

Draft Corrective Action Plan

Project Number: 51036-002
August 2021

Pakistan: Khyber Pakhtunkhwa Cities Improvement Project

Subproject: Integrated Solid Waste Management System and Landfill Site, Mingora

Prepared by Project Management Unit, Local Government, Elections and Rural Development Department, Government of Khyber Pakhtunkhwa for the Asian Development Bank.

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**GOVERNMENT OF KHYBER PAKHTUNKHWA
PROJECT MANAGEMENT UNIT**

**KHYBER PAKHTUNKHWA CITIES IMPROVEMENT PROJECT
LOCAL GOVERNMENT, ELECTIONS &
RURAL DEVELOPMENT DEPARTMENT, PESHAWAR**



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No: LGE&RD/KPCIP/2021/712-713

Dated: 24 August 2021

To:

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**Subject: 51036-002-PAK: KHYBER PAKHTUNKHWA CITIES IMPROVEMENT
PROJECT
- ENDORSEMENT OF ENVIRONMENT AND SOCIAL SAFEGUARDS
DOCUMENTS**

Dear Mr. Kiyoshi,

This is to confirm our endorsement of the following documents and their disclosure:

- Environmental Impact Assessment: Abbottabad Solid Waste Management Facility Development
- Environmental Impact Assessment: Mardan Solid Waste Management Facility Development
- Environmental Impact Assessment: Mingora Solid Waste Management Facility Development
- Environmental Impact Assessment: Peshawar Solid Waste Management Facility Development
- Initial Environmental Examination: Extension of JICA Water Treatment Plant and Gravity Water Supply Scheme (Abbottabad)
- Initial Environmental Examination: Construction and Improvement of Sewage Treatment System at Kohat Development Authority Township, Kohat
- Initial Environmental Examination: Construction of Rorya Sewage Treatment Plant and Revamping of Sewerage System in Mardan
- Initial Environmental Examination: Kohat Solid Waste Management Facility
- Initial Environmental Examination: Improvement of Water Supply System Kohat
- Initial Environmental Examination: Salhad Park Abbottabad
- Initial Environmental Examination: Water Supply Scheme, Mingora
- Initial Environmental Examination: Improvement of Water Supply System Peshawar
- Social Due Diligence Report
- Land Acquisition and Resettlement Framework
- Land Acquisition and Resettlement Plan: Landfill Site in Abbottabad
- Land Acquisition and Resettlement Plan: Landfill Site in Kohat
- Land Acquisition and Resettlement Plan: Access Route to Landfill Site in Mingora
- Land Acquisition and Resettlement Plan: Greater Water Supply Scheme Mingora
- Land Acquisition and Resettlement Plan and Environmental Safeguard Documents: Pedestrianization of Abbottabad Old City
- Corrective Action Plan: Chuna Water Supply, Abbottabad
- Corrective Action Plan: Integrated Solid Waste Management System & Landfill Site Mingora
- Corrective Action Plan: Integrated Solid Waste Management System & Landfill Site Peshawar
- Environmental Management Plan
- Resettlement Plan
- Due Diligence Report for Use of ADB Funds for Land Acquisition and Resettlement

We are committed to their full implementation in compliance with the requirements of ADB SPS (2009) Policy, please


(VASIF SHINWARI)

PROJECT DIRECTOR

PMU, KPCIP, LGE&RDD, Peshawar

Copy to:

- PS to Secretary LGE&RDD – for information

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LIST OF ABBREVIATIONS

ADB	Asian Development Bank
AIIB	Asian Infrastructure Investment Bank
BOR	Board Of Revenue
CAP	corrective action plan
DP	displaced person
EA	executing agency
EMA	external Monitoring agency
GoKP	Government of Khyber Pakhtunkhwa
GRC	grievance redress committee
GRM	grievance redress mechanism
ISWMS	integrated solid waste management system
IVS	independent valuation study
KP	Khyber Pakhtunkhwa
KPCIP	KP Cities Improvement Project
LAA	Land Acquisition Act
LG&RD	Local Government and Rural Development
MRF	material recovery facility
PMU	project management unit
PRF	project readiness financing
SBP	State Bank of Pakistan
SPS	Safeguard Policy Statement
TMA	tehsil municipal administration
WSSC	water sewerage and sanitation company

1. Background

1. The Government of Khyber Pakhtunkhwa (Go-KP) obtained financing from the Asian Development Bank (ADB) through the loan number 6015 and grant number 6016 PAK – Project Readiness Financing (PRF) for Khyber Pakhtunkhwa Cities Improvement Project (KPCIP). The KPCIP will be financed by ADB and Asian Infrastructure Investment Bank (AIIB). The Project involves construction, rehabilitation and up-gradation of water supply, drainage and sanitation, solid waste management, urban livability, smart cities, traffic management and green fields in five cities of Abbottabad, Kohat, Mardan, Mingora and Peshawar of KPK. The project steering committee has approved a total of 24 subprojects with detailed engineering design finalized already in December 2020. Project implementation for the first batch of subprojects is expected to start by first quarter of 2022. For the Mingora ISWMS and LFS, implementation is targeted by last quarter of 2022. The Local Government Election and Rural Development Department (LGE&RD) is the project executing agency (EA) while respective city governments as the project implementing agencies (IAs).
2. The main objective of KPCIP is to improve access to quality urban services and civic amenities. As the project outcome, by 2024, the residents in the cities of Abbottabad, Kohat, Mardan, Mingora, and Peshawar will have improved access to quality urban basic services and enhanced civic amenities. In particular, the project aims to improve the service delivery of water supply, sanitation, and solid waste management. This project will support economic growth, social development and an improved urban environment for the concerned cities.

2. Introduction

3. The city of Mingora currently does not have a proper engineered landfill site for solid waste disposal. In addition, there is a gap in the solid waste collection and transportation infrastructure system including machinery and equipment. To overcome these gaps, an integrated solid waste management system (ISWMS) and landfill site (LFS) is proposed to ensure proper collection and disposal of the waste in the city.

The salient features of the ISWM system include:

- Door-to-door collection of all municipal waste from residential, commercial and institutional areas;
 - Procurement of waste collection vehicles & machinery
 - Equipment and machinery for collection and transport of waste;
 - Establishing material recovery facility and minimizing number of transactions between different components of waste management
 - Construction of landfill site
4. The proposed subproject will be located at village Kawtaro Mera, approximately 3 km from Mingora City. Currently the land is in possession of Tehsil Municipal Authority (TMA) and is being used as an open dumping site. The layout, location and the current usage of land at the proposed Mingora LFS site is provided in Fig I, II and III below.

The site plan illustrates the layout of the proposed waste management facility. Key features include:

- Cells:** Two waste cells, Cell 1 and Cell 2, are shown. Cell 1 contains a 'PENDING SHED' and a 'GREEN AREA'.
- Infrastructure:** A 'PROPOSED DRAIN' separates the cells. A 'BOUNDARY WALL' and 'BUFFER ZONE' are located to the north. A 'ROAD' runs along the bottom, featuring a 'WEIGH BRIDGE', 'MAIN ENTRANCE', and 'PROPOSED CULVERT'.
- Water Management:** A 'NALA' (National Land Use Agency) is located to the left, with a 'LEACHATE TREATMENT PLANT', 'LEACHATE COLLECTOR', and 'WELL'.
- Other Features:** A 'DITCH' is located to the east. A 'MANHOLE' is shown near the bottom right. A 'WASHING AREA' is located near the main entrance.

