Resettlement Planning Document

Resettlement Plan
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PRC: Nanjing Qinhua River Environmental Improvement Project

Prepared by Nanjing Qinhua River Environmental Improvement Project Office, Nanjing Municipal Public Utilities Bureau.

The resettlement plan is a document of the borrower. The views expressed herein do not necessarily represent those of ADB’s Board of Directors, Management, or staff, and may be preliminary in nature.
Endorsement Letter of the Resettlement Plan

Nanjing Municipal Public Utilities Bureau has prepared Resettlement Plan (RP) for Inner Qinhuai River Sewerage & Water Replenishing Component of Nanjing Qinhuai River Environmental Improvement Project which is under consideration for Asian Development Bank (ADB) funding. The RP fully complies with requirements of the relevant laws, regulations and policies of People’s Republic of China, Jiangsu Province and Nanjing Municipal as well as complies with ADB’s policy on involuntary resettlement.

The Nanjing Qinhuai River Environmental Improvement Project Office hereby confirms the content of this resettlement plan and will guarantee the land acquisition, house demolition, compensation and relocation budget being provided according to the provisions of this resettlement plan. This resettlement plan is based on the feasibility study report and primary socio-economic survey. If the final implemented engineering works are different from what have been described in the feasibility study report and that will cause the substantial impact on the resettlement plan, this resettlement plan will be revised accordingly and approved by the ADB before its implementation.

Director of Nanjing Qinhuai River Environmental Improvement Project Office

Aug 30, 2006
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I. EXECUTIVE SUMMARY

I. Background and Scope of land acquisition
The sludge treatment & disposal component is composed of two sub-projects, which are the urban sewage & sludge treatment plant and the municipal sludge disposal plant. The project total investment is CNY 0.2544 million.
The total investment of the project is 254.4 million Yuan, among which 172.55 million Yuan (21.5418 million US dollars) is financed by ADB loans, accounting for the project total investment 67.83%; the rest 81.85 million Yuan is financed by urban construction fund(UCF), accounting for the project total investment 32.17%.
The urban sewage & sludge treatment plant will make use of the reserved land of the stage, so it doesn't involve new land acquisition and house demolition.
The landfill of the municipal sludge disposal plant requires the state-owned land 33ha, which belongs to the Phoenix iron mine at present. About 400m² houses of this enterprise will be demolished.

II. The social and economic status of the affected enterprise
The Phoenix mountain iron mine is one of the subsidiaries administrated by Nanjing Huajian Group Company. The entire area of the mine is 200ha, including productive district 107ha (south Qinhuai River), living district 93ha (north Qinhuai River).
The Phoenix mountain iron mine had been suspended production in 1986 because of the mineral resource depletion. There are unemployed workers 340 and retired workers 1000. As the mine is stated-owned, the municipal government gives 3 million yuan subsidy every year to the mine for supporting the employed and retired workers’ basic life. At present, there are still about 30 administrative officers who are responsible for the daily and asset management.

III. Compensation Standards of land acquisition for the project
According to the relevant state land use policies and regulations, the allocation of land are for free because the project belongs to the public welfare projects, but it still requires the payment of related fees and demolition compensation. The relevant fees are paid to the government department in charge of land. The demolition compensations are given to the affected enterprise.
The relevant fees comprise: State-owned land using fee, Land allocation administration fee and Land registration fee.
The demolition compensations are estimated by the qualified asset evaluation company which is accepted by both sides.

IV. Cost estimates of land acquisition and resettlement
Budgetary investment for resettlement and fees is totally 34,710,000 yuan among which 23,913,000 yuan is used for the enterprise demolition; indirect cost is 7,469,000 yuan; and fees during the course of the land acquisition are 6,618,000 yuan.
V. The schedule of land acquisition and resettlement
According to the schedule, the project is to be built from 2007 to 2009 in stages. The schedule for resettlement is in alignment with the schedule for each sub-project. Land Acquisition, demolition and resettlement are planned to begin in December 2006 and end in December 2008.

VI. The resettlement implementation
The demolition compensations are all given to the affected enterprise. This mine is state-owned and the unemployed workers live on the local governmental subsidy about 3 million yuan/year. There are 340 unemployed workers and 1000 retired workers. The mine’s original abandoned houses, equipments and attached facilities can be realized for the project and the unemployed workers will benefit from the mine’s demolition. The mine leaders plan to pay the social insurance, including medical insurance and pension insurance, for the unemployed workers. The retired workers salary would also be advanced.

VII. Protection of women rights
During the project construction and resettlement implementation, female employed and retired workers will enjoy equal rights with male workers in benefiting from the enterprise demolition compensation.
In addition, the managing officials of the project implementation organizations will regularly interview the female employed and retired workers to collect their suggestions and grievance.

VIII. Resettlement organizations
All levels of government agencies, project administrated sections and project carrying-out agencies have special staff to engage in resettlement implementation.

IX. Public participation and information disclosure
Basing on the policies of resettlement arranging and the resettlement right, the EA has prepared a resettlement information booklet (in Chinese) to publicize the resettlement arranging information, which was distributed to the affected people in early September 2006.

X. Monitoring & Evaluation
Internal monitoring: The internal monitoring for land acquisition and resettlement will be supervised by the PMO, and be performed by each project component EA and IA, plus the municipal and district land resource management bureaus.
The EA and IA of each project component will compile an internal monitoring report every 6 months and submit it to the NQREIPO. Thereafter NQREIPO will compile a summary of the various reports from all levels and submit a progress report which details resettlement progress to ADB before Jun. 30th and Dec. 31st of each year. A finalization report will be submitted to ADB when land acquisition and resettlement activities are complete.
Independent external monitoring and assessing: The national research center for resettlement (NRCR) has been recruited as the external independent monitoring and evaluation agency, which will conduct baseline survey before land acquisition, and monitor resettlement implementation. External monitoring is to be performed once annually during the three year after the resettlement implementation. In addition, after this project is completed, the final report is to be prepared.
II. BASIC SITUATION OF THE PROJECT

Brief Introduction to the Project
Among the cities in which the Asian Development Bank (ADB) and the United Nations Human Settlements Programme (UN-HABITAT) are implementing the Asian Urban Water Project, Nanjing is considered a model city in China. The Nanjing Qinhua River Environmental Improvement Project (NQREIP) will finance the construction of urban sewage collection and disposal, and watercourse treatment to solve environmental problems of Nanjing’s water courses. After the construction of the project, a complete and comprehensive urban sewage treatment system will be operational in Nanjing, with integrated sewage collection, transfer and drainage systems, meeting drainage standards after treatment, including sewage recycling and sludge utilization, so that the quality of the ground water environment can be improved, and underground water sources can be protected. These improvements contribute to the goal of sustainable economic development in Nanjing.

The proposed NQREIP financed by the ADB will include five components: the Inner Qinhua River Sewerage & Water Replenishing Component, the City East Wastewater Treatment Plant and Sewerage Component, the He Xi North District Sewerage, River Improvement & Water Replenishing Component, the Stormwater Drainage Component and the Sludge Treatment & Disposal Component. The total investment is CNY 1.69426 million, of which CNY 0.88096 million is to come from an ADB loan.

This RP has been prepared for the Sludge Treatment & Disposal Plant (STDP).

The sludge treatment & disposal component is composed of two sub-projects, which are the urban sewage & sludge treatment plant and the municipal sludge disposal plant. The project total investment is CNY 0.2544 million. This is a main component of Nanjing’s overall urban infrastructure. The completion of the project will significantly improve the Nanjing investment environment, the attraction of new investment the city appearance, citizen’s health and the people’s quality of life.

1.1.1 The Urban Sewage & Sludge Treatment Plant (USSTP)
The urban sewage & sludge treatment plant is located in the Jiangxin Island sewage treatment plant. Jiangxin Island is the biggest island in the Yangtze River in the Nanjing region, lying to the southwest of Nanjing, about 6.5 kilometers from the city center and administrated by Jianye District government. The urban sewage & sludge treatment plant will treat 80t sludge per day using the process of
desiccation. The final sludge product will be partially recycled as green manure and other waste will be used as covering soil in the landfill.

This project will make use of land reserved under stage 2 of the project, so doesn’t involve new land acquisition or house demolition. The land acquisition and house demolition of the stage 2 was completed in 2002 and a review of the resettlement from that time will be included in the RP attached as appendix 5.

1.1.2 The Municipal Sludge Disposal Plant (MSDP)
The municipal sludge disposal plant lies on the abandoned Phoenix mountain iron mine between the airport expressway and another arterial road, distant from the urban fringe area in the south of Jiangning District. The municipal sludge disposal plant adopts the landfill process with a scale about 1040m³/d. When the plant is fully commissioned, and operations are optimized, the treated sludge will be able to be used as raw building materials. This project will require the allocation of state-owned land usage rights and the demolition of houses belonging to an operating quarry.

Area Affected and Served by the Project

1.2.1 Area Served by the Project
The area served by the project is the main urban area of Nanjing, especial the Inner Qinhuai River valley, which includes Jianye District, Baixia District, Qinhuai District, Xuanwu District and parts of Gulou District.

Nanjing is the capital of Jiangsu Province. It is the political, cultural and economic center of the Province. As one of the four biggest central cities along the Yangtze River valley, Nanjing has taken advantage of its geographical advantages to become the most developed finance, trade, information, science and education center in the province. The implementation of this project will improve the urban environment in Nanjing, and strongly promote economic and tourism development, fulfilling the goal of the sustainable development of Nanjing.

1 Environmental Benefits
Sewage will be conveyed to Waste Water Treatment Plants (WWTP) via a complete collecting system for treatment, and discharged to the designated receiving water area after meeting the discharge standard. This will decrease the quantity of pollution in the city river network, and overall water quality will be improved.

