

National Highway Authority (NHA)
Government of Pakistan

Multan – Muzaffargarh (N – 70)

Short Resettlement Plan
(Section –A)

Submitted to:

Asian Development Bank (ADB)

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LIST OF ABBREVIATIONS

ADB	Asian Development Bank
AD	Assistant Director
APCs	Affected Persons Committees
AP	Affected Persons
AF	Affected Family
ACW	Additional Carriage Way
COI	Corridor of Impact
EA	Executive Agency
GoP	Government of Pakistan
GRC	Grievance Redress Committee
HH	Household
IDC	Infra-D Consultants
IP	Indigenous People
LAA	Land Acquisition Act 1894
LRO	Land Acquisition and Resettlement Organization
LAC	Land Acquisition Collector
NHA	National Highway Authority
NGO	Non Governmental Organization
PD	Project Director
PMU	Project Management Unit
PRO	Project Resettlement Officer
PKR	Pak Rupees
RAC	Resettlement Advisory Committee
ROW	Right-of-Way
RP	Resettlement Plan
SRP	Short Resettlement Plan
SBEs	Small Business Enterprises
TOR	Terms of Reference

GLOSSARY

Affected Person (or household)	People (households) affected by project related changes in use of land, water, natural resources, or income losses.
Compensation	Payment in cash or kind to which the affected people are entitled in order to replace the lost asset, resource or income.
Cut-off-date	Date after which people will NOT be considered eligible for compensation i.e. they are not included in the list of APs as defined by the census.
Encroachers	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.
Involuntary Resettlement	Any resettlement, which does not involve willingness of the persons being adversely affected, but are forced through an instrument of law.
Rehabilitation	Assistance provided to affected persons to supplement their income losses in order to improve, or at least achieve full restoration of, their pre-project living standards and quality of life.
Replacement Cost	Amount needed to replace an asset at prevailing market prices.
Squatters	People without legal title to land and/or structures occupied or used by them. ADB's policy explicitly states that such people cannot be denied compensation based on the lack of title.
Vulnerable APs	Distinct groups of people who might suffer disproportionately from resettlement effects.

1. INTRODUCTION

1.1 Background

1. The Asian Development Bank (ADB) has been assisting the Government of Pakistan (GOP) in the development of its road network to promote economic growth in the country. The ADB assisted National Highway Development Sector Investment Programme (NHDSIP) is structured into three tranches with the first comprising three subprojects totalling 376 kilometres. One of these subprojects is the Multan-Muzaffargarh Road (N-70) which is located in Southern Punjab starting from Multan City and ending at the Muzaffargarh-DG Khan Road near Muzaffargarh City. The subproject will: i) widen an existing 19 km long stretch of National Highway (N-70) to 4 lanes; and ii) construct a new 16.5 km long 4 lanes Muzaffargarh Bypass. The total length of the subproject is approximately 36.5 km.

2. The Resettlement Plan (RP) was originally prepared by NHA, approved by ADB, and posted on the ADB's website in July 2005. As the implementation of the RP for the entire subproject has been slow and did not meet the targeted schedule, NHA requested ADB to consider for an early approval to carry out the civil works for sections which do not involve any land acquisition or requires only limited resettlement which qualifies under the classification of short RS as per ADB guidelines.

3. To ensure due-diligence in the identification of road sections where Land Acquisition and Resettlement (LAR) is not needed or minimal, NHA has divided the entire project length into 3 sections: a) without land acquisition but with informal settlers rehabilitation needs; b) with massive LAR; and c) without either land acquisition or resettlement (see section 1.3 for more detail).

4. This Short Resettlement Plan (SRP) has been prepared for Section-A1 (km 0.5 to 16) of the Project. In this section the entire ROW land is owned by NHA and no land acquisition is needed. The ROW, however is currently occupied by several squatters with temporary structures and small businesses which will have to be temporarily resettled and compensated for temporary business losses.

1.2 Objectives of the Short Resettlement Plan

5. The purpose of this SRP is to plan this compensation in line with the requirements of the ADB resettlement Policy and in particular: document with the necessary detail: i) extent of losses; ii) the compensation/relocation policy and framework; (iii) institutional framework for participation and implementation; and (iv) responsibilities for monitoring the implementation measures.

1.3 LAR-Related conditions for Project implementation

6. The full implementation of the compensation program described in this RP including the full disclosure of project documents to the public and the full compensation of the APs affected by section A1 of the Project will be a condition to contractor mobilization in the field and to initiation of civil works. The road section covered by this SRP is detailed in the next section inclusive of a linear sketch, of an analysis of impacts and of an identification of the nature and type of losses.

1.4 Document Disclosure

7. This RP will be translated in Urdu and distributed for disclosure at the PIU, Village offices, and Union Offices. A summary of this RP will also distributed to all Affected Families.

1.5 Location, Description and Scope of Land Acquisition and Resettlement Plan

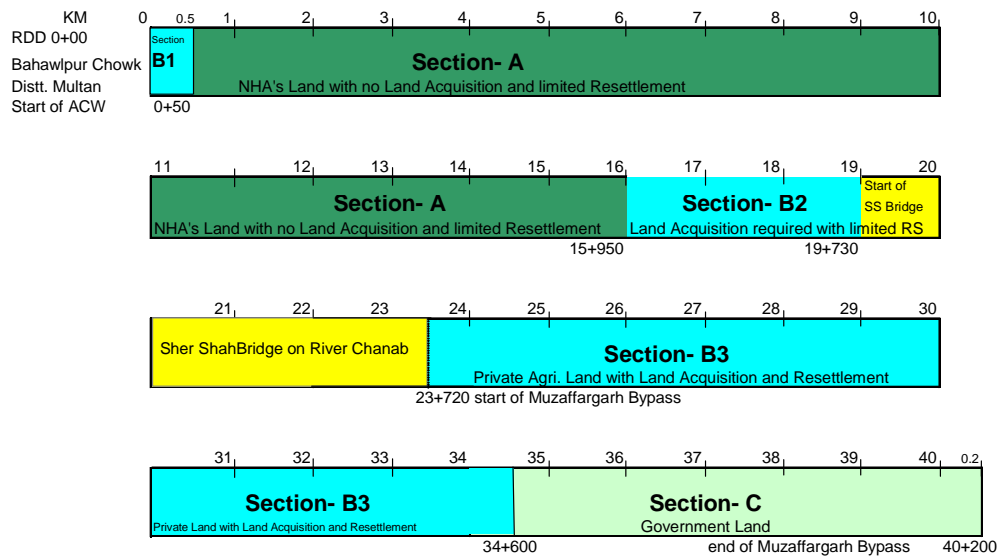
8. The location and description of land acquisition and resettlement activities for entire

length of the project including 19 km of ACW and 16.5 km of Bypass area has been divided into three major sections are explained in Table 1.1:

Table 1.1: Land Acquisition and Resettlement Activities

Section	RD Numbers	Description
Section A	A1 from 0+050 –16+000	Starts just before Bahawalpur Chowk ending approx. 2.2 Km before Shershah Bridge at the Multan District border. Land is owned by NHA, no Land Acquisition is needed, involved and short RP required
Section B	B1 from 0+00 –0+050 B2 from 15+950 –19+730 B3 from 23+720 –34+600	Starts exactly at Bahawalpur Chowk and is 50 m. long. Some LAR. Starts at 16+000 ending at Shershah Bridge at 19+730. Substantial LAR Starts at beginning of Muzaffargarh Bypass (in Mouza Doab) ending at 33+900 at Village Mara Fraz (pond). Substantial LAR. For Section B a full RP will be prepared.
Section C	34+600–40+200	State owned barren land. No LAR or RP needed based on Due Diligence documentation.