Figure II: Location of the proposed Mingora landfill site

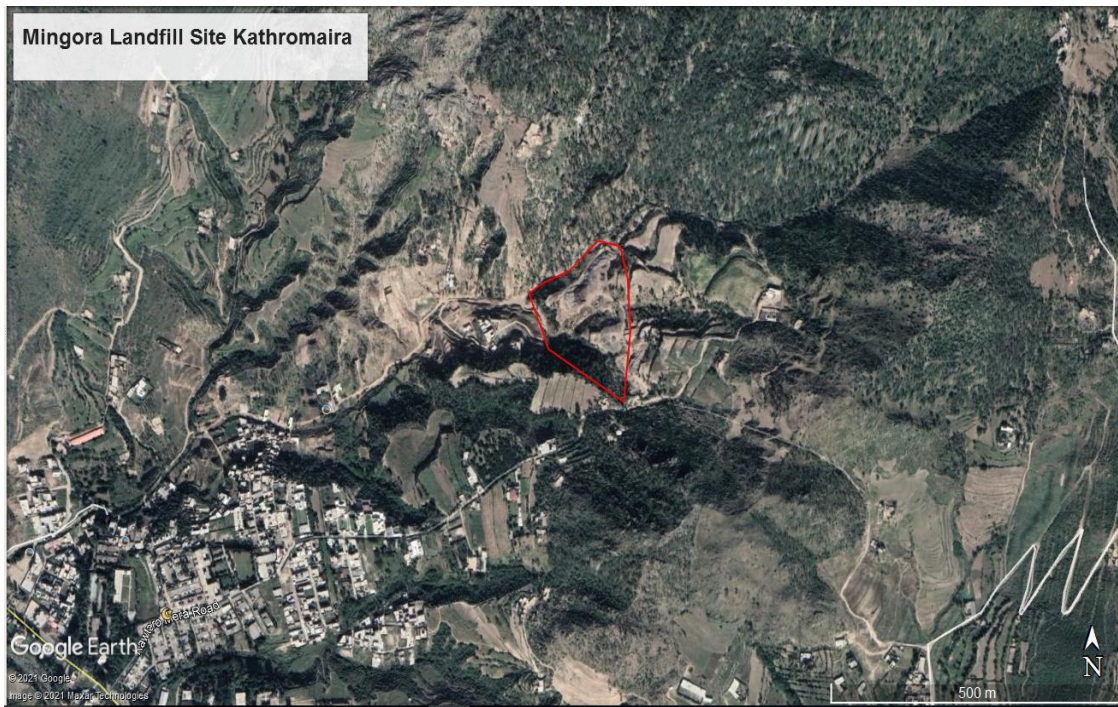
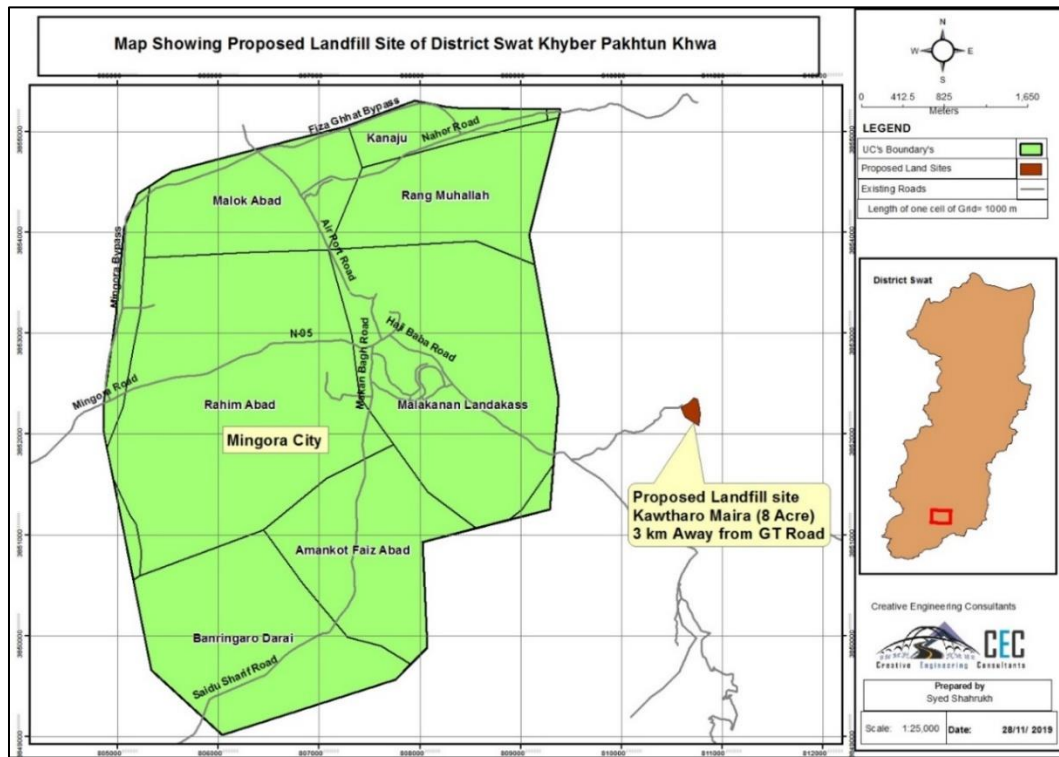


Figure III: Current Land use of the proposed Mingora LFS site



3. History and Need for CAP

5. The KPCIP received a request from the local Government KP to include some existing subprojects in the scope of work. Two of these subprojects had legacy issues in terms of land acquisition and resettlement activities as the land was acquired using the urgency clause of Land Acquisition Act 1894. The proposed subproject of Integrated Solid Waste Management System (ISWMS) and landfill, Mingora also falls under this category of subprojects with legacy issues.
6. In 2018, the Tehsil Municipal Administration (TMA) acquired a barren/unproductive land measuring 8.02 acres for a garbage disposal site near village Kawtaro Mera, approximately 3 km from Mingora City using the urgency clause of the Land Acquisition Act (LAA). The land was handed over to the Water Sewerage and Sanitation Company (WSSC) in 2018 and is being used as an open waste dumping site since then. The land was acquired by the EA as a part of its own development plan and not in anticipation of ADB's financing.
7. The actions and events in the land acquisition & resettlement process for the Mingora LFS did not meet the principles of ADB's SPS 2009 as the land was acquired using the urgency clause of the Land Acquisition Act (LAA) which denies the DPs the right to record their objections and the assessment of land and non-land assets is not reflective of replacement cost. Therefore, this corrective action plan (CAP) is required to bring the project in compliance with the ADB SPS requirements to enable the subproject to be considered for ADB financing. A LARP for Mingora Access road is also prepared for the same subproject to address additional land acquisition required to facilitate access to the LFS. Approval and full implementation of both this CAP and the LARP for the access road are required before works can commence for the subproject.
8. The EIA also noted 6 residential structures which are very close to the LFS (within 250 m) and are considered as sensitive receptors. Further assessment will be made to check if appropriate mitigation measures can be made. If it is assessed that these residential structures should be relocated, a LARP will be prepared and implemented prior to the operation of the LFS in consultation with the landowners.
9. The approach for this CAP entails carrying out an independent valuation study (IVS) by a State Bank of Pakistan (SBP) approved valuator to assess the cost of the land and non-land assets as per the ADB's requirement of replacement cost. The differential cost in the valuation of the Board of Revenue (BOR) assessed compensation rates and those determined by the third party will be paid by PMU from their internal resources. Fresh consultations were made with the DPs to seek their views about the acquisition and impacts on their conditions and livelihood. Social impact assessment is also being carried out to check if there are impacts that would also need to be addressed or groups that may need additional assistance. Impact wise details of the DPs is provided in Table 1 below.

4. Impact Assessment and Scope of Land Acquisition and Resettlement

10. 8.275 acres was acquired from 6 landowners for the LFS (list of DPs attached as **Annex 1**). The land is in a hilly area and is mostly barren. Prior to the acquisition, the land has remained

idle and not used for any productive purpose as landowners previously intended to develop the area as a housing subdivision.

11. In addition to the land, there are 24 wood trees that are being impacted. The trees mostly consist of acacia species and are used as wood for fuel.
12. One structure is also being impacted. The structure is constructed over an area of approximately 125 sq. yards and is made of mud and bricks. The structure was constructed by the landowners as a room for a security guard. Since the acquisition of the land, this structure has been abandoned and currently unoccupied.
13. The economic livelihood of the DPs is not dependent upon the land which has been acquired for the LFS. There are neither any vulnerable DPs nor severely affected HHs. There are no formal and informal livelihoods associated with the proposed LFS. There are no scavenging activities that may be affected. Since the land is a joint ownership of same family members, therefore, the impacts on land and non-land assets are applicable to all 6 owners. Impact-wise details of the DPs is provided in Table 4-1 below.

