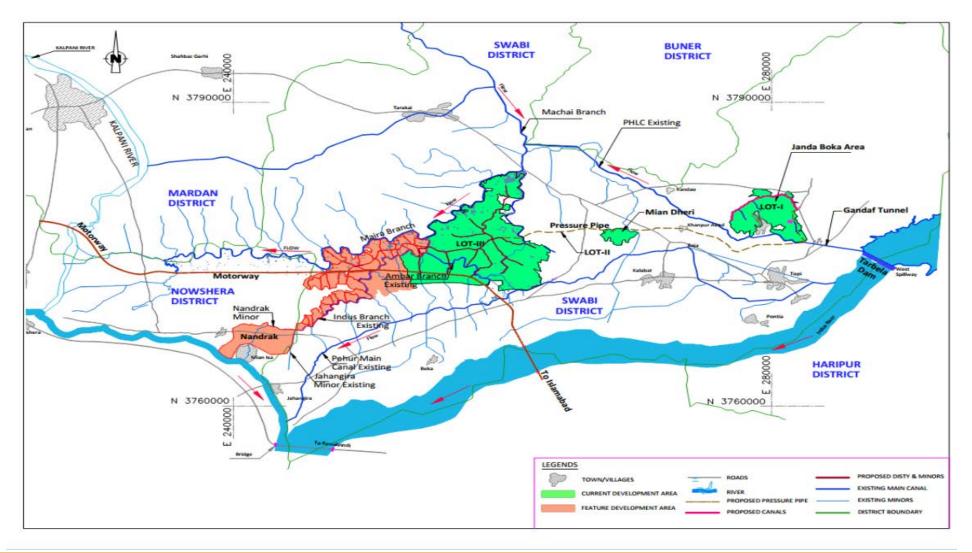


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Project Experience: Handling cases with impediments - Pehur High Level Canal Extension

3 AUGUST 2023

## **Location Map of the Project Area**



# Land Acquisition and Resettlement Impacts

S#	Impacted Assets	Quantum	DPs
1	Acquired land (acres)	348.52	26287
2	Crop Area (acres)	320.23	
3	Trees (No)	4256	
4	Structures	16	

# **Types of Impediments**

- **1.** Inheritance Mutation Issue
- 2. Meager Amount compensation (PKR up to 5000)
- 3. Juvenile DPs (under the age of 18)
- 4. Absent DPs (not living in the project area)
- **5.** DPs encountering "Correction or CNIC record"
- 6. Cases of "Stay Orders" by the Civil Court
- 7. DPs Mentally Retarded
- 8. COVID-19 Epidemic
- 9. Rahn & Murtahun

## Exhaustive Efforts PMO Made Resolve the Impediments Inheritance Mutation

- 1. Close coordination of PMO with Revenue Department in facilitating APs record their inheritance mutation in the land revenue record;
- 2. Identify inheritance mutation cases by closely working with APs/village headman (where DPC do not exist)
- 3. Arrange death certificate of deceased APs through following steps, i) reporting of death to the local Union Council (if not already reported), ii) arrange medical certificate if the death occurred in a hospital, iii) obtain a death registration form from the office and complete it with accurate information about the deceased, including their name, date of birth, date of death, address, and cause of death, iv) Along with the completed form, submit the medical certificate, a copy of the deceased person's national identity card (if available) and v) witness statements from family members or neighbors who were present at the time of death or are familiar with the circumstances.
- 4. Arrange Legal Heirship Documents: The legal heirs of the deceased landowner are identified and their relationship established. The Commonly accepted documents to prove legal heirship include: Succession Certificate, Family Registration Certificate (FRC), Complete Mutation Application Form,
- 5. Submit the Application: Once the verification is complete and the legal heirs are confirmed, the authorities will issue a mutation order. This order will transfer the ownership of the land to the legal heirs. The land records will be updated to reflect the new ownership.
- 6. Collect Updated Documents: After the mutation process is completed, collect the updated land documents, which will now include the names of the legal heirs as the new owners

### Exhaustive Efforts for Meager Amount compensation (PKR up to 5000)

- Identified APs not interested in collecting their meager amount of compensation due to time and logistic constraints/costs, such as transport, time and other costs involved in opening a bank account. These expenses outweighed the compensation amount for APs. However, they were interested in receiving compensation either through an open cheque or in cash.
- 2. Through DC Office, PMO approached the District Accounts Office for provision of open cheques to APs having meagre amounts share (PKR 5000 and below).
- 3. Local commercial banks (U-Bank and Meezan Bank in Swabi) were approached for opening the bank accounts of APs, irrespective of their compensation amount either with zero or nominal prior deposit (PKR 500), both the banks agreed to open the accounts.
- 4. Contacted DPs of meager amount and informed them about efforts being made to compensate them in cash followed by facilitation for opening their bank account in the U-Bank/Meezan Bank for receiving their meager amount of compensation payment.
- 5. Provided pick and drop transport to APs to collect compensation from respective banks.
- 6. This is the 1<sup>st</sup> precedent in Pakistan to resolve this impediment of meager amount which worked well. Same experience is now replicated in Balakot hydropower project as well.

