

Land Acquisition and Resettlement Plan

September 2012

PAK: Power Sector Rehabilitation Project

ISLAMIC REPUBLIC OF PAKISTAN

Power Sector Rehabilitation Project (PSRP)

(ADB Loan No. 2553-PAK)

Thermal Power Station Jamshoro (Ash Pond)

Land Acquisition and Resettlement Plan

September 2012

Jamshoro Power Company Limited (JPCL)

GENCO Holding Company Ltd. (GHCL)

Ministry of Water and Power

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ABBREVIATIONS

ADB	Asian Development Bank
CEO	Chief Executive Officer
CNIC	Computerized National Identification Card
DC	Deputy Commissioner (District LAC)
DP	Displaced Person
EA	Executing Agency (GHCL)
EIA	Environmental Impact Assessment
EPA	Environmental Protection Agency
ESC	Environmental and Social Cell (PMU)
GAP	Gender Action Plan
GHCL	GENCO Holding Company Limited
GENCO I	(Power) Generation Company No. 1 (Jamshoro, Sindh Province)
GENCO II	(Power) Generation Company No. 2 (Guddu, Sindh Province)
GM D&D	General Manager (Thermal), Design & Development (GHCL)
GRC	Grievance Redress Committee
IA	Implementation Agency (JPCL/GENCO-I)
IP	Indigenous People
IPSA	Initial Poverty and Social Assessment
IR	Involuntary Resettlement
JPCL	Jamshoro Power Company Limited
MD	Managing Director, GHCL - PEPCO
LAA	Land Acquisition Act, 1894 (amended to-date)
LAC	(District) Land Acquisition Collector (see also DC)
LAR	Land Acquisition and Resettlement (Impacts)
LARP	Land Acquisition and Resettlement Plan
MIS	Management Information System
MW	Mega Watt
MWP	Ministry of Water and Power
PEPCO	Pakistan Electric Power Company
PMU	Program Management Unit (PEPCO/GHCL)
PSRP	Power Sector Rehabilitation Project
RFS	Resettlement Field Survey (Inventory of Assets, Census, Consultations)
SAP	Social Augmentation Plan
SPS	Safeguard Policy Statement
TPS	Thermal Power Station
WAPDA	Water and Power Development Authority

DEFINITION OF TERMS

Affected persons/households	mean all the people affected by land acquisition, relocation, or loss of assets or incomes and include any person/household, firms, or public or private institutions. APs/AHs therefore include: (i) people whose productive lands or other productive assets such as trees or crops are affected; (ii) people whose built-up structures (such as houses, shops, tube-wells, mosques, graves, etc.) are affected; (iii) people whose business is affected and who might experience loss of income due to project impact; (iv) people who lose work/employment as a result of project impact; and (v) people who lose access to their resources/property or established easements.
Compensation	means payment in cash or kind for an asset to be acquired or affected by a project at replacement cost at current market value.
Cut-off-date	means the date after which people will NOT be considered eligible for compensation i.e. they are not included in the list of APs/AHs. Normally, the cut-off date is the date of the AP Census and detailed measurement survey.
Displaced persons	in the context of involuntary resettlement, displaced persons are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.
Economic displacement	means loss of land, assets, access to assets, income sources, or means of livelihoods as a result of (i) involuntary acquisition of land (by using eminent domain under the country's law, i.e.), or involuntary restrictions on land use or on access to legally designated parks and protected areas.
Encroachers	mean those people who extend their occupation beyond the lands they legally own, usually not entitled to compensation but sometimes provided with assistance if they are found vulnerable; they are, however, entitled to compensation for the loss of built-up structures, trees, crops and other assets.
Entitlement	means the range of measures comprising cash or in-kind compensation, relocation cost, income rehabilitation assistance, transfer assistance, income/livelihood restoration which are due to AHs, depending on the type and degree nature of their losses to restore their social and economic base.
Inventory of losses	means the pre-appraisal inventory of assets as a preliminary record of affected or lost assets.
Land acquisition	means the process whereby a person is compelled by a public agency by using eminent domain (under the Land Acquisition Act, 1894-amended) to alienate all or part of the land s/he owns or possesses, to the ownership and possession of the agency for public purposes in return for fair compensation.
Meaningful consultation	is a process that (i) begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv)

	gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues.
Non-titled	means those who have no recognizable rights or claims to the land that they are using and includes people using private or state land without permission, permit or grant i.e. those people without legal title to land and/or structures occupied by them. ADB's policy explicitly states that such people cannot be denied compensation and resettlement.
Physical displacement	means relocation, loss of residential land, or loss of shelter a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions or land use or on access to legally designated parks and protected areas.
Poor	means those falling below the official national poverty line (equivalent to 2,350 calories per day) of Rs 1,942.00 per person per month (June 2012).
Replacement cost	means the method of valuing assets to replace the loss at current market value, or its nearest equivalent, and is the amount of cash or kind needed to replace an asset in its existing condition, without deduction of transaction and depreciation costs or for any material salvaged.
Resettlement field survey	means the detailed inventory of losses that is completed after detailed design and marking of project boundaries on the ground, socioeconomic data on the affected households/families, and stakeholder consultations.
Sharecropper	means the same as tenant cultivator or tenant farmer, and is a person who cultivates land they do not own, for an agreed proportion of crop or harvest.
Significant impact	means 200 people or more will experience major impacts, which are defined as; (i) being physically displaced from housing, or (ii) losing ten per cent or more of their productive assets or income generating activities.
Squatters	mean those people who do not own the land but are possessing and using it for residential, commercial, agricultural or other economic purposes, and as such they usually not entitled to land compensation but sometimes provided with assistance if they are found vulnerable; they are, however, entitled to compensation for the loss of built-up structures, trees, crops and other assets.
Vulnerable person/people	means any people who might suffer disproportionately or face the risk of being
marginalized from the effects	of resettlement and includes; (i) female-headed households with dependents; (ii) disabled household heads; (iii) poor households (within the meaning given previously); (iv) landless; (v) elderly persons with no means of support; (vi) households without security of tenure; (vii) ethnic minorities; and (viii) marginal farmers (with landholdings of five acres or less).

EXECUTIVE SUMMARY

Purpose of Land Acquisition: The conversion of two existing power units and construction of a new 600MW coal-fired power plant in TPS Jamshoro will require the construction of combined ashpond for which additional land is being acquired from the adjacent private landowners.