2 Social Benefits
An Improved Sanitation Environment. The sanitary condition of the urban environment will be improved noticeably through improved water quality and
enhanced water quality of river network, which will contribute to decreased
disease incidence and improved health level of residents.
Improved living conditions. Quality of life is expected to improve dramatically with
the improvement of water quality in the river network and the enhancement of the
urban environment. Social benefits are likely to include increased amenity and
social use of the river bank area for exercise and leisure.

3 Economic Benefits
The River-side environment is expected to improve significantly following project
implementation, promoting the development of the tourism industry, with flow-on
economic benefits to the community. The investment environment is also
expected to be improved with increased environmental appeal attracting new
investment, and strongly promoting economic development.

1.2.2 Areas Affected by the Project
The areas affected by the project are Jiangxizhou Street in Jianye District and
Moling Street of Phoenix Village in Jiangning District. The major effects are land
acquisition and house demolition. Specific impacts are discussed following.

The urban sewage & sludge treatment plant will make use of land reserved under
stage 2 of the project so no new land acquisition or house demolition is required.

The landfill of the municipal sludge disposal plant requires 33ha of state-owned
land, which belongs to the Phoenix iron mine at present. About 400m² of houses
belonging to a quarry enterprise will also be demolished.

Socio-Economic Profile of the Project Area
1.3.1 Socio-Economic Profile of Nanjing City
Nanjing, lying at north latitude 33° 31’, and east longitude 118° 47’, is the capital of
Jiangsu Province. It is a famous ancient capital and historic cultural city. Nanjing
is the political, cultural and economic center of Jiangsu Province, and it is an
important central city on the middle and lower reaches of the Yangtze River. As
one of the four biggest central cities along Yangtze River valley, Nanjing has taken
advantage of its geographical position to become the most developed finance,
trade, information, science and education center in the province. In the last
century, the city has grown substantially. In order to meet the demands of new
development, the general blueprint of Nanjing was adjusted in 1995. The main
urban area is inside the city-ring-road, comprising a land area of 243 square
kilometers. At the end of 2004 the total population of registered permanent
Nanjing residents was 5.836 million, of which 5.01 million people live in the city
and 0.82 million in two adjacent counties. The total estimated population by 2010 is about 6.8 million.

In 2004, the gross domestic product (GDP) of Nanjing was CNY 191 billion and it increased by 17.3% over the previous year using comparative prices. The added value of primary industry in Nanjing is CNY 7 billion, increasing by 5.2% over the previous year; the added value of secondary industry is CNY 100.5 billion, increasing by 2.07%; the added value of tertiary industry is CNY 83.5 billion, increasing by 14.9%. Per-capita GDP is CNY 33,050 (calculated on the number of registered permanent residents), which increased by 15.0% in the last year. The percentage of the added value of the primary, secondary and tertiary industry of GDP is respectively 3.7%, 52.6%, and 43.7%.

Project Design Procedure
China Municipal Engineering Southwest Design Institution (CMEDI) commenced preparation of the required project feasibility study report in January 2005 and finished on April 30, 2006. The project feasibility study was approved by the Municipal Development and Reform Committee (MDRC) and Provincial Development and Reform Committee (PDRC) in May, 2006.

The STDP PMO commenced preparation of this RP in March 2006 and the first draft edition is to be submitted to ADB on 5 June 2006. From June to July, revisions will be made based on comments from the ADB. A revised RP will be submitted to ADB on June 30th. In July, the pre-appraisal edition will be finalized based on comments from the ADB. On August 30th, the appraisal edition will be submitted to the ADB.

The implementation project will commence in September 2007. Resettlement activities will commence in December 2006 and be completed by December 2007.

Total Investment and Capital Source
The project is defined as urban infrastructure, as an investment of the Nanjing Peoples’ Government, and the capital source consists of two parts: domestic supporting capital and an ADB loan. The total investment of the project is 254.4 million Yuan, of which 172.55 million Yuan (21.5418 million US dollars\(^1\)) is to be funded with an ADB loan, accounting for 67.83% of total project investment. The remaining 81.85 million Yuan is to be financed by the urban construction fund (UCF), accounting for 32.17% of the total project investment.

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\(^1\) Exchange rate: 1:8.01
III. 2. PROJECT IMPACTS

IV. 2.1 MEASURES FOR REDUCING PROJECT INFLUENCES
2.1.1 Plan and Design Stage of the Project
In the project planning stage, project impact on the local social economy should
be taken into account as much as possible and be a key factor in choosing the
scheme’s location. With reference to existing and planned construction in the
Nanjing urban and peripheral area and using the Nanjing City Overall Plan as the
blueprint, at planning and design stage, several sites were considered for the
project location: the abandoned pit of the Phoenix iron mine in the south of
Jiangning District; the Qinglong mountain Jinling quarry abandoned area in the
northeast of Jiangning District; and the marsh lands adjacent to the Jiaozhi
mountain landfill. After consideration of the relative impacts, the Phoenix
Mountain site was selected as the most appropriate. These 3 sites are described
following:

The Phoenix Mountain iron mine
The Phoenix Mountain iron mine, lying in the urban fringe region between the
airport expressway and an arterial road, is an abandoned pit surrounded by hill.
The area of the pit is about 6.7ha; the average depth is approximately 60m; the
volume is approximately 3.3 million m$^3$; it is approximately 1.1km from the nearest
residential district. Assuming the sludge moisture content is 50%, the pit’s
expected service life is approximately 10 years.

Jinling Quarry
The Jinling quarry is on Qinglong Mountain in the northeast of Jiangning District,
at the crossing of the 2nd loop line of the ring road and the Shanghai-Nanjing
highway, between the new and the old areas of Jiangsu Jinling prison. The
available area at the Jinling quarry site is 15.3ha; the average depth is 15m; the
volume is approximately 2.3 million m$^3$; it is approximately 1.5km from the nearest
residential district. Assuming that the sludge moisture content is 50%, the pit’s
expected service life is approximately 7 years.

Jiaozi Mountain marsh lands
The Jiaozi mountain marsh lands, lying to the northeast of the Jiaozi mountain
rubbish landfill, are two smooth low-lying land areas between knolls. The two
areas are 28.3ha and 18ha respectively; the average depth is 5~8m; the total
volume is approximately 2.85 million m$^3$, and the site is approximately 0.3km from
the nearest residential district. On condition that the sludge moisture content is
50%, the pit’s expected service life is approximately 8.6 years.

A comparison of the site details can be seen in Table 2-1.
<table>
<thead>
<tr>
<th>Location</th>
<th>Site 1</th>
<th>Site 2</th>
<th>Site 3</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The Phoenix Mountain iron mine</td>
<td>The Jinling Quarry</td>
<td>The Jiaozu Mountain marsh lands</td>
</tr>
</tbody>
</table>
| Advantage                 | 1. The volume is big; the land can be saved; the abandoned mine vegetation and the environment will be restored.  
2. With high altitude and measures against permeability, the ground water is protected from pollution; with mountains surrounded and covert position, it affects slightly to the outside.  
3. The transportation is convenient; the municipal infrastructure is good.  
4. The space with the urban planning built-up district and the fellow villager community is accorded with the regulation.  
5. It may suitably solve the staff's life problem of energy consumption enterprise which suspends production. | 1. The volume is big; the land can be saved; the abandoned mine vegetation and the environment will be restored.  
2. With high altitude and measures against permeability, the ground water is protected from pollution; with mountains surrounded and covert position, it affects slightly to the outside.  
3. The transportation is convenient; the municipal infrastructure is good.  
4. The space with the urban planning built-up district and the fellow villager community is accorded with the regulation.  
5. The construction cost is low. | 1. It is close to the rubbish landfill. An integrated solid waste treatment plant can be planned.  
2. The smooth and open topography favors the sludge dumping and natural desiccation and create condition for the further burning down with rubbish to decrease the sludge quantity.  
3. The transportation is convenient; the municipal infrastructure is average.  
4. The construction project could be implemented gradually by stages. |
| Disadvantage              | 1. It is far from the city and the sludge transportation | 1. The vehicle turnover in operation                   | 1. The space with nearby countryside residential area |
distance is long.  
2. The investment is large and the construction is difficult.  

has certain impact on the jail.  

cannot meet the standard requirement.  
2. In view of the rubbish landfill has caused the pollution to the peripheral environment, if the implementation integrated solid waste plan, the peripheral residential area must to be moved as a whole and the cost is huge.  
3. The cultivated land acquisition is required.

<table>
<thead>
<tr>
<th>Resettlement Impact</th>
<th>495mu state land acquisition; 400m² houses demolition</th>
<th>613mu state land acquisition; 300m² houses demolition</th>
<th>500mu collective farm-land acquisition</th>
</tr>
</thead>
</table>

On the basis of the plan comparison, the RP recommends the Phoenix Mountain iron mine.

According to the first version FSR, the management area construction will acquire 12.4 ha basic farmland permanently in the Phoenix village close to the iron mine, which would result in about 180 affected persons. In order to reduce the resettlement and displacement impact, the project optimized design limits the land acquisition in the Phoenix Mountain iron mine after the interim workshop.
<table>
<thead>
<tr>
<th>Project component</th>
<th>Sub-project</th>
<th>Works description</th>
<th>Resettlement impact analysis</th>
<th>Permanent land acquisition</th>
<th>House demolition</th>
<th>Temporary land occupation</th>
<th>Resettlement budget (Yuan)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sludge Treatment &amp; Disposal Component</td>
<td>Urban sewage &amp; sludge treatment plant</td>
<td>Construction of new sewage sludge treatment facility with capacity is 80 t/d (dry solid)</td>
<td>The project uses the reserved land of stage and will not result in resettlement</td>
<td>6.65mu reserved state-owned land</td>
<td>The demolition had been finished in the stage</td>
<td>Construction in the planning red-line without temporary land occupation</td>
<td></td>
</tr>
<tr>
<td>Sludge Treatment &amp; Disposal Component</td>
<td>Municipal sludge disposal plant</td>
<td>Construction of new municipal sludge disposal facility with capacity of 1,120m3/d; and leachate collection and treatment system.</td>
<td>The project involves the state-owned land acquisition and the enterprise demolition</td>
<td>Acquiring 495mu state-owned land of the Phoenix Mountain iron mine</td>
<td>400m²</td>
<td>Construction in the planning red-line without temporary land occupation</td>
<td>38,000,000</td>
</tr>
</tbody>
</table>
V. 2.2 AFFECTED LAND

2.2.1 Permanent Land Acquisition
USSTP will make use of land reserved under stage 2, of the project to avoid any requirement for new land acquisition or house demolition.

