

FINAL

RESETTLEMENT PLAN – NATIONAL HIGHWAY AUTHORITY

**North-West Frontier Province Road Development Sector and Subregional Connectivity
Project**

PAKISTAN

Works and Services Department

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I. ABBREVIATIONS

ADB	Asian Development Bank
AP/s	Affected Person/s (or Households)
ATT	Afghan Transit Trade
CARs	Central Asian Republics
CAS	Compulsory Acquisition Surcharge (@ 15% of land value assessed)
CBO	Community-Based Organization
COI	Corridor of Impact (or, total Right-of-Way/ROW of a road)
COII	Corridor of Immediate Impact (or "formation width" of a Project road)
DCO	District Coordination Officer (Formerly "Deputy Commissioner")
DD	Deputy Director (RSDC)
EA	Executing Agency (WSD, NWFP)
FATA	Federally Administered Tribal Areas (of Pakistan)
GoP	Government of Pakistan
GRC	Grievances Redress Committee
ICCP	Information and Community Consultation Program
LA	Land Acquisition
LAA	Land Acquisition Act, 1894 (amended to-date by NWFP)
LAC	(District) Land Acquisition Collector (Revenue Department)
LPE	Local Panel of Experts (M&E)
M&E	Monitoring and Evaluation
NA	Not Applicable
NGO	Non-Governmental Organization
NH	National Highway/s
NHA	National Highway Authority
NWFP	North-West Frontier Province
PA	Political Agent (FATA)
PD	Project Director/Directorate (WSD, NWFP)
PH	Provincial Highway/s
PPTA	Technical Assistance for Project Preparation (ADB Grant)
PRO	Project Resettlement Officer
PSC	Project Supervision Consultants
RAC	Resettlement Advisory Committee

RF	Resettlement framework
ROW	Right-of-Way (Roads)
RP	Resettlement Plan
RAR	Rural Access Road/s
RSDC	Resettlement and Social Development Cell (WSD, NWFP)
SBEs	Shops and Business Enterprises
SPSS	Statistical Package for Social Sciences
TC	Tribal Commission (@ 6.25% of the Road construction cost)
TOR	Terms of Reference
XEN	Executive Engineer (WSD, NWFP)

TERMINOLOGY

<i>Katcha</i>	Earthen/wooden structure (temporary/semi-permanent construction)
<i>Naib Nazim</i>	Elected "Deputy Administrator" (at Tahsil/sub-District level)
<i>Naib Tehsildar</i>	Assistant Land Records Officer, next to <i>Tehsildar</i> (Revenue Department)
<i>Nazim</i>	Elected "Administrator" (at District or Union Council level)
<i>Girdawar</i>	Land Records Inspector (Revenue Department, District Government)
<i>Patwari</i>	Land Records Clerk/Enumerator, under <i>Girdawar</i> (Revenue Department)
<i>Pucca</i>	Concrete structure (permanent construction) (opposite of <i>katcha</i>)
<i>Tehsil</i>	Sub-District (In Punjab, there are two to four Tehsils in a District)
<i>Tehsildar</i>	Land Records Officer, posted at Tehsil level (Revenue Department)
<i>Tharha</i>	A Wooden Table/Platform, a roadside stall (with or without a shelter)

NOTES

In this report, "\$" refers to US dollar
 Currency Unit – Pakistani Rupee (PRs.)
 Exchange Rate: PRs. 57.50 to 1.00 US Dollar
 March 2004

THE PROJECT

A. Background

1. The Asian Development Bank (ADB) has been assisting the Government of Pakistan (GoP) in the development of its road network for the last two decades. The current loan initiative is for a road development and sub regional connectivity project in North West Frontier Province (NWFP) including federally administered tribal areas (FATA). This Project is the fourth ADB-assisted provincial road development sector project in Pakistan.

2. The objectives of the Project are to (i) enhance efficiency of road network and transport in the province, (ii) increase access of the rural and urban populations in NWFP to various social services and markets leading to improved livelihoods and poverty reduction, and (iii) improve the subregional trade and cooperation by facilitating road transport to Afghanistan and Central Asian Republics (CARs). The improvement of roads will help in overall socioeconomic development in the Province. The major benefit of the improved road network will be saving in travel-time and operation and maintenance costs of vehicles, and promoting inter-regional communication and trade. As a result transport costs will come down, businesses should increase as the local communities increasingly market their agricultural produces and handicrafts in the urban centers and bring back manufactured goods for local sales. Convenient transport will also enable improvements in education and health and increase local job opportunities, thereby serving as a means to poverty reduction in the province.

3. The project is to be conducted in two stages. The first stage will provide detailed design and assessment of four (4) national highways (310 km), five (5) provincial highways (210 km) and five (5) "core" rural access roads (100 km) which together total at about 623 kms. The second stage will follow the design concepts established in the first stage entailing detailed design of the non-core rural access roads (600 km); the total length of both stages being around 1,250 kms. This resettlement plan (RP) is for the national highway component; a separate resettlement plan (RP) covers the provincial and the core rural access roads. This RP has been prepared in accordance with the ADB's resettlement policy and guidelines for involuntary resettlement¹. The RP outlines the remedial measures for mitigation of adverse resettlement impacts of the Project, and how and when these measures must be implemented. It is based on a census / socioeconomic assessment of the potentially affected persons (APs). For any subsequent changes in the status, design and/or alignments of the project roads, this RP will be revised, updated and submitted for ADB approval prior to the award of civil works contracts.

B. Need for Project

4. The prospect of peace in Afghanistan, introduction of market-oriented reforms in Pakistan, an improving relationship with India and developments in Central Asia have opened up opportunities for closer cooperation amongst these countries. Pakistan and in particular NWFP is geographically well placed to play an increasing role in regional cooperation, linking landlocked Afghanistan, Central Asia and South Asia more closely together. Pakistan provides the shortest route (about 300-500 km shorter than the second best alternative in most cases) to ports for Afghanistan and Central Asia. These countries depend on transit arrangements with neighboring countries in order to import or export goods. ADB is contributing heavily to the recovery of Afghanistan through the restoration of transport links within the Country and to the Pakistan border. The Project will complement these efforts.

¹ Asian Development Bank, *Involuntary Resettlement*, Manila, November 1995; Handbook on Resettlement : A Guide to Good Practice, Manila, 1998.

5. The national highways also serve as the spine of the provincial network, linking the province's rural population with the main commercial/industrial cities and the urban populations agro-rural and natural resources. Local communities face difficulties in traveling, transporting their produce to markets or receiving agricultural inputs, supplies and services. Access to social necessities such as hospitals, schools and many other amenities is curtailed. Effective transport is necessary for development and prosperity. The Project will provide improved access to education, health, markets and social services. All these factors are expected make positive contributions to poverty reduction in Pakistan in general, and in NWFP in particular.

C. Description of the Project

6. The Project will include rehabilitation and construction of about 310 km national highways that are part of the subregional transport corridor providing access between Afghanistan and the CARs and the ports in Karachi. This includes the federalization and upgrading of 118 km of roads connecting the border town of Ghulam Khan to the city of Bannu and on to the Indus Highway at Sarai Gambia to provide a third cross border access to Afghanistan². The four project roads namely (i) Badabher – Darra Adamkhel Road (28 km), (ii) Peshawar – Torkham Road (46 km), (iii) Malana Junction – Sarai Gambila Road (117 km), (iv) Sarai-Gambila – Ghulam Khan Road (118 km) are located in NWFP and the FATA district. The project roads to be covered are given in Table 1. The major improvements on the national highways involve widening and rehabilitation of the existing carriageway to 7.3 meters with 3 m of treated wide shoulders on both sides. In urban areas, a full width road design in consultation with the local people will be provided with provision of kerb and parking areas.

7. Of the four proposed roads, two, the Badabher – Darra Adamkhel road (N1) and Sarai Gambila – Bannu– Ghulam Khan road (N4) does not need any design revision. The remaining two roads require some design revision: (i) design for Peshawar – Torkham road (N2) has already been assigned to NESPAK for major revision, including possibly avoiding residential / commercial / community structures currently being affected; (ii) the design for Malana Junction – Sarai Gambila road (N3) is being revised³ to minimize its resettlement effects and costs. Thus, some revision and updating of the resettlement data is expected. Upon finalization/revision of the designs for the two NHA roads, this RP will be revised, updated and submitted to ADB for approval prior to issuance of contract wards for civil works. The NHA will be the Executing agency for the National Highways (NH) component of the project.

² The other two are at Torkham in NWFP and Chaman in Balochistan. In a recent Joint Ministerial Commission meeting in Islamabad, the Governments of Afghanistan and Pakistan have resolved to remove all barriers to bilateral trade that amounted to \$360 million during July-December 2003 and is expected to cross \$1 billion annually. To facilitate cross border trade, initiatives were agreed to (i) further reduce the negative items list, (ii) remove any discriminatory provision against Afghanistan Transit Trade (ATT) cargo, (iii) allow extended storage of cargo at Karachi Sea Port, (iv) allow Port Qasim to handle ATT cargo, (v) strengthen customs arrangement and tariff regime, and (vi) open a new cross border facility at Ghulam Khan in North Waziristan Agency (FATA).

³ Major design revisions are ongoing on N3 and resettlement impacts are being minimized. See Appendix H.

Table 1.1. Location - National Highways

ID#	NWFP District/ FATA Agency	Name of Highway	Length (km) NWFP	Length (km) FATA	Total
N1	Peshawar / FR Kohat	Badabher – Darra Adamkhel Road	6	22	28
N2	Peshawar / Khyber	Peshawar – Torkham Road	2	44	46
N3	DI Khan and Lakki Marwat	Malana Junction – Sarai Gambila Road	117	-	117
N4	Bannu / FAR Bannu & North Waziristan	Sarai-Gambila – Ghulam Khan Road	50	68	118
Total			168	134	310

D. Potential Impact of the Project

1. Land Acquisition and Resettlement

8. The road improvements will be carried out within the existing right-of-way (ROW) of two of the four NHA proposed project roads, namely the Badabher – Darra Adamkhel Road (N1) Sarai Gambila -Bannu – Ghulam Khan Road (N4), where no additional land acquisition would be needed. In contrast, the remaining two roads, namely the Peshawar – Torkham Road (N2) and Malana Junction – Sarai Gambila Road (N3) are designed mostly off the existing right-of-way (ROW), and additional land acquisition will be required which will cause significant resettlement effects. An estimated 456.7 hectares of land will be acquired for the proposed improvement of these two NH roads.

9. Out of the total 456.7 hectare, both these project roads will pass through nonproductive barren lands (189.9 ha) and nullah bed land (28.7 ha) owned by community and tribal commons known as the *Shamilaat*, where the impact will be minimal. These barren / nullah bed lands have less than 10 percent vegetation cover and which currently is not used for any cultivation or grazing and have no economic value to the communities. The whole community / tribe have shares in the collectively owned barren land / nullah bed land and an estimated 21,100 households will lose access to these lands. The respective communities were consulted and they were willing to allow their land to be utilized for road construction as they felt would provide them with better socio-economic benefits. Vast areas of barren and nullah bed land will be adequately available even after road construction.

10. On the other hand, where the required lands are owned individually and utilized beneficially, i.e., in open areas for agricultural purposes and in built-up areas for residential and/or commercial purposes, the impact will be significant. About 107.5 ha of agricultural land will be acquired affecting 561 households who would lose less than 10% of their land. The project will also affect 239 structures out of which 140 are residential, 85 commercial structures and 14 community structures affecting 225 households (279 owners). Nearly 90% would lose the main structure while the remaining would lose parts of the structure. Apart from owners losing land, residential and commercial structures 51 households would lose rental accommodation, 78 sharecroppers / agricultural tenants would lose access to agricultural land, 307 employees and 536 roadside vendors (operating from mobile structures) would suffer losses of income. About 14 community structures were also getting affected. Specific resettlement effects are shown in Table 1.2.

Table 1.2. Project Impact on Affected Land and Structures on National Highways

	Resettlement Impacts	Peshawar – Torkham Road		Malana – Sarai Gambila		Total	
		Households	APs	Households	APs	Households	APs
1.	Agricultural land	17	228	544	8500	561	8728
2.	Barren / Nullah bed	16600	208000	4500	70000	21100	278000
3.	Residential Structure	112	1415	28	433	140	1781
4.	Commercial Structure	10	127	75	1176	85	1303
5.	Community Structure	4 (nos)		10 (nos)			14
6.	Tenant(residential / sharecropper	-	-	129	1548	129	1548
7.	Employees	-	6	-	301	-	307
8.	Road side Vendors	-	60	-	202	-	536*

*Includes 62 and 212 APs for N1 and N4 respectively.

11. Land required for the project in NWFP will be acquired under the provisions in the Land Acquisition Act, 1894 (amended) in conjunction with the ADB's resettlement policy and guidelines. However the federally administered tribal areas (FATA) legally fall out of the provincial jurisdiction, where the Act is not applicable. Instead the Government's established practice for acquiring entry rights to the tribal jurisdiction and ROW land is to pay a Tribal Commission, at 6.25 percent of the total road construction cost, to the affected tribe/clans. This payment also assures the security of the road traffic for the future⁴. Thus, the 6.25% tribal commission is much more than merely a compensation for the acquired/affected lands.

12. No issues relating to prior land acquisition/compensation matters were raised by the local communities during the course of the field census/surveys. Thus, it can safely be concluded that currently there exist no outstanding land acquisition and resettlement issues that may affect further improvement/upgrading of the project roads, and/or create any problem for NHA or ADB.

2. Mitigation Strategies

13. At the outset, the PPTA Team held meetings with the concerned officials of NHA, and the APs and local community leaders to find ways and means to minimize potential land acquisition and resettlement impacts of the Project. The following strategies were devised and adopted:

- (a) **ROW and "Formation-Widths" of National highways (NH).** The legally acquired and/or assumed right-of-way (ROW) for the National Highways is found generally to be ranging from 24.4 m to 33.5 m (80-100 feet). In practice, however, the NHA has possessed and utilized for road construction the "formation width" only. The remaining strips of lands are mostly lying vacant or covered under roadside tree plantation strips, and minimally possessed by the adjacent communities mainly for commercial purposes only in the congested villages/towns. Hence, for the purposes of RP census and surveys, only the corridors of immediate impact (COII), or more specifically the "formation width" required for the renovation, improvement and/or widening of the roads were adopted, as shown in Table 1.3.

⁴ Tribal commission (6.25%) is further explained in Chapter III (Legal Framework and Project Principles).

Table 1.3. Total ROW and Formation Widths for RP Census/Surveys

Type of Project Road	Unit	Right-of-Way (ROW)		Required Formation-Width	
		Minimum	Maximum	Open Area	Built-Up Area
Dual Carriageway	Meters	30.5	50.0	25.0	16.0
	Feet	100.0	164.0	82.0	52.5
Single Carriageway	Meters	24.4	33.5	11.0	9.5
	Feet	80.00	110.0	36.0	31.2

- (b) **Road Alignment.** The road alignment has been kept within the existing formation width as far as practicable. Two major realignments are involved – from Peshawar to Torkham (46kms) and the Malana Junction – Sarai Gambila road, particularly in the vicinity of D. I. Khan (Bypass: 17kms). In cases of re-alignment (i) attempt has been made to use non-productive lands, and refrain from affecting the productive agricultural and pasture lands and congested built-up reaches, or alternatively (ii) the construction of bypasses have been considered to avoid resettlement effects.
- (c) **Roadside Vendors.** Roadside mobile vendors operating from mobile stalls will be affected temporarily by the road construction works, and will need to be relocated. They may be allowed to re-establish their businesses at their original points, out of the required formation width after completion of the construction works. They will be provided financial assistance to meet their living needs during the temporary disturbance to their usual business. Those with permanent structures affected will be compensated for the replacement value of assets lost. The ROW boundaries on the Project roads are generally adequate to accommodate the affected roadside vendors. In congested locations where the ROW land will be better utilized for traffic flow improvements; they can be moved to a location where they still have access to their clients. This relocation strategy will benefit them, as their businesses will be restored quickly.

E. Objectives of the RP

14. The RP has been prepared taking into account the general findings of the Project social analysis, census survey, socio-economic survey along the candidate roads, field visits, and meetings with various stakeholders in the project area. The RP identifies (i) the impacts and extent of losses; (ii) principles and legal framework applicable for mitigation of losses; (iii) compensations for affected assets; (iv) provisions for relocation assistance and restoration of businesses/income; and (v) responsibilities for delivery and monitoring of the RP measures. It is expected that the impact on the residential and commercial / SBEs households will be limited due to availability of alternate land in the nearby areas and relocation opportunities for road side vendors available within existing ROW.

F. Resettlement Principles and Guidelines⁵

15. The resettlement principles adopted in this project will provide compensation and resettlement assistance to all the affected persons and businesses, including the informal

⁵ These principles are further explained in Chapter III in the "Entitlement Matrix".

dwellers/squatters / roadside vendors on the project corridor of impact. The basic resettlement principles and guidelines include:

- Where land acquisition is required, it will be carried out in a way to minimize the adverse impacts and to avoid displacement as much as possible.
- Cash compensation at market / replacement value to households affected by the loss of agricultural or other kinds of land and assets in NWFP as well as in FATA (included in 6.25% of the total cost of the road construction in as per Tribal Commission to be distributed by Tribal elders)
- Cash compensation to affected households losing access to common barren lands, nullah-bed lands to be distributed by village leaders / Tribal elders (in case of FATA)
- Loss of standing crops and fruit/wood trees will be compensated at market price.
- Cash compensation for structures (residential, commercial, etc.) affected by the corridor of development at current replacement cost.
- Provision for relocation of the SBEs/roadside vendors on the edge of the available right-of-way.
- Shifting cost to owners of residential / commercial structures
- Rehabilitation assistance i.e., compensation for lost businesses and workdays (including employees) due to relocation

G. Implementation

Proposed Schedule for Approval and Implementation

16. Approval for the project will be sought during the latter half of 2004, with a view to commencement of physical work in 2006. The construction period has been taken to be 2 to 3 years per road. It is assumed that physical work would be evenly spread over the specified period. Special care will be taken to complete the construction works in congested town reaches in a minimum possible time, so that the roadside vendors/businesses do not suffer for unjust longer periods.

H. Responsibilities

17. The primary responsibility for ensuring that the resultant process is undertaken correctly lies with the National Highway Authority (NHA) as executive agency (EA). Responsibilities for land acquisition, valuation and compensation are provided in the Land Acquisition Act and under FATA rules and practices are set out in Chapter III.

II. PREPARATION OF RESETTLEMENT PLAN

A. Approach

1. Socio-Economic Survey

18. A socio-economic survey was undertaken in villages along the candidate roads (National Highways, Provincial Highways and the Rural Access Roads) during December 2003. This survey was not targeted at APs specifically, but nevertheless provided information about the villages, access to services and facilities, employment opportunities and typical incomes. The results of the survey are included in a separate report.

2. Resettlement Survey/Census Activities

19. The field Census/Survey and Consultation sessions were carried out during January – March 2004. A "field survey team" consisting of six members (4 men and 2 women) was hired on a 33-day term, and given a two-day orientation and training prior to fielding them for the data collection exercise in the Project area (14 roads, including 4 national highways and 10 provincial roads). The Resettlement Specialist accompanied the field team throughout the fieldwork to ensure that good and reliable data were collected. In addition, an experienced field surveyor was hired to lead in the field survey work. In addition to the poverty and socio-economic assessment survey, the following Questionnaires⁶ were used for carrying out field census/surveys for the RP preparation:

- (a) **Census of Structures/Assets:** A two-page Census Questionnaire was prepared and used for collecting basic information on all the "affected" structures/assets, including residential houses and commercial shops/SBEs.
- (b) **Inventory of Land:** A two-page Survey Questionnaire was prepared and used for estimating size and value of the additional land-strips, including fruit/wood trees, to be acquired for the road-widening and/or re-alignment; and
- (c) **Group Interviews (Male & Female):** A two-page semi-structured Questionnaire for conducting "opinion surveys" of and "consultations" with adjacent affected-cum-beneficiary communities, in small groups of men and women, separately. A total of 150 group interviews were conducted along all the four national highways.
- (d) **Consultation Workshops:** Formal Consultation sessions were also held with the representatives of the affected-cum-beneficiary communities on certain critical roads, namely: Peshawar – Torkham Road (N-2), and Sarai Gambila – Bannu – Ghulam Khan Road (N-4). The Agenda used in guiding the discussions was as follows:
 - Community's overall response to the proposed Project Road.
 - Perceived benefits and impacts of the road subproject.
 - Current road related problems and future concerns.
 - Road alignment needs/options.
 - Resettlement and Environmental concerns.
 - Other Expectations and Demands.