# Exhaustive Efforts for DPs Juvenile (under the age of 18)

- 1. PMO is facilitating DPs for obtaining CNIC from NADRA. They will be compensated after they are provided with CNIC and their bank accounts are corrected.
- 2. The natural guardians of the juvenile DPs are being approached to explain process of getting guardians certificate and record their statements, the process involved is discussed as under;
- . Application Submission: The person seeking to become a guardian (applicant) must submit an application to the relevant civil court. The application should include details about the applicant, the minor child (or children) for whom guardianship is sought, their relationship, and the reason for seeking guardianship.
- **ii. Supporting Documents**: Along with the application, the applicant needs to provide supporting documents, which may include: a) Birth certificate of the minor child (to establish age and identity), b) Death certificate of the child's parents (if applicable), e) Identity documents (CNIC, Passport, etc.) of the applicant, and f) any other documents required by the court.
- **iii. Public Notice**: In some cases, the court may require the applicant to publish a public notice about the guardianship application in newspapers. This is to inform the public and give an opportunity to raise objections, if any.
- iv. Submission of Guardian Certificate: Once the court approves the application, a guardian certificate is issued to the applicant. This certificate formally establishes the person as the legal guardian of the minor child. The certificate was submitted to revenue for compensation payment.

# Exhaustive Efforts for Absent DPs (not living in the project area)

- Three types of absentee APs: i) APs out of country, ii) APs residing in other cities, and iii) APs out of village.
- 2. All such DPs addresses and contact numbers (if available) are obtained through the village headmen/ notable/knowledgeable persons (e.g. malik/ patwari) and their relatives in living in the affected villages, but in some cases local community lacks addresses and contact numbers of those DPs migrated since long time.
- 3. All those APs have documented through the malik/ patwari in each mouzas of project.
- 4. Publicize information through a) advertising in the local and national news paper, chalk out the notices in the common places of village/residences of the APs, tehsil office, installation of Pana flex and announcement in the village Masjids.
- 5. Serving consecutive three notices with the span of one month to the addresses of the absent APs to meet the legal requirement. These notices are served through post office.
- 6. Personally contacted the APs telephonically

### **Correction Records in CNIC and Re-issuance after Expiration of CNINC**

- PMO conducted regular meetings with revenue office to facilitate APs in correction of their names as per CNIC card issued by NADRA. The names of DPs are different from the land revenue record. So, a document called "Fard Badar" has to be issued by land record management office after entering due corrections in land record registers.
- 2. Meetings with Deputy Commissioner, Assistant Deputy Commissioner, Assistance Commissioner and Tehsildar

### **Steps for the replacement of Expired CNIC**

- 1. Obtain Application Form: Visit the nearest NADRA (National Database and Registration Authority) office or E-Sahulat center and request an application form for CNIC renewal. You can also find the form on NADRA's official website.
- 2. Fill Out the Form: Fill out the application form for CNIC renewal with accurate and up-to-date information. Ensure that all the required fields are completed correctly.
- **3.** Gather Required Documents: Gather the necessary documents to support your CNIC renewal application. Generally, you will need the following:
- Expired CNIC (original) that needs to be replaced.
- Two recent passport-sized photographs.
- Proof of address (utility bills, rental agreement, etc.).

**4.Biometric Verification:** Visit the NADRA office or E-Sahulat center in person to complete the biometric verification process. Your fingerprints and photograph will be taken for verification.

**Submit the filled-out application form**, required documents, and payment receipt to the NADRA officer after verification from the village headman or union coucil Nazim.

## **Cases of Stay Orders Issued by the Civil Court**

- 1. PMO is approaching litigant DPs regularly for follow-up on the pending disputes and court cases and they are explained on the process for payment as and when their cases are adjudicated by the respective courts. The information regarding the court cases filed by the DPs is being accessed and maintained by the PMO.
- 2. 30 cases regarding the price of land compensation were referred to court through district revenue offices.
- 3. Now it is up to court to make the decision