**Multan- Muzaffargarh (N-70)
Status of Land (Section wise) for the Land Acquisition and Resettlement Activities**



2. PROJECT IMPACTS

10. The final AP census and the 100% asset inventory was concluded on 15th February 2007 and this date was marked as cut-off date for entitlement. The survey results have revealed a total of 81 APs. Of these, 64 will be temporarily affected by short-term dislocation and business losses, 6 will lose salaries and 10 will suffer partial permanent building losses, 1 will suffer partial permanent building losses and temporary business losses. In addition 5 community facilities will be affected and will be replaced.

2.1. Land Acquisition

11. All land affected has been NHA property for several years and no land acquisition will be needed. Therefore, no land compensation will have to be provided. The vendors and mobile businesses that will lose space-use will be allowed to return to their original location after the construction works are completed.

2.2. Buildings and Structures

12. There is no residential building within the ROW but there are several squatter buildings and structures. These include 64 movable items and 11 non movable-items).

2.2.1 Movable Structures

13. The movable items include collapsible wooden cabins (*khokkhas*), wheel-based stalls, light wooden sheds and other types of light structure. These mobile structures are mostly used as road side drink kiosks, food stalls, public call offices, fruit & vegetable stalls and repair shops. The fixed structures will be only minimally affected. These include small sections of a few stores, gas stations, a small restaurant and a mosque. Finally, there are 6 community structures affected (2 prayers altars and 3 hand pumps). These moveable structures will be shifted to left side of the road during Civil works implementation on the right side of the existing road. After civil works completion, the owners of these cabins / structures will be assisted to shift on the present side. A shifting assistance of Rs. 1000 will be given to each of all these APs.

2.2.2 Non-movable Structures

14. The fixed structures will be only partially affected by the loss of a wall or of small buildings protruding into the NHA ROW. Impacts include the destruction of small toilets of a few stores, walls, cement partitions and private prayers rooms at gas stations, a small restaurant's shed and the yard wall of a mosque. Six (6) community structures will also be affected. These are one mosque, two (2) prayer places / mussalas, and three (3) hand pumps will be affected with the construction work. These all will be completely rehabilitated by the Project

a. Gas / Petrol Filling Stations There are typically driveways, portions of prayer places, and boundary walls of five filling stations that encroach the ROW. According to the contract between the owners of these stations and the NHA, they are not eligible for any compensation due to expansion / construction of roads. A copy of template undertaking by the owner of the Filling Station is attached as Annex-6. It clearly indicates that the Owner of Gas/Filling Station will not construct any building or structure within 220 feet of the centre of line and he/she has taken the complete responsibility for shifting or removing any structure or installation as and when asked by EA to do so without any claim for compensation. However, they will also be compensated according to their damages of structures within the ROW.

2.2.4 Community Structures

15. A list of social /community structures is attached as Annex-5. According to the census survey,.

2.2.5 Income Losses

16. The majority of the APs are poor making earning through small businesses carried out in makes-shift-mobile premises. These businesses may continue on the left side of the road during the implementation of civil works. To ensure that they do not suffer losses, however they will be compensated for the expected duration of the civil works (3 months). A few APs who are not poor carry out businesses in fixed structures/buildings; among them only one will have to interrupt or slow down its activities during the implementation of civil works and will be compensated for business losses. Finally, 6 wage workers working for this business will receive a salary allowance covering the period of business interruption (3 months). See details in Table 2.1.

2.3 AP Census

17. In all the affected families AF/APs are 80 including 68 owners of small shops/restaurants/businesses, 6 daily wage labourers, and 6 owners of gas station. In addition, there is one guardian of the mosque also.

Table 2.1: Summary AP Census and Impacts Assessment

Affected items	AP	Total Structures	Partly affected fixed Structure	Temporarily affected Structure	Business/salary temporary loss
1. Wages (workers)	6	n.a.	n.a.	n.a.	6
2. Soft drink/tea or cigarette/pan kiosks	20	20		20	20
3. Food stall	5	5		5	5
4. Tyre puncture and repairing cabins	15	15		15	15
5. Public Call Offices	8	8		8	8
6. Vegetable and fruit shops	3	3		3	3
7. Small store	11	11		11	11
8. Poultry shops	2	2		2	2
Sub-total	70	64		64	
9. General store (small toilets)	3	3	3		
10. Small Restaurant (veranda)	1	1	1		
11. Gas/filling Stations (partition structures)	6	6	6		1
Sub-total	10	10	10		
13. Mosque (yard wall)	1	1	1		
14. Common facilities (altars/pumps)	n.a.	5	5		
Sub-total		5			
G. Total	81	80	16	64	71

3. OBJECTIVES, POLICY FRAMEWORK AND ENTITLEMENTS

18. As discussed earlier, the Additional Carriage Way (ACW) will be constructed within the existing ROW and the total land in the ROW on this Section A is owned by the NHA i.e. the executing agency of the subproject Multan – Muzaffargarh (N-70). However, there are persons affected by shifting and/or rehabilitation of structures/assets/SBEs etc on this Section A of the subproject Multan – Muzaffargarh (N-70). To follow ADB Policy on Involuntary Resettlement (1995) that demands for compensation of the lost assets at replacement costs to both titled and non-titled landholders and resettlement assistance for lost income and livelihoods, Pakistan's law is unclear on how rehabilitation is to be achieved and in practice the provision of rehabilitation is left to adhoc arrangements taken by the local governments and the specific project proponents. To clarify these issues and reconcile eventual gaps between Pakistan's Law and ADB Policy, the NHA has prepared this SRP for Section-A of the subproject Multan – Muzaffargarh (N-70); ensuring compensation at replacement cost of all items has been adequately covered.

19. The EA is committed to follow ADB Policy on Involuntary Resettlement (1995) and the absence of formal titles will not constitute a bar to resettlement assistance and rehabilitation. The APs are entitled to a combination of compensation measures and resettlement assistance, depending on the nature of ownership, rights of lost assets and scope of the impact, including social and economic vulnerability of the affected persons. In general terms, the affected persons in the Project will be entitled to various types of compensation and resettlement assistance that will help in the restoration of their livelihoods, at least, to the pre-Project standards.

20. The amount of compensation in this short RP has been worked based on the current market rates considering the replacement value of assets/property. These principles for entitlement and estimation of compensation and disbursement have also been shared with the stakeholders/APs during series of consultations. In order to assess the compensation amounts, following principles and strategy has been developed.

- a. APs with movable structures will be shifted to left side of the road for the construction period as the ACW is being constructed on the right side of the existing road. After the completion of the civil works, the owners of these cabins / structures will be assisted to shift on the present side. By doing this, their small businesses will not be affected due to Project. Moreover, they will be assisted with one-time lumpsum cash compensation equal to three (3) month's income based on the nature of business and type of losses assessed on a case-to-case basis and Rs. 1,000 financial assistance as shifting allowance (transport plus loading/unloading charges) for shifting of wooden cabin within the ROW.
- b. The minimum wage rate of Rs. 4,000 per month as per wage board rates given in the latest Economic Survey of Pakistan will be taken as compensation against the lost of monthly income due to the project.
- c. Compensation for loss of built-up structures at full replacement costs (including cost of labour etc.). Owners of affected structures will be allowed to take/reuse their salvageable materials for rebuilding/rehabilitation of structure.
- d. The contract between the Gas Station and NHA indicates that the Gas Station will not be compensated for any damage due to expansion/construction of road. However, the project will assist the gas stations to rehabilitate their affected built-up area and structure at full replacement costs (including cost of labour etc.).
- e. The social/community structures have been valued at current market rate as replacement cost of similar new construction (including materials, type of construction, labor, transport and other construction costs).

