Land Acquisition & Resettlement Plan – Corrective Action Plan

April 2018

PAK: Second Power Transmission Enhancement Investment Program, Tranche 1

Safeguard Due Diligence and Corrective Action Plan (CAP) for Subproject ADB-106: Guddu - Muzaffargarh 500 kV Transmission Lines Project (250 Km).

Prepared by National Transmission and Despatch Company (NTDC) for the Asian Development Bank (ADB).

NOTES

(i) The fiscal year (FY) of the Government of the Islamic Republic of Pakistan and its agencies ends on 30 June.

(ii) In this report "$" refer to US dollars.

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NATIONAL TRANSMISSION AND DESPATCH COMPANY (NTDC), PAKISTAN

PAK- Power Transmission and Enhancement Investment program 2, Tranche 1

Safeguard Due Diligence and Corrective Action Plan (CAP)

For

Subproject: Guddu - Muzaffargarh 500 kV Transmission Lines Project (250 Km)

Prepared By:

ENVIRONMENT & SOCIAL IMPACT CELL OF NTDC,
GOVERNMENT OF PAKISTAN, WAPDA HOUSE, LAHORE.

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A. Introduction to the Corrective Action Plan

1. The Guddu - Muzaffargarh 500 kV T/L is a subproject of Tranche 1 (Loan 3419) of ADB funded Multitranche Financing Facility for Power Transmission Enhancement Investment Program (PTEIP 2). This Corrective Action Plan (CAP) has been prepared and endorsed by NTDC for implementation to correct the safeguards noncompliance that occurred in a small section of Lot 1 of Guddu-Muzaffargarh 500kV Transmission Line Project (ADB-106). The noncompliance pertains to the construction of foundation and concreting work on 17 of total 177 towers (under Lot 1)undertaken by the contractor before making payment of compensation for damaged crops and trees to 32 APs. The objective of the CAP is to bring implementation back in compliance with the agreed safeguard requirements of SPS, LARF and subproject RP, and to ensure that agreed safeguard requirements are fully followed/implemented before start of construction work in any section of T/L.

B. Safeguards Noncompliance and need for Implementation of a Corrective Action Plan:

2. The length of Guddu-Muzaffargarh T/L is 258 km and a total of 717 towers to be installed/constructed. The project is divided into four Lots/contract packages. The RP of the subproject required updating and approval of ADB in accordance with T/L route alignment finalized by turn-key contractor and making payment of compensation to APs before start of construction work. However, in Lot I section, the contractor started the construction work prior to informing NTDC about TL route finalized for 17 of total 177 Lot 1 towers. While presenting progress to ADB's Review Mission of February 2018, the Mission was informed about the completion of excavation and concreting work on 17 towers, which the Mission noted as noncompliance with agreed land acquisition and resettlement requirements of loan. The ADB mission advised that the noncompliance with agreed LAR requirements need to be corrected urgently. In response, NTDC agreed to prepare and implement a Corrective Action Plan (CAP) to bring the subproject back on safeguard compliance.

C. Assessment of Damages and Cost of Compensation

3. Accordingly, NTDC prepared this CAP for the section affected by the construction of 17 towers. In total, 8.78 acres of farm land with crops grown has been damaged while 34 wood trees cut down (more details in table 1 below) due to the construction work. In total, there are 32 farm land owners (Annex 1) whose crops and trees have been affected. There 32 APs whose crops have been affected.

Table 1: Details of Damaged Crops and Trees

Type of Impact	Damaged Crops (acres)					Damaged Shrubs and Trees (Nos.)	
	Wheat	Maize	Mustard	Cotton	Onion	Pelo (Shrub)	Dalbergiasissoo
Farm land	3.16	0.19	2.8	0.77	0.15	26	8
Access Road	0.75	0.07	0.89	-	-	-	
Total	3.91	0.26	3.69	0.77	0.15	26	8

4. **Cost of Damages:**The cost of damages for a total of 8.78 acres of cropped area and 34 trees and shrubs has been assessed by NTDC as Rs. 637,250/ (Rs. 0.64million) through the

concerned officials of agriculture and forest departments based on the net market value of crops for the year 2018 and market value of trees for 2018. Annex 2 provides more details.

5. This CAP is endorsed by NTDC for its implementation as part of subproject RP which will be updated later on after the remaining sections of T/L routes are finalized by turn-key contractor, the updated RP is approved by ADB and disclosed and is fully implemented before start of construction work in any T/L section which will be further reported through internal monitoring report to be issued by NTDC and third-party validation report by the external monitoring consultant (EMC). The EMC for MFF 2 is in the process of hiring and is expected to be recruited before June 2018.

