



**Punjab Urban Land Systems Enhancement Project
(PULSE)**

RESETTLEMENT FRAMEWORK (DRAFT)

November 2021

**Board of Revenue
Government of Punjab**

Executive Summary

The overall objective of the Punjab Urban Land Systems Enhancement (PULSE) Project is to provide beneficiaries in Punjab Province with improved land records and identification of land for development, including housing programs. The Project has five main components including: 1) Digital Land Records and Cadastral Maps for the Land Records Management Information System (LRMIS); 2) Land for Housing; 3) Integrated Land and Geospatial Information Systems and Services; and 4) Project Management and Institutional Strengthening and 5) Contingent Emergency Response Component (CERC).

The Purpose of the Resettlement Framework (RF) is to establish resettlement principles and provide guidance for assessment and resettlement planning. The RF fulfills the requirements of local laws and the World Bank's Environmental and Social Framework as per Environmental Social Standard 5 (ESS5) on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement. The RF also guides the requirements of ESS5 regarding the displacement of informal settlers/occupants from public lands.

The RF clarifies resettlement principles, organizational arrangements, and design criteria to be applied to subprojects or project components to be prepared during project implementation. Once the subproject or individual project components are defined, and the necessary information becomes available, this framework will be expanded into specific plans proportionate to potential risks and impacts of the subproject. Project activities that will cause physical and/or economic displacement will not commence until such specific plans have been finalized and approved by the World Bank.

There are chances that the informal settlers would be displaced and resettled during the project activities. The Project RF guides the preparation of the Resettlement Plan, including identification of eligible affected persons and entitlements for informal settlers as per World Bank regulations. Although no large scale land acquisition will occur under this Project, all project activities, including civil works, will be screened by the Project to identify any potential impacts related to resettlement. The resettlement impacts will be avoided or minimized as far as possible through the selection of design alternatives. Detailed scoping activities will be conducted to prevent all potential resettlement impacts of the project activities at critical locations. The project RF, among other details, sets out measures to address encroachment impacts along with an entitlement matrix elaborating the compensation for different groups.

As part of the RF, a review of the legal framework was conducted to examine the Constitution of the Islamic Republic of Pakistan and six Acts related to land acquisition, involuntary resettlement, and land records management.

The RF outlines a preliminary identification of potential risks and impacts related to the displacement of informal settlers/occupants. Based on risk proportionality and material consistency with ESS5, the risk of involuntary resettlement due to the Project is assessed low to moderate. Potential land acquisition and resettlement impacts due to project activities can be divided into two categories: (i) involuntary resettlement due to civil works; and (ii) involuntary resettlement due to land titling. A preliminary assessment of the impacts related to each category is provided in the RF along with guidance on

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mitigation, management, and appropriate design measures to minimize adverse economic and social impacts, especially those that affect poor and vulnerable groups. Annexure A includes an Involuntary Resettlement Screening Checklist for Civil Works and an Involuntary Resettlement Screening Checklist for Land Titling to be used during a rapid assessment of a site.

The guidance on preparing a Resettlement Plan is provided along with the detailed process in Annexure B (Elements of a Resettlement Plan). The scope of requirements and level of detail of the resettlement plan varies with the magnitude and complexity of resettlement. The resettlement plan is based on up-to-date and reliable information about: (i) the proposed project and its potential impacts on the displaced persons and other adversely affected groups; (ii) appropriate and feasible mitigation measures; and (iii) the legal and institutional arrangements required for effective implementation of resettlement measures.

The RF entails the requirements of ESS5 regarding displacement of informal settlers/occupants from public lands, eligibility, and entitlements. As per the Resettlement Framework, resettlement and compensation requirements will be applicable on project activities that may result in involuntary economic or physical displacement from public lands during the project lifetime and for up to 15 months after project completion.

The RF will be updated and re-disclosed after the social, legal and institutional assessment is carried out, within six months of project effectiveness and under the activities of the Year 1 pilot. The updated RF will further assess potential project impacts and provide measures for addressing the same.

Acronyms

| | |
|-------|---|
| AP | Affected Person |
| ARC | Arazi Records Center |
| BOR | Board of Revenue |
| CBE | Commercial and Business Enterprises |
| CAS | Compulsory Land Acquisition Surcharge |
| CBN | Cost of Basic Needs |
| DGKA | Directorate General of Katchi Abadis |
| DLR | Directorate of Land Records |
| ESF | Environmental and Social Framework |
| ESS5 | Environmental and Social Standard 5 |
| GRC | Grievance Redress Committee |
| GRM | grievance redressal mechanism |
| LDA | Lahore Development Authority |
| LAA | Land Acquisition Act |
| LAR | land acquisition and resettlement |
| LAC | Land Acquisition Collector |
| LRMIS | Land Records Management & Information Systems |
| NGO | Non Governmental Organization |
| PIU | Project Implementation Unit |
| PLRA | Punjab Land Record Authority |
| PULSE | Punjab Urban Land Systems Enhancement Project |
| RP | Resettlement Plan |
| SDI | Spatial Data Infrastructure |
| WB | World Bank |

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1 INTRODUCTION

This resettlement framework has been prepared to address issues related to land acquisition, restrictions on land use and involuntary resettlement (if any) in the Punjab Urban Land Systems Enhancement Project (PULSE), as required by World Bank (WB) Environmental and Social Framework (ESF) Environmental and Social Standard 5 (ESS5) on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement.

1.1 Project Description

The Punjab Urban Land Systems Enhancement Project (PULSE) has a proposed objective to improve access to land records and land for development including housing in Punjab Province. An overview of the project components and their relevance for this Resettlement Framework is provided in the following sections.

1.1.1 Component 1: Digital Land Records and Cadastral Maps for LRMIS

Component 1 will finance development of a seamless cadastral map linked to digital land records for the Province of Punjab. This activity will facilitate land rights registration and build on the existing LRMIS that covers about 44.5 million rural land records in Punjab. Key activities include preparing the spatial framework of all areas of Punjab for LRMIS, systematic registration of peri-urban properties, upgrading tax records to urban land records, incorporation of existing urban records, and systematic registration of urban properties. This component will also support the regularization of unregistered lands in notified informal settlements to provide secure rights for dwellers occupying plots in previously notified Katchi Abadis (KAs) on state and public lands. BoR will carry out a pilot phase in Year 1 to develop efficient and cost-effective techniques, followed by a scale-up phase in the remaining years. There are five sub-components:

1. Sub-Component 1.1: Spatial framework for LRMIS

This sub-component will support production of the digital cadastral maps to update the existing revenue maps. The revenue maps will be scanned and georeferenced to the national coordinate reference system. The digitized maps will create initial index parcel maps by overlaying high-resolution base map images. Field verification will be needed in areas, especially where there have been significant changes or where legacy paper maps are not available. The project will introduce a simple mapping method and the general position of the boundary. The digital cadastral maps will be validated through public display and following refinement, where required. The public will be informed, and proper measures for dispute mediation and resolution will be in place to ensure safeguards and protection for women and vulnerable people. The outputs of the spatial framework will be utilized as one of the foundational layers of a provincial spatial data infrastructure (PSDI) to strengthen GoPb's ability to respond to climate change and implement integrated, land use planning.

2. Sub-Component 1.2: Systematic registration of peri-urban properties

This sub-component will finance systematic registration for peri-urban properties that are not yet registered in LRMIS. A new settlement process will be developed to provide public awareness and information, demarcate property boundaries, gather evidence of rights, adjudicate rights, publicly display, respond to public requests for correction and to register the property rights and will monitor the number of women registered.

3. Sub-Component 1.3: Upgrading tax records to urban land records

Activities under this sub-component will include improvements to the existing tax maps of about 5 million properties to build fit-for-purpose urban cadastral maps. The base maps will provide the initial urban parcel map information in the seamless cadastral map and will update the property tax maps managed by the Excise and Taxation Department (E&TD). New field procedures and processes will be developed to use the E&TD information as a basic record to create urban land records in the new LRMIS.

4. Sub-Component 1.4: Incorporation of existing urban records

The sub-component will finance digitalization, parcel mapping and incorporation of existing urban land records into a single land registry. The existing digital land registry records and parcel maps that were created by public development authorities and private development agencies and shared with BoR would be compiled, validated and integrated to a single database in LRMIS. The Deeds Registry records based on holdings will also be combined with the parcel-based recording.

5. Sub-Component 1.5: Systematic registration of urban property

Activities under this sub-component will include systematic registration of urban land and first registration in Katchi Abadis supported by cadastral surveys carried out area by area to fill the gaps that are not covered by other activities under Component 1. The Katchi Abadis are occupying public lands that are highly exposed to climate change-related hazards along with poor housing, infrastructure, and living conditions. The formalization of land rights is an essential precondition for climate-resilient investments enabling ex-ante and ex-post disaster risk management for these vulnerable communities.

There are some resettlement impacts anticipated under sub-components 1.2, 1.4 and 1.5 related to the removal of informal settlers/occupants from state owned lands and katchi abadis due to systematic registration.

1.1.2 Component 2: Land for Housing

Building on the digitized land records developed under Component 1, this component will support the GoPb to identify, assess and mobilize suitable public lands for development programs, including housing. This component will first prepare an inventory of state lands that can be readily identified under Component 1 and the paper records kept by various government authorities. These state lands will be digitalized, georeferenced, and stored in a database in LRMIS to inform decision-making. Second, the project will build on the information in the inventory by developing clear strategies and procedures for managing those public land assets. The public land asset management strategy will prioritize transparency, value for money, market-driven approaches, and promoting sound urban development that

responses and adapts to climate change. The public land asset inventory and strategy will first prioritize lands owned by PHATA, the implementing agency for NPHP in Punjab. Lessons learned from PHATA's land asset management strategy can be extended to other Punjab government entities with large land holdings, on a demand-driven basis.

There are some resettlement impacts anticipated under Component 2 related to the removal of informal settlers/occupants from public lands identified and mobilized for development programs including housing.