Site Location and Land Status: The 100 acres (40.5 ha) of land being purchased for constructing a combined ash-pond for the coal-fired units of Jamshoro TPS is located at Deh Morho Jabbal in Kotri taluka of Jamshoro district. It is situated adjacent towards north-west of the Jamshoro TPS, and about one kilometer towards west of the Indus Highway. As per the land records and participant observation, almost all the land is barren and unproductive, except about 6 acres of it having been cultivated with sorghum and millet during monsoon season only. But then it was abandoned by the farmers because of low productivity and frequent crop failures caused by droughts in the past two decades. There are no built-up structures; no crop cultivation, valuable trees or other livelihood activities found on this land.

Site Ownership and Affected Persons: Land acquisition and resettlement (LAR) impacts in terms of payment of negotiated price to the DPs of this ash-pond construction are minimized by market value of the land and fair compensation. The land is being acquired against negotiated price from 18 landowners (DPs) with 106 family members. The overall significance of LAR impacts can safely be considered as “insignificant”, especially when the land is barren and unproductive, and not affecting the livelihoods of the DPs. In fact, it will rather benefit them with compensation money.

Expected Gender Impact: No adverse differential impact by the land acquisition and ashpond construction on either the men or the women of the affected household is expected.

Consultation and Information Dissemination: Informal consultation meetings have already been held with majority of the landowners/their descendants. They are more than willing to let their lands be acquired by JPCL for constructing the ash-pond for TPS Jamshoro against a negotiated price with a request for providing them with possible job opportunities. However, formal consultation meeting/s will be held with them upon receipt of updated land records from the Jamshoro district’s Land Revenue department, after authentication by the Survey and Settlement department. The price negotiation and possible provision of jobs will be finalized with them, and grievances, if any, will be mutually resolved upfront in the same meeting/s.

Land Acquisition Process: JPCL has obtained verified and authenticated land records from the Deputy Commissioner, Jamshoro. Many of the landowners shown in the lists are reportedly no longer living, so their eligible heirs will need to get the land inheritance titles from the Land Revenue department before they could legally sell the land to JPCL and receive the price for it. Once they have received the land transferred to their names, JPCL will negotiate the land price with them, and acquire the land through the District Land Acquisition Collector (LAC) under the provision of LAA. However, a tentative LARP budget has been prepared for an amount of PRs. 75 million, which will be updated by JPCL upon completion of the price negotiation process. JPCL will pay in full (100%) the mutually agreed upon land price as land compensation to each of the DPs) before taking physical possession of the land. Monitoring will require the provision of documents demonstrating the conclusion of negotiations with the DPs and payment of land price to all the individual DPs (landowners/legal heirs), accordingly. An implementation schedule indicates milestones within an approximate timeframe for the necessary LARP activities, prior to commencement of civil works on the land.

I. PROJECT DESCRIPTION

1. Prolonged energy crisis has been the most serious constraint to economic growth and job creation in Pakistan for the last three decades. The country is suffering from an acute energy shortage caused by (i) insufficient energy supply capacity, (ii) poor sector performance, (iii) increasing demand, and (iv) inefficient use of energy resources. The total country installed capacity in 2011 was 24,1731 MW, PEPCO installed capacity was 20,886 MW. Total GENCO installed capacity was 4,729 MW, derated to 3,000 MW NEPRA's „State of Industry Report 2011” states that: “the gap between supply and demand crossed 5,000 MW, but it also remained around 4,000 to 5,000 MW mark for the most part of the year.

2. In response to the Government of Pakistan's request for technical assistance, ADB approved a loan package of \$780 million in 2009 in the form of a Multi-tranche Financing Facility (MFF). The MFF is being implemented in four tranches, covering the following programs:

- (i) rehabilitation and/or replacement of inefficient thermal power plants with larger more efficient facilities;
- (ii) Program Management support to help the Government manage the MFF;
- (iii) replacement of 30 million incandescent bulbs with compact fluorescent lamps;
- (iv) gas compressor upgrading,
- (v) scaled up industrial efficiency financing;
- (vi) energy retrofitting programs in both public and private commercial sectors,
- (vii) gas and electric appliance replacement, and
- (viii) rehabilitation of private power generation efficiency.

3. As a result of the initial power sector diagnostic study, a Power Sector Rehabilitation Project (PSRP) has been proposed for further feasibility studies, planning and implementation. Two Thermal Power Stations (TPS) have been selected for rehabilitation and augmentation, namely the TPS Guddu and TPS Jamshoro in the Sindh province. The PSRP includes:

- (i) Rehabilitation of TPS Guddu;
- (ii) Rehabilitation of TPS Jamshoro (Units 1 & 2);
- (iii) Conversion of Two Units of TPS Jamshoro to low sulfur Coal-firing (Units 3 & 4); and,
- (iv) Construction of a new 600 MW imported Coal-Fired Power Plant at TPS Jamshoro (under a separate loan arrangements with ADB).

¹ All figures quoted in this study are based upon NTDC „Electricity Marketing Data, 36th. Edition “ unless otherwise stated.

II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

4. All the rehabilitation, augmentation, conversion and new construction works will be carried out on available lands within the existing bounds of TPS Guddu and TPS Jamshoro, respectively. No additional lands are required for these development activities.

5. However, the construction of a combined ash-pond to safely deposit coal-ash coming out of the two converted units (Units 3 & 4) and the new 600MW plant at TPS Jamshoro requires land acquisition. Accordingly, a piece of private land, measuring 100 acres (40.5 ha), situated next to the northern end of TPS Jamshoro has been selected and is being processed for acquisition against a negotiated price (Figure 1).