D. Implementation Milestones – Timed Actions Agreed

6. In consultation with Chief Engineer EHV 2, the following implementation milestones have been agreed upon, and will be closely supervised by NTDC to avoid any delay or slippage of activities that are linked to safeguards compliance.

a) **Civil Work Suspension:** Due to noncompliance with ADB policy requirements, NTDC suspended the civil work at Lot-1 from Tower 01 to 17 and no civil work activities will be carried out at Lot-1 until compensation payments are made to 32 APs (of 17 towers) in accordance with the applicable compensation provisions of the subproject's RP.

b) **Payment of Compensation to APs of 17 Towers and Validation by External Monitoring Consultant:**As first activity of this corrective action plan, payment of compensation to 32 APs of 17 towers will be made by NTDC's office of CE EHV 2, which will be reported by NTDC through internal monitoring report covering the noncompliant section. This internal monitoring report will be further reviewed, verified and validated by the external monitoring consultant of MFF 1, and the same will be provided to ADB for approval. The monitoring reports will be disclosed after approval by ADB. **The dated millstones/actions in this regard are presented in table 2 below.**

c) **Updating of Subproject RP and Implementation before Construction Work:**The subproject RP will be updated by NTDC based on the detailed/final design of the remaining sections of T/L route alignment by the Turn-key Contractor, when finalized. The updated RP will be provided to ADB for review and approval before its implementation. The approved updated RP will be implemented, and compensation provided to APs before commencement of physical construction work in any section of T/L under Guddu-Muzaffargarh T/L Project. The implementation updated RP will be monitored internally by NTDC and third-party validation reportsprovided to ADB for approval. These third-party monitoring reports will be prepared by EMC of MFF 1 expected to be contracted by NTDC in next few weeks.

d) The same procedure will be adopted for all subprojects under Tranche 1, 2, and 3 and any subsequent tranches, and compliance to agreed safeguard requirements

and any corrective are additional remedial measures (needed during implementation) will be fully ensured.

e) **Capacity Constraints and Strengthening:** The office of concerned Project Director (EHV-2) Multan is constrained due to shortage of Revenue officials. As a result, the process of assessment of cost of damages wasdelayed. Presently, there is only one Assistant Land Acquisition Office/Collector (ALAO) to make the assessment of damages for entire zone. This is the main reason of delay in the assessment and compensation payments. Nevertheless, in view of the need and importance to correct the noncompliance, the Chief Engineer (South) (EHV 2) has committed to pay the compensation payments to all DPs of 17 towers on or before 30 May 2018. The capacity constraint is being addressed by NTDC through the Facility Management Consultant which will provide additional Revenue Officer who will assist PIU and Social Cell of NTDC in streamlining and making available the record of ownership of APs and facilitating payments to them through PIU and contractors staff designated for the purpose of compensation disbursement to APs.

Table 2: Safeguards Corrective Actions and Agreed Timeline

Serial No.	Corrective Actions Agreed	Responsibility	Agreed Dates	
			Original	Revised to be achieved
1	Assessment of cost of damaged crops and trees.	CE EHV 2, PD, LAO	30 April 2018	Done
2	Approval of cost of damages.	CE EHV 2	30 April 2018	10 May 2018
3	Disbursement of compensation to APs.	PD, LAO, Contractor, ESIC	15 May, 2018	30 May 2018
4.	Internal monitoring report (IMR) of Guddu-Muzaffargarh T/L.	NTDC/ESIC	31 May, 2018	06 June 2018
5	IMR provided to ADB	ESIC	Nil	06 June 2018
5	Third-party validation report.	EMC of MFF 1	30 June, 2018	11 June 2018
6	Validation report provided to ADB	ESIC, EMC	30 June 2018	11 June 2018

