

## GRSC COMPOSITION, FUNCTIONS AND RECOMMENDATIONS

### I. Composition of GRSC

The members of the Grievance Redress and Settlement Committee (GRSC), as shown in the table below, were selected in accordance with paragraph 7 of the Terms of Reference of the GRSC.

**Table 1: GRSC Members**

Name	Member Title	Remarks
Mr. Muhammad Aqil Mirza	Chairperson/National Legal Expert	Retired High Court Judge.
Mr. Muhammad Bilal	Representative of the federal Government's Economic Affairs Division (EAD)	EAD official.
Mr. Saif-ur-Rehman	Representative of WAPDA	Director (Headquarters), Chashma Right Bank Canal.
Mr. Bagh Ali Shahid (Alternate: Mr. Abdul Rehman Baig)	Representative of Government of Punjab	Chief Engineer, D.G. Khan, Irrigation and Power Department (IPD). The alternate is Senior Engineer, IPD.
Mr. Mohammad Iqbal	Representative of Government of North West Frontier Province (NWFP)	Executive Engineer, Irrigation and Power Department.
Mr. Muhammad Shafi Ghauri in August 2003 who replaced Mr. Abdul Wahab Khan	National Land Acquisition Expert	Mr. Khan is a retired magistrate. Upon completion of Mr. Khan's contract, he was replaced by Mr. Ghauri, who is a retired revenue officer.
Mr. Jamshed Tirmizi	International Resettlement Specialist	Consultant (Sociologist/Anthropologist)
Mr. Latifullah Khan Alizai	Nazim of Dera Ismail Khan (D.I. Khan) District, NWFP	Elected head of the district.
Mr. Sardar Jamal Khan Leghari (Alternate: Mr. Muhammad Tariq Khitran)	Nazim of Dera Ghazi Khan (D.G. Khan) District, Punjab	Elected head of the district. The alternate is the Nazim of Jalowali Union Council cum District Council member.
Mr. Soaib Nasir Main Khel	Representative of Affected People, D.I. Khan District	Mr. Alizai nominated Mr. Khel in consultation with the District Council members. He is the Nazim of Garaisa Khan Union Council.
Mr. Saedar Muhammad Akram Khan Malghani who replaced Mr. Iftikhar-ul-Hassan Sangi, who resigned in September 2003	Representative of Affected People, D.G. Khan District	Mr. Sangi is a farmer/landowner, nominated by Mr. Leghari and approved by the District Council. Resignation was for personal reasons. Mr. Malghani is the Nazim of Sokkar Union Council.

### II. Functions of GRSC

The functions of the GRSC are set out in paragraphs 8-12 of the Terms of Reference of the GRSC, as cited below:

#### Working of the Committee

8. The Committee Chairperson will be the national legal expert. The Committee would establish its own working method that will follow the principles of participation, transparency, taking decisions on recommendations based on majority views of the members under a one

member-one vote rule, documentation of all deliberations, public hearings and recommendations.

### **Functions of the Committee**

9. The Committee's principal task is to reach a solution to all the outstanding problems that have been raised on account of land acquisition, resettlement, compensation and rehabilitation accruing to claimants because of the Project. In regard to land acquisition, the Committee's role would be to see that all matters relating to assessment and payment of land compensation are handled fairly, transparently, and in compliance with the LAA. The Committee will recommend appropriate steps for redress of grievances when pointed out by the affectees. Pakistan's policies and legal framework, including but not limited to the LAA, will provide the fundamental legal basis for the Committee's recommendations, which will be supplemented by ADB's relevant policies, including ADB's Policy on Involuntary Resettlement (IR) (1995) and ADB's Policy on Indigenous Peoples (1998), together with relevant guidelines including on the Incorporation of Social Dimensions into Bank Operations, where legally possible.

10. The Committee's functions, therefore, include wide consultations and public hearings/discussions among Project affected people. The Committee will make recommendations on (a) any compensation and other assistance due to the Project affectees under the applicable laws and policies to which the paragraph above refers; (b) remedial timebound actions and measures to resolve any other outstanding issues and grievances that are submitted to the Committee - including those identified in the Complaint and Request<sup>1</sup>. GOP, WAPDA and Provincial Governments will be responsible for implementing the recommendations, consistent with national laws and procedures therein.

11. The Committee will publish and disseminate information about the timeframe and process for grievance redress. It will develop a list of entitlements for compensation and other assistance that meets the applicable laws and policies as identified above, and will hear grievances according to this list.

12. The Committee will also be responsible to monitor the timely implementation of its recommendations.

### **III. Recommendations made by GRSC**

The GRSC submitted its recommendation report to the Ministry of Water and Power on 15 October 2003, in which it made 16 recommendations, as follows:

#### **Recommendation # 1**

- The Land Acquisition Collectors of D.I. Khan and Taunsa shall make and announce the awards in the manner given below:-
  - (a) Market value as determined by the District authorities at the date of publication of notification US 4 (I) of LAA and not the average sale price will determine the amount of compensation.
  - (b) 25% of the aforesaid amount of compensation shall be additionally awarded.