In the MSDP project, permanent land acquisition involves 33ha state-owned land. This land belongs to the Phoenix Mountain mine. The Phoenix Mountain mine has the mining concession and obtained the legitimate state-owned land using right in 2006.

The details of areas affected by permanent land acquisition are presented in Table 2-3.

<table>
<thead>
<tr>
<th>Project</th>
<th>Area</th>
<th>The location</th>
<th>Ownership</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>MSDP</td>
<td>33ha</td>
<td>Phoenix iron mine</td>
<td>State-owned</td>
<td>Industrial land</td>
</tr>
<tr>
<td>USSTP</td>
<td>443ha</td>
<td>Jiangxinzhou sewage treatment plant</td>
<td>State-owned</td>
<td>Reserved land</td>
</tr>
</tbody>
</table>

VI. 2.3 AFFECTED ENTERPRISES
There is only one enterprise affected by the project. The affected enterprise is the Phoenix iron mine (PIM), which is administrated by the Nanjing Huajian Industrial Group. The MSDP project needs to demolish 400m² of houses belonging to this enterprise. The details are presented in Table 2-4.

<table>
<thead>
<tr>
<th>Order</th>
<th>Name</th>
<th>Item</th>
<th>Quantity</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>PIM HD</td>
<td>Brick concrete</td>
<td>120 m²</td>
<td>Abandoned</td>
</tr>
<tr>
<td>2</td>
<td>PIM</td>
<td>Brick timber</td>
<td>220 m²</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>PIM</td>
<td>Simply built</td>
<td>60 m²</td>
<td></td>
</tr>
</tbody>
</table>

VIII. 2.4 AFFECTED PERSON
The Phoenix mountain iron mine suspended production in 1986 once the mineral resource base was depleted. This mine is state-owned and its unemployed workers live on a local governmental subsidy (like an unemployment benefit). The mine’s original
abandoned houses, equipment and attached facilities will demolished and the site cleaned up, to the benefit of nearby residents.
The entire area of the mine is 200ha, including a productive district of 107ha (south Qinhuai River), and a residential district of 93ha (north Qinhuai River). The mine is a group company with several subsidiary departments and factories. The land transfer and the house demolition caused by this Project are only small part of the whole mine, the 30 administrative officers need to be in charge of the other remaining assets of mine. In fact, the impacts on the administrative officers can be neglected since they will not lose their jobs due to the Project.

IX. 2.5 OTHER AFFECTED ASSETS AND FIXTURES
The details are presented in Table 2-5.

<table>
<thead>
<tr>
<th>Item</th>
<th>Unit</th>
<th>Quantity</th>
<th>Item</th>
<th>Unit</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tree</td>
<td></td>
<td>100</td>
<td>Bridge</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>Low voltage wire</td>
<td>M</td>
<td>2000</td>
<td>Dirt road</td>
<td>M^2</td>
<td>10000</td>
</tr>
<tr>
<td>High voltage wire</td>
<td>M</td>
<td>2000</td>
<td>Electric pole</td>
<td></td>
<td>60</td>
</tr>
<tr>
<td>Cement ground</td>
<td>M^2</td>
<td>8920</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

X. 2.6 OTHER EFFECTS
There are no effects on cultural property or historically significant areas in both sub-projects. The project doesn’t affect any institution or shops. During the social-economic investigation, no vulnerable groups were identified.
XI. 3. SOCIO-ECONOMIC SURVEY OF THE AFFECTED ENTERPRISE

In order to assess the socio-economic condition of the affected area and the situation of APs, the STDP PMO undertook a socio-economic investigation in the affected areas initially in April/May, 2006 according to the requirements of ADB, which provided the required baseline information for project analysis. Because the project doesn’t have any directly affected persons, the PMO did not make a sample survey.

The Phoenix mountain iron mine is one of the subsidiary enterprises administrated by Nanjing Huajian Group Company. The entire area of the mine is 200ha, including a productive district of 107ha (south Qinhuai River), and a residential district of 93ha (north Qinhuai River).

The Phoenix mountain iron mine suspended production in 1986 once the mineral resource base was depleted. This mine is state-owned and 340 of its unemployed workers live on a local governmental subsidy (like an unemployment benefit). There are also 1000 retired workers being supported by the company. As the mine is state-owned, the municipal government contributes 3 million yuan every year to the mine to financially support these unemployed and retired workers. At present, there are still about 30 administrative officers who are responsible for the daily and asset management.
XII. 4. LEGAL AND POLICY FRAMEWORK

XIII. 4.1 LAWS AND POLICIES
- The Land Administration Law of the People’s Republic of China (applicable since Jan 1, 1999, most recently revised on Aug 28, 2004);
- Temporary Methods of Allocated Land Use Rights Administration (applicable since Mar 8, 1992);
- A Catalog of Land Use Right Allocation, by the P.R.C MLR (applicable since October 18, 2001);
- Urban Real Estate Administration Law of the People’s Republic of China (applicable since Jan 1, 1995);
- Urban House Demolition Administration Regulations (applicable since November 1, 2001);
- Jiangsu Province Enforcement Methods of Land Administrative Law of P. R. China (applicable since Jan 1, 2001);
- Jiangsu Province Urban House Demolition Administration Regulations applicable since Jan 1, 2003;
- Nanjing Municipality Urban House Demolition Administration Methods (applicable since Feb 1, 2004);
(For relevant articles or items of the above laws, regulations or rules see Appendix 2.) Specific key clauses are listed in Table 4-1.
Table 4-1 Excerpt of relevant laws, regulations and policies

<table>
<thead>
<tr>
<th>Content</th>
<th>Description of Clauses</th>
<th>Index</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Basic land system</td>
<td>The state applies, in accordance with law, a system of compensated use of State-owned land, with the exception of land the right to the use of which is allocated by the State within the provisions of law.</td>
<td>Article 2, Land Administration Law</td>
</tr>
<tr>
<td>2 Procedure s for processing the land use for construction projects</td>
<td>If a construction project needs land, which is the state-owned construction land under the urban Master Plan for a local city/county town, it will go through the following procedures: 1) During feasibility examination, the land administration department will examine the proceedings related to the land for the construction project, and write out a preliminary examination report, which is the necessary document for the FS report approval. 2) The construction unit, with relevant approved documents, will apply for the land used for the project from the land and resources bureaux (LRB) at city or county government. LRB will conduct an examination on the document and prepare a land provision plan, then submit to city or county government for approval. If higher level government approval is needed, it should apply. 3) After a land provision plan is approved, the construction unit can get a permission letter for using the land from local city or country government. ......For the allocation of state-owned land, the LRB of local government will issue a decision letter to the land user for allocation of state-owned land. 4) The land user will have the land registered according to the law. If the construction project will use the state-owned or unused land which have already been covered by the local master land use plan, then the following procedures will apply: To be approved by the local county (or county level city) government if in an area of 1 hectares or less, to be approved by the city government if in an area of 1-5 hectares, to be approved by the provincial government if in an area of more than 5 hectares.</td>
<td>Article 22 of Implementation Regulations to the Land Administration Law</td>
</tr>
<tr>
<td>3 Allocation of land use right</td>
<td>The allocation of land use right means that with the approval from county or above level government based on the law, the land is transferred to a land user after the user paid the compensation, resettlement cost, etc., or transferred to a land user free of charge. If a land use right belongs to allocation, there is no limit in term of duration except it has been prescribed in the law and regulations.</td>
<td>Article 22 of Administration Law of Urban Real Estate</td>
</tr>
<tr>
<td>4 Legal base for land use right allocation of this project</td>
<td>If it is necessary that land should be used for the urban infrastructure facilities or public interest purpis, the land use right can be approved for allocation by county or above level government in accordance with the law. Allocation of land use right cannot be allowed unless the land is in conformity with this category of construction projects, with the application of construction unit and approved by the county or above level government.......(III) Land to be used for urban infrastructure facilities … 5. Environmental and sanitation facilities: including rainwater treatment facilities, wastewater treatment plant, rubbish/(manure) treatment facilities, and other environment and sanitation facilities.</td>
<td>Article 23 of Administration Law of Urban Real Estate; Category of Land to be Allocated</td>
</tr>
<tr>
<td>5 Regaining the land</td>
<td>If for the public interests, the local land administration department can report it to the original government or the</td>
<td>Article 58 of the Land Law</td>
</tr>
<tr>
<td>use right of state-owned government with an approval right and then, take back the land using-right. The land acquisition of public facility construction needs to be approved by the people's governments at or above county-level adopting the land-allocation process. Using the state-owned barren hill or the wasteland is unpaid allocation. If using the state-owned lands that had been allocated to other units or individuals, the construction unit must pay reasonable compensation for the loss of land original unit, the investment of land, the young plants and the attachments, etc. If the land original unit need to be displaced, the construction unit should be responsible for the relocation.</td>
<td>Article 29 of Jiangsu Province Enforcement Methods of Land Administrative Law</td>
<td></td>
</tr>
</tbody>
</table>
XIV. 4.2 POLICIES OF THE SUBJECT RESETTLEMENT PROJECT

The resettlement policy adopted for this project draws from the resettlement policies of P.R.C, of the Jiangsu People’s Government, of the Nanjing People’s Government and from the Asian Development Bank.