1.1.3 Component 3: Integrated Land and Geospatial Information Systems and Services

This component will support activities to establish a modern Land Information System, unifying and integrating rural and urban land records. These activities will include: (i) strengthening of ICT equipment and software; (ii) development of the next generation Land Records Management Information System (LRMIS) and Land Information Portal; (iii) digitizing deed records across Punjab Province; (iv) establishment of a provincial spatial data infrastructure (PSDI); and (v) provision of base maps.

There are no anticipated resettlement impacts related to activities under Component 3.

1.1.4 Component 4: Project Management and Institutional Strengthening

This component will support for the Project Implementing Units (PIUs) to manage, implement, and supervise Project activities, and training and skill development in the areas of monitoring and evaluation, communication, audits, social and environmental management, policies and regulations, operations and maintenance, and project management. This component includes public awareness campaigns and other related activities to build confidence in and understanding of the parcel-based land administration, as well as the gender strategy for targeted messaging for women and vulnerable groups. Under this Component a grievance redress mechanism (GRM) for the Project will be established and managed to ensure that all grievances, complaints, and concerns are responded to.

There are some resettlement impacts anticipated under Component 4 related to the removal of informal settlers due to low scale civil works for the expansion of Arazi Record Centers (ARCs).

1.1.5 Component 5: Contingent Emergency Response Component (CERC, US\$0.0 million)

Reflecting the strategic approach taken in Pakistan across the Bank's portfolio, this Component will provide immediate response to an eligible emergency. As such, in the event of such eligible emergency (to be defined in the CERC Operational Manual, an annex to the POM), and at the request of the Government, the Component would finance emergency activities and expenditures through the reallocation of funds from the Project.

There are no anticipated resettlement impacts related to activities under Component 3.

1.2 Objective of Resettlement Framework

The RF has been prepared to establish resettlement principles and to provide guidance for assessment and resettlement planning. The RF fulfils the requirements of local laws and WB's ESF ESS5 on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement. Where there are gaps between national laws and WB's ESS5, a practical approach has been designed which is consistent with Government practices as well as WB's ESS5. The RF also provides guidance on the requirements of ESS5 regarding displacement of informal settlers/occupants from public lands.

The RF will clarify resettlement principles, organizational arrangements, and design criteria to be applied to subprojects or project components to be prepared during project implementation. Once the subproject or individual project components are defined and the necessary information becomes available, this framework will be expanded into specific plans proportionate to potential risks and impacts of the subproject. Project activities that will cause physical and/or economic displacement will not commence until such specific plans have been finalized and approved by the World Bank.

The RF also includes a preliminary identification of potential risks and impacts related to displacement of informal settlers, as well as appropriate design measures to minimize and mitigate adverse economic and social impacts, especially those that affect poor and vulnerable groups.

1.3 Requirements of Resettlement Framework

This Resettlement Framework covers the following:

- Description of project components and assessment of potential risks related to ESS5;
- principles and objectives governing resettlement preparation and implementation;
- process for preparing and approving resettlement plans;
- eligibility criteria for defining various categories of displaced persons;
- a legal framework reviewing relevant national and provincial regulations and ESF requirements and measures proposed to bridge any gaps;
- methods of valuing affected assets;
- organizational procedures for delivery of compensation and other resettlement assistance, including;
- a description of the implementation process;
- a description of grievance redress mechanisms;
- a description of the arrangements for funding resettlement;
- a description of mechanisms for consultations with, and participation of, displaced persons in planning, implementation, and monitoring; and
- arrangements for monitoring by the implementing agency and, if required, by third-party monitors .

2 LEGAL FRAMEWORK

2.1 Constitution of the Islamic Republic of Pakistan

The Article 24 of the Constitution of Pakistan (1973) clearly addresses the protection of property rights by stating that “no person shall be compulsorily deprived of his property save in accordance with law” and “no property shall be compulsorily acquired or taken possession of save for a public purpose, and save by the authority of law which provides for compensation”. However, it neither fixes the amount of compensation nor specifies the principles and manner in which compensation is to be determined and given. Further, Article 4, sub-clause (2) (a) reiterates the legislative right of people; “no action detrimental to the life, liberty, body, reputation or property of any person shall be taken except in accordance with law”.

2.2 Land Acquisition Act 1894

The Land Acquisition Act regulates the land acquisition process and enables the federal and provincial governments to acquire private land for public purposes and for companies through the exercise of the right of eminent domain. Land acquisition is a provincial responsibility and each province has its own interpretation of the LAA manifested in implementation regulations and rules. In the absence of a national resettlement policy, the Land Acquisition Act of 1894 is the *de-facto* legal instrument governing resettlement and compensation.

The LAA establishes the right to acquire land for public purposes and specifies a systematic approach for acquisition and compensation of land and other properties for development projects. It covers notifications, surveys, acquisition, compensation and apportionment awards, along with disputes resolution, penalties and exemptions. Surveys for land acquisition are to be disclosed to the displaced persons. Most notably, only legal owners and tenants registered with the Land Revenue Department or with formal lease agreements are eligible for compensation or livelihood support under the LAA. No laws exist in Pakistan either at federal or at provincial level that consider non-titleholders for compensation, thereby excluding the poor, vulnerable groups, and the severely affected, such as tenants, informal settlers and occupants. The LAA neither provides for rehabilitation of losses in income or livelihood nor for resettlement costs. A brief explanation and salient features of different sections of LAA is given in **Table 2-1**.

Table 2-1: Salient Features of Land Acquisition Act 1894

| Section | Feature |
|---------|--|
| 4 | Publication of preliminary notification and power for conducting survey. |
| 5 | Formal notification of land needed for a public purpose. Section 5a covering the need for enquiry. |
| 6 | The Government makes a formal declaration of intent to acquire land. |

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| 7 | The Land Commissioner shall direct the Land Acquisition Collector (LAC) to take order the acquisition of the land. |
| 8 | The LAC has to direct that the land required to be physically marked out, measured and planned. |
| 9 | The LAC gives notice to all displaced persons that the Government intends to take possession of the land and if they have any claims for compensation then these claims are to be made to him at an appointed time. |
| 10 | Delegates power to the LAC to record statements of affected people in the area of land to be acquired or any part thereof as co-proprietor, sub-proprietor, mortgagee, and tenant or otherwise. |
| 11 | Enables the Collector to make enquiries into the measurements, value and claim and then to issue the final "award." The award includes the land's marked area and the valuation of compensation. |
| 16 | When the LAC has made an award under Section 11, he will then take possession and the land shall thereupon vest absolutely in the Government, free from all encumbrances. |
| 17 | In cases of urgency, whenever the Government can take possession of any land needed for public purposes or for a Company. Such land shall thereupon vest absolutely in the Government, free from all encumbrances: |
| 18 | In case of dissatisfaction with the award, affected people may request the LAC to refer the case onward to the court for a decision. This does not affect the Government taking possession of the land. |
| 23 | The award of compensation for the owners for acquired land is determined at its market value plus 15% in view of the compulsory nature of the acquisition for public purposes. |
| 28 | Relates to the determination of compensation values and interest premium for land acquisition. |
| 31 | The LAC can, instead of awarding cash compensation in respect of any land, make any arrangement with a person having an interest in such land, including the grant of other lands in exchange. |

Source: Land Acquisition Act 1894 .

The LAA contains provisions for acquisition of land and assets on an emergency basis. If a project of public purpose has to be implemented urgently, the requesting department may ask the revenue department to acquire land, which, as per the LAA, determines the nature of emergency and accordingly applies the law. The LAA and its Implementation rules require that, following an impact identification and valuation exercise, land and crops are compensated in cash at the current market rate to titled landowners. The LAA mandates that land valuation is to be based on the last 3 to 5 years average of registered land sale

rates. However, in several recent cases the median rate over the past 1 year, or even the current rates, have been applied with an added 15% Compulsory Acquisition Surcharge in accordance with the law.¹

2.3 Board of Revenue and Punjab Land Records Authority Act 2017²

The Board of Revenue (BOR) is the administrative Department of all the three laws relevant for the Project's objectives: (i) The Punjab Board of Revenue Act, 1957; (ii) The Punjab Land Revenue Act, 1967; and (iii) The Punjab Land Records Authority Act 2017.

The BOR needs to rely upon the provisions of the Punjab Land Records Authority Act, 2017, as the governing law, for urban and peri-urban land registration, as the Punjab Land Revenue Act, 1967, mainly deals with land revenue administration. Section 5(2) of The Punjab Board of Revenue Act, 1957 specifically provides that the Board shall be the highest court of appeal and revision in revenue cases in the Province.

The provisions of The Punjab Land Records Authority Act, 2017 relevant for the PULSE project are reproduced below:

- Section 2(1)(n) of the Act defines “Land records” to include any information in electronic, digital or computerized form in relation to land or buildings.
- Section 5 describes the functions of the Punjab Land Record Authority (PLRA), which includes:
 - to manage, update and maintain land records [Clause (b)];
 - to formulate strategies, policies and plans for the management of land records [Clause (c)];
 - to advise the Government on matters relating to improvement and modernization of land records management [Clause (f)];
 - to lay down the administrative, financial, legal and technical framework including the information technology based land records management and related services [Clause (h)];
 - to provide for the computerization of the record-of-rights or part thereof or any other land related document, preparation of the computerized land record and its maintenance, in respect of each estate, in collaboration with the Board of Revenue [Clause (k)];
 - to establish Arazi Record Centers, maintain and operate such Centers and provide for monitoring the performance of Arazi Record Centers [Clause (l)]; and
 - to co-ordinate with the Board of Revenue for preparation of computerized land record of any area in respect of which no record-of-rights exists or the existing records-of-rights requires special revision [Clause (m)].

