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A CASE STUDY

COMPLAINT RESOLUTION THROUGH PROJECT BASED GRM

**@ 500 kV LAHORE NORTH GRID STATION
ADB MFF-II (T-3)**

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National Transmission and Despatch Company (NTDC)

- After unbundling of WAPDA, NTDC was incorporated as a Public Limited Company on 06 Nov 1998 under the Companies Ordinance 1984 (now Companies Act 2017), with its Head Office at Lahore.
- NTDC is responsible for evacuation of power from Hydroelectric Power Plants (mainly in the North), the Thermal Units of Public (GENCOs) and Private Sectors (IPPs) (mainly in the South) to the Power Distribution Companies through the primary (EHV) Network.

Voltage	No. of Grid Stations	Transmission Lines
500 kv	16	5,970 km
220 kv	45	11,322 km
Total	61	17,292 km

Environment & Social Impact Assessment (ESIC)

- The Environment and Social Impact Cell (ESIC) of NTDC is responsible for fulfilling the environmental and social safeguards requirements of the financing partners such as ADB, JICA, KfW, USAID, AIIB portfolio as well as NTDC own Resource Projects.
- This Cell reports to the Chief Engineer PMU and is comprised of:

Manager ESIC, Dy. Manager Environment, AM Environment, AM OHS and AM Social.

- ESIC is responsible to manage all environment social related requirements and issues of NTDC projects across the country.

Business Collaboration of NTDC & ADB

- NTDC enjoys outstanding business relations with ADB in particular, and other IFIs and bilaterals in general. Partnership with ADB started in **2006** through a Multi-tranche Financing Facility (**worth us\$810m**) that aimed to enhance the power transmission capacity of NTDC through installation and commissioning of Grid Stations and Transmission Lines across Pakistan. It was closed in 2016.
- Another Multi-tranche Financing Facility (MFF-II) was signed in **2016** amounting to **USD 810 Million**.
- Besides MFF-II, ADB & NTDC are currently working for processing of additional Financing of “Power Transmission Strengthening Project” amounting to **USD 250 Million** in year 2023.

500 kV Lahore North Grid Station ADB-300A

- The ADB Package 300A falls in District Sheikhpura, Punjab.
- The sub project resulted in acquisition of 152.6 acres of arable land permanently.
- The ADB Package 300A of Tranche III will have a total 96 AHs. The 96 AHs are comprised of 193 members (DPs).
- A total amount of compensation, calculated at current market rate (replacement costs as per current market rates fixed by the concerned government departments for the year 2021-2022) has been determined as PKR 448.23 Million (1.99M \$) paid to all the AHs

Complaint to ADB by Landowners

- In 2019, the landowners of LNGS filed a complaint to NTDC and later to ADB's Accountability Mechanism wing of "Office of Special Project Facilitator, called OSPF".
- Major demands of the complainants included the following:
 - ❖ Move the proposed GS to a different location.
 - ❖ Enhance the BOR Land Compensation Rates.
 - ❖ Loss of livelihoods and vulnerability of APs: Vulnerable women (women headed households/widows).
 - ❖ Employment opportunities for locals/DPs
- The complainants also filed a petition with the session court, which was vacated. However, they escalated their complaint to the Lahore High Court.

Efforts made to resolve the complaint

- OSPF returned the complaint to the ADB project team for resolution together with NTDC.
- ADB PRM & NTDC teams approached the complainants and started consultations.
- NTDC explained to ADB and the complainants that due to design requirements, site cannot be shifted.
- Interestingly the landowners of surrounding lands also filed a complaint to ADB OSPF against the “shifting of site”. They expressed their unwillingness to give land for the GS.
- ADB project team at PRM had many meetings with Dy. Managing Director, Land Directorate, LAC NTDC, Project Director EHV, ESIC, CE PMU and the complainants.
- They also visited site multiple times and met with the complainants.
- Additionally, OSPF also held meetings with Project team, NTDC and complainants.
- After multiple rounds of mediation meetings of ADB-PRM with NTDC and complainants, several alternatives emerged towards resolution of the complaint.

Efforts made to resolve the complaint

- In view of the constraints and ground realities, the parties agreed to demonstrate flexibility on the demands and remedial measures.
- NTDC & complainants finally agreed on deletion of a strip of 03 acres of land from the front side (adjacent to road)
- The parties also agreed that no towers and lines will be installed in the deleted land.
- NTDC further agreed to construct a water channel to ensure water supply to the farmers.
- NTDC agreed to prepare a “Livelihood Restoration Plan”(LRP) LRP in addition the updated LARP already under implementation.
- NTDC agreed to provide the APs work opportunity with the contractor(s). Names of APs are to be provided by the Complainants/representatives.