The resettlement policies adopted in the present project are:

- Land acquisition and house demolition cannot commence until all the compensation has been allocated.
- Project organizers have the responsibility to raise enough money for compensation.
- The local land administration department, project organizers and affected enterprise should negotiate together in order to decide the compensation and resettlement for permanent land acquisition.
- Project organizers will directly pay compensation to affected units (e.g. factories, stores) for land/structure acquisition and any losses caused by temporary shutdown. Project organizers are responsible for timely dissemination of information on the land acquisition and demolition plan to affected people in order to reduce operating losses.
- Project organizers will pay for the replacement of any affected public infrastructure.
- The standard of land compensation and resettlement is made with reference to related provincial and municipal policies.

XV.

XVI. 4.3 GOVERNMENT REGULATORY FEES FOR PERMANENT LAND USE

According to the relevant state land use policies and regulations, the allocation of land are for free because the project belongs to the public welfare projects, but the user must pay the relevant fees to the land and resource management bureau. The Table 4-2 shows the rate of fees that user should pay.

Table 4-2 Fees Requiring Payment by Land-Users
## XVII. 4.4 RESETTLEMENT POLICIES FOR ENTERPRISES

Compensation to the affected enterprises in the process land acquisition includes a compensation fee for demolition of non-residential structures and immovable equipment, and a removal and shutdown subsidy. Demolition of non-residential structures and immovable equipment are both compensated at the price of replacement. A removal subsidy is calculated by considering the required transport distance, dimensions and materials. The shutdown subsidy is determined according to the scale of enterprises’ production and the duration of shutdown.

At first, the company undertaking the required demolition works will select the most economically and technologically appropriate method for doing so. Any such are will be rehabilitated for production as soon as possible. If any enterprise or asset cannot be rebuilt on the original site, it can be rebuilt in another suitable location, or the affected enterprise can undertake the required demolition and rebuilding by itself. In all cases disruption to production time should be minimized. The project office and planning department will allocate a suitable site for the enterprise to occupy, in discussion with the affected enterprise, the demolition company and in accordance with the urban plan.

Enterprises that require relocation to another site should be identified as early as possible, so rebuilding actions can begin in advance. Enterprises that require rebuilding will be advised to apply by remitting the facility support fee for original area, and the government will then transfer an equivalent area of land in an industrial area to the enterprise for reconstruction. For enterprises that rent houses or other buildings for their production, if the building owners have alternative premises available for rent, the enterprise can transfer operations there and sign a new rent contract. If the building

---

### Table of Charges

<table>
<thead>
<tr>
<th>No.</th>
<th>Charge Items</th>
<th>Documental basis</th>
<th>Charge rate</th>
<th>Specification</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Land acquisition/allocation Administration Fee</td>
<td>JPR (95)155</td>
<td>2—3% (land acquisition); 5 Yuan/m² (land allocation)</td>
<td>The base is total costs except tax. 2% is only used when occupying urban land or outskirts.</td>
</tr>
<tr>
<td>2</td>
<td>Land registration fee</td>
<td>JPH(99)134, JFC(99)81</td>
<td>160 Yuan (smaller than 2500m²)</td>
<td>If the land area is bigger than 2500m², the fee is increased by 20 Yuan per 500m²</td>
</tr>
<tr>
<td>3</td>
<td>The state-owned land using fee</td>
<td>JPR (95)155</td>
<td>15 Yuan/m²</td>
<td>The state-owned land in rural area except the uncultivated land</td>
</tr>
</tbody>
</table>

In addition, project organizers will pay expenses for house demolition, and compensate the owners of any affected infrastructure or assets.
owners have no alternative premises available for hire, the company requiring the demolition will assist the enterprise to find new premises.

The income of the enterprises' staff, which includes salary, medical and social insurance, and bonuses, should not be affected by the present project. In particular, the relocation cannot be taken as an excuse to fire the employees.

XVIII. 4.5 POLICIES FOR AFFECTED INFRASTRUCTURE AND ABOVE-GROUND ASSETS
Affected infrastructure and above-ground assets will be restored or rebuilt by either the project organizer or by the asset owner utilizing the compensation paid by project organizer.

The compensation standards of the present project will be decided according to the above policies, local conditions and the requirements of ADB. If there is disagreement in the process of land acquisition and resettlement, the project organizer and affected people are advised to negotiate with each other and resolve the problems effectively.
XIX. 5. COMPENSATION RATES

XX. 5.1 PERMANENT LAND ACQUISITION
According to the relevant state land use policies and regulations, the allocation of land are for free because the project belongs to the public welfare projects, but it still requires the payment of related fees and demolition compensation. The relevant fees are paid to the government department in charge of land. The demolition compensations are given to the affected enterprise.

The rates of permanent land acquisition in this project are all calculated according to the related laws and policy mentioned in chapter 5. The details are presented in Table 5-1.

Table 5-1 Permanent Land Acquisition Compensation Rates

<table>
<thead>
<tr>
<th>Item</th>
<th>Unit</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>State-Owned Land</td>
<td></td>
<td></td>
</tr>
<tr>
<td>State-owned land using fee</td>
<td>yuan/M²</td>
<td>15</td>
</tr>
<tr>
<td>Land allocation administration fee</td>
<td>yuan/M²</td>
<td>5</td>
</tr>
<tr>
<td>Land registration fee</td>
<td>2500M²</td>
<td>160</td>
</tr>
</tbody>
</table>

XXI. XXII. 5.2 DEMOLITION OF ENTERPRISES
The EA and the demolished enterprise will employ a qualified asset evaluation company which is acceptable to both parties. Based on past cases, the Shoujia Asset Evaluation Company is usually recruited because of its successful track record and good reputation in Jiangning District. The compensation details for enterprise demolition are presented in Table 5-2 based on a primary evaluation by Shoujia.

Table 5-2 House & Structure Demolition Compensation Rates

<table>
<thead>
<tr>
<th>Item</th>
<th>Unit</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brick-concrete</td>
<td>Yuan/M²</td>
<td>1500</td>
</tr>
<tr>
<td>Brick-timber</td>
<td>Yuan/M²</td>
<td>1200</td>
</tr>
<tr>
<td>Simply built</td>
<td>Yuan/M²</td>
<td>600</td>
</tr>
</tbody>
</table>

In addition, the in-ground and underground facilities, ore transportation and equipment detachment will be allocated compensation for disposal. The details are presented in Table 5-3.

Table 5-3 Compensation for Disposal and Transportation of Mining Assets

<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity</th>
<th>Unit</th>
<th>Rate</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ore</td>
<td>5000t</td>
<td>Yuan/t</td>
<td>600</td>
<td>3 million yuan</td>
</tr>
<tr>
<td>Equipment</td>
<td>100suit</td>
<td>Yuan/s</td>
<td>50000</td>
<td>5 million yuan</td>
</tr>
<tr>
<td>Mine facility and underground building</td>
<td>1suit</td>
<td>Yuan/</td>
<td>9 million yuan</td>
<td></td>
</tr>
</tbody>
</table>

1 If the land area is bigger than 2500m², the fee is increased by 20Yuan per 500m²
XXIII. 5.3 UTILITIES, PUBLIC STRUCTURES, TREES AND OTHER ASSETS

The compensation rates for other above-ground assets are given in Table 5-4.

Table 5-4 Compensation for Public Utilities, Structures, Trees and other Miscellaneous Assets

<table>
<thead>
<tr>
<th>Item</th>
<th>Unit</th>
<th>Rate</th>
<th>Item</th>
<th>Unit</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tree</td>
<td>Yuan/one</td>
<td>28</td>
<td>Bridge</td>
<td>Yuan/one</td>
<td>900000</td>
</tr>
<tr>
<td>Low voltage wire</td>
<td>Yuan/M</td>
<td>2500</td>
<td>The soil road</td>
<td>Yuan/M²</td>
<td>10000</td>
</tr>
<tr>
<td>High voltage wire</td>
<td>Yuan/M</td>
<td>3500</td>
<td>Electric pole</td>
<td>Yuan/one</td>
<td>60</td>
</tr>
<tr>
<td>Cement ground</td>
<td>Yuan/M²</td>
<td>45</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### XXIV. 5.4 ENTITLEMENT MATRIX

<table>
<thead>
<tr>
<th>Affected type</th>
<th>Principle</th>
<th>The right owner</th>
<th>The compensation policy</th>
<th>The compensation rate</th>
</tr>
</thead>
</table>
| Enterprise demolition| In the area of planned red-line        | The legal person | ● The house compensation is evaluated by the asset evaluation company recruited and accepted by both sides based on the area and frame.  
● The ore transportation and equipment demolition are subsidized.  
● The mine’s production facility and underground building must be compensated.  
● The necessary tax and fee should be paid for the land-using right. | Brick-concrete: 1500yuan/m²  
Brick-timber: 1200yuan/m²  
Simply-built: 600yuan/m²  
The mine facility and underground building: 9 million yuan.  
Ore transportation: 3 million yuan.  
The fixed equipment demolition: 5 million yuan. |
| Above-ground assets | Affected by construction               | The owner        | ● It could be compensated by renew price or reconstructed to the same standard by EA.    | Cement ground: 45yuan/M²  
High voltage wire: 3500yuan/km  
Low voltage wire: 2500yuan/km  
tree: 28/  
bridge: 900000/set  
etric pole: 1000/,  
soil road: 10/m² |

- Brick-concrete: 1500yuan/m²  
- Brick-timber: 1200yuan/m²  
- Simply-built: 600yuan/m²  
- The mine facility and underground building: 9 million yuan.  
- Ore transportation: 3 million yuan.  
- The fixed equipment demolition: 5 million yuan.
XXVI. 6.1 IMPLEMENTATION OF PERMANENT LAND ACQUISITION

6.1.1 Urban Sewage & Sludge Treatment Plant
The urban sewage & sludge treatment plant will make use of land reserved under stage 2 of the project, so there is no new acquisition or requirement for house demolition. The resettlement policy and implementation review of the stage 2 land acquisition is attached as Appendix 5.