¹ Resettlement Policy Framework, Khyber Pakhtunkhwa Irrigated Agriculture Improvement Project (KPIAIP), Government of Khyber Pakhtunkhwa

² PULSE Technical Note, May 2021, World Bank

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- Section 14 empowers the PLRA to prepare, amend and keep the land record.
- Section 15 provides that PLRA shall specify the documents forming part of record-of-rights which are to be computerized, and such computerization shall be done in such form and manner as may be prescribed.
- Section 16 specifically the land records including the computerized land records managed and maintained by the PLRA shall be presumed to be true until the contrary is proved or a new entry is lawfully substituted therefor.
- Section 17 provides that PLRA shall establish Arazi Record Centers in each tehsil and may also designate any place or facility notified as such to provide such services as may be prescribed [sub-section (1)]; and may establish offices or deploy human resource for the transmission of land records maintained by any other body established under law [sub-section (2)].
- Section 18 provides that PLRA may levy such fee or charges for provision of services as may be prescribed [sub-section (1)]; and may collect on behalf of the Government, authorities or other entities, such fee and charges as may be prescribed and shall transfer the amount so recovered to the Government or, as the case may be, to the authorities or other entities [sub-section (2)].
- Section 29 empowers the Provincial Government as well to make Rules by notifying the same in the official Gazette, to prescribe the procedure for preparation and maintenance of land record, for the said purpose.
- Section 30 empowers the PLRA to itself prescribe the procedure for preparation and maintenance of land record by making Regulations in this regard.
- Whereas, it would not be out of place to mention here that the Punjab Land Revenue Act 1967 has already been amended to make it consistent with and to give effect to the provisions of the PLRA 2017. Sub-section (4) of section 42-A has been specifically substituted to provide that until rules are made under the Punjab Land Records Authority Act 2017 (VI of 2017), the procedure provided in the rules made under this Act shall be followed.

2.4 The Punjab Katchi Abadis Act, 1992

The Punjab Katchi Abadis Act 1992 covers provisions for regularization of Katchi Abadis and to provide for development and improvement thereof. Section 3 of the Act provides for the appointment of Director General by the Government for carrying out the purposes of this Act. Section 4 provides for the powers and functions of the Director-General include laying down guidelines for and implementing policies formulated by the Government for the regularization, development and improvement of a Katchi Abadi, and identify areas to be declared as Katchi Abadi under the Act.

Section 4 (2) (ix) of the Act empowers the Director General to undertake, where necessary, low cost housing and redevelopment schemes for resettlement of shiftees from the Katchi Abadis and the areas which are not regularizable as Katchi Abadis;

Section 4 (2) (xvi) empowers the Director General to evict or cause to be evicted unauthorized persons or remove or cause to be removed encroachments from Katchi Abadis in accordance with the law for the time being in force;

Under Section 6, subject to the provisions of sub-sections (2), (3), (4) and (5) and the directions, if any, of Government, the Director-General may, after such enquiry as he deems fit, by notification in the official Gazette, declare any area or part thereof which was occupied unauthorizedly before 31st December 2011 and continues to be so occupied and has at least forty dwelling units on it to be a Katchi Abadi.

Under Section 8, occupants of any Katchi Abadi may, with the prior approval of the Government, be shifted by the Director-General if the land under a Katchi Abadi or a part thereof–

- a. is not transferred by the owner of the land;
- b. is required for providing civic amenities in the Katchi Abadis;
- c. is low-lying and its development is not economical; or
- d. is required for any public purpose.

2.5 The Punjab Jinnah Abadis for Non-Proprietors in Rural Areas Act 1986

This Act provisions for providing housing facilities to non- proprietors in the rural areas of the Punjab and to provide for matters connected therewith or ancillary thereto. Under this Act, the Government may grant land, free of cost not exceeding seven marlas in a rural area, on such terms and conditions as may be prescribed, to a non-proprietor in the revenue estates in the Union Council in which he ordinarily resides, for the construction of a house by him for his residence.

2.6 World Bank ESS5 Land Acquisition, Restrictions on Land Use and Involuntary Resettlement

World Bank’s ESS5 recognizes that project-related land acquisition and restrictions on land use can have adverse impacts on communities and persons . Project-related land acquisition or restrictions on land use may cause physical displacement (relocation, loss of residential land or loss of shelter), economic displacement (loss of land, assets or access to assets, leading to loss of income sources or other means of livelihood), or both. The term “involuntary resettlement” refers to these impacts . Resettlement is considered involuntary when affected persons (APs) or communities do not have the right to refuse land acquisition or restrictions on land use that result in displacement . For these reasons, involuntary resettlement should be avoided. Where involuntary resettlement is unavoidable, it will be minimized and appropriate measures to mitigate adverse impacts on displaced persons (and on host communities receiving displaced persons) will be carefully planned and implemented. The objectives of ESS5 are:

- To avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives
- To avoid forced eviction

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- To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by: (a) providing timely compensation for loss of assets at replacement cost and (b) assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher
- To improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure .
- To conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant .
- To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

2.7 Land Acquisition Act 1894 and World Bank ESS5

The Land Acquisition Act 1894 and the World Bank ESS5 principles are compared in **Table 2-2**.

Table 2-2: Land Acquisition Act 1894 and World Bank ESS5

| Topic | Land Acquisition Act | World Bank ESS5 | Identified Gaps |
|--|--|---|---|
| Screening and Scoping | <ul style="list-style-type: none"> • No equivalent requirement. | <ul style="list-style-type: none"> • Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. • Determine the scope of resettlement planning through a survey and/or census of displaced persons, including an analysis of poor and vulnerable groups, specifically related to resettlement impacts and risks. | <ul style="list-style-type: none"> • LAA 1894 does not require screening of the project early on to identify future involuntary resettlement impacts and determine the scope of these impacts. • This RF provides procedures for screening and scoping as per requirements of ESS5 in Section 3 |
| Consultations, Communication, Vulnerable Groups, Grievance Redress | <ul style="list-style-type: none"> • No specific requirement. • The decisions regarding land acquisition and the rate/amount of compensation to be | <ul style="list-style-type: none"> • Carry out meaningful consultations with affected persons, host communities, and concerned nongovernment organizations. | <ul style="list-style-type: none"> • LAA 1894 not have specific requirements for meaningful consultations with affected persons, other stakeholders and vulnerable groups. |

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| <p>Mechanism, High impacts and Risks</p> | <p>paid are published in the official Gazette which is notified in accessible places so that the people affected are informed.</p> <ul style="list-style-type: none"> • The rate/amount of compensation is established under LAA through the formal land acquisition process or through appeals to the court. • Land Acquisition Collector (LAC) is the pre-land award authority to make decision on objections. | <ul style="list-style-type: none"> • Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. • Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations. • Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns. Support the social and cultural institutions of displaced persons and their host population. • Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase. | <ul style="list-style-type: none"> • LAA 1894 does not have specific requirements for participation of displaced persons in planning, implementation and monitoring of resettlement programs. • LAA 1894 does not require establishment of a GRM • This RF provides procedures for consultations, information disclosure and GRM with particular attention to the needs of vulnerable groups in Section 4 |
| <p>Improvement or Restoration of Livelihoods</p> | <ul style="list-style-type: none"> • No equivalent requirement. | <ul style="list-style-type: none"> • Improve, or at least restore, the livelihoods of all displaced persons through: • (i) For persons whose livelihoods are land- | <ul style="list-style-type: none"> • LAA 1894 does not provide for compensations related to restoration and improvement of livelihoods. |

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| | | <p>based, replacement land that has a combination of productive potential, locational advantages, and other factors at least equivalent to that being lost will be offered where feasible;</p> <ul style="list-style-type: none"> • (ii) For persons whose livelihoods are natural resource-based and where project-related restrictions on access apply, measures will be implemented to either allow continued access to affected resources or to provide access to alternative resources with equivalent livelihood-earning potential and accessibility. Where common property resources are affected, benefits and compensation associated with restrictions on natural resource usage may be collective in nature; and • (iii) If it is demonstrated that replacement land or resources are unavailable, the Borrower will offer economically displaced persons options for alternative income earning opportunities, such as credit facilities, skills training, business start-up assistance, employment opportunities, or cash | <ul style="list-style-type: none"> • This RF provides provisions for improvement or restoration of livelihoods of affected persons in Section 5 |
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| | | assistance additional to compensation | |
| Physical and Economical Assistance to Displaced Persons | <ul style="list-style-type: none"> • No equivalent requirement | <ul style="list-style-type: none"> • Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation and, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required. | <ul style="list-style-type: none"> • |
| Standards of Living of the Displaced Vulnerable Groups | <ul style="list-style-type: none"> • No additional support to vulnerable households | <ul style="list-style-type: none"> • Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. • In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate | <ul style="list-style-type: none"> • LAA 1894 does not require providing additional support to the displaced poor or vulnerable groups • This RF provides provisions for additional support of vulnerable groups in Section 5 |

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| | | income sources and legal and affordable access to adequate housing. | |
| Transparency, Consistency and Equitable Land Evaluation | <ul style="list-style-type: none"> • Equivalent negotiation responds to displaced persons' requested price, but no clear procedure is given. | <ul style="list-style-type: none"> • Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status. | <ul style="list-style-type: none"> • LAA 1894 does not provide clear procedures for negotiated settlement • Procedure to be followed in the case of negotiation settlement provided in this RF, Section 5. |
| Rights of Displaces Persons without Formal Titles to Land | <ul style="list-style-type: none"> • Land compensation is only for titled landowners or holders of customary rights. | <ul style="list-style-type: none"> • Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets. | <ul style="list-style-type: none"> • LAA 1894 does not include provisions for compensation of displaced persons without titles or recognizable rights to land. • This RF focuses on rights of informal settlers/occupants and provides details of compensation in Section 5. |
| Establishment of Resettlement Plan | <ul style="list-style-type: none"> • No resettlement plan is required. | <ul style="list-style-type: none"> • Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time bound implementation schedule. | <ul style="list-style-type: none"> • LAA 1894 does not require preparation of Resettlement Plans • Details and requirements for preparing Resettlement Plans are provided in Section 4 of this RF. |
| Disclosure of Resettlement Plan | <ul style="list-style-type: none"> • No resettlement plan is required. | <ul style="list-style-type: none"> • Disclose a draft resettlement plan, including | <ul style="list-style-type: none"> • LAA 1894 does not require preparation of Resettlement Plans |