Table 4-1: Impact details

S/No	Description	Qty/Nos.	No of DPs
1	Agriculture land (acres)	8.0275 acres	6
2	Land users	66 kanal 2 marla	6
3	Crop area (acre)	0	
4	Wood trees	24	6
5	Fruit trees	0	
6	Tube well	0	
7	Structures	1	6
8	Vulnerable	0	
9	Severely impacted	0	
10	Others	0	
	Total	8.275 acres	6

14. The land was purchased in 2012 solely for business purposes by the 6 previous landowners who intended to develop the land as a private housing subdivision. The land award under the Land Acquisition Act was announced in 2018 and the cost of land was assessed at PKR 54,432,827 or 6,787,135/acre. The copy of the land award is attached as **Annex 2**. The price offered by BOR was not acceptable to the landowners and they have filed a petition in the court to the enhancement of compensation. None of the landowners have received their compensation as they refuse to accept compensation assessed by the Revenue Department. The Table 4-2 below provides the details of the compensation assessed against each type of impact and the status of payment.

Table 4-2: Status of compensation payment based on BOR assessment

S. No	Type of Payment	BOR-Assessed Value	Total DPs			Payment Status			
						Paid Amount	Unpaid Amount	Paid DPs	Unpaid DPs
		PKR	M	F	Total	PKR	PKR	(No.)	(No.)
1	Land Compensation	54,432,827	6		6	0	54,432,827	0	6
2	Crops Compensation	0							
3	Affected trees	9600/-	6		6		9600		6
4	Structures	89315/-	6		6		89315		6
5	Others (tube well and pumping chamber & allied work)	0							
	Total	544,32827/-	6		6	0	544,32827	0	6

5. Socio-economic Profile

15. The site is in a suburban area of Mingora City. The area has all the basic amenities of electricity, health care, water supply and education available to the local population. Most of the people including the DPs are living in well-constructed concrete houses with access to all basic amenities. Numerous income-generating activities are practiced in the area. These include employment in government and private sector, wage labor, operating own business, shopkeeper, traders, plumber and overseas employment. All the landowners belong to the same family and are largely affluent people having multiple sources of income and businesses. Out of 6 DPs, 2 are medical doctors, one is a lawyer and remaining 3 brothers are involved in a joint housing schemes and real estate business.
16. Females in the project area has no recognized role in the authority structure of the villages. Most of the women stay at home and only travel outside the village in case of visiting relatives, weddings and to visit hospitals in nearby towns. During consultation it was found that mostly decisions are taken by men. In educated families the decision is taking jointly and more apparently in younger generations. Main issues highlighted by women include concerns regarding bad smell from the garbage transportation trucks and LFS and adjustment of construction activities in such a way that it does not disturb the mobility of local population especially women and children during their routine (schools timing and working/ jobs timing).

6. Consultations and Information Disclosure

17. In total, 05 consultation sessions were held with the DPs of the proposed ISWMS site by the PMU social team and ADB consultants between March 2020 till May 2021. Out of 05 sessions, 03 sessions were conducted with men and 2 sessions were conducted with women., Total 31 men and women participated in these 5 FGDs. Participants included 13

women (41%) and 18 men (58%). The list of participants of the consultation sessions is attached as **Annex 3**.

Some of the main concerns raised by the participants are given below:

- The site is not suitable for dumping waste material as it is close to population and the entire area is engulfed with very bad odor.
 - The garbage dumping is contributing to the spread of various diseases as well degrading the ecosystem, you will find garbage and filth from vehicles everywhere on the road, which endangers the health of children. The road is narrow, and people face many transportation problems especially for children and the elderly.
 - There are many schools, one college and a Darul-Aamaan (shelter House) on the way and adjacent to the landfill. The community already complained and registered a case in court over environment impact concerns against the landfill.
 - We are very worried about the stench, mosquitoes, flies and diseases in the area, the open dumping of waste has greatly deteriorated the quality of life in the area. The landfill should be established far away from the population so that people can be safe from diseases,
 - Community said that there is a school and a college near to the dumping area and community worried for their children because garbage trucks are passing through this narrow way. These are the narrow alleys in which our children used to play, now all the children are confined to their homes due to the movement of garbage trucks/vehicles.
 - The road is not good, there are potholes in places, so when the garbage truck arrives, the whole garbage falls in front of our houses, as a result, our neighborhoods have become dirty and transportation of garbage is causing bad odors and diseases in the area.
 - The landowners indicated that the rates offered by Government of KP for the land are very low side and therefore, not acceptable. The land was purchased by the DPs with the intent to develop a housing subdivision as a business venture. They do not have any objection with the establishment of ISWMS and landfill site but need to be paid the market value for the land so that they can continue with their business plans in some other location in the area.
18. The participants were informed that once the subproject is approved, the waste of the city would be properly managed and the open dumping will stop. In addition to improving the air quality of the area, the subproject will improve the associated facilities (e.g. roads) and also open up livelihood opportunities for the local population through subproject-related jobs and employment. The participants were also informed that as per ADB's SPS requirements, the DPs would be compensated according to the current market value of their acquired land.
19. The participants were generally satisfied with the efforts being undertaken by the project and agreed to the establishment of the subproject as long as they are compensated fairly and the concerns regarding the environmental hazards are addressed.
20. The information related to the subproject and its components and possible impacts followed the corrective actions was shared with the participants during the consultation sessions. The PMU team also plans to prepare a subproject information brochure which will be shared with the local communities in both English and Urdu languages. In addition, this CAP once updated and approved will be translated and distributed amongst the DPs and disclosed on

EA and ADB websites. The commencement of civil works will be subject to complete implementation of the CAP verified by the External Monitor. Selected pictures of the consultation sessions with the DPs and local community are provided in **Annex 4**.

7. Eligibility and Entitlements

21. Compensation and entitlements have been determined on the basis of SPS 2009. Table 6.1 provides an entitlement matrix for different types of losses as the the land acquisition and resettlement framework (LARF) developed for KPCIP. It also covers the provisions for any unanticipated impacts arising during subproject implementation. Compensation and other assistances will be paid to DPs prior to dislocation and dispossession from acquired assets. In case, the payment is delayed more than a year from the date of valuation, the values will be adjusted annually before payment to DPs.

Table 7-1: Entitlement Matrix (as per LARF)

Type of Loss	Specification	Eligibility	Entitlements
1. LAND			
Permanent impact on arable land	All land losses independently from impact severity	Owner (titleholder, or holder of traditional rights)	<ul style="list-style-type: none"> Land for land compensation with comparable productivity and suitability to be explored (if feasible) OR Cash compensation at full replacement cost (RC¹) including fair market value plus 15% compulsory acquisition surcharge all transaction costs, applicable fees and taxes and any other payment applicable If BoR² compensation falls below RC, the project will pay the differential as resettlement assistance to the DPs to restore affected livelihoods. Additional compensation to be worked out in consultation with DPs if the loss is 10% or more of productive resources including land.
		Leaseholder titled/untitled	<ul style="list-style-type: none"> Compensation commensurate to lease type and duration to be defined in LARP Production based on relevant cropping pattern/cultivation record (additional to standard crop compensation as defined below) and other appropriate rehabilitation, to be defined in the LARPs based on project situation and AP consultation.
		Sharecropper/tenant (titled/untitled)	<ul style="list-style-type: none"> Cash compensation equal to gross market value of crop compensation (see below) to be shared with the land owner based on the sharecropping
			<ul style="list-style-type: none"> Income rehabilitation allowance in cash equal to net value of annual crop production based on relevant cropping pattern/cultivation record (additional to standard crop compensation

¹ Refer to IR safeguards as in SR2 para 10 of SPS 2009

² Board of Revenue, provincial agency with a mandate to approve compensation rate/amount

Type of Loss	Specification	Eligibility	Entitlements
			and other appropriate rehabilitation to be defined in the LARPs based on project situation and DP consultation).
		Squatter, encroacher.	<ul style="list-style-type: none"> No compensation for land loss IN addition to standard crop compensation, income rehabilitation allowance in cash equal to net value of annual crop production and other appropriate rehabilitation to be defined in the LARPs based on project specific situation and DP consultation. Compensation for any irrigation infrastructure and other improvements made to the land (but not for the land) at full replacement cost.
Severe impact on productive land	Loss of 10% of productive (income earning) land	Titleholder, or holder of traditional rights	<ul style="list-style-type: none"> Cash compensation for 3 months equal to national minimum wage i.e. PKR 20,000/month as fixed by the Federal Government for the year 2021-22. The amount for three months will be equal to PKR 20,000 X 3 = 60,000
Residential/ commercial land	All land losses	Titleholder, or holder of traditional rights	<ul style="list-style-type: none"> Cash compensation at full replacement cost (RC) including fair market value plus 15% compulsory acquisition surcharge all transaction costs, applicable fees and taxes and any other payment applicable If BoR compensation falls below RC, the project will pay the differential as resettlement assistance to the DPs to restore affected livelihoods. Additional compensation to be worked out in consultation with DPs if the loss is 10% or more of productive resources including land.
		Lessee, tenant	<ul style="list-style-type: none"> Cash refund/payment at the rate of lease or house rent for remaining lease period or house rent
		Renter/ leaseholder	<ul style="list-style-type: none"> Rent allowance in cash equivalent to 3-6 months' rent to be decided in consultation meetings with DPs.
		Non-titled user without traditional rights (squatters)	<ul style="list-style-type: none"> No compensation for land loss Self-relocation allowance in cash equivalent to 3 months livelihood based on OPL, or as assessed based on income analysis.
Temporary land occupation	Land temporarily required during civil works	Owner, lessee, tenant	<ul style="list-style-type: none"> Lease agreements to be signed between the DPs and the contractor for the period of occupation of land. Rental fee payment for period of occupation of land, as mutually agreed by the parties Restoration of land to original state Guarantee of access to land and structures located on remaining land
		Non-titled user	<ul style="list-style-type: none"> Restoration of land to original state Guarantee of access to land and structures located on remaining land

