The Program aims to increase resilience to climate vulnerability and improved livelihoods of communities in the Pyanj River Basin. The Program has four components:

Component 1: More resilient flood protection systems comprising rehabilitation of small scale flood management infrastructure, and capacity building of disaster management committees;

Component 2: More resilient irrigation systems comprising rehabilitation of small scale irrigation infrastructure, and capacity building of water user associations;

Component 3: More resilient drinking water supply systems comprising rehabilitation of drinking water supply infrastructure in highly vulnerable communities, and capacity development of water consumer groups; and

Component 4: A microfinance component to provide financial services to vulnerable groups, especially women, and promote climate resilience.

3. The four components are under the responsibility of different government bodies. Components 1 and 2 are implemented by the State Institution Project Management Unit of the Project under the Agency for Land Reclamation and Irrigation (ALRI). Component 3 is implemented by the Project Implementation Group (PIG) established under the State Unitary Enterprise for Housing and Communal Services "Khojagii Manziliyu Kommunal" (KMK). Component 4 is implemented by a Project Management Office (PMO) under the Ministry of Finance.

² Feasibility Study Report, referenced Fay et. al., Adapting to Climate Change in Europe and Central Asia, 2010.

³ TA7599-TAJ Final Report, <http://www.climateinvestmentfunds.org/cif/ppcr> (referenced in feasibility study report)

B. Project Objectives and Scope

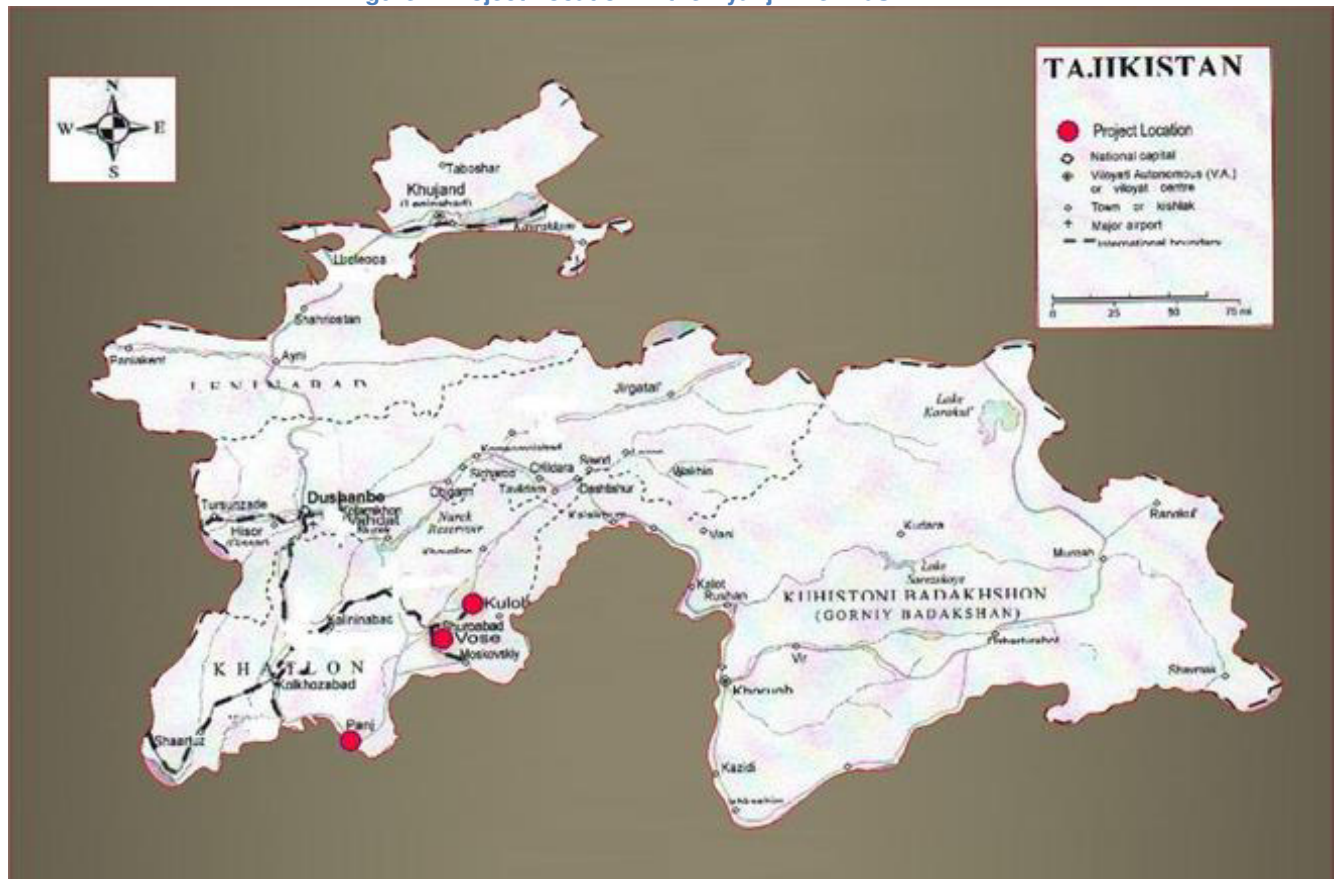
4. The Government of Tajikistan is committed to provide safe water to her population by 2020. The goal of the National Policy for Safe Water Supply and Sanitation is to ensure that all people have access to safe water and sanitation services at affordable cost. With these objectives, KMK has undertaken the Component 3 Project for rehabilitation of rural water supply infrastructures in 7 jamoats of Kulob, Vose and Pyanj Districts. The geographical location of the project areas is shown in Figure 1. The Project aims for more resilient drinking water supply systems in highly vulnerable communities in these three districts as well as capacity development of the water consumer groups. Project activities involve physical and nonphysical measures including detailed engineering design, reinforced concrete structures, replacement of pumping and electrical control equipment, construction of small reservoirs and related facilities. Sustainability of the improved infrastructure will be ensured through climate-resilient design, operation & maintenance, and community participation. The project's outcome will be reduced adverse effects of climate variability and climate change in 25 villages of the 7 jamoats. Specific activities for climate proofing water supply infrastructures in the proposed areas include:

- i) rehabilitate and climate-proof seven rural drinking water supply systems, including rehabilitation, upgrading and construction of boreholes, provision of new and rehabilitated pumping equipment, construction of new service reservoirs and water tanks;
- ii) establish O&M practices for drinking water supply systems, develop O&M guidelines, and train local units of the responsible agencies;
- iii) establish drinking water consumer groups to influence responsible agencies and ensure performance of the water supply facilities; and
- iv) raise awareness of health and other risks associated with climate change.

5. State Unitary Enterprise (SUE) for Housing and Communal Services “Khojagii Manziliyu Kommunalii” (KMK) is the Executing Agency (EA) of the Project through a Project Implementation Group (PIG) in Dushanbe and Project Implementation Offices (PIO) at the District level. The Project is following the Land Acquisition and Resettlement Framework (LARF) for social safeguard compliance and a Gender Action Plan (GAP) for gender mainstreaming as per ADB requirements.

6. KMK is designing the subprojects for implementation in three works packages. Package 1 subprojects are in Kolub District, Package 2 subprojects are for Vose District and Package 3 is for subproject works in Pyanj District. Civil works designed for construction under Package 3 cover two subprojects in Pyanj District; one at Komunism for the whole of the Komunism village, and one at Mehver for 3 villages. Subproject design includes social screening and social impact assessment for identification of any social safeguards compliance issues and consultation with beneficiaries and other stakeholders for inputs to inclusive design of subproject activities. The subprojects as per the LARF need to ensure compliance with the ADB Safeguard Policy Statement (SPS 2009).

Figure 1 Project Location in the Pyanj River Basin



7. The main scope of non-physical measures is capacity building including supervision and quality assurance during construction, guidance for infrastructure operation and maintenance, training on the climate change adaptation for the local community groups (e.g. jamoat officials, water users associations (WUA), disaster risk management committees (DRMC) and drinking water consumer groups (WCG)). Training for the local communities to be provided through the PMO district offices and the Climate Change Information Centers established under the PPCR. KMK is working for capacity development of the beneficiaries on drinking water supply management through establishing, training and operating WCGs.

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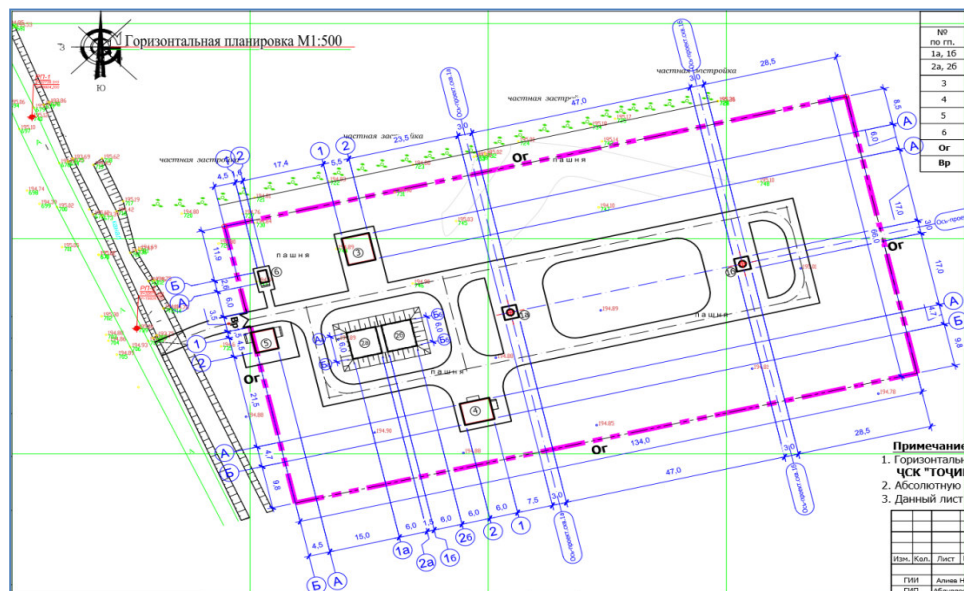


Figure 2 Layout Map of Saraikamar Pump House Site under Kommunism Subproject

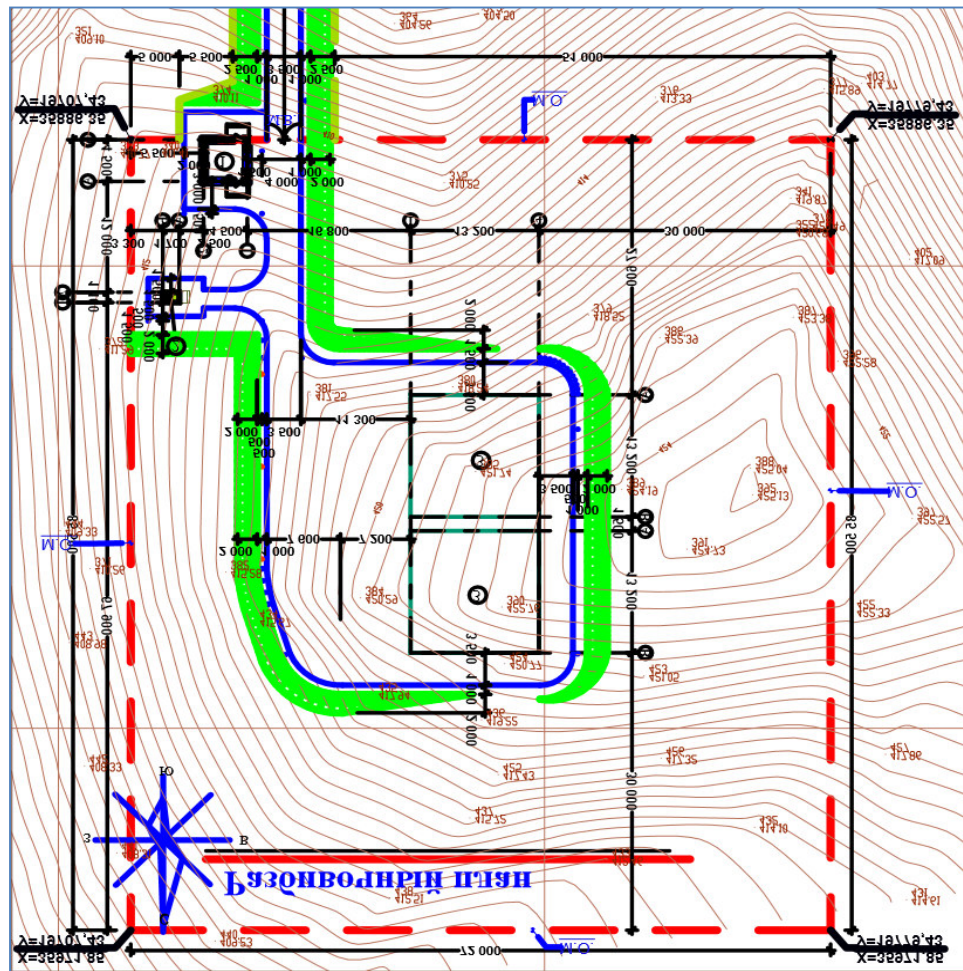


Figure 3 Layout Map of Komunist Reservoir Site under Kommunism Subproject

8. The proposed sites for subproject interventions are largely in existing available land owned by the district Vodokanal. The reservoir at Komunist (figure 3) have been proposed on a public land. Only in Saraikamar (Beshkappa), one site (figure 2) has been proposed for bore wells and pump house infrastructures on privately used land from a family dehkan farm. Availability of water was suggested in Saraikamar under a hydro-geological investigation. Land acquisition and resettlement impacts have thus been minimized to the extent feasible.

C. Land Acquisition and Resettlement Plan for Kommunism Subproject

9. Kommunism Subproject is one of the two subprojects under Package 3 in Pyanj District. KMK has developed design and bidding documents only for the Kommunism Subproject for implementation. Water lifting pump and associated structures will be constructed on a privately owned dehkan farm land in Saraikamar village. The subproject site at Kommunism village is being taken from the lands reserve fund of the village without any encroachment and no one (titled or

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non-titled) will be displaced or their livelihoods affected due to undertaking of the subproject. A land acquisition and resettlement (LAR) due diligence report has been prepared for the Package 3 Subprojects and this Land Acquisition and Resettlement Plan (LARP) is prepared for compensation and assistance to the only displaced household from the Saraikamar site of the Kommunism Subproject.

10. This Land Acquisition and Resettlement Plan (LARP) has been prepared with the final decision of the district administration of Pyanj District and acquisition process taken as per local procedures. The District Administration will establish LAR Committee for the project and constitute GRM at the request of the PIG, SUE KMK.

III. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

11. The Project in Komunism Subproject will use the state owned land in Kommunism site and a 1.20 Ha of family dehkan farm land has been acquired permanently for the construction of the water infrastructures in Saraikamar village. The construction of water infrastructures at Saraikamar site will result in economic displacement of one household. During construction, additional land may be used temporarily for camps and movement of vehicles. The 1.20 ha land in Saraikamar village will be confiscated from a family dehkan farm for construction of water source and supply infrastructures. However, the secondary water reservoir has been proposed on a 1.00 ha land taken from the village fund of land reserve in Kommunism village. Nonetheless, impacts have been minimized through using state land to the extent feasible.

12. The impacts were identified in May, 2016. However, the exact impacts caused to the dehkan farm “Mustofo” was carried out following the confirmation of land allocations with the Pyanj Hukumat. An independent valuation agency has carried out asset valuation and the LARC will verify and inventory of lost assets. The project cut-off date was May 2016 announced through the local Jamoat notifications. Impacts were assessed based on engineering drawings provided by the design sub-consultant engaged by the consultant. Summary of permanent impacts to the affected households are given at Tables 1 and 2.

Table 1: Summary of Permanent Impact

Sl.No.	Location	DP Name	Type of Assets	Scope of Impact
1.	Saraikamar Village	Mustafokulov Imomiddin	Agriculture land	Land has been confiscated from the family dehkan farm
2.	Kommunism Village	-	Un-irrigated land and pasturage land	Land has been allocated from the village land reserve

Table 2: Summary of Losses

Types of Losses	Unit	quantity	Remarks
1. Agricultural land (cotton cultivation)	Hectare	1.2	Family dehkan
2. Crops (Cotton) cultivated on the above land	Hectare	1.2	Cotton
Note: This impact table has been prepared based on detailed engineering design laid down in Figures 2 and 3			

IV. SOCIOECONOMIC INFORMATION

A. Socioeconomic Profile of Project Area

13. The subprojects under package 3 are located in the Pyanj District. It is one of the 24 districts in Khatlon Province. The District is located 252 km south of the capital Dushanbe on the banks of Pyanj River. There are seven sub-districts locally called Jamoats (Namuna, Mehvar, Sarmantoy, Arab, Tugul, Panj) in the District with a total population of 93,700 (2010). The main occupation of the population is agriculture, including cotton, grain, and vegetable production and livestock breeding. Total land area of the district is only 900 square kilometer. The two subprojects are located in Mehvar and Namuna Jamoats.

14. Kommunism Subproject will benefit a total of 1,271 persons in 212 households residing in the village and also serve a livestock population of 474 cattle heads. However, number of beneficiaries is increasing with the additional settlement of households under the government's resettlement program. According to Jamoat sources, there is one school in the village. Table 4 provides the details.

Table 4: Beneficiary Population in Kommunism Subproject Area

Village Name	Household	Population	School / Student	Livestock
Kommunism	212	1271	1 / 640	474
Source: Jamoat Office, Namuna Jamoat, July 2015				

15. Poverty – The assessment is based on the survey data and the findings of the living standards survey conducted by the World Bank in 2009⁴ which gives the poverty data for the country (46.7%) as well as project region (50.1%).

16. Profile of the Displaced Household

The affected only one household, owner of the family dehkan farm is considered to be non-poor but depends on agriculture. The agricultural landholding size of the household Mustofo is 7,09 ha, the household owns the basic types of the farm equipment. He does not use equipment on rent. The withdrawal of 1.2 ha of land will not affect the household's annual income since the dehkan farm is losing 1,2 ha in the northern part and receive an equal of 1,2 ha in the southern part of the territory.

B. Gender and Ethnic Minority Issues

17. The women in general indicated that the water supply infrastructures will be favorable, with improved access to water for drinking, cooking and for draft purposes. The developed water systems when operated for supply of water will save their time and they will be able to extend more attention to their children and to themselves as well. Specific gender related activities are prepared and the Gender Action Plan included in the Project Administration Manual (PAM).

⁴ http://www.stat.tj/img/bc1a015ab6c8bf64a313bbf6d1bdce48_1290675859.pdf

18. The population in Pyanj District is largely Tajik with concentration of few Uzbeks and others. Uzbeks in Pyanj are around 12% and other minorities include about 2%. However, the ethnic minorities in Namuna Jamoat, according to interviewed people, are very small. They are about 5-7%. They are identical to the Tajiks in cultural, historical and religious lifestyles. They are using common public facilities (mosques, cemeteries and holy places of worship) with the mainstream Tajiks. There is no religious or cultural difference. The families of Tajiks and Uzbeks do not live in isolation. There are mixed marriages and families.

19. All ethnic minorities have the same and equal access to all types of resources alike the mainstream Tajiks, including the land, irrigation and drinking water, and other resources. There are therefore, no indigenous persons (as defined by the ADB Safeguard Policy Statement 2009) inhabiting the project area.

C. Temporary Impacts during Construction

20. In addition to the acquisition of land, the communities around the construction sites may suffer temporary inconveniences during construction. Civil works constructors will establish site camps and access roads as well as stockyards requiring land those may have private users for agriculture and businesses. The measures for such temporary impacts will be the responsibility of the civil works contractor. To eliminate such impacts the civil works contractors will undertake the following measures:

- a) Informing all local communities about the nature and duration of work well in advance so that they can make necessary preparations;
- b) Always keep clean of construction materials and provide full access to houses, business places, ensure vehicle and pedestrian access is not disturbed all the time;
- c) Increasing the workforce and using appropriate equipment to complete the work in a minimum timeframe with least impact on livelihoods and economic resources;
- d) Continued accessibility to all types of facilities including communication lines, water systems, electricity, etc. that are available in the construction zone, should be ensured;
- e) If rental land is used, negotiate with the land owners and users as appropriate on fair terms and conditions, and
- f) Measures for minimizing dust and noise pollution as per the environmental management plan.