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| | | <p>documentation of the consultation process in a timely manner, before Project appraisal, in an accessible place and a form and language/s understandable to affected persons and other stakeholders.</p> <ul style="list-style-type: none"> • Disclose the final resettlement plan and its updates to affected persons and other stakeholders. | <ul style="list-style-type: none"> • Details and requirements for disclosure of Resettlement Plans are provided in Section 4 of this RF. |
| Conception and Implementation of Resettlement Plan | <ul style="list-style-type: none"> • No equivalent requirement. | <ul style="list-style-type: none"> • Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. • For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation. • Implement the resettlement plan under close supervision throughout project implementation. | <ul style="list-style-type: none"> • LAA 1894 does not require preparation of Resettlement Plans • Details and requirements for implementation of Resettlement Plans are provided in Section 4 of this RF. |
| Compensation and Other Entitlements. | <ul style="list-style-type: none"> • No equivalent requirement. | <ul style="list-style-type: none"> • Pay compensation and provide other resettlement entitlements before physical or economic displacement. | <ul style="list-style-type: none"> • LAA 1894 does not require for compensation or entitlements to be paid before physical or economic displacement. • Requirements for payment of |

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| | | | compensations and entitlements before displacement are provided in Section 5 of this RF |
| Monitoring of Resettlement Plan Implementation | <ul style="list-style-type: none"> Monitoring reports not required | <ul style="list-style-type: none"> Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports. | <ul style="list-style-type: none"> LAA 1894 does not require monitoring of resettlement activities Details and requirements for monitoring of resettlement activities are provided in Section 6 of this RF. |

3 ASSESSMENT OF LAND ACQUISITION AND RESETTLEMENT RISKS

3.1 Types of Land Acquisition and Resettlement Risks

Based on risk proportionality and material consistency with ESS5, there is a low to moderate risk of involuntary resettlement related to displacement of informal settlers/occupants or small-scale land acquisition due to the Project activities. Potential land acquisition and resettlement impacts due to project activities can be divided into two categories.

- Category 1: Involuntary Resettlement due to civil works
- Category 2: Involuntary Resettlement due to land titling

A preliminary assessment of the impacts related to each category is provided in this section, along with guidance on mitigation and management.

3.2 Category 1: Involuntary Resettlement due to Civil Works

3.2.1 Identification of Risks

Component 4: Project Management and Institutional Strengthening will increase the capacity, create awareness of a unified land records and cadastral mapping, expand Arazi Record Centers' (ARCs) coverage, and improve the performance of all relevant actors in the land sector to be able to fulfill functions in land administration. This will include renovation of ARCs to expand the new LRMIS service coverage. The potential ARC sites will be reviewed and determined by BOR taking the future service needs and regionally balance ARC allocation into consideration. Some civil works will be involved under this sub-component attributed but not limited to the rehabilitation of ARCs in various districts of Punjab, including urban centers. All sites for renovation of ARCs and other civil works will be on government-owned lands. Compensation will be paid at full replacement cost prior to the actual relocation/acquisition and prior to start of civil works.

The Project will not include any large-scale construction activities or civil works. All efforts will be taken by the Project to ensure that civil works for renovations of ARCs will be conducted on existing ARC land. However, in case there is a need for minor extensions beyond existing ARC boundaries, which may require additional small parcels of land, the following criteria will be used in order of preference:

1. Preference 1: Use of government or state-owned land
2. Preference 2: Small scale land acquisition

However, the project does not anticipate such land needs, hence, the probability of the project using preference 2 (above) is low.

The sites chosen for renovation may have the presence of informal settlers/occupants who are living on or using the land or facilities. There is a low to moderate risk of removal of these informal settlers/occupants from the renovation sites.

3.2.2 Mitigation Measures

All project activities/subprojects which include civil works will be screened by the Project to identify any potential impacts related to land acquisition and resettlement. The 'Involuntary Resettlement Screening Checklist for Civil Works' provided as Annexure A will be used for this purpose, and will be completed through a rapid assessment of the subproject site.

Based on the findings of the screening activity, the Project will determine the need for preparing a Resettlement Plan, the magnitude and requirements of which will be proportionate to the identified risks. This Resettlement Framework provides requirements for the preparation of the Resettlement Plan, including identification of eligible affected persons and entitlements as per the requirements of LAA 1894 and ESS5. The RF also provides requirements on eligibility of informal settlers/occupants and their entitlements as per World Bank ESS5.

3.3 Category 2: Involuntary Resettlement due to Land Titling

3.3.1 Identification of Risks

Involuntary resettlement risks due to land titling may arise from the removal of informal settlers/occupants from public or state-owned lands that may come into use due to the land titling, systematic registration and land for housing activities by the Project. These risks will remain during project-lifetime and downstream as a result of activities under Components 1 and 2 up to 15 months after project closure.

Descriptions of the project sub-components and related resettlement risks due to land titling are provided in the following sections.

Sub-Component 1.2: Systematic registration of peri-urban properties. This sub-component will finance systematic registration for peri-urban properties that are not yet registered in LRMIS. A new settlement process will be developed to provide public awareness and information, demarcate property boundaries, gather evidence of rights, adjudicate rights, publicly display, respond to public requests for correction and to register the property rights and will monitor the number of women registered.

There is a low to moderate risk of removal of poor and vulnerable informal settlers/occupants from lands owned by the public and semi-government development authorities once relevant peri-urban properties are registered with the LRMIS. The removal of informal settlers/occupants will most likely be conducted by the relevant landowning authority through anti-encroachment drives.

Sub-Component 1.4: Incorporation of existing urban records. The sub-component will finance digitalization, parcel mapping and incorporation of existing urban land records into a single land registry. The existing digital land registry records and parcel maps that were created by public development authorities and private development agencies and shared with BoR would be compiled, validated and integrated to a single database in LRMIS. The Deeds Registry records based on holdings will also be combined with the parcel-based recording.

There is a low to moderate risk of removal of poor and vulnerable informal settlers/occupants from lands owned by the public and semi-government development authorities once land registry records and parcel maps are validated and integrated with the LRMIS. The confirmation of areas owned by these authorities and setting up of systems to update seamless map records may result in the identification of areas where there is a presence of poor and vulnerable informal settlers/occupants, who may be removed.

The removal of informal settlers/occupants will most likely be conducted by the relevant landowning authority through anti-encroachment drives.

In Year 1, the project aims conduct activities in certain areas of Lahore administered by the LDA, and areas of WAPDA Town and PIA Society.

Sub-Component 1.5: Systematic registration of urban property. Activities under this sub-component will include systematic registration of urban land and first registration in Katchi Abadis supported by cadastral surveys carried out area by area to fill the gaps that are not covered by other activities under Component 1. The Katchi Abadis are occupying public lands that are highly exposed to climate change-related hazards along with poor housing, infrastructure, and living conditions. The formalization of land rights is an essential precondition for climate-resilient investments enabling ex-ante and ex-post disaster risk management for these vulnerable communities.

This established process will be built into the systematic registration process developed under PULSE. Pilots will be undertaken by Punjab Land Record Authority (PLRA), Directorate of Land Records (DLR) and Directorate General of Katchi Abadis (DGKA) in Year 1 and Year 2 to develop efficient and cost-effective procedures and processes. In Year 1 the pilot will be undertaken in the Walled City and in one locality where there are significant Katchi Abadis in Lahore. In Year 2 pilots will include areas adjacent to walled city such as village boundary areas of Misri Shah, Chah Miran, Ichra and Mazang. Once an efficient and cost-effective process is developed, private companies will be contracted to complete the work under the supervision of PLRA, DLR and DGKA.

The regularization of Katchi Abadis is governed by the Punjab Katchi Abadis Act 1992, Section 4 (2) (xvi) of which empowers the DGKA to evict unauthorized persons or remove or cause to be removed encroachments from Katchi Abadis. There is a low to moderate risk of removal of poor and vulnerable informal settlers/occupants who may not be eligible property holders in the Katchi Abadis and may be evicted during the regularization process.

Component 2: Land for Housing. Building on the digitized land records developed under Component 1, this component will support the GoPb to identify, assess and mobilize suitable public lands for development programs, including housing. This component will first prepare an inventory of state lands that can be readily identified under Component 1 and the paper records kept by various government authorities. These state lands will be digitalized, georeferenced, and stored in a database in LRMIS to inform decision-making. Second, the project will build on the information in the inventory by developing clear strategies and procedures for managing those public land assets. The public land asset management strategy will prioritize transparency, value for money, market-driven approaches, and promoting sound

urban development that responds and adapts to climate change. The public land asset inventory and strategy will first prioritize lands owned by PHATA, the implementing agency for NPHP in Punjab. Lessons learned from PHATA's land asset management strategy can be extended to other Punjab government entities with large land holdings, on a demand-driven basis.

The identified public lands, due to disuse, may be occupied by informal settlers/occupants. There is a low to moderate risk of removal of informal settlers/occupants from the public lands that are identified and mobilized for development programs including housing.

3.3.2 Mitigation Measures

The World Bank's ESS5 provides clear guidelines on addressing land acquisition and involuntary resettlement risks in land titling projects such as PULSE. As per the requirements of ESS5, where a project supports land titling or other activities intended to confirm, regularize or determine land rights, a social, legal and institutional assessment will be required under ESS1: Assessment and Management of Environmental and Social Risks and Impacts. The assessment must aim to identify potential risks and impacts, as well as appropriate design measures to minimize and mitigate adverse economic and social impacts, especially those that affect poor and vulnerable groups. ESS5 does not apply to disputes between private parties in land titling or related contexts. However, where persons are required to vacate land as a direct result of a project-supported determination that the land in question is state land, ESS5 will apply.³ In the context of PULSE:

- ESS5 requirements will be **applicable** on project activities that may result in involuntary economic or physical displacement from public lands during project lifetime and up to 15 months after project completion. The Borrower will prepare an Implementation schedule acceptable to the Bank demonstrating how outstanding resettlement commitments will be completed after Project closure. The Bank's supervision will continue until satisfactory completion of the same. The implementation schedule will provide anticipated dates, responsibilities, and budget against each outstanding action.
- ESS5 requirements will **not apply** to disputes between private parties in land titling contexts. Such disputes will be dealt in accordance with national and provincial laws, and do not fall under the scope of this Resettlement Framework.