Type of Loss	Specification	Eligibility	Entitlements
2. STRUCTURES			
Residential, agricultural, commercial, public, community	Partial Loss of structure	Owner (including non-titled land user)	<ul style="list-style-type: none"> • Cash compensation for affected structure (full or partial taking into account functioning viability of remaining portion of partially affected structure) at full replacement cost and repair of remaining structure at market rate for materials, labor, transport and other incidental costs, without deduction of depreciation. • Right to salvage materials (without deduction) from lost structure • For vulnerable households, provide legal and affordable access to adequate housing to improve their living standard to at least national minimum standard. • Any improvements made to a structure by a tenant will also be taken into account in the calculation of compensation at full replacement cost payable to the owner and any apportionment due to the tenant as agreed at consultation meetings.
		Lessee, tenant	<ul style="list-style-type: none"> • Cash refund at rate of rental fee proportionate to size of lost part of structure and duration of remaining lease period already paid. • Any improvements made to a structure by a tenant will also be taken into account in the calculation of compensation at full replacement cost payable to the owner and any apportionment due to the tenant as agreed at consultation meetings.
	Full loss of structure and relocation.	Owner (including nontitled land user)	<p>The DP may choose between the following alternatives:</p> <ul style="list-style-type: none"> • Compensation through provision of fully titled and registered replacement structure of comparable quality and value, including payment of all transaction costs, such as applicable fees and taxes, at a relocation site or a location agreeable to the DP. • Any improvements made to a structure by a tenant will also be taken into account in the calculation of compensation at full replacement cost payable to the owner and any apportionment due to the tenant as agreed at consultation meetings. • If the market value of the replacement structure is below that of the lost structure, cash compensation for the difference in value without deduction of depreciation. • If the market value of the replacement structure is above that of the lost structure, no further deductions. or • Cash compensation at full replacement cost, including all transaction costs, such as applicable fees and taxes, without deduction

Type of Loss	Specification	Eligibility	Entitlements
			<p>of depreciation for age, for self-relocation. In any case, DP has the right to salvage the affected structure.</p> <ul style="list-style-type: none"> Severity assistance to all losing structures permanently equivalent to 3 months equal to national minimum wage i.e. PKR 20,000/month as fixed by the Federal Government for the year 2021-22. The amount for three months will be equal to PKR 20,000 X 3 = 60,000
		Lessee, tenant	<ul style="list-style-type: none"> Cash refund at rate of rental fee proportionate to duration of remaining lease period
	Moving of minor structures (fences, sheds, latrines etc.)	Owner, lessee, tenant	<p>The DP may choose between the following alternatives:</p> <ul style="list-style-type: none"> Cash compensation for self-relocation of structure at market rate (labor, materials, transport and other incidental costs, as required, without deduction of depreciation for age) Or Relocation of the structure by the Project.
	Stalls, kiosks	Vendors (including titled and non-titled land users)	<ul style="list-style-type: none"> Allocation of alternative location comparable to lost location, and Cash compensation for self-relocation of stall/kiosk at market rate (labor, materials, transport and other incidental costs, as required, without deduction of depreciation for age)
3. Crops	Affected crops	Cultivator	<ul style="list-style-type: none"> Cash compensation at current market rate proportionate to size of lost plot, based on crop type and highest average yield over past 3 years. Additional compensation to be worked out in consultation with DPs if the loss is 10% or more of productive resources including land.
		Parties to sharecrop arrangement	<ul style="list-style-type: none"> Same as above and distributed between land owner and tenant according to legally stipulated or traditionally/informally agreed share
4. Trees	Affected Trees	Cultivator	<ul style="list-style-type: none"> Cash compensation for perennial crop trees at current market rate of crop type and average yield (i) multiplied, for immature non-bearing trees, by the years required to grow tree to productivity or (ii) multiplied, for mature crop bearing trees, by the average years of crops forgone; plus cost of purchase of seedlings and required inputs to replace trees. Cash compensation for timber trees at current market rate of timber value of species at current volume, plus Cost of purchase of seedlings and required inputs to replace trees

Type of Loss	Specification	Eligibility	Entitlements
		Parties to sharecrop arrangement	<ul style="list-style-type: none"> Same as above and distributed between land owner and tenant according to legally stipulated or traditionally/informally agreed share
5. RESETTLEMENT & RELOCATION			
Relocation Assistance	All types of structures affected	All DPs titled/untitled requiring to relocate as a result of losing land and structures	<ul style="list-style-type: none"> The project will provide logistic support to all eligible DPs in relocation of affected structures whether project based relocation or self-relocation as opted by the DPs. If project-based relocation, DPs will be provided with fully functional public services and facilities including school, health center, community center, electricity, water supply and sewage and irrigation facility with their long term operation and maintenance planned and agreed.
Security of tenure	Replacement land and structures	All DPs and tenants needing to relocate to project relocation sites.	<ul style="list-style-type: none"> If DPs are required to relocate to project relocation sites, they will be provided with secure tenure to the replacement land and structures.
Transport allowance	All types of structures requiring relocation	All DPs and tenants required to relocate as a result of losing land and structures	<ul style="list-style-type: none"> Compensation (in cash or kind as agreed with DPs) to all eligible DPs and tenants. For residential structure a lump sum amount of Rs. 15,000/ or higher depending upon the situation on ground. For commercial structure a lump sum amount of Rs. 10,000/ or higher depending upon the situation on ground. For Kiosk a lump sum amount of Rs.3000/ or higher depending upon the situation on ground.
House rent	All types of structures requiring relocation	All DPs and tenants required to relocate as a result of losing land and structures	<ul style="list-style-type: none"> A lump sum amount, as agreed between the DP and project team, to assist the DPs in renting house for a negotiated period of time, for a comparable structure or apartment to the one lost.
Transition allowance	All types structures requiring relocation	All DPs and tenants required to relocate	<ul style="list-style-type: none"> On a case to case basis, transitional allowance equal to 3 months of recorded household income or equal to inflation adjusted official poverty line, whichever is higher.
Arable, residential and commercial land and structures	All types of structures	All DPs titled/untitled losing land & structures	<ul style="list-style-type: none"> Additional cash compensation of 15% as solatium over and above the BOR compensation price. Payment of any price differential or top-up, based on replacement cost study.
6. INCOME RESTORATION			