21. KMK will monitor the identification of construction related temporary impacts and ensure that GRM is fully functional and accessible to the communities for any events of inconveniences to the communities out of civil works construction.

V. DISCLOSURE, CONSULTATION AND PARTICIPATION

A. Consultation and Participation

22. The Project has promoted participation through meaningful consultations with communities and focused group discussions (FGD) with affected persons, women and beneficiaries. It began early in the project cycle and has been continued throughout the LAR due diligence and preparation of Land Acquisition and Resettlement Plan (LARP). The process has provided timely disclosure of relevant information to stakeholders, through FGDs and face to face meetings to ensure full understanding. Meetings have been undertaken at all levels, so that power differentials do not create feelings of coercion and intimidation. Particular attention has been paid to the women and displaced persons (DP) in the process so that they are more comfortable with the process and feel included.

23. The key objectives of the consultations were to: (a) identify and help address DP concerns related to the preparation and implementation of the LARP; (b) determine DP preferences for the type and delivery of compensation; (c) minimize DP apprehensions and ensure transparency in LARP activities; and, (d) help avoid unnecessary and costly project development delays. Consultations were also instrumented for informing the communities and stakeholders about the objectives of the project along with its interventions and likely impacts.

B. Project Stakeholders

24. The Project associates a number of stakeholders, all of whom will have some involvement in the water supply systems development and rehabilitation and preparation of LARP for mitigation of adverse social impacts related to social safeguards. These were identified early in the LARP process and targeted through a series of consultations. They include:

- Displaced Persons;
- Local officials from District and Jamoats and include Vodokanal, cadastral, environment, economic and rural committee members;
- Land and Resettlement Committee members (LARC);
- Women's Groups at district and jamoat level; and
- Local Non-governmental organizations/civil society organizations.

25. Women and Vulnerable Groups - have been fully included in the consultation and implementation process. They have had representation at meetings at jamoat and village level; women had separate meetings during FGD's and the census process.

C. Information and Consultation Process

26. Consultations have been a continuous process for the project components from preparation to implementation processes. Disclosure of project concept and infrastructure options was made to invite opinions and suggestions from the beneficiary communities during April– June

2015 in the project impact areas and villages. However, community consultations on social issues were carried out in the middle of June 2015 and furthered up to December 2015. Consultation with communities and key stakeholders was also held during May 2016. Summary of the outcomes from some of the consultation events have been presented hereunder:

27. At the implementation stage, communities and local authorities, including district and jamoat levels were informed about the Subproject in Pyanj in the initial months of the design activities. The beneficiary communities and local authorities in Pyanj were consulted prior to preparation of the due diligence report and Land Acquisition and Resettlement Plan document. Rounds of consultation meetings with appropriate representatives of local Vodokanal and Jamoat were held for information related to the history of land taking for the existing water reservoir and bore well site. Required information about the project was provided in a form, manner and language accessible to the beneficiary communities. Subproject design, safety, consultation and participation and gender action plan were disclosed to the communities and local authorities. Communities have also provided their comments and opinions to consider in the project process. Detail of the consultation process is presented in Annexure-2. The consultation process will continue during the construction and operation process. Roles and responsibilities have been allocated to implement and monitor project ensuring compliance with the Tajikistan Laws and safeguard policies of ADB.

D. LARP Preparation

28. The formal consultation meetings for the Project were conducted in the Namuna Jamoat in May 2016 and included LAR presentations. The in-depth interviews for the Project were undertaken in the Saraikamar village on the May 9 – 16, 2016. This also served as an additional Project consultation. Above 64 people attended including representatives of the Hukumat and its departments, jamoat heads and Heads of Jamoat Resource Centers. Detailed discussions were held with the affected persons during the census. Additionally, a number of employees were briefed on the project in the process of census of households affected with the family dehqan farm. Their comments have been included in the overall project comments outlined in Annexure-2.

29. The displaced households were interviewed prior to the final consultation meeting. Their concerns included:

- The water pipelines should reach to each individual household;
- Productive lands should be avoided in lying the pipelines;
- Interested local people can be employed in civil works construction;
- Replacement agricultural land plot should be close or attached to the remaining or existing sites.
- Livelihoods of affected persons should be supported for restoration.

E. Summary of Consultations

30. The key issues raised during the extensive consultation process can be summarized as below:

- Make sure that safe drinking water is available round the year in the area proposed under the project.
- Safe drinking water alone will reduce health hazards and save their time and money.
- Responsibility of fetching water for drinking is shared between men and women. But children are playing a major role there.
- The men in few areas are considering the cost aspects of clean water, but the women are enthusiast and very much agreeing on possible water tariffs.
- The women are interested to receive training under the project on health and hygiene and on operation and maintenance of the water systems as per project provision.
- Physical relocation should be avoided and compensation and replacement land plots to be provided at a location convenient to the affected persons.

F. Disclosure and Consultation Plan

31. The summary LARP (translated into Tajik) will be made available to the displaced person to provide additional information on the implementation arrangement, payment schedule, and assistance provided to specific groups and complaints resolution options.

32. The LARP (translated into Tajik) will be kept with the Jamoat office for display and reference by the DP. An index sheet outlining the DP, maps, assets and entitlements will also be available for review. The DP and the communities have been informed of this, and understand that they will be able to provide comments or grievances through the normal channels.

33. In conjunction with the final locations, detail design and layout plans, the LARP (translated to Tajik and English) finalized and disclosed on the KMK PIG and ADB websites. The KMK Environment and Social Officer will closely monitor the safeguard compliance in the subprojects implementation and report their periodic observation to ADB. During LARP implementation, the PIO will:

- Inform in advance the DPs, including women-headed households and vulnerable groups, to begin moving at least 180 days prior to demolition of their structures;
 - Ensure that all resettlement payments are made prior to the announcement
 - That all resettlement procedures have been undertaken prior to construction commencing;
 - Persuade housewives to be with their husband when receiving payment for compensation and assistance from the Hukumat; and
 - Involve women of affected households and vulnerable groups in the locality in addressing the unanticipated social and environmental impacts during Project implementation.
-

VI. GRIEVANCE REDRESS MECHANISM

34. In order to efficiently receive and facilitate the resolution of complaints and grievances of the affected persons and their community about project level social and environmental issues, a Grievance Redress Mechanism (GRM) will be established by KMK at the District and Jamoat levels. The grievance redress mechanism will be scaled to the risks and impacts of the project. It will address displaced/affected people's concerns and complaints promptly, using an understandable and transparent process that is gender responsive, culturally appropriate, and readily accessible to all segments of the affected people.

35. The information of grievance redress process will be widely disseminated to all affected persons and the beneficiary communities during project consultations. The Project GRM will be in effect from the commencement of project implementation activities until the completion of the civil works and incorporates social, resettlement and environmental complaints. Copies of the GRM process and the complaint forms will be available at the Jamoat offices, KMK representative offices and the district land and resettlement Committees to ensure transparency and equal access to all the citizens.

A. Steps for Grievance Redress Process

36. Complaints and grievances received during the implementation level will be addressed through the following steps and actions:

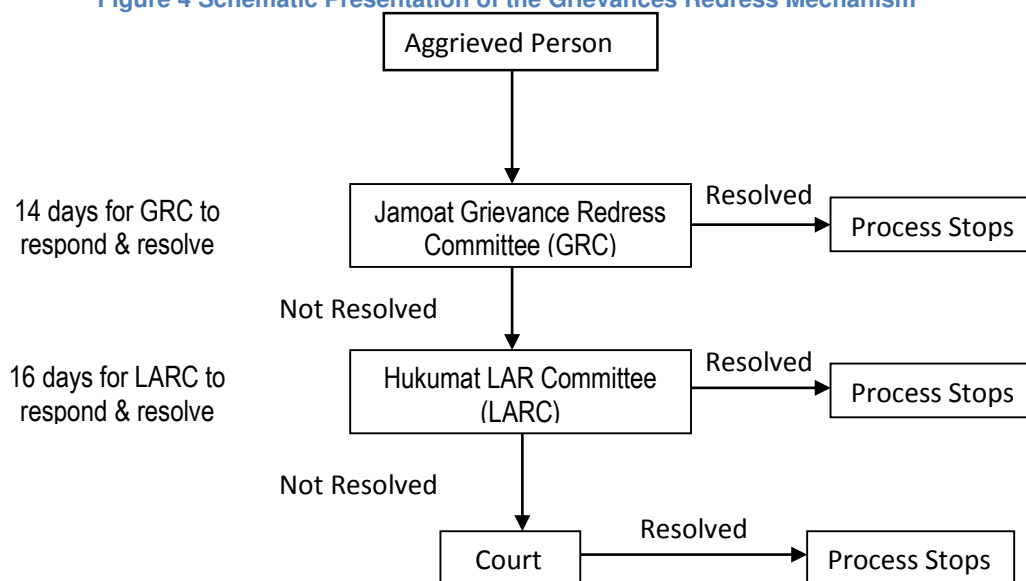
Step 1: Complaints will first be lodged at the Jamoat level, where the responsible and Jamoat officers, as representatives of the aggrieved persons, will attempt to resolve the issue. Each complaint will be registered, signed by the complainant and a representative of the Grievance Redress Committee, and the receipt of the complaint given to the aggrieved persons. The period fixed for resolution of complaints is 14 calendar days.

Step 2: If the complaint cannot be addressed at Jamoat level, aggrieved person can apply to the district level GRC for solution with assistance from Jamoat GRC. The district GRC at Vodokanal has an obligation to attempt to resolve the issue within 15 calendar days.

Step 3: If no solution is reached within 15 days, the aggrieved person can submit her/his case to the appropriate court of law, with all costs paid for by the project.

37. In the event when the established GRM is not in a position to resolve the issue, Affected Person also can directly contact ADB Tajikistan Resident Mission (TJRM). Contacts of local ADB TJRM persons-in-charge of LAR will be circulated among the communities during the consultation meetings.

Figure 4 Schematic Presentation of the Grievances Redress Mechanism



B. Formation of Grievances Redress Committees (GRC)

38. Grievance Redress Committee (GRC) will be established at the relevant Jamoat level in each relevant district to resolve complaints and grievances informally through community participation. GRC will also be established at the relevant district level as an upper tier of the GRM. The Jamoat GRC will consist of representatives of the KMK, the local hukumat, DPs/community representatives, women DPs (if any), and appropriate local NGOs to allow voices of the affected communities to be heard and to ensure a participatory decision-making process. The majority of members will make the GRC decisions. To increase the transparency of grievance and redressed process any complaint received by the GRC will be publicly notified in the Jamoat information board for its status and solutions. If the complainants are not satisfied with the GRC decisions, they appeal their cases to the next level of the GRM system (District GRC) and to court.

39. Jamoat GRC and District LARC will be established by an office order of the KMK and the decree of the district/Hukumat Chairperson. The following tables are the composition of members which will constitute each LARC and GRC:

Table 5: District/ Hukumat Land Acquisition and Resettlement Commission

1	Head of Committee, Deputy Chairman of the District Government Authority	Convener
2	Chief District Architect	Member
3	Head of the Women and Family Welfare Department of district	Member
4	Representative from the PIQ, SUE KMK	Member Secretary
5	Representative from the district Office of the Land Management and Geodesy Agency	Member
6	Representative of DPs/Communities	Member

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7	Representative from the Jamoats within the District	Member
8	Representative of the Independent Labor Union within district	Member
9	Representative of a local NGO, Pyanj District	Member

40. As there will be no acquisition of land under private use and no displacement of people, the Project will establish a Jamoat level GRC, at the minimum.

Table 6:Jamoat Grievance Redress Committee (GRC)

1	Land and/or environmental specialists of District GRC/Jamoat Chairperson	Chair
2	Deputy Jamoat chairperson, responsible for gender policy	Member Secretary
3	Jamoat Resource Center representatives	Member
4	Sanitary and epidemiologic service representative	Member
5	Representative of KMK District (PIO)	Member
6	Representative of affected persons/communities	Member

C. Grievance Related to Physical Construction

41. All people living in the subproject areas may experience some adverse impact during the construction period such as damages, caused by direct physical impact of the contractor's equipment, contractor's or employer's design, or by other activities related to the rehabilitation/construction activities. Under the terms of the civil works contract, the Contractor has the obligation to provide third party insurance in the joint name of KMK, as the Employer, and the Contractor. According to the terms of the civil works contract, in case of damages, an affected person (the Claimant) may follow the claim procedure:

- Address his/her claim(s) for damages to the Contractor; or to the Employer, or to both of them.
- The district Hukumat Level Grievance Committee will hear the complaints for a resolution. Grievances must be heard and resolved within 14 days of submission of the complaint.
- If the Hukumat Level Grievance Committee is not able to resolve the grievance within the 14 days period, the complaints can be lodged at the KMK District Offices where a resolution will be attempted with the involvement of Hukumat and Jamoat officials as the elected representatives of the affected party.
- If still unsettled after 7 days a grievance can then be lodged to KMK at central level. Again the elected representatives of the affected party will have the opportunity to mediate.
- If no solution is reached within 14 days the affected parties can further submit their case to the appropriate court of law.

Table 7: Summary of Grievance Procedure

Stages in Response Handling	Required Activities
Jamoat Head or Hukumat representative and KMK representative (Jamoat GRC)	Jamoat GRC responds to questions and/or complaints. If no response within 14 days, or response is unsatisfactory, DP prepares a grievance in writing (utilise standard forms where possible).

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District/Hukumat LAR Committee	Registers the written complaint and attempts to solve it. If complaint is not resolved in 16 days (or 30 days since the complaint logged in the Jamoat GRC) or unsatisfactory, the affected people can go to court for resolution.
District Court of Law	The District court hears the case and makes a final decision, which is binding on all parties.

VII. LEGAL AND POLICY FRAMEWORK

A. Background

42. Land in the Republic of Tajikistan is an exclusive ownership of the state and the state guarantees its effective use in the interests of its citizens. The land code provides land use rights by juridical and physical actors. Juridical and physical land users can be primary or secondary users of the land. Primary land users are juridical and physical actors who have land plots either in tenure of lease for unlimited duration or life-long inheritable tenure. Secondary land users are juridical and physical persons who use plots of land on land-lease terms. Land use is directed by the State through the local district administrations, specifically the local offices of the State Committee for Land Management and district administrative offices (*hukumat*). Inheritance of land-use rights are provided for in the Constitution and the Land Code, but the process is still at a very early stage of implementation and does not provide women with rights and opportunities for inheritance or for reimbursement of their land share when they get married or divorced. The Land Code addresses potential compensation for people who legally occupy government land and are forced to relocate, but does not address compensation for people illegally occupying state owned land and forced to relocate, nor does it address compensation for people who have entered into “informal” renting or leasing arrangements without legally recognized land use certificates.

B. National Legal and Regulatory Framework

43. In the legislation of Tajikistan, there is no special law or policy that regulates the issues of resettlement, land acquisition and expropriation of rights to land and immovable property for state or public needs. Moreover, there is no separate law that completely provides norms and mechanisms for the determination of a full, fair, market value of land. The key legislative acts regulating land management relations and the ownership rights to immovable properties in Republic of Tajikistan are the following:

- Constitution of Republic of Tajikistan (1994, as amended in 2003)⁵
- Land Code (as amended in 2012)⁶
- Civil Code (as amended in 2007)⁷
- Regulation “about compensation of losses to the land users and losses of agricultural products” (approved by the Decree of Government of Republic of Tajikistan, 2017. No. 173 and 174)⁸

44. The Constitution of the Republic of Tajikistan, the Land Code of the Republic of Tajikistan and the Civil Code of the Republic of Tajikistan are the fundamental laws on which the legislation

⁵Constitution, November 6, 1994, as amended on 22 June 2003.

⁶Land Code, as amended by N 498 from December 12, 1997., N 746 from May 14, 1999, N 15 from May 12 2001, N 23 from February 28 , 2004. From 28.07.2006 No. 199, from 5.01.2008 No. 357, from 18.06.2008 No. 405, N 891 from August 1, 2012.

⁷Civil Code, as amended by August 6, 2001, N 41: May 3 2002 No. 5, March 1 2005, N 85; April 29, 2006 No. 180, May 12, 2007. No. 247).

⁸Approved by the Decrees of Government of Republic of Tajikistan, April 1, 2017, No. 173, and No. 174.

is based. The applicable Laws, regulations and policies are briefly summarized below. Based on the analysis of the applicable laws and policies and ADB's Safeguards requirement, Project related LAR principles have been adopted.

45. The Constitution of the Republic of Tajikistan is the main legal document guaranteeing citizen's rights. Article 13 states "land, bowels of the earth, water, airspace, animal and vegetable kingdoms, and other natural resources are owned by the state, and the state guarantees their effective use in the interests of the people." Further, Article 12 states:

"the economy of Tajikistan is based on various forms of ownership. The state will guarantee freedom of economic activity, entrepreneurship, equality of rights, and the protection of all forms of ownership, including private ownership."

46. The legal basis for state acquisition of private property for public works is outlined in Article 32 which states *"...the property of an individual is taken away only on the basis of the law, with the consent of the owner and to meet the requirements of the state and society, and with the state paying full compensation."*

47. Compensation for land withdrawal and other impacts due to public interest projects are also regulated by other legislative acts such as the Land Code RT (LC), the Civil Code RT (CC) and various normative-legal acts which govern land withdrawal, land allotment and impacts compensation to the citizens. The withdrawal/ allotment of lands and resettlement is based on the following principles:

- Land users have a right to be reimbursed for losses due to withdrawal of right of land use for state and public needs (Article 41,43 LC).
- At termination of the rights of property then property will be assessed on the basis of its market value (Article 265, CC).
- Land user or user of other registered rights associated with land should be noticed in writing about land withdrawal by local land management authority not later than one year before coming land withdrawal procedure (Article 40, LC).
- If according to International agreements which are recognized by the Republic of Tajikistan other rules are established than those which are specified in the Land Code of the Republic of Tajikistan, so the rules of international agreements will be accepted (Article 105, LC).

48. The LC, 1997 is the core legal document related to land acquisition. It has been updated a few times and most recently in 2012. Article 2 of LC states that there is no "private ownership of land, "land is an exclusive ownership of the State... [but]... guarantees its effective use in the interests of its citizens. Natural and legal persons have the right to alienate their land use rights" "land use rights can be subject of the civil matters, can be bought and sold, granted, traded, rented, mortgaged⁹.... Articles 10-14, the LC outlines land title as being of long-term, short term, and inherited land use entitlement. Household plots are given to the citizens for life-long inheritable use.

49. Article 18 of LC stipulates that using the land plot without defining its borders by relevant (land management) authorities and issuing documents certifying land use right is barred.

⁹Land Code Article 2 as amended in August 1, 2012

50. Article 24 of LC describes the allocation of land for non-agricultural purposes, and provides that when choosing a suitable location for such land uses, land not suitable for agriculture should be favored. The same principle is stressed by Article 29 LC, which discourages the use of high-yielding agricultural land for non-agricultural use. However, Article 29 also allows for allocation, and sequestering of agricultural land for “other very important State objects”.

51. Article 31 of LC provides that land acquisition for non-agricultural public purposes is subject to the award of compensation: “terms of allocating land plots *to new land users for non-agricultural needs must envisage compensation of all losses related to confiscation of land plots from former land users, as well as compensation of losses in agricultural production.*” Article 19 of LC states the rights of land users, including clauses allowing a land use rights holder the “waiving voluntarily land plot” or “indemnifying for [compensating] for losses” as mentioned in Article 41 of LC. This article sets out the following basis for compensation:

“Fully reimbursed shall be losses, including loss of profit, caused by:

- sequestration of land for non-agricultural purposes;
- restriction of land users' rights;
- deterioration of land quality as the result of activities of other land users.”

52. Procedure for calculation of the compensation due for land acquisition is regulated by Articles 43 and the relevant regulatory documents and is defined by the Government of Tajikistan.