⁶ All these Questionnaires are provided in **Appendix – G**.

20. The total output of these census/surveys, in terms of number of individuals and groups contacted/interviewed, is summarized in Table 2.1.

Table 2.1 Total Output of Field Census/Surveys for Project RP (NHA)

Type of Field Survey (Questionnaire)	Coverage	
	Percentage	Number
Census of Affected Structures/SBEs/Assets	100%	239
Land Inventory (Affected Land and Trees)	100%	93
Small Group Interviews - Male (Groups/Persons)	NA	84 / 596
Small Group Interviews - Female (Groups/Persons)	NA	66 / 382
Small Group Interviews - Total (Groups/Persons)	NA	150 / 978
Consultation Workshops – Men (Groups/Persons)	NA	14 / 367
Total Community Consultations (Groups/Persons)	NA	164 / 1,345

Source: Field Census/Surveys, Jan – March 2004.

e) During the census of affected structures, the following criteria were adopted:

(i) Affected Structures/Assets. All the "fixed" structures/assets falling totally or partially within the respective "formation widths" of the Project roads, and showing some level of permanency that will involve monetary costs for relocation or restoration, were considered as "affected". These affected structures/assets were marked and their census/surveys were conducted. These include:

- Shops, with extended verandas or fixed platforms as "encroachments";
- Fixed Cabins or Tharhas (wooden/concrete platforms) of "squatters";
- Push-carts, with fixed platform or pillars/sticks to support a shelter;
- Mosques, with extended parts (e.g., wash rooms, boundary walls, etc.);
- Houses/Livestock sheds, extended into "formation width" of the road; and,
- Community Handpumps and bus stands/waiting sheds.

(ii) "Not Affected" Structures/Assets. The roadside vendors, the mobile and movable stalls found on bare surface of land, which are not permanently installed or constructed and will not require any monetary costs for relocation/restoration, were considered as the "not-affected" structures/assets. These are:

- Push-Carts, without a fixed platform or pillars for supporting a shelter;
- Cobblers and street-hawkers sitting on-ground on a mat, without having constructed a platform or pillars/sticks for supporting a shelter;
- Shops, with extended spread of movable items (for sale or servicing);
- Livestock or vehicles kept temporarily on roadside.

3. Awareness and Information Dissemination

21. Apart from collecting the required socioeconomic data for this RP, semi-structured group interviews were also carried out to collect opinions of the affected/beneficiary communities along the Project roads⁷. The three-tier field surveys also served as a means of "information disclosure" to and holding "consultations" with the affected people (APs) and beneficiary communities, regarding the Project and ADB's resettlement policy and guidelines. The key

⁷ A detailed account of Group Interviews and Consultation Workshops is presented in **Appendix – C**.

issues discussed during these consultations were what were considered as a fair compensation for lost assets and resettlement and relocation options and choices. The NHA officials at the headquarters in Islamabad and in NWFP in Peshawar, and field offices; Revenue Department officials; and the Union Councils and/or Tehsil/District *Nazims* in various towns were also contacted and interviewed during the course of this assignment in January – March 2004.

4. Quality Control

22. The Consultant accompanied the field survey team to provide on-site guidance and supervision to ensure "quality control" in the data collection process. In addition, a lead field surveyor, having prior experience in resettlement census/surveys on previous ADB-assisted projects in Pakistan, accompanied the field survey team. The field team moved from road to road and stayed in one place together for keeping close coordination. The data collected in field was entered on computer using SPSS database and analyzed for incorporation into this report.

B. Resettlement Survey Findings

4.2.1.1.1.1 Overall Resettlement Impact

23. Intensive field census/surveys were carried out on all four of the project proposed roads. Two roads were found totally clear of any major resettlement effects, except for temporary disruption that would be caused to the roadside mobile vendors during the construction period. While the remaining two roads were found to have significant resettlement effects. (see Tables below)

Table 2.2. Resettlement Impacts of NHA Roads

Proposed NHA Road		Resettlement Effects		Resettlement Impact
ID No.	Name of Road	Lands	Structures	
N1	Badabher – Darra Adamkhel Road	No	No	Insignificant
N2	Peshawar – Torkham Road	Yes	Yes	Significant
N3	Malana Junction – Sarai Gambila	Yes	Yes	Significant
N4	Sarai Gambila– Ghulam Khan	No	No	Insignificant

Source: Field Census/Surveys, Jan-March 2004.

Table 2.3. Overall Resettlement Impacts of NHA Roads

No.	Resettlement Item	Unit	N1	N2	N3	N4	Total
1	Affected Lands	Ha	-	210.4	246.3	-	456.7
	Crop Damage	Ha	-	5.7	246.3	-	252.0
3	Affected Fruit Trees	No.	-	-	415	-	415
4	Affected Wood Trees	No.	-	535	1,240	-	1,775
5	Affected Structures	No.	-	126	113	-	239
6	Structure-SBEs	No.	-	10	75		85
7	Structure-Employees	No.	-	6	301	-	307
8	Roadside Venders	No.	62	60	202	212	536

Source: Field Census/Surveys, Jan-March 2004.

24. An estimated total land area of 456.7 hectares will need to be acquired by NHA for two out of the four roads included in this Project⁸. Of affected lands, about one-half (218.5 ha, 48%) are non-productive barren land and nullah-beds, which are mostly owned collectively by the respective communities/tribes. The remaining lands (238.2 ha, 52%) are individually owned and utilized by the respective affected people (AP), either for agricultural production (107.6 ha, 23.6%) or built-up residential and commercial structures (130.6 ha, 28.6%). In addition, the fruit and wood tree counting on the affected lands was intensively done. A total of 2,190 trees were found as potentially affected, of 1,775 are wood trees (81%), and only 415 are fruit trees (9%). A detailed account of all the resettlement effects is provided in Tables below.

Table 2.4. Affected Lands on NHA Roads

No.	Type of Land	Peshawar-Torkham Road		Malana-Gambila Road		Total (NHA)	
		Acres	Hectares	Acres	Hectares	Acres	Hectares
1	Built-Up Area	49.1	19.9	273.8	110.8	322.8	130.6
2	Cult. Land – 1	14.2	5.7	227.8	92.2	242.0	97.9
3	Cult. Land – 2	-	-	23.8	9.6	23.8	9.6
4	Barren Land	388.5	157.2	80.6	32.6	469.0	189.8
5	Nullah Bed	68.3	27.6	2.7	1.1	71.0	28.7
Total:		520.0	210.4	608.6	246.3	1,128.6	456.7

Source: Field Census/Surveys, January – March, 2004.

⁸ Further Land Inventory details are provided in **Appendix – B**.

Table 2.5. Number of Affected Trees on NHA Roads

Affected Trees			Number of Affected Trees by Project Road				
Type	No.	Species	N-1	N-2	N-3	N-4	Total
Fruit	1	Mango	-	-	360	-	360
	2	Dates	-	-	34	-	34
	3	Lokat	-	-	20	-	20
	4	Lemon	-	-	1	-	1
Sub-total (a) - Fruit Trees:			-	-	415	-	415
Wood	1	Kikar/Phulahi (Acasia)	-	52	598	-	650
	2	Eucalyptus/Poplar	-	34	311	-	345
	3	Shisham	-	27	238	-	265
	4	Beri (Zizphus)	-	10	30	-	40
	5	Wild Olive	-	33	-	-	33
	6	Toot (Mulberry)	-	5	-	-	5
	7	Masqat/Bushes	-	374	63	-	437
Sub-total (a) - Wood Trees:			-	535	1,240	-	1,775
Total (a+b) - All Trees:			-	535	1,655	-	2,190

Source: Field Census/Surveys, January – March, 2004.

2. Households losing land (Agricultural, Built Up, Barren, Nullah bed land)

25. On Peshwar – Torkham Road, a total of 5.7 ha of agricultural land will be acquired in Regi Lalma area of Peshawar District in the NWFP affecting 17 households. No agricultural land will be affected in the FATA region. For Malana – Gambila road 101.8 hec of agricultural land will have to be acquired affecting 544 households.

26. An estimated 189.9 ha of barren land and 28.7 ha of nullah bed land will also be acquired for the construction the roads, and almost the entire barren and nullah bed land is located in the FATA region with the exception of 32.6 ha of barren land owned collectively by 4500 households and 1.1 hec of nullah bed land owned by 600 households in the Regi Lalma area of NWFP. As mentioned earlier, these barren lands have less than 10 percent vegetation cover and which currently is not used for any cultivation. The nullah-bed land serve as natural drain for housing-cum-commercial wastewater and acquisition of this land will not cause any adverse effects.

Table 2.6 Land Acquisition in FATA and NWFP

Road Section	N2 (P-T Road)		N3 (MJ-SG Road)	
	NHA Project Section			
	No. of households	No. of Affected persons	No. of households	No. of Affected persons
Agricultural land 1	17	228	458	7,200
a) FATA	0	-	0	-
a) NWFP	17	228	458	7,200
Agricultural land -2	0	-	86	1,300
a) FATA	0	-	0	-
a) NWFP	0	-	86	1,300
Barren Land	16,000	200,000	4,500	70,000
a) FATA	16,000	200,000	0	-
a) NWFP	0	-	4,500	70,000
Nullah bed	16,600	208,000	4,500	70,000
a) FATA	16,000	200,000	0	-
a) NWFP	600	8,000	4,500	70,000
Forest /Pasture	0	-	0	-
a) FATA	0	-	0	-
a) NWFP	0	-	0	-
Total	16,617	208,228	5,044	78,500

27. The barren and the nullah bed land is owned almost equally by two major tribes, namely Afridi Tribe in Jamrud tehsil and Shinwari Tribe in Landi Kotal tehsil of Khyber Agency. In the tribal system, irrespective of their location of villages, all the tribesmen have equal shares in the all the natural resources, including the barren and nullah-bed lands. According to the Population Census of 1998, the total population of Jamrud tehsil (Afridi tribes) is about 83,800 and that of Landi Kotal (Shinwari tribes) is about 122,400. As per official records thus, a total estimated tribal population of over 200,000 persons (over 12,000 households) hold shares in the common lands being utilized for the road construction. Based on discussions with the community it can be estimated that nearly 21,100 households will lose access to these lands. In FATA, agriculture is extremely minimal, especially in the Jamrud and Landi Kotal tehsils where the road is to be constructed. These tribesmen depend almost exclusively on domestic, cross-border and down country businesses, transport services (trucks and busses) and government employment.

Extent of Impact on Land (Agricultural and Built Up Area) on Peshawar-Torkham Road)

Road Section						
Peshawar – Torkham Road – N2						
	Losing Less than 10%	10 % to 25%	More than 25% to 40%	More than 40% to 50%	More than 50 % to 60%	Loosing total land
	HH	HH	HH	HH	HH	HH
Agricultural land 1	17	-	-	-	-	-
a) FATA	-	-	-	-	-	-
a) NWFP	17	-	-	-	-	-
Agricultural land -2	-	-	-	-	-	-
a) FATA	-	-	-	-	-	-
a) NWFP	-	-	-	-	-	-
Built up Area (#126)						
a) FATA (#121)	96	17	6	2	-	-
a) NWFP (#5)	3	-	1	1	-	-
Total	116	17	7	3	-	-

28. From the table above, it is evident that on Peshwar – Torkham Road, 17 households would be losing less than 10 % of their agricultural land⁹ in the NWFP district. In case of built up land, which includes area utilized by residential, commercial and community structures, 96 households in FATA and 3 in NWFP would lose less than 10% of the built up area. Only 7 households would lose 25 – 40% and 3 households 40-50% of the built up area.

Extent of Impact on land (Agricultural and Built Up Area) on Malana Junction – Sarai Gambila Road

Road Section						
Malana Junction – Sarai Gambila Road						
	Losing Less than 10%	10 % to 25%	More than 25% to 40%	More than 40% to 50%	More than 50 % to 60%	Loosing total land
	HH and APs	HH and APs	HH and APs	HH and APs		
Agricultural land – 1	458	-	-	-	-	-
a) FATA	-	-	-	-	-	-
a) NWFP	458	-	-	-	-	-
Agricultural land - 2	86	-	-	-	-	-
a) FATA	-	-	-	-	-	-
a) NWFP	86	-	-	-	-	-
Built up Area (#113)	42	17	9	7	-	38
a) FATA (0)	-	-	-	-	-	-
a) NWFP (#113)	42	17	9	7	-	38
Total	586	17	9	7	-	38

29. The Malana Junction – Sarai Gambila Road is located in NWFP. All the 544 households would lose less than 10% of their agricultural land. While in case of built up area, 42 households would lose less than 10% and 38 households would lose the entire built up land.

⁹ Agricultural 1 = Good quality land; Agricultural 2 = poor quality land.

30. There were no households found to have taken land on lease for cultivation. The census survey identified tenants / sharecroppers (78 households) and residential tenants (51 households) along Malana – Sarai Gambila road. All the land-owners opted for cash compensation for their loss of agricultural land. None preferred to purchase alternate agricultural land but rather utilize the compensation money for establishing a business or building a house.

3. Households losing Residential and Commercial Structures and Impact on Community /Cultural Structures

31. The two NHA roads having significant resettlement effects will affect a total of 239 built up structures¹⁰. The construction of Peshawar – Torkham Road (N2) will affect mostly residential housing while the Malana Junction – Sarai Gambila Road (N3) will affect mostly commercial structures (# 76/113; 65.5%). A total of 239 structures are found to be potentially affected on two of the four national highways, namely: (N-2) Peshawar – Torkham road (#126) and (N-3) Malana Junction – Sarai Gambila road (#113). No structures were found as affected on the remaining two roads, namely: Badabher – Darra Adamkhel road (N-1) and Sarai Gambila – Bannu – Ghulam Khan road (N-4).

Table 2.9. Affected Structures on NHA Roads

Affected Structure		(N2) Peshawar-Torkham		(N3) Malana-Gambila		Total (NHA)	
No.	Description	Count	Col %	Count	Col %	Count	Col %
1	Residential House/Hut	112	88.9	28	24.8	140	58.6
2	Commercial-Small Shop/Stall	9	7.1	72	63.7	81	33.9
3	Commercial – Large-Scale*	1	0.8	3	2.7	4	1.7
4	Cultural/Community Structure	4	3.2	10	8.8	14	5.9
Total:		126	100.0	113	100.0	239	100.0

Source: Field Census/Surveys, January – March, 2004.

* These include Two Petrol Stations and One Brick Kiln on Malana-Gambila Road and One Petrol Station on Peshawar – Torkham Road (N3).

32. As shown in the Table above, large scale businesses like two petrol stations and one Brick Kiln will be affected on Malana Gambila Road (N3) and one petrol station on Peshawar – Torkham Road. Out of the three petrol pumps two, one in N2 and the other in N3 will be partially affected. In terms of availability of land for the third petrol pump on N3 to relocate, sufficient land is available along the roads to re-establish their businesses. However, some design revision i.e reduction in the width of the median strip, can reduce or completely avoid any impact on this petrol pump. On the other hand for the Brick Kiln land would be available only 5 – 7 km away from the original site. Currently, NHA is carrying out a design revision on N3 and have been able to minimize resettlement impacts. The petrol pumps and the brick kiln mentioned above have been avoided completely including additional 54 structures (residential, commercial, community) see Appendix H. An updated RP will be submitted after finalization of design revision of project roads (N2 and N3) to ADB for approval prior to award of civil works contract.

¹⁰ Complete listing of APs by their affected Structures, including fixed SBEs is provided in **Appendix – A**.

Project Impacts on Residential structure

Road Section	Number of Households	Total Population
Peshwar – Torkham (N2)	112	1,415
a) FATA – region for N2	107	1,348
b) NWFP for N2	5	67
Malana Junction – Sarai Gambila (N3)	28	433
Total	140	1,781

Project Impact on Commercial Structure

Road Section	Numbers / households	Total Population
Peshwar – Torkham Road	10	127
a) FATA – region for N2	10	127
b) NWFP for N2	0	0
Malana Junction – Sarai Gambila	75	1,176
Total	85	1,303

33. For the two proposed roads, about 140 and 85 households would lose their residential and commercial structures respectively. All these affected households are legal titleholders, although in the FATA region there are no official records of ownership of land and structure, these households are recognized as legal owners of their structures and land (homestead or agricultural). In the FATA region all transactions are conducted verbally, or through plain paper agreements and no official stamps are used for such transactions. While in the NWFP, lands are recorded, all transactions are officially documented on stamp papers and registered with the revenue department.

34. Data from the census survey reveals that the households owning commercial or residential structure, 141 households would lose less than 10% and 34 households would lose less than 25% of their built-up areas, thus have a choice to push back within their own built up land. The remaining will lose more than 25% with about 38 households losing their total built up area. While majority of the impacts on the built up area ranges between 5 – less than 25%, most of the households (215 households) would lose their main structure (see tables below). Apart from the owners of the structures 51 households would lose their rental accommodation.

Table 2.12. Affected Parts of Structures

No.	Identification	Peshawar-Torkham		Malana-Gambila		Total (NHA)	
		Count	Col %	Count	Col %	Count	Col %
1	Main Structure (Room/s)	118	93.7	97	85.8	215	90.0
2	Veranda / Lawn	11	8.7	17	15.0	28	11.7
3	Boundary Wall / Gate	13	10.3	10	8.8	23	9.6
	Sum*:	142	112.7	124	109.7	266	111.3
	Number of Affected Structures:	126	100.0	113	100.0	239	100.0

* Multiple Parts of the same Structure may be affected.

Table 2.13. Type of Construction of Affected Structures

No.	Type of Construction	Peshawar-Torkham		Malana-Gambila		Total (NHA)	
		Count	Col %	Count	Col %	Count	Col %
1	Totally Pucca (Concrete)	59	46.8	33	29.2	92	38.5
2	Semi-Pucca (Brick/Stone)	33	26.2	37	32.7	70	29.3
3	Katcha (Mud/Stone)	32	25.4	22	19.5	54	22.6
4	Cabin (Wood/GI Sheet)	0	0.0	9	8.0	9	3.8
5	Fixed Tharha (Wood/Stone)	2	1.6	12	10.6	14	5.9
Sum:		126	100.0	113	100.0	239	100.0

35. Out of all the structures (residential / commercial) that would be affected 38.5% were pucca / concrete structures, 29.3% were semi-pucca and 22.6% were Katcha structures.

36. In terms of relocation of these affected structures not much problem is anticipated. There are few contiguous linear built-up areas along the roads, which are only a few congested towns. Even in such towns, there are gaps between the shops/ houses. Small villages and towns along the roads are mostly far apart. Thus, land availability for reconstructing residential and commercial structures will not cause a problem. Land is also available just behind the existing structures (mentioned earlier) and/or nearby, a distance ranging between 25 - 200 m and a maximum of 1 km from the existing location.

37. The households who were losing residential or commercial structure did not appreciate the idea of NHA/Govt purchasing land for them, as they felt it would be far away from their existing points, or off the main road, which would affect their socio-cultural lives and other economic opportunities associated with the main road/town. They preferred to purchase the lands for houses / shops of their own choice, provided they were paid timely compensation for the affected plot and the structure at replacement costs. Apart from the residential / commercial structure 14 community structures were also affected they include 9 mosques, 2 Madrasa / schools, 1 health-care centre and 2 village Hujra. During the re-survey/re-design exercise on both the roads, all efforts will be made to avoid these structures. All the structures except two structures are partially affected (20 – 25%). During the consultations, the concerned communities requested the project authorities to avoid their cultural/community structures. But if not possible, they demanded for total replacement cost of structures with land, so that they were able to reconstruct the same nearby. As indicated earlier, NHA is currently undertaking design revision and will try to avoid these structures as much as possible.