Type of Loss	Specification	Eligibility	Entitlements
Permanent loss of agriculture based livelihood	Partial loss of agricultural land with viable land remaining	Owner, lessee, sharecrop tenant, non-titled land user	<ul style="list-style-type: none"> Provision of support for investments in productivity enhancing inputs, such as land leveling, terracing, biological, erosion control, sprinkler/drip irrigation, composing, tools and agricultural extension, as feasible and applicable; additional financial support if land compensation is insufficient to allow for adequate investments to maintain livelihood
	Full loss of viable agricultural land without availability of alternative land.	Owner, lessee, sharecrop tenant, non-titled land user	<ul style="list-style-type: none"> Provision of re-training, job-placement, additional financial grants and micro-credit for equipment and buildings, as well as organizational/logistical support to establish DP in alternative income generation activity
Maintenance of access to means of livelihood	Avoidance of obstruction by project facilities	All DPs	<ul style="list-style-type: none"> Provide un-interrupted access to agricultural fields, business premises and residences of persons in the project area.
Businesses	Temporary business loss due to LAR or construction activities by Project	Owner business (registered, informal)	<ul style="list-style-type: none"> Cash compensation equal to lost income during period of business interruption based on tax record or, in its absence, comparable rates from registered businesses of the same type with tax records, or at least inflation adjusted OPL.
	Permanent business loss due to LAR without possibility of establishing alternative business	Owner business (registered, informal)	<ul style="list-style-type: none"> Cash compensation equal to lost income for 12 months based on tax record or, in its absence, comparable rates from registered businesses of the same type with tax records, or at least inflation adjusted OPL And Provision of training, job-placement, additional financial grants and micro-credit for equipment and buildings, as well as organizational/logistical support to establish DP in alternative income generation activity
Employment	Temporary employment loss due to LAR or construction activities	All affected employees of affected businesses and agricultural workers	<ul style="list-style-type: none"> Cash compensation equal to lost wages during period of employment interruption up to 3 months based on tax record or registered wage, or, in its absence, comparable rates for employment of the same type, or at least inflation adjusted OPL. If required by Pakistan's labor laws and regulations/codes, the compensation will be paid to the employer to enable him/her to fulfill legal obligations to provide compensation payments to laid-off employees, to be verified by EA/relevant government official.
	Permanent employment loss due to LAR without possibility of re-employment in similar sector and position in or near area of lost employment	All laid-off employees of affected businesses and laid-off agricultural workers from affected farms	<ul style="list-style-type: none"> Cash compensation equal to lost wages for 6 months, based on tax record or registered wage, or, in its absence, comparable rates for employment of the same type, or at least inflation adjusted OPL. If required by the applicable labor code, compensation will be paid to employer to enable him/her to fulfill legal obligations to provide severance payments to laid-off employees, to be verified by government labor inspector And

Type of Loss	Specification	Eligibility	Entitlements
			<ul style="list-style-type: none"> Provision of training, job-placement, additional financial grants and micro-credit for equipment and buildings, as well as organizational/logistical support to establish DP in alternative income generation activity
7. PUBLIC SERVICES AND FACILITIES			
Loss of public services and facilities	Schools, health centers, administrative services, infrastructure services, graveyards etc	Service Provider	<ul style="list-style-type: none"> Full restoration at original site or re-establishment at relocation site of lost public services and facilities, including replacement of related land and relocation of structures according to provisions under sections 1 and 2 of this entitlement matrix
8. SPECIAL PROVISIONS			
Vulnerable APs	Support to disproportionately affected persons	All vulnerable DPs including those below the poverty line, the landless, the elderly, women and children, and indigenous peoples.	<ul style="list-style-type: none"> Provision of training, job-placement, additional financial Cash allowance equal to 3 months of official minimum wage to all vulnerable DPs. grants and micro-credit for equipment and buildings, as well as organizational/logistical support to establish DP in alternative income generation activity. Subsistence allowance equal to 3 months of official poverty line, and other appropriate rehabilitation to be defined in the LARPs based on income analysis and consultations with DPs. Preferential selection for project related employment.
	Loss of land	All vulnerable DPs	<ul style="list-style-type: none"> Assistance in identification and purchase or rental of new plot
	Loss of structure	All vulnerable DPs	<ul style="list-style-type: none"> Assistance with administrative process of land transfer, property title, cadastral mapping and preparation of compensation agreements Assistance in construction of new structure Assistance in identification and purchase or rental of new structure Assistance with administrative process of registration of property and preparation of compensation agreements Assistance with transition to relocation site
	Temporary land acquisition	All vulnerable DPs	<ul style="list-style-type: none"> Preferential treatment to avoid or mitigate as quickly as possible Provision of access to land and residence suitable to disabled and elderly DPs
	Loss of livelihood	Female livelihood losers directly affected	<ul style="list-style-type: none"> Compensation paid directly to female livelihood loser

8. Independent Valuation Study

22. To meet the ADB principle of replacement cost, an independent valuation study (IVS) is being conducted. State Bank of Pakistan (SBP) approved evaluator M/S Amir Evaluators and Consultants” has been hired by the KPCIP PMU to carry out an independent valuation study of land and non-land assets and will also to review the land acquisition and assessment process conducted by the BOR. The IVS will be guided by ADS SPS guidance for establishing replacement cost and the approved procedures of the State Bank of Pakistan.
23. SPS guidance for establishing replacement cost consist of the following, i) fair market value, ii) transaction cost, iii) interest accrued, iv) transitional and restoration costs and, v) other applicable payment, if any. Where market conditions are absent or in a formative stage, the borrower and client will consult with the displaced persons and host population to obtain adequate information about recent land transaction, land value by types, land title, land use, cropping pattern and crop production, availability of the land in the project area, regions, and other related information.
24. The IVS firm was hired on 01 June 2021. Currently assessment surveys are being conducted to determine the replacement cost of land and non-land assets. The IVS report for Mingora Landfill site is expected by 15 September 2021. The TORs for the Independent Valuation Specialist are attached as **Annex 5**.

9. CAP Budget and Financing

25. The differential cost in the valuation of the BOR assessed compensation rates and those determined by the third party will be bridged by PMU from the project internal resources. The EA is committed to paying the differential cost as determined by the IVS and approved by ADB. In total, Local Government (LG) Department received approval of PKR 3000m (\$19m) block allocation for land acquisition from the project steering committee (SC). Accordingly, cities were requested for submitting PC1s for the land acquisition. Till date 4 PC1s amounting to PKR 1071m (\$6.75m) has been approved and amount released to the DC office through the LG department. The LG Department is now waiting for the findings of IVS for CAPs before requesting finance department for release of additional funds to cater for differential cost. It is agreed that LG department will generate its request once (i) ADB approves the IVS; and (ii) the final cost endorsed through Section 5A. The minutes of the meeting between ADB and Secretary Local Government indicating the commitment of the EA to pay the additional compensation to the DPs is attached as **Annex 6**. A formal approval process for the payment is being initiated by PMU and a formal letter by the EA will be issued soon. The final approval will be included in this CAP once the document is updated.
26. During the fact-finding mission for KPCIP, the KP Government has agreed to undertake independent valuations of the land and property prices where requested by ADB to meet its safeguard policy requirements. The KP Government also requested the Mission to use part of the ADB loan proceeds for the purpose of land acquisition and resettlements (to reimburse compensation payments up to the level these are disbursed to the affected landowners).

27. This CAP will be updated based on the findings of the IVS and a consolidated budget will be prepared once the IVS study is completed and approved.

10. Institutional Arrangements

28. The LGE&RD is the project Executing Agency (EA). The Program Management Unit (PMU) is responsible for the day-to-day management of the project (through respective CIUs). The Social safeguard staff of the PMU is responsible to manage the LAR-tasks and activities including handling/resolving of any complaints or grievances of those displaced by the subproject (DPs) and fulfilling safeguard requirements. A 3 tier Grievance Redress Mechanism (GRM) is in place and a Grievance Redress Committee. (GRC) has been notified on 16 June 2021. The GRC notification is attached as **Annex 7**. An External Monitoring Agent (EMA) will also be engaged for validation of CAP and report its implementation. Roles and responsibilities of each stakeholder is provided in table 10-1 below:

Table 10-1: Institutional Roles and Responsibilities

S #	Institution	Roles and Responsibilities
1	PMU	The overall coordination will be provided by Project Management Unit (PMU) at Peshawar (headed by the Project Director) in addition to recruitment of PRF consultant, contract signing and preparation of key reports. The Social and Environment team under the PMU is already in place to manage the LAR-tasks and activities including handling/resolving any complaints or grievances of those displaced by the Project (DPs).
2	CIU	CIU will manage the Project's day-to-day implementation, approval of project design, contract management and technical input of engineering design through WSSC and city government.
3	WSSC	WSSC Mingora is a public sector company established under section 42 of the companies ordinance 1984 (Act 2017) to assist CIU in the implementation of the project through the management of water and sanitation.
4	Contractor	Contractor is responsible for the construction works under the social and environment conditions.
5	CSC	CSC is responsible for the overall supervision of the projects and ensure that LARP is implemented in a smooth and timely manner in accordance with the provisions of the LARP.
6	District Government	Role of district administration is to provide full support and coordination to all stakeholders and keep law and order related to security measures.