C. ADB Social Safeguards Policy on Involuntary Resettlement

53. The ADB policy on involuntary resettlement is detailed as —Safeguard Requirement 2 in the ADB Safeguard Policy Statement (SPS) of June 2009. It emphasizes ADB’s efforts to assist development member countries (DMC) to pursue environmentally sustainable and inclusive economic growth. In addition, ADB is committed to ensuring the social and environmental sustainability of the projects it supports.

54. In this context, the goal of the safeguards is to promote the sustainability of project outcomes by protecting the environment and people from projects’ potential adverse impacts.

55. The ADB Safeguards Policy Statement (SPS) of 2009 requirements for Involuntary Resettlement aim 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 Affected persons in real terms relative to pre-Project levels; and to improve the standards of living of the Affected poor and other vulnerable groups. ADB Policy has the following requirements:

a. *Compensation, assistance and benefits for Affected persons (DPs)*

- Compensate/assist those with formal legal rights to the land lost and those who have claims to lands that are recognized or recognizable under national laws. DPs that have neither formal legal rights nor recognized or recognizable claims to such land are entitled only to compensation for non-land assets.
 - Compensate for affected lands, structures and other assets and put in place a comprehensive income and livelihood rehabilitation program prior to Displacement.
-

- Give preference to land-based resettlement strategies for Affected Persons whose livelihoods are land-based.
 - Provide physically displaced persons with relocation assistance, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, and civic infrastructure and community services.
 - Promptly compensate economically displaced persons for the loss of income or livelihood sources at full replacement cost, and provided other assistance (i.e. access to credit, training, and employment opportunities) to help them improve, or at least restore, their income-earning capacity, production levels, and standards of living to pre-displacement levels.
 - Provide displaced persons with opportunities to share Project benefits in addition to compensation and resettlement assistance.
- b. *Social Impact Assessment*
- Conduct socioeconomic survey(s) and a census, with appropriate socioeconomic baseline data to identify all persons who will be affected by the Project and to assess the Project's socioeconomic impacts on them.
 - As part of the social impact assessment, identify individuals and groups who may be differentially or disproportionately affected by the Project because of their disadvantaged or vulnerable status.
- c. *Land Acquisition and Resettlement Planning*
- A Land Acquisition and Resettlement Plan should be based on the social impact assessment and through meaningful consultation with the affected persons if the proposed Project will have involuntary resettlement impacts
 - Ensure that the Affected Persons are (i) informed about their options and entitlements pertaining to compensation, relocation, and rehabilitation; (ii) consulted on resettlement options and choices; and (iii) provided with resettlement alternatives.
 - Pay adequate attention to gender concerns to ensure that both men and women receive adequate and appropriate compensation for their lost property and resettlement assistance, if required, as well as assistance to restore and improve their incomes and living standards.
 - Analyze and summarize national laws and regulations pertaining to land acquisition, compensation payment, and relocation of affected persons in the Land Acquisition and Resettlement Plan; and compare such laws and regulations with ADB's involuntary resettlement policy principles and requirements. If a gap between the two exists, propose a suitable gap-filling strategy in the Land Acquisition and Resettlement Plan in consultation with ADB.
 - Consider all costs of compensation, relocation, and livelihood rehabilitation as Project costs.
 - Include detailed measures for income restoration and livelihood improvement of Affected Persons in the Land Acquisition and Resettlement Plan. For vulnerable persons and households, include measures to provide extra assistance so that they can improve their incomes in comparison with pre-Project levels.
-

- Before the completion of engineering design, prepare a final LARP that (i) adequately addresses all involuntary resettlement issues pertaining to the Project, (ii) describes specific mitigation measures that will be taken to address the issues, and (iii) ensures the availability of sufficient resources to address the issues satisfactorily.
 - Consult with Affected Persons identified after the formulation of the final Land Acquisition and Resettlement Plan and inform them of their entitlements and relocation options. Use qualified and experienced experts to prepare the social impact assessment and the Land Acquisition and Resettlement Plan.
- d. Information Disclosure*
- Submit the following documents to ADB for disclosure on ADB's website: (i) a draft Land Acquisition and Resettlement Plan and/or land acquisition and resettlement due diligence report endorsed by borrower before bidding process; (ii) the final Land Acquisition and Resettlement Plan endorsed by borrower; (iii) a new Land Acquisition and Resettlement Plan or an updated Land Acquisition and Resettlement Plan, and a corrective action plan prepared during Project implementation, if any; and (iv) the resettlement monitoring reports.
 - Provide relevant resettlement information in a timely manner, in an accessible place and in a form and language(s) understandable to affected persons and other stakeholders. For illiterate people, use other suitable communication methods.
- e. Consultation and Participation*
- Conduct meaningful consultation with DPs, their host communities, and civil society
 - Pay particular attention to the need of disadvantaged or vulnerable groups, especially those below the poverty line, the landless, the elders, female-headed households, women and children, Indigenous Peoples, and those without legal rights to land.
- f. Grievance Redress Mechanism*
- Establish a responsive, readily accessible and culturally appropriate mechanism to receive and facilitate the resolution of affected persons' concerns and grievances about physical and economic displacement and other Project impacts, paying particular attention to the impacts on vulnerable groups.
- g. Monitoring and Reporting*
- Monitor and measure the progress of implementation of the Land Acquisition and Resettlement Plan. For Projects/sub-Projects with significant LAR impacts, qualified and experienced external experts are retained to verify internal resettlement monitoring information. If any significant involuntary resettlement issues are identified, prepare a corrective action plan to address such issues. Do not proceed with implementing the Project until such planning documents are formulated, disclosed and approved.
- h. Unanticipated Impacts*
- If unanticipated involuntary resettlement impacts are found during Project implementation, conduct a social impact assessment, update the Land Acquisition and Resettlement Plan or formulate a new Land Acquisition and Resettlement Plan.
-

i. Special Considerations for Indigenous Peoples

- Avoid physical relocation of Indigenous Peoples that will result in adverse impacts on their identity, culture, and customary livelihoods. If adverse impacts cannot be avoided, formulate a combined Indigenous Peoples plan and resettlement to meet all relevant requirements specified under ADB Safeguard Requirements 3: Indigenous People.

j. Negotiated Settlement

- Acquisition of land and other assets through a negotiated settlement whenever possible is encouraged.
- Negotiated settlements that would result in expropriation are subject to third-party validation to ensure that the compensation is based on fair price (replacement cost) of land and/or other assets, and is based on meaningful consultation with DPs.

D. Comparison of Tajikistan's and ADB's Policy, Regulations and Procedures

56. The key differences between Tajikistan's laws/regulation and ADB safeguards policy are presented in the Table 8. Any major differences have been resolved in favor of ADB policy, particularly in areas where practices are less subject to independent oversight.

Table 8: Comparison of ADB Resettlement Safeguards with Tajikistan Land Code

ADB Safeguards Requirements	Tajikistan Land Code (LC) provisions	Reconciliation provisions
Affected persons are to be informed/ consulted on resettlement/ compensation options.	The LC does not provide for consultation.	In this Project, affected persons will be consulted on options. The Land Acquisition and Resettlement Plan will be disclosed to them.
Affected persons to be compensated and assisted, so that their economic/social future would be generally as favorable as it would have been in the absence of the Project.	The LC provides for compensating for loss of land right, buildings, crops, trees and other assets. However, it is not clear on how income losses (i.e. business losses) are to be compensated.	This Project will provide compensation for loss of land use rights, buildings and crop losses. Business losses will be compensated based on tax returns or if these are unavailable, based on a minimum salary. (See entitlements section for details).
Land compensation is to be provided at replacement rates either in terms of land for land or in cash. Due to circumstances of this Project, compensation needs to be provided in cash.	The LC does not specify cash for land compensation, but it is an ultimate responsibility of the Government of Tajikistan to define and endorse the compensation procedure.	Land will be compensated either by provision of replacement plot or in cash. For agricultural land, replacement cost will be computed based on the production value of the

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ADB Safeguards Requirements	Tajikistan Land Code (LC) provisions	Reconciliation provisions
		affected plot. For residential or /commercial land (a type of land that does not have intrinsic productive value) replacement cost will be computed based on current lease rate multiplied by 25 years since in Tajikistan there are no functional land markets.
Compensation is to be provided in full at replacement rates	The LC mandates compensation at replacement rates through provision of land x land. For cash compensation replacement cost is not used/specified	When land for land compensation is not technically feasible, local administrations will give cash compensation. This practice was adopted for other projects and in absentia of other similar mechanisms will be applied to this Project as well. A rehabilitation allowance for land use rights in cash at replacement rate will be provided to affected people.
Lack of formal legal title to the land by some affected groups should not be a bar to compensation or rehabilitation.	Compensation is provided only to registered settlers.	ADB policy shall prevail for this project in case if informal settlers need to be compensated for their losses
Beside compensation at replacement cost for land, ADB safeguards provide also for replacement cost compensation for houses, crops, trees, businesses and employment/income losses. For non-titled land users, compensation for structures based on replacement cost and not depreciated for age.	The Law provides for compensation for all losses. It is specific on this for buildings and crops but does not detail how trees and business compensation is to be carried out.	ADB policy shall prevail for this project.
ADB safeguards provide for rehabilitation allowances for, severe impacts, vulnerable DPs and relocation.	The law does not provide for the ADB required allowances.	These allowances will be provided as per ADB safeguards policy. These items will be included in the Project costs.

57. Comparison of Tajikistan land and resettlement policy with the ADB involuntary resettlement safeguard policy indicates that key elements of the ADB policy are present - particularly those related to valuation of immovable property. The ADB's principle of avoidance or minimization of resettlement is reflected in Tajikistan Legislation.

58. The key policy difference regards affected persons without title, or registration. In order to remedy this, all land, businesses and structures will be registered prior to resettlement, at no cost to the displaced persons, and then transferred or compensated under the relevant entitlement.

59. Overall, Tajikistan's Country Safeguard System (CSS) is approaching that of ADB's Social Safeguard Policy. The main area of concern is the application of laws in practice before and during construction. This is mainly an issue of information dissemination to those responsible for implementation at the district and province level. This has been addressed in the information dissemination activities during preparation, and will be a core area for the monitoring activities during the LARP update and implementation.

E. Actions Addressing the Gaps

60. Following the Land Acquisition and Resettlement Framework (LARF) adopted for the main project and agreed by the Government of the Republic of Tajikistan (GOT), the KMK has prepared this draft LARP for the Project that incorporates the ADB requirements on involuntary resettlement as embedded in the Safeguards Policy Statement (2009), the Constitution of the Republic of Tajikistan, and the Land Code of the Republic of Tajikistan. Where differences exist between local law and ADB policies and practices, the resettlement for this Project will be resolved in favor of the later.

61. The LARP document ensures that: (a) compensation is provided at current market price for crops; and (b) the provision for replacement land for relocated affected household.

F. Principles and Policies for the Project

62. The ADB policy has no reference for valuing entitlements except for the general principle that Displaced Persons (DP) should be at least as well off after the project as before it. In other words, valuation of their property and assets should be at the replacement cost. ADB's practices also recognize this principle to ensure protection of interests and the wellbeing of the DPs.

63. The LARP sets eligibility and entitlement provisions establishing compensation rates in accordance with guidelines from the Land Code of the Republic and relevant bylaws.

64. The following principles for the compensation/rehabilitation of families affected by the Project were explained to the DP's and stakeholders during consultations:

- Land acquisition, and other involuntary resettlement impacts will be avoided or minimized exploring all viable alternative Project designs;
-

- Consultation with DPs on compensation, disclosure of resettlement information to DPs, and participation of DPs in planning and implementing rehabilitation measures will be ensured;
- Vulnerable groups will be provided with special assistance;
- Payment of compensation to affected persons including non-titled persons (e.g., informal dwellers/squatters, and encroachers) for acquired assets at replacement rates;
- Payment of compensation, relocation and resettlement assistance prior to the contractor taking physical acquisition of the land and prior to the commencement of any construction activities;
- Provision of income restoration and rehabilitation;
- The cut-off date for identifying affected lands, families and people is July 06, 2015, when the resettlement survey was commenced and any affected people along the proposed project sites were informed;
- All affected persons (identified before the cut-off date) will receive compensation, even if they are without title or formal recognition. This includes any persons affected temporarily or partially on their structures or income/ business loss, informal or temporary business use;
- Any negotiated settlement of taking over privately owned land or resume of state land or Vodokanal land will be safeguarded under the ADB SPS 2009 and supported under the grievance redress mechanism established for the project.
- A defined grievance procedure will be established. When a landowner or user does not agree with a decision regarding compensation or change of the ownership or land use (lease), it may not be exercised before the dispute is resolved judicially. In addition, every person who feels that they are in any way worse off can take their grievance to the highest level within the country system, at the cost of the project.
- If a land plot becomes unviable due to acquisition then the whole land plot will be compensated.

VIII. ENTITLEMENTS, ASSISTANCE AND BENEFITS

A. Eligibility to Compensation

65. The Kommunism Subproject affected only one household who is the owner of the land allocated for the water pump and associated structures and the standing cotton crops standing on the land.

66. Compensation eligibility is limited by the cut-off date established on May 9, 2016 at the end of the impact survey and announced during the Public Consultation meetings and communicated through jamoat. Necessary rehabilitation measures sufficient to assist the affected person to improve or at least maintain pre-project living standards, income-earning capacity and production levels will also be implemented. The cut-off date for title holders is the date when Government publishes notification indicating its intention to acquire land for a public purpose.

Those who encroach into the subproject area after the cut-off date will not be entitled to compensation or any other assistance.

B. Eligibility to Compensation

67. The displaced/affected person eligible for compensation or rehabilitation provisions under this Land Acquisition and Resettlement Plan (LARP) shall include the following:

- (i) Replacement equivalent land adjacent to the land plot from where land for the proposed site has been confiscated;
- (ii) Compensation for cotton crops standing on the land confiscated for the Subproject.

68. The impact assessment identified no other impacts as per ADB SPS 2009 (SR 2: Involuntary Resettlement).

69. Compensation eligibility will be limited by a *cut-off date* for each subproject on the day of the beginning of the census survey for the impact assessment in order to avoid an influx of outsiders.

C. Compensation and Entitlements Policy

70. The displaced person in the Project is entitled to compensation and resettlement assistance to help in restoring the livelihoods to the pre-Project levels. The combination of compensation measures (land for land) and resettlement assistance depends on the nature of the lost assets and scope of the Project's impact, including the social and economic vulnerability of the affected persons. The DP will be assisted to ensure that he restores his pre-project level income stream. The compensation package shall be a replacement land to the satisfaction of the affected land owner and compensation for one year crops at current market price as detailed below:

71. **Agricultural land.** Replacement land of equivalent quantity at a location agreed with the land owner

72. **Crops.** Crop compensation will be paid in cash at full market rate for 1 years' yield. This shall apply whether the land is fallow, or in crop.

73. **Unanticipated Impacts.** For other unforeseen impacts other than stated above the ADB SPS (2009), general principles and objectives will be used as the minimum benchmarks and appropriate mitigation measures will be seek to meet them.

74. The entitlement matrix in Table 9 summarizes the major types of losses and the corresponding nature and scope of entitlements following the LARF. Standards described herein has been sustained or enhanced in the LARP.

Table 9: Compensation Entitlement Matrix

Sl.	Type of Impact	Affected Persons	Entitlements
1	Agricultural land: All losses irrespective of impact severity	Dehkan farm "Mustofo"	Provision of a new agricultural land of equivalent productivity and size at a location agreed by the DP.
2	Crops (Cotton)	Dehkan farm "Mustofo"	Crop compensation in cash equal to 1 year of the gross income of affected land at market rate.
3	Unanticipated impact	All DPs regardless of their legal status	As per ADB SPS (2009) general principles and objectives as the minimum benchmarks

75. Delivery of compensation will be made by bank transfer directly on the names of the DP(s) or their private account free from fees or processing charges. Expenses related to processing of compensation payments, opening bank account will be covered by the Government of the Republic of Tajikistan through the authorized entity (PIG, SUE KMK).

D. Calculation of Compensation

76. **Crop Compensation.** Valuation of affected standing crops(cotton) has been undertaken by a special committee comprised of the representatives from Agricultural Department under the State Executive Body of the district, Statistic Department of the district, Land Management Department of the district and Namuna Jamoat, and head of dekhkan farm Mustafo and Director of Water Supply Organization of the district. The affected land owner has agreed with the valuation. The affected person(s) also have recourse to the grievance committee if agreement is not reached.

77. The crop valuation was guided by the Compensation Entitlement Matrix and is at full market price free of any associate costs for selling the produce. Entitled person is the legal owners of the land confiscated but if any persons or entity identified in the implementation stage as affected by the project, compensation will be provided for the identified losses irrespective of their legal status, including legalizable DPs.

78. **Land for Land.** At the request of the DP, the district Chairperson based on the discussion with the dehkan farm "Mustofo" decided to assign alternative land plot agreed with the incumbent. While the actual impact makes 1.20 ha in Saraikamar village for the Komunism pump house, the District Administration has provided similar alternative land from the state reserve to continue cotton cultivation under Regulation no. 173(Annexure-3).

79. In order to develop the new land plot in exchange for the land seized from the dehkan farm Mustofo, in accordance with Article 42 of the Land Code of the Republic of Tajikistan, the State Subsidiary Enterprise on Water supply of the Pyanj district will compensate 138,136 (one hundred and thirty-eight thousand one hundred and thirty-six) somoni to a special account of the republican budget against confiscation of the said land in Saraikamar. The State Committee for Land Management and Geodesy (SCLMG) of the Republic of Tajikistan will ensure the state registration of the land plots and the right to use for subprojects after refunding the funds to the

special account of the republican budget. The SCLMG will also make appropriate changes to the land cadastre documentation.

80. **Priority in work placement.** The willing community members, men and women will have priority to be employed at Project construction and rehabilitation works and details will be included in the progress reports. The Gender Action Plan provides the guidance in providing employment to local people.

81. **Allocation of State Land.** The district administration in Pyanj has allocated a quantum of 1.00 ha land from the land reserve funds of the village Kommunism. The State Subsidiary Enterprise on Water supply of the Pyanj district will compensate 35,579 (thirty five thousand five hundred seventy nine) somoni to the special account of the republican budget against allocation of the land. The SCLMG will ensure the state registration of the land plots and the right to use for subprojects after refunding the funds to the special account of the republican budget. The SCLMG will also make appropriate changes to the land cadastre documentation (Regulation 174 at Annexure-3).

IX. RESETTLEMENT BUDGET AND FINANCING PLAN

82. The Government of Tajikistan is responsible for all the land acquisition costs associated with the implementation of this LARP. A budget of approximately TJS 224,298 will be allocated for the implementation of the entire LARP activities from the national budget for the Building Climate Resilience in the Pyanj River Basin Project before the LARP implementation. This includes the cost for compensation to the special account of the republican budget and cost of compensation for lost crops. The budget includes a 20% contingency for meeting unforeseen impacts surfaced during implementation of the Subproject. The budget breakdown is shown in Table 11.

Table 11: Land Acquisition and Resettlement Budget

Particulars of cost heads	Unit	quantity	Amount in TJS	Amount in USD	Remarks
Compensation to the Special Account of republican budget for 1.2 ha of private land	ha	1.2	138,136	17,552	Covered by the State budget
Compensation to the Special Account of republican budget for 1.0 ha of village reserve lands	ha	1.0	35,579	4,521	
Crops Cotton (1.2 ha; kg 3300 @ TJS 4.00 per kg)	ha	1.2	13,200	1,676	Provided by KMK
Total			186,915	23,749	
Contingency (20%)			37,383	4,751	
GRAND TOTAL			224,298	28,500	

83. The budget for LARP will be released by Ministry of Finance to PIG and PIG will disburse them down the district level via the district branches of State Savings Bank (or any other feasible alternative) following the list of DP(s) entitled for compensation and allowances verified and confirmed by the LAR Committee.

84. The PIG Environmental and Social Officer (ESO) with assistance from the project implementation consultant will carry out LAR tasks and responsibilities during the Project implementation.