6.1.2 Enterprise Demolition and Resettlement
The Phoenix mountain iron mine suspended production in 1986 once the mineral resource base was depleted. Therefore, demolition of remaining facilities (most of which are in a state of disrepair and could be dangerous) will not cause any negative effects. According to the relevant state land use policies and regulations, the allocation of land are for free because the project belongs to the public welfare projects, but it still requires the payment of related fees and demolition compensation. The relevant fees are paid to the government department in charge of land. The demolition compensations are all given to the affected enterprise.

The Phoenix Mountain mine just had the mining right of the land and the mining right terminated naturally when the mine resource depleted. The using-right of the state-owned land was allocated to the Phoenix Mountain mine in June 2006. The state-owned land transfer in this project will achieve in the following steps. Firstly, the Nanjing Land Management Bureau will recover the using-right of the state-owned land which was acquired by allocation; Secondly, the Nanjing Land Management Bureau allocates the using-right to the Nanjing Municipal Utility Bureau, at the same time the Nanjing Municipal Utility Bureau must pay the compensation of the houses and all attachments to the mine for acquiring the land using-right formally; Finally, the Nanjing Municipal Utility Bureau should pay the relevant taxes and fees to the administrative bureaus for the certification of land using-right. The transfer will be finished before the formal implementation of the project.

This mine is state-owned and its 340 unemployed and 1000 retired workers live on a local governmental benefit totaling about 3 million yuan/year. The mine's original abandoned houses, equipment and associated facilities will be demolished under the project and the unemployed workers will benefit from the rehabilitated environment. Because the retired and laid-off workers of the mine are not included in the scope of social insurance and welfare, the pension and medical expanses of workers have been a heavy burden on a suspended enterprise. The retired and laid-off workers have a low pension and afford the medical expanses themselves.

After the compensations are paid, the mine leaders plan to continue to pay social insurance, including medical and pension benefits, for the unemployed workers. The retired workers salary is also to be advanced. But the compensation can not resolve all the historical problems of the old state-owned mine; the financial assistance from the municipal government will be continued.

Through consultation, the IA leader promised to employ the eligible workers from the mine after special training.
XXVII. 7 PARTICIPATION AND CONSULTATION

XXVIII. 7.1 PUBLIC PARTICIPATION

- According to the resettlement policies and legal regulations adopted for the project, in order to carry out the implementation efficiently, to guarantee the legal rights of APs, to decrease the incidence of grievances and conflicts and to fulfill the objective of improving the livelihood of all APs, special attention will be paid to participation of and consultation with the APs throughout the project. During the resettlement policy development, compilation of the Plan and also during the implementation phase of the project, the opinions of APs were/are to be collected widely.

- During project preparation and feasibility study phases, the STDP PMO has consulted the Nanjing municipal and relative district governments, the People’s Congress, the Political Consultant Committee, people’s groups, and representatives of APs from affected institutions and enterprises. Each was given information about the project in general and likely land acquisition, house demolition and resettlement in particular.

- From April to May of 2006, the STDP PMO and project IAs organized an initial census, property survey and socioeconomic survey within the scope of the proposed land acquisition. The affected village committee leaders, representatives of APs and enterprise owners took part in the survey, and discussed and made suggestions for resettlement compensation and rehabilitation. Meanwhile, a socioeconomic survey and a psychological investigation were carried out to determine the mood and attitude of APs towards both resettlement and the project. All the opinions and suggestions have been incorporated in the RP fully. In the future, the following procedures and methods will be taken to encourage public participation and consultation:

  - Representatives of APs will take part in the house demolition and relocation process: APs will choose their own representatives. The representatives will solicit opinions and collect the input of all APs. In addition, they will regularly exchange views with APs.

  - Representatives of APs will take part in the process of surveying each house and its adjoining buildings, in confirming the compensation standard to be applied, in negotiating agreements on land acquisition and resettlement compensation and rehabilitation, and so on, so as to reflect the opinions of APs and to ensure the fairness and transparency of all project resettlement.

  - Information and Discussion Meetings: Representatives from APs will take part in discussion meetings two months before implementation of physical land acquisition and demolition activities. The meeting will inform them about the exact process and timeframe and further obtain their opinions and suggestions.

  - RP Disclosure: The RP will be placed at the Nanjing Municipal Construction Committee (NMCC), and Nanjing Municipal Public Utilities Bureau (NMPUB) before the Asian Development Bank appraises the project. In addition, a notice will be placed in the main local paper to inform APs, non governmental organizations and other interested parties.
Questionnaire on Public Opinions: In April, 2006, the STDP PMO and IAs carried out a survey of public opinion and psychology by way of a questionnaire. Inquiries targeted 48 households affected by land acquisition. Table 7-1 shows the details.

XXIX. 7.2 PUBLIC OPINION SURVEY

Table 7-1 Summary of Public Opinion and Psychological Questionnaire

<table>
<thead>
<tr>
<th>No.</th>
<th>Questions</th>
<th>Answers</th>
<th>Results (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Do you know that the project will be constructed?</td>
<td>(1) Yes (2) Know a little about (3) No</td>
<td>60.5 39.5</td>
</tr>
<tr>
<td>2</td>
<td>Do you agree with the project?</td>
<td>(1) Yes (2) No (3) Indifference</td>
<td>81 19</td>
</tr>
<tr>
<td>3</td>
<td>Who will benefit from the project? (More than one answer can be chosen.)</td>
<td>The State (1) Yes (2) No</td>
<td>94</td>
</tr>
<tr>
<td></td>
<td></td>
<td>The Collective (1) Yes (2) No</td>
<td>90</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Individual (1) Yes (2) No</td>
<td>95</td>
</tr>
<tr>
<td>4</td>
<td>Which of the potential hazards of urban environment pollution do you know?</td>
<td>(1) economic loss (2) affecting living quality (3) deterioration of investment environment (4) smearing the image of Nanjing</td>
<td>95 80 52 73</td>
</tr>
<tr>
<td>5</td>
<td>To what extent does the poor environment affect your work and life?</td>
<td>(1) have no impacts (2) not serious (3) rather serious (4) serious</td>
<td>13 40 47</td>
</tr>
<tr>
<td>6</td>
<td>Which of the benefits do you think you can get from the project?</td>
<td>(1) improvement of living environment (2) improvement of working environment (3) providing employment opportunity (4) benefiting health of body and mind</td>
<td>79 36 30 82</td>
</tr>
</tbody>
</table>
Which of the adverse impacts do you think the project will have on you?

(1) have no adverse impacts
(2) The project construction may affect traffic condition.
(3) economic loss caused by house demolition
(4) decrease of income caused by land acquisition
(5) other adverse impacts

Do you know the policies on urban land acquisition, house demolition, resettlement and compensation?

(1) Yes
(2) Know a little
(3) No

Do you know that you can appeal to the department concerned when your rights are encroached upon?

(1) Yes
(2) No

XXX. 7.3 PUBLIC PARTICIPATION AND POLICY DISCLOSURE

Table 7-2 Public Participation

<table>
<thead>
<tr>
<th>Date</th>
<th>Place</th>
<th>Participant</th>
<th>Contents</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>2006.3</td>
<td>NQREIPMO, Demolition Office, House Administration Bureau, affected district</td>
<td>NQREIPMO, affected residences representative and enterprise</td>
<td>Outline of resettlement social and economic investigation, Project scope</td>
<td>Project impacts of social and economic investigation</td>
</tr>
<tr>
<td>2006.3-2006.4</td>
<td>NQREIPMO, Demolition Office, House Administration Bureau, affected district</td>
<td>NQREIPMO, Demolition Office (many times) NQREIPMO, Land Administration Bureau (many times) NQREIPMO and affected people</td>
<td>Compensation and resettlement policy and tentative resettlement scheme</td>
<td>Preliminary consultation for compensation policy when preparing RP</td>
</tr>
<tr>
<td>2006.4-2006.5</td>
<td>NQREIPMO, affected district NQREIPMO, affected people, enterprise and</td>
<td></td>
<td>Compensation and resettlement policy</td>
<td>Further consultation for compensation policy and</td>
</tr>
</tbody>
</table>
village committee and resettlement scheme restoration plan when modifying RP

2006.5 NQREIPMO, affected district NQREIPMO and affected people resettlement policy and few problem in scheme Additional consultation for few problems when finalizing RP

For detailed information on public participation activities see Appendix 4.

Table 7-3 Policy Disclosure

<table>
<thead>
<tr>
<th>Document</th>
<th>Language</th>
<th>Disclosure Means</th>
<th>Date of Disclosure</th>
<th>Telephone No. &amp; Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Introduction to the project</td>
<td>Chinese</td>
<td>Propagandistic list</td>
<td>2006.7.8</td>
<td>The Community</td>
</tr>
<tr>
<td>RP</td>
<td>Chinese</td>
<td>Provided to affected enterprise</td>
<td>2006.9.1</td>
<td>NQREIPMO, Library, NCCIC, NMPUB</td>
</tr>
<tr>
<td>RP</td>
<td>English</td>
<td>Internet</td>
<td>2006.9.25</td>
<td>The ADB website</td>
</tr>
</tbody>
</table>
XXXI. 8 GRIEVANCE REDRESS MECHANISMS

The project pays special attention to the APs grievance redress mechanisms throughout the planning and implementation process. The procedures are represented following.

Stage 1: If any APs is aggrieved by any aspect of the resettlement and rehabilitation program, he/she/it can lodge an oral or written grievance with Sub-PMO; If it is oral grievance, Sub-PMO is required to deal with it and keep in written record. The Sub-PMO shall resolve the issue within two weeks.

Stage 2: If the aggrieved person is not satisfied with the decision on stage 1, he/she/it can bring the complaint to the attention of PMO after the receipt of the decision on Stage 1. And PMO will make a decision on the complaint within two weeks.

Stage 3: If the aggrieved person is not satisfied with the decision on stage 2, he/she/it can appeal to Municipal Government after he receives the decision on Stage 2. And Municipal Government will reach a decision within 30 days.