S #	Institution	Roles and Responsibilities
7	Community	Local Community is the affected as well as beneficiary of the sub-project. Community is responsible to resolve social conflicts and to safeguard their rights.
8	ADB/AIIB	ADB/AIIB are the financiers of the north zone pumping station and has supervisory role.
9	Revenue Department	District Collector/Deputy Commissioner is responsible for the evaluation of the lost assets and disbursement of the compensations to DPs for their lost assets.

11. CAP Implementation Schedule and Civil Works

29. This CAP will be updated shortly after the completion and approval of the IVS which is expected by September 2021. Contract award for the subproject will be conditional to the approval of the final/implementation-ready CAP, while commencement of civil works will be conditional to the full implementation of the CAP as verified in a CAP implementation compliance report. This CAP is expected to be fully implemented by March 2022, while contract award is targeted for September 2022 and commencement by October 2022. A time-bound action plan with the roles and responsibilities is presented in Table 11.1 below. The subproject procurement plan indicating the dates for award of contract and commencement of civil works is attached as **Annex 8**

Table 11-1: Tentative timeline for corrective actions

S.No.	Corrective Action	Date/Timeline	Responsibility
1	Hiring of IVS Firm	01 June 2021	PMU
2	Consultations with DPs	Mar 2020 to May 2021	PMU/RS
3	Census / surveys	Completed	PMU/RS
4	Preparation of Draft CAP	10 July 2021	PMU/RS
5	Submission and approval of IVS report	15 September 2021	IVS Firm/PMU
6	CAP revision and updating	30 September 2021	PMU/RS
7	Updated CAP approval by ADB and disclosure	5 November 2021	ADB
8	Revision of PC1 and request for allocation of resettlement funds	15 November 2021	PMU/EA
9	Release of resettlement funds and availability of compensation amount	15 December 2021	GoP/EA/PMU
10	Hiring of external monitor	15 December 2021	PMU/ADB
11	Completion of payment of compensation and differential cost to DPs	January 2022	PMU/RS
12	CAP Implementation report	February 2022	PMU/RS
13	Verification of CAP implementation	March 2022	EMA
14	Advertisement for hiring of contractor	March 2022	PMU
15	Letter of award	08 August 2022	PMU
16	Contract signing	10 September 2022	PMU
17	Commencement of civil works	01 October 2022	PMU


12. Annexes

ANNEX 1: LIST OF DPS

LFS Mingora Owner List

s.no	DPS	Father name
1	Mr. ABDUL LATIF	Mr. SAEED UR REHMAN
2	Mr. MUHAMMAD QASIM	MR. SAEED UR REHMAN
3	Mr. MUHAMMAD IBRAHIM	Mr. SAEED UR REHMAN
4	Mr. BUBAKAR	Mr. SAEED UR REHMAN
5	Mr. ZIA ULLAH	Mr. INAYAT UR REHMAN
6	Mr. SOHAIL INAYAT	Mr. NAYAT UR REHMAN

ANNEX 2: COPY OF THE LAND AWARD



**Office Of The
DEPUTY COMMISSIONER, SWAT.**

Phone: 0946-9240336 Fax: 0946-9240329 Email: landarcy.dcs@swat@gmail.com

No. 24518 /22/Acq/DC(S) Dated 12/07/2018

To, The Assistant Commissioner,
Babozai.

Subject: **ACQUISITION OF LAND FOR GROUND OF DUMPING OF SOLID WASTE.**

Memorandum: In continuation of Award in the subject case vide this Office Endst No. 16088-91/22/Acq/DC(S), dated 25/04/2018.

A piece of land measuring 66 Kanals and 02 Marlas in the locality of Moza Kawtaro Maira, (Mingora) Tehsildar Babozai, District Swat has been acquired for the subject purpose and per assessment, the compensation amount of land and other objects damaging in the Scheme is as under:-

A. COST OF LAND:-

Moza	Kind of land	Area proposed to be acquired		Ausat Yaksala rate per Kanal.	Land Compensation etc.
		Kanal	Marla		
Kawtaro Maira Mingora	Sadin	00	10	Rs. 2,376,920/14	Rs. 1,188,460/-
	Dakarakh	00	11	Rs. 370,000/-	Rs. 203,500/-
	Banjar Qadeem	11	00	Rs. 692,502/40	Rs. 7,617,526/-
	Banjar Qadeem	54	01	Rs. 692,502/40	Rs. 37,429,755/-

Cost of land.....	Rs. 46,439,241/-
15 % CAC.....	Rs. 6,965,886/-
Total cost of land.....	Rs. 5,34,05,127/-
2 % TMA charges.....	Rs. 928,785/-
G. Total.....	Rs. 5,43,33,912/-

B. Compensation of 24 Non Fruit trees per assessment report of Forest Department Rs. 9,600/-

C. Compensation of Building per estimate of C&W, Building Division, Swat. Rs. 89,315/-

Grand Total (A+B+C) **Rs. 5,44,32,827/-**

(Rupees Five Crore, Forty Four Lacs, Thirty Two Thousand, Eight Hundred and Twenty Seven only)

The amount of compensation i.e Rs. 5,44,32,827/- is sent herewith through Refund Voucher dated 05/07/2018 for payment to the concerned Land Owners / Interested persons in light of revenue record in presence of the representative of the Acquiring Department. Furthermore, on completion of payment of land compensation etc, Acquittance Roll duly signed/ Thumb Impressed by the Land Owners/ Interested persons, stamped and attested by you with attested copies of mutations and receipt to the effect of handing over possession of the land to the representative of the Acquiring Department be submitted (in triplicate) to this office for further necessary action.

Please acknowledge receipt.

Encl: (As above)

o/c **LAND ACQUISITION COLLECTOR,
SWAT.** *o/c*

24519-20 Copy forwarded to the:-

- 1) Commissioner, Malakand Division, Saidu Sharif, Swat for information, please.
- 2) Tehsil Municipal Officer, TMA, Babozai, Mingora for information and necessary action at his end please.

o/c **LAND ACQUISITION COLLECTOR,
SWAT.** *o/c*

ANNEX 3: LIST OF PERSONS MET

S.No	Name of participant	Profession
1	Jamila	Teacher
2	Abeera	Student
3	Malaika	Student
4	Naseem Akhter	Housewife
5	Rawasia	Housewife
6	Hafsa Khan	Student
7	Shehnaz	Teacher
8	Naseem Begam	Housewife
9	Jan Sardara	Housewife
10	Hanifa	Housewife
11	Ayesha	Housewife
12	Hafsa Rehman	Student
13	Rukhsar	Student
14	Bahadar sher	Govt
15	Mohammad Rafiq	Chairman
16	Mir Rehman	Labor
17	Zakirullah	Tailor
18	Waqas Ahmad	Health department
19	Irfan Khan	Shopkeeper
20	Sohail Ahmad	Rescue 1122
21	Umar zai	Shopkeeper
22	Mohammad rehman	Shopkeeper
23	Ahmad Ali	Electricity
24	Abdullah	Shopkeeper
25	Bakht Afsar khan	Shopkeeper
26	Mujahid	Labor
27	Ibrar Khan	Govt
28	Rehan Khan	Chairman
29	Meraj Khan	Govt
30	Mohammad Ayaz	Govt
31	Waqas Khan	Govt

ANNEX 4: SELECTED PICTURES OF CONSULTATION SESSIONS



ANNEX 5: TORS FOR THE INDEPENDENT VALUATION SPECIALIST

S.No	Activities	Detailed Tasks
1.	Describe The Valuation Approach Methodology	<ul style="list-style-type: none"> To appraise replacement cost in accordance with the ADB SPS 2009
2.	Meet Relevant Stakeholders	<ul style="list-style-type: none"> Detailed meetings accompanied with attendance sheet and minutes of meeting Proposed list of participants to be met <ul style="list-style-type: none"> DPs, LAC staff, Project-land staff, DC staff, Revenue officials, Prospective buyers Local people
3.	Obtain Copies Of Previous Land Awards	<ul style="list-style-type: none"> Further information to be obtained <ul style="list-style-type: none"> Valuation tables LA-7 forms and mutations information in the proposed area Giving consideration to factors responsible for supply and demand.
4.	Get information on recent land transactions	<ul style="list-style-type: none"> Land use, cropping patterns, crop production (per acre, per term, per year for different crops) Irrigation patterns Availability of land in the project area and region Factors prospective buyers consider while buying land in the region
5.	Undertake a physical survey to make a general assessment of the location of the land parcel	<ul style="list-style-type: none"> Value of similar properties in the vicinity Accessibility, sources of cultivation and nearby amenities Any improvements, made to the land parcel General supply and demand environment in the locality Prospective buyers in the locality.
6.	Review the awarded rates by the DPAC and that of prevailing rates of sales records in the proposed area	<ul style="list-style-type: none"> Taking into account Accessibility to the land, Location of the land; fertility / productivity; availability of amenities Any other pertinent factor that may affect land values Verify the average farm yield / productivity rates from different sources i.e. LAC office, local farmers, and the Department of Agriculture;
7.	Appraise the fair market value of the sampled properties	<ul style="list-style-type: none"> Based on the actual prices at which a lost asset can be sold and acquired in today's markets as opposed to registered prices in land records) Relevant transaction costs and other elements of RC in accordance with the ADB SPS 2009