21. In view of this project-specific situation and possible type of losses, Table 3 summarizes the entitlement matrix.

Table 3.1: Entitlement Matrix

Asset	Specification	Affected People	Compensation Entitlements
Land-use losses	Informal business premises in ROW	Business owners	No compensation but permission to resettle with ROW after end of civil works.
Movable structure		All relevant APs	One time allowance of Rs.1,000 as shifting allowance.
Non-Movable Structures		All relevant APs	Cash compensation at replacement rates for affected structure and other fixed assets free of salvageable materials, depreciation and transaction costs.
Gas stations structures	Gas stations along road	owners	Based on contract with NHA no compensation will be provided except for repairs to affected structures.
Business Employment	Temporary loss of business	All APs	Business owner: (i) Cash compensation equal to 3 months (duration of civil works) income.
Community assets			Rehabilitation/substitution of affected structures/utilities (i.e. mosques, pumps, shrines, etc.)
Vulnerable APs.	Special provision	APs under poverty line, in old age, with disabilities or widows	A vulnerable people allowance of 1,000 Rs. Vulnerable people will also have employment priority in Project jobs.

4 INSTITUTIONAL FRAMEWORK

22. NHA is the executing agency (EA) for the Project. A Project Management Office (PMO) headed by the General Manager (ADB funded projects) has been established within NHA that will be responsible for the overall execution of the Project. At the field level, a Project Implementation Unit (PIU) headed by the Project Director (PD) has already been established in Multan to implement resettlement activities.

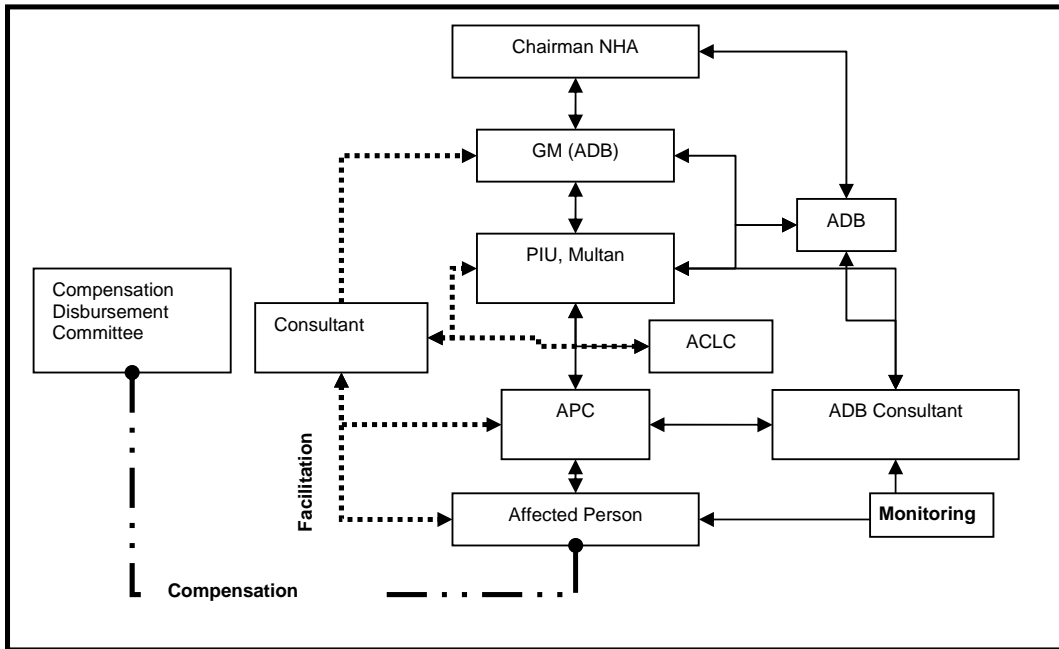
23. EA (NHA) has also deputed a Deputy Director in the operation wing as Resettlement Project Officer (RPO). The RPO is responsible to the Director and General Manager Land Management and coordinates the preparation of land acquisition and resettlement plans with the subproject engineering, resettlement specialists (consultants), the land management and infrastructure section and respective regional offices. He works in close coordination with the respective field-based offices on day-to-day activities of RP implementation. The RPO, through the PIU, field offices, Land Acquisition Collector/s (LACs), and resettlement specialists (consultants), will execute and monitor the progress of the work and ensure coordination between these agencies and the project affected people (APs).

24. Two types of resettlement specialists (consultants) have been appointed to implement, supervise and coordinate resettlement related activities. First, a Resettlement Specialist was recruited at the PIU to assist¹ NHA in the implementation of resettlement activities. Secondly, the Resettlement Specialist in the Construction Supervision Consultants Team will also: i) provide support and technical assistance; and ii) supervise and coordinate the implementation of resettlement activities.

25. The local government representatives (Nazims and Councillors), local administration, and others concerned are being/will be involved in the resettlement process. The participation of APs in the planning and implementation of RP has been ensured to achieve fair and timely compensation through the establishment of Affected Persons' Committees (APC). The APC comprises a president, secretary and 5-10 members nominated by the APs. It meets on fortnightly basis (twice a month). A series of meetings of the APC have been /are being held on regular basis. The issues raised by the APs related to compensation and resettlements are discussed in these meetings. The minutes of all these meetings are recorded. (A detailed criteria for APC is attached as Annex-VI).

26. Affected Persons and Citizen Liaisons Committees (ACLC) headed by the Project Director as its chairman has been formed as a joint form of APs, NHA and other stakeholders. The representatives of APs, Land Management Unit/Section, local government and other stakeholders are the members. It is encouraging the participation of APs, full transparency and accountability regarding the resettlement programme and APs' entitlement and safeguard the rights of most vulnerable APs. The APC and ACLC are acting as facilitation mechanism for effective and efficient implementation of SRP as per schedule and within budget.

¹ Generally NGOs in Pakistan work in education, health, and gender issues. It is difficult to find qualified NGOs who would have prior experience in handling resettlement issues. Lesson learned from on-going ADB's projects in Pakistan show that NGOs did not have the capacity and sufficient knowledge to carry out resettlement activities as per ADB standard. Therefore, consultant will be more appropriate to be recruited as resettlement specialist.



A Compensation Disbursement Committee comprising Project Director N-70, DCO Multan, Chairman of the respective APC, Project Resettlement Officer NHA, sub-engineer Multan and Resettlement Expert of Supervision Consultant has been formed as body for release of compensation cheques. While the staff of M/s IDC and other NHA staff will facilitate the event for disbursement of cheques.

5. DISCLOSURE AND CONSULTATIONS

27. The consultation process in the project area is ongoing for a number of months, and has been undertaken by both the executing agency and consultants. An Affected Persons' Committee (APC) on this Section A was formed that is acting as forum / platform for a) linking and continuously maintaining the on-going interaction between the project staff and the APs; and b) disclosure of information and consultation process. A series of meetings of this APC has been /are being held on regular basis. The issues raised by the APs related to resettlement and compensation process have been/are discussed in these meetings. The minutes of all these meetings are recorded. A summary of the APC meeting that were held on Section A are given in Table 5.1.