Stage 4: If the APs is still dissatisfied with the decision, he/she/it can appeal to the People’s Court in accordance with Civil Procedure Act after receiving the decision of the institution for administrative arbitration.
The AP can appeal against any aspect of the resettlement and rehabilitation program including the compensation rate. The appeal process, institute, site, leader, and telephone number for redress of grievances will be publicized to APs via meetings, notices and information handbook. In this way, APs will fully realize their rights of appeal. Meanwhile, the system of information dissemination will be strengthened through use of the media, and all AP feedback will be compiled and distributed to all involved organizations.

**Figure 8-1 Schematic of Grievance Redress System**
XXXII. 9 ORGANIZATIONS

XXXIII. 9.1 IMPLEMENTATION ORGANIZATIONS

The departments responsible for planning, implementation, management, and monitoring of Nanjing Qinhuai River Environmental Improvement Project (NQREIP) resettlement activities are:

- Nanjing Qinhuai River Environmental Improvement Project Management Office (NQREIPMO)
- Sludge Treatment and Disposal Project Executive Agency (EA) (Nanjing Municipal Public Utilities Bureau (NMPUB))
- Sludge Treatment and Disposal Project Implementation Agency (IA) (Nanjing Municipal Engineering Construction Department (NMECD))
- Jiangning District Construction Bureau (JDCB) and Jiangning District Demolition Management Office (JDDMO)
- Nanjing Land Resource Management Bureau (NLRMB)
- Jiangning District Land Resource Management Bureau (JDLRMB)
- Design Institute (China Municipal Project Southwest Design Institute (CMPSDI))
- National Research Centre for Resettlement (NRCR) of Hohai University

The NQREIPMO is in charge of management of the project land acquisition, demolition and relocation, and draw up, examine, implement and supervise RP, and draw up the resettlement policy and the implementation of the land acquisition.

The EAs (NMPUB) are responsible for management of the project land acquisition, demolition and relocation, and draw up, examine, revise, implement and supervise RP, and also take part in drawing up the resettlement policy, compiling RP and implementing the land acquisition.

The IAs (NMECD) are responsible for resettlement investigation, drawing up RP, implementation of land acquisition and demolition and resolving the complaint.

NLRMB is responsible for land acquisition, demolition, directing the implementation of resettlement, organizing and coordinating, examining the RP and investigating the internal monitoring.

JDDMO of JDCB is responsible for coordination and management of collective land acquisition, demolition, and resettlement, and is charge of the application, per-examining and supplying the economically affordable housing.

JDLRMB is responsible for examining and ratifying the procedures of land acquisition, organizing coordinating, examining and monitoring the RP.

The demolition implementation company will be chosen by JDDMO of JDCB. The
demolition implementation company should be licensed by government with a good
good reputation and appropriate experience. It will be responsible for implementation of house
demolition on the state-owned land, including social economics investigation, negotiating
with representatives of APs, signing the demolition and relocation contract, transacting
procedures, paying compensation funds and implementing demolition and relocation.

The design institute is responsible for the design of the project and defining the
scope of demolition and reducing the influences of land acquisition and removal
by optimization design.

The NRCR is responsible for the external monitoring of land acquisition, resettlement
and the implementation of the resettlement plan.

The hierarchy for resettlement and land acquisition is set out in the Organizational Chart, 
Figure 9-1.

XXXIV.9.2 ORGANIZATIONAL CAPACITY

NQREIPMO is composed of the leaders from the governments at all level and
administrative departments of Nanjing, including NMCC, development and reform
committee, finance bureau, environment protection bureau, NCCIC,NMPUB, and
so on. EAs and IAs are responsible for drawing up the RP and implement the
resettlement plan. Most of the members have much municipal engineering project
experience involving resettlement and land acquisition. In addition, because they
come from the governments at all levels and many departments, they will well
organize and assist each other during the land acquisition, demolition and
resettlement. The other organizations also consist of staff with much
administrative experience on urban construction and reconstruction.
The resettlement institutions involved in the project are well staffed. The number of regular staff is 24, of which 20 persons are professional workers, accounting for 83%. The number of staff at peak hours is 80. Telecommunications among the institutions are very good, which is very important to implement resettlement. The institutions for demolition administration and implementation have appropriate transportation, vehicles and communication instruments. Institutions for survey, design, monitoring and evaluation have more advanced computers and their workers are good at operating them. Institutions for resettlement, monitoring and evaluation have rich experience of land acquisition, house demolition and rehabilitation.

Table 9-1 shows details of the staffing of the resettlement institutions involved in the project. Table 9-2 shows details of the principal of the resettlement institutions involved in the project.

### Table 9-1 Staffing of the Resettlement Institution Involved in the Project

<table>
<thead>
<tr>
<th>Resettlement Institutions</th>
<th>Professional Worker</th>
<th>Staff at Peak Hours</th>
<th>Qualification of Staff</th>
</tr>
</thead>
<tbody>
<tr>
<td>NQREIPMO</td>
<td>2</td>
<td>4</td>
<td>Government officials</td>
</tr>
<tr>
<td>Sub-project EA</td>
<td>2</td>
<td>6</td>
<td>engineering manager</td>
</tr>
<tr>
<td>Sub-project IA</td>
<td>2</td>
<td>6</td>
<td>engineering manager</td>
</tr>
<tr>
<td>Demolition implementation company</td>
<td>6</td>
<td>20</td>
<td>engineering manager</td>
</tr>
<tr>
<td>JDDMO</td>
<td>2</td>
<td>5</td>
<td>Government officials</td>
</tr>
<tr>
<td>NLRMB</td>
<td>1</td>
<td>2</td>
<td>Government officials</td>
</tr>
<tr>
<td>JDLRMB</td>
<td>1</td>
<td>4</td>
<td>Government officials</td>
</tr>
<tr>
<td>Design Institute</td>
<td>2</td>
<td>6</td>
<td>Senior engineer, engineer</td>
</tr>
<tr>
<td>NRCR</td>
<td>6</td>
<td>20</td>
<td>Professor, lecturer, doctor</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>24</td>
<td>73</td>
<td></td>
</tr>
</tbody>
</table>

### Table 9-2 Principal of the Resettlement Institution Involved in the Project

<table>
<thead>
<tr>
<th>Institutions</th>
<th>Workers</th>
<th>Unit</th>
<th>Present Duty</th>
<th>Duty in the Project</th>
<th>Responsible project</th>
</tr>
</thead>
<tbody>
<tr>
<td>NQREIPMO</td>
<td>MR.Lu Ping-gu</td>
<td>NMCC</td>
<td>Vice Chief</td>
<td>Director of Project</td>
<td>All components in the project</td>
</tr>
<tr>
<td></td>
<td>MR.Zhu Jun-ji</td>
<td>NCCIC</td>
<td>Vice General Manager</td>
<td>Vice Director of Project Office</td>
<td></td>
</tr>
<tr>
<td></td>
<td>MR.Li-yan</td>
<td>NMCC</td>
<td>Vice Director</td>
<td>Member of Project Office</td>
<td></td>
</tr>
<tr>
<td>STDPMO</td>
<td>MR.Zhou Yan-wei</td>
<td>NMECD</td>
<td>Vice section director</td>
<td>Director of Sub-PMO</td>
<td>The component 5</td>
</tr>
</tbody>
</table>
XXXV.
XXXVI.9.3 RESPONSIBILITIES OF INSTITUTIONS

PMO
● Entrusts the design institute to define the scope of project impacts
● Conducts the socioeconomic survey
● Applies for Land Usage Planning and Construction Permission License from Urban Land Bureau

Urban Land Planning Bureau
● Organizes and coordinates the compilation of the RP
● Conducts the policies of RP
● Confirms and coordinates the implementation of the resettlement plan according to the project construction schedule
● Allocates resettlement funds and supervises the utilization of funds
● Directs, coordinates and supervises the proceedings of the RP
● Organizes and carries out internal monitoring, determines which institution will carry out external monitoring and coordinates external monitoring activities
● Reviews monitoring reports
● Coordinates resolution of conflicts and issues encountered in the implementation of the RP
● Submits reports on the progress of land acquisition, house demolition, utilization of funds and the quality of implementation to ADB regularly

STF Component Executive Agency (NMPUB)
● Conducts the socioeconomic survey
● Carry out survey and register materials for land requisition and demolition
● Organize public participation and relevant activities
● Consults the resettlement scheme, develops the RP
● Carries out house demolition regulations
● Prepares relevant documents and submits them to CLHDMO for house demolition Permission License
● Propagates Demolition Notice by CLHDMO of Nanjing REMB
● Carries out relevant State regulations for land used for project
● According to relevant policies, makes resettlement plans and sets the compensation rate and submits them for approval
● Goes through formalities for land and house acquisition
● Applies for Land Usage Planning and Construction Permission License
● Implements the RP
● Signs compensation agreements with APs and project affected units along with relevant district and county
● Reviews of resettlement activities undertaken
• Conducts information management of land acquisition, house demolition and rehabilitation
• Trains staff
• Assists in the resolution of resolve problems/issues arising in the resettlement process
• Punishes illegal activities which may occur
• Administers any problems occurring during demolition
• Reports to PMO regarding land acquisition, house demolition and rehabilitation Activities

**STF Component Implementation Agency (NMECD)**
• Conducts the socioeconomic survey
• Carries out a survey and registers assets affected by land acquisition/ requiring demolition
• Organizes relevant public participation activities
• Consults the resettlement scheme, organizes the compilation of the RP
• Carries out house demolition regulations
• According to relevant policies, develops resettlement policies and compensation rates and submits them for approval
• Applies for Land Usage Planning and Construction Permission Licenses
• Implements the RP
• Signs compensation agreements with APs and project affected units along with relevant district and county officials
• Reviews resettlement activities undertaken
• Conducts the information management of land acquisition, house demolition and rehabilitation
• Trains staff
• Assists in the resolution of resettlement problems
• Punishes illegal actions in administrative way or other ways
• Administers any problems occurring during demolition
• Reports to PMO on land acquisition, house demolition and rehabilitation activities

**Demolition Implementation Company**
• Sign compensation and relocation contract with demolished households and enterprises on behalf of project owner
• Implement demolition and relocation
• The information management for demolition and resettlement
• Train staff
• Handle with the conflicts and problems in the process of implementation
• Handle with the demolition conflicts and appeal
• Report land acquisition, demolition and relocation progress to project implementation agency

**NLRMB**
• Check documents for land acquisition, their examination and approval
• Corresponds on, manages, monitors and arbitrates the process of land acquisition
• Examines the list of peasants who qualify for the security system of minimum standard of living due to loss of agricultural land
• Examines the economically affordable housing applications received from REMB, and advises the Municipal Real Estate Reform Office to add these details to their records.
JDDMO of JDCB
- Corresponds, manages, monitors and arbitrates the relocation and house demolition on state-owned land
- Chooses the qualified house demolition implementation institute
- Assist the County (Municipal) Land Resource Bureau to inspect the land acquisition and the relocation of house, special infrastructures, attachments, enterprises and institutions

Design institute
- Minimizes project impacts through optimization of design
- Defines the scope of land acquisition and house demolition

NRCR
- As an independent external monitoring institution, NRCR will track the implementation of the RP and submit independent monitoring and evaluation reports to IQRSWR PMO and the ADB.