S.No	Activities	Detailed Tasks
8.	Prepare a valuation report	<p>Report should include:</p> <ul style="list-style-type: none"> • Property address (village name, parcel identification) • General description of the property • Site (area) • Registered owners • Location and attributes (on/off road, surrounding development, source of water, etc.) • Land category • Present and past cultivation • Public services (amenities/utilities nearby) • Date of inspection • Details of any structure on the land • Details of any trees on the land • DPAC valuation • Estimated market price by real estate agents in the open market • Valuation at replacement cost by the ITV <p>Difference between DPAC valuation and that of the ITV in absolute figures and percent</p>

ANNEX 6: WRITTEN COMMITMENT OF EA TO PAY ADDITIONAL COMPENSATION

Meeting between the Local Government, Elections & Rural Development Department (LGE&RD)
Khyber Pakhtunkhwa, ADB and KPCIP (PRF) - PMU Staff

MINUTES

Venue: Asian Development Bank (PRM Office, Islamabad³)

Date: 27th May 2021

Agenda of the Meeting:

To discuss: (i) Khyber Pakhtunkhwa Cities Improvement Project (KPCIP) ensuing loan; (ii) KPCIP Project Management Unit (PMU) staff extension; (iii) KPCIP ensuing loan advance procurement activities (iv) KPCIP ensuing loan safeguards requirements and targets; (v) hiring of supervision consultants for KPCIP infrastructure component; and (vi) Institutional Reforms and Capacity Building (IRCB) variation order.

Introduction:

1. Officials of Government of Khyber Pakhtunkhwa from LGE&RDD along with KPCIP-PRF-PMU team visited ADB PRM office on 27 May 21 and met with Urban Unit team to discuss the upcoming KPCIP ensuing loan processing timelines and required preparedness before ADB board approval. During the meeting advance procurement activities and hiring of PMU/CIU staff, way forward for hiring of supervision consultants for the ensuing loan infrastructure schemes and other matters including IRCB consultant's variation order, extension of the existing KPCIP-PRF PMU.

2. Meeting Proceedings and Agreed Actions:

Agenda wise discussion and agreed actions are summarized in table below:

Sr.	Activity /Agreed Action	Discussions	Agreed Action
1.	KPCIP ensuing loan	Secretary LGE&RDD requested ADB to fastrack KPCIP ensuing loan processing and highlighted the urgency groundbreaking of civil works due to the growing political pressure. He also informed ADB of the departments full commitment of adhering to ADB's project readiness requirements and compliance before the Board date i.e., 9 September 2021. ADB team acknowledged LGE&RDD and PMU's commitment	PMU-KPCIP in consultation with ADB to prepare KPCIP ensuing loan processing activities plan by end of September 2021.

³ **Participants:** Mian Shakeel Secretary LGE&RDD, Inayat Ullah Wasim Special Secretary LGE&RDD, Mian Shaukat Shafi Unit Head (Urban, Water and Emergency Assistance), Umar Ali Shah (Senior Project Officer (Urban), Vasif Shinwari Project Director KPCIP-PRF-PMU; and Tahira Yasmin (Consultant)

Sr.	Activity /Agreed Action	Discussions	Agreed Action
		and emphasized that to push the project approval both at the Government and ADB HQ level it is important that an action plan for project processing activities is developed which is followed by the Department on biweekly basis. This will help keep activities on track and	
2.	KPCIP (PRF)-PMU staff extension	<p>Considering the ongoing KPCIP-PRF activities, Secretary LGE&RDD highlighted the needs of KPCIP PMU staff and requested extension of their services (beyond 30 June 21) for 12 months.</p> <p>ADB apprised the participants that KPCIP-PRF remaining activities including management of the consulting firms hired under PRF will be the responsibility of the upcoming KPCIP ensuing loan PMU. In this regard provision of dedicated project development team has been made which will be expected to perform the role of the existing KPCIP (PRF) PMU. It is therefore requested that LGE&RDD through KPCIP-PRF PMU should initiate the hiring process of the critical staff of the ensuing loan PMU who would be made responsible for further hiring of the PMU staff including the project development team. It was clarified that there would be no bar on the selection of the existing KPCIP-PRF-PMU team in the ensuing loan PMU. Anyone meeting the qualification requirements will be encouraged to apply and compete on merit.</p> <p>Considering the time required in hiring and mobilization of the ensuing loan project development team under the PMU, and for the sake of continuity of KPCIP-PRF ongoing intervention, ADB agreed to</p>	<ul style="list-style-type: none"> • KPCIP (PRF)-PMU to submit variation order and extension of required staff for 6 months to Secretary LGE&RDD for review and approval and onward submission to ADB. • Secretary LGE&RDD to form committee for hiring and selection of PMU/CIU critical staff. • Advertisement of PMU/CIU phase 1 hiring after PDWP approval of KPCIP PC1.

Sr.	Activity /Agreed Action	Discussions	Agreed Action
		<p>approve the extension of limited KPCIP-PRF-PMU team for 6 months. Secretary LG was requested to initiate the Variation order and extension of required staff of KPCIP (PRF)-PMU and get it submitted to ADB for approval on timely manner.</p>	
3.	KPCIP ensuing loan advance procurement activities	<p>ADB informed that following advance procurement actions have been agreed with PMU for the ensuing loan:</p> <ul style="list-style-type: none"> • \$470 million civil works (Parks, water supply, sanitation, STPs) and solid waste manage equipment. • \$2-3m institutional procurements for PMU/CIU establishment • \$20m supervision consultants; and • Hiring of PMU/CIU incremental staff and individual consultants <p>Secretary LGE&RDD was requested to notify the procurement committee (with reps from WSSCs) to be responsible for the operational and institutional procurement for respective cities. PMU was also requested to share the advance procurement activities work plan for follow up.</p>	<ul style="list-style-type: none"> • Secretary LGE&RDD to notify procurement committee responsible for the operational and institutional procurement. • PMU to share the advance procurement activities work plan for follow up.
4.	KPCIP ensuing loan safeguards requirements and targets;	<p>Secretary LGE&RDD appraised ADB on departments full commitment on complying with ADB SPS 2009 requirements. He requested ADB to guide PMU and help them prepare a time bound action plan for undertaking land acquisition activities which will be followed-up by the department on weekly basis.</p> <p>ADB informed that before management review meeting (MRM) set for 13 July 21, it is important that implementable LARPs have been approved which requires following documentation:</p>	Time bound action plan for land acquisition activities is attached as Appendix 2A and 2B.


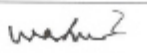
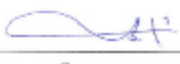
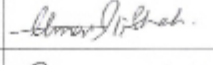
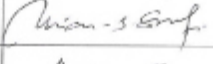

Sr.	Activity /Agreed Action	Discussions	Agreed Action
		<ul style="list-style-type: none"> • Updated social safeguard due diligence report for entire investment projects under KPCIP. • Detail Design (Profile, scope, Location Map with coordinates) • Section 5A-including (Socioeconomic Survey and Social Impact Assessments to be carried out). • IVS Report detailing findings of DMA, VLA including (i) fair market value, (ii) transactions costs, (iii) interest accrued, (iv) transitional and restoration costs and other applicable payments. <p>A time bound action plan for land acquisition activities was discussed and attached to the minutes as Appendix 2.</p>	
5.	Hiring of supervision consultants for KPCIP infrastructure component;	<p>Hiring of supervision consultants was discussed at length. Secretary LGE&RDD and the KPCIP-PRF-PMU team shared pros and cons of supervision consultant selection through both open merit and direct contracting. The KP Government reps emphasized on continuing with the EPCM consultant i.e. Minco-CEC (JV) as supervision consultant mainly because of following facts:</p> <ul style="list-style-type: none"> • Ongoing COVID-19 pandemic which may result in lack of competition. • Time of hiring i.e. 9-12months of hiring following open competition process (QCBS) Vs direct contracting which may be concluded with 3-4 months; • Delays in construction due to engineering design complications which is likely to occur in case if supervision consultants are different from original designers. • Provisions of direct contracting with the Minco-CEC (JV) in their current executed contract 	<ul style="list-style-type: none"> • Direct Contract and its justification to be made part of revised PC1; • LGE&RDD to submit its request for direct contracting along with all the documents required for Single Source Selection (SSS)-Submission 1 to ADB for considerations.