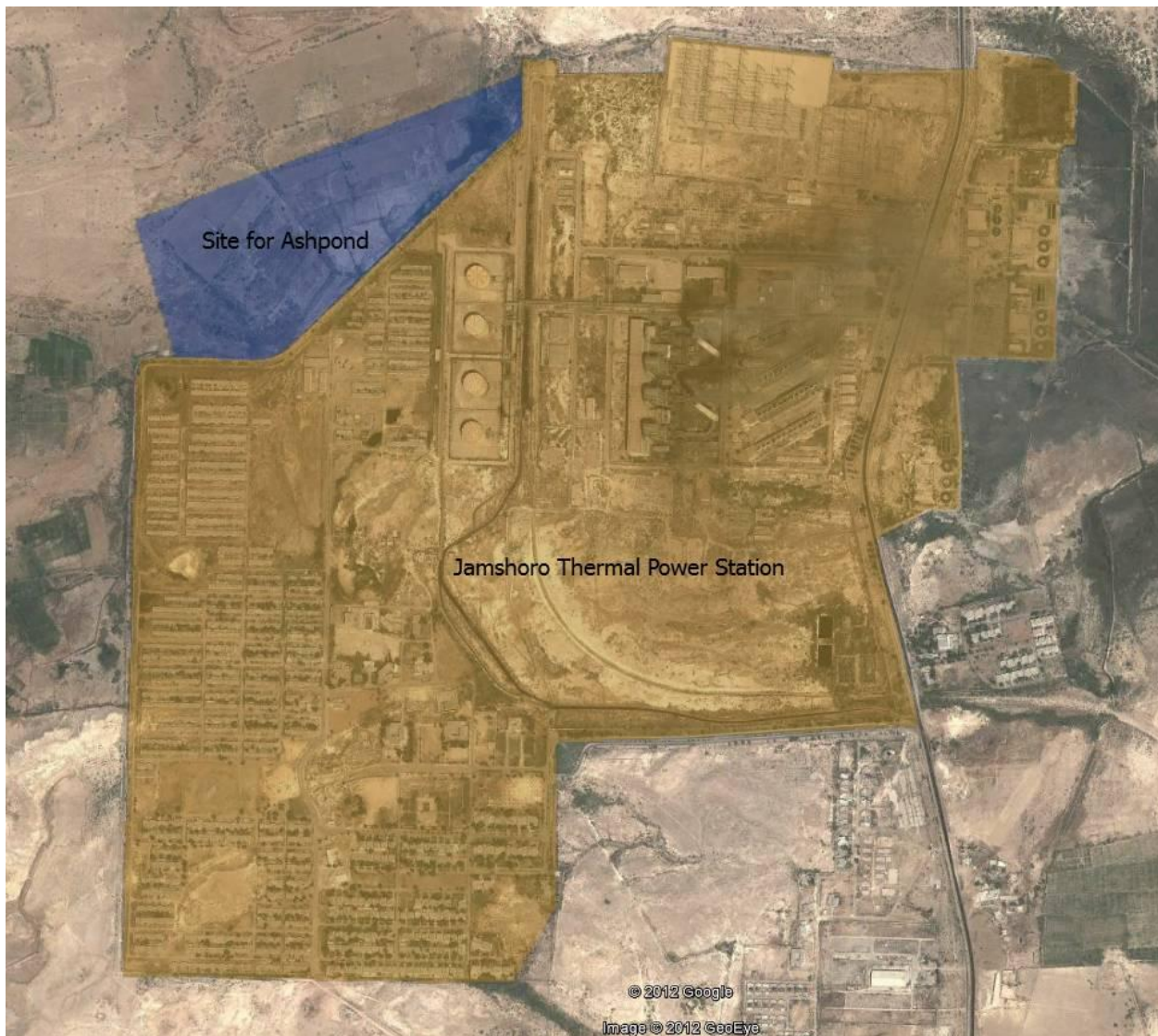


Figure 1: Site for Ashpond

6. The land is located at Deh Morho Jabbal in Kotri teluka of Jamshoro district, is owned by a total of 18 affected households with a total of 106 family members. This is unproductive barren land with no livelihood or relocation effects. Hence, the TPS Jamshoro (ash-pond) can be considered as IR Category "B". Thus, the overall significance of LAR impacts can safely be considered as "insignificant".

Table 1: Land Size to be Purchased for Jamshoro TPS and Affected Landowners (DPs)

Status of Land	Date Entry Made	Total Land Area (Acres)	Land Area to be Purchased (Acres)	Number of Landowners
Surveyed Land	02 May 1985	53-27	39-13	15
Un-surveyed Land	29 August 2007	67-20	60-27	3
Total:		111-07	100-00	18

Source: Land Revenue Department, District Jamshoro (Obtained on 6th September, 2012)

7. The land records (Annex 1) provided by the Land Revenue department (Table 1) are based on old entries (1985 & 2007), and when cross-checked in the communities it was found that most of the landowners shown therein are no longer living. The children did not get the land inheritance distribution completed after the deaths of their parents mainly because the land was unproductive and of almost no economic value to them. But now they have to obtain inheritance titles to be eligible for receiving land compensation. Seeing a monetary benefit coming to them, they are now taking interest in getting their inheritance titles to their ancestral lands, and reportedly some of them have already initiated the process with the Land Revenue department.

8. This land is all barren with wild bushes grown on, which are reportedly too bitter for animals' grazing, and nor a good fire-wood. Only a total of 6 acres of this land shows scars of plowing for cultivation in the past. But reportedly cultivation was abandoned by the landowners some two decades ago for being an uneconomic activity because of low crop productivity and frequent crop failures caused by the droughts. They had been trying to grow sorghum and millets on these fields by water harvesting techniques in the monsoon season only, but the crops often dried up mid-season or if matured had low production.

9. So, the best use of this land for the landowners is to sell it out to any willing buyer/s to make some money out of it. Thus, they have welcomed the JPCL's offer for acquiring the land for extending the TPS Jamshoro jurisdiction for constructing an ash pond to safely deposit the coal-ash. This will be an involuntary land acquisition through LAA (1894-amended), in conjunction with Sindh Land Acquisition (Companies) Rules, 1983. However, the land compensation will be based on the, negotiated and mutually agreed upon price, equivalent to the replacement value of the land. The land acquisition will not cause any adverse impacts to the landowners or their communities, as it will not affect livelihoods or built-up structures of any of the DPS, nor block access to their other lands. Rather, the landowners consider it an opportunity from which they can benefit themselves by earning money out of this unproductive land.

III. INFORMATION DISCLOSURE, CONSULTATION, AND PARTICIPATION

10. JPCL has already initiated informal consultations with the majority of landowners for land purchase for some extension and development works in the Jamshoro TPS, including the construction of an ash-pond for safely depositing in the coal-ash that will be produced by the coal-fired power plants. In response, the landowners have been showing a high level of willingness to sell their lands to JPCL, for a negotiated market price and requesting JPCL for providing them with possible job opportunities on a priority basis, as per prescribed rules. JPCL has informally assured them of paying them a negotiated price for their lands and possible placement on the jobs they are qualified for during the project's implementation (construction and installation) period. JPCL has already clarified to them that the land purchase will totally be a JPCL's responsibility, as ADB funds will not be allowed for this purpose.

11. However, JPCL will hold formal consultation and price negotiation meeting/s with the landowners to make firm decisions when the eligible heirs of the expired landowners have obtained formal land inheritance titles from the Land Revenue department. JPCL has also offered them all possible assistance in this regard.