- (c) Interest shall be paid on the aforesaid two amounts to the affectee from the date of possession (which in the cases both at D.I. Khan and Taunsa) is the date of notification U/S 4 (I) of LAA to the date of actual payment of compensation to the affectee. It may be clarified that date of announcement of the award is totally irrelevant. The interest U/S 4 LAA for delayed payment of compensation has to be paid from the date of possession of land till the date of payment of compensation. However, to make it practicable a period of one month from date of announcement of the award can be ignored for the purpose of calculation of the interest.
- (d) The compensation together with the interest shall be paid to affectees through cheques / Vouchers / cash in the Villages of the affectees or in the nearly union council offices, in open assembly. But prior notice to the affectees in the village shall be given by the subordinate staff of the LAC through beat of drums and announcements in the mosques.
- (e) More than 50% awards have yet to be made. These awards can be made on the aforementioned lines without any complications. Difficulty may, however, arise in those cases where the awards have already been announced or payments thereunder made. In such cases where the awards have already been announced, the Land Acquisition Collectors shall announce supplementary awards by giving additional compensations as detailed in the preceding sub paras (a), (b) and (c) and the additional amounts should be disbursed in the manner given in sub para (d).

#### **Recommendation # 2**

- The Project Director CRBC will inquire into all the claims for damage to land received by GRSC and ensure that in all instances where earth from land has been removed, or land has otherwise been damaged and no compensation has been paid are duly compensated without delay.

#### **Recommendation # 3**

- Claims received by GRSC for non-payments of the crops and trees, loss of agricultural and commercial infrastructure and dwellings etc. shall be verified and paid in a transparent manner without delay in accordance to the compensation policy specified in Items 4, 5, 6, 7 & 8 of the Entitlement Matrix.

#### **Recommendation # 4**

- Chief Engineers of the respective Irrigation Departments will take appropriate steps and announce the procedure for sanctioning additional nakkas for the severed land, as provided for in Item No. 3 of the Entitlement Matrix, by or before 20-12-2003.

#### **Recommendation # 5**

- Respective Boards of Revenue will grant five (5) acres state land on proprietorship basis on nominal prices to the legal owners entitled compensated for loss of income and livelihood through acquisition under Item 4.1 of the Entitlement Matrix. Entitled tenant/share cropper or leaseholder for such holdings, if any, will also be compensated as specified at 4.1 of the

compensation policy column of the Entitlement Matrix by the PD CRBC at the expense of the Project.

### **Recommendation # 6**

- Irrigation Departments will formulate a domestic water supply sanction policy and the Project will initiate a program of infrastructure installation for domestic use of canal water in landless communities of the Stage III canal command developed in close consultation with women users.

### **Recommendation # 7**

- Identify federal, provincial and private sector programs in education, health, sanitation, agriculture and microcredit operating in the project area or which can be directed to the project area. Facilitate contact through workshops to provide a focal role for councilors at the tehsil and union council level, to enable communities and individuals access regional programs of relevance to women and the poor.

### **Recommendation # 8, 9, 10**

- After review by an independent irrigation management specialist, existing institutional arrangements, protocols and practices for regulation, particularly at the main canal-distributary interface, and discharge and escape protocols on the main canal and distributaries will be discussed and agreed during a two-day workshop. This will be attended by WAPDA, Provincial Irrigation Departments and farmers' representatives. Improvements to achieve timely and adequate flows to match fluctuations in farmers' water demand (within authorized discharge limits) will be implemented immediately. Calibrated easy to read gauges will be installed at all provincial transfer and main canal-distributary interface points.
- WAPDA and Provincial Irrigation Departments will make known their reservations for not allowing irrigation from sumps on the main canal when the topography does not permit farmers to convey water lifted from designated points on distributaries to portions of their land, particularly if these were previously irrigated by rodh kohi. They will also propose an alternate solution, if provision from the main canal is not possible. After receiving a response the independent irrigation management specialist will review the issue, including the option of creating new chakbandis for this land with provision for lift irrigation from sumps in the main canal, or possibly from specially built in-ROW minors along the main canal.
- Pending the initiation of farmer irrigation organization on the water course and distributary levels, workshops will be conducted to orient members of all union, tehsil and district councils in the CRBIP III canal command, on the operating principles of the warabandi continuous flow system of irrigation.

### **Recommendation # 11 & 12**

- The landless in unprotected villages in addition to the compensation they have already received for the structure of their home will be given ownership of at least 5 marlas residential land in the canal command area. By living in the command area they are

expected to benefit from the increased opportunity for labor that has arisen from irrigated agriculture. In addition they are entitled to a shifting allowance equivalent to six months official minimum wages.

- The increased risk of flood to the dwellings of those who are landowners, but only in the impact zone, will be mitigated through a provision of at least 5 marlas land for housing in the vicinity of their settlement, but outside the flood impact zone.

#### **Recommendation # 13 & 14**

- The communities in Protected Villages will determine measures considered necessary to improve the flood protection bund and the Project will agree on appropriate modifications or additions. GRSC recommends removing the existing flood protection bunds in Jhok Ketehra and Hafiz Abad, and rebuilding them at a reasonable distance (to be agreed in consultations with the community) from the dwellings. The land needed to widen these bunds will be acquired under the LAA.
- Animal watering points that draw water from the main canal will be provided in Protected Villages, inside the bund. Provision of canal water for domestic use by community will also be made within the bund. These facilities will be planned, located and installed by the Project in close consultation with the community.

#### **Recommendation # 15**

- WAPDA will undertake the remaining works on incomplete FCCs before the onset of the next flood season.

#### **Recommendation # 16**

- Talil watercourses on all distributaries need to be inspected for completion jointly by respective OFWM and Irrigation Departments. All incomplete watercourses should be constructed and warabandi instituted in close coordination of OFWM, Irrigation Department and the communities.