To mitigate the risks related to removal of poor and vulnerable informal settlers/occupants, the Project will ensure the following:

1. Social, legal and institutional assessment under ESS1

³ World Bank Environmental and Social Framework, ESS5, Para 7

The project will conduct a detailed social, legal and institutional assessment to further investigate the identified involuntary resettlement risks, and recommend management measures including legal and institutional actions. The assessment will include:

- a. Identification of types of encroachments on public lands in Punjab
- b. Review of past practices of involuntary resettlement and removal of informal settlers/occupants from public lands by Government of Punjab
- c. Identification of international best practices in involuntary resettlement due to land titling
- d. Review the legal framework for resettlement and land titling and identification of gaps
- e. Capacity assessment of project implementing agencies (BOR, PLRA, DLR, PDMA and DGKA) and key partners (LDA and PHATA)

A detailed social, legal and institutional assessment will be conducted as per the requirements of ESS5 and ESS1 during the Year 1 pilot of the project to assess, document and set out detailed procedures to be followed for the removal of informal settlers. These procedures set and finalized during the pilot phase will be applicable throughout the project and up to 15 months after project completion.

The **‘Involuntary Resettlement Screening Checklist for Land Titling – Public Lands and Katchi Abadis’** (Annexure A) will require a mandatory institutional capacity assessment for land owning agencies of identified sites/areas that will undergo parcel mapping. The assessment will assess the capacity of the relevant government agency in managing resettlement activities and removal of informal settlers/occupants before any on-ground activity begins.

Government agencies for which this assessment may be needed may include but are not limited to, ET & NC department, LG & CD department, HUD & PHE department, Cooperative department, Auqaf & Religious Affairs department, Irrigation department, PITB, PHATA, LDA, Urban Unit, DHA, Cantonment Boards, Development Authorities, Private Housing Colonies, and Societies & Industrial Zones.

2. Involuntary Resettlement Screening for Land Titling

In addition to legal titleholders and those with traditional rights to land, the World Bank’s ESS5 recognizes Affected Persons as those who have no recognizable legal right or claim to the land or assets they occupy and will be displaced from. The scope of ESS5 covers the relocation and rehabilitation of people without formal, traditional, or recognizable usage rights (informal settlers/occupants), who are occupying or utilizing land prior to a project specific cut-off date.

For all public lands and Katchi Abadis identified for project activities under Component 1 and public lands identified under Component 2, the **‘Involuntary Resettlement Screening Checklist for Land Titling – Public Lands and Katchi Abadis’** provided as Annexure A will be completed through a rapid assessment of the subproject site.

If the risk of removal of informal settlers/occupants is determined, the Project will prepare a Resettlement Plan, the magnitude and requirements of which will be proportionate to the identified risks. This Resettlement Framework provided guidance on the preparation of the Resettlement Plan, including

identification of eligible affected persons, and entitlements for informal settlers/occupants as per World Bank ESS5.

3. Policies for Compensation of Informal settlers

In addition to legal titleholders and those with traditional rights to land, the World Bank's ESS5 recognizes Affected Persons as those who have no recognizable legal right or claim to the land or assets they occupy and will be displaced from.

Consultations with the relevant government departments reveal there is no consistent approach and written guidance or procedures for the removal of informal settlers from state owned lands. The BOR itself does not undertake any activities to remove informal settlers. Where necessary, this activity is conducted by the relevant local administration (DC Office) on the request of the BOR. While BOR does not remove informal settlers itself, the PDMA has developed and maintains a State Lands MIS and Dashboard that has details of informally settled state owned lands and lands that have been recovered from informal settlers/occupants.

There is no impediment under national and provincial laws, in getting public lands forcibly vacated from the possession of informal settlers. The Board of Revenue, being the main implementing agency of the Project, may introduce a policy to grant proprietary rights to illegal occupants as done in past through various policies issued by the BOR; and/or introduce a policy to provide adequate compensation to informal settlers to enable them to voluntarily relocate themselves as per World Bank ESS5. The project will support legal and technical studies to analyze current challenges, develop recommendations, draft policies and procedures, and pursue acceptance of recommendations within government.

4 PREPARING RESETTLEMENT PLANS

Resettlement Plans (RP) will be prepared where it is identified that small scale acquisition of land is required, or there is a risk of removal of informal settlers/occupants from public lands. The Project will ensure that private land acquisition for ARCs is a last resort, with priority being given to using existing land owned by the facilities. The process for preparing a RP is provided in this section. The detailed process and outline are provided as Annexure B.

The scope of requirements and level of detail of the resettlement plan varies with the magnitude and complexity of resettlement. The plan is based on up-to-date and reliable information about (a) the proposed project and its potential impacts on the displaced persons and other adversely affected groups, (b) appropriate and feasible mitigation measures, and (c) the legal and institutional arrangements required for effective implementation of resettlement measures .

4.1 Methodology of Screening

Following the RF, Board of Revenue will undertake assessment of all impacts of different project activities, any unanticipated impacts or additional land acquisition required during the implementation of the project. Screening for resettlement impacts will be conducted for the following subprojects or activities using the relevant Involuntary Resettlement Screening Checklists (Annexure A). The checklists will be filled by conducting a rapid assessment of the resettlement impacts and consultation with the affected persons and communities, if any. This will help the PIU identify any potential involuntary resettlement risks and the need for preparing RPs.

1. Involuntary Resettlement Screening Checklist for Civil Works (Annexure A)

- a. Screening of sites chosen for ARC renovation, or other small scale project related civil works.

1. Involuntary Resettlement Screening Checklist for Land Titling – Public Lands and Katchi Abadis (Annexure A)

- a. Screening of public lands that are identified for use by government under ‘Sub-Component 1.2 Systematic Registration of Peri-Urban Property’, during the lifetime of the Project or until 15 months after Project closure
- b. Screening of public lands that are identified for use by government under ‘Sub-Component 1.4 Incorporation of Existing Urban Records’, during the lifetime of the Project or until 15 months after Project closure
- c. Screening of public lands that are identified for use by government under ‘Sub-Component 1.5 Systematic Registration of Urban Property’, during the lifetime of the Project or until 15 months after Project closure

- d. Screening of public lands that are identified for use by government under 'Component 2 Land for Housing, during the lifetime of the Project or until 15 months after Project closure

4.2 Assessment of Impacts from Land Acquisition and Resettlement

If the Involuntary Resettlement Checklists identify potential resettlement impacts, include those related to removal of informal settlers/occupants, detailed assessments will be conducted as following:

1. For public lands, conduct a social, legal and institutional assessment as per the requirements of ESS1. The assessment will identify potential risks and impacts, as well as appropriate design measures to minimize and mitigate adverse economic and social impacts, especially those that affect poor and vulnerable groups, including informal settlers/occupants or informal settlers.
2. Based on the social, legal and institutional assessment, consider measures to minimize impacts and or options to reduce impacts.
3. Conduct a full assessment of resettlement impacts by involving all stakeholders, particularly the affected persons (including informal settlers/occupants) and establish a full inventory of all assets to be acquired or displaced.
4. Prepare Resettlement Plans for all activities requiring land acquisition or resulting in displacement of formal or informal settlers
5. Use the approved entitlement matrix to guide the planning and compensation for all losses incurred due to the unanticipated impacts and/ or acquisition of additional properties. New entitlements may be developed depending on the scale of any specific impacts caused by the project.
6. Project will not start civil works or remove informal settlers until all relevant entitlements are paid to affected persons

Share the draft RP with WB for concurrence and approval, and explain and disclose to the APs (translated into Urdu and other local languages if needed).

4.3 Community Participation and Consultations

PIU will ensure engagement with and consultations with all APs and host communities through the process of stakeholder engagement defined in the Project's Stakeholder Engagement Plan. Detailed consultations will be conducted to gather their views and feedback to incorporate into the resettlement plans. Decision-making processes related to resettlement and livelihood restoration will include options and alternatives from which affected persons may choose. Disclosure of relevant information and meaningful participation of affected communities and persons will take place during the consideration of alternative project designs, and thereafter throughout the planning, implementation, monitoring, and evaluation of the compensation process, livelihood restoration activities, and relocation process. The

Project will also put in place institutional arrangements by which displaced people can communicate their concerns to project authorities throughout planning and implementation.

The consultation process should ensure that women's perspectives are obtained and their interests factored into all aspects of resettlement planning and implementation. Addressing livelihood impacts may require intra-household analysis in cases where women's and men's livelihoods are affected differently. Women's and men's preferences in terms of compensation mechanisms, such as replacement land or alternative access to natural resources rather than in cash, should be explored.

4.4 Field Surveys

Field surveys for the RP consist of four different⁴ but interrelated surveys that will prepare a census of all affected persons, households, businesses, community infrastructure and identify all impacts.

4.5 Valuation of Assets

The RP will include a detailed valuation of assets such as productive land, houses, structures, crops, trees and loss of livelihoods.

4.6 Approval of Resettlement Plan

All Resettlement Plans will be prepared in accordance with this RF. Once the RP document is finalized and approved by the BOR, it will be sent to the World Bank for review and endorsement via a No Objection Letter. After the endorsement, the government of Punjab will be responsible for the approval of the RP and all resettlement related issues, as well as implementation of the RP in accordance with the RF. The RF will apply to the entire project irrespective of source of financing.

4.7 Disclosure of Resettlement Plan

During project preparation, the Resettlement Plan will be disclosed after approval by the World Bank on the Bank and Project websites in English and at project sites in local language(s). Both the World Bank and government of Punjab will disclose the final version of RP.

4.8 Adaptive Management of Resettlement Plan

Resettlement Plans should include provisions for adapting resettlement implementation in response to unanticipated changes in project conditions, or unanticipated obstacles to achieving satisfactory resettlement outcomes. Resettlement Plans will be updated to reflect changes that lead to substantive changes in the nature of resettlement impacts. Any updated RP should be submitted to the World Bank for review prior to implementation of new design. The updated RP, once approved by government of Punjab and accepted by the Bank, must be disclosed on the Bank and Project websites in English and at

⁴ Census of Affected Persons and Project Impacts; Household Profile Survey; Affected Businesses Survey; Public and Community Infrastructure Survey

project sites in local language(s).