Annex 1

1. The List APs Affected by 17 Towers

Serial No.	Claimant Name	Father Name	CNIC	Mobile
1	Sawal Shah	Sultan Shah	32404-6702863-9	0333-1313701
2	Abdul Khaliq	Ameer Hussain Shah	32404-1380587-9	0332-7945045
3	Naveed Hussain Shah	Hussain Shah	32404-4976216-1	0333-1313701
4	Nozo	Sabzal		0332-4016664
5	Barsha	Taroo		0333-7249588
6	Tagya	Balund		0342-3051879
7	Saeed Khan	Lal khan	32404-1386383-3	0332-5691615
8	M. Ibrahim	Lal khan	32404-1386385-3	0333-3041175
9	Abdul hakeem	shah baig khan		0333-7364331
10	Bakhar	Lal khan	32404-1386361-5	0345-3985812
11	Sabahat khan	Mila khan		0333-7375444
12	Haji Lal	Haji Ali Gul	32404-2563747-7	0333-6652777
13	Gul shar subhani	Khair M. subhani	32404-1383577-7	0333-7311788
14	M. Ibrahim	Haji Abubakar		0333-476330
15	M. Hussain	Ghulam Rasool		0345-3976891
16	M. Ismail	Ghulam Rasool		0333-7363722
17	Sulahdin	Bacha		0346-3974825
18	Rohel Khan	Phelo Khan		
19	Allah Dita	Paindu Khan		
20	Din Muhammad	Rustam Khan		
21	Chamak	Rusmat khan		0346-3974825
22	Wali Muhammad	Junky		0334-2562118
23	Mavali	Samoor Khan	32404-5828535-1	0336-1705927
24	Duni Bakhsh	Todh	32404-7068967-9	0336-1705927
25	Mujhad Hussain	Allah Rakha		0332-7786970
26	Sardar Mehran	Laiquat Khan		0334-6676301
27	Shah murad khan	Mehran khan		
28	Hakeem ali Mazari			0331-6487272
29	Murad Ali	Darabora	32404-2522270-3	
30	Akhter khan	Athara khan		0334-6449676
31	Murad Ali	Doda		0335-6926653
32	Safzal Khan	Chanko	43504-0406935-3	0313-6955883

Annex 2

Cost of Damages

رجسٹر اندراج بجرائم فصلات، کٹائی درختان برائے ادائیگی معاوضہ حقداران متعلقہ ٹاور لائن بوقت ـــــــ سال ـــــــ ورق نمبر ـــــــ

۱	۲	۳	۴	۵	۶	۷	۸	۹	۱۰	۱۱	۱۲	۱۳	۱۴
نمبر شمار	ٹاور نمبر	موضع	تحصیل	ضلع	نام مالک معہ احوال	نام کاشتکار معہ احوال	نوعیت خراب شدہ معہ درختان	فصل	دستخط پٹواری معہ تاریخ	دستخط نمبردار معہ تاریخ	ٹاور نمبر	کل رقم واجب الادا	کیفیت
50	"				محمد شریف ولد [illegible] 32404-3339616-9		ڈنگر پکی				2	14000	
51	"				ایضاً		"	"			"	14000	
52	"				ایضاً		ڈنگر پکی				"	7000	
53	48				خدیجہ بی بی ولد محمد [illegible] 32404-9515975-3		ڈنگر پکی				2203	9000	
54	"				ایضاً		"				"	9000	
55	49				محمد [illegible] ولد محمد [illegible] 32404-8110376-1		ڈنگر پکی				4000	8000	
56	"				ایضاً		"				"	8000	
57	"				ایضاً		"				"	8000	
58	50				محمد اسمٰعیل ولد [illegible] 32404-9592719-1		ڈنگر پکی				2000	14000	
59	"				ایضاً		"				"	14000	
60	"				ایضاً		ڈنگر پکی				2000	7000	
61	51				محمد اسمٰعیل ولد [illegible] 32404-9592719-1		ڈنگر پکی				2000	21000	
62	"				ایضاً		"				"	21000	
63	"				ایضاً		"				"	21000	
64	"				محمد اسمٰعیل ولد [illegible] 32404-9592719-1		ڈنگر پکی				1846	38500	

=213500/-

رجسٹر اندراج خرابہ فصلات، کٹائی درختان برائے ادائیگی معاوضہ حقداران متعلقہ

ٹاور لائن بوقت ..... سال ..... ورق نمبر .....

۱	۲	۳	۴	۵	۶	۷	۸	۹	۱۰	۱۱	۱۲	۱۳	۱۴
نمبر شمار	ٹاور نمبر	موضع	تحصیل	ضلع	نام مالک معاحوال	نام کاشتکار معاحوال	رقبہ خراب شدہ معہ درختان	فصل	دخلہ پٹواری معہ تاریخ	دخلہ قانونگوئی معہ تاریخ	مجموعی رقم ادائیگی	کل رقم واجب الادا	کیفیت
35	41				محمد شریف ولد محمد حسین 32404-1283577-7		2 کنال آم				4000	16000	
36	"				ایضاً		"	"			"	16000	
37	"				ایضاً		"				"	16000	
38	"				محمد شریف ولد محمد حسین 32404-1283577-7		2 کنال آم				"	8000	
39	44				محمد خان ولد سلطان 32404-2468843-7		2 کنال کیلا				1800	3600	
40	"				ایضاً		"				"	3600	
41	"				محمد خان ولد سلطان 32404-2468843-7		2 کنال آم				4000	16000	
42	"				ایضاً		"				"	16000	
43	45				محمد ابراہیم ولد حاجی ابوبکر 32404-9292925-1		2 کنال کیلا				2250	4500	
44	"				ایضاً		"	"			"	4500	
45	"				ایضاً		"	"			"	4500	
46	46				محمد ابراہیم ولد حاجی ابوبکر 32404-9292925-1		2 کنال ٹماٹر				7000	14000	
47	"				ایضاً		"				"	14000	
48	"				ایضاً		"				"	14000	
49	47				محمد حسین ولد نذیر احمد 32404-3338616-9		2 کنال ٹماٹر				7000	14000	