Table 2.14: Community/Cultural structures affected by the Project:

No.	Type of Structure	Number of Cultural/Community Structures		
		N2 (PR-TM)	N3 (MJ-SG)	Total
1	Mosque	-	9	9
2	Madrassah/School	1	1	2
3	Village Hujra	2	-	2
4	Health Care Center	1	-	1
Total:		4	10	14

Source: Field Census/Survey, January – March 2004.

4. Households losing Income

38. All households (85) losing their commercial structures will suffer income losses during the transitional period till they re-establish their businesses. Apart from the owners of the commercial structures, 536 roadside mobile vendors, 78 sharecroppers and 301 employees would also suffer from temporary income losses. There are a large number of roadside vendors, operating small businesses by sitting on mats on ground or by moving around with push carts in congested commercial villages and towns along the project roads, who are likely to be affected temporarily during the course of the road construction works. During the field census/surveys a careful counting of these vendors was also carried out. Currently, there are a total 536 roadside vendors¹¹ on all four NHA roads, as shown in Table below. The ensuing paragraph provides an assessment of the earnings from the businesses conducted by the commercials / SBEs.

Table 2.15. Roadside Vendors (Squatters) likely to be Affected Temporarily (NHA)

Project Road (NHA)		Name of Place (Town/Village)	Number of Vendors
ID No.	Name		
N1	Badabher – Darra Adamkhel Road	Badabher	62
N2	Peshawar - Torkham Road	Torkham	60
N3	Malana Junction - Sarai Gambila	Malana Junction	32
		Pezu	68
		Ghazni Khel	20
		Tajazai	37
		Sarai Gambila	45
N4	Sarai Gambila -Bannu - Ghulam Khan	Bannu	122
		Mir Ali	54
		Miran Shah	36
Total:		(Nine Points)	536

¹¹ This number is likely to further increase in the coming years during the Project implementation. During RP implementation the roadside vendors will be verified, cut-off dates will be announced and ID cards will be distributed within 2 months to avoid further influx to the area.

Table 2.16 Commercial / SBEs by Type of Business and Average Income

Sr. No.	Type of business	Number Affected by Road		Total Number	Average Income (PRs/Mo.)
		N2 (PR-TM)	N3 (MJ-SG)		
1	Cigarette/Cold Drinks/Candies	1	11	11	38,000
2	Tea Stall / Snacks	-	10	10	48,600
3	Restaurant (Meals)	-	5	5	213,000
4	Fruit/Vegetables Shop/Stall	-	11	11	45,600
5	Meat Shop (Chicken)	-	2	2	36,000
6	Kiryana / General Store (Groceries)	1	8	9	43,200
7	Cloth Shop/Stall	-	1	1	72,000
8	Manufactory (Furniture)	-	1	1	60,000
9	Artisan Services (Barber, Tailor, etc)	-	6	6	90,000
10	Technical Services (Mechanic, etc.)	-	10	10	70,100
11	Warehouse (Rental Storage Facility)	7	-	7	56,500
12	PCO: Public Call Outlet (Telephone)	-	1	1	156,000
13	Scrap Store	-	2	2	78,000
14	Music Center (Audio/Video)	-	1	1	60,000
15	Brick Kiln	-	1	1	1,920,000
16	Petrol Pump/Station	1	2	3	1,290,000
17	Poultry Farm	-	1	1	180,000
18	Saw Machine (Wood Works)	-	2	2	60,000
Total:		10	75	85	131,317

Source: Field Census/Survey, January – March 2004.

Annual Income by Type of Business

Project Roads	Small business		Medium Business		Large Business		Employees		Roadside Vendors	
	No of HH	Average Income (Rs./Yr)	No of HH	Average Income (Rs./Yr)	No of HH	Average Income (Rs./Yr)	No of HH	Average Income (Rs./Yr)	No of HH	Average Income (Rs./Yr)
N1	-								62	
N2	2	36,000	7	60,000	1	120,000	6	21,600	60	36,000
a) FATA	2	36,000	7	60,000	1	120,000	6	21,600	60	36,000
b) NWFP	0	-	0	-	0	-	0	-	0	-
N3	68	30,000	4	56,000	3	270,000	301	19,500	202	33,000
N4	0	-	0	-	0	-	0	-	212	34,000
<i>Total</i>	<i>70</i>		<i>11</i>		<i>4</i>		<i>307</i>		<i>536</i>	

39. From the tables above it is evident that in the project roads the small businesses included the retail stores, groceries, food stalls, road-side mechanic/repair shops, small metal works etc. Households operating these small businesses earned PRs 30,000 – PRs 36,000 annually. The medium-sized enterprises included big shops selling clothes, foot wears, restaurants and had annual earnings ranging between PRs 56,000 to 60,000. The large enterprises were the petrol pumps and the brick kiln that had annual earnings between PRs 1,20,000 to PRs 2,70,000. In comparison to the small businesses operating from permanent structures the earnings of mobile vendors ranged between PRs 33,000 to 36,000. The census data revealed that amongst the commercial / SBEs, 39 households operated their business themselves, 42 households employed 2 – 4 employees and 4 households employed 4-5 persons to conduct their business. On an average, the affected households on N2 had 2 earning members followed by 3 earning members for N3. Women in both NWFP and FATA mostly work indoors like sewing, embroidery, handicrafts, house-help and as helping hands in the family business. Their outdoor work is confined almost exclusively to on-farm labour (weeding, harvesting, etc.). Their earned incomes are far lower than the men, and range from a PRs. 2,000 to 18,000 per annum. The agricultural tenants / sharecroppers, who would also suffer temporary losses of income are seasonally employed (10 days a month) and have alternate sources of income.

C. Socio-Economic Profile

40. As part of the Project preparation, a socio-economic survey was undertaken of households in villages along or close to the candidate roads, A total of 557 household interviews were undertaken, with details being recorded for some 5,000 household members (estimated to represent about two percent of the population along the roads). Of the 557 households interviewed, 141 were adjacent to the national highway sections (the balance being along provincial roads). Key findings with respect to the national highways are presented below.

- Seventy nine percent (79%) of the respondents have an income per capita less than Rs748 per month, the official poverty line of the Government of Pakistan.
- Agricultural income is given as a primary income source by only 15% of households – the main source is non-agricultural (91% of households have non-agricultural income). However 41% supplemented their income with their own crops or livestock. Ten percent enjoyed income from remittances from abroad.
- Sixty seven percent of the people surveyed, declined to answer the educational attainment question – in most cases this probably means they had no formal education.

Of those who provided data 55% only received primary education (50% boys, 74% girls). This is reflected in the literacy figures, which show that 49% of the male respondents but only 14% of the females were recorded as being literate.

- Thirty five percent of the householders claimed to own agricultural land. This is much lower than alongside the provincial roads (50%), reflecting a much higher incidence of common land ownership in the FATA areas. Ninety two percent owned their own houses. (14% pucca and 78% katcha).
- Fourty percent of houses have piped water and a further thirteen percent have other sources of water (eg a well or pump) within the house enclosure.

D. Community Awareness and Response to Project

41. Besides carrying out field census/surveys, an extensive community awareness and consultation exercise was carried out through semi-structured male and female group interviews. The local community men and women who are potentially affected by and/or are beneficiaries of the project were separately interviewed in small groups. In total, 150 group interviews were held with a total of 978 participants, along all the four NHA roads. They expressed generally a positive response towards the Project. According to the communities interviewed, the Project will improve road transportation, bring new opportunities for business and, thereby benefit the local communities, external traders and transporters, and Afghanistan and Central Asian Republics.

42. Most of the local communities' concerns and suggestions will be incorporated into the Project design and implemented as an integral part of the Project activities. The major concerns shown by the affected people were about adequacy and timeliness of compensation payments and safety measures to be taken on the project roads. In response, the NHA will make sure that the compensation and assistance amounts are assessed justly and paid to the APs, at least, "one month" (30 days), prior to the possession of land by the project for starting the civil works. Similarly, the road safety measures will be given due consideration in the Project design and implementation.

43. The local communities' responses (awareness, perceptions and preferences) to Project and its resettlement related matters are summarized as follows:

- **Project Awareness:** Majority (81%) of the roadside affected/beneficiary communities are somewhat aware of the upcoming Project, but none of them are aware of its exact resettlement effects, nor the ADB's Resettlement Policy and their entitlements for various types of resettlement effects.
- **Clearance of structure/assets from road side:** About 86% of them are sure that their houses, shops and other structures would not be affected because they way out of the ROW limits of the project roads, while the remaining 14% of them are in doubt.
- **Effects on business and living conditions:** About four-fifths (79%) of them expect a positive change to come forth with the project interventions, in terms of improved social and economic conditions, including business and job opportunities. The remaining 21% of them came up with mixed opinions, ranging from no major to least likely positive impact on their socioeconomic conditions.
- **This project is necessary under local conditions:** Almost all of them support the project saying that the currently traffic flow on the roads demand for proper and speedy improvements and upgradation of the roads, which will help to join in the mainstream socioeconomic development of the country.
- **Project Impacts and Resettlement:** Over one-half of them (56%) fear of a significant resettlement impacts of the project, while the remaining 44% of them are not clear on whether they would be affected negatively by the project or not.
- **Resettlement Options:**

- **Relocation:** If some structures get affected and they are required to relocate, they would prefer to relocate themselves onto the nearest possible space, and would never think of relocating to far off places. No one opted for any resettlement/relocation arrangements at a far-off place by the Project authorities.
- **Compensation:** Majority of them look forward to receive a “fair” and “timely” compensation for their lost/affected lands, structures and other assets. By “fair”, they meant “replacement value” of their assets, and by “timely”, they meant “prior” to acquisition/removal of their assets affected by the Project.
- **Assistance:** Most of the roadside vendors and SBE operators requested for a nominal financial support/grant for their momentary disturbance during the course of the construction civil works on the roads in the congested urban reaches.
- **Job Opportunities:** The less-privileged poorer people requested for unskilled to semi-skilled jobs on priority basis, with the road construction contractors, at least during the Project implementation periods.

E. Consultation Meetings

44. The RP Consultant and the field team conducted individual and group meetings with the stakeholders prior to and during the fieldwork (census/surveys). The meetings were primarily aimed at information disclosure on the proposed road widening and improvement project, objectives of the census/survey and data collection, and tentative project schedule. A number of large-scale consultation workshops were also held at most critical points/roads. The RP team also held meetings with local leaders and newly elected district *nazims* and *naib nazims* in the field. The NHA head quarters and district officials also participated in the meetings. These meetings were used to get wider public input from both primary and secondary stakeholders.

45. The roadside communities, including both the likely affected and beneficiary people, especially the affected vendors and SBE owners, took a keen interest in the meetings. These meetings provided the APs with an opportunity to air their concerns about relocation, particularly the need for assistance to restore businesses and maintain livelihood sources. Furthermore, this consultative approach led to identification of measures to minimize displacement and reduce disruption of livelihoods.

F. Indigenous People

46. No indigenous people will be adversely affected as a result of the project. However, NWFP and FATA has a long history of invasions and immigrations from Alexander the Great in 327 B.C. to Mughals in 1526 A.D. The population contains several ethnological strata, representing different streams of immigration or invasion. Most numerous and important are the Pathans (Pakhtun), who regard themselves as the dominant class, and form the majority of the agricultural population in Peshawar, Kohat and Bannu, while beyond the administrative border they are in exclusive possession from Chitral to the Gomal. Pathans are a lively, brave and hospitable people. They are very courteous towards each other and visitors. Religion has a great bearing on their life.

47. In Hazara Gujars and other tribes of Indian origin dominate, while Dera Ismail Khan is inhabited mainly by Jats. Pushto is the main language of the majority of population. Other languages commonly spoken include Hindko, Urdu, Siraiki, Punjabi, Khwar and Persian.

48. The usual dress of the people is Shalwar Kameez, Peshawari or Kohati Chappal and white cap in the northern areas and turban in the southern part of the province. The women wear Shalwar, Kameez and Dopatta at home while out of home for Purdah they use Burqa (veil) or Chaddar. There is significant difference in the dress of educated and uneducated population and between rich and poor.

49. The province as whole sustains centuries old socio-political traditions. The Pathan follow a relatively flexible democratic Jirga system (council of elders) led by a Khan or Malak (clan leader). Each tribe inhabits largely their well-defined territories with minimal over-lapping of ownership and usufruct rights of the land, water and other natural resources. Each elect representatives for both the National and Provincial assemblies, to participate actively in the mainstream politics of the country and the province.

50. There is no doubt that the peoples present some of the characteristics of indigenous people – for example they are the original occupiers of the land, and thus meet the usual dictionary definition of *indigenous*. However there is no obvious external dominant group – although many and various, the local people are dominant in the areas they occupy and do participate in the mainstream economic and political activity of the province.

51. The key issue is whether people living in NWFP form a vulnerable group likely to be disadvantaged by the process of development. NWFP arguably a poorer and more deprived province than rest of the provinces of the country. However, within the context of the province, its various population groups are part of mainstream economic, political and social life of the province. They are represented in public representative institutions, civil services and education institutions. They are eager to take part in economic and social uplift of the province to improve their living conditions. These population groups may have some distinct features customs and economic lives, but within the province, there is not much difference in these aspects. Moreover, the differences in culture and social lives show diversity of cultural elements rather than the social exclusion of any groups.

52. The second issue is whether the project would disrupt their lives negatively. Over 300 meetings and consultations were held along the Project roads. The overwhelming view of the people was that the project would improve their life situation and would lead to their development. The people along the roads expressed a view that construction of the roads would increase and improve their accessibility to schools, health outlets, banks, and police stations and would improve their business and employment opportunities. Thus no indigenous people adjacent or nearby the project roads will be potentially threatened by the Project intervention but would rather be benefited.

G. Gender Impacts

53. As per the census survey, no women headed households will be affected by the proposed road improvements. However, the socio-economic survey carried out along the candidate roads identified that the women were far less mobile than men, and poor and very poor women travelled considerably less than more well off women. For example, it was found that poor and very poor women travelled on the road around 10 times a year compared with nearly 18 times a year for better off women, and compared to 21 times a year for better off men. By far the majority of women in households surveyed (557 households) had no education. Only four women in households in the entire survey had education higher than secondary level. Around 18% of women were literate compared with 54% of men both slightly lower than provincial averages, although compared to rural areas where the majority of candidate roads are located, women in the survey had a higher literacy rate. Most women saw the road development as being beneficial for increasing opportunities for employment, reducing accidents including of children, and improving transportation, improving access to health centres and longer term economic development for their communities.

54. As per the survey results, the net benefits of the road development are expected to accrue to the poor only if intra-village accessibility and connectivity to the main roads are improved within the project influence area. In order to enhance road development benefits to the poor communities a targeted intervention program for JFPR Grant funding has been formulated.

The proposed grant funding would not only improve connectivity but also increase the productive capacities of the communities, especially women by promoting the development of trade and marketing opportunities. The specific activities include (i) establish linkages with available microfinance services; (ii) skill upgradation/training in home-based activities with basic literacy training; (iii) development of women's corner's in markets to provide a culturally acceptable venue for women to engage in commercial activities. An amount of \$ 130,000 has been earmarked for the establishment of 2 women's corner in the local markets and provision of skill training to 50% men and women in the villages for demonstration purposes.

H. HIV/AIDs and Road Development in NWFP

55. Since 1987, the number of reported HIV infections and AIDS cases has been steadily on the rise and are identified in all geographic regions of the country. Officially reported cases total 1913 but WHO/UNAIDS/UNICEF estimate the number to be around 78,000 or 0.1% of the adult population with 2,200 children infected. Limited available research indicates that HIV prevalence is 1-2% in vulnerable/high risk population groups including: female sex workers, migrant workers, injecting drug users, long distance truckers, men who have sex with men, blood and blood product recipients, STI patients, professional blood donors, jail inmates and seamen. According to WHO/UNAIDS, Pakistan is a low prevalence but high risk country for spread of HIV infection. A recently conducted mapping exercise by the Pakistan National AIDS Control Programme of long distance truckers in Pakistan identified a number of risk factors including multiple sex partnerships with both men and women. About a third had had sex with female commercial sex workers and nearly 50% with another man. While knowledge among truckers about HIV/AIDS is high, most do not think it exists in Pakistan.

56. There are no defined "red light" districts in NWFP although truck drivers engage sexual partners frequently in truckers stops along highways. The HIV/AIDS Prevention Project, which will be launched from May 2004 to decrease the vulnerability of Pakistan's population, includes a five year Service Package for Long Distance Truckers and Associated Population. The program components include awareness raising in truckers and associated people such as sex workers, and involve effecting changes in attitudes, use of condoms, and access to voluntary counselling and testing. The GoP is receiving over US\$31 million IDA assistance from the World Bank towards the cost of the HIV/AIDS Prevention Project, with the rest coming from the Government itself. The National Highways Authority (NHA) will ensure that it develops linkages with the National AIDS Control Programme and in particular the work with truckers to ensure cooperation and support for the HIV/AIDS Prevention Project where it is working along national highways in NWFP. This linkage will not only encourage awareness-raising with NHA on HIV/AIDS issues but will also ensure that the implementation of the Service Package for Truckers fits in appropriately with road construction timing in NWFP.

III. LEGAL FRAMEWORK AND PROJECT PRINCIPLES

A. Land Acquisition Laws and Practices in NWFP and FATA

1. Land Acquisition Act and Resettlement Practices

57. In Pakistan, the core legal tool available and used by the Federal and the four Provincial Governments, including NWFP, for acquiring private lands for a “public” purpose, is the Land Acquisition Act of 1894 (the Act) which has been amended from time to time. The process is initiated by serving a preliminary notice under Section 4 of the Act by the District Land Acquisition Collector (LAC) expressing the government’s desire to “enter upon” broadly identified private lands for surveying and soil-testing for a specified public purpose. The next activity is carried out under Section 5, which involves marking and measurement of the land and assessment of compensation. The final declaration for possession of the selected portions/strips of the lands is issued under Section 6 of the Act.

58. Under this Act, only legal owners and tenants officially registered with the Land Revenue Department or who possess formal lease agreements are considered “eligible” for land compensation. As per the provisions of the Act, cash compensation is assessed (Section 5) on the basis of a five or three years average registered land sale transfer rates, and is paid to the landowners for their lands being acquired¹².

59. But this Act, as for other laws of Pakistan, is not applicable to FATA region. Local needs for small land acquisition are addressed through the tribal system of land rights and distribution. Normally, for the government aided development interventions, relatively small and insignificant pieces or strips of lands are taken for free under a community contribution. For small infrastructure projects, like schools, basic health units (BHUs), etc., low-level (Class IV) jobs are provided as long-term compensation for the land lost. However, there are exceptions to this general practice, especially where the land required is large or is productive and/or otherwise economically significant. Recently, there have been increasing incidences of land compensation being paid for the construction of bridges and small dams, which was mainly in response to the pressing demands of the affected people (AP). Moreover, for constructing a major road which require a considerably large-scale land acquisition, a Tribal Commission is paid collectively to the affected tribe or clan, which is assessed at one-sixteenth or 6.25 percent of the total cost of the road construction.

60. Currently, there are two modes of acquiring land for roads in FATA. The first is a package consisting of: (i) Payments of Tribal Commission (@ 6.25% of the total cost of road construction) paid to the affected tribesmen as a goodwill, compensation for its ROW land, and Security of traffic and travelers; (ii) Award of construction contracts which are onwards traded off by the respective tribes/clans to the skilled/experienced road contractors; (iii) Compensatory Employment (Class IV jobs – Security Guard, Peon, etc.). The second approach is Land Compensation in cash, negotiated on current market price of land by type and use of land with the village/tribal *jjirga* of elders. This later mode is adopted when land to be acquired is localized and relatively a small number of households or sub-clans are affected, mostly for the construction major buildings and structures, like small dams, hospitals, colleges, sports stadiums, and the like. In contrast, the major roads that are trespassing several villages and affecting the whole tribe or several clans or sub-clans, Tribal Commission is the only way out or practice.