Complaint`s Resolution through an MOU B/W NTDC and Complainants

Memorandum of Understanding (MOU) B/W Complainants and NTDC

- Finally, after very hard efforts, NTDC & Complainants agreed on resolution of their demands through an MOU, signed in 02-02-2021.
- ADB also endorsed the signed MOU.

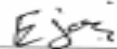
MEMORANDUM OF UNDERSTANDING BETWEEN NTDC & COMPLAINANTS / LANDOWNERS OF THE LAND OF 500 KV LAHORE NORTH GRID STATION

A meeting was held under the chairmanship of Dy. Managing Director (AD&M) NTDC in the presence of Munawar Bhatti CE (PMU), Hamza Randhawa CLO NTDC and Mahar Khalid Manager Environment in WAPDA House, Lahore on 02.02.2021 to resolve the dispute of land under acquisition for 500 kV Lahore North grid station. The following points have been mutually agreed by both parties:

1. The access road / passage-way from main Sheikhpura-Muridke Road to grid station will consist of 100 feet width on west side in square No. 180, Killa No. 4, 7, 14 & 17 and there will be no boundary wall on either side of the road.
2. The remaining land in square No. 180, Killa No. 4, 7, 14 & 17 after leaving 100 feet wide road will be de-notified from acquisition proceedings.
3. Killa No. 16 in square No. 180 will be de-notified from acquisition proceedings.
4. Job surety for 04 No. affectees will be referred to the companies involved in the construction of 500 kV Lahore North grid station and its allied 500 kV transmission lines to accommodate them as per their qualification / credentials.
5. This MoU will be submitted to ADB for issuance of NOL for 500 kV Lahore North grid station and its allied 500 kV transmission lines on priority basis, keeping in view urgency of the project.
6. The complaint in ADB from the landowners shall stand redressed in terms of this MoU.
7. The writ petition in Lahore High Court, Lahore titled "Ijaz vs Province of Punjab etc" bearing No. 1663/2021 shall be withdrawn by the landowners on or before next date of hearing which is 16.02.2021.



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Agreed Demands and Status of Implementation

- Access road from main Sheikhupura-Muridke Road to the grid station will consist of 100 feet wide on west side in square No. 180 (Killa No. 4, 7, 14 & 17 and there will be no boundary wall on either side of the road.
- Action by NTDC: NTDC revised the GS design and implementation is underway.

Agreed Demands and Status of Implementation

- The remaining land in square No. 180, Killa No. 4, 7, 14 & 17 after leaving 100 feet wide road will be de-notified from the land acquisition proceedings.
- Action by NTDC: Implemented already. The land deleted from the scope has been de-notified and original ownership of landowners restored

Agreed Demands and Status of Implementation

- As demanded by Complainants, NTDC agreed on provision of job (contractor's payroll) to 4 APs. But the Complainants are yet to formally submit the CVs APs to NTDC.
- Action by NTDC: NTDC will get the APs engaged in the work with contractors after competing the due process, pending to unavailability of CVs from the Complainants.

Agreed Demands and Status of Implementation

- Agreed demand: Water crossing-drainage and flooding:
- NTDC Action: Water channel redesigned along the boundary wall of GS to ensure supply of water to farmers and to avoid flooding of adjacent lands. This point is confirmed through display of project design to ADB OSPF/PRM during the last mission.

Agreed Demands and Status of Implementation

- Livelihood Restoration Plan (LRP) for affected persons of LNGS project
- NTDC Action: NTDC prepared the LRP that has been approved by ADB and disclosed. Implementation will start after one month after fresh consultations with APs and reconfirmation of their training needs.

Agreed Demands and Status of Implementation

- Complainants desired that no T/L should cross over the land along side of the road at the front side of the GS.
- NTDC Action: NTDC has revised the design by completely avoiding the deleted land from installation of any towers and lines. All agreed actions and status of implementation has been shared with ADB-OSPF team.

Agreed Demands and Status of Implementation

- After signing & implementation of MOU, the complainants will withdraw their petition from the Lahore High court

LESSONS LEARNT

- It is always practical to establish the GRM and make it functional at the early stage of project processing especially during land acquisition, and preparation of LARP/RP.
- Establish a close liaison with the DPs as much as possible in a systematic and structured way.
- This provides the DPs a forum for raising any concerns with relevant Govt officials and look for possible resolution of their concerns.
- By putting in place a GRM at initial stage of project / land acquisition, many complaints directly going to the court of law or ADB can be easily avoided.