Table 5.1: APC meetings on Section A

Meeting Number	Meeting Date	Key agenda
First	18-Feb-07	Introductory meeting was held with the APs. key meeting agenda items were: 1. Introduction of the project and IDC team, 2. Key features of the resettlement process, 3. Guidelines on formation of APC 4. Nominations for the APC 5. Concerns of the Affected Persons 6. Any other issue
Second	24-Feb-07	APC formation meeting was held with following key agenda items: 1. Agreement on criteria and composition of APC 2. Finalization of members and office bearers of the APC Committee 3. Discussion on Roles and Responsibilities of the APC 4. List of APs
Third	11-Mar-07	<ul style="list-style-type: none"> ▪ Disclosure of Resettlement Plan July 2005 through Urdu version of the compensation matrix. ▪ Preparation of updated list of APs on Section A
Forth	25-Mar-07	<ul style="list-style-type: none"> ▪ Preparations of agenda for ACLC Meeting ▪ Finalization of APs updated list
Fifth	8-Apr-07	Strategy and approach of Short Resettlement Plan
Sixth	22-April-07	Strategy and approach of Short Resettlement Plan Entitlement Matrix

28. The on-going consultation process has demonstrated that all the APs are generally willing and very cooperative towards this project as they think this project, in addition to better transport facilities and reduction in travel time and cost, will create several income generation and employment opportunities for the poor in future. For perceived losses, most APs felt the risk of displacement and loss of income. This is attributed to the fact that these APs are illegal settlers (squatters). They pointed out that establishing SBEs within the ROW were caused mainly by problem of unemployment, low income and lack of adequate opportunities. They requested to allow them to settle on the other side of the road within the ROW for the construction period as adequate land is available at their respective locations and by doing this, their small businesses will not be affected. Accordingly, these squatters will be shifted in the nearby ROW so that their business will not be affected due to project. However, they will also be assisted with one-time lumpsum cash compensation equal to

three (3) month's income based on the nature of business and type of losses assessed on a case-to-case basis and Rs. 1,000 financial assistance as shifting allowance (transport plus loading/unloading charges) for shifting of wooden cabin within the ROW.

29. The SRP will be translated into local language (Urdu) and disclosed to the stakeholders especially affected persons by the executing agency (through hired consultant) and the affected persons committee (APC). A summary of SRP will be prepared specifically for this purpose and translated into local languages (Urdu) and presented to all APs in the form of a pamphlet/ brochure, to enable the APs and local communities to read it by themselves and be aware of the Project's benefits/ compensations available for various types of APs, as given in the 'entitlement matrix'. The SRP will be made available to the concerned district governments and union councils and EA's field offices as an official public document.

30. During implementation, the APs will be informed for their compensation amount, the procedure for disbursement of compensation and shifting time. Large scale gathering of the APs have been planned to explain the disbursement process. They will also be informed in writing about their compensation amount, and date, time and venue of collection of their cheques.

31. EA (NHA through the consultant) will continue the comprehensive information and consultation process to ensure that all APs understand the implications of this SRP and what will be done in order to compensate them. The EA will keep the APs informed about the impacts, the compensation and assistances proposed for them and facilitate addressing any grievances among the APs. The APs will participate in all the decisions and implementation of RP. Also, APs will be involved in the Grievance Redress process to review and resolve any dispute concerning compensation and other resettlement benefits. Consultations with APs will be conducted to determine their preferences for shifting and to keep them up to date on progress and other related matters. Finally, there will be continuous on-site consultation during the implementation stage to ensure that the APs receive their due entitlements/benefits.

6. GRIEVANCE REDRESS

32. The APs will have the right to file complaints and/or queries on any aspects of land acquisition compensation, and resettlement. In order to ensure that grievances and complaints are addressed in a timely and satisfactory manner and that all possible avenues are available to APs to air their grievances, following mechanism for grievances will be set up.

Step-1: AP will be encouraged but not mandatory to share his/her grievances or complaints with the APC members. The APC in its meeting will discuss the issues and their solution. If the AP is not satisfied with the discussion and explanation of the APC, he/she has the right to forward the complaint(s) to the Project Implementation Unit (PIU) headed by the Project Director located at Multan. APC will be used as facilitation body towards resolution of grievances or complaints but it is not authorised to make any decision. It will help in exploring the options for solutions of these complaints. The APC may seek advice from the Project Director / Concerned officials of EA (NHA) or consultant and facilitate in resolving the issues.

Step-2: AP will submit his/her complaint or grievance signed by him/her to the Project Director in writing form explaining the nature of complaint, location, village name and his/her complete address. The APC may help the AP to submit his/her complain to the Project Director in writing with suggested options for resolution of the complaint.

Step-3: Within fifteen (15) days of receipt of complaint, the Project Director (PD) will invite the complainant to present and discuss his/her complaint. The PD may call the meeting of ACLC comprising the officials of NHA, consultants and representatives of APs from the area to facilitate the resolution of the complaint. Based on the meeting with the complainant and discussions in the ACLC, the Project Director will inform the complaint in writing through registered mail about the decision on his/her complaint within fifteen (15) days after the meeting with the complainant.

Step-4: If the complainant is not satisfied with the decision of the Project Director and willing to continue his/her complaint, he/she will submit the complaint with all supporting documents including the decision of the PD to the General Manager (GM) NHA within seven (7) days of receiving the decision from the PIU.

Step-5: Within 15 days of receipt of the complaint, the General Manager NHA will invite the complainants to present and discuss his/her complaint. GM may take assistance from the Resettlement Project Officer (RPO) and other NHA officials. GM shall make the decision on the complaint within 15 days after the meeting with the complainants. The complainant will be informed in writing through registered mail about the decision.

Step-6: If the complainant is still not satisfied with the decision of the GM and willing to continue with his complaint, he/she can register/file his case in the court whose decision will be final.

33. All efforts will be made to settle the issues at the PIU level through community consultation, involvement of the consultants and local councils. If not, possible attempts will be made to resolve the issues at the PMO level to avoid the judiciary to minimize litigation as much as possible. All complaints and resolutions will be properly documented by the PIU through the consultants and be available for review and monitoring and evaluation purposes.

7. IMPLEMENTATION ARRANGEMENTS

34. NHA will be the executing agency (EA) for the Project. A Project Management Unit (PMU), headed by General Manager (ADB) has been established within NHA for the overall execution of the Project. Two types of resettlement specialists (consultants) have been will be appointed. Firstly, resettlement specialist (consultant) to supervise and coordinate resettlement related activities. Secondly specialists (consultants) have been recruited at the Project Implementation Unit (PIU) for the implementation of resettlement activities. NHA has deputed a Deputy Director in the operation wing as Resettlement Project Officer (RPO). The RPO is responsible to the Director and General Manager Land Management and will coordinate the implementation of this SRP.

35. The NHA will soon initiate the implementation process of this SRP subject to approval by the ADB for this section A1. A timeline for RP preparation, implementation and post implementation has been prepared in accordance with different steps covered under this RP and presented in Table 4.

36. As the land is owned by the NHA, the complex land acquisition process is not involved in the implementation of RP. However, compensation for movable and temporary structures and loss of income will be paid to the APs as defined in the entitlement matrix (table 3). The amount will be transferred to the NHA's PIU at Multan for payment of compensation money to the entitled APs. Payment of compensation will be made at least seven days prior to actual possession of the space being utilized by the squatters. However, in case of a dispute, the assessed/allocated amount of compensation will be pledged in the names of the concerned APs, pending a decision. In such an exceptional case, the NHA may possess the land without payment of compensation.