XXXVII.9.4 MEASURES FOR STRENGTHENING INSTITUTIONAL CAPACITY
- On Mar. 21st, 2006, the PMO trained the staff that will undertake the demolition and resettlement work. They studied the involuntary resettlement policies of ADB, relevant demolition regulations, the theory and methods of socioeconomic survey etc.
- On April. 22nd, 2006, the PMO organized training for the socio-economic survey staff, which included details of methods and experiences.

The PMO has a plan for future capacity building in respect of resettlement implementation. Staff will be familiar with involuntary resettlement policies of ADB, the regulations of land acquisition and demolition, analysis of cases, simulated practice, cost control and resource allocation to increase their professional abilities to carry out the policies. Further training will be conducted to:
- Ensure that funds and equipment can be received in time to increase the efficiency
- Divide the work properly, and establish an incentive/disincentive system for staff to improve the efficiency of carrying out the RP to encourage their initiative.
- Establish a demolition and resettlement information management system. With the help of that system, to manage the data of land acquisition and demolition, to strengthen information feedback, and ensure that each department is well informed. Important problems will be discussed and decided by the IQRSWR PMO.
- Strengthen the reporting system and internal monitoring, to enable staff to identify and solve problems promptly as they arise.
- Strengthen independent monitoring and evaluation. The independent monitoring and evaluation institution will report promptly to relevant department about any problems and provide suggestions to solve them.
XXXVIII.10 SCHEDULE OF IMPLEMENTATION

10.1 Resettlement and Implementation of the Project
According to the schedule, the project is to be built from 2007 to 2009 in stages. The schedule for resettlement is in alignment with the schedule for each sub-project. Land Acquisition, demolition and resettlement are planned to begin in February 2007 and end in December 2007. The principles of linking project construction with land acquisition and resettlement are as the following:

- To finish the work of land acquisition one month before project begins. The time to start the project will be decided according to land acquisition, resettlement and rehabilitation.
- To reserve enough time for land acquisition, resettlement and rehabilitation before the start of project construction.

10.2 Key Tasks for Permanent Land Acquisition and Temporary Land Occupation
- Compensation rate and resettlement policies are the key issues.

10.3 Key Tasks for Affected Factories
- According to document of approval for the project construction and land using permission, inform the construction scope of the project to police security, housing management department, urban construction department, industry and business administrative department, neighbor committee office, at the same time, stop going through all various kinds of formalities within construction scope of the project, such as: construction license, industry and business permission license, housing rebuilding, house property exchange, exchange of use right of houses and rental of houses, etc..
- According to data of property right provided by production department, organize staffs to investigate frozen units and check them up on field, that include amount of units, total staffs, character of housing property right, housing structure, housing area, large-scale production facilities, annual production value, annual profit and average annual income per worker, etc..
- In accordance with documents of approval for the project construction, proposed the project planning scheme, investigation results and building layout of housing to be dismantled, resettlement plan, and relative permission documents of land use for the project construction, apply for housing demolition to CLHDMO of REMB of Qinhua District.
- Publicize housing relocation plan, policy for housing relocation, working procedure, drawing of housing allocation, resettlement plan, compensation standards and scope of housing demolition, duration of housing demolition, use purpose of land occupied, and accept participation and supervision of the public.
- Within duration of housing relocation, sign written agreement of compensation and allocation with the owners about compensation form and funds, and popularize the resettlement policy as to remove smoothly.

10.4 Implementation Schedule of Resettlement Key Tasks
- To determine the final scope of land acquisition according to each project design, and to finish it before the census and property survey for the land acquisition.
To calculate the result of census and property survey for the land acquisition according to the red line drawings of land acquisition and relocation. It will be done by both IAs and the owners before the agreements for compensation and resettlement are signed.

To have a mobilization meeting. The Demolition Department should promulgate the policies and ways of land acquisition, relocation, compensation, and resettlement methods. Affected enterprise should attend the mobilization meeting. The meeting will be held before they sign the agreements for compensation and resettlement. And formal announcements of land acquisition will be released after the mobilization meeting.

To sign the agreements of compensation and resettlement after the census and property survey and the release of the formal announcement of land acquisition and relocation.

To dispense transition funds to residents during their transitional period. And it should be dealt out before they start to move.

To try to arrange resettlement field for enterprises in advance, and to avoid or reduce the losses of closing down caused by relocation. For those who have to close down, the compensation should be dealt out before relocation.

To construct new public utilities and municipal infrastructure in advance and then demolish the old ones.

To settle accounts and deal out compensation after the assignment, and before the relocation.

Confirm the resettlement work to satisfy demolished households.

## 10.5 Overall Schedule of Land Acquisition and Resettlement

The overall schedule of the project is fixed in light of the schedule of the land acquisition, preparation for and progress of the resettlement, and the project construction. Details are in Table 10-1.

### Table 10-1 Resettlement Supervision Milestones (As of Date/Month/Year)

<table>
<thead>
<tr>
<th>No.</th>
<th>Resettlement Tasks</th>
<th>Target</th>
<th>Responsible Agency</th>
<th>TIME</th>
<th>Status and Additional Deadlines</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Disclosure</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.1</td>
<td>Resettlement plan distribution to the affected enterprise</td>
<td>2 of copies</td>
<td>NMPUB</td>
<td>Sep. 2006</td>
<td>Finished</td>
</tr>
<tr>
<td>1.2</td>
<td>RP placed on ADB website</td>
<td>ADB</td>
<td></td>
<td>Sep. 2006</td>
<td>Finished</td>
</tr>
<tr>
<td>2.</td>
<td>Detailed Rehabilitation Plans</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.1</td>
<td>Demolition plan for affected enterprise</td>
<td>MT.Phoenix Mine</td>
<td>Dec. 2006</td>
<td>Planning</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Resettlement Plan and Budget</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.1</td>
<td>Complete redline survey (map)</td>
<td>JDLRMB</td>
<td>Oct. 2006</td>
<td>Planning</td>
<td></td>
</tr>
<tr>
<td>3.2</td>
<td>Approval of RP &amp; budget</td>
<td>PMO</td>
<td>Aug.</td>
<td>Finished</td>
<td></td>
</tr>
<tr>
<td>No.</td>
<td>Resettlement Tasks</td>
<td>Target</td>
<td>Responsible Agency</td>
<td>TIME</td>
<td>Status and Additional Deadlines</td>
</tr>
<tr>
<td>-----</td>
<td>-----------------------------------</td>
<td>-------------------------------</td>
<td>-----------------------------</td>
<td>------------</td>
<td>--------------------------------</td>
</tr>
<tr>
<td>3.3</td>
<td>Approval of compensation rates</td>
<td>JDLRMB</td>
<td>Dec. 2006</td>
<td>Planning</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>The land recovery</td>
<td>JDLRMB/ M.T Phoenix Mine</td>
<td>Nov. 2006</td>
<td>Planning</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>The land allocation</td>
<td>JDLRMB/NMPUB</td>
<td>Jan. 2007</td>
<td>Planning</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>The compensation payment</td>
<td>M.T Phoenix Mine/NMPUB</td>
<td>Feb. 2007</td>
<td>Planning</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>The demolition start</td>
<td>JDDMO</td>
<td>Feb. 2007</td>
<td>Planning</td>
<td></td>
</tr>
</tbody>
</table>
XXXIX. 11 COST AND BUDGET

XL. 11.1 COST
Cost for the process of land acquisition and resettlement should be included in the general budget of the project. Based on the prices of April 2006, the total cost of land acquisition and resettlement is 38,000,000 RMB Yuan. The overall resettlement budget of STF sub-project is listed in Table 11-2 (following Section 11.3).

XLI. 11.2 ANNUAL INVESTMENT PLAN
The annual investment plan is made according to the implementation schedule. See Table 11-1 for details.