5 ELIGIBILITY AND ENTITLEMENTS

5.1 Eligibility

Affected persons eligible for compensation, relocation and livelihood rehabilitation entitlements under ESS5 may be classified as those who:

- i. Who have formal legal rights to land or assets;
- ii. Who do not have formal legal rights to land or assets, but have a claim to land or assets that is recognized or recognizable under national law. Such claims could be derived from adverse possession or from customary or traditional tenure arrangements.; or
- iii. Who have no recognizable legal right or claim to the land or assets they occupy or use.

Eligibility under this RF is established by: (i) presence on the subproject site prior to the cut-off date; and (ii) physical or economic displacement due to permanent or temporary loss of land, structures or livelihood, whether full or partial, as a consequence of land acquisition. Examples are:

- Owners of land or structures, including those recognized as legally titled or legalizable on the basis of claims recognizable under national law;
- Lessees (leaseholders) of state or private land, whether long-term or short-term;
- Sharecrop tenants with or without formal legal registration according to national law;
- Non-titled occupants of land, such as informal settlers/occupants;
- Business owners, whether registered under national law or informal;
- Employees of private or public businesses or enterprises, whether registered under national law or informal;
- Cultivators of crops or trees, irrespective of legal status of property relation to land;
- Vulnerable persons, including households headed by women, elderly or disabled persons, and households in local context with per capita incomes at or below the poverty line;
- Mobile vendors and others who may be drawing livelihoods from the project area.
- Any other group identified as per guidelines of ESS5

Persons without formal legal rights nor recognizable claims to lands will be compensated for their non-land assets. Eligibility extends to those who are temporarily or partially affected by the project.

5.2 Cut-off Date

Eligibility for entitlements under this RF is limited by a cut-off date, which is established by the time of social impacts assessment and census of project affected persons, inventory of losses and socioeconomic baseline survey.

The cut-off date under LAA 1894 is the date when Section 4 of LAA is issued; buying and selling of land in the notified area becomes impossible until the land is acquired. However, due to the lengthy process of

land acquisition and timeline between different sections of LAA (from Section 4 to land award), the date of the census survey of affected persons will establish the cut-off date. The PIU will notify the cut-off date and communicate to the local population through appropriate media sources, consultative meetings, focus group discussions and field surveys to prevent new people from the project sites. The establishment and communication of the date will be formalized through documentation and disclosure of reports.

5.3 Entitlements

Full replacement cost as compensation is the basic principle guiding the allocation of entitlements, with special provisions for: improvement of livelihoods of vulnerable displaced persons; sharing of project benefits; and unanticipated impacts. The entitlements will be specific to the types of impacts, losses and eligible persons occurring in a project, while the provisions made in this RF include a wider range of the possible cases which may arise under the project. Each individual AP will be eligible for a combination of entitlements specific to his/her particular losses and relationship to the lost assets. The entitlements are summarized in the Entitlements Matrix below.

Both the LAA 1894 and World Bank ESS5 require that APs are compensated before displacement. At the same time, they require that a mechanism is established for dealing with legal and administrative impediments in terms of disbursement of compensation payments to APs, provided that good-faith is sufficiently demonstrated in: (i) contacting, notifying and assisting PAPs; and (ii) delivering compensation payments.

Table 5-1: Entitlements Matrix

| No. | Type of loss | Entitled Persons (Beneficiaries) | Entitlement (Compensation Package) | Implementation issues/Guidelines |
|-----|--|--|--|--|
| 1. | Loss of agricultural land, pond, ditches and orchards etc. | Legal owner(s) of land | Market value of land free of taxes, registration, and transfer costs, and including 15% compulsory land acquisition surcharge (CAS) | Market price of the land will be computed by the District price assessment committee keeping in view the recent transactions in the area, quality of land and demand of the land owners. The Project or relevant public land holding agency through District Collector will pay cash compensation through crossed cheque. |
| 2. | Loss of access to cultivable land | Farmers/ Title holders Landowners with customary rights | Land for land compensation with plots of equal value and productivity to the plots lost; ensuring economic viability of the new land and also ensuring | Market price of the land will be computed by the District price assessment committee keeping in view the recent transactions in the area, |

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| No. | Type of loss | Entitled Persons (Beneficiaries) | Entitlement (Compensation Package) | Implementation issues/Guidelines |
|-----|-----------------------------------|--|--|--|
| | | | that the APs' livelihood is not negatively affected or; Cash compensation plus 15% CAS for affected land at replacement cost based on market value free of taxes, registration, and transfer costs | quality of land and demand of the land owners. The Project or relevant public land holding agency through District Collector will pay cash compensation through crossed cheque. |
| 3. | Loss of access to cultivable land | Leaseholders (registered or not) | Renewal of lease contract in other plots of equal value/ productivity of plots lost, or Cash equivalent to market value of gross yield of affected land for the remaining lease years (up to a maximum of 3 years). | Market price of the land will be computed by the District price assessment committee keeping in view the recent transactions in the area, quality of land and demand of the land owners. The Project or relevant public land holding agency through District Collector will pay cash compensation through crossed cheque. |
| 4. | Loss of access to cultivable land | Sharecroppers (registered or not) | Cash equivalent to market value of the lost harvest share once (temporary impact) or twice (permanent impact). Provision of livelihood restoration support (i.e, inclusion in the Livelihood Restoration Plan). | Market value of the harvest will be computed by the District price assessment committee keeping in view the recent transactions in the area, The Project or relevant public land holding agency through District Collector will pay cash compensation through crossed cheque. |
| 5. | Loss of access to cultivable land | Agricultural workers losing their contract | Cash indemnity corresponding to their salary (including portions in kind) for the remaining part of the agricultural year. Provision of livelihood restoration support (ie, inclusion | The Project or relevant public land holding agency through District Collector will pay cash compensation through crossed cheque |

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| No. | Type of loss | Entitled Persons (Beneficiaries) | Entitlement (Compensation Package) | Implementation issues/Guidelines |
|-----|--|---|--|---|
| | | | in the Livelihood Restoration Plan). | |
| 6. | Loss of access to cultivable land | Unauthorized occupants | One rehabilitation allowance equal to market value of 1 gross harvest (in addition to crop compensation). | The Project or relevant public land holding agency through District Collector will pay cash compensation through crossed cheque |
| 7. | Loss of homestead/ residential/ commercial/ Common Property Resources(CPR) plots by owners/authorities | Legal owner(s) of the land | <p>Market value of land including 15% compulsory land acquisition surcharge</p> <p>Lump sum dislocation allowance per household to cover transport expenses and livelihood expenses for one month (to be calculated on the basis of Cost of Basic Needs (CBN) per person).</p> <p>Provision of basic infrastructures at new resettlement area such as access road, drinking water supply, sanitation, schools, electricity, mosque, health facility and commercial area free of cost.</p> <p>Those households moving on their own (i.e., self-managed relocation) will receive an additional amount as allowances for self-managed relocation.</p> | <p>Market price of the land will be computed by the District price assessment committee keeping in view the recent transactions in the area, quality of land and demand of the land owners.</p> <p>Project or relevant public land holding agency through District Collector will pay for the land.</p> <p>Project will develop the resettlement sites with provision of basic amenities as electricity, potable water, roads</p> |
| 8. | Loss of trees | <p>Person with legal ownership of the land</p> <p>Socially recognized owner/ unauthorized</p> | Market value of the lost item | Values of lost items computed based on Resettlement Field Survey (RFS) and rates taken from local market |

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| No. | Type of loss | Entitled Persons (Beneficiaries) | Entitlement (Compensation Package) | Implementation issues/Guidelines |
|-----|--|--|---|--|
| | | occupant of the trees | | |
| 9. | Loss of residential /commercial structure by owner(s) | Legal titleholder Owner(s) of structures | <p>Replacement value of residential structure.</p> <p>Lump sum Relocation grant per affected Household to cover transport expenses and livelihood expenses for one month (to be calculated on the basis of CBN per person).</p> <p>Special assistance of one-time payment for each female, disabled, elderly headed and very poor households.</p> <p>Owner will be allowed to take away all salvageable materials free of cost.</p> | <p>Applicable to all structures located within the acquisition areas.</p> <p>District Collector with expertise from Works and Services Department will determine the replacement value</p> |
| 10. | Loss of residential /commercial structure by squatters and unauthorized occupants | Informal settlers / squatters / non-tilted APs occupying public land without title/ or squatting on Govt. land | <p>Relocation grant per affected structure.</p> <p>Special assistance of one-time payment for each female, disabled, elderly headed and poor households.</p> <p>Owner will be allowed to take away all salvageable materials free of cost.</p> | <p>Applicable to all structures located within the acquisition areas.</p> <p>District Collector with expertise from Works and Services Department will determine the replacement value</p> |
| 11. | Loss of access to residential houses/ commercial structures (Owners/rented or leased) | Tenants of rented/ leased properties | <p>Affected tenants will receive cash compensation of a value proportionate to the duration of the remaining lease period, or three months, whichever is higher.</p> <p>Relocation grant per affected structure.</p> | <p>Applicable to all structures located within the acquisition areas.</p> <p>District Collector with expertise from Works and Services Department will</p> |