¹² According to LA Act of 1894, the owner(s) of acquired land is eligible for 15% “compulsory acquisition surcharge” (CAS), plus 8% compound interest per annum from the date of notification (under Section 6) in case of delay in payment of compensation.

61. In the case of some mega projects in Pakistan (1960s-70s), such as the Mangla and Tarbela Dams and the Capital City of Islamabad, the Government also made special provisions for a “land for land option” for the “persons interested”¹³ by issuing specific directives in each case. The affected families were given house plots and agricultural land, and provided free transportation for moving household effects and salvaged construction materials. Thus, in the absence of a law or formal policy for land acquisition and resettlement, a project-specific set of resettlement principles has been adopted.

62. The total cost of construction for Peshawar – Torkham Road (in FATA) is currently estimated at PRs. 4 billion (US\$ 69.6 million)¹⁴, and thus the 6.25 percent Tribal Commission is estimated at PRs. 250 million (US\$ 4.35 million). Based on the guidelines of the “tribal commission” the total land compensation cost (FATA region) will be approximately Rs 250 million (\$ 4.35 million). Whereas, if land compensation was calculated for the FATA region applying project specific resettlement principles and the Land Acquisition Act the amount would have been much less at Rs 140 million (\$ 2.44 million).

63. Land compensation for NWFP will be paid as per the land acquisition Act based on current market value to titleholders, plus 15% Compulsory Acquisition Surcharge (CAS), as provided in LAA. If the replacement costs gets higher than the amount of compensation assessed by the District LAC, then the difference will be paid by the project in the form of assistance. Land compensation for the FATA region will be paid as per Tribal Commission norms. In cases where communities were losing barren and nullah-bed land the compensation calculated at replacement costs would be distributed through the tribal elders. In cases where individual households were losing agricultural or built up land, structure, crops, trees, compensation would be paid to the affected households at replacement value in case of both NWFP districts and FATA region. Only the cost of land (agricultural, barren, nullah bed, built up) for the FATA region is included in 6.25 percent of the total construction cost (US\$ 4.35 million). Similar principles will apply to both FATA and NWFP for all other types of losses (See entitlement matrix).

2. Project Resettlement Principles

64. So far, there is no specific policy on resettlement in Pakistan¹⁵. The Land Acquisition Act of 1894 (the Act) deals with all aspects of land acquisition and FATA practices with land and road security, while the resettlement issues are addressed on project-by-project basis under special provisions made by the concerned government agency, or as led by the respective donor agency. In the absence of a formal policy to assist non-titled persons, a project-specific set of resettlement principles consistent with ADB Policy requirements, has been adopted. In general terms, the APs will be compensated for the loss of lands, trees and structures/assets, and assisted financially to restore their and livelihoods, at least, to the pre-project levels.

65. The basic resettlement principles and guidelines include the following:

- (a) The affected persons (APs) are defined as those who stand to lose land, houses, structures, trees, crops, businesses, income and other assets as a consequence of the improvements and/or upgradation of the project roads.

¹³ The LA Act of 1894 uses a legal term – “persons interested” for all persons currently using or benefiting from land being acquired. In resettlement terms, they are the “affected persons.”

¹⁴ A thorough revision of the design of the Peshwar – Torkham road is currently being carried out by NESPAK, which will result in different amount of the reduced cost estimates, thereby, necessitating a revision and updation of this RP.

¹⁵ Draft Resettlement Policy and Ordinance were prepared under an ADB RETA (Grant) in the year 2002 which is still awaiting Federal Cabinet's approval.

- (b) Each AP will be issued an Identity Card which will be used to confirm eligibility. A sample card is provided in **Appendix – F**.
- (c) All APs are equally eligible for cash compensation and rehabilitation assistance, irrespective of their land ownership status, to ensure that those affected by the Project shall be at least as well off, if not better off, than they would have been without the Project.
- (d) The compensation packages shall reflect replacement costs for all the losses, such as lands, crops, trees, structures, businesses, incomes, etc.
- (e) The roadside vendors (without permanent structures/stalls) whose businesses are likely to be affected temporarily during the road construction works, will be provided a nominal financial assistance to support their partial income losses during the construction periods.
- (f) Compensation and resettlement will be satisfactorily completed before a No-Objection Certificate can be provided by ADB for award of civil works contracts.
- (g) APs will be systematically informed and consulted about the project, and RPs will be made available in both English and Urdu languages to the affected persons and communities.
- (h) The consultative process shall include not only those affected, but also the adjacent communities, representatives of the local governments of the areas where the project is located, community leaders, local government (district/tehsil), and social development organizations, such as non-government organizations/community-based organizations (NGOs/CBOs).

B. Eligibility and Project Entitlements

66. The ADB Resettlement Policy/Guidelines require compensation for the lost assets at the current replacement costs to both titled and non-titled holders and resettlement assistance for lost income and livelihoods. In this Project, the absence of formal titles will not constitute a bar to resettlement assistance and rehabilitation. Table 3.1 provides a matrix of entitlements for various types of losses and affected persons.

67. Persons affected by land acquisition, relocation and rehabilitation of structures/assets (SBEs, houses, etc.) 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. 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 incomes/livelihoods, at least, to the pre-Project standards.

1. Compensation for loss of agricultural land and standing crops/trees

- Both in NWFP and FATA cash compensation at market / replacement value to titled holders. In NWFP, land will be acquired as per the Land Acquisition Act and in case the replacement value is higher than amount of compensation assessed by the District LAC, the difference will be paid by the project in the form of assistance. Land compensation for the FATA region will be paid at replacement value to titleholders. The project will assist titleholders in purchase of alternate land of the APs choice.
- Cash compensation for loss of crops at market value of mature crops. If sown or standing crops are damaged or uprooted, the eligible persons (tenants included) will be compensated in cash for the loss of un-harvested crops, at the expected mature crop value to be assessed on the basis of current market rates.

- Compensation to sharecropper/tenants as per Land Acquisition Act for NWFP.
- Partial compensation (25 – 50%) as mutually agreed upon or as decided by village/tribal elders for permanent tenant
- Compensation for loss of wood-trees at current market value.
- Compensation for loss of fruit trees for average fruit production for the next 15 years to be computed at the current market value.
- Encroachers/squatters are not eligible for compensation for land but will be entitled to compensation of affected crops, trees and structures (if any).

2. Compensation for loss of barren and Nullah bed land

- For both FATA and NWFP cash compensation as per current market value of lands to affected group of land-owners distributed by tribal elders / village elders. The disbursement mechanism will be closely monitored by project authorities.
- Customary tenants (FATA and NWFP) will be paid a part (25 – 50%) of the total compensation amount as mutually agreed upon or as decided by village elders / tribal elders.
- Affected trees/crops will be compensated separately to individual owners as outlined in entitlement matrix.

3. Compensation for loss of residential/commercial land, structures and immovable assets

- In NWFP, cash compensation for residential/commercial land to be paid on current market value to titleholders, plus 15% Compulsory Acquisition Surcharge (CAS), as provided in the LAA. In FATA, the individual APs will be paid cash compensation on the basis of current / replacement market value.
- Compensation for structures/assets at full replacement costs (including required construction material, transportation and labor for both FATA and NWFP).
- Owners of affected structures will be allowed to take/reuse all the salvageable materials for rebuilding/rehabilitation of their structures.
- In case of relocation, transfer/shifting allowance to cover cost of shifting the effects and materials at actual market rates.
- Compensation for the affected community structures and installations, namely, wells, handpumps, watercourses, streets, drains, and other immovable assets at current replacement costs, including reconstruction or installation charges.

4. Assistance for Owners and business renters

- One-time cash assistance equivalent to 2 month rent will be given to owners and renters for moving to alternative premises for re-establishing businesses. (This will be in addition to the compensation/assistance paid to the owner/possessor for the affected structure).

5. Assistance for livelihood restoration against loss of business/wage income

68. One-time lump sum grants will be paid based on the nature and type of losses;

- For businesses, one time lumpsum grant – minimum one month based on the nature of business and type of losses assessed on a case to case basis.

- One-time financial assistance to hired laborers equivalent to 30 days wages to be computed at local wage rates for various cadres.
- Family workers in small business enterprises are not eligible, as they have already been covered by income assistance for loss of business by shops/SBE owners.
- APs who are eligible for semi-skilled and unskilled labor, will be given preference in employment opportunities in the Project's implementation works.
- Sharecroppers/tenants will be paid partial compensation according to their due shares in the produce.
- Long-term agricultural tenants / laborers: One-time lump sum grant of Rs. 800 - 1000 to (only those who are associated specifically to the affected land).
- Roadside vendors (only those who are in fact temporarily affected during the road construction works) will be provided financial assistance of a total of Rs. 1,500 per AP in lump sum or in a maximum of three monthly installment of Rs. 500 each, to support them for loss of their income from the business being affected by the road construction works.

6. Restoration of community structures/installations/assets

69. The project will provide complete restoration work or cash compensation for rehabilitation/re-building of affected common property resources and cultural/community structures/installations,

- Restoration of mosques, tombs, irrigation channels, drains, and tribal common pastures and forests, to be paid in public to the formal or locally recognized patrons/users' group leaders.
- Provision of safe access to market/business centers and safe spaces, like bus-bases and waiting-sheds on major road intersections.
- Safety measures for pedestrians and non-motorized transport at major crossings, bus stops, markets, schools, hospitals, and animal herding and grazing areas.

Table 3.1 Entitlement Matrix: Project Compensation Principles and Entitlements

Nature of Loss	Application	Definition of AP	Entitlements	Result of Action
A. Land Acquisition (Applicable in cases of fresh acquisition and/or legally confirmed ownership rights on existing ROW)				
Loss of agricultural /residential /commercial land by landowners	Land and other assets acquired for project roads and/or legally confirmed ownership rights on existing ROW	Person(s) with land records verifying ownership / recognized owners (FATA)	<ul style="list-style-type: none"> Cash compensation based on current open market rate / replacement value in NWFP and FATA districts. (Cost of land included in Tribal commission @ 6.25 percent of total project cost for FATA) Project to assist APs (FATA and NWFP) to purchase alternate land of their choice. In case of replacement value is higher than the market value assessed by the district LAC, the difference will be paid by the project.(applicable only to NWFP) 	Compensation for lost assets
Loss of agricultural / residential /commercial land by permanent tenants		Renter or share-cropper of land	<ul style="list-style-type: none"> For NWFP compensation will be paid as per LA Act. For FATA - partial compensation (25-50%) as mutually agreed upon or as decided by village elders by consensus. 	Assistance with relocation
Loss of common barren/nullah-bed (nonproductive) lands owned collectively by village/s or tribe/s.		Village/s tribe/s with customary ownership	<ul style="list-style-type: none"> For both FATA and NWFP, cash compensation as per current replacement value of lands to affected group of landowners distributed by village elders/ tribal elders. Project authorities to ensure that compensation is distributed to all affected persons. (cost of land included in Tribal commission @ 6.25 percent of total project cost) 	<ul style="list-style-type: none"> Compensation for loss of access to common land.
B. Loss of Income Generating Assets (Whether or not land is legally occupied) applicable to both FATA and NWFP				
Loss of agricultural crops, and fruit and wood trees by owner	Land purchased or reclaimed for road purposes	<p>Owner of crops or trees</p> <p>Includes crops /trees owned by encroachers/ squatters</p>	<ul style="list-style-type: none"> Cash compensation for loss of agricultural crops at current market value of mature crops, based on average production. Compensation for loss of fruit trees for average fruit production for next 15 years to be computed at current market value. Compensation for loss of wood-trees at current market value of wood (timber or firewood, as the case may be). 	Cash income for lost crops/trees

Loss of agricultural crops, and fruit and wood trees by share-cropper/tenant	Land purchased or reclaimed for road purposes	Share cropper/ tenant	<ul style="list-style-type: none"> Partial compensation to sharecroppers/tenants for loss of their crops/trees as per due share or agreement (verbal or written). 	Cash income for lost crops/trees
Loss of income by agricultural tenants /sharecroppers	Work opportunities reduced	Persons working the affected lands	<ul style="list-style-type: none"> One-time lump sum grant of Rs. 800-1000 to agricultural tenants / sharecroppers (permanent, short-term or long-term agricultural labour (this will be in addition to their shares in crop/tree compensation). 	Short-term assistance/ compensation for loss of income.
Loss of income by shops/SBE owners	Business adversely affected by road construction	Owner of business	<ul style="list-style-type: none"> One-time lump sum grant; minimum one-month's income based on the nature of business and type of losses assessed on a case-to-case basis. 	Short-term compensation for loss of income.
Loss of business premise by owners / renters	Structure on acquired land and/or legally confirmed ownership rights on ROW	Owner /renter of business	<ul style="list-style-type: none"> One-time cash assistance equivalent to 2-month rent for moving to alternative premise for re-establishing the businesses. Shifting allowance (transport plus loading/unloading charges) will be paid to affected businessmen (if applicable), on actual cost basis. 	Removal /relocation assistance
Loss of wages by small business enterprises employees	Income reduced during period of readjustment	Employees of SBEs	<ul style="list-style-type: none"> One-time financial assistance to hired labour equivalent to 30 days wages to be computed at local wage rates for various cadres Family workers in small business enterprises are not eligible, as they have already been covered by income assistance for loss of business by shop/SBE owners. 	Short-term compensation for loss of income.
Loss of income by mobile roadside vendors/SBE	Business affected temporarily during road construction.	Mobile SBE operators on footpaths/roadside.	<ul style="list-style-type: none"> Financial assistance of Rs 1,500 lump sum (or @ Rs. 500 per month for a maximum of 3 months). 	Short-term compensation for loss of income.
C. Loss of Residential/Community Property (Whether or not land is legally occupied) applicable to both FATA and NWFP				
Loss of residential structures and commercial structures by owners	Land on which property stands purchased or reclaimed for road purposes	Owners of the structure	<ul style="list-style-type: none"> Cash compensation for loss of built-up structures at full replacement costs Owners of affected structures will be allowed to take/reuse their salvageable materials for rebuilding/rehabilitation of structure. In case of relocation, transfer allowance to cover cost of shifting (transport plus loading/unloading) the effects and materials will be paid on actual cost basis or on current market rates. 	Restoration of residence / shop.

Loss of residential structures by tenants (Renters)		Renters of house	<ul style="list-style-type: none"> • One time cash assistance equivalent to 2 months rent moving to alternate premise. • Transfer allowance to cover cost of shifting (transport plus loading/unloading) personal effects paid on actual cost basis or on current market rates. • Project to assist in identifying alternate accommodation of APs choice. 	Assistance to make alternative arrangements
Loss of cultural & community structures /facilities		School, mosque, water channels, pathways, and other community structures/installations	<ul style="list-style-type: none"> • Complete rehabilitation/restoration by the Project; or, • Cash compensation for restoring affected cultural/community structures and installations, to the recognized patron/custodian. 	Replacement /restoration of structure /facility
Unanticipated adverse impact due to project intervention or associated activity	The EA and project implementation authorities will deal with any unanticipated consequence of the project during and after project implementation in the light and spirit of the principle of the entitlement matrix.			

IV RELOCATION AND RESETTLEMENT

A. Scope of Displacement and Relocation

70. According to the census data, 140 (residential) and 85 (commercial) households, 14 community structures, 51 residential tenants and 536 roadside vendors would require relocation. Income restoration assistance will be paid for loss of income from business (owners/ renters of business) during the transitional phase, loss of wage income (employees, sharecroppers / tenants) and nominal financial assistance (Road-side vendors) for temporary disruption caused during the construction period.

B. Resettlement Options and Strategies

71. Based on consultation with the affected households the following resettlement options have been adopted. These are:

1. *Self-Relocation for Residential and Commercial Structures*

72. Affected households, who were losing residential and commercial structures are all legal titleholders. All these households have opted for voluntary “self-relocation” in nearby or existing villages as land was sufficiently available within a distance of 25 – 200 m to a maximum of 1 km from the original points. The affected households will receive the required support from the Project during the process of relocation and receive compensation for structure, shifting and income assistance to resettle and rehabilitate the household and their businesses.

73. The households losing rented accommodation will be assisted by the project to find alternate place to live. The project will also pay for the transfer allowance to cover cost of shifting personal effects paid on actual cost basis or on current market value.

2. *Relocation of Road-side vendors*

74. The affected road-side vendors, who operate from the ROW will be generally allowed to relocate on the edge of the available right-of-way land. In cases of congested intersections, where ROW land is likely to be fully utilized for better traffic flow and improvements, the vendors will be relocated laterally along the ROW. They are also entitled to cash assistance to support lost income due to relocation.

3. *Income Restoration Assistance*

75. Income restoration assistance will be provided to restore the economic status of all the affected persons during periods immediately after relocation. Adequate compensation will be paid before relocation to the APs who may suffer temporarily due to loss of working days/income and lost businesses caused by dislocation. It would also assist persons who lost employment in affected commercial structures/businesses.

- The owners of the commercial structures would receive cash compensation at replacement costs for the loss of their business premises, rental assistance of two months to carry out their businesses during the construction period, shifting assistance, one-time grant as income assistance equivalent to one month's income.
- The roadside mobile vendors would receive a nominal financial assistance for partial loss of income for a period of 3 months as they will be able to conduct their businesses even during the construction period as well as go back to their original points after road construction is over.
- Similarly, sharecroppers losing agricultural land will also receive partial / share in compensation and cash for loss of crops/trees at market value. Additionally, agricultural tenants / sharecroppers would also be paid a one-time grant for their temporary income losses.
- The employees in the businesses will also receive a one-time financial assistance of one month's wages computed at local wage rates for various cadres allowing them to find alternate employment during the transitional period.

C. Employment in Construction

76. Local people whose livelihood is impacted by the project will get preference in jobs associated with the project construction. The jobs, in the semi-skilled and unskilled category, shall be offered to the APs in preference to other people. A clause will be incorporated in the contract documents requiring contractors to give employment opportunities to project affected people having ID cards in preference to other persons.

D. Re-establishing Community Resources/Utilities

77. In addition to the losses of personal properties and assets, the project will also have impacts on common property resources like bus stops, sheds, mosques, etc. Through designs, provision of infrastructure, and other support mechanisms, the project will replace these lost assets.

V. IMPLEMENTATION

A. Disclosure and Community Participation

1. Disclosure of Resettlement Plan and Community Participation

78. The NHA will disclose this RP to Affected Persons immediately before the MRM. A summary of RP will be prepared specifically for this purpose and translated into simple Urdu language, and presented in the form of a brochure, to enable the local communities to read it by themselves and be aware of the Project's benefits and provisions available herein for various types of APs, as given in the "entitlement matrix". In addition, the Summary RP will be disclosed through the official websites by NHA and ADB.

79. Moreover, the RP will be made available to the concerned district governments and union councils and NHA field offices as an official public document. Furthermore, during project implementation, RSDC and NGOs will prepare and conduct Information and Community Consultation Program (ICCP) all along the Project roads. The main objectives are to:

- (a) Inform and explain the entitlement policy and various options to the affected people (APs) prior to payments of compensation and other financial assistance; and
- (b) socially prepare the affected persons, particularly house-owners and shop/SBE owner-operators for relocation.
- (c) Help counter rumors and prevent unnecessary distress;
- (d) Bring clarity on issues that might be raised by the affected persons, including the affected households and shops/SBE about their entitlements and benefits through question-and-answer sessions;
- (e) Solicit help from the local community/business leaders and encourage their participation in RP implementation; and
- (f) Attempt to ensure that vulnerable groups understand the process and their needs are specifically taken into consideration.