X. INSTITUTIONAL ARRANGEMENTS

85. The Project Implementation Group (PIG) established under the State Unitary Enterprise “KMK” is responsible for preparation, updating and implementation of the LARP. Several other agencies are also involved to ensure effective and timely implementation of the LARP. Committee on Land Administration and Geodesy under the Government of the Republic of Tajikistan, Ministry of Finance, local executive government bodies (Hukumat) with its relevant department, and valuation company etc. are responsible severally for preparation, updating, finalization, approval, fund allocation and placement and implementation of this LARP.

A. Project Implementation Group, SUE KMK

86. PIG has the overall responsibility for the Building Climate Resilience in Pyanj River Basin Project Component 3, including preparation, implementation, financing, reporting and evaluation on this LARP. In particular, the PIG shall:

- (i) Prepare, update, finalize and approve the LARP upon having approval from ADB;
- (ii) Take decisions related to the land acquisition and compensation of affected people with support from appropriate local, regional and central level authorities;
- (iii) Steer government agencies as well as local authorities involved in land acquisition, allocation alternative land and complaint management and/or grievance resolution;
- (iv) Ensure availability of sufficient budget for compensation, livelihood support and resettlement activities;
- (v) Ensure compliance of land acquisition and resettlement activities with the approved LARP; and
- (vi) Ensure engagement of experts/consultants to assist in implementation of LARP and monitoring/evaluation activities.

87. PIG is also responsible for ensuring cross-agency coordination and liaison with relevant state agencies involved in implementation of all LAR tasks, facilitating high-level decisions, including resolving DP grievances and facilitating court processes if any. With regard to grievance redress, PIG will be responsible for establishing the grievance redress committee along with the local authority of Pyanj district.

B. Social Safeguards and Gender Specialists

88. Resettlement Specialists with the Consultant for the Project is responsible to coordinate drafting of the final LARP and its implementation. The resettlement specialist/consultant shall be assigned to:

- (i) verify the list of DPs based on the final detailed design and update a database of DPs and impacts based on the verification results;
-

- (ii) maintain regular coordination and communication with relevant state agencies;
- (iii) follow up and provide support to during notification of DPs on upcoming land/property acquisition;
- (iv) provide support during verification of the DP census and socio-economic survey data, and valuation of the land/property to be taken;
- (v) prepare documents for negotiation of compensation with the DPs;
- (vi) prepare documents for formalizing agreements with DPs, processing of compensation payments, follow up with registration of land/property titles;
- (vii) conduct regular consultations and exchange of information with DPs on the implementation of the LARP; (viii) disclose the LARP and the information brochures;
- (viii) plan and manage LARP implementation and distribution of compensation;
- (ix) follow up with expropriation cases if any;
- (x) assist in receiving, recording, resolving and reporting of grievances related to land/property acquisition process and other issues related to the project and coordinate with the all the relevant stakeholders;
- (xi) ensure proper internal monitoring;
- (xii) monitor/supervise the temporary land acquisition carried out by contractor(s) engaged for the project if any; and
- (xiii) prepare regular reports on the progress of LARP activities.

C. Ministry of Finance

89. The Ministry of Finance of the Republic of Tajikistan will allocate financing for the compensation for land/property acquisition and resettlement. Based on the LARP approved by the Government, the Ministry of Finance allocates funds for LARP implementation upon PIG request, to the Pyanj district State Savings Bank branches with the DP names and eligible amounts due.

D. Local Authorities

90. The Pyanj Hukumat plays important roles in DP consultation, issuance of decrees, grievance resolution and in the provision of alternative land plots as well as overall LAR implementation-related coordination. Pyanj Hukumat will also involve jamoat leaders in information dissemination and grievance redress.

E. Implementation Support Consultant (ISC)

91. The ISC assists PIG in carrying out the duties related to finalization, implementation, supervision, monitoring and evaluation of LAR activities. In particular, the ISC assisted PIG in:

- (i) finalizing the design for sub-projects, including updating the details of affected lands and properties;
- (ii) design and supervising the consultations, disclosure, DMS and census/socioeconomic survey for the final LARP;
- (iii) coordinating with the licensed valuator and/or district LAR Committee in conducting official valuation of affected assets to ensure that the replacement cost principles of the ADB SPS (2009) are adhered to;
- (iv) ensuring complete vacation of affected structures/land before civil works commencement and payment of appropriate compensation before displacing the DPs;
- (v) monitoring LARP implementation process, providing data and support PMO in preparation of quarterly monitoring reports on LARP implementation and monitoring activities;
- (vi) informing the PIG on the issues and bottlenecks that arise during LARP implementation and monitoring, and provide recommendations and suggestions on solution of such issues;
- (vii) supervising the activities of contractor(s) and sub-contractor(s), including implementation of mitigation measures, temporary land acquisition, etc.;
- (viii) advising PIG on LAR issues and grievance redress; and
- (ix) studying, communicating to PIG and implementing immediate remediation in case of any non-compliance with the LARP.

F. Other Agencies and Institutions

92. Several other institutions take part in the preparation and implementation of LAR activities. These are:

- (i) **State Committee for Land Administration and Geodesy (CLAG) of the Republic of Tajikistan** is the central government body with executive power for land management. The CLAG together with the state enterprises under its control, is responsible for promoting and developing unified state policy in land matters, and the management of state land; managing survey works including land cadastre, geodesy, aerial imagery and topographic mapping; controlling the use and protection of land, geodesy, and further development of the level of government geodetic control, aerial imagery and mapping activities; undertaking government activities on land management, land cadastre, and geodesy; conducting the registration of land use rights and implementation of land reform; undertaking surveying and land plot formation activities; preparing and issuing of the Land Use Right Certificates; registering changes of land users; allocating new land plots; acquiring land for the state; surveying the land plots, the subject of land use rights; developing the projects for allocation of land use rights for non-agricultural needs; and implementing land assessment work, soil assessment and economic valuation of land. Since June 2015 the newly established State Unitary Enterprise “Registration of Immovable Property” (SUERIP) as a self-financing entity under the CLAG started its operation, with merged functions
-

of BTIs and Land Committee. SUEKIP is responsible for maintaining the Unified State Register of immovable property in line with the real estate registration reform.

(ii) **Local Courts.** The court system will be involved in LAR process in case the agreement is not reached between EA and the owner/user of the affected land plot/property. The court system in the Republic of Tajikistan has a pyramidal hierarchy and includes (i) district courts; (ii) regional courts; and (iii) Supreme Court of the Republic of Tajikistan. Meantime the trial process has the following steps: (i) Court of First Instance; (ii) Appeal Court; (iii) Cassation Court; and (iv) Supreme Court. In case of expropriation issues, EA shall rely on the court system, which based on due legal process will review the expropriation cases, carry out a hearing and decide whether the land/property can be expropriated and at what price;

G. Asian Development Bank

93. Besides carrying out the periodical supervision of the Project, ADB will review the LAR and clear contract awards signing, and initiate civil works, as well as review LAR monitoring progress and results. ADB also assists with capacity building of parties involved in LAR processes and carries out monitoring of LAR related activities.

94. Figure 5 below shows the LAR implementation arrangements and relations among various stakeholder agencies involved in the LAR activities for this Project.

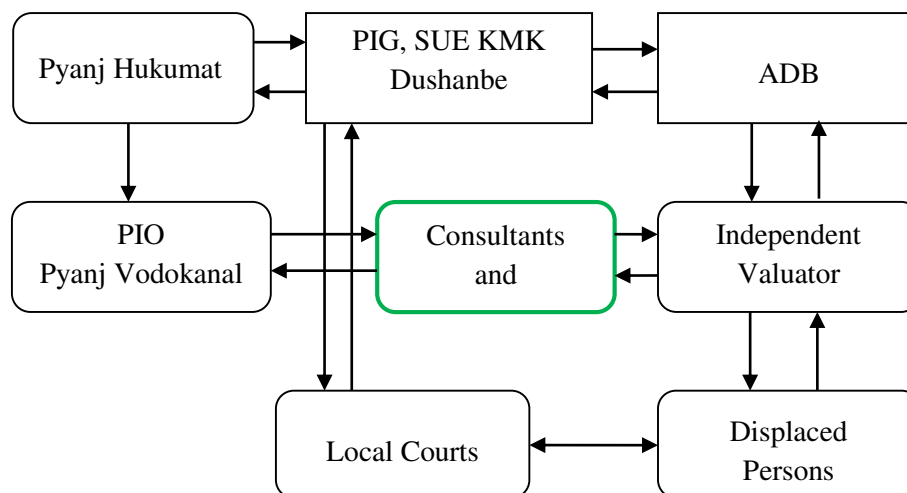


Figure 5 LAR institutional arrangements and relations among stakeholders

H. Implementation Schedule

95. The implementation schedule of the Land Acquisition and Resettlement Plan will depend on the allocation of LAR funds. All LAR related activities are planned in way to ensure compensation is paid prior to commencement of civil the works. Public consultations were carried out throughout LARP preparation and continue through the Project life. Internal monitoring and grievance redress will be undertaken intermittently throughout the Project duration.

96. The Project LAR activities include (i) updated data on DPs and their properties, and conducting detailed measurement survey and valuation, and full consultations with DPs; (ii) preparation of the final LARP; and (iii) internal LARP monitoring.

97. The Project commenced in June 2015 and will have a seven year duration period. With most of the first couple of years focusing on detailed design and contracting, implementation of the first contracts to be started in January 2017.

98. The LARP needs to be fully implemented and evaluated not later, than September 2017. Implementation is expected to take about 3 months from the negotiation of compensation with DPs, to compensation payment, and internal monitoring. However, the delays in LAR implementation process (even minor ones) can impact the overall implementation of civil works, thus impacting the overall progress of project, it is necessary to ensure proper and timely implementation of the steps envisaged in this LARP. The schedule for Project implementation is presented in Table 12.

Table 12: LARP Implementation Time Schedule

Milestone activities	Quarter- 2, 2016	Quarter- 2, 2017	Quarter- 3, 2017
A. LARP Preparation			
Cut-off date establishment and publication of announcement			
Public consultations			
LARP drafting			
LARP review / approval / disclosure			
No objection to signing of civil works contract			
B. Final LARP Implementation			
Allocation of LAR funds			
Schedule for compensation			
Processing of compensation payments to DPs			
Monitoring and supervision			
Preparation of compliance report			
Review of compliance report/Notice to Proceed for civil works			
Start of civil works			
Compensation of temporary impacts during civil works			

I. Implementation Phase

99. Upon the approval of the final LARP, all the arrangements for setting the compensation and the disbursement have to be carried out. These include payment of all eligible assistance, site preparation for delivering the site to civil works contractor(s) and finally commencement of the civil works. Internal monitoring will be the responsibility of PIG and will start early during the Project once implementation of final LARP starts and will continue until the completion of the project. Table 13 shows the activities involved in the LARP preparation, finalization and implementation and the agencies/units involved.

Table 13: LARP Preparation and Implementation Process

	Work description	Responsible agency
A. LARP Preparation and Finalization		
	A.1 Cut-off date establishment and announcement	PIO, Jamoats
	A.2 Detailed surveys based on the final design (census, socio-economic survey and valuation)	PIG, PIO (with support of LARC, Design Engineer, licensed valuator)
	A.3 Public consultations	PIG, PIO, Pyanj Hukumat, Jamoats, Design Engineer, licensed valuator
	A.4 LARP drafting	PIG, PIO, (Design Engineer, survey team, licensed valuator)
	A.5 LARP review/approval/disclosure	GoT, PIG, ADB
	A.6 No objection to signing of civil works contract	ADB
B. LARP Implementation		
	B.1 Allocation of LAR funds	Ministry of Finance of the Republic of Tajikistan
	B.2 Schedule for compensation action plan	PIG, PIO
	B.3 Processing of compensation payments to DPs	PIG, PIO, Pyanj Hukumat, Jamoats
	B.4 Expropriation proceedings, if relevant	PIG, PIO, Courts
	B.5 Demolishing/clearance of affected plots/assets	Contractor(s), PIO
	B.6 Monitoring and supervision	PIG, PIO, ISC, ADB TJRM
	B.7 Preparation of compliance report	PIG, ISC
	B.8 Review of compliance report and issuance of Notice to Proceed for civil works	ADB

PIG = Project Implementation Group; PIO = Project Implementation Office;ISC = Project Implementation Consultant.

XI. MONITORING AND REPORTING

100. The PIG (with support of PIO and ISC) will monitor LARP implementation progress, and submit quarterly monitoring reports to ADB. Table 14 below shows a general system of monitoring indicators to be periodically reported to ADB.

Table 14: LARP Internal Monitoring and Evaluation Matrix

Purpose	Activities	Monitoring Indicators
Identification of compensation recipients	Verify the list of compensation recipients against eligibility criteria for compensation.	Number of persons in the list of compensation recipients, who do not meet eligibility criteria (included by mistake).
	Identification of persons, who may claim eligibility for compensation, but are not included in the lists of compensation recipients. Separate verification should be performed on each type of compensation.	Number of persons who meet the criteria, but are not included in the list of compensation recipients (excluded by mistake).
Verification of affected area	Confirmation of the areas of affected assets (including land plots and real property) against the LARP.	Area of land subject to acquisition, for which compensation has been paid.
		Area of structures subject to acquisition for which compensation has been paid.
Verification of compensation amount, processing and payment	Examination of financial documents	Number of persons who received compensation timely and in full, by compensation type.
	Identification and analysis of reasons for compensations not being paid in full and timely.	Number of persons who did not receive compensation timely and in full, disaggregated by compensation types.
		Amount of funding allocated for payment of compensations.
Verification of compensation timeline	Identification of reasons for which payment of compensations was delayed (e.g., due to the court trial, inheritance issue, etc.).	Number of persons who received compensation with delay, by compensation type and reasons of delay; changes in the amount of compensation (if any) should also be noted.
Verification of consultation and participation	Determining the level of involvement and identification of reasons of inadequate participation.	Number of compensation recipients participated in consultations and coordination meetings at each stage of land acquisition.
	Examination of grievance cases; analysis of disputes and complaints content, and resolution of conflicts.	Number of complaints received. Number of complaints resolved.
Verification of income restoration	Socio-economic survey of affected households (after implementation of the LARP).	Changes in the household income/livelihood.

Source: PIG, SUE KMK

101. Implementation of the LARP once finalized and approved, will take about 2 to 3 months. PIG will establish an appropriate internal monitoring system to record the progress in

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compensation payment and other resettlement activities, to ensure full compliance with SR2 of the ADB SPS 2009 requirements, and to avoid potential risks.

Annexure 1 - Disclosure and Consultation Process

Disclosure of project concept and infrastructure options was made to invite opinions and suggestions from the beneficiary communities during April– June 2015 in the project impact areas and villages. However, community consultations on social issues were carried out in the middle of June 2015 and furthered up to December 2015. Summary of the outcomes from some of the consultation events have been presented hereunder:

The consultant team visited Pyanj on April 24, 2015 and had meetings with the Pyanj Vodokanal, Pyanj Hukumat and focused group discussions with the beneficiaries in Kommunist. The Social Safeguards and Gender Consultants of the Consultant team had undertaken site trips to project areas in Pyanj on June 17, 2015. Mr. Sultonov Rahamt Ullah, PIG Member (Engineer) assisted the consultants and officials from the local Vodokanal in Pyanj and respective Jamoats contributed with information and assistance. The team also had focused group discussion with communities while visiting the sites. The consultant team also visited the proposed sites at Mehvar and Beshkappa in May 2016.

Beneficiaries Opinion to Pay for Water Supply:

To determine drinking water availability and amount of payment for services the villagers of Kommunist of Namuna Jamoat and Yuzgand of Mehvar Jamoat were interviewed. It should be noted that the entire water supply system of the Jamoats is on the responsibility of Pyanj Vodokanal and payment of drinking water service is collected by the authorized people of the Vodokanal.

According to the population payment for water consumption from a public water pipe (5-6 families from one tap) is 1 somoni 50 dirams per person per month. The payment is 3 somoni 60 dirams per person per month for water sources in the courtyard. When asked to pay for the water without raising the level of poverty, particularly for well-off families, they responded to pay 1 somoni for public stand pipe and 2 somoni for the use of individual water supply.

All interviewed water users agreed with the installation of water measuring device for water consumption.

Summary of the findings from focused group discussions:

A. *Safe Drinking Water and Consumer Practices*

- a. Making available safe drinking water in the area proposed under the project is the major concern of the communities.
- b. People are aware of health impacts from drinking unclean water and they believe that having safe drinking water alone can reduce health hazards and save their time and money.
- c. Both men and women are involved in collection of water for drinking. But children are specially engaged for fetching water. About 2/3 hours are spent in fetching drinking water. Water from nearby irrigation and spring canals (normally not clean) are used for draft purposes (other than drinking purposes).
- d. On the choice of water quality and sources, the adults are agreeable with open water for draft use and clean water for drinking. However, the children prefer clean water for taking bath as well.

Gender Equality Issues

- e. Both men and women are aware of the problem and can define their needs and aspirations on safe drinking water.
- f. Although proportion could not be demarcated, responsibility for fetching water for drinking seems to be shared between men and women. But children are playing a major role here.
- g. The men in few areas are considering the cost aspects of clean water, but the women are enthusiast and very much agreeing on possible water tariffs.
- h. The women are interested to receive training under the project on health and hygiene and on operation and maintenance of the water systems as per project provision.

B. *Existing Services and Availability of Water*

- a. Communities in the target areas are getting limited supply of water through water points at community level from the local bore-wells or nearby springs.
- b. In many areas, the supply cannot meet the requirement and people transport water from distant springs or bore wells in buckets. These distant sources are also limited and there is events of unavailability even after traveling such long distances due to limited supply.
- c. The existing pumps supply to the consumer villages by rotation within a day. Each village gets supply only for 1 to 2 hours in the morning and similar hours in the evening. Every households therefore needs to stock water in buckets. In many occasions they go without water or collect unclean water from the open canals, treat (through settling and boiling) and drink.

C. *Participatory Drinking Water Management*

- a. It was observed during the site trip that there is no vehicle of communication or coordination between Jamoat, water supply company (Vodokanal) and Consumer communities.
 - b. Jamoats are the owner of the land and assets for water supply system and networks under it while the Vodokanal at the district level is the technical service provider for construction, operation and maintenance support to the systems.
 - c. The project proposes that the consumers, as the sole beneficiary of the water supply systems, will bear the full responsibility for operation and maintenance.
 - i. The beneficiaries as per project concept, will be mobilized into Water Consumer Group (WCG) for each village and recognized by Vodokanal and the local Jamoats.
 - ii. The WCGs will have their own bank account and operate as not-for-profit organization.
 - iii. WCGs will collect water tariff from the consumer households and keep deposited in their bank account.
 - iv. This money will be used for operation and maintenance of the water systems. They will seek technical assistance from Vodokanal for payment. They can also go for taking technical service from private enterprises.
 - v. This will build belongingness among the beneficiaries and the WCGs will sustain to keep the water systems operational.
 - d. Gender issues: The Jamoats and Vodokanal officials are respectful to gender mainstreaming as per current policy of the government. At least 30% of all employment will be offered to the women.
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THE CONSULTATIONS EVENTS IN PICTURE



Consultation with People in Kommunism Village



Consultation with water users of Yuzgand Village



Meeting with the Deputy Chairman Pyanj District



Consultation with communities at Namuna Jamoat



Consultant team speaking with local Vodokanal chief and former chief on GAP



Consultation with Hukumat Chairman on Yuzgand Site Clearance Issues

Detailed Note from the National Social Development Specialist: Pyanj District, June 17, 2015

The working group on June 17, 2015 in accordance with the aim of the Project for social assessment of situation with the access of population to drinking water and determine the readiness of the population to the project visited the Pyanj district in particular Jamoat Mehvar and village Yozgand.

Initially, the group was received by the Chairman of the Pyanj District (Abdudjoni Tavakkalzoda). District Chairman thanked the ADB for its assistance in improving the situation of the population with access to improved drinking water and expressed readiness to support any course of project implementation. He confirmed that many outlying villages such as Gushon, Bedak, Navobod, Jamiyat and Kirov are in very difficult situation in provision with drinking water to the population and requested that under project to assist the these villages. KMK representative said that the issue will be considered and proposed to ADB for additional funding, and possibly will be resolved positively.