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| No. | Type of loss | Entitled Persons (Beneficiaries) | Entitlement (Compensation Package) | Implementation issues/Guidelines |
|-----|---|---|---|--|
| | | | Special assistance of one-time payment for each female, disabled, elderly headed and very poor households. Owner will be allowed to take away all salvageable materials free of cost. | determine the replacement value |
| 12. | Loss of standing crops | Cultivators identified by District Collector through land acquisition survey, including sharecroppers, tenants and squatters. | Crop compensation in cash at full market rate for one harvest (either winter or summer) by default for impacts caused by the project activities. All other crop losses will be compensated at market rates based on actual losses. | Applicable for all crops standing on land within the acquisition area at the time of dispossession. Project or relevant public land holding agency will pay through District Collector for crops. District Collector with assistance from Department of Agriculture will recommend resettlement value of crops at harvest. |
| 13. | Loss of business by commercial and business enterprises (CBEs) due to dislocation | Owner/operator of the business as recorded by RFS | Cash compensation equal to one year income, if loss is permanent; In case of temporary loss, cash compensation equal to the period of the interruption of business up to a maximum of six months or covering the period of income loss based on construction activity. | Business owners will be paid the entitlements after award of compensation by District Collector to the owner of premises. |
| 14. | Loss of Income and work days due to displacement | Household head / employees identified by the RFS | Indemnity for lost wages for the period of business interruption up to a maximum of three months (to be calculated on the basis of Cost of Basic Needs (CBN), | Affected person must have been an employee of landowner or business located in the acquired lands for at least twelve months, as identified by the RFS. |
| 15. | Poor and vulnerable households | Poor and vulnerable households | Lump sum one time livelihood assistance allowance (to be calculated on the basis of Cost of | Vulnerable household must be identified during RFS. |

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| No. | Type of loss | Entitled Persons (Beneficiaries) | Entitlement (Compensation Package) | Implementation issues/Guidelines |
|-----|--------------------------------------|---|--|--|
| | | including women headed household, households below poverty line, disabled persons identified by RFS | Basic Needs (CBN) per person on account of livelihood restoration support. Temporary or permanent employment during construction or operation, where ever feasible. Provision of one time moving assistance to cover transport expenses, where applicable. | |
| 16. | Displacement of community structure | Community structure representative as identified by the RFS | The project will construct the structures for common properties in the self-managed resettlement sites selected by the PAPs. | Land for common structures will be purchased/ acquired by the Project or relevant public land holding agency . |
| 17. | Temporary impact during construction | Community / Individual | Compensation equal to loss during construction | Temporary impact during construction will be computed by Project Implementation Unit. |
| 18. | Unforeseen impact | Concerned impacted persons | Entitlements will be determined as per the resettlement framework | The unforeseen impacts will be identified through special survey by the PIU. The entitlements will be approved the Board of Revenue and concurred by the WB. |
| 19. | Public Structure | Concerned Department | Replacement of affected structures | Board of Revenue and concerned department with the help of LAC will be responsible for the replacement of the affected public structures with the financial assistance of the project at appropriate site. |
| 20. | Severe impact | Persons losing more than 10% of their income from all sources | One time severe impact allowance per household. Severe impact allowance will be based on market value of a 1 year's gross yield of the land | The one time severe impact allowance will be paid by Project or relevant public land holding agency . |

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| No. | Type of loss | Entitled Persons (Beneficiaries) | Entitlement (Compensation Package) | Implementation issues/Guidelines |
|-----|--------------|----------------------------------|--|----------------------------------|
| | | | <p>lost. In case of severe impact on other income, the APs will be paid additional compensation corresponding to 3 months of minimum subsistence income</p> <p>One person from the household will be eligible for labor work or job according to their skills and education.</p> | |

6 IMPLEMENTING ARRANGEMENTS

6.1 Project Implementation Unit

The Project will have a main Project Implementation Unit (PIU) established in Board of Revenue, supported by assistant-PIUs established within PDMA and PLRA. The main PIU will implement day-to-day project activities, which fall under the mandates of its own departments (such as Department of Land Records, or DLR). The BoR/DLR will take primary responsibility for leading fieldwork and raw data collection and adjudication in rural and peri-urban areas where Patwaris have an established presence. The PMDA PIU will be responsible for the provincial spatial data infrastructure and upstream mapping activities, and aggregation / digitization of existing data from other land record-owning agencies. The PLRA PIU will be responsible for data cleansing, verification, and final registration in LRMIS, as well as recording transactions afterward. All PIUs will play important roles in building public awareness about the project and engaging with communities.

The BOR PIU will be responsible for resettlement functions, including preparation, implementation, financing and supervision of all relocation and resettlement, social development tasks and cross-agency coordination. The main PIU will have the ultimate responsibility to prepare and implement Resettlement Plans and to coordinate with relevant Punjab government agencies, specifically the public land-owning agencies who benefit from the project. It will also receive and review quarterly reports and address all queries from agencies involved in the subproject. Assistant PDMA and PLRA PIUs will provide support in conducting surveys, census and assessments during preparation of Resettlement Plans.

Proportionate with the low to moderate risk of the project, implementation of the RF, screening of sub-projects, and preparation and implementation of the Resettlement Plans will be the responsibility of the Social Development Specialist in the BOR PIU, who will report to the Project Director. The BOR PIU Social Development Specialist will be supported by Social Development Specialists in the PDMA and PLRA PIUs for field surveys, assessments and implementation of Plans. The BOR PIU Social Development Specialist will be responsible for:

- Screening of subprojects in term of involuntary resettlement
- Conducting a social, legal and institutional assessment as per ESS1 to determine the resettlement risks related to removal of occupants and informal settlers, especially poor and vulnerable from identified public land that comes into use due to the project activities
- Elaboration of terms of reference for preparing a Plan for each subproject
- Engaging and supervising consultants for the preparation of a Plan for each subproject
- Providing comments on draft Plans prepared by the consultants
- Reviewing and approving the final Plan of each subproject
- Disclosure of the approved Plan

- Establishing the grievance redress mechanism to address and resolve resettlement related complaints
- Supporting PIU for engaging the monitoring and evaluation consultants
- Preparing quarterly progress reports on resettlement and other related safeguard aspects in cooperation with the Environment Specialist to be hired for the project
- Supporting PIU in planning and implementing consultations with stakeholders
- Maintaining liaison with key stakeholders, including regulatory agencies and the World Bank
- Elaborating a project closure report on resettlement aspects.

6.2 District Agencies

District based agencies have jurisdiction over land acquisition and compensation activities. Land acquisition functions rest with the Deputy Commissioner (formerly known as District Revenue Office), which is a provincial Board of Revenue's represented at the district level. Other staff members of the Revenue Department are to identify titles and verify ownership. Functions pertaining to compensation of non-land assets rest on provincial line agencies and their District level offices. Compensation for houses and other structures considered part of housing pertains to the Department of Housing; productive trees compensation to the Department of Agriculture; and the compensation for wood trees losses to the Department of Forestry, Environment and Wildlife.

6.3 Grievances Redressal Mechanism

A GRM detailed in the PULSE ESMF will be set up to address grievances arising from project impacts, including land acquisition and resettlement. The purpose of the GRM with regard to land acquisition and resettlement is to receive, review and resolve grievances from physically and economically displaced persons, and thereby facilitate implementation of this RF as well as related RPs. The GRM is likely to address issues on: (i) location of the subproject so as to avoid specific affected assets; (ii) omission of some APs in a census; (iii) identification, measurement and valuation of losses; (iv) assessment and disbursement of compensation relative to entitlements stipulated in a RP; (v) disputes about ownership of affected assets; (vi) delays in compensation payments, relocation activities or livelihood restoration measures, (vii) design and completion of relocation sites and facilities; or (viii) adequacy and appropriateness of income restoration measures. Special care will be taken to make the GRM accessible to vulnerable persons, including the poor, elderly, handicapped, female heads of households, as well as women and members of ethnic and religious minorities in general. Each RP will indicate specific mechanisms to ensure accessibility for specific groups of APs.

A Grievance Redress Committee (GRC) will be established as per the Project GRM by the PIU for addressing conflicts, concerns and grievances regarding eligibility and entitlements related to resettlement activities.

6.4 Internal Monitoring

Internal monitoring will be carried out routinely by the Social Specialist at the BOR PIU under the guidance of the Project Director. This will include monitoring of:

- Preparation and implementation of Resettlement Plans
- Administration of entitlements and assistance to affected persons
- Status of resolution of all complaints (with details) and consultation plans

Results of internal monitoring will be compiled and shared with the Board of Revenue, APs, and the World Bank through quarterly progress reports (QPRs). Indicators for the internal monitoring will be those related to process, immediate outputs and results.

6.5 External Monitoring

Board of Revenue will hire External Monitors for conducting independent monitoring and evaluation during implementation of Resettlement Plans.

6.6 Budget

Adequate budgetary support will be fully committed and made available to cover the costs of land acquisition (including compensation and income restoration measures) within the agreed implementation period. The funds for all resettlement activities will come from the Government of Punjab.

All land acquisition and resettlement (LAR) implementation costs, including cost of compensation and LAR administration, will be considered an integral part of Project cost. Each RP will include a budget section indicating unit compensation rates for all affected items and allowances, relocation of structures, rehabilitation of livelihood, methodology followed for the computation of unit compensation rates and a cost table for all compensation expenses including administrative costs and contingencies. Total cost of the RP will also include 10 percent contingencies. Finances for compensation, relocation of structures, rehabilitation of livelihood, allowances, and administration of RP preparation and implementation will be provided by the Project. Board of Revenue will ensure that all the required funds are available for different resettlement activities before the start of particular activities as scheduled in the RP.

ANNEXURES

Annexure A: Involuntary Resettlement Screening Checklists

1: Involuntary Resettlement Screening Checklist for Civil Works

To be filled for ARCs renovation and other project related civil works.