80. Finally, participation of project-affected people is also ensured through their involvement in various local committees such as Resettlement Advisory Committees (RACs) and Grievances Redress Committees (GRCs). The NHA field offices and RSDCs will establish and continuously maintain an ongoing interaction with the APs and communities to identify problems and undertake remedial/corrective actions.

B. Institutional Arrangements

1. Overall Organization

81. NHA will be the executing agency (EA) for this Project. A Project Directorate, headed by a Project Director, will be established in NHA Regional Office in Peshawar, which will be responsible for the overall execution of the Project. The PD will recruit and appoint local NGO/s as required for resettlement activities¹⁶. The EA will depute an Executive Engineer level officer as the Deputy Director, Resettlement and Social Development Cell (DD/RSDC), in charge of the land acquisition and resettlement operations, who will report to the Project Director. He/she will work in close coordination with the respective field-based offices and Project NGO/s on the day-to-day activities of the resettlement plan implementation.

¹⁶ TORs for Project NGO for RP implementation are provided in **Appendix – E**.

82. The DD through the field offices, District Land Acquisition Collector/s (LACs) in NWFP and the Political Agents (PA) in FATA, and Project NGO will execute and monitor the progress of the work. He will ensure coordination between the relevant departments, NGO, the Grievance Redress Committee (GRC) and the Project's affected people (APs). In addition, the Project Directorate will establish road safety, environment and social assessment units that will also be responsible for periodic internal monitoring and evaluation of the Project activities, including RP implementation.

1. Land Acquisition and Resettlement Organization

83. NHA has access to qualified and experienced field staff who will verify and revise the data on affected lands and structures/assets presented herein after the revision/finalization of the road designs. However, they will need to be provided with an initial orientation and short training in ADB resettlement policy and practice. For new land acquisition, they will conduct preliminary surveys of the lands to be acquired with initial assessment of the compensation amount and prepare a requisition to be submitted along with the total assessed amount of compensation, to the Revenue Department / LACs for acquisition in NWFP districts. For FATA region, NHA would be responsible for carrying out the preliminary surveys and preparing an assessment of the compensation amount.

84. The LACs are formally responsible for acquiring the identified land/s from the respective landowners and paying the due compensation money to the affected landowners and tenants, according to procedures laid down in LA Act, 1894 and the Entitlement Matrix (Table 4). Once acquired and the compensation paid to the APs, LACs will hand over possession of the acquired lands to NHA for utilization in the road construction.

85. Thus, as far as the land acquisition part of the RP is concerned, there exists a well-organized system and time-tested process in Pakistan. However, with respect to other resettlement-related activities, the government officials (LAC/PA) lack the necessary know-how, as there exists so far no formal resettlement policy¹⁷. Accordingly, NHA has no institutional mechanisms for resettlement planning, implementation and monitoring & evaluation within the present organizational set-up. Thus, the Project will have to depend mainly on external technical assistance for implementing the resettlement-related activities, side by side with their internal institutional capacity building in their Department for future self-sufficiency. This will be done by hiring the following additional expertise:

- (a) A Resettlement Specialist will be provided in the team of Project Supervision Consultants to provide technical assistance in resettlement planning, implementation and internal monitoring and evaluation;
- (b) A local NGO will be hired to provide on-site assistance to the Project's field staff and LACs in implementing this RP as well as future RP/s under the Sector Project; and
- (c) A Local Panel of Experts will be hired to conduct periodic monitoring and evaluation of implementation of the RP activities.

3. Staff Training in Resettlement Management

86. All concerned staff at the headquarters and in the field offices related to the Project's land acquisition and resettlement activities, including DD/RSDC, Revenue Department officials and NGO staff will undergo a week-long orientation and training in resettlement policy and management. The same training sessions will be repeated in field, by grouping the adjacent districts for convenience of the field staff. The ADB Handbook on Involuntary Resettlement will be provided to all the participants, and training will focus on issues concerning:

- (a) Principles and procedures of land acquisition;
- (b) Public consultation and participation;

- (c) Entitlements and compensation & assistance disbursement mechanisms;
- (d) Grievance redressal; and
- (e) Monitoring of resettlement operations.

4. Grievances Redress Committees

87. Various provisions under the Land Acquisition Act (1894) enable aggrieved “interested persons” (APs) at different stages of the land acquisition process to represent their cases to the Land Acquisition Collector (LAC) or even refer to the court of law for redressal and seek higher rate of compensation. However, the major grievances that might require mitigations include:

- (a) APs not enlisted;
- (b) Losses not identified correctly;
- (c) Compensation/assistance inadequate or not as per entitlement matrix;
- (d) Dispute about ownership;
- (e) Delay in disbursement of compensation/assistance; and
- (f) Improper distribution of compensation/assistance in case of joint ownership.

88. Thus, the main objective of the grievance redressal procedure will be to provide a mechanism to mediate conflict and cut down on lengthy litigation, which often delays such infrastructure projects. It will also provide people who might have objections or concerns about their assistance, a public forum to raise their objections and through conflict resolution, address these issues adequately.

89. The project will establish a Grievance Redressal Committee for each contract, headed by the District LAC in NWFP and by Assistant Political Agent in FATA, with two or three local councilors or Malaks (FATA) including at least one women councilor, local NGO/CBO and officials of NHA. The DD/RSDC or his nominee, a field-based Assistant Engineer will be the member-secretary of the committee and shall act as the Project's Grievance Officer. GRC will meet at least once a month and the decision of GRC would be final. The Committee shall deliver its decision within four to six (4-6) weeks of registration of the case. The functions of the Grievance Redressal Committee shall be to:

- (a) Provide support to APs on problems arising out of their land/property acquisition and/or eviction from the road ROW land;
- (b) Record the grievance of the APs, categorize and prioritize the grievances that need to be resolved by the Committee; and
- (c) Report to the aggrieved parties about the developments regarding their grievances and the decision of the Project authorities.

5. Land Value Assessment Committee

90. NHA will establish a Land Value Assessment Committee (LAVC) with representatives from NHA in the rank of Executive engineer, District/Tehsil Land Revenue office, representatives from APs, local government, Village leader and a lawyer dealing with land disputes and implementing NGO to assess market/replacement value of lost assets. The committee will carry out land market surveys, consultation with APs and review current (last 2 years) sale and purchase of land to determine the replacement value.

6. Resettlement Advisory Committee

91. The Resettlement Advisory Committee will be established to encourage local participation, ensure full transparency and accountability regarding the resettlement program and people's entitlements, and safeguard the rights of the most vulnerable people affected by

the Project. The RAC will comprise of representatives from the Land revenue Department (Chairman), APs, NGO, Project Director -NHA / WSD, Land acquisition Collector or political Agent / FATA and three elected MNAs / MPAs with at least one women member among them. The DD/RSDC or his nominee, a field-based Assistant Engineer will be the member-secretary of the committee. The committee will provide coordinating nodes for land acquisition and compensation, relocation, and resettlement, and assist the APs all possible ways to minimize disruption and hardship during relocation. The committee will meet at a regular interval (at least once a month) to review the progress of RP implementation. Implementation Schedule and Budget

92. As shown in Table 17 the total estimated cost for land acquisition and resettlement is expected to be in the amount of PRs. 961.71 million (\$ 16.73 million) for the NHA component of the project. The replacement cost of land and structure is based on current market price. The market value was assessed on the basis of recent transactions, sale and purchase of lands and assets recorded along each of the project roads, consultation with local people as in most cases transactions are verbal and not documented, consultation with local real estate agents, revenue department and the Affected persons. The NHA is committed to set aside and provide this amount in an efficient and timely manner during the course of the project.

Table 5.1. Detailed Cost Estimates for RP Implementation (in Pak. Rupees & US\$)

No.	Resettlement Activity	Units	Rate (Rs)	Pak. Rs.	US \$
1	Tribal Commission (P-T Road in FATA)	Rs. 4 billion	6.25%	250,000,000	4,347,826
2	Compensation for Affected Land (MJ-SG)	246.3 ha	1,750,128	431,056,550	7,496,636
3	Compulsory Acquisition Surcharge (CAS)	246.3 ha	15% of #2	64,658,483	1,124,495
4	Compensation for Crop Damage	107.6 ha	37,535	4,038,735	70,239
5	Compensation for Fruit Trees	415 No.	11,595	4,812,000	83,687
6	Compensation for Wood Trees	1775 No.	1,507	2,675,200	46,525
7	Compensation for Structures	239 No.	248,384	59,363,700	1,032,412
8	Financial Assistance - Structure-SBEs	85 No.	4,706	400,000	6,957
9	Financial Assistance – Employees	307 No.	1,500	460,500	8,009
10	Financial Assistance - Vender-SBEs	536 No.	1,558	804,000	13,983
Sub-Total (a):		-	-	818,269,168	14,230,768
11	Hiring of NGO for Resettlement	-	-	8,000,000	139,130
12	Field Staff Training & Equipment	-	-	3,000,000	52,174
13	Monitoring Panel of Experts	-	-	4,000,000	69,565
14	Short-Term Consultants	-	-	3,000,000	52,174
Sub-Total (b):		-	-	18,000,000	313,043
Program Total (a+b):		-	-	836,269,168	14,543,812
15	Contingencies (15% of Program Costs)	-	-	125,440,375	2,181,572
TOTAL COST:		-	-	961,709,543	16,725,383

Exchange Rate: PRs. 57.50 to US\$ 1.00.

93. NHA will set aside the estimated budgeted amount of PRs. 961.71 million (\$ 16.73 million) for implementation of this RP. In addition, it will play an active leading role in:

- (a) Assuring that the amounts of money assessed and finally approved for compensation and financial assistance are paid to the genuine APs, well in advance to:
 - actual possession of land and/or clearing of ROW, and
 - award of contracts for the civil works under this Project.
- (a) Hiring and managing NGO/Consultants for providing technical assistance in RP implementation.
- (b) Making necessary arrangements for and assuring active participation of all the concerned officials and field staff in the training courses on the Resettlement Policy and Practices and/or RP Implementation. They will include:
 - RSDC under NHA;
 - Land Revenue Department in Peshawar;
 - District LACs or FATA Political Agents (PA) and their field staff; and
 - Project NGO/s.

C. Process of RP Implementation

94. The Resettlement Plans will be implemented from the fourth quarter of 2004 to the end of 2005. NHA will initiate some advance actions such as the establishment of the Project Directorate, RSDC, identification resettlement staff for the headquarters and the field offices, formation of RACs, GRCs, and hiring of NGO for resettlement implementation following loan negotiations. The project will provide adequate advance notification to the APs and will pay their due resettlement benefits, including relocation and income restoration/assistance prior to start of construction work. All activities related to land acquisition and resettlement will be completed prior to award of civil works contract.

1. Land Acquisition

95. The NHA will soon initiate the process of land acquisition for the proposed widening of their respective roads. Although land acquisition is a complex and lengthy process in Pakistan, it is expected to formalize the acquisition quickly due to a narrow strip of land required and priority given to the Project by the government. Generally, the process of land acquisition in Pakistan takes about a year, as shown in the table below.

Table 5.2. General Timeframe for Land Acquisition in Pakistan

Step	LA Process	Agency Responsible	Timeline
1	LA Proposal to Revenue Department; with brief description of the Project – scope of land acquisition, location.	EA (NHA)	Week 1-2
2	Publication of Notice expressing the intend to acquire the land under Section 4 of LAA	Revenue Department (Each District LAC)	Week 3-4
3	Field survey, inventory of assets affected	Revenue Department	Week 5-20
4	Declaration under Section 6 notification	Revenue Department	Week 21-22
5	Dispute/Objections (Grievance Redressal)	Aggrieved parties	Week 25-26

Step	LA Process	Agency Responsible	Timeline
6	Compensation assessment & award preparation	Revenue Department	Week 23-24
7	Possession of land, marking, clearance	Revenue Department	Week 23-52
8	Disbursement of compensation cheques	Revenue Department	Week 23-52
Land acquisition to be completed in a total of 52 weeks (One Year)			

96. The land-strips required for widening of the Project roads will be acquired under normal land acquisition procedures laid down in the Land Acquisition Act, 1894 (amended), specifically in its Sections 4, 5 and 6 for NWFP and as per the tribal commission in FATA.

97. Compensation for the acquired lands and other affected assets will be assessed by the Land Acquisition Collectors (LAC) in consultation with APs. The compensation for land, structures and other assets will be compensated at replacement cost. If the replacement value assessed by the Land Value Assessment Committee is more than that the LAC's rate, the difference will be paid by the project to the affected persons in the form of assistance.

98. The total amount assessed will be deposited by NHA to LACs of the respective districts or Political Agent of the concerned FATA agency, who will then make payment of compensation money to the entitled APs, soon after the notice of award under Section 6 of the LA Act. Then, the LACs / Political Agent will take possession of the acquired lands and hand over to NHA, respectively, for starting construction works (improvements and widening) of the Project awards. Payment of compensation will be made at least 30 days (one month) prior to the actual possession of the acquired lands. No land will be possessed without full payment of due compensations to the affected landowners and their tenants. 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.

99. The various activities involved in the process of land acquisition, roles and responsibilities and an approximate time-frame for carrying out these activities are presented in table below. It should be noted that normally, the whole process of land acquisition may take about a year.

Table 5.3. Land Acquisition - RP Activities, Responsibilities and Timeframe

No.	RP Activity (Land Acquisition & Resettlement)	Group Responsible		2004		2005			
		Primary	Secondary	III	IV	I	II	III	IV
1	RP Disclosure – Brochure Distribution	PD	RSDC						
2.	Preparation of updated RP –Detailed design								
3	Disclosure of Updated RP								
4.	Review Census/Inventory & Rates / Issuance of ID cards	RSDC	Engineers						
5	Preparation/Submission of Requisition	RSDC	Engineers						
6	Transfer of Funds to District LACs/PAs	PD	LAC/PA						
7	Preliminary Notification – LAA Section-4	LAC/PA	RSDC						
8	Land Survey – Size of Land of each AP	LAC/PA	RSDC						

No.	RP Activity (Land Acquisition & Resettlement)	Group Responsible		2004		2005			
		Primary	Secondary	III	IV	I	II	III	IV
9	Detailed Compensation Assessment	LAC/PA	RSDC						
10	AP Consultations & Re-adjustments	LAC/PA	RSDC/NGO						
11	Grievance Redressal / Law Suites	GRCs/ Court	RSDC/NGO				X		
12	Preparation of Compensation Awards	LAC/PA	RSDC						
13	Final Notification – LAA Section-6	LACs	RSDC						
14	Disbursement - Compensation Cheques	LAC/PA	RSDC/NGO						
15	Possession of Land from Landowners	LAC/PA	RSDC						
16	Hand-over of Land to NHA	LAC/PA	RSDC/PD						
17	Award of Contract for Construction	PD	Contractor						
18	Construction Civil Work Get Started	Contractor	PD						From beginning of 2006

2. Clearing of "Active" ROW from Structures/Assets

100. Payment of compensation for other losses such as the documented structures (houses, shops, fruit orchards, etc.), assistance for restoration of houses, shops/SBEs, employment, income loss, etc. will be paid directly by the RSDC of NHA for the project roads. A local non-government organization (NGO) will be hired jointly by NHA to assist in the RP implementation process. The NHA will establish and announce the cut-off-date based on the date of census for the different roads and eligibility criteria to the affected persons. The APs of affected structures/assets (houses, shops/SBEs, orchards, etc., if any) will be paid their due compensations at least three months (90 days) prior to demolition of the structures from the corridor of impact or formation-width of the Project roads. This time will allow them to dismantle and remove all salvageable material for rebuilding of houses and re-establishment of businesses. However, NHA reserve the right of demolishing such unauthorized structures without paying any compensation simply by serving a notice of eviction for a maximum of two weeks, provided it gets established that those structures were constructed on the active ROW after the "cut-off" date.¹⁷ Any grievances and objections will be referred to the Grievances Redress Committee (GRC).

101. The following table presents a summary process of clearing of "active" ROW land of the affected structures/assets of the encroachers and squatters, in terms the RP activities involved, roles and responsibilities and an approximate time-frame. Efforts will be made to complete the whole process in about a year time, a margin of additional six months is being provided herein to make provisions for any unforeseen situations or circumstances that may arise during the RP implementation process.

¹⁷ The date of census will be the cut-off-date (Jan – March 2004)

Table 5.4. Clearing of Active ROW - RP Activities, Responsibilities and Time-Frame

No.	RP Activities (Clearing of Structures/Assets)	Group Responsible		2004		2005			
		Primary	Secondary	III	IV	I	II	III	IV
1	RP Disclosure - Brochure Distribution	PD	RSDC						
2	Verification/Revision of Census List / Issuance of ID cards.	RSDC	Engineers						
3	Preliminary Assessment - Compensation/Assistance	RSDC	Engineers						
4	AP Consultations & Re-adjustments	RSDC	NGO						
5	Planning of Relocation Activities	RSDC	NGO						
6	Finalization - Compensation/Assistance Awards for all APs (All Project Roads)	LAC/PA	NGO						
7	Grievance Redressal/Law Suites	GRC/Court	NGO						
8	Distribution of relocation Notices to APs	PD	RSDC						
9	Disbursement of Cheques - Compensation/Assistance	RSDC	NGO						
10	Demolishing/Relocation of Affected Structures/Assets	RSDC	NGO						
11	Award of Contracts for Construction	PD	Contractor						
12	Construction Civil Work Get Started	Contractor	PD						

VI. MONITORING AND EVALUATION

A. Introduction

102. Monitoring & Evaluation are critical activities in involuntary resettlement. 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. RP implementation will be monitored both internally and externally.

103. The NHA Project Directorate through their RSDC and NGO will be responsible for internal monitoring through their field level offices and will prepare monthly reports on the progress of RP implementation. In addition, Project Supervision Consultants (PSC) will have a full-time Resettlement Specialist to provide necessary technical assistance and monitor the RP implementation and will report on a quarterly basis to NHA and ADB on the progress of resettlement activities. A panel of local experts (three members), who will be engaged jointly by both the EAs (NHA and WSD) will conduct independent bi-annual review of resettlement implementation.

B. Internal Monitoring

104. The RP includes indicators and benchmarks for achievement of the objectives under the resettlement program, which can be categorized as follows:

- (a) Process indicators, which include project inputs, expenditures, staff deployments, etc.;
- (b) Output indicators are results in terms of numbers of affected persons compensated and resettled, incomes restored, additional assistance provided etc; and
- (c) Impact indicators related to the long-term effect of the project on people's lives in the project-affected area.

105. The first two types of indicators, related to process and immediate outputs and results, will be monitored internally by RSDC. This information will be collected from the project site and assimilated in the form of a monthly progress report to assess the progress and results of RP implementation, and adjust the work program, where necessary, in case of any delays or problems. Specific activities under RP implementation that will be monitored are the following:

- (a) Information campaign and consultation with APs;
- (b) Status of land acquisition and payments on land compensation;
- (c) Compensation for affected structures (SBEs, etc.) and other assets;
- (d) Relocation of APs;
- (e) Payments for loss of income; and
- (f) Income restoration activities

106. Field offices of both the RSDC will be responsible for monitoring the day-to-day resettlement activities of the project. Baseline socio-economic census and the land acquisition data provide the necessary benchmark for field level monitoring. Field level monitoring will be carried out through:

- (a) review of census information for all APs;
- (b) consultation and informal interviews with APs;
- (c) in-depth case studies;
- (d) informal sample survey of APs;
- (e) key informant interviews; and
- (f) community public meetings.

107. A performance data sheet will be developed to monitor the project at the field level. Quarterly reports will be received from the field offices and RSDC will be responsible for overall project level monitoring. Also, the PSC Resettlement Consultant will monitor the RP implementation and will report on a quarterly basis to NHA and ADB on the progress of all aspects of resettlement activities.

C. External Monitoring

108. As mentioned earlier, a panel of local experts¹⁸ will be engaged to carry out monitoring and evaluation of the RP implementation. Independent evaluations will be undertaken twice annually through out implementation of the Project. The team of experts will be selected jointly by the NHA Project Directorate, with advice and concurrence of ADB on the experts selected.