Table 7.1: Timeline for RP Preparation & Implementation

Steps	Actions	Responsibility	Timeline (Year 2007)
1	Updated Inventory of APs assets	NHA via consultant	15 th March 07
2	Assessment of APs assets and losses	NHA via consultant	30 th March 07
3	Submission of RP to ADB for approval.	NHA / ADB	1 st June 07
4	RP disclosure: Distribution of RP and information pamphlets in Urdu in the affected communities	NHA / consultant	7 th June 07
6	Distribution of shifting notices to APs	NHA via Consultant	12 th June 07
7	Award of compensation Cheques/ Assistance/ Rehabilitation	NHA, AP	12 th June 07
8	Disputes/ objections (complaints & grievances)	NHA/LAC / Court	12-20 June 07
9	Demolishing/ relocation of affected structures/assets	NHA, Consultant, APs	20 th June 07
10	Confirmatory letter to ADB for completion of all payments	NHA, ADB	20 th June 07
	Confirmation and verification of completion of payments by ADB Monitoring Consultant	ADB	20 th June 07
11	Notice to proceed for Civil works (expected)	ADB, NHA	22 th June 07
12	Internal monitoring. Monthly and Quarterly Progress reporting to ADB	NHA via consultant	Continuous

Table 7.2: Schedule of implementation

Initiation of civil works will only start after RP is approved.

Main Activity	Months				
	Mar-07	Apr-07	May-07	Jun-07	Onward
Inventory of losses of Aps	■				
Preparation of SRP	■	■	■	■	■
Submission of RP to ADB			■		
Formation & functioning of APC		■	■	■	■
RP/booklet disclosure				■	
Consultation with APs	■	■	■	■	
Award of cheques				■	
Shifting of APs				■	
Complaints and grievances				■	■
Notice for civil works				■	
Internal monitoring (continuous)		■	■	■	■

8. RESETTLEMENT BUDGET AND FINANCING

37. As discussed earlier, the entire land is owned by the NHA. But there will be the replacement costs that are based on current market prices. The market prices have been assessed through following mechanism:

- I. The losses for income and relocation expenses have been calculated as per prevailing local conditions on the subject Section A1 in consultation with the Affected Persons Committees (APCs).
- II. Minimum wage rate set by the Government (Rs. 4000 per month) has been used for wage labourers employed on SBEs.
- III. Rehabilitation of community structures has been assessed based on the estimated expenses to rehabilitate the same level and condition of structure.

38. The total estimated cost for resettlement of the section-A is estimated to be Rs. 1.563 million (US \$ 0.026 million). Table xx gives the break-up of the resettlement activities and budgeting. The Project Implementation Unit (PIU) will be responsible for financing to implement this resettlement plan on section A1 of the subproject Multan-Muzaffargarh Road (N-70).

Table 8.1: Resettlement Budget and Financing

	Resettlement Activity	Units	Unit Rate (Rs)	Amount (Rs)	Amount (US\$)
A)	Financial Assistance				
1	Small Businesses	64	variable	1,220,950	20,349.17
2	Daily wage labourers (for 3 months)	6	12,000	72,000	1,200.00
3	Shifting allowance	64	1,000	64,000	1,066.67
5	Sub-total (A)			1,356,950	22,615.83
B)	Structure				
6	Compensation for private structure	3	variable	65,212	1,086.87
	Compensation for rehabilitation of damages of Gas/Filling Stations	6	variable	650,113	10,835.22
7	Community structures	6	Variable	311,045	5,184.08
8	Sub-total (b)			1,026,370	17,106.17
9	Total (a+b)			2,383,320	39,722.00
10	Contingencies (10%)			238,332	3,972.20
11	G. Total			2,621,652	43,694.20

One US \$ = Pak Rs. 60

39. NHA is committed to set aside and provide this amount for effective delivery of entitlements to the APs in an efficient and timely manner. It will ensure that:

- a. amount of money assessed and finally approved for compensation and financial assistance are timely paid to the genuine APs well in advance to initiation of civil works on this Section A1;
- b. Consultant firm has been hired for providing technical assistance in the implementation of this SRP.
- c. Necessary arrangements are in place for active participation of all the concerned officials and field staff in the implementation of this SRP in an effective and efficient manner.

9. MONITORING AND EVALUATION

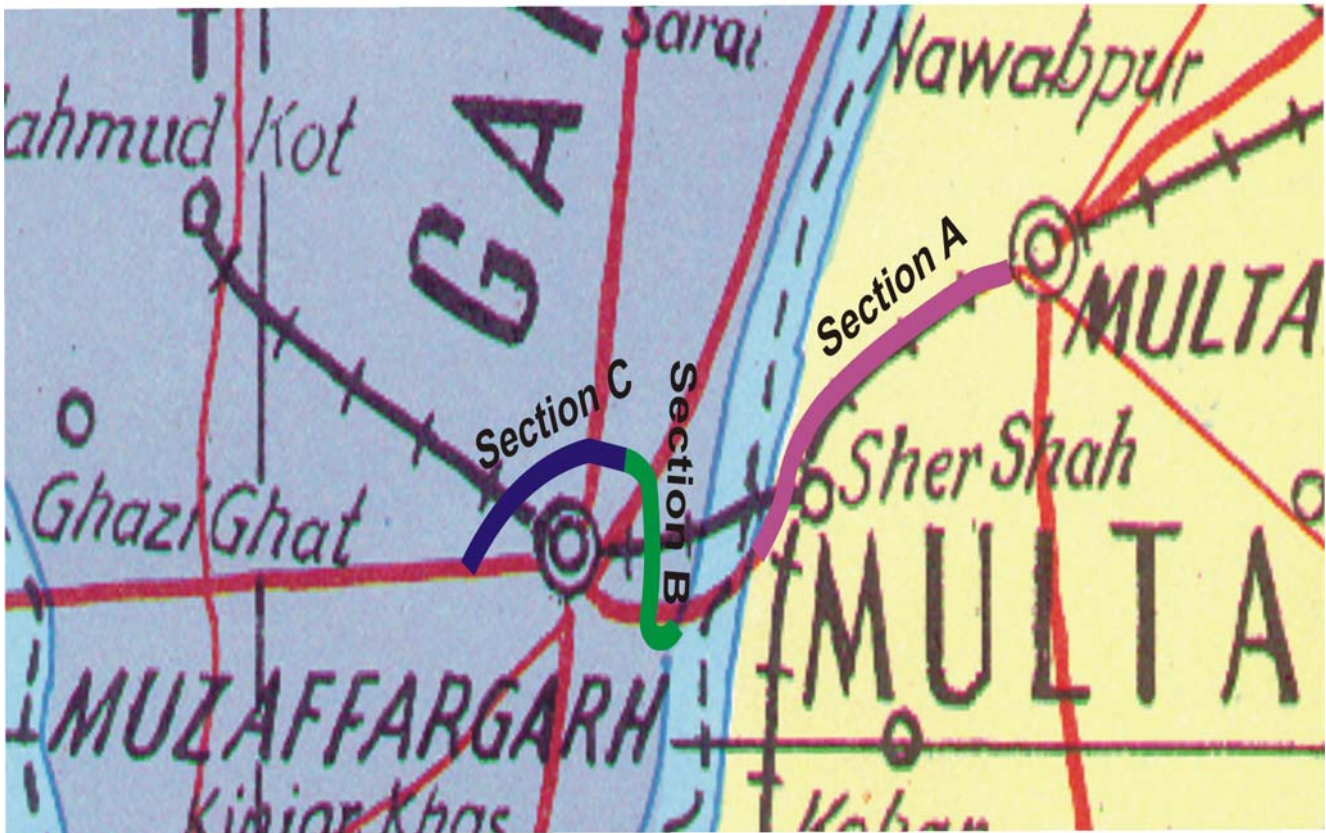
40. In compliance of the ADB policy, the monitoring & evaluation is needed to ensure proper and timely implementation of resettlement plan on schedule and within the given budget. Monitoring involves periodic checking to ascertain whether activities are progressing as per schedule while evaluation is essentially a summing up, at the end of the project, assessment of the actual achievement in comparison to those aimed at during the implementation. The objectives of the monitoring are (i) to ensure that the standard of living of APs are restored or improved; (ii) to monitor whether the time lines are being met; (iii) to assess if compensation, rehabilitation measures are sufficient; (iv) to identify problems or potential problems; and (v) to identify methods of responding immediately to mitigate problems. The main indicators that will be monitored regularly are: a) the entitlements of APs are in accordance with the approved policy and that the assessment of compensation is carried out in accordance with agreed procedures; b) payment of compensation to the affected people in the various categories according to the level of compensation described in the RP; c) public information, public consultation and grievance procedures are followed as described in the RP.