Further, with the chairman it was discussed the restored bore wells in the village Yozgand where the building in this area have been privatized by a private individual. Chairman of the district due to the absence in the district for the time being responsible persons, promised for 2 days to form a working committee of the local Khukumat, to reveal the circumstances of the problem and resolve all issues.

Next, the group visited the Jamoat Mehvar and met with its chairman (Mashrabov Sadi). Regarding situation with the area where located reservoir and 4 bore wells in the village Yozgand were discussed jointly by the chairman and senior officials of Jamoat. The explanation about that the building and premises of this infrastructure and facilities have been given to one family for a temporary using have been received, they are not privatized and are on the balance of Jamoat.

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Jamoat promised that before the works commencement he will solve the issue with the family may be will provide another piece of land and make free the area for the project works. Further the discussions were held with the women of the village, which is also confirmed, that part of the population have a problem with access to drinking water. The population expressed its absolute agreement on the need to start design work, willingness to work in any construction - restoration works. Including women, to participate in the training, in the future Drinking Water Users Association. Also agreed to pay regularly for drinking water to be delivered to their homes through the water pipes.

Following are the persons living in the houses:

Zuhro – 77 years old – grandmother;
Mohinav – 21 years – granddaughter;
Abdurazzok – 17 years –grandson;
Nazira – 15 years – granddaughter;
Zuhuriddin – 14 years – grandson;
Nematullo – 13 years – grandson;
1.6 years - great-grand daughter

Annexure 2 Involuntary Resettlement Impact Screening Checklist

A. Subproject Name: Saraikamar site, Kommunism Subproject, Pyanj, Package No. 2

Possible Involuntary Resettlement Effects	Yes	No	Not known	Remarks
Involuntary Acquisition of Land				
1. Is the site for land acquisition known?	√			Sites identified
2. Will there be any land acquisition?	√			
3. Is the ownership status and current usage of land to be acquired known?	√			Family dehkan farm
4. Will subproject be implemented within an existing Right of Way (ROW)?		√		
5. Will there be loss of shelter and residential land due to land acquisition?		√		
6. Will there be loss of agricultural and other productive assets due to land acquisition?		√		
7. Will there be losses of crops, trees, and fixed assets due to land acquisition?	√			
8. Will there be loss of businesses or enterprises due to land acquisition?		√		
9. Will there be loss of income sources and means of livelihoods due to land acquisition?	√			
Involuntary restrictions on land use or on access to legally designated parks and protected areas				
10. Will people lose access to natural resources, communal facilities and services?		√		
11. If land use is changed, will it have an adverse impact on social and economic activities?		√		
12. Will access to land and resources owned communally or by the state be restricted?		√		
Quantification of private land require to be acquired:				
Any preliminary estimate of the likely affected land that will be required by the Project?				
[] No [√] Yes				
If yes, approximately how much? <u>1.20</u> hectares				
Information on displaced persons				
Any estimate of the likely number of persons that will be displaced (economically and physically) by the Project?				
[] No [√] Yes				
If yes, approximately how many? <u>0</u> [none]				
Any estimate of the likely number of persons that will be physically displaced (relocated) by the Project?				
[√] No [] Yes				

Land Acquisition and Resettlement Plan

Package 3: Pyanj Subprojects, Rural Water Supply Component

Possible Involuntary Resettlement Effects	Yes	No	Not known	Remarks
If yes, approximately how many? ____ [<i>agricultural laborers may lose their employment but the owner will resume them in replacement area</i>]				
Any estimate of the likely number of persons that will experience loss of more than 10% of productive assets? [<input checked="" type="checkbox"/>] No [<input type="checkbox"/>] Yes If yes, approximately how many? ____				
Are any of them poor, female-heads of households, or vulnerable to property risks? [<input checked="" type="checkbox"/>] No [<input type="checkbox"/>] Yes If yes, approximately how many? ____				
Are any displaced persons from indigenous or ethnic minority groups? [<input checked="" type="checkbox"/>] No [<input type="checkbox"/>] Yes If yes, how many? ____				

Environmental and Social Focal Person

Date:

____/____/____

Project Implementation Office
Pyanj Vodokanal, KMK

Land Acquisition and Resettlement Plan

Package 3: Pyanj Subprojects, Rural Water Supply Component

B. Subproject Name: Kommunist site, Kommunist Subproject, Pyanj, Package No. 3

Possible Involuntary Resettlement Effects	Yes	No	Not known	Remarks
Involuntary Acquisition of Land				
1. Is the site for land acquisition known?	<input checked="" type="checkbox"/>			Sites identified
2. Will there be any land acquisition?		<input checked="" type="checkbox"/>		
3. Is the ownership status and current usage of land to be acquired known?	<input checked="" type="checkbox"/>			
4. Will subproject be implemented within an existing Right of Way (ROW)?	<input checked="" type="checkbox"/>			
5. Will there be loss of shelter and residential land due to land acquisition?		<input checked="" type="checkbox"/>		
6. Will there be loss of agricultural and other productive assets due to land acquisition?		<input checked="" type="checkbox"/>		
7. Will there be losses of crops, trees, and fixed assets due to land acquisition?		<input checked="" type="checkbox"/>		
8. Will there be loss of businesses or enterprises due to land acquisition?		<input checked="" type="checkbox"/>		
9. Will there be loss of income sources and means of livelihoods due to land acquisition?		<input checked="" type="checkbox"/>		
Involuntary restrictions on land use or on access to legally designated parks and protected areas				
10. Will people lose access to natural resources, communal facilities and services?		<input checked="" type="checkbox"/>		
11. If land use is changed, will it have an adverse impact on social and economic activities?		<input checked="" type="checkbox"/>		
12. Will access to land and resources owned communally or by the state be restricted?		<input checked="" type="checkbox"/>		
Quantification of private land require to be acquired:				
Any preliminary estimate of the likely affected land that will be required by the Project?				
[<input checked="" type="checkbox"/>] No [] Yes				
If yes, approximately how much? <u> 0 </u> hectares				
Information on displaced persons				
Any estimate of the likely number of persons that will be displaced (economically and physically) by the Project?				
[<input checked="" type="checkbox"/>] No [] Yes				
If yes, approximately how many? <u> 0 </u>				
Any estimate of the likely number of persons that will be physically displaced (relocated) by the Project?				
[<input checked="" type="checkbox"/>] No [] Yes				
If yes, approximately how many? <u> 0 </u>				
Any estimate of the likely number of persons that will experience loss of more than 10% of productive assets?				
[<input checked="" type="checkbox"/>] No [] Yes				

Land Acquisition and Resettlement Plan

Package 3: Pyanj Subprojects, Rural Water Supply Component

Possible Involuntary Resettlement Effects	Yes	No	Not known	Remarks
If yes, approximately how many? <u> 0 </u>				
Are any of them poor, female-heads of households, or vulnerable to property risks? [<input checked="" type="checkbox"/>] No [<input type="checkbox"/>] Yes				
If yes, approximately how many? <u> 0 </u>				
Are any displaced persons from indigenous or ethnic minority groups? [<input checked="" type="checkbox"/>] No [<input type="checkbox"/>] Yes				
If yes, how many? <u> 0 </u>				


Environmental and Social Focal Person

Date:

____/____/____

Project Implementation Office
Pyanj Vodokanal, KMK

Annexure-3 Land Allocation Proceedings (Unofficial translation of the regulations and acts)


Ҳукумати Ҷумҳурии Тоҷикистон
ҚАРОР
Правительство Республики Таджикистан
ПОСТАНОВЛЕНИЕ
аз 1 апрели соли 2017 № 173
ш. Душанбе

- бақайдгирини давлатии қитъаи замин ва ҳуқуқи истифодаи онро пас аз пардохт намудани маблағи дар бади 3 зикргардида таъмин намояд;
- ба ҳуҷҷатҳои ҳадастри замин тағйироти дахлдор ворид намояд.

Раиси
Ҳукумати Ҷумҳурии
Тоҷикистон

Эмомалӣ Раҳмон

Дар бораи гирифтани ва ба Корхонаи давлатии фаръии
обтаъминкунии ноҳияи Панҷи вилояти
Хатлон додани қитъаи замин

Мубокики моддаҳои 26¹, 29 ва 30 Кодекси заминии Ҷумҳурии Тоҷикистон Ҳукумати Ҷумҳурии Тоҷикистон қ а р о р м е к у н а д:

1. Аз ҳисоби заминии хоҷагии деҳқонии «Мустафо»-и ноҳияи Панҷи вилояти Хатлон бо масоҳати 1,20 гектар заминии қорами обӣ гирифта, ба истифодаи бемуҳлат ба ҳуқуқи бегонакунии ба Корхонаи давлатии фаръии обтаъминкунии ноҳияи Панҷ барои амалӣ намудани лонҳои сохтмон, барқарорсозӣ ва эҳё намудани системаҳои обтаъминкунии (ҳавзҳои обгирӣ, иншооти хлоркунии, дидбонгоҳҳо ва ҷойҳо барои пармакунии ҷохҳои амудӣ) дода шаванд.

2. Мақомоти иҷроияи ҳокимияти давлатии ноҳияи Панҷ бар ивази заминҳои гирифташуда ба хоҷагии деҳқонии «Мустафо» дар масоҳати 1,20 гектар заминии қорами обии баробарарзиш пешниҳод намояд.

3. Корхонаи давлатии фаръии обтаъминкунии ноҳияи Панҷ:

- мубокики моддаи 41 Кодекси заминии Ҷумҳурии Тоҷикистон товоии зарари заминистифодабарандаро то гирифтани қитъаҳои замин дар ҳаҷми пурра ҷуброн намояд;
- бо мақсади аз худ намудани заминҳои нава бар ивази заминҳои ҷудошуда, мубокики моддаи 42 Кодекси заминии Ҷумҳурии Тоҷикистон ба ҳисобномаи махсуси бучети ҷумҳурий 138136 (ясаду сию ҳашт ҳазору яксаду сию шаш) сомонӣ маблағи талафи истехсолоти кишоварзиро ҷуброн намояд.

4. Қумитаи давлатии идораи замин ва геодезии Ҷумҳурии Тоҷикистон:

10.04.2017

Ба Р. Султонов Р

барои пешниҳод

[Signature]

ҶУМҲУРИИ ТОҶИКИСТОН
КОРХОНАИ ВОСИДИ ДАВЛАТИИ
"ХОҶАГИИ МАЌАРИО-КОММУНАЛИИ"
РЕСПУБЛИКА ТАДЖИКИСТАН
ГОСУДАРСТВЕННОЕ ПРЕДПРИЯТИЕ
"ХОЖАГИИ МАНАРИО-КОММУНАЛИИ"
№ 173
аз 10.04.2017
ОТ

Republic of Tajikistan
REGULATION

dated April 1, 2017

No. 173

Dushanbe

On the seizure and provision of land to the State Subsidiary Enterprise on Water Supply in Pyanj District of Khatlon Region

In accordance with article 2b 1, 29 and 30 Land Code of the Government of the Republic of Tajikistan
d e c i d e d:

1. To seize from the lands of the dehkan farm "Mustafo" in Pyanj district of Khatlon region an area of 1.20 hectares of irrigated arable land and to provide for the perpetual use without the right of alienation of the State Subsidiary Enterprise on Water supply of the Pyanj district for the construction, rehabilitation and revitalization of water supply system (Overhead tanks, chlorination facilities, observation points and places for drilling vertical wells).
2. To the Executive body of state power of the Pyanj district in exchange for the seized land to offer the dehkan farm "Mustafo" an equivalent land plot with an area of 1.20 hectares of irrigated arable land.
3. The State Subsidiary Enterprise on Water supply of the Pyanj district:

- In accordance with Article 41 of the Land Code of the Republic of Tajikistan, before the withdrawal of land plots, to compensate the losses of land users in full;


- In order to develop new lands in exchange for the allocated, in accordance with Article 42 of the Land Code of the Republic of Tajikistan, to compensate 138136 (one hundred and thirty-eight thousand one hundred and thirty-six) somoni of the means of losses of agricultural production to a special account of the republican budget.

4. To State Committee for Land Management and Geodesy of the Republic of Tajikistan:

- ensure the state registration of the land plot and the right to use it after refunding the funds specified in paragraph 3;
- make appropriate changes to the land cadastre documentation.

Chairman of the Government of the
Republic of Tajikistan

Emomali Rahmon


Ҳукумати Ҷумҳурии Тоҷикистон
КАРОР
Правительство Республики Таджикистан
ПОСТАНОВЛЕНИЕ
аз 1 апрели соли 2017 № 174
ш. Душанбе

Дар бораи гирифтани ва ба корхонаи давлатии фаръии
обтаъминкунии ноҳияи Панҷи вилояти
Хатлон додани қитъаи замин

Мутобики моддаҳои 26¹, 29 ва 30 Кодекси замини Ҷумҳурии Тоҷикистон Ҳукумати Ҷумҳурии Тоҷикистон қарор мекунад:

1. Аз ҳисоби замини фонди захиравии деҳан Коммунизми ноҳияи Панҷи вилояти Хатлон дар масоҳати 1,0 гектар, аз ҷумла 0,25 гектар замини қорами лалмӣ ва 0,75 гектар ҷарогоҳи гирифта, ба истифодаи бемуҳлат ба ҳуқуқи бегонақунӣ ба корхонаи давлатии фаръии обтаъминкунии ноҳияи Панҷ барои амалӣ намудани лоиҳаи сохтмон, барқарорсозӣ ва эҳё намудани системаҳои обтаъминкунии (ҳавзҳои обгирӣ, нишооти хлоркунӣ, дидбонгоҳҳо ва ҷойҳои барои пармакунии ҷохҳои амудӣ) дода шавад.


2. Корхонаи давлатии фаръии обтаъминкунии ноҳияи Панҷ:

- мутобики моддаи 41 Кодекси замини Ҷумҳурии Тоҷикистон тоғии зарари заминистифодабарандаро то гирифтани қитъаи замин дар ҳаҷми пурра ҷуброн намояд;
- ба мақсади аз худ намудани заминҳои нав бар ивази заминҳои ҷудошуда мутобики моддаи 42 Кодекси замини Ҷумҳурии Тоҷикистон ба ҳисобномаи махсуси буҷети ҷумҳурӣ 35579 (сию панҷ ҳазору панҷсаду ҳафтоду нӯх) сомонӣ маблағи талафи истеҳсолоти кишоварзиро ҷуброн намояд.

3. Қумитаи давлатии идораи замин ва геодезии Ҷумҳурии Тоҷикистон:

- бақайдгирии давлатии қитъаи замин ва ҳуқуқи истифодаи онро пас аз пардохт намудани маблағи дар банди 2 зикргардида таъмин намояд;
- ба ҳуҷҷатҳои кадастри замин тағйироти дахлдорро баъд аз таъини

Раиси
Ҳукумати Ҷумҳурии
Тоҷикистон


ҶУМҲУРИЯТИ ТОҶИКИСТОН
КОРХОНАИ ИДОРАИ ДАВЛАТИИ
"ҲОҶАТИИ МАҶОРИИ ҶО-КОММУНАЛИИ"
РЕСПУБЛИКА ТАДЖИКИСТАН
ГОСУДАРСТВЕННЫЙ УНИТАРНОЕ
ЭКОМАЛЫЙ ПРЕДПРИЯТИЕ
"ХОЧАТИИ МАҶОРИИ ҶО-КОММУНАЛИИ"
№ 174
Аз 10.04.2017
ОТ

Republic of Tajikistan
REGULATION

Dated April 1, 2017

No. 174

Dushanbe

On the seizure and provision of land to the State Subsidiary Enterprise on Water Supply in Pyanj District of Khatlon Region

In accordance with article 26¹, 29 and 30 Land Code of the Government of the Republic of Tajikistan

d e c i d e d:

2. To seize from the lands reserve fund of Kommunizm village of Pyanj district of Khatlon region the land with size 1.0 ha, including 0.25 ha of unwatered land and 0.75 ha from pasturage lands and to provide for the perpetual use without the right of alienation of the State Subsidiary Enterprise on Water supply of the Pyanj district for the construction, rehabilitation and revitalization of water supply system (Overhead tanks, chlorination facilities, observation points and places for drilling vertical wells).

3. To the State Subsidiary Enterprise on Water supply of the Pyanj district:

- In accordance with Article 41 of the Land Code of the Republic of Tajikistan, before the withdrawal of land plots, to compensate the losses of land users in full;

- In order to develop new lands in exchange for the allocated, in accordance with Article 42 of the Land Code of the Republic of Tajikistan, to compensate 35579 (thirty five thousand five hundred seventy nine) somoni of the means of losses of agricultural production to a special account of the republican budget.

4. To State Committee for Land Management and Geodesy of the Republic of Tajikistan:

- ensure the state registration of the land plot and the right to use it after refunding the funds specified in paragraph 2;

- make appropriate changes to the land cadastre documentation.

Chairman of the Government of the
Republic of Tajikistan

Emomali Rahmon

Санад

оиди дар асоси қарори Ҳукумати Ҷумҳурии Тоҷикистон аз 1-апрели соли 2017, №173, ҷуброн намудани талафоти даромад аз ҳисоби ҳосили зироатҳои зарардида ба ҳоҷагии деҳқонии Мустафои ҷамоати деҳоти Намунаи ноҳияи Панҷ.

25 майи соли 2017

ноҳияи Панҷ

Мо, имзокунадагони зерин, дар ҳайати Одинаев Шерали, мудири шуъбаи кишоварзӣ-мақомоти иҷрияи ҳокимияти давлатии ноҳия, Мирзоев Зинатулло сардори шуъбаи Омори ноҳия, Шарипов Сайнурддин Раиси Кумитаи идораи заминсозии ноҳия, Гулов Сафарали Раиси ҷамоати деҳоти Намуна, Мустафоқуллов Имомиддин роҳбари ҳоҷагии деҳқонии Мустафо ва директори Корхонаи давлатии фаръии «Обтаъминкунӣ»-и ноҳия Асламов Асомиддин санади мазкурро оиди ҷуброн намудани талафоти даромад аз ҳисоби ҳосили зироатҳои зарардида дар ҳоҷагии деҳқонии Мустафо, ки барои иҷроиши Доихаи таъмини устуворӣ дар қавзаи дарёи Панҷ ба тағйирёбии иқлим, иншооти сохтмон ва барқарорсозии шабакаҳои обтаъминкунӣ дар деҳаи Коммунизми ҷамоати деҳоти Намуна ҷудо мегардад дар ҷадвали зер тартиб додем:

№ р/т	Номгуи ҳоҷагӣ	Замини умумӣ (га)	Замини таъсирдида (га)	%-и замини таъсирдида	Номгуи зироат	Ҳосил аз 1 га (сентнер)	Миқдори ҳосили талафёфта (тонна)	Арзиши 1кг Маҳсулот	Ҷуброни ба ҳисобгирифта шуда (сомонӣ)
1	х/д Мустафо Мустафоқуллов Имомиддин	7,11	1,2	16,8	Пахта	21,0	3,3	4,0	13200

Ш. Одинаев.
З. Мирзоев.
С. Шарипов.
С. Гулов.
И. Мустафоқуллов.
А. Асламов.

Land Acquisition and Resettlement Plan

Package 3: Pyanj Subprojects, Rural Water Supply Component

Act

On the basis of the Decision of the Republic of Tajikistan dated April 1, 2017 No. compensation of income loss from damaged crops harvested by dekhkan farm “Mustafo” Jamoat Namuna of Pyanj district.