109. The work of the panel of experts will start from the third quarter of the year 2004. The team of experts will review the status of the Resettlement implementation in light of the targets, budget and duration that had been laid down in the Resettlement plan. The key tasks during external monitoring include:

- (a) Review and verify internal monitoring reports prepared by RSDC and its field offices;
- (b) Review of the socio-economic baseline census information of pre-displaced persons;
- (c) Identification and selection of impact indicators;
- (d) Impact assessment through formal and informal surveys with the affected persons;
- (e) Consultation with APs, officials, community leaders for preparing review report; and
- (f) Assess the resettlement efficiency, effectiveness, impact and sustainability, drawing lessons for future resettlement policy formulation and planning.

110. Monitoring will also pay close attention to the status of project affected vulnerable groups such as female-headed households, disabled/elderly and economically backward families (i.e., below poverty line). The following will be considered as the basis for indicators in monitoring and evaluation of the project:

- (a) Socio-economic conditions of the APs in the post-resettlement period;
- (b) Communications and reactions from APs on entitlements, compensation, options, alternative developments and relocation timetables etc.;
- (c) Changes in housing and income levels;
- (d) Rehabilitation of SBEs and informal settlers;
- (e) Valuation of property;
- (f) Grievance procedures;
- (g) Disbursement of compensation; and
- (h) Level of satisfaction of APs in the post resettlement period.

D. Resettlement Databank

111. All information concerning resettlement issues related to land acquisition, socio-economic information of the acquired land and affected structures (SBEs, etc.); inventory of losses by individual APs, compensation and entitlements, payments and relocation will be collected by the respective RSDC and NGOs through their concerned field offices and computerized by the DD/RSDC office in Peshawar. This databank will form the basis of information for implementation, monitoring and reporting purposes and facilitate efficient resettlement management.

¹⁸ TORs for Local Panel of Experts for M&E are provided in **Appendix – F**.

112. The panel of experts will maintain an independent database that is compatible to the database system of the Project.

E. Reporting Requirements

113. The RSDC responsible for supervision and implementation of RP will prepare monthly progress reports on resettlement activities and submit to the ADB for review. PSC will also monitor RP implementation and submit quarterly reports to NHA and ADB. The panel of experts will submit bi-annual review directly to ADB and determine whether or not resettlement goals have been achieved, more importantly whether livelihoods and living standards have been restored/enhanced and suggest suitable recommendations for improvement.

Appendix – A. List of Affected Persons by Structures Affected

KM#	Name of Place	AP#	Name of AP	NIC No.	Father's Name	Structure
N2 Peshawar - Torkham Road:						
1	Said Wali Koruna	1	Zamin Sher		Mohammad	House
1	Mohammad Amin Haji	2	Mohammad Jan	17301-1516874-9	Wazir	House
1	Mohammad Amin Haji	3	Mohammad Hussain		Wazir	House
1	Mohammad Amin Haji	4	Mohammad Shafi		Mohammad Jan	House
1	Mohammad Amin Haji	5	Mohammad Umar		Wazir	House
3	Chawariza	6	Samar Gul	(Village Elder)		House
9	Sur Kambar	7	Shamir Haji			House
9	Sur Kambar	8	Gulab Din			House
9	Thorekhel	9	Yasin Khan		Maez Khan	Small Shop
9	Sur Kambar	10	Samar Gul		Kashkol	House
13	Rekalai (Bigyarai)	11	Almar Khan		Gul Rahman	House
19	Faridkhel (Lala China	12	Aurangzeb			House
19	Faridkhel (Lala China	13	Haji Ameer Khan			House
20	Sherikhel (Gora Adhir)	14	Shamshad		Khalifa	House
20	Sherikhel (Gora Adhir)	15	Sultan		Mumtaz	House
20	Sherikhel (Gora Adhir)	16	Zar Mohammad		Sultan	House
20	Sherikhel (Gora Adhir)	17	Khaista Khan	21202-1386211-7	Mir Andas Khan	House
20	Sherikhel (Gora Adhir)	18	Arbab Khan	21202-1471616-7	Mir Andas Khan	House
20	Sherikhel (Gora Adhir)	19	Enayat Khan	21202-4498057-9	Mir Andas Khan	House
20	Sherikhel (Gora Adhir)	20	Haji Dil Mohammad	140-44-139483	Sahib Shah	House

KM#	Name of Place	AP#	Name of AP	NIC No.	Father's Name	Structure
20	Sherikhel (Gora Adhir)	21	Zabita Khan		Sahib Shah	House
20	Sherikhel (Gora Adhir)	22	Stana Khan	21202-4623487-3	Sahib Shah	House
20	Sherikhel (Gora Adhir)	23	Gulab	140-58-027215	Sahib Shah	House
20	Sherikhel (Gora Adhir)	24	Naranj	140-55-051769	Sahib Shah	House
20	Sherikhel (Gora Adhir)	25	Haji Quwwat Khan	140-48-045450	Atta Khan	House
20	Sherikhel (Gora Adhir)	26	Wilayat Khan	21202-5090549-1	Atta Khan	House
20	Sherikhel (Gora Adhir)	27	Pakistan	21202-4884131-1	Atta Khan	House
20	Sherikhel (Gora Adhir)	28	Khyber Khan	21202-3275777-1	Balakh Khan	House
20	Sherikhel (Gora Adhir)	29	Lal Bagh	21202-9039486-5	Balakh Khan	House
20	Sherikhel (Gora Adhir)	30	Aurangzeb		Balakh Khan	House
20	Sherikhel (Gora Adhir)	31	Sanbal Khan	21202-5646146-9	Haji Patang Khan	House
20	Sherikhel (Gora Adhir)	32	Khaista Bagh	21202-3893840-9	Haji Patang Khan	House
20	Sherikhel (Gora Adhir)	33	Mir Alam Jan	21202-0314889-5	Haji Patang Khan	House
20	Sherikhel (Gora Adhir)	34	Sher Din	21202-6525937-7	Gul Abbas	House
20	Sherikhel (Gora Adhir)	35	Abdul Zahir		Azmaray	House
20	Sherikhel (Gora Adhir)	36	Khairmat Khan		Minadad	House
20	Sherikhel (Gora Adhir)	37	Gulab Jan	140-89-107325	Miray	House
20	Sherikhel (Gora Adhir)	38	Zainullah		Balbab	House
20	Sherikhel (Gora Adhir)	39	Bakhwal Jan	21202-1345005-9	Balbab	House
20	Sherikhel (Gora Adhir)	40	Zaheerullah		Sanbal Khan	House
20	Sherikhel (Gora Adhir)	41	Khan Ahmad		Khan Mast	House
20	Sherikhel (Gora Adhir)	42	Haji Madad Khan		Painda Khan	House
20	Sherikhel (Gora Adhir)	43	Shah Khan		Miram Khan	House

KM#	Name of Place	AP#	Name of AP	NIC No.	Father's Name	Structure
20	Sherikhel (Gora Adhir)	44	Shah Wali		Said Bain	House
20	Sherikhel (Gora Adhir)	45	Fateh Jan		Shah Wali	House
20	Sherikhel (Gora Adhir)	46	Shah Wali	140-43-055225	Sahib Din	House
20	Sherikhel (Gora Adhir)	47	Shoaib Khan	21202-9524410-7	Noor Rahman	House
20	Sherikhel (Gora Adhir)	48	Mast Yaar Khan	21202-3690774-1	Shoaib Khan	House
20	Sherikhel (Gora Adhir)	49	Aftab	21202-7751033-5	Shoaib Khan	House
20	Sherikhel (Gora Adhir)	50	Arbab Khan	140-55-039427	Lal Badshah	House
20	Sherikhel (Gora Adhir)	51	Pakistan		Haji Mian Baz	House
20	Sherikhel (Gora Adhir)	52	Jamal Gul	21202-1810426-9	Paus Khan	House
20	Sherikhel (Gora Adhir)	53	Attabad	21202-7202553-7	Paus Khan	House
20	Sherikhel (Gora Adhir)	54	German	140-63-077409	Paus Khan	House
20	Sherikhel (Gora Adhir)	55	Bakht Raz	21202-7118003-7	Attabad	House
20	Sherikhel (Gora Adhir)	56	Za'fran	140-49-653181	Saeed Khan	House
20	Sherikhel (Gora Adhir)	57	Sailu Khan	140-71-161361	Sher Raza	House
20	Sherikhel (Gora Adhir)	58	Samar Jan	21202-6799163-3	Lal Jan	House
20	Sherikhel (Gora Adhir)	59	Haji Hayat Gul	140-80-184558	Lal Jan	House
20	Sherikhel (Gora Adhir)	60	Habib		Lal Jan	House
20	Sherikhel (Gora Adhir)	61	Sher Abbas	140-43-075138	Jannat Noor	House
20	Sherikhel (Gora Adhir)	62	Hazrat Abbas	21202-2048197-7	Sher Abbas	House
20	Sherikhel (Gora Adhir)	63	Akhtar Baz	140-55-029693	Leshadar	House
20	Sherikhel (Gora Adhir)	64	Jumma Khan	21202-852392-9	Leshadar	House
20	Sherikhel (Gora Adhir)	65	Pasinay Khan		Jannat Noor	House
20	Sherikhel (Gora Adhir)	66	Sher Jan		Pasinay Khan	House

KM#	Name of Place	AP#	Name of AP	NIC No.	Father's Name	Structure
20	Sherikhel (Gora Adhir)	67	Rais Khan		Sawat Khan	House
20	Sherikhel (Gora Adhir)	68	Mian Khel	21202-2843486-5	Ajab Khan	House
20	Sherikhel (Gora Adhir)	69	Jumma Khel	21202-6904180-9	Mian Khel	House
20	Sherikhel (Gora Adhir)	70	Saiful Khan	21202-6468173-7	Nura Din	House
20	Sherikhel (Gora Adhir)	71	Raya Gul		Saiful Khan	House
20	Sherikhel (Gora Adhir)	72	Kaptaan		Amin Jan	House
20	Sherikhel (Gora Adhir)	73	Amin Jan		Kokai	House
20	Sherikhel (Gora Adhir)	74	M. Abdul Qadeem			House
20	Sherikhel (Gora Adhir)	75	Haji G. M. Khan		Noor Shad Khan	PetrolStation
20	Sherikhel (Gora Adhir)	76	Haji Abbas Ali	(Patron)	Malkay Khan	Village BHU
20	Sherikhel (Gora Adhir)	77	Mani Gul		Sher Hussain	Warehouse
20	Sherikhel (Gora Adhir)	78	Abbas Ali		Malkay Khan	Warehouse
20	Sherikhel (Gora Adhir)	79	Shah Hussain		Noor Shah	Warehouse
20	Sherikhel (Gora Adhir)	80	Mughal Jan		Sadat Khan	Warehouse
20	Sherikhel (Gora Adhir)	81	Mast Yaar		Shoaib Khan	Warehouse
20	Sherikhel (Gora Adhir)	82	Rab Nawaz		Mir Bacha	Warehouse
20	Sherikhel (Gora Adhir)	83	Said Khan		Sadat Khan	Warehouse
20	Ali Masjid	84	Manogai	140-51-025846	Maasam Khan	Shop
20	Ali Masjid	85	Abdul Jalal	(Patron/Imam)	Hakeem Khan	Mosque
22	Kata Kushta	86	Sher Aslam		Habib	House
22	Kata Kushta	87	Haji Abdul		Ghulam Habib	House
22	Kata Kushta	88	Haji Bashir Ahmad	21202-7002312-3	Sarwar Khan	House
22	Kata Kushta	89	Fazal Kabeer		Fateh Khan	House

KM#	Name of Place	AP#	Name of AP	NIC No.	Father's Name	Structure
23	Kata Kushta	90	Haji Jangrez		Aziz Khan	House
23	Kata Kushta	91	Haji Nawaz	21202-7859046-5	Haji Jangrez	House
23	Kata Kushta	92	Haji Durrani		Haji Jangrez	House
23	Kata Kushta	93	Hazrat Nabi		Haji Jangrez	House
23	Kata Kushta	94	Bahadar		Haji Jangrez	House
23	Kata Kushta	95	Batoor		Haji Jangrez	House
23	Kata Kushta	96	Radool		Hasham Khan	House
23	Kata Kushta	97	Shah Faisal		Hasham Khan	House
23	Kata Kushta	98	Naeem		Hasham Khan	House
23	Kata Kushta	99	Mujib-ur-Rahman		Hasham Khan	House
23	Kata Kushta	100	Hairan Gul		Turab Khan	House
23	Kata Kushta	101	Khanan Gul		Turab Khan	House
23	Kata Kushta	102	Shabirullah		Turab Khan	House
23	Kata Kushta	103	Iqbal		Haji Haider Khan	House
23	Kata Kushta	104	Jamal Gul		Duran Gul	House
23	Kata Kushta	105	Khan Askar		Gul Aksar	House
23	Kata Kushta	106	Rahmatullah		Gul Aksar	House
23	Kata Kushta	107	Mohammad Askar		Gul Aksar	House
23	Kata Kushta	108	Amanatullah		Mullah Abdullah	House
23	Kata Kushta	109	Shahid		Gul Hameed	House
23	Kata Kushta	110	Zahtullah	21202-6191140-91	Mullah Abdullah	House
23	Kata Kushta	111	Usmanullah		Mullah Abdullah	House
23	Kata Kushta	112	Zahtullah	(Patron)	Mullah Abdullah	Village Hujra

KM#	Name of Place	AP#	Name of AP	NIC No.	Father's Name	Structure
26	Gurgura	113	Haji Nasrullah		Haji Naeemullah	House
26	Rahmatullah Kilay	114	Asmatullah		Sharifullah	House
26	Rahmatullah Kilay	115	Rafiqullah		Haji Gharibullah	House
26	Rahmatullah Kilay	116	Ihsanullah		Haji Gharibullah	House
26	Rahmatullah Kilay	117	Haji Sharifullah		Haji Rahmatullah	House
26	Rahmatullah Kilay	118	Malik Rahmatullah	(Village Elder)	Qalandar Shah	House
26	Rahmatullah Kilay	119	Malik Asmatullah		Qalandar Shah	House
26	Rahmatullah Kilay	120	Shaukat		Hazratullah	House
26	Rahmatullah Kilay	121	Haji Muhibbullah		Haji Gharibullah	House
26	Rahmatullah Kilay	122	Arifullah		Haji Rahmatullah	House
26	Rahmatullah Kilay	123	Hidayatullah		Haji Rahmatullah	House
26	Rahmatullah Kilay	124	Ashrafullah		Hazratullah	House
26	Rahmatullah Kilay	125	Faridullah		Hazratullah	House
26	Rahmatullah Kilay	126	Subhaan		Sharifullah	House

N3 Malana Junction - Sarai Gambila Road:

1	Basti Sayedabad	1	Zulfiqar	12101-6739567-3	Mauladad	House
1	Basti Sayedabad	2	Mohammad Hashim	12101-2820996-3	Ghulam Abbas	House
1	Basti Sayedabad	3	Nazir	149-93-079128	Mauladad	House
1	Basti Sayedabad	4	Gul Mohammad	12101-8710313-1	Mauladad	House
1	Basti Sayedabad	5	Ghulam Shabbir	12101-0926811-3	Mauladad	House
1	Basti Sayedabad	6	Khuda Bakhsh	12101-0981624-3	Ghulam Hussain	House
1	Basti Sayedabad	7	S. M. Rashid Shah	12101-4391537-7	Syed Allah Bakhsh	House
1	Basti Sayedabad	8	Fida Hussain	149-62-137703	Ghulam Qadir	Small Shop

KM#	Name of Place	AP#	Name of AP	NIC No.	Father's Name	Structure
1	Basti Sayedabad	9	Elahi Bakhsh	12101-0993695-1	Ghulam Qadir	House
1	Basti Sayedabad	10	Atta Mohammad	12101-0993527-7	Ghulam Qadir	Black Smith
1	Basti Sayedabad	11	Elahi Bakhsh	12101-0993695-1	Ghulam Qadir	Small Shop
1	Basti Sayedabad	12	Khuda Bakhsh	12101-0963671-3	Ghulam Qadir	Black Smith
1	Basti Sayedabad	13	Ghulam Raza		Ghulam Qadir	Abandoned
1	Basti Sayedabad	14	Ghulam Mohammad		Ghulam Qadir	Small Shop
1	Basti Sayedabad	15	Ramzan			Small Shop
1	Basti Sayedabad	16	Community	NA	NA	Mosque
1	Basti Sayedabad	17	Ghulam Mohammad	149-53-261175	Mohammad Ramzan	Small Shop
1	Basti Sayedabad	19	Majeed Abbas	12101-0935438-5	Sunharoo	Small Shop
1	Gulshan-e-Waheed	18	Ghulam Mohammad	149-48-137707	Ghulam Qadir	Small Shop
1	Gulshan-e-Waheed	20	Mulazim Hussain		Sarfaraz	Small Shop
1	Gulshan-e-Waheed	21	M. Zakariyya Khan		Ghulam Rasool	Small Shop
1	Gulshan-e-Waheed	22	Ramzan	42201-0330034-3	Allah Wasaya	Small Shop
1	Gulshan-e-Waheed	23	Hayat Khan	145-50-06058	Noor Khan	Small Shop
1	Gulshan-e-Waheed	24	Qamar Zaman		Bahawal	Small Shop
1	Gulshan-e-Waheed	25	Ramzan			Abandoned
1	Gulshan-e-Waheed	26	Allah Rakkha		Mehroo	Small Shop
2	Gulshan-e-Waheed	27	Umar Nawaz	155-49-073448	Sardar Khan	House
2	Swat Hotel	28	Karam Hussain Shah			Small Shop
2	Swat Hotel	29	Faiz Mohammad	149-47-301159	Mitha	Small Shop
2	Mauza Noon	30	Mohammad Farooq	12101-1179432-7	Khawaja Mohammad	Small Shop
2	Mauza Noon	31	Umar Dair		Rehmani Gul	Small Shop

KM#	Name of Place	AP#	Name of AP	NIC No.	Father's Name	Structure
2	Bhatti Town (Noon)	32	Murad Ali		Ghazi Khan	Abandoned
3	Mauza Noon	33	Elahi Bakhsh		Ghulam Hussain	Small Shop
3	Mauza Noon	34	Maqbool Bhatti			Abandoned
3	Quraishi Morr	35	Ramzan		Sabir	Small Shop
3	Quraishi Morr	36	Sattar Khan			Small Shop
3	Mauza Noon	37	Imam Bakhsh		Malik Bahadar	Small Shop
3	Mauza Noon	38	Azfar Ali		Ghulam Raza	House
3	Mauza Noon	39	Imdad Hussain		Khadim Hussain	House
14	Mauza Chah Faqir	40	Ghulam Siddique		Ghulam Rasool	Brick Kiln
20	Sagwa Wala Nallah	41	Community	NA	Mosque	Mosque
22	Faqirabad	42	Lal Umar Jan		Gul Zaman	Small Shop
22	Pusha Pul (Bridge)	43	Maj.(rtd) Qazi Masood		Qazi Enayatullah	PetrolStation
23	Pusha Pul (Bridge)	44	Ubaidullah		Haji Amanullah	PetrolStation
23	Pusha Pul (Bridge)	45	Mir Afgan		Hakeem Shah	House
23	Pusha Pul (Bridge)	46	Mangal Khan		Ghulam Haider	House
23	Pusha Pul (Bridge)	47	Community	NA	NA	Mosque
23	Pusha Pul (Bridge)	48	Nawab Khan		Ghulam Haider	House
24	Pusha Pul (Bridge)	49	Haji Mohammad Khan	12101-0956910-5	Said Khan	Small Shop
24	Pusha Pul (Bridge)	50	Lal Mohammad		Said Khan	Small Shop
24	Pusha Pul (Bridge)	51	Saiful Khan		Arif	Small Shop
24	Pusha Pul (Bridge)	52	Jumma Gul		Haji Mauladad	Small Shop
24	Pusha Pul (Bridge)	53	Aslam	518-56-257182	Jalad Khan	Small Shop
27	Pusha Pul (Bridge)	54	Yaqoob			House