41. Keeping in view the short RP, this SRP implementation will be coordinated, supervised and monitored by the EA through its PIU and PMU in coordination with resettlement implementation and complaints/ grievance redressal committees and no external monitoring will be required in this case. The Project Director (NHA) through the resettlement consultants and in association with local/ field staff will be responsible to carry out internal monitoring and accordingly will prepare monthly progress report regarding RP implementation. The Project Supervision Consultants will have a full-time Resettlement Specialist to provide necessary technical assistance and monitor the RP implementation and will report on quarterly basis to NHA and ADB on the progress of resettlement activities.

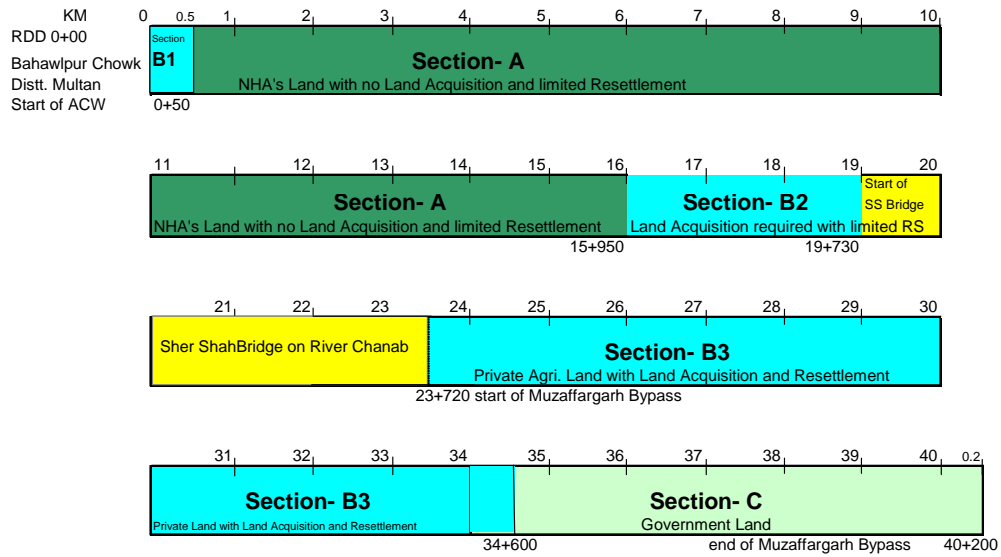
Location Map of the Project

Multan - Muzaffargarh (N - 70)

Annex - I



Multan- Muzaffargarh (N-70)
Status of Land (Section wise) for the Land Acquisition and Resettlement Activities



Affected Persons Committee

The Resettlement Plan of the N-70 Project proposes the participation of project affected people to achieve fair and timely compensation through the formation of Affected Persons Committees (APCs) for each village nominated by the various categories of the APs and stakeholders. The EA (NHA) through the consultants will establish and continuously maintain on-going interaction with the APCs to identify problems and undertake remedial/corrective actions.

Location for APC

APC would be formed for each village. However, it can be formed at the suitable location where the affected persons (both men and women) feel convenient for their meeting and sharing their feelings without hesitation.

Criteria for establishing APC

1. Three types of APCs can be formed: men APC for men only; women APC for women only and mix APC for both men and women.
2. The member should be affectee of the project as defined in the resettlement plan
3. One person from one household can become member of the APC.
4. An APC can not have two members having relations of father-son and mother-daughter.
5. Preference will be given to representatives of all affected households. However, if the community agrees, one man and one woman from same household can become members of the men APC and women APC respectively.
6. The number of members should be 5-10 for men APC and 4-7 for women APC.

Structure of APC

- President
- Secretary
- 3-8 Members

It will be tried to involve all the affected households in the community through their representatives. Generally 1-2 representatives from each settlement/Mohella/Basti will be selected/nominated/elected on the basis of proportionate presentation of the affected households in the community.

President of the APC

The APC will select/nominate/elect a president from its members who will be acceptable to the majority of the affected households in the respective community. The president must have the capability to guide the community for right decisions and make them actively involve in the resettlement work. He will be responsible for coordination and develop link with the affected households and NHA staff for dissemination of information to the affected persons about the resettlement activities under the project.

General Secretary

The APC will nominate/elect/select a literate person as Secretary who: 1) can read and write Urdu, 2) be volunteer in community work, 3) be honest and acceptable to the community. He/she will be responsible for writing the proceedings of the APC meeting and loudly reading the proceedings and decisions.

Functions of the APC

APC will serve as a face to face conduit and communication channel between the Project and the APs.

Determine fair prices for land in the respective village

Functions and responsibilities of the APC under the project are as follows:

- APC would be free of all political and sectarian issues and its sole objective would be the resettlement activities that are beneficial to the affected people especially the poor and very poor;
- APC will meet on fortnightly basis during the implementation of resettlement activities and on monthly basis after the completion of the project. In the meeting, the APC will review the resettlement and other activities.
- Members would be devoted and dedicated leaders and sincere for resettlement of their communities;
- The specific activities of the APC would be:
 - √ Identify options and opportunities for effective implementation of resettlement process. NHA/IDC would provide technical and other assistance during identification, planning and implementation of these options and opportunities.
 - √ ensure active participation of all the affected persons in the decision-making and implementation of the activities;
 - √ resolve the issues/conflicts/affairs in the village especially pertaining to the resettlement activities;
 - √ must participate in various meetings and gatherings related to resettlement activities arranged by NHA;
 - √ maintains record of all activities including meetings and other activities;
 - √ Ensure coordination with NHA for timely release of compensation in an accountable and transparent manner;
 - √ Co-ordinate and co-operate with NHA/IDC for resettlement activities.

Methodology for conducting Meeting

The APC will act as a forum for resettlement activities under the project. Things to be remembered before conducting the meeting

Venue

- Venue should be such that no body should have any objection in attending meetings at that place.
- It should be easily accessible to the members,
- Preferably a central place in the village to be selected for the meeting

Time

The members should unanimously fix such a time, which may be in leisure hours of the members to ensure participation of all in the resettlement process.

Day/Date

The members of the APC should unanimously fix day/date. At least two meetings should be held in a month. Day, Date, Time and venue should be known to all members and in any case of any change, presence of all the APC members should be ensured.

Methods of conducting meetings

- First of all, the proceeding of the last meeting should be read out. Any objection by any of the members should be clarified / explained and should be recorded in writing;
- In the very beginning of the meeting, all the members should be asked to indicate important points and the General Secretary should note down these for inclusion in agenda;
- The members should discuss and offer their point of views with open mind on each agenda item;
- All the decisions made should be recorded in a proceeding register on which all the APC members should affix their signatories. In addition, those affected persons who are not the members should also affix their signatures.