May 25, 2017

Pyanj district

We are the following signatories in composition of Odinaev Sherali – Head of agricultural department under the State Executive Body of the district, Mirzoev Zinatullo – Head of statistic department of the district, Sharipov Sainuriddin – Head of Land Management Department of the district, Gulov Safarali – Head of Namuna Jamoat, Mustafokulov Imomiddin- head of dekhkan farm Mustafo and Director of Water Supply Organization of the district – Aslamov Asomiddin have review this act on compensation of income loss from damaged crops harvested by dekhkan farm “Mustafo”, which is allocated for implementation of the project “Building climate resilience in Pyanj river basin, Construction and rehabilitation of water supply systems in Kommunist village of Namuna Jamoat” and prepared the following table:

No.	Name of farm	Total land (ha)	Allocated land	% of allocated land	Name of Crop	Productivity from 1 ha (Centner)	Q-ty of lost crop (ton)	Cost of 1 kg product	Considered compensation (somon)
1	D/F “Mustafo” Mustafokulov Imomiddin	7.11	1.2	16.8	Cotton	21.0	3.3	4.0	13200

Odinaev Sh
Mirzoev Z
Gulov S
Mustafokulov I
Aslamov A



АГЕНТИИ ОМОРИ НАЗДИ ПРЕЗИДЕНТИ ҶУМҲУРИИ
ТОҶИКИСТОН
САРРАЁСАТИ АГЕНТИИ ОМОРИ НАЗДИ ПРЕЗИДЕНТИ ҶУМҲУРИИ ТОҶИКИСТОН
ДАР ВИЛОЯТИ ХАТЛОН
ШУЪБАИ ОМОРИ НОҲИЯИ ПАНЧ

735230 ноҳияи Панҷ, кучаи 50-солагии Кушунҳои сарҳади, 46 тел: 2-42-00

Маълумотнома

Кишти зироатҳо ҳаҷми истеҳсоли маҳсулотҳои соҳаи растанипарварӣ ва нархи он бо ҳисоби миёна дар ҷамоати деҳоти «Намуна»-и ноҳияи Панҷ дар давраи солҳои 2015-2016 бо тариқи зайл дар ҷадвали зерин чунин аст:

	гектар		ҳосил		ҳосилноки		нархи миёнаи маҳсулот (кг/сомони)		ба як нафар аҳоли	
	2015	2016	2015	2016	2015	2016	2015	2016	2015	2016
Ғалла	888	932	3472	3672	39,1	39,4	2	2	173,4	179,0
Картошка	42	43	875	903	208,5	210,0	0,8	1,5	43,7	44,0
Сабзавот	139	139	2910	2940	209,4	211,5	1,5	1,7	145,4	143,3
аз он пиёз	100	100	2154	2202	215,4	220,2	1,3	1,5	107,6	107,4
Полемиҳ	55	60	1201	1325	218,4	220,8	0,5	0,6	60,0	64,6
Пахта	1895	1905	2061	2097	10,9	11,0	X	X	X	X
Мевағиҳо (боғҳо) мевадиханда	189	195	130	141	6,9	7,2	0,8	1,2	6,5	6,9
Анғур	7	9	3,6	4,7	5,1	5,2	1,2	1,5	0,2	0,2

Сардори шуъбаи
омори ноҳияи Панҷ



З.Мирзоев

STATISTIC AGENCY UNDER THE OFFICE OF THE REPUBLIC OF TAJIKISTAN
DEPARTMENT OF STATISTIC AGENCY UNDER THE PRESIDENT OF THE REPUBLIC OF
TAJIKISTAN
IN KHATLON REGION
STATISTIC DEPRTMENT IN PYANJ DISTRICT

Information sheet

**Sowing of crop production volume in the field of plant growing with the average price in Namuna
Jamoat of Pyanj district in 2015-2016 years are shown in the following table:**

	Hectar		Production		Productivity		Average price of the product (kg/somoni)		To one person of the population	
	2015	2016	2015	2016	2015	2016	2015	2016	2015	2016
Grain	888	932	3472	3672	39,1	39,4	2	2	173,4	179,0
Potato	42	43	875	903	208,5	210,0	0,8	1,5	43,7	44,0
Vegetable	139	139	2910	2940	209,4	211,5	1,5	1,7	145,4	143,3
Onion	100	100	2154	2202	215,4	220,2	1,3	1,5	107,6	107,4
Melons and gourds	55	60	1201	1325	218,4	220,8	0,5	0,6	60,0	64,6
Cotton	1895	1905	2061	2097	10,9	11,0	X	X	X	X
Fruits (Gardens) Fruit trees	189	195	130	141	6,9	7,2	0,8	1,2	6,5	6,9
Grapes	7	9	3,6	4,7	5,1	5,2	1,2	1,5	0,2	0,2



Ҷумҳурии Тоҷикистон, вилояти Хатлон
Раиси ноҳияи Панҷ
Қ а р о р

Аз « 25 » майи соли 2017 № 659 н.Панҷ

Дар бораи додани китъаи замин барои ҳамроҳ намудан ба хоҷагии деҳқонии «Мустафо» аз ҳисоби заминҳои фонди махсуси ноҳия воқеъ дар деҳаи Саройкамари ҷамоати деҳоти Намуна ноҳияи Панҷ

Аризаи роҳбари хоҷагии «Мустафо» шаҳрванд Мустафакулов Имомидин "Оид ба ҳамроҳ намудани китъаи замин барои истифодабарии якумри меросӣ ба хоҷагии деҳқонии «Мустафо» аз ҳисоби заминҳои фонди махсуси ноҳия бар ивази заминҳои гирифташуда аз ҳисоби хоҷагии деҳқонии дар асоси қарори Ҳукумати Ҷумҳурии Тоҷикистон аз 1 апрели соли 2017 №173 қарори Ҳукумати Ҷумҳурии Тоҷикистон", пешниҳоди ҷамоати деҳоти Намуна аз 19 майи соли 2017, № 729 "Оиди додани розигӣ", санади комиссияи ноҳиявӣ аз 23 майи соли 2017 "Оид ба додани китъаи замин барои ҳамроҳ намудани ба хоҷагии деҳқонии" ва пешниҳоди кумитаи идораи замини ноҳияи Панҷ аз 24 майи соли 2017 №1/05- 459 -ро дида баромада, дар асоси талаботи моддаҳои 7, 26 ва 66-и Кодекси замини Ҷумҳурии Тоҷикистон ва бо назардошти талаботи моддаҳои 19, 20-и Қонуни конститусионии Ҷумҳурии Тоҷикистон «Дар бораи мақомоти маҳаллии ҳокимияти давлатӣ»

Қ а р о р м е қ у н а м:

1. Ба хоҷагии деҳқонии «Мустафо» дар майдони 1.20га замин, аз он ҷумла замини қорами обӣ 1,20га замин аз ҳисоби заминҳои фонди махсуси ноҳия, ки дар тарҳи №110 харитаи заминистифодабарии собиқ хоҷагии бо номи К.Имомкулов воқеъ дар деҳаи Саройкамари ҷамоати деҳоти Намуна ҷойгир мебошад барои истифодабарии якумри меросӣ ҳамроҳ карда шавад.

2.Мувозинаи заминҳои хоҷагии деҳқонии «Мустафо» дар майдони 7.09га замин, аз он ҷумла: заминҳои қорами обӣ 7,00га ва зерӣ об 0.09га замин бо шумораи чордах нафар саҳмдор тасдиқ карда шавад.

3.Кумитаи идораи замин ва Корхонаи давлатии фаръии «Бақайдгири молу мулки ғайриманкул»-и ноҳия қорҳои заминсозиро дар маҳал ба ҷо оварда, дар тавозуни замини хоҷагии деҳқонии «Мустафо» тағйиротҳо ворид намуда хоҷагии деҳқонии-ро аз нав бо сертификати ҳуқуқи истифодаи замин таъмин намоянд.

4.Ҷамоати деҳоти Намуна вазифадор карда шавад, хоҷагии деҳқонии «Мустафо» -ро тибқи тағйиротҳои дохилгардида дар китоби хоҷаги дохил намояд.

5.Назорати иҷрои қарори мазкур ба зиммаи муовини якуми раиси ноҳия Асомиддинзода.Ш. гузошта шавад.

Раиси ноҳияи Панҷ:

М.Сайфуддинзода

Republic of Tajikistan, Khatlon Region
Chairman of Pyanj district

Dated May 25, 2017

No. 659. Pyanj district

The application of the Head of dekhkan farm "Mustafo" Mr. Mustafakulov Imomidin "Regarding joining the plot land for lifelong use to dekhkan farm "Mustafo" from the special fund of the district land in exchange for land received from the farm on the basis of the decision of the Government of the Republic of Tajikistan dated April 1, 2017 №173 the decision of the Republic of Tajikistan", proposal of Namunajamoat dated May 19, 2017, No. 729 "Regarding the agreement", act of the district commission dated May 23, 2017" Regarding the transfer of land for joining to farm lands" and proposal of Land Management Committee of Pyanj reviewed on May 24, 2017 No. 1 / 05- 459, in accordance with the requirements of Articles 7, 26 and 66 of the Land Code of the Republic of Tajikistan and with the requirements of Articles 19, 20 of the Constitutional Law of the Republic of Tajikistan "Regarding the local bodies of state authorities".

It was decided that:

1. Allocate and join to the lands of fordekhkanfarm "Mustafa" for lifetime use, the land in the area of land 1.20 ha i.e. arable land in the area of 1,20 ha from the lands of the district special fund, which is under No. 110 which is shown on the map of former dekhkan farm K.Imomkulovin Saroikamar village of NamunaJamoat.
2. The balance of the land of dekhkanfarm Mustafo in the area of 7.09 ha, including: arable land 7,00ha and the lands under the water 0.09 ha with fourteen shareholders.
3. Land Management Committee and the State Subsidiary Enterprise "On registration of immovable property" of the district have executed the land works in the local district, and made changes in the balance on the lands of dekhkan farm "Mustafo" and provide the farm with a certificate of land use rights.
4. The NamunaJamoat will be obliged to add the dekhkanfarm 'Mustafj' with the made changes and additions to the registration book of the farm.
5. The monitoring of implementation of the present resolution assigned to the First Deputy Chairman of the district Asomiddinzoda Sh.

Chairman of Pyanj district:

M. Saifuddinzo

ПРОТОКОЛИ № 1

Маҷлиси сахмдорони хоҷагии деҳқонии «Мустафо»

Аз « 18 » « 05 » соли 2017

ҷамоати деҳоти Меҳвар ноҳияи Панҷ

ҷамоати деҳоти Намуна

Ҳамаги аъзоён 14 нафар:

иштирок дошт 14 нафар.

Раиси маҷлис:

Мустафакулов И

Котиб маҷлис:

Ҳайтова Х

РУЗНОМАИ МАҶЛИС:

1. Дар бораи дида баромадани ҷаёлияти қорӣ сахмдорон Қасирова Зарафшон, Мустафакулова Зулҳумор, Ашуров Назир, Ашуров Алишер, Ашурова Мавлуда, ки дар хоҷагидори ҷаёлият намекунад.

Аз руи масъала раиси маҷлис: Мустафакулов Имомидин баромад карда гуфт, ки сахмдор Қасирова Зарафшон, Мустафакулова Зулҳумор, Ашуров Назир, Ашуров Алишер, Ашурова Мавлуда дар қайди ҳаёт гузаштаниш ва хоҷагии деҳқонии дигар гузаштаниш бе сахм дар ҷаёлияти хоҷагидори иштирок надорад бинобар ҳамин ба хоҳиши ҳудашон аз сахмдори хориҷ намоем.

Бинобар ҳамин ман таклиф менамоем, ки ки сахмдори дар боло қайд гардида аз сахмдори хоҷагии деҳқонии хориҷ карда шавад. Саҳми замини сахмдорон ба сахмдорони доими вобаста карда шавад.

Дар асоси далелҳои дар боло овардашуда ва бо дастрасии талаботи моддаи 26-и Қонуни Ҷумҳурии Тоҷикистон "Дар бораи хоҷагии деҳқонии (фермери)" маҷлиси аъзоёни хоҷагии деҳқонии "Мустафо".

Қарор мекунад:

1. Сахмдор Қасирова Зарафшон, Мустафакулова Зулҳумор, Ашуров Назир, Ашуров Алишер, Ашурова Мавлуда ки саҳми замин ба миқдори 0.51 га дар хоҷагии деҳқонии доштанд аз аъзогии хоҷагии хориҷ карда шавад.

2. Саҳми замини хориҷ гардида ба сахмдорон доими Мустафакулов Имомидин, Ҳайтова Хатича, Мустафакулова Ойша, Хучаёрова С, Хучаёров Менгбобо, Куганов Менгбобо, Туракулова Ойгул, Куганов Мисир, ва сахмдори дар асоси аризааш қабул шуда шаҳрвандон Мустафакулов Хайридин, Холбобоева Қурбонӣ, Тангиева Гулсара ва Маҳмудов Асомидин дар майдони 0.51 га замин вобаста карда шавад.

3. Аз ҷамоати деҳоти Меҳвар ва мақомоти иҷроияи ҳокимияти давлатии ноҳия хоҳиш карда шавад, ки қарори мазкурро дастгирӣ намоянд.

Раиси маҷлис:

И.Мустафакулов

Котиби маҷлис:

Х.Ҳайтова

Minute of the meeting No.1

of dekhkan farm "Mustafo" shareholders of Mehvar Jamoat in Pyanj district

Dated 18-05-2017

Namuna jamoat

Total number of the members: 14

Participated: 14 people

Chairman of the meeting: Mustafokulov I

Sec

retary of the meeting: Haitova H

AGENDA

1. On consideration of working activities of shareholders Kasirova Zarafshan, Mustafakulova Zulhumor, Ashurov Nazir, Ashurov Alisher, Ashurova Mavluda which are working in the dekhkan farm. By the agenda of the meeting Mustafakulov Imomidin, said that shareholders Kasirova Zarafshan, Mustafakulova Zulhumor, Ashurov Nazir, Alisher Ashurov, Ashurova Mavluda will be excluded from the shareholding in the dekhkan farm due to the reason that someone has dead or others have transferred to other dekhkan farms and without any share are taking part in the activities of the dekhkan farm.

Therefore they will be excluded from shareholding by their own wish.

Therefore, I propose that the abovementioned shareholders should be excluded from shareholding of the farm. The land share of shareholders to be related to the permanent shareholders.

Based on the abovementioned arguments and availability of the requirements of Article 26 of the Law of the Republic of Tajikistan 'On meeting of the members of dekhkan farm (farmery) "Mustafo"

Has decided:

1. The shareholders Kasirova Zarafshan, Mustafakulova Zulhumor, Ashurov Nazir, Alisher Ashurov, Ashurova Mavluda that had the land share in 0.15 ha in dekhkan farm should be excluded from the membership of the farm.

The portion of the land of the excluded shareholders should be handed over the permanent shareholders Mustafakulov Imomiddin, Haitova Khatica, Mustafakulova Oisha, Xujayorova C, Xujayorov Mengbobo, Kuganov Mengbobo, Turakulova Aygul, Kuganov Misir, and shareholding will be received on the basis of application, the citizens Mustafokulov Khairiddin, Kholboboeva Kurbonoi, Tangieva Gulsara and Maxmudov Asomidin in an area of 0.51 hectares of land to be related.

The Mehvar Jamoat and the State executive body of the district should be requested to support this resolution.

Chairman of the meeting: I. Mustafakulov

Secretary of the meeting: Kh. Haitov

ПРОТОКОЛИ НАҚШАИ ГРАФИКИ

гузаронидани сарҳади заминистифодабарии оиди ҳамроҳ намудани китъаи замин ба хоҷагии деҳқонии “Мустафо” аз ҳисоби заминҳои фонди махсуси ноҳия воқеъ дар деҳаи Саройкамар ҷамоати деҳоти Намуна ноҳияи Панҷ.

аз “ “ соли 2017 ҷамоати деҳоти Намуна.

Мо имзокунандагони санади мазкур комиссия дар ҳайати:

- | | |
|--------------------|---|
| 1. Асомиддинзода Ш | - муовини якуми раиси ноҳия |
| 2. Гулов С | - раиси ҷамоати деҳоти Намуна: |
| 3. Шарипов С | - раиси кумитаи идораи замини ноҳия |
| 4. Шарипов И | - директори КДФ «БММФ»-и ноҳия: |
| 5. Бегов М | - сар мутахассиси кумитаи идораи замин: |
| 6. Хоҷаев М | - муҳандиси заминсози ҷ/д Намуна: |
| 7. Ахунов А | - мутахассиси КДФ «БММФ»-и ноҳия: |
| 8. Мустафакулов И | - роҳбари хоҷагии деҳқонии “Мустафо” |
| 9. Аллаёров М | - роҳбари хоҷагии деҳқонии “Болта”: |

Мо имзокунандагони протоколи мазкур сарҳадҳои барои ҳамроҳ намудани китъаи замин ба хоҷагии деҳқонии “Мустафо” аз ҳисоби заминҳои фонди махсуси ноҳия дар деҳаи Саройкамар-ро дар маҳал муайян намудем. Китъаи замини мазкур дар наздикии деҳаи Саройкамари дар ҳудуди ҷамоати деҳоти Намуна ҷойгир буда, аз тарафи шимол-бо заминҳои ҳуди хоҷагии деҳқонии “Мустафо”, аз шарқ- бо заминҳои ИДБЗ ва о-и ноҳия (к.Келянчи), аз тарафи ҷануб-бо заминҳои хоҷагии деҳқонии “Болта” ва аз ғарб-бо заминҳои ҷамоати деҳоти Намуна (об партов) ҳамсарҳад мебошад.

Китъаи замин аз 4 нукта иборат буда, аз нуктаи 1 то нуктаи 2-525м, аз нуктаи 2 то нуктаи 3-22.4м, аз нуктаи 3 то нуктаи 4-544м, аз нуктаи 4 то нуктаи 1-22.4м-ро ташкил медиҳад.

Дар мавриди нишондоди ҳудудҳои барои ҳамроҳ намудани китъаи замин ба хоҷагии деҳқонии “Мустафо” аз ҳисоби заминҳои фонди махсуси ноҳия аз ягон тараф норозиги баён карда нашуд. Нақшаи гузаронидани сарҳади заминистифодабарии хоҷагии деҳқонии дар асл илова карда мешавад.

Ш. Асомиддинзода
С. Гулов
С. Шарипов
И. Шарипов
М. Бегов
М. Хоҷаев
А. Ахунов
И. Мустафакулов
М. Аллаёров



MINUTE OF SCHEDULE PLAN

On conducting the border of land use for joining the plot of land to the land of dekhkan farm "Mustafo" from the special lands fund of the district located in Saroikamar village of Namunajamoat of Pyanj district.

Dated _____ 2017

Namuna jamoat

We are signatories of this document, the commission in the composition of:

- | | |
|----------------------|---|
| 1. Asomiddinzoda Sh. | - First deputy of district chairman |
| 2. Gulov S | - Chairman of Namunajamoat |
| 3. Sharipov S | - Chairman of land management committee |
| 4. Sharipov I | - Director of KDF "BMMG" of the district |
| 5. Begov M | - Chief specialist of land management committee |
| 6. Khojaev M | - Land management Engineer in Namunajamoat |
| 7. Akhunov A | - Specialist of KDF "BMMG" of the district |
| 8. Mustafokulov I | - Head of dekhkan farm "Mustafo" |
| 9. Allayorov M | - Head of dekhkan farm "BolTa" |

We are signatories of this minute have identified the borders of the land for joining ot the lands of dekhkan farm "Mustafo" from the lands of special fund of the district in Saroikamar village at the local level. The plot of land located near Saroikamai village, which is in the territory of the NamunaJamoat, is bordering from the north-with the lands of "Mustafo" farm, from the east - with the lands of IDBZ and district (k.Kelyanchi), from south – with the lands of "Bolta" farm and from the west-with the lands of NamuanaJamoat (waste water).

The plot of land consists of 4 point, from point 1 to point 2-525m from point 2 to point 3-22.4m, from 3 to 4-544m point, from point 4 to 1-22.4m-point.

During identifying the borders of the land for joining the plot of land to the lands of dekhkan farm "Mustafo" from the lands of special reserve of the district was no any misunderstandings. Plan on conducting the borders of land using will attached as a fact

AsomiddinzodaSh

Gulov S

Sharipov S

Sharipov I

Begov M

Khojaev M

Akhunov A

Mustafokulov I

Allayorov M

С А Н А Д И

Оиди ҳамроҳ намудани қитъаи замин ба хоҷагии деҳқонии “Мустафо” аз ҳисоби заминҳои фонди махсуси ноҳия воқеъ дар деҳаи Саройкамари ҷамоати деҳоти Намуна ноҳияи Панҷ.