12. JPCL team will conduct formal consultation and price negotiation meeting/s with the landowners in the most transparent manner, with the participation of all the landowners and/or their formally authorized representatives, a local political leader of the landowners' choice, a representative from the Deputy Commissioner's office, i.e., Assistant Commissioner or *Mukhtiarekar (Tehsildar)*, and an independent observer. JPCL will give equal opportunity to the landowners and their representative/s to express their viewpoints and honor the same in the land price negotiations and their requests for other possible benefits, like provision of possible job opportunities. Similarly, the grievances, if any, will also be resolved satisfactorily in the same meeting/s.

13. The decisions reached will be documented in the form of Formal Agreement on Stamp Paper, signed by the representatives of both the parties, and witnessed by the local political leader and independent observer, and countersigned by the representative from Deputy Commissioner's office, i.e., Assistant Commissioner or *Mukhtiarekar*. Both the parties will be bound by this Agreement to accept and implement the decision/s, especially prompt payment of land price and job placements.

14. A brief of this version of draft LARP (Annex 2) has been translated into Sindhi language and will be disclosed to all the DPs by 28th September 2012. This draft LARP will also be disclosed on the ADB website. Similarly, the updated LARP will be submitted to ADB for clearance also disclosed to all the DPs (landowners/legal heirs) by JPCL and on ADB website, respectively.

IV. LEGAL FRAMEWORK

A. Land Acquisition Act, 1894 (LAA)

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

16. A brief explanation and salient features of different sections of LAA are given in **Table 2**. The right to acquire land for public purposes is established when Section 4 of LAA is triggered. The LAA specifies a systematic approach for acquisition and compensation of land and other properties for development projects. It stipulates various sections pertaining to notifications, surveys, acquisition, compensation and apportionment awards, along with disputes resolution, penalties and exemptions. Surveys for land acquisition are to be disclosed to the displaced persons.

Table 2: Salient Features of Pakistan's Land Acquisition Act, 1894 (amended)

Key Section	Salient Features of Pakistan's LAA
Section 4	Publication of preliminary notification and power for conducting survey and investigation.
Section 5	Formal notification of land needed for a public purpose.
Section 5A	<i>Providing right of complaints to APs for review/enquiry of quantities and compensations</i>
Section 6	The Government makes a more formal declaration of intent to acquire land.
Section 7	Land Commissioner shall direct Land Acquisition Collector (LAC) to take order for the acquisition of land.
Section 8	The LAC to direct the land required to be physically marked out, measured and planned.
Section 9	The LAC gives notice to all affected/displaced persons (APs/DPs) that the Government intends to take possession of the land and if they have any claims for compensation then those claims are to be made to him at an appointed time.
Section 10	Delegates power to the LAC to record statements of APs/DPs in the area of land to be acquired or any part thereof as co-proprietor, sub-proprietor, mortgagee, and tenant or otherwise.
Section 11	Enables the LAC to make enquiries into the measurements, value and claim and then to issue the final "award". The award includes the land's marked area and the valuation of compensation.
Section 16	When the LAC has made an award under Section 11, he will then take possession and the land shall thereupon vest absolutely in the Government, free from all encumbrances.
Section 17	<i>Urgency acquisition whereby land possession is taken prior to payment of compensation</i>
Section 18	In case of dissatisfaction with the award, DPs may request the LAC to refer the case onward to the court for a decision. This does not affect the Government taking possession of the land.
Section 23	The award of compensation for the owners for acquired land is determined at its market value plus 15% in view of the compulsory nature of the acquisition for public purposes.
Section 28	Relates to the determination of compensation values and interest premium for land acquisition
Section 31	Authorizing LAC, instead of awarding cash compensation in respect of any land, to make any arrangement with APs having an interest in such land, including grant of other lands in exchange.

Source: Pakistan Land Acquisition Act, 1894 (amended to-date)

B. Sindh Land Acquisition (Companies) Rules, 1963

17. In addition, the provincial government of Sindh Government has framed land acquisition rules for companies (1963), to further elaborate the application of LAA for companies. According to these rules, when a company applies for land acquisition, the District LAC constitutes a land acquisition committee, to examine the case (i) for its justification and suitability for the purpose; (ii) the size of land requested is not excessive; (iii) the company's ability to utilize the land for the purpose stated; (iv) that land requested is not good agricultural land; and (v) current market value of the land. The committee is normally required to submit its report to the District LAC within 30 days. Upon receiving the affirmative recommendations of the committee, District LAC starts the land acquisition process, by applying section 4 (preliminary notification), section 5 (valuation), section 5A (right to complain) and section 6 (final notification/award). The salient features of these rules are summarized in **Table 3** and explained in the next paragraph.

Table 3: Salient Features of Sindh Land Acquisition (Companies) Rules, 1963

Rule No.	Salient Features of Sindh Land Acquisition (Companies) Rule
3 (1)	Constitution of Land Acquisition Committee for evaluating suitability and value of land being acquired
4 (1) (ii)	The company acquiring the land is authorized to negotiate land price with the landowners
4 (4) (i)	Declaration LAA Section 6 (Award) after satisfactory report on Section 5A (Complaints Resolution)
9	Ordinary acquisition of land for Companies (Not to apply LAA Section 17 – Urgency acquisition)

Source: Sindh Land Acquisition (Companies) Rules, 1963.

18. The above stated Rules are found quite in line with ADB's Safeguard Policy, explained below. These Rules:

1. encourage suitability and valuation of land by a committee, rather than one officer;
2. authorize the company to negotiate land price with the landowners, rather than compensation assessment by LAC only;
3. provide right of complaints and their satisfactory resolution under LAA section 5A, prior to declaration of award for land possession under section 6; and,
4. favor ordinary acquisition of land for companies, as against applying LAA section 17 (urgency acquisition) bypassing section 5A (right of complaints and their satisfactory resolution).

C. ADB's Policy Principles for Involuntary Resettlement

19. The ADB's Safeguard Policy Statement, 2009 (ADB SPS 2009), provides policy principles and objectives for Involuntary Resettlement (IR), as described in **Table 4** below. When private land, other than the unencumbered government-owned land, is to be acquired then preparation of a LARP is required.

Table 4: Involuntary Resettlement Principles Objectives in ADB's SPS 2009

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

Scope and Triggers: The involuntary resettlement safeguards covers physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.

Policy Principles:

1. Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.

2. Carry out meaningful consultations with displaced persons, host communities, and concerned non-government organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line. These include the landless, the elderly, women and children. Specific safeguards cover Indigenous People, including those without statutory title to land, including those having communal rights, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the displaced persons' concerns. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.

3. Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based and where it is possible to give cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) **prompt compensation at full replacement cost for assets that cannot be restored**, and (iv) **additional revenues and services through benefit sharing schemes where these are possible**.

4. Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.

5. Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.

6. Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.

7. Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.

8. Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.

9. Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to displaced persons and other stakeholders. Disclose the resettlement plan and its updates to displaced persons.

10. Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.

11. Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.

12. Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of the resettlement monitoring. **Disclose monitoring reports.**

Source: Asian Development Bank, SPS 2009.

D. Comparison of Key Features of LAA 1894 and ADB Policy Principles and Practices

A comparison between the LAA and ADB safeguard policy statement's principles (SPS) with regard to regard to key land acquisition and resettlement (LAR) aspects is shown in

20. Table 5. The object of this exercise is to identify if and where the two sets of procedures are in conformity with each other and more importantly where there are differences and gaps. The key ADB Policy Principles are:

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

Table 5: Comparison of Pakistan Land Acquisition Act 1894 and ADB Safeguard Policy Statement 2009 and Gap Filling Measures (LAA versus SPS)

Pakistan's Land Acquisition Act 1894	Gap Filling Measures (ADB's SPS 2009 requirements)
Only titled landowners or customary rights holders are recognized for compensation.	Lack of title should not be a bar to resettlement and rehabilitation support. Requires equal treatment of those without clear land titles (for example, squatters or other informal settlers) in terms of their entitlements for resettlement assistance and compensation for the loss of non-land assets.
Only registered landowners, sharecroppers and lease holders are eligible for compensation of crop losses.	Crop compensation is to be provided irrespective of the land registration status of the affected farmer/share cropper.
Tree losses are compensated based on outdated officially fixed rates by the relevant forest and agriculture departments.	Tree losses are to be compensated according to market rates based on productive age or wood volume, depending on tree type.
Negotiated Purchase, no LARP required. Procedures available through instructions and agreement signed.	Prepare LARP in accordance with the provisions detailed in the SPS (2009) .
Land valuation is based on the median registered land transfer rate over the 3 years prior to Section 4 of the LAA being invoked. A 15% compulsory acquisition charges are paid over and above the assessed compensation. However, recent practice is that prices based on the average over the last one year prior to acquisition commencing is applied. Provinces have also issued instructions for assessing compensation to ensure displaced persons receive compensation at market price.	Replacement cost surveys undertaken by the EA and shared with assessors when determining compensation.
The valuation of structures is based on official rates, with depreciation deducted from gross value of the structure and also 15% of the value of salvaged materials.	The valuation of built-up structures is based on current market value but with consideration of the cost of new construction of the structure, with no deduction for depreciation.
The decisions regarding land acquisition and the amounts of compensation to be paid are published in the official Gazette and notified in accessible places so that the people affected are well informed.	Carry out consultations to inform potentially displaced persons about the likely impacts, finalization of award and payment of compensation. Disclose draft LARPs and their updates, as applicable.

Pakistan's Land Acquisition Act 1894	Gap Filling Measures (ADB's SPS 2009 requirements)
There is no provision for income and livelihood rehabilitation measures. There are also no special allowances for vulnerable groups. There are no requirements to assess opportunities for benefit sharing. Untitled DPs are not entitled to rehabilitation support.	The ADB policy requires rehabilitation of livelihoods, and support during the relocation process. There are also provisions to be made to cover transitional period costs, and livelihood restoration. Particular attention must be paid to the poor and vulnerable groups, including women. A guiding principle is that DPs should at least be able to reach a defined minimum livelihood standard. In rural areas DPs should be provided with legal access to replacement land and resources to meet the defined minimum livelihood level. In urban areas provision should be made for appropriate income sources and the legal and affordable access to adequate housing. Untitled DPs have rights.
Prepare and disclose land acquisition and resettlement plans LARPs. There is no law or policy that requires preparation of LARPs.	Resettlement plans are prepared and disclosed.
Grievance redress is established through the formal land acquisition process at a point in time or through appeals to the court	Provide mechanisms that are accessible locally and available throughout project implementation.
Only compensation is paid but not resettlement allowances, there is no mechanism to ensure payment is made before displacement	All compensation and allowances to be paid prior to physical or economic dislocation.
No requirements to prepare and disclose monitoring reports	Prepare and disclose monitoring reports
No special provisions to deal with support to displaced, vulnerable, and tribal groups.	Combined resettlement and indigenous peoples plan prepared

V. ENTITLEMENTS, ASSISTANCE AND BENEFITS

A. Entitlements

21. The entitlements for compensation may be enhanced to mitigate and improve livelihoods of the DPs but not be reduced or lowered in any case in the LARP. Compensation and rehabilitation entitlements are summarized in **Table 6**.

Table 6: Compensation Eligibility and Entitlement Matrix (PSRP)

Assets lost	Specification	Displaced Persons	Compensation Entitlements
Barren/abandoned agricultural land, including wasteland / grazing land	All land losses irrespective of impact severity	Landowners / Legal Heirs	<ul style="list-style-type: none"> Payment of compensation based on the negotiated price of land (not less than the current open market price), without deduction of taxes and transaction fees;

B. Eligibility

22. The DPs eligible for payment of land compensation are all landowners/legal heirs whether covered by legal titles or traditional land rights, whether for temporary or permanent acquisition. The payments be paid individually to all the DPs (landowners/legal heirs).

23. In order to avoid an influx of outsiders and/or changes in the land use pattern, eligibility for payment of land price will be limited by a cut-off date. The cut-off date for this project has been fixed on the day of draft LARP disclosure on 28th **September 2012**. This cut-off date has been written in the information disclosure brochure (in Sindhi language) to be distributed to all the DPs. After this cut-off date, no further claims or changes in land use will be accepted or payments made for those changes.

24. All the DPs (landowners/legal heirs) will be paid their due amounts of land compensation individually, in the form of crossed cheques. They will have to open bank accounts individually in their names, so that when they receive the cheques they should be able to deposit the same immediately. Some of the DPs (landowners/legal heirs) may not have valid CNICs, which they will need to obtain/validate for obtaining inheritance titles, opening bank accounts and receiving the land compensation cheques.

VI. LARP BUDGET

25. There have been only a few land sales in the area only for housing and/or commercial purposes alongside the Indus Highway. Based on the a few sales of land during this year and discussions with *Patwaris* and DC office staff, the land prices in Jamshoro area range from PRs. 0.3 to 2.5 million per acre, depending on the topography, location and distance from the Indus Highway.