KM#	Name of Place	AP#	Name of AP	NIC No.	Father's Name	Structure
27	Pusha Pul (Bridge)	55	Community	NA	NA	Mosque
36	Abu Samrah	56	Community	NA	NA	Mosque
41	Yarik	57	Ashiq Hussain		Allah Wasaya	House
41	Yarik	58	Community	NA	NA	Mosque
41	Yarik	59	Mohammad Hussain		Ghulam Sarwar	House
50	Giloti Adda	60	Community	NA	NA	Mosque
50	Giloti Adda	61	Inamullah		Zard Ali	Abandoned
50	Giloti Adda	62	Enayatullah		Kabir	Small Shop
50	Giloti Adda	63	Naseer Khan		Kabir	Small Shop
59	Chandah	64	Hafiz M. Nawaz	(Imam Masjid)	Haji Meer Baz	Mosque
60	Chandah	65	Nawaz Khan	(Relig. Teacher)	Mir Baz Khan	Madrassa
65	Pezu Mandi	66	Akbar Zaman		Gul Janan	Puncture Shop
65	Pezu Mandi	67	Misal Khan		Sher Adam	Restaurant
65	Pezu Mandi	68	Misal Khan		Sher Adam	Mosque
68	Pezu Mandi	69	Not Known		Not known	Abandoned
74	Wanda Banochi	70	Mohammad Usman	011201-6968084	Nasrullah	Puncture Shop
81	Shabazkhel	71	Gulfaraz		Ghulam Said	Residential
81	Shabazkhel	72	Kalu Khan		Ghulam Said	Residential
82	Umar Adda	73	Haji Habib		Wali Mohammad	Small Shop
82	Umar Adda	74	Samiullah		Mazullah	Small Shop
82	Umar Adda	75	Saifullah		Ayaz Khan	Restaurant
82	Umar Adda	76	Mohammad Gul		Mohammad Azeem	Small Shop
82	Umar Adda	77	Alam Shah		Lal Shah	Small Shop

KM#	Name of Place	AP#	Name of AP	NIC No.	Father's Name	Structure
82	Umar Adda	78	Alam Shah		Lal Shah	Small Shop
83	Umar Adda	79	Javed		Mir Ahmad Jan	Puncture Shop
103	Tajazai	80	Ismail		Gul Marjan	Cloth Stall
103	Tajazai	81	Gul Nawaz		Ayaz	Small Shop
103	Tajazai	82	Afsar Ali		Mohammad Khan	Small Shop
103	Tajazai	83	Haji Shaista Khan		Haji Mir Abbas Khan	Motor Bargain
103	Tajazai	84	Jan Badshah	11201-9740620-7	Haji Mir Abbas Khan	Commercial
103	Tajazai	85	Sardar		Ajab Khan	Scrap Shop
103	Tajazai	86	Rasool Khan		Haji Mir Abbas Khan	Small Shop
103	Tajazai	87	Mohammad Hanif	156-77-339541	Badshah Khan	Small Shop
103	Tajazai	88	Jameel Ahmad		Mohammad Ayub	Small Shop
103	Tajazai	89	Sarfraz	156-58-210527	Sada Khan	Small Shop
103	Tajazai	90	Khan Afzal		Abdul Hakeem	Small Shop
103	Tajazai	91	Faiz-ur-Rahman		Mir Nawaz	ChickenShop
103	Tajazai	92	Nazar Nawaz		Mir Nawaz	Fruit Stall
103	Tajazai	93	Fazal-ur-Rahman		Mir Nawaz	Fruit Stall
103	Tajazai	94	Khan Sardar	11201-0399460-7	Saleh Khan	Small Shop
103	Tajazai	95	Mosam Khan		Zar Wali Khan	Small Shop
103	Tajazai	96	Sher Aslam		Sher Dil Azam	Small Shop
109	Sarai Gambila	97	Sher Baz	11201-3062551-7	Mir Nawaz	Small Shop
109	Sarai Gambila	98	Ghulam Jilani		Hammedullah Jan	Small Shop
109	Sarai Gambila	99	Ameer Jan		Bahadar Khan	Restaurant
109	Sarai Gambila	100	Momin Khan		Basti Khan	Small Shop

KM#	Name of Place	AP#	Name of AP	NIC No.	Father's Name	Structure
109	Sarai Gambila	101	Hasham Khan		Mohammad Afzal	Small Shop
109	Sarai Gambila	102	Rafiullah		Mir Adam	Small Shop
110	Sarai Gambila	103	Yousaf		Hai Mai Khan	Small Shop
110	Sarai Gambila	104	Tananullah		Amanullah	Small Shop
110	Sarai Gambila	105	Mohammad Zaman		Amir Aman	Small Shop
110	Sarai Gambila	106	Mohammad Ali Khan		Nawaz Khan	Small Shop
110	Sarai Gambila	107	Hameedullah		Z. Shah	Small Shop
111	Sarai Gambila	108	Nawab Khan		Abdul Waheed	Small Shop
111	Sarai Gambila	109	Mohammad Ali Khan		Nawaz Khan	Small Shop
111	Sarai Gambila	110	Dil Jan		Mohammad Rahman	Small Shop
112	Kot Qazi Arif	111	Qari Saif-ur-Rahman	(Imam Masjid)	Gul Rahman	Mosque
112	Biaskhel	112	Faizullah Khan	(Patron)	Zainuddin	Mosque
115	Gandi Chowk	113	Fahimullah		Shabaz Khan	Small Shop

Appendix – B. Affected Land Inventory

Sample No.	KM No.	Name of Place	Affected Land Strip			Total Area - A	Total Area - B
			Length (m)	Width (m)	Area (m)	(Hectares)	(Acres)
N2	Peshawar - Torkham Road:						
1	1	SAID WALI KERUNNA	1000	50.00	50000	5.0	12.4
2	3	GURAZA	1200	50.00	60000	6.0	14.8
3	5	DAGARAY RS	2840	50.00	142000	14.2	35.1
4	8	SHAH ZAMAN KALY	3000	50.00	150000	15.0	37.1
5	10	SURQAMAR	2000	30.00	60000	6.0	14.8
6	15	REKALY	5000	50.00	250000	25.0	61.8
7	19	LALA GHINA	4000	50.00	200000	20.0	49.4
8	20	SHERI KHEL	3000	50.00	150000	15.0	37.1
9	23	KATA KUSHTA	2200	50.00	110000	11.0	27.2
10	23	KATA KUSTA	800	30.00	24000	2.4	5.9
11	26	MALIK RAHMAT KILI	520	50.00	26000	2.6	6.4
12	26	MALIK RAHMAT KILI	600	20.00	12000	1.2	3.0
13	28	HAJI GUL SHER KALLY	2000	30.00	60000	6.0	14.8
14	32	LANDI KOTAL	4200	50.00	210000	21.0	51.9
15	37	LANDI KOTAL	5000	50.00	250000	25.0	61.8
16	42	TORKHAM	5000	50.00	250000	25.0	61.8
17	44	TORKHAM	2000	50.00	100000	10.0	24.7

Sample No.	KM No.	Name of Place	Affected Land Strip			Total Area - A	Total Area - B
			Length (m)	Width (m)	Area (m)	(Hectares)	(Acres)
Sub-Total (N2):			--	--	--	210.4	520.0
N3	Malana Junction - Sarai Gambila Road:						
1	1	MALANA	1000	12.25	12250	1.2	3.0
2	2	BHATTI TOWN	1000	13.25	13250	1.3	3.3
3	3	QURESHI MORR	320	38.00	12160	1.2	3.0
4	3	QURESHI MORR	680	38.00	25840	2.6	6.4
5	4	BP: TOLL PLAZA NO.1	200	62.00	12400	1.2	3.1
6	4	BY PASS	800	38.00	30400	3.0	7.5
7	5	BY PASS	1000	38.00	38000	3.8	9.4
8	6	BP: BATTA JODANWALA	1000	38.00	38000	3.8	9.4
9	7	BY PASS	1000	38.00	38000	3.8	9.4
10	8	BP: TIKKAN	1000	38.00	38000	3.8	9.4
11	11	BY PASS	3000	38.00	114000	11.4	28.2
12	12	BY PASS	1000	38.00	38000	3.8	9.4
13	13	BP: TANK ROAD	1000	38.00	38000	3.8	9.4
14	14	BP: TANK ROAD	1000	38.00	38000	3.8	9.4
15	16	BY PASS	2000	38.00	76000	7.6	18.8
16	17	BP: BALOCH WANDA	1000	38.00	38000	3.8	9.4
17	18	BY PASS	800	38.00	30400	3.0	7.5
18	18	BP: TOLL PLAZA NO.2	200	60.00	12000	1.2	3.0
19	19	BY PASS	1000	38.00	38000	3.8	9.4
20	21	BP (END): SHORKOT	2000	38.00	76000	7.6	18.8

Sample No.	KM No.	Name of Place	Affected Land Strip			Total Area - A	Total Area - B
			Length (m)	Width (m)	Area (m)	(Hectares)	(Acres)
21	24	PUSHA PUL	4700	23.25	109275	10.9	27.0
22	25	PUSHA PUL	800	33.50	26800	2.7	6.6
23	26	PUSHA PUL	1500	29.00	43500	4.4	10.7
24	27	PUSHA PUL	960	33.50	32160	3.2	7.9
25	40	YARIK	13400	28.00	375200	37.5	92.7
26	41	YARIK	600	19.25	11550	1.2	2.9
27	43	YARIK	1700	18.25	31025	3.1	7.7
28	45	YARIK	1100	11.25	12375	1.2	3.1
29	45	YARIK	500	33.50	16750	1.7	4.1
30	47	GILOTI	1600	12.25	19600	2.0	4.8
31	47	GILOTI	400	33.50	13400	1.3	3.3
32	49	GILOTI	2100	20.25	42525	4.3	10.5
33	50	GILIOTI	700	10.75	7525	.8	1.9
34	50	GILATI	300	17.75	5325	.5	1.3
35	52	GILOTI	1800	12.25	22050	2.2	5.4
36	53	GILOTI	1200	6.25	7500	.8	1.9
37	53	CHANDA	400	8.25	3300	.3	.8
38	56	CHANDA	2300	6.25	14375	1.4	3.6
39	59	CHANDA	2800	6.25	17500	1.8	4.3
40	60	CHANDA	1500	38.00	57000	5.7	14.1
41	61	CHANDA	500	28.00	14000	1.4	3.5
42	62	PEZO DARA	1600	38.00	60800	6.1	15.0

Sample No.	KM No.	Name of Place	Affected Land Strip			Total Area - A	Total Area - B
			Length (m)	Width (m)	Area (m)	(Hectares)	(Acres)
43	63	PEZO DARA	700	6.25	4375	.4	1.1
44	64	PEZO DARA	1300	6.25	8125	.8	2.0
45	65	PEZO DARA	1800	20.00	36000	3.6	8.9
46	69	PEZO DARA	600	42.00	25200	2.5	6.2
47	69	PEZO DARA	450	42.00	18900	1.9	4.7
48	70	PEZO DARA	600	42.00	25200	2.5	6.2
49	70	PEZO DARA	600	42.00	25200	2.5	6.2
50	71	PEZO DARA	600	42.00	25200	2.5	6.2
51	71	PEZO DARA	900	42.00	37800	3.8	9.3
52	72	PEZO DARA	800	38.00	30400	3.0	7.5
53	73	BANOCHI WANDA	800	8.00	6400	.6	1.6
54	74	BANOCHI WANDA	800	8.00	6400	.6	1.6
55	75	BANOCHI WANDA	1000	4.00	4000	.4	1.0
56	77	SHEHBAZ KHEL	1800	8.25	14850	1.5	3.7
57	79	SHEHBAZ KHEL	900	6.25	5625	.6	1.4
58	80	SHAHBAZ KHEL	750	18.25	13688	1.4	3.4
59	82	GHAZI KHEL	3400	16.25	55250	5.5	13.6
60	85	GHAZI KHEL	3000	7.25	21750	2.2	5.4
61	86	TITAR KHEL	2750	8.25	22688	2.3	5.6
62	90	TITAR KHEL	1000	6.25	6250	.6	1.5
63	91	TITAR KHEL	700	18.25	12775	1.3	3.2
64	93	UMAR ADDA	2400	10.25	24600	2.5	6.1

Sample No.	KM No.	Name of Place	Affected Land Strip			Total Area - A	Total Area - B
			Length (m)	Width (m)	Area (m)	(Hectares)	(Acres)
65	95	GHAZNI KHEL	1300	9.25	12025	1.2	3.0
66	96	GHAZNI KHEL	1300	38.00	49400	4.9	12.2
67	97	GHAZNI KHEL	600	8.25	4950	.5	1.2
68	97	GHAZNI KHEL	800	10.25	8200	.8	2.0
69	99	TAJA ZAI	2000	10.25	20500	2.1	5.1
70	100	TAJA ZAI	1000	12.25	12250	1.2	3.0
71	102	TAJA ZAI	1600	15.25	24400	2.4	6.0
72	105	TAJA ZAI	800	16.25	13000	1.3	3.2
73	107	TAJA ZAI	2000	10.25	20500	2.1	5.1
74	108	SARAI GAMLILA	2700	26.25	70875	7.1	17.5
75	111	SARAI GAMLILA	3300	7.25	23925	2.4	5.9
76	117	GANDI CHOCK	6400	11.25	72000	7.2	17.8
Sub-Total (N3):			--	--	--	246.3	608.6
Total NHA (N2+N3):			--	--	--	456.7	1,128.

APPENDIX C

COMMUNITY CONSULTATIONS

A. Small Group Interviews Conducted on NHA Roads:

ID No.	Name of Road	No. of Group Interviews			Number of Participants		
		Female	Male	Total	Female	Male	Total
N1	Badabher - Dara Adam Khel Road	7	11	11	43	102	145
N2	Peshawar - Torkham Road	39	27	27	206	187	393
N3	Malana Junction - Sarai Gambila Road	20	27	27	133	180	313
N4	Sarai Gambila - Bannu - Ghulam Khan	0	19	19	-	127	127
TOTAL:		66	84	150	382	596	978
<i>Percentage:</i>		<i>44.0</i>	<i>56.0</i>	<i>100.0</i>	<i>39.1</i>	<i>60.9</i>	<i>100.0</i>

B. Consultation Workshops Conducted on NHA Roads:

ID No.	Name of Road	Number of Sessions	Number of Participants
N1	Badabher - Dara Adam Khel Road	3	52
N2	Peshawar - Torkham Road	4	146
N3	Malana Junction - Sarai Gambila Road	4	113
N4	Sarai Gambila - Bannu - Ghulam Khan Road	3	56
TOTAL:		14	367

Appendix D
NWFP Road Development Sector Project
Terms of Reference (TOR) for Resettlement Plan Implementation

I. Background

The National Highways (NHA) and Works and Services Department (WSD), Government of Pakistan has been provided financial assistance by the Asian Development Bank for improvements and upgradation of the national highways, provincial highways and the rural access roads. The improvements and upgradation works will affect hundreds of households as a consequence of land acquisition and clearing of ROW in a number of congested towns. The NHA and WSD Project Directorate intends to hire an experienced NGO to provide assistance in the implementation of the planned resettlement activities.

II. Scope of Work -General

The NGO will be responsible to the Project Director, NHA/WSD who will select and hire them for the Project. During RP implementation, the PD will also provide a full set of Census and socio-economic baseline data for the project roads so that individual AP files can be prepared and other resettlement related activities could be carried out by the NGO. He would also provide the necessary help from the District Collectors offices regarding collection of land records, DC award lists and payments of compensation for lost assets etc. The NHA/WSD through its RSDC assisted by the Project Supervision Consultants will monitor the Resettlement Plan implementation for the project roads (core and non-core).

- To design and produce information materials such as project brochures, pamphlets, posters, and billboards to be used for disclosure to the Affected Persons (APs).
- To assist in consultation with APs on resettlement / relocation options and finalization of individual entitlements as outlined in the entitlement matrix.
- To assist in delivery of compensation and allowances, house reconstruction prior to dispossession or displacement of Aps as recorded by the census survey during RP preparation, as necessary for each subproject RP.

III. Scope of work - Specific

The work to be carried out by the NGO will include all implementation activities underlined in the RPs. The NGO / firm will carry out its work in consultation with NHA / WSD and RSDC, Project Supervision Consultants in the following areas:

- To carry out all the planned activities outlined in the RP/s. Finalization of relocation and resettlement schedule as outlined in the resettlement plan/s for the road sections in consultation with Project Director, RSDC and Social Development Specialist in PSC.

- Prepare information campaigning materials (Brochures in Urdu, Leaflets, Posters, Banners etc.), and conduct information campaign regarding compensation categories, resettlement policies, AP entitlements - specific to the NHA/WSD component.
- In the event of land acquisition for relocation of various community facilities liaise with the offices of the District Collectors, Project Directorate, Land Acquisition Valuation Committee (LAVC) and relevant authorities to expedite land acquisition process and assist in finalizing estimates of compensation.
- Assist in verification of APs (listed earlier during census survey) by categories (following the Entitlement Matrix) and issue ID cards accordingly.
- Conduct consultation meetings regularly with APs on resettlement matters and provide all necessary information related to their entitlements, necessary legal documentation, and procedures of payments, and estimated payment schedules, finalize entitlement packages for individual APs as per the entitlement matrix and also assist them in receiving payments.
- The NGO will assist APs in obtaining compensation for land, structures, crops, trees, etc. at current market/ replacement rates. Assist in finding suitable house sites and agricultural land (if applicable) for APs who choose "self-relocation" as an option.
- In co-ordination with Project Directorate / RSDC prepare additional payments (in accordance with the approved entitlement matrix) to eligible APs for loss of land, shifting allowance, business restoration grant, grant for loss of income, and indirect losses. Help APs in their livelihood and income restoration process.
- Assist vulnerable groups (female-headed households, widow, elderly women, landless and destitute / disable bodied others) in their physical and economic rehabilitation as per the entitlement matrix in RPs.
- Grievance redressal is an important component of successful and smooth implementation of RP. The NGO will take main responsibility to effectively address the grievances of the APs in consultation with Grievance Redressal Committees (GRCs).
- The NGO will prepare a computerized database of all APs, their entitlements and payments and update it as required.
- Monitor all land acquisition and resettlement related activities and prepare monthly progress reports highlighting implementation progress, issues/constraints that require decisions by PD/RSDC and other agencies involved.

IV. Time Frame

The work is scheduled to start in last quarter of 2004 till end 2005.

V. Qualification

The NGO must have at least 5 years work experience in social development activities and proven experience in resettlement planning and implementation. Specifically, the selected NGO must have (i) demonstrated capacity to mobilize the required trained and experienced field staff, (ii) experience in planning and implementation of resettlement plan, (iii) demonstrated experience in computerizing resettlement-related database, (iv) development of software package, and (v) experience in resettlement survey, planning, monitoring and evaluation.

VII. Implementation Schedule and Reporting

The selected NGO / local firm will require to prepare monthly progress reports on resettlement implementation and after completion of resettlement activities for the whole project will prepare a final resettlement plan implementation report.

Appendix E
Terms of Reference for Panel of Experts
RP Monitoring and Evaluation
NWFP Road Sector Development Project

The local panel of experts (LPE) will be responsible for monitoring and evaluation (M&E) of the RP implementation under the Project.

I. TOR- General

1. To review and verify the progress in resettlement implementation as outlined in the Resettlement Plan (RP-WSD).
2. To assess whether resettlement objectives, particularly livelihoods and living standards of the Affected Persons (APs) have been restored or enhanced.
3. To assess resettlement efficiency, effectiveness, impact and sustainability, drawing both on policies and practices and to suggest any corrective measures, if necessary.