Project/Subproject Title:

Implementing Agency: Processing Stage:

City/Town/Village: _____ UC _____ Tehsil _____

District _____ Province _____ Pakistan

Categorization Status: New project/subproject Revision of project/subproject Other

Name of Enumerator: _____ Date: _____

| SECTION 1: Potential Impacts | Yes | No | Expected | Remarks |
|---|-----|----|----------|---------|
| Does the subproject involve any physical construction work, i.e. rehabilitation, reconstruction or new construction? Specify in "remarks" column. | | | | |
| Does the subproject involve impacts on land, assets and people? | | | | |
| If "Yes" try to quantify the impacts and check following items | | | | |
| If "No" impacts, explain the situation in "remarks" and move to section 2. | | | | |
| Land: | | | | |
| Will the subproject use Government or state owned land? | | | | |

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| SECTION 1: Potential Impacts | Yes | No | Expected | Remarks |
|--|------------|-----------|-----------------|----------------|
| Does the Government or state owned land have any occupation (agriculture, settlement, structures, informal settlers?) If “Yes”, please refer to Resettlement Framework (RF) | | | | |
| Will the subproject acquire and use private or communal land? If “Yes”, please refer to Resettlement Framework (RF) | | | | |
| Others (specify in “remarks”). | | | | |
| Land-based assets: | | | | |
| Impacts on residential structures | | | | |
| Impacts on commercial structures (specify in “remarks”) | | | | |
| Impacts on community structures (specify in “remarks”) | | | | |
| Impacts on agriculture structures (specify in “remarks”) | | | | |
| Impacts on public utilities (specify in “remarks”) | | | | |
| Others (specify in “remarks”) | | | | |
| Agriculture related impacts: | | | | |
| Impacts on crops and vegetables (specify types and cropping area in “remarks”) | | | | |
| Impacts on Trees (specify number and types in “remarks”). | | | | |
| Others (specify in “remarks”). | | | | |
| Affected Persons (APs): | | | | |
| Number of APs | | | | |
| Males | | | | |
| Females | | | | |
| Titled land owners | | | | |
| Tenants and sharecroppers | | | | |
| Leaseholders | | | | |
| Agriculture wage laborers | | | | |
| Informal settlers/occupants (specify in remarks column). | | | | |

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| SECTION 1: Potential Impacts | Yes | No | Expected | Remarks |
|--|------------|-----------|-----------------|----------------|
| Vulnerable APs (e.g. women headed households, minors and aged, orphans, disabled persons and those below the poverty line). Specify the number and vulnerability in "remarks". | | | | |
| Others (specify in "remarks") | | | | |
| SECTION 2 | | | | |
| Others: | | | | |
| Are there any other minority groups affected by land acquisition or project activities? If "Yes" specify in "remarks" | | | | |
| Minority groups (specify in "remarks"). Describe nature of impacts | | | | |

2: Involuntary Resettlement Screening Checklist for Land Titling – Public Lands and Katchi Abadis

To be filled for public lands that come into use and Katchi Abadis that are regularized due to project activities during the lifetime of the project and up to 15 months after project closure.

PULSE
Subcomponent/Activity
Name

Name of Land Owning Government
Department/Agency:

Area/Name of Identified State Land: _____

City/Town: _____ UC _____ Tehsil _____

District _____ Province _____ Pakistan

Name of Enumerator: _____ Date: _____

| SECTION 1: Potential Impacts | Yes | No | Expected | Remarks |
|--|-----|----|----------|---------|
| Public/State Owned Land | | | | |
| Does the public/state owned and have presence of informal settlers/occupants (structures, agriculture, livelihoods etc.)? If “Yes”, please refer to Resettlement Framework (RF) | | | | |
| Will the state land-owning agency remove informal settlers/occupants? If “Yes”, please refer to Resettlement Framework (RF) | | | | |
| Others (specify in “remarks”). | | | | |
| Katchi Abadis | | | | |
| Does the Katchi Abadi to be regularized have informal settlers who are not eligible property holders? | | | | |

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| SECTION 1: Potential Impacts | Yes | No | Expected | Remarks |
|--|------------|-----------|-----------------|----------------|
| Will the DGKA remove persons who are not eligible property holders from the Katchi Abadi? If “Yes”, please refer to Resettlement Framework (RF) | | | | |
| Others (specify in “remarks”). | | | | |
| Land-based assets: | | | | |
| Impacts on residential structures | | | | |
| Impacts on commercial structures (specify in “remarks”) | | | | |
| Impacts on community structures (specify in “remarks”) | | | | |
| Impacts on agriculture structures (specify in “remarks”) | | | | |
| Impacts on public utilities (specify in “remarks”) | | | | |
| Others (specify in “remarks”) | | | | |
| Agriculture related impacts: | | | | |
| Impacts on crops and vegetables (specify types and cropping area in “remarks”) | | | | |
| Impacts on Trees (specify number and types in “remarks”). | | | | |
| Others (specify in “remarks”). | | | | |
| Affected Persons (APs) – Informal settlers/occupants: | | | | |
| Number of APs | | | | |
| Males | | | | |
| Females | | | | |
| Vulnerable APs (e.g. women headed households, minors and aged, orphans, disabled persons and those below the poverty line). Specify the number and vulnerability in “remarks”. | | | | |
| Others (specify in “remarks”) | | | | |
| SECTION 2: Institutional Capacity Assessment for Rehabilitation and Resettlement | | | | |
| Has the Dept./Agency implemented resettlement activities in the past? If “Yes”, please attach details | | | | |
| Has the Dept./Agency been directly involved in the removal of informal settlers/occupants to retrieve their lands? | | | | |

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| SECTION 1: Potential Impacts | Yes | No | Expected | Remarks |
|---|------------|-----------|-----------------|----------------|
| If "Yes", please attach details | | | | |
| Has the Dept./Agency had informal settlers/occupants from their lands removed through other government agencies? If "Yes", please attach details | | | | |
| Does the Dept./Agency follow policies or procedures for removal of informal settlers/occupants from their lands? If "Yes", please attach copy of policies/procedures | | | | |
| Does the Dept./Agency have dedicated personnel to deal with issues related to resettlement and removal of informal settlers/occupants? If "Yes", please provide details in remarks | | | | |
| Section 3: Others | | | | |
| Are there any other minority groups affected by land acquisition or project activities? If "Yes" specify in "remarks" | | | | |
| Minority groups (specify in "remarks"). Describe nature of impacts | | | | |

Annexure B: Elements of a Resettlement Plan

Minimum Elements of a Resettlement Plan

A Resettlement Plan must include at least the following elements:

1. *Description of the project* . General description of the project and identification of the project area .
2. *Potential impacts*. Identification of:
 - a) the project components or activities that give rise to displacement, explaining why the selected land must be acquired for use within the timeframe of the project;
 - b) the zone of impact of such components or activities;
 - c) the scope and scale of land acquisition and impacts on structures and other fixed assets;
 - d) any project-imposed restrictions on use of, or access to, land or natural resources;
 - e) alternatives considered to avoid or minimize displacement and why those were rejected; and
 - f) the mechanisms established to minimize displacement, to the extent possible, during project implementation .
3. *Objectives*. The main objectives of the resettlement program.
4. *Census survey and baseline socioeconomic studies*. The findings of a household-level census identifying and enumerating affected persons, and, with the involvement of affected persons, surveying land, structures and other fixed assets to be affected by the project. The census survey also serves other essential functions:
 - a) identifying characteristics of displaced house- holds, including a description of production systems, labor, and household organiza- tion; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population;
 - b) information on vulnerable groups or persons for whom special provisions may have to be made;
 - c) identifying public or community infrastructure, property or services that may be affected;
 - d) providing a basis for the design of, and budget- ing for, the resettlement program;
 - e) in conjunction with establishment of a cutoff date, providing a basis for excluding ineligible people from compensation and resettlement assistance; and
 - f) establishing baseline conditions for monitoring and evaluation purposes.

As the Bank may deem relevant, additional studies on the following subjects may be required to supplement or inform the census survey:

- g) land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area;
 - h) the patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project; and
 - i) social and cultural characteristics of displaced communities, including a description of formal and informal institutions (e.g., community organizations, ritual groups, nongovernmental organizations (NGOs)) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.
5. *Legal framework*. The findings of an analysis of the legal framework, covering:
- a) the scope of the power of compulsory acquisition and imposition of land use restriction and the nature of compensation associated with it, in terms of both the valuation methodology and the timing of payment;
 - b) the applicable legal and administrative procedures, including a description of the remedies available to displaced persons in the judicial process and the normal timeframe for such procedures, and any available grievance redress mechanisms that may be relevant to the project;
 - c) laws and regulations relating to the agencies responsible for implementing resettlement activities; and
 - d) gaps, if any, between local laws and practices covering compulsory acquisition, imposition of land use restrictions and provision of resettlement measures and ESS5, and the mechanisms to bridge such gaps.
6. *Institutional framework*. The findings of an analysis of the institutional framework covering:
- a) the identification of agencies responsible for resettlement activities and NGOs/CSOs that may have a role in project implementation, including providing support for displaced persons;
 - b) an assessment of the institutional capacity of such agencies and NGOs/CSOs; and
 - c) any steps that are proposed to enhance the institutional capacity of agencies and NGOs/CSOs responsible for resettlement implementation.
7. *Eligibility*. Definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cutoff dates.
8. *Valuation of and compensation for losses*. The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation for land, natural resources and other assets under local law and such supplementary measures as are necessary to achieve replacement cost for them.
9. *Community participation*. Involvement of displaced persons (including host communities, where relevant):

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- a) A description of the strategy for consultation with, and participation of, displaced persons in the design and implementation of the resettlement activities;
 - b) a summary of the views expressed and how these views were taken into account in preparing the resettlement plan;
 - c) a review of the resettlement alternatives presented and the choices made by displaced persons regarding options available to them; and
 - d) institutionalized arrangements by which displaced people can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that such vulnerable groups as indigenous people, ethnic minorities, the landless, and women are adequately represented .
10. *Implementation schedule.* An implementation schedule providing anticipated dates for displacement, and estimated initiation and completion dates for all resettlement plan activities. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project .
11. *Costs and budget .* Tables showing categorized cost estimates for all resettlement activities, including allowances for inflation, population growth, and other contingencies; timetables for expenditures; sources of funds; and arrangements for timely flow of funds, and funding for resettlement, if any, in areas outside the jurisdiction of the implementing agencies.
12. *Grievance redress mechanism.* The plan describes affordable and accessible procedures for third-party settlement of disputes arising from displacement or resettlement; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.
13. *Monitoring and evaluation.* Arrangements for monitoring of displacement and resettlement activities by the implementing agency, supplemented by third-party monitors as considered appropriate by the Bank, to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities; involvement of the displaced persons in the monitoring process; evaluation of results for a reasonable period after all resettlement activities have been completed; using the results of resettlement monitoring to guide subsequent implementation.
14. *Arrangements for adaptive management.* The plan should include provisions for adapting resettlement implementation in response to unanticipated changes in project conditions, or unanticipated obstacles to achieving satisfactory resettlement outcomes