26. The remote, hilly and uneven lands have the lowest prices ranging from PRs. 0.3 to 0.5 million per acre, while, the prices of lands relatively plain and near to a road, especially the Indus Highway, range from PRs. 0.6 to 0.8 million per acre. The only one piece an acre of land reportedly purchased recently by an industrialist intending to put up a small industrial unit on the Indus Highway, is an exceptional case of PRs. 2.5 million per acre, and it cannot be considered as usual rate.

27. As the land being purchased is relatively and about one kilometer away from the road, an approximate price of PRs. 0.6 million has tentatively been taken for this LARP's budgeting purposes (see **Table 7**). The final price will be based on the negotiations with the landowners and approval of the Deputy Commissioner / District LAC, who holds the powers to challenge and change even the negotiated land prices.

28. The total LARP implementation costs, including land price, transfer fee and tax (10%), and contingency (15%) are tentatively estimated at PRs. 75.00 million (US\$ 0.79 million).

29. These costs will be updated in the revised LARP and submitted to ADB for approval. JPCL is committed to set aside this amount, prior to holding negotiation meetings with the landowners (DPs). That is, when the revised LARP is approved by ADB, the money will be readily available with JPCL to pay to the DPs, prior to taking physical possession of the land.

Table 7: LARP Budget for Jamshoro TPS (ash-pond)

No.	LARP Activity	Unit	Quantity	Rate	Amount (PRs)
1	Negotiated Land Price (Current Market Rate)	Acre	100	600,000	60,000,000
2	Transfer Fees & Taxes (10% of No. 1)	-	-	-	6,000,000
3	Contingency (15% of No. 1)	-	-	-	9,000,000
4	Total LARP Budget (Pak. Rupees)	-	-	-	75,000,000
5	Total LARP Budget (US Dollars)*	-	-	-	792,812

* Exchange Rate: US\$ 1.00 = PRs. 94.60

VII. INSTITUTIONAL ARRANGEMENTS

30. To address the institutional requirements for PSRP, GENCO Holding Company Limited (GHCL) will establish a Project Management Unit (PMU) in Lahore, headed by the General Manager (Thermal), Design & Development (GM D&D) and assisted by the Project Implementation Units (PIU) in GENCO I (TPS Jamshoro) and GENCO II (TPS Guddu), respectively. The PIUs headed by the respective Chief Executive Officers (CEOs) will be responsible for all the project implementation works. Each PIU will have an Environmental and Social Cell (ESC), responsible for the planning/updating, implementation and monitoring of the environmental mitigation activities at TPS, Guddu, and of the LARP and social development activities at TPS Jamshoro. The ESC will be responsible for (i) updating the LARP and submitting to ADB through the PMU and (ii) submitting an internal monitoring report confirming all payments have been made.

31. The PMU will maintain a computerized database as verified and confirmed with revenue officials and MIS to ensure all details regarding LARP preparation and implementation are tracked and accessible. Information disclosure will be systematically implemented and ADB's requirements for disclosure will be followed by the PMU.

VIII. IMPLEMENTATION SCHEDULE

32. The following draft schedule of LARP planning and implementation activities (**Table 8**) provides an estimated time period of 12 months (one year). About one-half of this period (6 months) has been allocated for obtaining the inheritance titles by legal heirs of the expired landowners from the District Revenue Department, as this activity often takes longer periods. But if they are able to obtain the inheritance titles earlier, time schedule for the subsequent activities of land price negotiation, payment of compensation and physical possession of land will be revised accordingly in the updated LARP.

Table 8: LARP Preparation and Implementation Schedule for TPS Jamshoro (Ash-Pond)

LARP Activity/Task		Year 2012						Year 2013					
		7	8	9	10	11	12	1	2	3	4	5	6
LARP Preparation	Site Selection for Ash-pond by JPCL-ADB-Consultants												
	Request to Deputy Commissioner Jamshoro for Land Purchase												
	Deputy Commissioner's Approval in Principle for Land Purchase												
	Collection of Existing Land Records from Revenue Department												
	Informal Contacts/Consultation with Landowners by JPCL												
	Land Survey / Record Verification by Revenue Department												
	Land Survey/Authentication by Land Settlement Department												
	Issuance of Revised/Updated Land Records by Revenue Deptt.												
	Preparation of Draft LARP and Approval by ADB												
	Disclosure of Draft LARP to DPs (Brochure in Sindhi Language)												
Implementation	Obtaining Inheritance of Land Titles by Heirs of Dead Landowners												
	Publication of Preliminary Notification under LAA Section 4												
	Land Price Negotiations with Landowners by JCPL and District LAC												
	Publication of Land Acquisition Award under LAA Section 6												
	Updation of LARP by JPCL/PMU and Approval by ADB												
	Transfer of Total Land Compensation Amount by JPCL to District LAC												
	Opening of Individual Bank Accounts by all DPs (Legal Heirs)												
	Distribution of Compensation Cheques by LAC to Individual DPs												
	Preparation Mutation Papers by District LAC in Favor of JPCL												
	Physical Possession of Land Handed Over by District to JPCL												
	Internal Monitoring of Land Purchase Activities by ESC/JPCL												

IX. MONITORING AND REPORTING

33. Land acquisition for constructing ash-pond for TPS Jamshoro will be a one-time activity. Therefore, the process of land acquisition and payment land compensation will be monitored internally by ESC/JPCL itself only for a few months until its satisfactory completion. PMU will submit a one-time report to GHCL and ADB confirming that all payments have been made and there are no outstanding issues related to LARP implementation. Physical possession of land will be contingent on the submission of the internal monitoring report. Any unavoidable impacts or concerns regarding land acquisition will be conveyed to ADB for guidance and remedial actions.

Annex 1: Land Records



NO. / DC / OS / 1394 / 2012
**OFFICE OF THE
DEPUTY COMMISSIONER,
JAMSHORO**

DATED: 07 / 09 / 2012

To,

The Chief Executive Officer,
(JPCL), GENCO-I
Jamshoro.

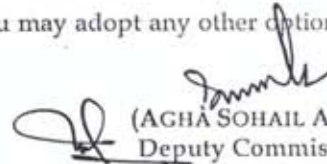
Subject: REQUIREMENT OF LAND FOR EXTENTION OF JPCL
JAMSHORO.

Reference: Your letter No.CEOJ/MMMM/9728-31 dated 18-07-2012.

With reference to your letter No. cited above, the Mukhtiarkar Taluka Kotri was directed to identify the suitable land to the piece of 100 acres for extension of JPCL.