### **Mentally Retarded APs**

- PMO approached the relatives of APs and advised about compensation process to be followed and compensation amount secured in district treasury for disbursement as and when they will produce valid claim documents with guardianship certificate issued by the competent court. Also guided about the guidance certificate;
- i. Application Submission: The person seeking to become a guardian (applicant) must submit an application to the relevant civil court. The application should include details about the applicant, the minor child (or children) for whom guardianship is sought, their relationship, and the reason for seeking guardianship.
- **ii. Supporting Documents**: Along with the application, the applicant needs to provide supporting documents, which may include: a) Birth certificate of the minor child (to establish age and identity), b) Death certificate of the child's parents (if applicable), e) Identity documents (CNIC, Passport, etc.) of the applicant, and f) any other documents required by the court.
- iii. **Public Notice**: In some cases, the court may require the applicant to publish a public notice about the guardianship application in newspapers. This is to inform the public and give an opportunity to raise objections, if any.
- iv. Submission of Guardian Certificate: Once the court approves the application, a guardian certificate is issued to the applicant. This certificate formally establishes the person as the legal guardian of the minor child. The certificate was submitted to revenue for compensation payment.

# **Cases affected by COVID-19 Epidemic**

- 1. The compensation disbursement process was delayed as the revenue staff was preoccupied with COVID-19 relief activities.
- 2. In response to this, the PMO designated four staff members to assist the revenue team. A meeting was held with the Deputy Commissioner, and additional staff were also assigned from revenue to expedite the compensation disbursement process.
- 3. Furthermore, the Affected Persons (APs) were hesitant to visit the revenue office for compensation payment due to restrictions on gatherings. To address this issue, the PMO staff took the initiative to make the payment of allowances at the APs' doorsteps.

### **Exhaustive Efforts for Cases of Rahn & Murtahun**

- Meeting with the SBR and DC office to resolve the Rahn & Murtahun cases.
- 2. The land record is not updated and issue is coming since the participation.
- 3. Transferred the compensation amount in the district treasury as land is included in the award.

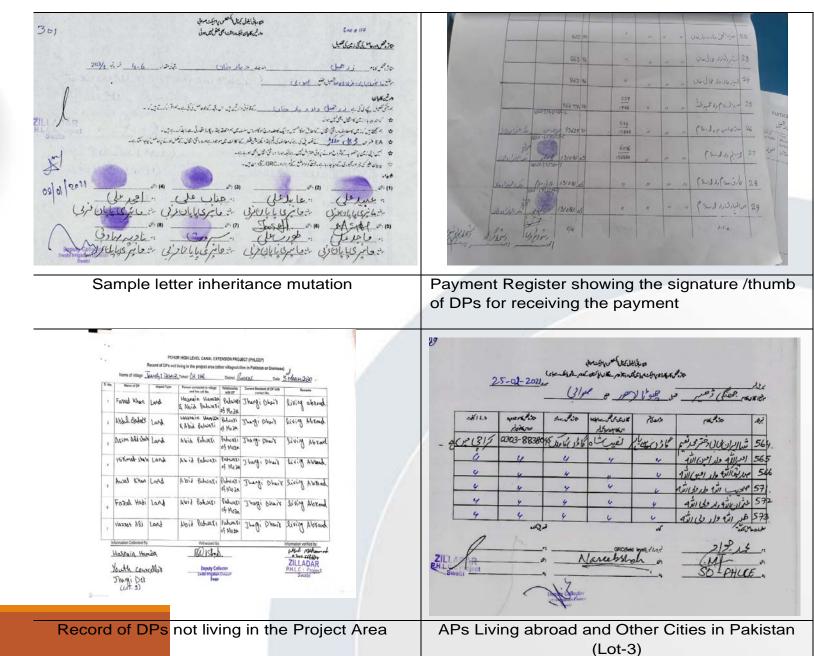
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A notice served by the PMO in the camp office regarding receiving compensation payment

Placement of banner of receiving compensation at tehsil office Lahor of lot-3.

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PEHUR HIGH LEVEL CANAL EXTENSION PROJECT (PHLCEP) List of Unpaid APa/ DPs under Blay Order by Civil Court PEHUR HIGH LEVEL CANAL EXTENSION PROJECT (PHICEP) List of Unpaid Aps/ DPs "Mentally Retarded/Abnormal SWARI a Swabi of lot-3, Mr. Rehan Shah, that the respective Aps Mr. Knw PHLL COM Litigant APs with pending title disputes and Mentally retarded DPs court cases (Lot-3) PEHUR HIGH LEVEL CANAL EXTENSION PROJECT (PHLGEP) Daily Meeting/ Activity Report Date: 3-02-2021 Tensil Lot: Let-3- Labor Gharbi Mouza: Chota Labor. الاستنى (PHLCE) باجكن موان the available nevenue necond and Tehnilden / Ruder Moura concerned, all these stated Aps/Dps in the attached list under stay ander by the Signature of Official 50 PHLCE Ngjum-ul- Savis Ng DP under stay order Flip Chart regarding the awareness about the payment to received their compensation

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