аз “ ”

соли 2017

ҷамоати деҳоти Намуна.

Мо имзокунандагони санади мазкур комиссия дар ҳайати:

- | | |
|--------------------|---|
| 1. Асомиддинзода Ш | - муовини якуми раиси ноҳия |
| 2. Гулов С | - раиси ҷамоати деҳоти Намуна: |
| 3. Шарипов С | - раиси кумитаи идораи заминҳои ноҳия |
| 4. Шарипов И | - директори КДФ «БММҒ»-и ноҳия: |
| 5. Бегов М | - сар мутахассиси кумитаи идораи замин: |
| 6. Хоҷаев М | - муҳандиси заминсозии ҷ/д Намуна: |
| 7. Ахунов А | - мутахассиси КДФ «БММҒ»-и ноҳия: |
| 8. Мустафакулов И | - роҳбари хоҷагии деҳқонии “Мустафо” |
| 9. Аллаёров М | - роҳбари хоҷагии деҳқонии “Болта”: |

Дар асоси аризаи роҳбари хоҷагии деҳқонии “Мустафо” аз 17 майи соли 2017, №М-1564, протоколи маҷлиси саҳмдорони хоҷагии деҳқонии “Мустафо” аз 15 майи соли 2017 №1 “оиди ҳамроҳ намудани қитъаи замин ба хоҷагии деҳқонии “Мустафо” аз ҳисоби заминҳои фонди махсуси ноҳия, пешниҳоди ҷамоати деҳоти Намуна аз 22 майи соли 2017 № 729, ки дар асоси қарори Ҳукумати Ҷумҳурии Тоҷикистон аз 1 апрели соли 2017, №173 дар асоси банди 2 бар ивази заминҳои гирифташуда ба хоҷагии деҳқонии номбурда аз ҳисоби заминҳои қорами обии баробарарзиш дар майдони 1.20га замин аз тарҳи №110”-ро дар маҳал дида баромадем.

Қитъаи заминҳои ҳамроҳшуда дар деҳаи Саройкамари ҳудуди ҷамоати деҳоти Намуна ҷойгиршуда аз тарафи шимол-бо заминҳои хоҷагии деҳқонии “Мустафо”, аз шарқ-бо заминҳои ИДБЗ ва О-и ноҳия (к.Келянчи), аз тарафи ҷануб-бо заминҳои хоҷагии деҳқонии “Болта” ва аз ғарб-бо заминҳои ҷамоати деҳоти Намуна (об партов) ҳамсарҳад мебошад.

Масоҳати умумии ҳамроҳшавии ба хоҷагии деҳқонии “Мустафо” дар майдони 1.20га замин аз он ҷумла: заминҳои қорами обӣ 1.20га заминро ташкил мекунад, ки мувофиқи харитаи истифодабарии собиқ хоҷагии К.Имомкулов дар тарҳи № 110 ҷойгир мебошад.

Комиссия ба чунин ҳулоса омад, ки барои ҳамроҳ намудани қитъаи замин ба хоҷагии деҳқонии “Мустафо” аз ҳисоби заминҳои фонди махсуси ноҳия мувофиқи мақсад буда, барои баланд бардоштани ҳосилнокии замин ва некуаҳволии аъзоён мусоидат мекунад. Қитъаи заминҳои ҳамроҳшуда ба хоҷагии деҳқонии барои истифодаи якумраи меросӣ дода мешавад.

Санади мазкур барои тасдиқ ба раиси ноҳия пешниҳод карда мешавад.



Ш.Асомиддинзода
С.Гулов
С.Шарипов
И.Шарипов
М.Бегов
М.Хочаев
А.Ахунов
И.Мустафакулов
М.Аллаёров

ACT

On joining the plot of land to the land of dekhkan farm "Mustafo" from the special lands fund of the district located in Saroikamar village of Namunajamoat of Pyanj district.

Dated _____ 2017

Namuna jamoat

We are signatories of this document, the commission in the composition of:

- | | |
|----------------------|---|
| 1. Asomiddinzoda Sh. | - First deputy of district chairman |
| 2. Gulov S | - Chairman of Namunajamoat |
| 3. Sharipov S | - Chairman of land management committee |
| 4. Sharipov I | - Director of KDF "BMMG" of the district |
| 5. Begov M | - Chief specialist of land management committee |
| 6. Khojaev M | - Land management Engineer in Namunajamoat |
| 7. Akhunov A | - Specialist of KDF "BMMG" of the district |
| 8. Mustafokulov I | - Head of dekhkan farm "Mustafo" |
| 9. Allayorov M | - Head of dekhkan farm "BolTa" |

On the basis of the application received from the Director of dekhkan farm "Mustafo" from May 17, 2017 under №M-1564, the minutes of the meeting of the shareholders of "Mustafo" farm dated May 15, 2017 No. 1 on joining the plot of land to "Mustafo" farm lands from the lands of the special reserve fund of the district, the suggestion of NamunaJamoat dated May 22, 2017, No. 729, which on the basis of Resolution to the Republic of Tajikistan dated April 1, 2017, №173 on the basis of paragraph 2 instead of land received from this farm allocate the water arable land equivalent in the area of land 1.20 ha under №110 "we have consider at the local level.

The joined plot of land located within the area of Saroikamar village in NamunaJamoat, is bordering from the north-with the lands of "Mustafo" farm, from the east - with the lands of IDBZ and district (k.Kelyanchi), from south – with the lands of "Bolta" farm and from the west- with the lands of NamuanaJamoat (waste water).

The total area of land to "Mustafo" farm in the area of 1.20 ha including: arable land is 1.20 ha, which according to the map of former K.Imomkulov farm located under No. 110.

The Commission came to the same conclusion, which is in accordance with the aim of joining of land to the land of "Mustafo" farm from the land of the special fund of the district, have contributed to raising of land productivity and wellbeing of members. Plot of joining land is giving to the farm for lifetime use. etc.

The given act will be submitted to the Chairman of the district for approval.

Asomiddinzoda Sh.

Gulov S

Sharipov S

Sharipov I

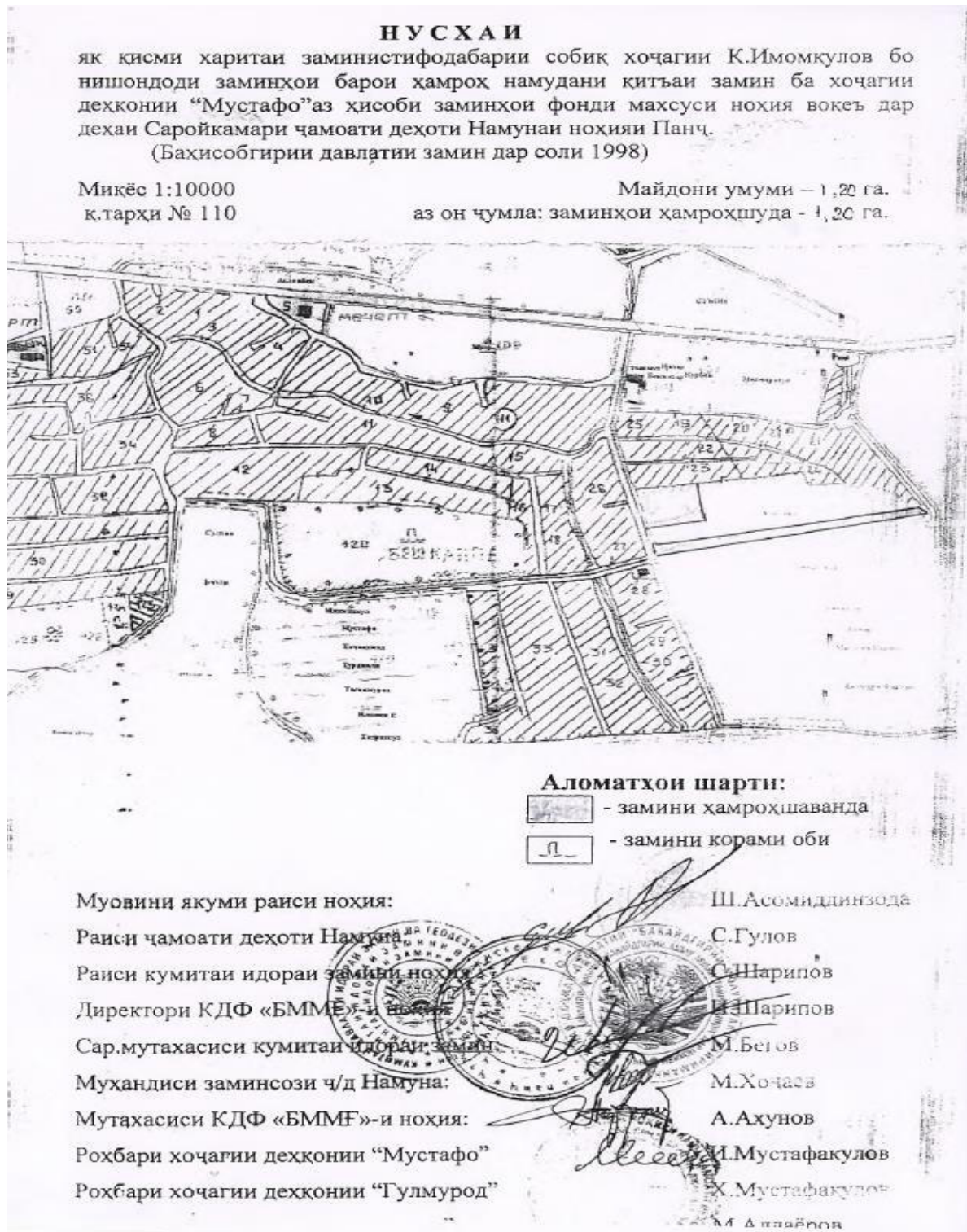
Begov M

Khojaev M

Akhunov A

Mustafokulov I

Allayorov M



SCHEME

Of one part of the land used by the former I. Imomkulov farm with indication of the lands fro joining of land plot to the lands of dekhkan farm “Mustafo” from the lands of special fund of the district located in Saroikamar village of Namunajamoat of Pyanj district.
(State registration of the land in 1998)

Scale: 1:10000
No. 110

Total area – 1.20 ha
including: joined lands – 1.20 ha

LEGENDS;
Joining land
Arable land

- | | |
|----------------------|---|
| 1. Asomiddinzoda Sh. | - First deputy of district chairman |
| 2. Gulov S | - Chairman of Namunajamoat |
| 3. Sharipov S | - Chairman of land management committee |
| 4. Sharipov I | - Director of KDF “BMMG” of the district |
| 5. Begov M | - Chief specialist of land management committee |
| 6. Khojaev M | - Land management Engineer in Namunajamoat |
| 7. Akhunov A | - Specialist of KDF “BMMG” of the district |
| 8. Mustafokulov I | - Head of dekhkan farm “Mustafo” |
| 9. Allayorov M | - Head of dekhkan farm “BolTa” |



Ҷумҳурии Тоҷикистон, вилояти Хатлон
Кумитаи идораи замини ноҳияи Панҷ

ҷамоати шаҳраки Панҷ, кучаи Истиқлол-16 тел: (83252) 2-30-91, 2-31-89

Аз « 24 » 05 соли 2017 № 1105-459

Ба раиси ноҳияи Панҷ
мухтарам: Сайфуддинзода М

ПЕШНИҲОД

Кумитаи идораи замини ноҳияи Панҷ аризаи роҳбари хоҷагии деҳқонии “Мустафо” шаҳрванд Мустафакулов Имомидин аз 17 майи соли 2017 №М-1564 «оиди ҳамроҳ намудани китъаи замин ба хоҷагии деҳқонии “Мустафо” аз ҳисоби заминҳои фонди махсуси ноҳия бар ивази заминҳои гирифташуда аз ҳисоби хоҷагии деҳқонии дар асоси қарори Ҳукумати Ҷумҳурии Тоҷикистон аз 1 апрели соли 2017 №173 дар майдони 1.20га, аз он ҷумла: қорами оби 1.20га замин воқеъ дар тарҳи №110 деҳаи Саройкамар-и ҷамоати деҳоти Намуна ҷойгир аст”-ро мавриди баррасии қарор дод.

Дар асоси ҳуҷҷатҳои пешниҳодгардида, аризаи роҳбари хоҷагии деҳқонии “Мустафо” шаҳрванд Мустафакулов Имомидин аз 17 майи соли 2017 №М-1564, протоколи маҷлиси саҳмдорони хоҷагии деҳқонии “Мустафо” аз 15 майи соли 2017 №1, пешниҳоди ҷамоати деҳоти Намуна аз 22 майи соли 2017 №729 «Оиди додани розиги», санади комиссияи ноҳиявӣ аз 25 майи соли 2017-ро дида баромада, аз мақомоти иҷроияи ҳокимияти давлатии ноҳия хоҳиш карда мешавад, ки барои ҳамроҳ намудани китъаи замин ба хоҷагии деҳқонии “Мустафо” дар майдони 1.20га, аз он ҷумла: қорами оби 1.20га замин аз ҳисоби заминҳои фонди махсуси ноҳия воқеъ дар тарҳи №110 деҳаи Саройкамари ҷамоати деҳоти Намуна ҷойгир мебошад иҷозат дода, дар асоси талаботи моддаҳои 7, 26 ва 66-и Кодекси замини Ҷумҳурии Тоҷикистон қарори дахлдор қабул намоед.



Раиси кумитаи идораи замини ноҳия

211

С.Шарипов

Republic of Tajikistan, Khatlon region
Land management committee of Pyanj district

Dated 24-05-2017

No. 1105-459

To: Chairman of Pyanj district
Saifuddinzo M

PROPOSAL

Land Management Committee of Pyanj district has considered the application of the Head of dekhkan farm “Mustafo” Mr. Mustafokulov Imomiddin dated May 17, 2017 under №M-1564 regarding “joining the the land to the lands of dekhkan farm "Mustafo" from the lands of the special fund of the district instead of land received from the dekhkan farm based on the resolution of the Government of the Republic of Tajikistan under №173 from April 1, 2017 in the area 1.20 ha, it is: arable land of 1.20 ha located under №110 within Saroikamar village of Namunajamoat. On the basis of submitted documents, the application of Mr. Mustafakulov Imomidin the Head of dekhkan farm "Mustafo" dated May 17, 2017 №M 1,564, minute of the meeting of dekhkanfarm “Mustafo” shareholders’ dated May 15, 2017, No. 1, proposal of Namunajamoat dated May 22, 2017 regarding “agreement” has considered the act of district commission dated May 25, 2017 and has requested the Executive Body of the district to join the allocated 1. 20 ha of the land to the lands of dekhkan farm “Mustafo” it is: arable land 1.20ha from the lands of special reserve of the district located under the area No. 110 in Saroikamar village of Namunajamoat, to permit according to accepted requirements of the Articles 7, 26 and 66 of Land Code of the Republic of Tajikistan.

Head of Land Management Committee:

Sharipov S.



Ҷумҳурии Тоҷикистон вилояти Хатлон ноҳияи Панҷ
Ҷамоати деҳоти Намуна

аз «19» «05» соли 2017

№ 429

д. Намуна

*Шарипов С.
Барои баррасӣ
ва имзо
10*

Ба раиси ноҳияи Панҷ мухтарам
Сайфуддинзода М.К.

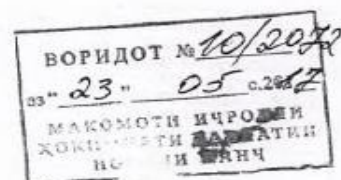
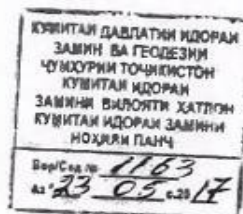
Пешниҳод

Ҷамоати деҳоти Намуна китъаи замин, ки бо мақсади амалӣ намудани лоиҳаи «Соҳтмон, барқарорсозӣ ва эҳё намудани системаҳои обтаминкунӣ (хавзҳои обгир, биноҳои хлоркунӣ, дидбонгоҳ ва ҷойҳо барои пармакунии ҷохҳои амудӣ) аз ҳисоби заминҳои қорами обии хоҷагии деҳқонии «Мустафо» гирифта буд, дар асоси қарори Ҳукумати Ҷумҳурии Тоҷикистон аз 1 апрел соли 2017, №173 (замима дар ҳаҷми 1 саҳифа) бар ивази заминҳои гирифташуда ба хоҷагии деҳқонии номбурда аз ҳисоби заминҳои қорами обии баробарарзиш дар майдони 1,20га аз тарҳи №110 харитаи заминистифодабарии собиқ хоҷагии К.Имомкулов розигӣ дода, ба мақомоти иҷроияи ҳокимияти давлатии ноҳияи Панҷ барои қабули қарори дахлдор ба шумо ирсол менамояд.

Раиси Ҷамоати деҳоти Намуна:

С. Гулов

*Шарипов С.
Бар асоси Ҳукум
баррасӣ намояд
11.4*



Dated 19-05-2017

No. 729

Namunajamoat

To: Chairman of Pyanj district
Saifuddinzoda M

PROPOSAL

NamunaJamoat, the plot of land which was allocated for implementation of the project “Construction, rehabilitation and renovation of water supply systems (water reservoirs, chlorination rooms, well observations for drilling of boreholes)” from the arable lands of dekhkan farm “Mustafo”, instead of seized land according to the Decision of the Khukumat of Republic of Tajikistan dated April 1, 2017 under No. 173 (attachment in 1 page) to allocate from the arable lands as an equivalent land from the special reserve lands of the district in the area of 1.20 ha under No. 110 of using map of former K. Imomqulov K farm gave the agreement and have submitted to the Executive body of Pyanj district for dicision-making.

Head of Namuna Jamoat:

S. Gulov

Р У Й Х А Т И

Ҳамроҳ намудани китъаи замин ба хоҷагии деҳқонии “Мустафо” аз ҳисоби заминҳои фонди махсуси ноҳия дар деҳаи Саройкамари ҷамоати деҳоти Намуна-и ноҳияи Панҷ.

№	Ному насаб	Майдон, га			
		ҳамаги, га	оби, га	зери роҳ	Зери о
1.	Мустафакулов Имомидин	0.51	0.50	-	0,01
2.	Ҳайтова Хатича	0.51	0.50	-	0.01
3.	Мустафакулова Ойша	0.50	0.50	-	-
4.	Хучаёрова С	0.51	0.50	-	0.01
5.	Хучаёров Бобокул	0.51	0.50	-	0.01
6.	Хучаёров Менгбобо	0.50	0.50	-	-
7.	Касирова Зарафшон	0.50	0.50	-	-
8.	Мустафакулова Зулхумор	0.51	0.50	-	-
9.	Ашуров Назир	0.51	0.50	-	-
10.	Ашуров Алишер	0.50	0.50	-	-
11.	Ашурова Мавлуда	0.51	0.50	-	0.01
12.	Куганов Менгбобо	0.51	0.50	-	0.01
13.	Туракулова Ойгул	0.51	0.50	-	0.01
14.	Куганов Мисир	0.50	0.50	-	-
	Ҷамъ:	7.09	7.00	-	0.09

Раиси ҷамоати деҳоти “Намуна”

Мухандиси заминсози ҷ/д “Намуна”

Рохбари хоҷагии деҳқонии “Мустафо”

С.Гулов

М.Ҳочаев

И.Мустафакулов

LIST

On joining the plot of land to dekhkan farm "Mustafo" from the lands of special reserve fund of the district in Saroikamar village of Namunajamoat of Pyanj district

S. No.	Name	Area, ha			
		Total, ha	Arable, ha	Under the road	Under the water
1	MustafokulovImomiddin	0.51	0.50	-	0.01
2	HaitovaKhaticha	0.51	0.50	-	0.01
3	MustafokulovaOisha	0.50	0.50	-	-
4	Khujayorova S	0.51	0.50	-	0.01
5	KhujayorovBobokul	0.51	0.50	-	0.01
6	KhujayorovMengbobo	0.50	0.50	-	-
7	KasirovaZarafshon	0.50	0.50	-	-
8	MustafokulovaZulkhumor	0.51	0.50	-	-
9	AshurovNazir	0.51	0.50	-	-
10	AshurovAlisher	0.50	0.50	-	-
11	AshurovaMavluda	0.51	0.50	-	0.01
12	KuganovMengbobo	0.51	0.50	-	0.01
13	TurakulovaOigul	0.51	0.50	-	0.01
14	KuganovMisir	0.50	0.50	-	-
	Total:	7.09	7.00	-	0.09

Head of Namunajamoat:
Land Management Engineer Namunajamoat:
Head of dekhkan farm "Mustafo":

S. Gulov
M. Khojaev
I. Mustafokulov

ВЕДОМОСТИ.