- In case of any resolution, the General Secretary of the APC shall record the resolution in writing and shall subsequently read it out loudly to the house and shall obtain signatures of all the members on it.
- The mutual conflicts that are directly or indirectly affecting the resettlement activities in the village, will be resolved as per demand of social justice and equity
- Selection of the members for various meetings with NHA officials should be made in the meeting.
- The progress of the projects with respect to land acquisition and resettlement should be reviewed in each meeting

Template Undertaking of Owner of Gas/Filling Station

Note: Following template contains the key points of Undertaking of Owner of Gas/Filling Station at the time of application for approval and NHA's Terms and Conditions for Issuing No Objection Certificate for Installation of Gas/Filling Station.

I, _____ s/o _____ R/O _____ owner of plot (Survey/ Khasra No.) _____ Mouza _____ Tehsil & District _____ and Filling Station _____ situated at _____ on National Highway (N-70) Muzaffargarh Road Tehsil & District Multan, do hereby undertake as under:-

1. **We will not construct nor cause to be constructed any building or structure within 220 feet of the center line of the nearest carriageway, except where expressly prior approval of national Highway Authority will be obtained and as per conditions stipulated therewith will be complied.**
2. That I shall construct cut-off drains on the approaches of the Filling Station and ensure that drainage towards the highway embankment is not caused due to construction or operation of any amenity. I shall ensure construction of road user facilities such as ladies and gents Toilet Water Prayed Room (in case no mosque is available in the vicinity), Tyre Shop and Tuck Shop (in areas where no market is available to road user in the vicinity), Construction of cut of drain, reverse slope of approach road, fire fighting equipment etc.
3. That I shall not install the OMC's sign within 20 meters of the highway berm.
4. That I shall not construct approached wider than 10 meters and the same will be paved in their, entire width and a slope of 0.5% maintained from the road berm up to the cut-off drain. I further undertake to develop the area between the approaches as a green belt.
5. That I shall pay the administrative charges/rent of approaches to National Highway Authority before _____ each year.
6. **That I shall shift or remove the structure and other installation of my amenity Petrol Pump from the right of way prescribed ribbon area, as and when called upon to do so through a written notice from the Authority, without claiming any compensation thereof.**
7. That I shall construct the amenity Petrol Pump on my private owned/ leased land.
8. That N.H.A has full right to depute any of representatives for inspection of my amenities area at any time. Directions NHA inspections officers will be complied with.
9. Ladies and gents toilets shall be kept clean and functional at all times otherwise fines/ penalty may be imposed as prescribed by the authority.
10. In case of any fault in my past, following conditions will complied with:
 - i. Pay Lease ret with fine as prescribed by N.H.A
 - ii. Remove/ Stop business of my amenities units at once at my own risk and cost without claiming any compensation from N.H.A

NHA's Terms and Conditions for Issuing NOC

The applicant/retailer will ensure the fulfillment of following conditions.

1. Provision of public facilities such as Toilets for Ladies/Gents washrooms with marble/ceramic tiles. Toilet shall be clean and functional and shall be available for public use at all time. NHA official will periodically check the facilities as mentioned in clause 4, sub-section 'a' to 'n' and if these facilities are found out of order not up to required

standard, the lessee/lessor shall be warned/fined (or penalties imposed as prescribed by the authority) and if he fails to improve them, the license shall stand cancelled.

2. Provision of a Tyre Shop and Tuck Shop.
3. Provision of permanent drinking water arrangements
4. No temporary/permanent construction like greasy plots, advertisement boards, etc between drain and the scares carriageway.
5. Relocation / protection of all utilities like WAPDA, Telephone Underground/ Overhead Cables, Sui-gas installations etc, at your own Risk Cost.
6. There shall be nothing repugnant to any Government order or policy an the subject.
7. **Should it become necessary in the public interest, the owner shall remove all the structure within 220 feet from the center line of the road within 30 days of Notice from the Department at his own expenses and without any compensation, whatever on this account.**
8. This No Objection Certificate /Approval are subject to the application of any Bye Law 1 Rules of local body concerned.
9. The Owner will not be authorized to erect any sort of structure mentioned in the enclosed plan unless agreement is executed with NHA.
10. A Slab / Pipe Culvert as Cut Off drain should be provided underneath the approach for proper cross drainage of Rain/Flood water. Besides, the drains with grating shall also be provided on approaches to ensure proper drainage and to stop the water coming on to the road. Proper brick pavement on the shoulders should be provided by the company in full length in front of the Filling Station.
11. This No Objection Certificate is subject to approval of the other Agencies including District Administration.
12. This No Objection Certificate is subject to the condition that final NOC will be issued by the District Coordination Officer, Multan.
13. The Drainage of Filling Station should be kept away from the road and level of open area be kept at least one foot lower than the road.
14. This NOC is liable to be cancelled at any stage on coming to the notice of National Highway Authority that any of the terms and conditions mentioned above is found to be bogus or has been obtained/arranged by misrepresentation. In such case the ground rental charges deposited by the lessee, as advance of five years shall be forfeited in the name of NHA revenue account.
15. The applicant will have to provide acceleration & de-accelerations lanes as per approved design of NHA i.e. 50 m service line of entry and 50 m of exit.
16. In case of non- compliance of any of above conditions, NOC will be cancelled and entry/ exit lanes shall be blocked.

INFORMATION BOOKLET (TO BE TRANSLATED IN URDU)
Multan – Muzaffargarh Road (N-70)
Impacts Compensation/Rehabilitation: Information Booklet

INTRODUCTION

1. The Asian Development Bank (ADB) is assisting the Government of Pakistan (GOP) for the construction/improvement of Multan-Muzaffargarh Road (N-70). The Project is to i) expand the road width of existing 19.72 km long National Highway (N-70) to 4 lanes starting from Bahawalpur Chowk (District Multan) and ends in District Muzaffargarh; and ii) construct 16.5 km long 4 lanes Muzaffargarh Bypass to avoid substantial resettlement issues due to the built-up area of Muzaffargarh City. The total length of the subproject is approximately 36.5 km. The objective is to improve the road network by construction of 19 Km long Additional Carriage Way (ACW) and 16.5 Km long Bypass ensuring the rights and obligations of the Affected Persons (APs).
2. This Short Resettlement Plan (SRP) has been prepared for Section-A (km 0.050 to 15.950) of the Project. The primary objective of this SRP is to provide a necessary details for compensation, resettlement and rehabilitation by identifying i) the extent of losses; ii) the policy and framework for compensation payments and relocation; (iii) institutional framework for participation and implementation; and (iii) responsibilities for monitoring the implementation measures.