The Mukhtiarkar Taluka Kotri vide his letter No.Mukh/675 dated 06-09-2012 contains the endorsement No.AC/1471 dated 07-09-2012 of Assistant Commissioner Kotri has reported that in connection with the above subject matter a joint survey with technical team of Survey & Settlement Department has been conducted & a piece of land measuring 60-27 acres for unsurvey land of Makan Porachh and an area of 39-13 acres comprising S.Nos. 07, 08, 27 28 29 30 & 31 of deh Morho Jabal was identified & found to be suitable for extension of JPCL. The Mukhtiarkar has further reported that verification of record shows that the survey land measuring 39-13 acres is entered in favour of Rab Dino s/o Gul Khan & 14 others vide entry No.06 dated 02-05-1985 of VF-VII-A of deh Morho Jabal whereas the unsurveyed land measuring 60-27 acres is entered in favour of Tahir s/o Qadir Bux , Uris s/o Qadir Bux & Mst.Ragh Bai D/o Qadir Bux vide entry No.67 dated 29-08-87 of VF-VII-B of deh Morho Jabal.

From the above, you are advised if the afore said land is suitable for extension of JPCL, then you please engage into private agreement with the afore mentioned khatedars with amicable settlement and produce the same for further action into the matter or get the said land purchased under registered sale deed from the above khatedars, as you like or you may adopt any other option which you feel suitable to you.


(AGHA SOHAIL AHMED)
Deputy Commissioner,
Jamshoro
719112



OFFICE OF THE MUKHTIARKAR TALUKA, KOTRI

No: Mukh:/ 675 2012 Kotri dated 6 / 09 /2012

To,

The Deputy Commissioner,
Jamshoro.


Through: The Assistant Commissioner, Kotri

SUBJECT: REQUIREMENT OF LAND FOR EXTENSION OF JPCL JAMSHOSO.

It is submitted that the Tapedar of the beat, alongwith Team of survey Tapedars deputed by Director Settlement Survey & Land Record of Sindh, Hyderabad determined the land measuring 100-00 acres of Makan Porachh Deh Morho Jabal Taluka Kotri, required for extension of JPCL Jamshoro, according to joint survey report and report of Supervising Tapedar Bada an area of 60-27 acres Un-survey and an area of 39-13 acres from S.No: 7, 8, 27, 28, 29, 30, & 31 of Deh Morho Jabal Taluka Kotri, is involved in the subject matter, the details of Khatedars are as under:-

S.NO:	NAME OF KHATEDARS	ENTRY NO	S.NOS	TOTAL AREA	AREA TO BE ACQUIRED
01	Rab Dino S/o Gul Khan & 14 Others	E No: 06 Dated: 02-05-1985 V,F VII-A	7, 8, 27, 28, 29, 30, & 31	53-27	39-13
02	1) Tahir S/o Qadir Bux 2) Uris S/o Qadir Bux 3) Mst: Ragh Bai D/o Qadir Bux	E.NO: 67 Dated: 29-08-2007	Un-Survey	67-20	60-27
	Total Area				100-00

The original site sketch alongwith joint survey report and relevant photo copies of submitted herewith for kind perusal and further order as deemed proper.

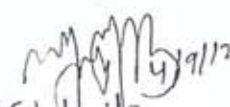

MUKHTIARKAR TALUKA,
KOTRI
6/9/12 16/9/12

سرزمين جي گڏيل ماپ جي رپورٽ

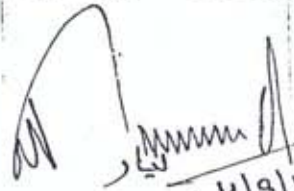
اڄ تاريخ 4-09-2012 تي ديهه موڙهو جبل / مڪان ڪچو پورا ۾
تعلقو ڪوٽڙي ضلعو ڄامشورو ۾ پروڙ ڀل ايراضي (100-0^G) ايڪسٽينشن JPCL
ڄامشورو جي ڊيمارڪيشن ڪئي وئي. مذڪوره ڊيمارڪيشن بابت اهڙو ٽيڪسٽ
جناب مختيارڪار صاعدي ڪوٽڙي، $\frac{Mukh/660\ of\ 2012}{30-08-2012}$ ۽ جناب اسسٽنٽ ڪمشنر
جو ٽيڪسٽ $\frac{AC/1457\ of\ 2012}{3-9-2012}$ جاري ٿيل هو.

مذڪوره ڊيمارڪيشن جناب مختيارڪار صاعدي جي جاري ٿيل رپورٽ تان
اسڪيچ موجب سرزمين تي ڪئي وئي. اهڙا حد نشان پروڙ ڀل ايراضي (100-0^G)
ايڪڙن جي چئني طرفن لڳايا ويا.

سرزمين تي ٽرمپل پاور اسٽيشن ڄامشورو جا آفيسر موجود هئا جنهن
جي روبرو مذڪوره ڊيمارڪيشن ڪيل آهي.


سيد ممتاز علي لڪياري
سروري ٿيڌار
(روينيو عملي تي ٽيڪنڪل
مدد ڏنل)


سيد ممتاز علي لڪياري
سروري ٿيڌار
(روينيو عملي تي
ٽيڪنڪل مدد ڏنل)


سيد افاق شاهه
ٿيڌار موڙهو جبل
سٽي مروٽر
ڊائريڪٽر سيڪلينيٽ سروري
حيدرآباد
(روينيو عملي تي ٽيڪنڪل
مدد ڏنل)


شبير احمد سومرو
XEN, JPCL.
ٽرمپل پاور اسٽيشن
ڄامشورو

Land for Extensions of GJRL, Jamshoro

نوٽ: مڪان ڪيڙو پورٽل جي سروي نمبر 5، 6، 27، 28، 29 مان ايراضي (13-39) A_G ۽ اڻ سروي مان ايراضي (27-60) A_G ايراضي (0-400) صورتحال اسڪيم ۾ ڏيکاريل آهي.



9. Significant:-

Strukturaler (Revênuo)

KOTRI

4000' — 0 J. J. Jones (1951)

1188'—0

(7.)