Sr.	Activity /Agreed Action	Discussions	Agreed Action
		<p>agreement, which may be considered based on their performance (which is fully supported by the KPCIP-PRF-(PMU) 'the Client'; and</p> <ul style="list-style-type: none"> • Cost Savings. <p>Considering recent experience across portfolio in Pakistan, ADB shared its concern over direct hiring. However, based on justification provided by the KP Government reps agreed to the proposal and asked Secretary Government to move the case to ADB for considerations.</p>	
6.	Institutional Reforms and Capacity Building (IRCB) variation order (VO);	<p>Project Director, PMU-KPCIP (PRF) informed that the IRCB consultants have struggled to mobilize their core staff due to ongoing pandemic. In addition, few key staff who initially had confirmed their availability due to travel restrictions have now shared their non-availability for the assignment. This has badly affected the performance of the IRCB consultants and there is a likely hood of certain delays in their expected outputs. To resolve the human resources crisis, IRCB consultants has submitted a variation order for PMU/ADB considerations.</p> <p>During the meeting with ADB it was agreed that the PMU should move ahead with IRCB VO in two steps. In Step 1, the Team Leader position replacement should be submitted to ADB for approval. The Team Leader after joining should be given some time to further streamline IRCB work plan, ascertain current team capacity and the replacement CVs and based on his feedback, PMU should proceed with Step 2 and submit remaining Expert's replacement request to ADB for approval.</p>	<ul style="list-style-type: none"> • PMU to submit IRCB Team leader replacement request with all required documents to ADB for approval by 7 June 2021. • PMU to submit IRCB final VO by 21 June 2021.

Meeting with Secretary Local Government and Special Secretary KP

27- May -2021

Attendance Sheet

S #	Name (CAP LETTERS)	Designation	Origination	Contact No / Email	Signature
1	TAHIRA YASMIN	Consultant	LG & RD	03009030107	
2				Yasmin + tahira1@gmail.com	
3	Inayatullah Wasim INAYATULLAH WASIM	Special Secretary	LG & RD		
4	Vasif Shinwari VASIF SHINWARI	RD-KPCIP	LG & RD	0300-7630706 pdkpcip@gmail.com	
5	Umar Ali Shah	Senior Project Officer	ADB	ushah@adb.org	
6	Mian Shaukat Shafi				
7	Mian Shakeel	Secretary	LG & RD		
8					

ANNEX 7: NOTIFICATION OF GRC



GOVERNMENT OF KHYBER PAKHTUNKHWA
PROJECT MANAGEMENT UNIT
KHYBER PAKHTUNKHWA CITIES IMPROVEMENT PROJECT
LOCAL GOVERNMENT, ELECTIONS &
RURAL DEVELOPMENT DEPARTMENT, PESHAWAR

Ground Floor, Afzal Apartments, Jamrud Road, Phase-3 Chowk, Hayatabad
Peshawar, +92 91 5854555 pdkpcip@gmail.com



No: LGE&RD/KPCIP/2021/523-549

Dated: 16 June 2021

To

The Deputy Commissioner

1. Abbottabad
2. Kohat
3. Mardan
4. Swat
5. Peshawar

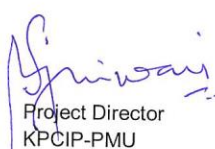
SUBJECT: NOTIFICATION OF GRIEVANCES REDRESSAL COMMITTEES FOR
KPCIP SUB-PROJECTS

The competent authority is pleased to notify the Grievances Redressal Committee (GRC) at field level for the 05 Cities namely Abbottabad, Kohat, Mardan, Mingora (Swat), and Peshawar under Khyber Pakhtunkhwa Cities Improvement Project (KPCIP). Official notification of the GRC is attached with this letter for your reference.


Project Director
KPCIP-PMU

Copy to:

- PS to Secretary LGE&RDD – for information
- PS to Sp. Secretary LGE&RDD
- Project Coordinator (PMU)
- PA to The Concerned Assistant Commissioner
- City Manager(CIU) Concerned WSSC/TMA/PDA (Peshawar)
- M&E Specialist
- Resettlement Expert
- Social Safeguard Expert
- Gender Expert
- Environmental Expert
- Concerned Tehsildar District/ Tehsil
- Rep of AC office (Concerned Patwari)
- Public Representative (Councilor/Nazim/Naib Nazim)
- Sardar/Malik of Concerned Locality
- Concerned RE
- File


Project Director
KPCIP-PMU



GOVERNMENT OF KHYBER PAKHTUNKHWA
PROJECT MANAGEMENT UNIT
KHYBER PAKHTUNKHWA CITIES IMPROVEMENT PROJECT
LOCAL GOVERNMENT ELECTIONS AND RURAL
DEVELOPMENT DEPARTMENT



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COMMITTEE NOTIFICATION

Grievances Redressal Committee at Field Level for all cities (Peshawar, Mardan, Mingora, Kohat, and Abbottabad) involved all sub-projects under KPCIP (1st Tier)

Proposed composition of the GRC at Field level is as follows:

Sr. No.	OFFICIAL DESIGNATION	COMMITTEE DESIGNATION
1	Concerned Assistant Commissioner	Chairman
2	City Manager(CIU) Concerned WSSC/TMA/ PDA (Peshawar)	Secretary
3	Resettlement Expert	Member
4	Gender Expert	Member
5	Environmental Expert	Member
6	Rep of AC office (Concerned Patwari)	Member
7	Public Representative (Councilor/Nazim/Naib Nazim)	Member
8	Sardar/Malik of Concerned Locality	Member

TOR Grievances Redressal Committee:

- This GRC will work closely with the Communities and CIU at field level
- To receive and facilitate the application and grievances of Affected/ displaced persons.
- To explain how the procedures are accessible to DPs.
- The committee will give resolution of the dispute within 10 days of complaint registration.
- To inform the displaced persons of their rights and of the procedures for addressing complaints whether verbally or in writing during consultation, survey, and time of compensation.
- To inform the DPs that they can register their complaints in the register placed at CIU (WSSC/TMA & PDA) office, (Abbottabad, Kohat, Mardan, Mingora and Peshawar), PMU office and Contractor Office at site.
- To enter the complaint on community complaint register (CCR) consisting the minimum information of name and address of complainer, description of complaint, action taken, status of resolution of complaints and other necessary information/ record and reasons in case the issue is not satisfactorily resolved.



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- viii. Proper consideration will be given to avoid the grievances rather than going through a redress process.
- ix. To ensuring full participation and consultation with the DPs/general public and by establishing extensive communication and coordination between the community and PMU.
- x. To inform the displaced persons about GRC and mechanism by pasting the information at prominent places. Names and contact numbers of the members of the GRC members and will be disseminated to DPs through information brochures.
- xi. The issues/ community concerns relating to the land will be addressed by the revenue department (LAC)/ and or can be referred to GRC, while issues other than land will be directly addressed by the CIU/PMU (through concerned department) and can be placed with GRC at project level to resolve the community issues.
- xii. Inform the DPs on the status of resolution of their complaints and the way forward.
- xiii. Documentation and collection of all investigations including field visits, consultation with the DPs and audio-visual evidence.
- xiv. Preparation of a final report with recommendations and solutions and submission of the same to PD PMU.

Note: The Chair may co-opt any other member(s) if it considers appropriate.


PROJECT DIRECTOR (KPCIP)
LGE&RD DEPARTMENT

C.C:-

A copy is forwarded for information and further necessary action to:-

1. Project Coordinator, PMU, KPCIP
2. M&E Specialist, PMU, KPCIP
3. Head CIU, Concerned City
4. PA to The Concerned Deputy Commissioner
5. PA to The Concerned Assistant Commissioner
6. All Members of Committee
7. Office file