Location, Description and Scope of Land Acquisition and Resettlement Plan

8. The location and description of land acquisition and resettlement activities for entire length of the project including 19 km of ACW and 16.5 km of Bypass area has been divided into three major sections are explained in table 1.1:

Section – A: No land Acquisition but limited rehabilitation work. (0+050 – 15+950)

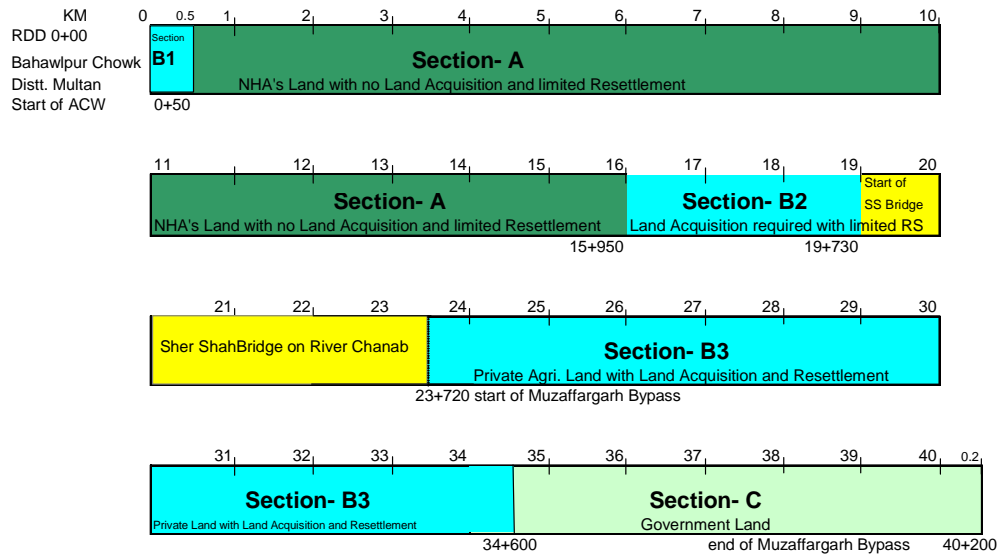
It starts from 50 meter ahead of Bahawalpur Chowk on the ACW and ends approximately 2.2 km prior to Shershah Bridge in District Multan. The entire land is owned by EA and only limited rehabilitation work is required to restore the disruption in the income of the squatters mostly having movable wooden cabins or boxes.

Section –B: Substantial land acquisition and resettlement. It is further divided into three subsections as follows.

- **B1 (0+000 – 0+050):** A small portion at Bahawalpur Chowk and comprises commercial area on ACW in District Multan. Little land acquisition and resettlement are required.
- **B2 (15+950 – 19+730):** Limited land acquisition and resettlement. It comprises both NHA's land and private land on ACW in District Multan.
- **B3 (23+720 – 34+600):** Substantial land acquisition and resettlement is involved at this subsection. It comprises the Bypass area in District Muzaffargarh.

Section – C (34+600 – 40+200): State/Government owned barren land and sand-dunes. No land acquisition and no resettlement is required.

Multan- Muzaffargarh (N-70)
Status of Land (Section wise) for the Land Acquisition and Resettlement Activities



PRINCIPLES FOR COMPENSATING AND/OR REHABILITATING THE AF/AP

Principles for the compensation/rehabilitation of families affected by the Project:

- i. The APs are defined as those who stand to lose land, houses, structures, trees, crops, businesses, income and other assets due to the implementation of the project.
- ii. TP/AP losing assets, livelihood or other resources will be fully compensated and/ or assisted so that they improve or at least restore their former economic and social conditions. Compensation will be provided at full replacement cost, free of depreciation, transfer costs or eventual salvaged materials.
- iii. Compensation will include immediate losses and temporary business-income losses
- iv. Lack of formal land title should not be the bar to compensation or rehabilitation.
- v. All possible attention will be paid to households headed by women and other vulnerable groups and appropriate assistance provided to help them to improve their status and other compensation/ rehabilitation provisions will equally apply across gender line.
- vi. All APs are equally eligible for cash compensation and rehabilitation assistance.
- vii. Compensation and resettlement must be satisfactorily completed before a No-Objection Certificate can be provided by ADB for commencement of civil works.
- viii. APs will be systematically informed and consulted about the project, and the RP will be disclosed in Urdu to the affected persons and communities.
- ix. AP customs and culture need to be considered as the basis for the resettlement policy and plan formulation.

COMPENSATION AND REHABILITATION ELIGIBILITY AND ENTITLEMENTS

All families residing in affected areas and holding affected assets or incomes before the eligibility cut-off date for the project 8th March 2007 (the date of the end of the impact survey) will be entitled to compensation and/or rehabilitation for their losses.

Table 5.1: Entitlement Matrix

Asset	Specification	Affected People	Compensation Entitlements
Land-use losses	Informal business premises in ROW	Business owners	No compensation but allowance to resettle with ROW after end of civil works.
Movable structure		All relevant APs	One time allowance of Rs.1,000 as shifting allowance.
Non-Movable Structures		All relevant APs	Cash compensation at replacement rates for affected structure and other fixed assets free of salvageable materials, depreciation and transaction costs.
Gas stations structures	Gas stations along road	owners	Based on contract with NHA no compensation will be provided except for repairs to affected structures.
Business Employment	Temporary loss of business	All APs	Business owner: (i) Cash compensation equal to 3 months (duration of civil works) income.
Community assets			Rehabilitation/substitution of affected structures/utilities (i.e. mosques, pumps, shrines, etc.)
Relocation	Transport costs	All relevant APs	An allowance of 1,000 Rs. for hiring transport means.
Vulnerable APs.	Special provision	APs under poverty line, in old age, with disabilities or widows	A vulnerable people allowance of 1,000 Rs. Vulnerable people will also have employment priority in Project jobs.

The APs will have the right to file complaints and/or queries on any aspects of land acquisition compensation, and resettlement. In order to ensure that grievances and complaints are addressed in a timely and satisfactory manner and that all possible avenues are available to APs to air their grievances, following mechanism for grievances will be set up.

Step-1: AP will be encouraged but not mandatory to share his/her grievances or complaints with the APC members. The APC in its meeting will discuss the issues and their solution. If the AP is not satisfied with the discussion and explanation of the APC, he/she has the right to forward the complaint(s) to the Project Implementation Unit (PIU) headed by the Project Director located at Multan. APC will be used as facilitation body towards resolution of grievances or complaints but it is not authorised to make any decision. It will help in exploring the options for solutions of these complaints. The APC may seek advice from the Project Director / Concerned officials of EA (NHA) or consultant and facilitate in resolving the issues.

Step-2: AP will submit his/her complaint or grievance signed by him/her to the Project Director in writing form explaining the nature of complaint, location, village name and his/her complete address. The APC may help the AP to submit his/her complain to the Project Director in writing with suggested options for resolution of the complaint.

Step-3: Within fifteen (15) days of receipt of complaint, the Project Director (PD) will invite the complainant to present and discuss his/her complaint. The PD may call the meeting of ACLC comprising the officials of NHA, consultants and representatives of APs from the area to facilitate the resolution of the complaint. Based on the meeting with the complainant and discussions in the ACLC, the Project Director will inform the complaint in writing through registered mail about the decision on his/her complaint within fifteen (15) days after the meeting with the complainant.

Step-4: If the complainant is not satisfied with the decision of the Project Director and willing to continue his/her complaint, he/she will submit the complaint with all supporting documents including the decision of the PD to the General Manager (GM) NHA within seven (7) days of receiving the decision from the PIU.

Step-5: Within 15 days of receipt of the complaint, the General Manager NHA will invite the complainants to present and discuss his/her complaint. GM may take assistance from the Resettlement Project Officer (RPO) and other NHA officials. GM shall make the decision on the

complaint within 15 days after the meeting with the complainants. The complainant will be informed in writing through registered mail about the decision.

Step-6: If the complainant is still not satisfied with the decision of the GM and willing to continue with his complaint, he/she can register/file his case in the court whose decision will be final.

All efforts will be made to settle the issues at the PIU level through community consultation, involvement of the consultants and local councils. If not, possible attempts will be made to resolve the issues at the PMO level to avoid the judiciary to minimize litigation as much as possible. All complaints and resolutions will be properly documented by the PIU through the consultants and be available for review and monitoring and evaluation purposes.