= 164700/-

رجسٹر اندراج

خرابہ فصلات، کٹائی درختان برائے ادائیگی معاوضہ حقداران متعلقہ ..... ٹاور لائن بوقت ..... سال ..... ورق نمبر .....

۱	۲	۳	۴	۵	۶	۷	۸	۹	۱۰	۱۱	۱۲	۱۳	۱۴
نمبر شمار	ٹاور نمبر	موضع	تحصیل	ضلع	نام مالک معہ احوال	نام کاشتکار معہ احوال	رقم خراب شدہ معہ درختان	فصل	دستخط پٹواری معہ تاریخ	دستخط قانونگوئی معہ تاریخ	بکھیر دن بمالک	کل رقم واجب الادا	کیفیت
19	"				ذوالفقار ولد بلال 32404-3274677-7		گندم				500	8000	
19	"				ایضاً		"				"	8000	
20	28				محمد ارشد ولد اصل خان 32404-1386385-3		"				"	8000	
21	"				ایضاً		"				"	8000	
22					ایضاً		"				"	8000	
23	"				ایضاً		"				"	8000	
24	40				غلام اکبر ولد شاہ میر خان 32404-1343761-1		گندم				250	4500	
25	"				ایضاً		گندم				"	4500	
26	"				ایضاً		"				"	4500	
27	"				ایضاً		گندم				"	2250	
28	41				بکھو خان ولد اصل خان 32404-1386361-5		گندم				6000	8000	
29	"				ایضاً		"				"	8000	
30	"				ایضاً		"				"	8000	
31	"				ذوالفقار گل ولد رضا محمد خان 32404-0248658-3		"				"	8000	
32	"				ایضاً		گندم				"	8000	
33	"				ایضاً		گندم				"	8000	
34	"				ایضاً		"				"	8000	

=119750/-

رجسٹر اندراج ،خرابہ فصلات، کٹائی درختان برائے ادائیگی معاوضہ حقداران متعلقہ ناور لائن بوقت سال ورق نمبر

۱	۲	۳	۴	۵	۶	۷	۸	۹	۱۰	۱۱	۱۲	۱۳	۱۴
نمبر شمار	ناور نمبر	موضع	تحصیل	ضلع	نام مالک معہ احوال	نام کاشتکار معہ احوال	رقبہ خراب شدہ معہ درختان	فصل	دستخط پٹواری معہ تاریخ	دستخط قانگو معہ تاریخ	مجموعہ ادائیگی پہلی کسط	کل رقم واجب الادا	کیفیت
1	31				چیمہ محمد [illegible] 32404-1382295-3		اعشاریہ [illegible] سال				9100	9100	
2	32				[illegible] 32404-1382399-9		اعشاریہ [illegible] سال				9100	9100	
3	"				[illegible] 32404-1382295-9		اعشاریہ [illegible] سال				9100	"	
4	33				[illegible] 32404-8154677-1		ڈکنال [illegible]				8000	[illegible]	
5	"				[illegible]		ڈکنال [illegible]				8000	"	
6	"				ایضاً		ڈکنال [illegible]				8000	"	
7	"				ایضاً		ڈکنال [illegible]				8000	"	
8	36				[illegible] 32404-5938682-1		ڈکنال [illegible]				8000	"	
9	"				ایضاً		ڈکنال [illegible]				8000	"	
10	"				ایضاً		ڈکنال [illegible]				8000	"	
11	"				ایضاً		ڈکنال [illegible]				8000	"	
12	"				ایضاً		ڈکنال [illegible]				8000	"	
13	"				ایضاً		ڈکنال [illegible]				8000	"	
14	37				[illegible] 32404-3271677-7		ڈکنال [illegible]				8000	"	
15	"				ایضاً		"				8000	"	
16	"				ایضاً		"				8000	"	
17	"				ایضاً		"				8000		

2 139300/-