II. Specific Tasks and Methodology

4. Review pre-displaced baseline data on income and expenditure, occupational and livelihood patterns, arrangements for use of common property, social organization, leadership patterns, community organizations and cultural parameters.
5. Identify an appropriate set of indicators for gathering and analyzing information on resettlement impacts; the indicators shall include but not limited to issues like relocation of SBEs, quality of ROW management plan, delivery of entitlement packages, restoration of income and living standards and level of satisfaction by the APs in post-resettlement period.
6. Review results of internal monitoring and verify claims through random checking at the field level to assess whether resettlement objectives have been generally met. Involve the APs, host population, and community groups in assessing the impact of resettlement for monitoring and evaluation purposes.
7. Conduct both individual and community level impact analysis through the use of formal and informal surveys, key informant interviews, focus group discussions, community public meetings, and in-depth case studies of APs and host population from various social classes to assess the impact of resettlement.

8. Identify the strengths and weaknesses of basic resettlement objectives and approaches, implementation strategies, including institutional issues, and provides suggestions for improvements in future resettlement policy making and planning.

III. Qualifications

9. The local panel of experts / consultants must have at least with 5 years experience in project monitoring work. In case of individual consultants MA in Social Science and Ph.D. will be preferred. Experts/ consultants with experience in resettlement management and monitoring work in ADB and World Bank-financed will be given preference.

IV. Implementation Schedule and Inputs

10. The implementation of RPs is expected to start in last quarter of 2004. The experts will carry out bi-annual reviews throughout the project period.

V. Reporting Requirements

11. The local panel of experts will review the status of the RP implementation in light of the targets, budget and duration as outlined in the resettlement plan/s for each sub-project component. The expert will submit reports to the ADB and WSD / RSDC after each monitoring mission and determine the implementation status and quality of resettlement operations and also assess whether resettlement goals have been achieved, more importantly whether livelihoods and living standards have been restored/enhanced and suggest suitable recommendations for improvement.

12. The local panel of experts will prepare a Final Report on the project monitoring work at the end of the contract period/ project indicating the project performance and lessons learned for future projects.

APPENDIX – F: GOVERNMENT OF PAKISTAN

National Highway Authority

NWFP Road Development Sector Project

National Highways Component (NHA)

IDENTITY CARDS FOR APs

ID No.

Name : _____

Age : _____ Sex : _____ 1.

Village/ Town : _____ Union Council : _____

Caste/Tribe: _____ Vulnerability : WHH/ BPL/ Physically Challenged

Status of HH/ Employee : Owner/ Tenant/ Employee

Occupation of HH: I to 6 Type : SBE/ HH Area : _____

Type of Loss : Land/ Structure/ Livelihood Type of Structure : _____ 07 – 09

Prepared By (NGO) _____

Signature of SDO/WSD _____

Signature of APs _____

Date : _____

Signature of Project Director (WSD) _____

*Passport size
photograph of
Affected Person*

**Code
List**

Occupation of HoH :

- | | |
|------------------------|-------------------------------------|
| 01 – Daily Wage Worker | 02 – Agricultural Labour |
| 03 – Agriculture | 04 – Employer of SBE |
| 05 – Employee of SBE | 06 – Traditional Craft and Services |

Type of Structure :

- | | |
|-------------------|-----------------------|
| 07 – Kuccha House | 08 – Semi Pucca House |
| 09 – Pucca House | |

Appendix – G

Questionnaires Used for RP Preparation

NWFP Road Development Sector Project

National Highway Authority (NHA)

Government of Pakistan

Questionnaires:

1. Land Inventory (2 pages)
2. Census of Structures (2 pages)
3. Group Interview (2 pages)

LAND INVENTORY
(Additional Land Acquisition)

Date: ___ / ___ /2004

Sample ID No.:

1.0 Sample Identification:

1.1 Name of Road: _____ 1.2 Road No. (See List): N-__ P-__
R-__

1.3 Name of Place: _____ 1.4 Killometre No.: _____ km

1.5 Sample No. (This Road): _____ 1.6 Sample Type (Tick): Total 20%

1.7 Sample Dimensions: Length: _____ m x Width: _____ m = Area: _____ m² (divide by 10,000 for 1.8)

1.8 Sample Area - Ha: _____ (multiply by 2.47 for 1.9) 1.9 Sample Area - Acres = _____(acres)

2.0 Affected Land (within sampled area):

No.	Land Type (Observation)	Land Area		Affected Persons			Annual Rent (Rs./Acre)	Sale Price* (Rs./Acre)
		%age	Acres	Owners	Tenants	Total		
1	Covered/Built-Up Area							
2	Cultivated Land-1 (Good)							
3	Cultivated Land-2 (Poor)							
4	Pasture/Forest-1 (Good)							
5	Pasture/Forest-2 (Poor)							
6	Barren Land (Plain/Hilly)							
7	Nullah Bed (Uncultivated)							
8	Other (specify):							
Total:								

- Current open-market rates (to be confirmed from local reliable sources of information - officials/dealers).

3.0 Affected Structures & Installations (Private Only)^(a):

No.	Description of Structure/Installation	Specifications		Total No.	No. of Affected Persons			Estimated Replacement Cost (Rs.) ^(b)
		Built Type (K/P/K+P)	Rel. Size (S/M/L)		Owners	Tenants	Total	
1								
2								
3								
4								
5								
6								
7								

(a) Residential/Farm House, Commercial Structure, Agricultural Structure/Installation (eg, Livestock-Shed, Tube-well, etc).

(b) Must be confirmed from local reliable sources (officials, contractors, etc.) and official schedule of Costs (if applicable).

4.0 Affected Trees* (Private Only):

(4.1) Fruit Trees				(4.2) Wood Trees			
No.	Type of Tree (Species)	Rel. Size	Count	No.	Type of Tree (Species)	Rel. Size	Count
1				1			
2				2			
3				3			
4				4			
5				5			
6				6			
7				7			
8				8			
9				9			

- Compensation rates for all affected trees will be assessed on the basis of local current "replacement" values (open-market rates) in conjunction NWFP/FATA official compensation rates.

5.0 Affected Community Structures & Installation (if any)^(a):

No.	Description	Type	Rel. Size	Count	Rehabilitation Cost ^(b) (Rs.)
1					
2					
3					
4					
5					
6					

(a) For example, graveyards, mosques, culverts/bridges, pathways/streets, drains/watercourse, WSS/Gas pipelines, etc.

(b) Assessment of these costs will be based on replacement costs in conjunction with NWFP/FATA official schedule of costs.

6.0 Cultural/Socioeconomic Effects (Foreseen):

What Cultural and/or Socioeconomic effects of this Road Project are foreseen in Sample Reach/Km?

No.	Description	Quantification	Mitigation Measures	Est. Cost (Rs.)

Name of Surveyor-1: _____

Name of Surveyor-2: _____

CENSUS SURVEY
(Affected Building/Structure/Asset)

Date: ____ / ____ /2004

Serial ID No.: _____

1.0 Location:

- 1.1 Marked No.: _____ 1.2 Road Side: Right Centre Left
- 1.3 Killometre No: _____ 1.4 Name of Place: _____
- 1.5 Road Type: NH PH RR 1.6 Road ID No. (List): N-____ P-____
R-____
- 1.7 Name of Road: _____ 1.8 Starting From (Town):

2.0 Identification of AP:

- 2.1 Name of AP: _____ 2.2 Gender of AP: Male Female
- 2.3 Father/Husband: _____ 2.4 Caste/Occupation:

- 2.5 Origin of AP: Native Local Settler Outsider 2.6 Duration of Establishment: ___yrs

3.0 Household of AP:

- 3.1 Living Status (On-site/Nearby): (1) Living with Family (2) Living without Family
- 3.2 Family/HH Size (No. of Persons): (a) Male: _____ (b) Female: _____ (c) Total:

- 3.3 Number of Earning Persons (Family) (a) Male: _____ (b) Female: _____ (c) Total:

- 3.4 Number of Schooling Children (Family): (a) Male: _____ (b) Female: _____ (c) Total:

- 3.5 Number of Elderly/Disabled Persons: (a) Male: _____ (b) Female: _____ (c) Total:

4.0 Affected Structure/Asset (Only Fixed in-Ground Structures/Assets):4.1 Type/Use of Affected Structure/Asset:

- (01) Residential House/Hut (02) Livestock Shed/Shelter (03) Residential-cum-Livestock
(04) Farm/Orchard/Plantation (05) Commercial – Shop/Stall (06) Residential-cum-

Commercial Structure (07) Adda/Parking Space/Shed (08) Community Structure (09) Cultural/Religious Structure
 (10) Water Tank/Well/Pump (11) Wastewater Drain/Pit (12) Abandoned/Vacant Structure
 (13) Other (specify):

4.3 Type of Construction:

(1) Totally Pucca (Concrete Plastered) (2) Semi-Pucca (Brick/Stone Paved Unplastered)
 (3) Katcha (Mud/Stone Construction) (4) Cabin (Wood/GI Sheet)
 (5) Fixed Tharha (Stone/Wood/Concrete) (6) Other (specify):

4.4 Affected Part of Structure/Asset: (1) Total (75-100%) (2) Partial (less than 75%)

4.5 Identify Affected Part of Structure/Asset ("Tick" one or more – multiple responses possible):

(1) Main-Structure (2) Veranda (3) Boundary Wall (4) Open space (5)

4.6 Estimated Replacement/Rehabilitation Cost of This Structure/Asset (excl. Business): Rs.

4.7 Affected Land:

(a) Plot Size: L: ____ ft. x W: ____ ft. = Area: ____ sft. = ____ Marlas = ____ Kanals

(Divide Area in "Sft" by '272' to covert into "marlas", and divide "marlas" by '20' to covert into "kanals")

(b) Current Open-Market Rate: Rs. ____ per ____ (Sft / Syd / Marla / Kanal)

(c) Total Replacement Price of Land/Plot (Computation: Plot Size x Rate): Rs. ____

4.8 Tenurial Status of AP (Land + Structure only; excluding Business):

No.	Tenurial Status	Land (tick)	Structure (tick)
-----	-----------------	-------------	------------------

1	Owned with Legal Title/Papers or Customary Rights		
2	Formally Leased/Rented from Govt. (with lease papers)		
3	Informally Leased/Rented from Govt. (verbal deal, no papers)		
4	Encroacher - Possessed for Free (with adjacent land/property)		
5	Squatter - Possessed for Free (without adjacent land/property)		
6	Rented from Private Owner (legal/customary owner)		
7	Rented from Possessor (Illegal – encroacher/squatter)		
8	Other (specify):		

5.0 For Affected Commercial Structure/Asset Only (Shop/Stall/Small Business Enterprise):

5.1 Type of Business/Enterprise (tick one or more if applicable):

(01) Cigarette/Pan (02) Cold Drinks (03) Tea Stall (04) Snacks
(pakora/sweets)

(05) Restaurant (meals) (06) Fruit/Vegetables (07) Meat Shop (08) Kiryana/General Store

(09) Clinic/MedicalStore (10) Herbal Medicines (11) Flowers/Perfumes (12) Manufactory (new items) (13) Artisan Services (14) Technical Services (15) Other (specify):

Manpower:

5.2 No. of HH Members Working in This Business/Enterprise (incl. AP): PT: ____ FT: ____ Total:

5.3 No. of Hired Workers/Apprentices in This Business (Other HH): PT: ____ FT: ____ Total:

Financial:

5.4 Average Monthly Income from This Business/Enterprise: Rs.

5.5 Average Monthly Expenditure on This Business/Enterprise: Rs.

5.6 Approximate Total Current Value of Stocks in This Business/Enterprise: Rs.

5.7 Approximate Total Opportunity Value of This Business/Enterprise: Rs.

Name of Surveyor-1: _____ Name of Surveyor-2:

(Interview conducted and recorded by
by)

(Entries checked/edited

Date: _____

Date: _____

GROUP INTERVIEW

Date: ____ / ____ /2004

ID No.: _____

1.0 Identification:

- 1.1 Name of Road: _____ 1.2 Road No. (List): N-____ P-____ R-____
- 1.3 Side of Road: Right Left Centre 1.4 Killometre No.: _____ km
- 1.5 Name of Place: _____ 1.6 Gender of Group: Male Female M+F
- 1.7 Type of Place: Residential Commercial R+C 1.8 Size of Group: M:____ +F:____ =T:____
- 1.9 Type of Group (Multiple "Ticks" allowed):
- (1) Affected People – Structures/Assets (2) Affected People – Land Acquisition
- (3) Adjacent Community (Affected/Beneficiary) (4) Transporters (5) Other Road-Users

2.0 Awareness and Response:

Question		Group Response	
No.	Description	Code	Description
2.1	Are you aware of upcoming Project involving improvement/rehabilitation of this road?	(1)	Yes – Fully Aware
		(2)	Yes – Somewhat Aware
		(3)	No – Not Aware
2.2	Do you know that it may involve clearing of yours structures/encroachments from roadside?	(1)	Yes
		(2)	Not Sure
		(3)	No
2.3	What effects do you anticipate on your business and living conditions?	(1)	Very Adverse Effects (Everything Lost)
		(2)	Moderate Adverse Effects (Not Severe)
		(3)	Somewhat Adverse (Limited Impacts)
		(4)	Highly Positive Effects (Very Beneficial)
		(5)	Somewhat Positive Effects (Beneficial)
		(6)	Both Negative & Positive Effects
		(7)	No Idea - Don't Know what will happen
2.4	Do you think that this project is necessary under local conditions?	(1)	Yes – Very Much Needed
		(2)	Yes – Beneficial for Communities
		(3)	No Need – No Problems
		(4)	No Idea / No Response
2.5	What kind of environmental effects of this	(01)	Loss Fertile Agricultural Lands

	project can you foresee? (Multiple Answers)	(02)	Loss of Trees/Vegetation
		(03)	Increase in Drainage Problems
		(04)	Increase in Water-Borne Diseases
		(05)	Difficulties in Livestock Mobility
		(06)	Wildlife Extinction/Difficult Mobility
		(07)	Increased Air Pollution (Smoke)
		(08)	Construction Spoils and Dust
		(09)	Noise Pollution
		(10)	No Idea / No Response
		2.6	What kind of cultural/socioeconomic effects do you foresee from this Project
(2)	Yes, we foresee some/more (explain in 5.0)		

3.0 Project Impacts and Resettlement:

3.1 Have you been informed/notified of impact of new ROW of Road on your property/community?

(1) Yes - Clearly (2) Yes But Not Clearly (3) No Such Information Yet

3.2 If Yes (to 3.1), then: Who Informed/Notified you? (Multiple Responses Possible):

(1) NHA/C&W Dept. (2) PA/Revenue Dept. (3) District/Tehsil Nazim
(4) Village Elders/Leaders (5) NGO/CBO (6) Don't Know

3.3 If you were required to move, where would you like to move/resettle your family/business?

(1) Move Back & Rebuild (2) Resettle Nearby (3) Don't Know Yet

3.4 Is Income likely to be affected by the move (Evacuation)?

(1) Yes (2) No (3) Don't Know

3.5 If Yes (to 3.4), then: How? (Multiple Responses Possible):

(1) Loss of Business Opportunities (2) Loss of Rent from House/Shop
(3) Loss of Employment (Labour) (4) Loss of Farmland
(5) Loss of Standing Crops (6) Loss of Space for Livestock
(7) Loss of Fruit/Timber Trees (8) Other: _____

3.6 If you are required to move from your residence, what would be your main concerns?

(01) Fair Compensation (02) Timely Compensation
(03) Restarting Business (04) Replacement Land House
(05) Loss of Income (06) Future Employment

- (07) Education of Children (08) Assistance for Relocation
 (09) Social Disturbances (10) Other: _____

3.7 Would you like to "Self-Relocate" (Making your own choice for relocation/resettlement)?

- (1) Yes, I will make my own choice & move independently
 (2) Yes, but I will need financial assistance (loan/grant) from the Government/NGO
 (3) No, The Government Should Arrange for our Relocation/Resettlement
 (4) Do Not Know Yet (Have Not Decided Yet)
 (5) Other: _____

3.8 What kind of Assistance would you need from the Project (Government/NGO)?

- (1) Good Compensation (at Replacement/Rehabilitation Cost)
 (2) Compensation before moving (Timely Manner)
 (3) Assistance for Relocation (Transport/Cash)
 (4) Arrangement for Alternate Land for Resettlement
 (5) Assistance for re-establishment of Business
 (6) Provision of Alternate Job Opportunities
 (7) Other: _____

4.0 Problems (Resettlement + Environment):

- (1) _____
 (2) _____
 (3) _____
 (4) _____
 (5) _____

5.0 Suggestions (Resettlement + Environment):

- (1) _____
 (2) _____
 (3) _____
 (4) _____
 (5) _____

Interviewed by: _____ Checked by: _____

Appendix: H

NHA (N3): Malana Junction – Sarai Gambila Road (ADB TA No. 4116-PAK)

Critical Reaches of Road Re-Surveyed to Minimize Resettlement Impacts

Critical Reach of Road		Alteration Recommended	Assets Saved				Cost Saved (Tentative)	
Km	Village/Town		Structures (No)	Land (ha)	Fruit Tree	Wood Tree	PRs.	US\$
0 – 2	Syedabad, Gulshan-e-Waheed	Reduce Median to 1m (Existing 15 m)	30 Houses/Shops	3.75	-	40	72,623,300	1,263,014
2 – 3	Quraishi More	Start Bypass at 2+450 (instead of 2+150)	2 Houses	0.25	-	12	4,594,000	79,896
2 – 3	Mauza Noon	Move Toll Plaza from 3+100 to 2+500 km	-	-	20	8	320,000	5,565
6+100	Mauza Chah Faqir	Re-align Westward, Reduce ROW	One Brick Kiln	-	-	-	4,600,000	80,000
3 – 19	D. I. Khan Bypass	Reduce ROW from 38.0m to 33.5m (110ft)	-	7.60	46	67	12,800,000	222,609
20 – 23	Sagwala, Pusha Pul	Move New Road to East of Existing Road	2 Petrol Pumps + One Mosque	8.80	-	42	75,878,700	1,319,630
24 – 27	Pusha Pul	Join Both Roads at Existing Centreline	9 House/Shops + 2 Mosques	12.50	-	38	44,076,400	766,546
35 – 36	Abu Samrah	Reduce Median	One Mosque	-	-	-	20,000	348
49 – 50	Giloti Adda	Reduce Median	One Mosque	-	-	-	50,000	870
94 – 95	Ghaznikhel	Join Both Roads at Existing Centreline	-	1.20	-	7	4,563,000	79,357
109 – 112	Sarai Gambila	Move New Road to East of Existing Road	6 Shops/Stalls + 2 Mosques	0.60	-	-	4,672,000	81,252
Total Estimated Saving in RP Budget:			57 Structures	34.70	66	214	224,197,400	3,899,085
Additional Trips for Consideration by Design Consultant in Re-Examination/Re-Survey of Road:							17/05/2004	

00 – 19	D. I. Khan Bypass	Start Bypass at 00 km (Malana Junction)	Save Mango Orchard (3-5km)	Start Bypass at 2+450 (Quraishi More)	Junction Development at Quraishi More, plus Toll Plaza at 2+500 (instead of at 3+100)
62 – 73	Pezu Bazaar and Hill Range (65 - 73)	Bypass Eastern Side (by Lucky Cement)	Avoid Bazaar	Bypass Western Side (Utilize Abandoned Railway Track)	Avoid Bazaar/Shops & Achieve Low Grade for Constructing the New (Proposed) Road
87 – 88	Titarkhel Bazaar	Join Both Roads at Existing Centreline	Avoid Affecting Bazaar/Shops	94 – 96 Ghaznikhel	Straighten/Remove Curve of Existing Road to Join with New Road (North of Town)
102 – 103	Tajazai Bazaar	Can New Road be Moved Eastwards?	Avoid Affecting Bazaar/Shops	20 – 117 Existing Road	Optic Fibre Cable burried all along Western Edge of Existing Road needs to be Protected

Source: The NHA (GM BOT Projects) and ADB Consultant (Resettlement Specialist) carried out a Joint Onsite Review of the Road on 14-16 May, 2004.