Контури ҳамроҳшуда ба хоҷагии деҳқонии “Мустафо” аз ҳисоби заминҳои фонди махсуси ноҳия дар деҳаи Саройкамари ҷамоати деҳоти Намуна-и ноҳияи Панҷ.

№ кон-тур	Майлони Умуми,га	Мазраъ		боир	Лалмӣ	Зери		Назди- ҳавли ги	Дигар замин
		Хама- ги	Оби			Роҳ	зери об		
110	1.20	1.20	1.20			-	-		
Ҷамъ:	1.20	1.20	1.20			-	-		

Раиси кумитаи идораи заминҳои ноҳия



С.Шарилов

Land Acquisition and Resettlement Plan

Package 3: Pyanj Subprojects, Rural Water Supply Component

List

Of the joined land to the lands of dekhkan farm “Mustafo” from the lands of special reserve fund of the district in Saroikamar of Namunajamoat in Pyanj district

No. of countour	Total area, ha	Border		Non-arable	Arable	Under		Homestead	Other land
		Total	Arable			Road	Water		
Total	1.20	1.20	1.20						

Head of land management committee of the district:

S. Sharipov

НАҚШАИ ГРАФИКИ

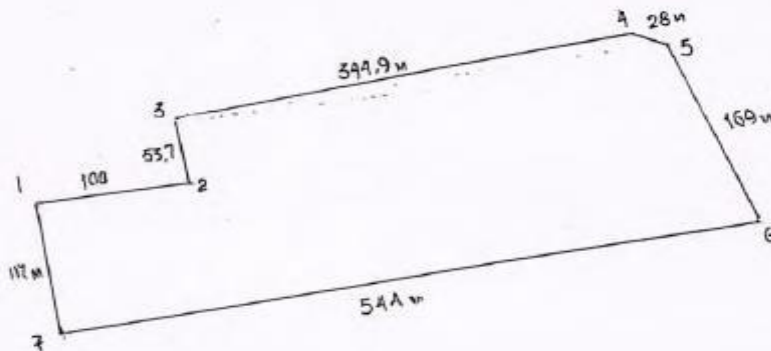
гузаронидани сарҳади дар маҳал оиди ҳамроҳ намудани китъаи замин ба
хоҷагии деҳқонии “Мустафо” аз ҳисоби заминҳои фонди махсуси ноҳия
воқеъ дар деҳаи Саройкамари ҷамоати деҳоти Намуна ноҳияи Панҷ.

Микёс 1:5000

Майдони умумии -7.09га.

к.тарҳи № 110

аз он ҷумла: заминҳои ҳамрошуда- 1.20га.



ТАВСИФИ ҲУДУДҲО:

Аз 1 то 2- бо заминҳои лоиҳаи сохтмон ,барқарорсозии эҳё намудани
системаи обтаъминкунӣ -100м

Аз 2 то 3- бо заминҳои лоиҳаи сохтмон ,барқарорсозии эҳё намудани
системаи обтаъминкунӣ-53.7м

Аз 2 то 3 – бо заминҳои хоҷагии деҳқонии “Гулмурод”-344,9 м.

Аз 3 то 4 – бо заминҳои ҷамоати деҳоти Намуна (аҳолишин)-28м.

Аз 4 то 5- бо заминҳои ҷамоати деҳоти Намуна (к.Келянчи)-169м

Аз 6 то 7 – бо заминҳои хоҷагии деҳқонии “Болта”-544 м.

Аз 7 то 1- бо заминҳои ҷамоати деҳоти Намуна (об партов)-117м

Муовини якуми раиси ноҳия:

Ш.Асомиддинзода

Раиси ҷамоати деҳоти Намуна:

С.Гулов

Раиси кумитаи идораи заминҳои ноҳия:

С.Шарипов

Директори КДФ «БММ»-и ноҳия:

И.Шарипов

Сар.мутахассиси кумитаи идораи замин:

М.Бегов

Мухандиси заминсози ҷ/д Намуна:

М.Ҳочаев

Мутахассиси КДФ «БММ»-и ноҳия:

А.Ахунов

Роҳбари хоҷагии деҳқонии “Мустафо”

И.Мустафакулов

Роҳбари хоҷагии деҳқонии “Гулмурод”

Х.Мустафакулов

Роҳбари хоҷагии деҳқонии “Болта”

М.Аллаёров

Schedule plan

Conducting the border in the location on joining the plot of land to dekhkan farm “Mustafo” from the lands of special reserve fund of the district located in Saroikamar village of Namunajamoat of Pyanj district.

Scale 1:5000
Under No. 110

Total area – 7.09 ha
Including: joined land – 1.20 ha

Description of the territory:

From 1 to 2	- with the lands of construction project, rehabilitation of water supply system – 100 m
From 2 to 3	- with the lands of construction project, rehabilitation of water supply system – 53.7 m
From 2 to 3	- with the lands of dekhkan farm “Gulmurod” – 344.9 m.
From 3 to 4	- with the lands of Namunajamoat (settlement) – 28 m
From 4 to 5	- with the lands of Namunajamoat (c. Kelyanchi) – 169 m
From 6 to 7	- with the lands of dekhkan farm “Bolta” – 544 m
From 7 to 1	- with the lands of Namunajamoat (water drainage) – 117 m

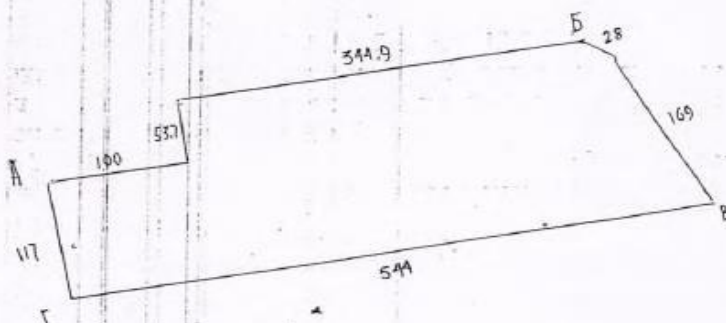
Asomiddinzoda Sh.	- First deputy of district chairman
Gulov S	- Chairman of Namunajamoat
Sharipov S	- Chairman of land management committee
Sharipov I	- Director of KDF “BMMG” of the district
Begov M	- Chief specialist of land management committee
Khojaev M	- Land Management Engineer in Namunajamoat
Akhunov A	- Specialist of KDF “BMMG” of the district
Mustafokulov I	- Head of dekhkan farm “Mustafo”
Allayorov M	- Head of dekhkan farm “BolTa”

НАҚШАИ ГРАФИКИ

оиди ҳамроҳ намудани қитъаи замин ба хоҷагии деҳкони "Мустафо" аз ҳисоби заминҳои фонди махсуси ноҳия воқеъ дар деҳаи Саройкамари ҷамоати деҳоти Намуна ноҳияи Панҷ.


Микёс 1:5000
қ.тарҳи № 110

Майдони умумии – 7.09га.
аз он ҷумла: заминҳои ҳамроҳшуда – 1,20га.



ТАВСИФИ ҲУДУДҲО:

- Аз А то Б – бо заминҳои хоҷагии деҳкони "Гулмурод"
- Аз Б то В – бо заминҳои ҷамоати деҳоти Намуна (аҳолишин)
- Аз В то Г – бо заминҳои хоҷагии деҳкони "Болта"
- Аз Г то А – бо заминҳои ҷамоати деҳоти Намуна (об партов)

Директори ҚДФ "БММГ"-и ноҳия:  И.Шарипов

Мутахассиси ҚДФ "БММГ"-и ноҳия:  А.Ахунов

Schedule plan

Conducting the border in the location on joining the plot of land to dekhkan farm "Mustafo" from the lands of special reserve fund of the district located in Saroikamar village of Namunajamoat of Pyanj district.

Scale 1:5000
Under No. 110

Total area – 7.09 ha
Including: joined land – 1.20 ha

Description of the territory:

- From A to B - with the lands of dekhkan farm "Gulmurod"
- From B to C - with the lands of Namunajamoat (settlement
- From C to D - with the lands of dekhkan farm "Bolta"
- From D to A - with the lands of Namunajamoat (water drainage)

Sharipov I	- Director of KDF "BMMG" of the district
Akhunov A	- Specialist of KDF "BMMG" of the district



ҶУМҲУРИИ ТОҶИКИСТОН ВИЛОЯТИ ХАТЛОН
КУМИТАИ ИДОРАИ ЗАМИНИ НОҲИЯИ ПАНЧ

Ҷамоати шаҳраки Панҷ, кучаи Истиқлол-16 тел: (83252) 2-30-91, 2-31-89
Аз « 6 » июни соли 2017 № 1/07-35 н.Панҷ

Маълумотнома

Дода шуд ин маълумотнома дар он хусус, ки бо қарори раиси ноҳияи Панҷ аз 25 майи соли 2017 № 569 ба хоҷагии деҳқонии «Мустафо» дар майдони 1,20 га қитъаи замин аз ҳисоби заминҳои фонди махсуси ноҳия ҷудо карда шуд, ки аз ин қитъаи замин ҷудошуда ба ягон заминистифодабаранда ва ё шахс зарари иқтисодӣ расонида намешавад.

Бинобар дуруст буданаш маълумотнома ба ҷои лозима дода шуд.

Раиси кумитаи идораи замин



С. Шарипов

REPUBLIC OF TAJIKISTAN
LAND MANAGEMENT COMMITTEE OF PYANJ DISTRICT

Dated June 6, 2017

No. 1/07-35 Pyanj district

INFORMATION SHEET

This information sheet is given in particular, with a resolution of the Chairman of Pyanj district dated May 25, 2017 No. 569 to the dekhkan farm “Mustafo”, that the land in the area of 1, 20 hectares of land has been allocated from the special land fund of the district, which is from this allocated land no any land user or person cannot feel the economic damage.

It is the right information and given to the concern place.

Head of land management department:

S. Sharipov



Ҷумҳурии Тоҷикистон
Корхонаи давлатии фаръии Бақайдгирии молу мулкӣ ғайриманқул дар ноҳияи Панҷ
(номи корхонаи Ҷумҳуриявии (монстақвонӣ) бақайдгирии молу мулкӣ ғайриманқул)

СЕРТИФИКАТИ ҲУКУКИ ИСТИФОДАИ ЗАМИН
Дараҷаи А № 0064891

Санаи додани ҳуҷҷат “ 2 ” июни соли 2017

Асоси ба вуҷуд омадани ҳуқуқ қарори раиси ноҳияи Панҷ
25 майи соли 2017 № 659 (қарори мақоми ваколатдори давлатӣ, ахдҳо, ҳуқуқи граждони)

Субъекти ҳуқуқ Хоҷагии деҳқонии «Мустафо»
(шахси воқеӣ ё ҳуқуқӣ)

Намуди ҳуқуқ якумраи мероси
(намуди ҳуқуқи истифодаи хатъаи замин)

Объекти ҳуқуқӣ хоҷагии деҳқонии, майдон - 7,09 га
(таъинот, турӯғ ва намуди замин, масоҳати умумӣ ва суроғи ҷойгиршавии он)

деҳаи Саройкамари ҷамоати деҳоти Намуна-и н. Панҷ

Маҳдудиятҳои (гаронихон) ҳуқуқ

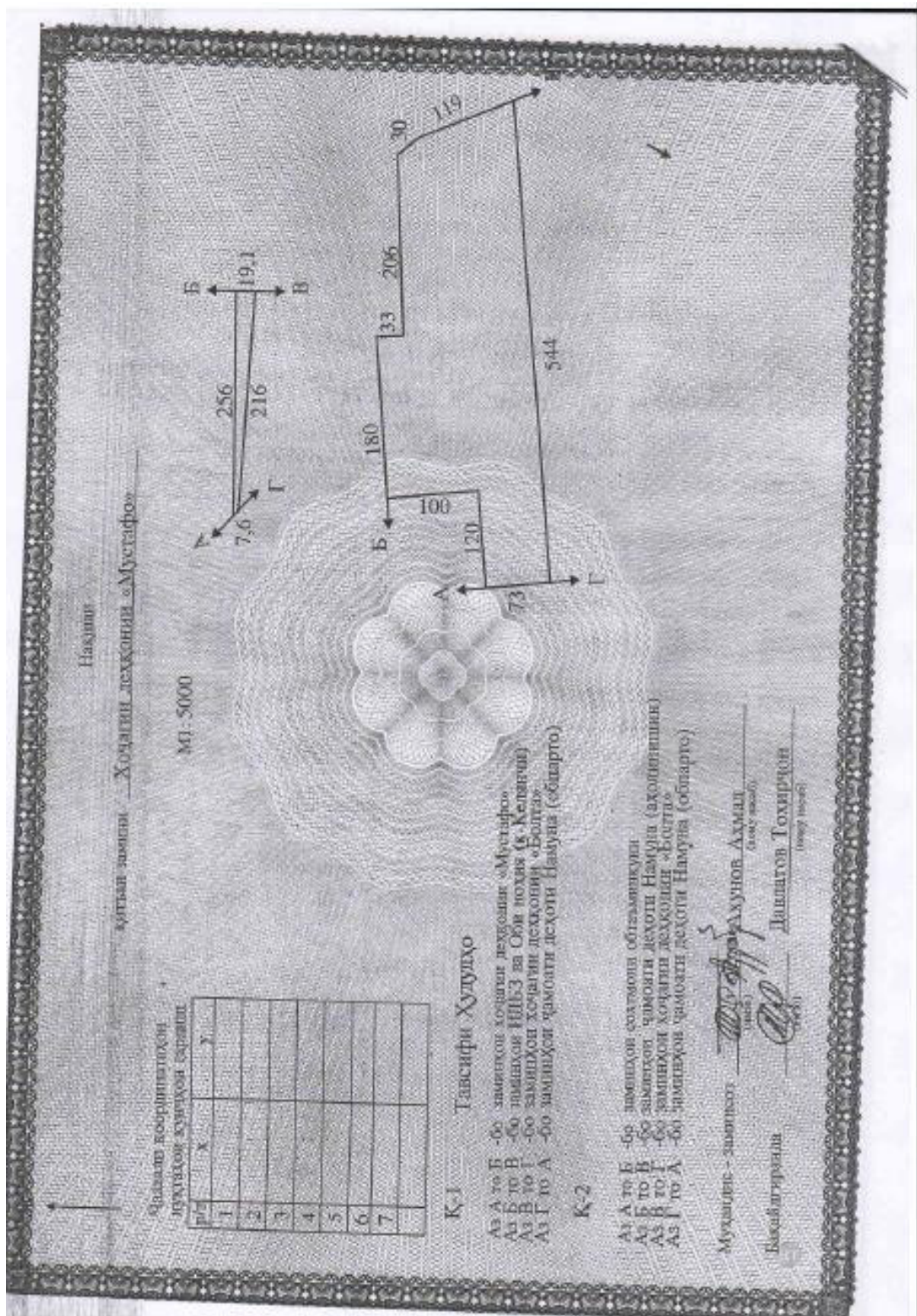
Қитъаи замин тақсимшаванда
(тақсимшаванда ё тақсимнашаванда)

Рақами кадастрии объекти молу мулкӣ ғайриманқул:
44-006-001994
44-006-001995

Сертификати ҳуқуқи истифодаи замин бе ҳуқуқи бегона намудан
(бо ҳуқуқи ё бе ҳуқуқи бегона намулани сӣ)

Сертификати мазкур таҳти № 300 ба қайд гирифта шуд.

Бақайдгиранда  Давлатов Тоҳирҷон
(ному насаб)



Package 3: Pyanj Subprojects, Rural Water Supply Component



«Мустафо»

(НОМИ ХОЧАГИ)

Сертификати ҳукуқи истифодаи заминро гирифтааст ва он

ба қайд гирифта шудааст, сабт шудаанд, қитъаи замин

мебошад.

р/т	ному насаб	майдон (га)	р/т	ному насаб	майдон (га)
1	Мустафокулов Ймомидин	0,51			
2	Хайтова Хатича	0,51			
3	Мустафокулова Ойша	0,50			
4	Арзикулова Сайлигул	0,51			
5	Хучаёров Бобокул	0,51			
6	Хучаёров Менгбобо	0,50			
7	Куганов Менгбобо	0,51			
8	Куганов Мисир	0,50			
9	Мустафокулов Хайридин	0,51			
10	Холбобоева Курбоной	0,51			
11	Танглиева Гулсара	0,50			
12	Махмудов Асомидин	0,51			
13	Турокулова Ойгул	0,51			
14	Танглиев Аҳлидин	0,50			
	Хамаги	7,09			

Бақайдғиранда



Давлатов Тоҳирҷон

(НОМУ НАСАБ)

ЗАМИМА

Republic of Tajikistan
State subsidiary registration enterprise of real estate in Pyanj district

Certificate on land use right
Category 2 No. 0064891

Date of issuing the document: June 2, 2017

The basis for creation of the right the decision of the Chairman of Pyanj district dated May 25, 2017 No. 659.

Right subject Dekhkan farm “Mustafo”

Type of right for lifetime use

The right object dekhkan farm, area – 7.09

Saroikamar village of Namuna Jamoat in Pyanj district

Right limitation _____

Land plot shared

Cadastral number of real estate object:

44-006-001994

44-006-001995

Certificate on land use right without the alienation right

This certificate registered under No. 300.

Registration specialist: Davlatov Tohirjon

PLAN
Land plot Dekhkan farm “Mustafo”
Sc. M1:5000

Coordinates table of corners turning points

No.	x	y
1		
2		
3		
4		
5		
6		
7		

P-1

Description of the borders:

From A to B	- with the lands of dekhkan farm “Mustafo”
From B to C	- with the lands of IBDZ and district water (c. Kelyanchi)
From C to D	- with the lands of dekhkan farm “Bolta”

Land Acquisition and Resettlement Plan

Package 3: Pyanj Subprojects, Rural Water Supply Component

From D to A - with the lands of Namuna jamoat (water drainage)

P-2

From A to B - with the lands water supply construction

From B to C - with the lands of Namuna jamoat (settlement)

From C to D - with the lands of dekhkan farm "Bolta"

From D to A - with the lands of Namuna jamoat (water drainage)

Land management Engineer:

Akhunov Ahmad

Registration specialist:

Davlatov Tohirjon

In the given list, the shareholder of dekhkan farm "Mustafo", which on June 2, 2017 received the land use certificate, and registered under No. AN 0064891 are shown. The land plot has the cadastral number 44-006-001994 44-006-001995.

S. No.	Name	Area, ha	r/t	Name	Area, ha
1	Mustafokulov Imomiddin	0.51			
2	Haitova Khaticha	0.51			
3	Mustafokulova Oisha	0.50			
4	Arzikulova Sailigul	0.51			
5	Khujayorov Bobokul	0.51			
6	Khujayorov Mengbobo	0.50			
7	Kuganov Mengbobo	0.51			
8	Kuganov Misir	0.50			
9	Mustafokulov Khairiddin	0.51			
10	Kholboboeva Qurbonoy	0.51			
11	Tanglieva Gulsara	0.50			
12	Mahmudov Asomiddin	0.51			
13	Turakulova Oygul	0.51			
14	Tangliev Ahliddin	0.50			
	Total	7.09			

Registration specialist:

Davlatov Tohirjon