96-20

1583-10

2000-0

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2. 0

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 A G
 (1) $3 - 20$
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245'-0

$$2.54' - 0$$

گرمی پاور
اسٹیشن

$$\frac{500}{KV}$$

کچھ (سو) آرہی ہیں

موروثیہ املاک

گھوڑا - گھوڑا
ضلعو - ضلعو
تعلقو - تعلقو
تعلقو - تعلقو
مطمان - مطمان
دیه - دیه

(0-001)

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تحت إشراف

بين انفس هائي وي ماستورو كان ميوهن دانهن

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Annex 2

Information Disclosure Brochure

(Translated into Sindhi Language and Distributed to All the Landowners)

The Project

1. Prolonged energy crisis has been the most serious constraint to economic growth and job creation in Pakistan for the last three decades. The country is suffering from an acute energy shortage caused by insufficient energy supply capacity, poor sector performance, increasing demand, and inefficient use of energy resources. The Government of Pakistan's had requested ADB for financial and technical assistance. ADB has agreed to provide loan to improve thermal power generation capacity in the country. Initially, two Thermal Power Stations (TPS) have been selected for rehabilitation and augmentation, namely the TPS Guddu and TPS Jamshoro in the Sindh province. The project includes the following development activities:

- (i) Rehabilitation of TPS Guddu;
- (ii) Rehabilitation of TPS Jamshoro (Units 1 & 2);
- (iii) Conversion of Unit Nos. 2 & 3 of TPS Jamshoro to low sulfur Coal-firing; and,
- (iv) Construction of a new 600 MW imported Coal-Fired Power Plant at TPS Jamshoro (under a separate loan arrangements with ADB).

Scope of Land Acquisition and Resettlement

2. All the rehabilitation, improvement, conversion and new construction of power plants will be carried out on available lands within the existing bounds of TPS Guddu and TPS Jamshoro, respectively. No additional lands are required for these development activities. However, the construction of a combined ash-pond to safely deposit coal-ash coming out of the two converted units (Units 3 & 4) and the new 600MW plant at TPS Jamshoro requires land acquisition. Accordingly, a piece of private land, measuring 100 acres (40.5 ha), situated next to the northern end of TPS Jamshoro has been selected and is being processed for purchase against a negotiated price.

3. The land is located at Deh Morho Jabbal in Kotri teluka of Jamshoro district, is owned by a total of 18 affected households with a total of 106 family members. This is unproductive barren land with no livelihood or relocation effects. The land records provided by the District's Land Revenue department (

4.

5. **Table A9)** are based on old entries (1985 & 2007), and when cross-checked in the communities it was found that most of the landowners shown therein are no longer living. The children did not get the land inheritance distribution completed after the deaths of their parents mainly because the land was unproductive and of almost no economic value to them. But now they have to obtain inheritance titles to be eligible for receiving the land compensation. Seeing a monetary benefit coming to them, they are now taking interest in getting their inheritance titles to the lands, and reportedly some of them have already initiated the process with the Land Revenue department. JPCL is planning to acquire this land under Land Acquisition Act, 1894, and Sindh Land Acquisition (Companies) Rules, 1963, through the Deputy Commissioner (District LAC), Jamshoro. The land will be acquired against a negotiated and mutually agreed upon price, and compensation assessed will be paid individually to all the landowners/legal heirs.

Table A9: Land Size to be Acquired for TPS Jamshoro and Number of DPs

Status of Land	Date Entry Made	Total Land Area (Acres)	Land Area to be Purchased (Acres)	Number of Landowners
Surveyed Land	02 May 1985	53-27	39-13	15
Un-surveyed Land	29 Aug. 2007	67-20	60-27	3
Total:		111-07	100-00	18

Source: Land Revenue Department, District Jamshoro (6th September, 2012)

Information Disclosure, Consultation and Participation

6. JPCL has already initiated informal consultations with the majority of landowners for land purchase for extension and development works in TPS Jamshoro TPS, including the construction of an ash-pond for safely depositing in the coal-ash that will be produced by the coal-fired power plants. In response, the landowners have been showing a high level of willingness to sell their lands to JPCL, for a negotiated market price, and requesting JPCL for providing them with possible job opportunities on a priority basis, as per the prescribed rules. JPCL has informally assured them of paying them a negotiated price for their lands and possible placement on the jobs during the project's implementation (construction and installation) period. JPCL has already clarified to them that the land acquisition will totally be a JPCL's responsibility, as ADB funds will not be allowed for this purpose.

7. However, JPCL will hold formal consultation and price negotiation meeting/s with the landowners to make firm decisions when the eligible heirs of the expired landowners have obtained formal land inheritance titles from the Land Revenue department. JPCL has also offered them all possible assistance in this regard.

8. JPCL team will conduct formal consultation and price negotiation meeting/s with the landowners in the most transparent manner, with the participation of all the landowners and/or their formally authorized representatives, a local political leader of the landowners' choice, a representative from the Deputy Commissioner's office, i.e., Assistant Commissioner or Mukhtiarekar (Tehsildar), and an independent observer. JPCL will give equal opportunity to the landowners and their representatives to express their viewpoints and honor the same in the land price negotiations and their requests for possible job opportunities. Similarly, the landowners' grievances, if any, will also be resolved satisfactorily in the same meeting/s.

9. The decisions reached will be documented in the form of Formal Agreement on Stamp Paper, signed by the representatives of both the parties, and witnessed by the local political leader and independent observer, and countersigned by the representative from Deputy Commissioner's office, i.e., Assistant Commissioner or Mukhtiarekar. Both the parties will be bound by this Agreement to accept and implement the decision/s, especially prompt payment of land price and job placements.

Entitlements and Eligibility

10. The entitlements for compensation/land price may be enhanced to mitigate and improve livelihoods of the DPs (landowners) but not be reduced or lowered in any case in the LARP. Compensation and rehabilitation entitlements are summarized in

11. Table **A10** below.

Table A10: Compensation Eligibility and Entitlement Matrix (PSRP)

Assets lost	Specification	Displaced Persons	Compensation Entitlements
Barren/abandoned agricultural land, including wasteland / grazing land	All land losses irrespective of impact severity	Landowners / Legal Heirs	▪ Payment of compensation based on negotiated price of land (not less than the current open market price), without deduction of taxes and transaction fees.

12. In order to avoid an influx of outsiders and/or changes in the land use pattern, eligibility for payment of land compensation will be limited by a cut-off date. The cut-off date for this project has been fixed on the day of draft LARP disclosure on **28th September 2012**. This cut-off date will be written in the disclosure brochure (in Sindhi language, Annex 2) to be distributed to all the landowners/DPs. After this cut-off date, no further claims or changes in land use will be accepted or payments made for those changes.

13. All the landowners/legal heirs will be paid their due amounts of land compensation individually, in the form of crossed cheques. They will have to open bank accounts individually in their names, so that when they receive the bank cheques they should be able to deposit the same immediately. Some of them may not have valid CNICs, which they will need to obtain or validate for obtaining inheritance titles, opening bank accounts, and receiving the land price cheques.