Table 11-1 Annual Investment Plan

<table>
<thead>
<tr>
<th>Year</th>
<th>2006</th>
<th>2007</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Investment (10^4 Yuan)</td>
<td>694</td>
<td>2777</td>
<td>3471</td>
</tr>
<tr>
<td>Proportion (%)</td>
<td>20</td>
<td>80</td>
<td>100</td>
</tr>
</tbody>
</table>

XLII. 11.3 CAPITAL RESOURCE
Capital comes from the urban construction fund and domestic bank loan. The capital will be allocated in accordance with implementation schedule.
<table>
<thead>
<tr>
<th>Item</th>
<th>Unit</th>
<th>Rate</th>
<th>Quantity</th>
<th>Cost (million yuan)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1 Permanent land acquisition</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.1 state land</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.1.1 State-owned land using fee</td>
<td>Yuan/M²</td>
<td>15</td>
<td>330165</td>
<td>4.9525</td>
</tr>
<tr>
<td>1.1.2 Land allocation administration fee</td>
<td>Yuan/M²</td>
<td>5</td>
<td>330165</td>
<td>1.6508</td>
</tr>
<tr>
<td>1.1.3 Land registration fee</td>
<td>2500 M²</td>
<td>160¹</td>
<td>330165</td>
<td>0.0133</td>
</tr>
<tr>
<td><strong>2. Enterprise Demolition</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.1 Raw Material and Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.1.1 Ore</td>
<td>Yuan/t</td>
<td>300</td>
<td>10000</td>
<td>3</td>
</tr>
<tr>
<td>2.1.2 Equipment</td>
<td>Yuan/suit</td>
<td>50000</td>
<td>100</td>
<td>5</td>
</tr>
<tr>
<td>2.2 Ground Attachment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.2.1 Cement ground</td>
<td>Yuan/M²</td>
<td>45</td>
<td>8920</td>
<td>0.4014</td>
</tr>
<tr>
<td>2.2.2 High voltage wire</td>
<td>Yuan/KM</td>
<td>3500</td>
<td>0.2</td>
<td>0.0007</td>
</tr>
<tr>
<td>2.2.3 Tree</td>
<td>Yuan/one</td>
<td>28</td>
<td>100</td>
<td>0.0028</td>
</tr>
<tr>
<td>2.2.4 Low voltage wire</td>
<td>Yuan/KM</td>
<td>2500</td>
<td>0.2</td>
<td>0.0005</td>
</tr>
<tr>
<td>2.2.5 Bridge</td>
<td>Yuan/one</td>
<td>900000</td>
<td>1</td>
<td>0.9</td>
</tr>
<tr>
<td>2.2.6 Electric pole</td>
<td>Yuan/one</td>
<td>1000</td>
<td>60</td>
<td>0.06</td>
</tr>
<tr>
<td>2.2.7 Soil road</td>
<td>Yuan/M²</td>
<td>10</td>
<td>10000</td>
<td>0.01</td>
</tr>
<tr>
<td>2.2.8 The others</td>
<td>As a whole</td>
<td></td>
<td></td>
<td>2.8</td>
</tr>
<tr>
<td>2.3 Mine facility and underground building</td>
<td>As a whole</td>
<td></td>
<td></td>
<td>11.2</td>
</tr>
<tr>
<td><strong>2.4 Enterprise house</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.4.1 Brick-concrete</td>
<td>Yuan/M²</td>
<td>1500</td>
<td>120</td>
<td>0.018</td>
</tr>
<tr>
<td>2.4.2 Brick-timber</td>
<td>Yuan/M²</td>
<td>1200</td>
<td>220</td>
<td>0.264</td>
</tr>
<tr>
<td>2.4.3 Simply built</td>
<td>Yuan/M²</td>
<td>600</td>
<td>60</td>
<td>0.0036</td>
</tr>
</tbody>
</table>

¹ If the land area is bigger than 2500m², the fee is increased by 20Yuan per 500m²
<table>
<thead>
<tr>
<th>Item</th>
<th>Unit</th>
<th>Rate</th>
<th>MSDP</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Quantity</td>
</tr>
<tr>
<td>Sum of the second item</td>
<td></td>
<td></td>
<td>23.913</td>
</tr>
<tr>
<td>3 Payment for the implementation agency</td>
<td></td>
<td>5%(^1)</td>
<td>1.19565</td>
</tr>
<tr>
<td>4 Management fee of the JDDMO</td>
<td></td>
<td>3%(^2)</td>
<td>0.71739</td>
</tr>
<tr>
<td>Subtotal of items 1~4</td>
<td></td>
<td></td>
<td>32.44264</td>
</tr>
<tr>
<td>5 Cost on survey and design</td>
<td></td>
<td>3%(^3)</td>
<td>0.97328</td>
</tr>
<tr>
<td>6 Monitoring and evaluation cost</td>
<td></td>
<td>1%</td>
<td>0.32442</td>
</tr>
<tr>
<td>7 Management cost</td>
<td></td>
<td>3%</td>
<td>0.97328</td>
</tr>
<tr>
<td>8 Training cost</td>
<td></td>
<td></td>
<td>0.008</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>34.71</td>
</tr>
</tbody>
</table>

\(^1\) 5% of the sum of the second item  
\(^2\) 3% of the sum of the second item  
\(^3\) 3% of the sum of the 1~4 items.
11.4 CASH FLOW AND ALLOCATION PLAN

11.4.1 Cash Flow
According to the compensation policies and compensation rate set in the RP, all costs of compensation will be paid to relevant units and APs by the PMO through the sub-project office. The anticipated cash flow is shown in Figure 11-1:

- Financial allocation
- Domestic Bank Loan
- NQREIPMO
- NMPUB
- Enterprises Demolished
- Owners of attachment

Figure 11-1 Cash Flow Chart of Resettlement Capital

11.4.2 Allocation Plan
- All costs relating to the project resettlement will be listed in the project budget. The compensation of resettlement and other expenditures will be paid to relevant departments and individuals by the owner through the sub-project PMO;
- Prior to demolition of enterprises, the compensation will be paid for the unemployed workers benefiting from the project;
- To ensure a smooth implementation of the resettlement, the sub-project PMO will set up a supervisory mechanism in the resettlement offices at all levels in order to guarantee all the money is paid to the APs as specified.

XLIV. 12. MONITORING AND EVALUATION
According to ADB policy on involuntary resettlement and best practices for resettlement monitoring and evaluation, implementation of land acquisition and resettlement activities will be monitored regularly to ensure all activities have proceeded in accordance with the provisions of the RP. There are two kinds of monitoring mechanisms in this RP, the internal monitoring and the independent external monitoring.

XLV. 12.1 INTERNAL MONITORING
12.1.1 Purpose and Target
The objective of internal monitoring is to maintain the supervision responsibility of the resettlement organizations as specified in the RP during implementation, and ensure that the project can be constructed smoothly and that the resettlers’ legal rights will not be impaired. Each superior unit will assume the responsibility of monitoring its subordinate so that the RP principles and schedule can be followed.

12.1.2 Organization and Staff
The internal monitoring for land acquisition and resettlement will be supervised by the PMO, and be performed by each project component EA and IA, plus the municipal and district land resource management bureaus. To ensure the internal monitoring is effective, full-time staff will be assigned within each resettlement offices at all levels. All of these staff have participated in the compilation and implementation of this RP, and they will carry out the internal resettlement monitoring during the project implementation.

12.1.3 Implementation Procedures
During the implementation, based on samples provided by the monitoring institutions, the EA and IA of each project component and land acquisition and demolition implementation institution will collect and record the relevant implementation information regarding residents, shops, enterprises and institutions affected. Meanwhile, they will deliver records of their current activities in a timely manner to the NQREI PMO, so as to maintain consistent monitoring throughout implementation. The NQREI PMO will conduct periodic supervision of the project resettlement.

This monitoring system is designed to ensure there is a continuous flow of information on a regular basis from the Land Acquisition Implementation agency to the PMO. EAs, IAs, the NLRMB and JDLRMB as the important organizations with regard to the internal monitoring and supervision system, will carry out their own periodic supervision and verification of procedures.

Indicators Monitored
- Payment of compensation to APs and affected units
- Progress against the implementation schedule for land acquisition
- Progress against the implementation schedule for living subsidization of APs
- Income restoration of APs
- Rehabilitation of vulnerable groups
- Rehabilitation of infrastructure
- Arranging the schedule of the above activities
- Conformity with the policies and regulations of the RP
- Participation and negotiation of APs during implementation
- Gender and women's participation
● Staffing, training, work schedules and the effectiveness of the institutions
● The process and results of the complaint and grievance redress system.

12.1.4 Internal Monitoring Reports

a. Timing
The EA and IA of each project component will compile an internal monitoring report every 3 months and submit it to the NQREIPO. Thereafter NQREIPO will compile a summary of the various reports from all levels and submit a progress report which details resettlement progress to ADB before Mar. 30th, Jun. 30th, Sep. 30th and Dec. 31st of each year. A finalization report will be submitted to ADB when land acquisition and resettlement activities are complete.

b. Formal Content
The format of the resettlement progress report by the PRO will be prepared to meet the requirements of the ADB. The format of the report usually comprises of two parts: the context describing in detail the resettlement progress and payment and use of compensation, the progress, problems and difficulties met in the implementation, and the corresponding resolutions; and secondly, forms and lists showing statistical data of the previous six months, which reflect the progress by comparison of the actual and planned land acquisition and the use of compensation. Sample formats are provided in Table 12-1 and Table 12-2.
Table 12-1 Progress Report of Land Acquisition and Resettlement

Department: ________________________________

Deadline for Reporting Contents: __Date __Month __Year

Fill-up Date: __Date __Month __Year

<table>
<thead>
<tr>
<th>Items</th>
<th>Unit</th>
<th>Planned amount</th>
<th>Completed</th>
<th>Accum. total</th>
<th>Proportion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fund allocation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land Acquisition</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Enterprise demolition</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Reporter: Signature (Person-in-charge) Official seal

Table 12-2 Implementation Progress of Resettlement Fund Usage

District ____Township__________________________

Data up to: __Date __Month __Year

Fill-up Date: __Date __Month __Year

<table>
<thead>
<tr>
<th>Affected unit</th>
<th>Description</th>
<th>Unit/Quantity</th>
<th>Compensation Rate</th>
<th>Compensation /Subsidy received ( )</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

C. Resettlement Completion Report
After finishing resettlement activities, NQREI PMO is responsible for preparing a resettlement completion report, which should include detailed information of the implementation of resettlement activities, such as permanent land acquisition, temporary land use, livelihood and income restoration, the compensation fund, progress and complaint and grievance redress. The report must be sent to ADB before the project completion report.
XLVI. 12.2 EXTERNAL INDEPENDENT MONITORING

12.2.1 Independent Monitoring Institution
NQREI PMO plans to entrust NRCR to undertake the independent external monitoring and evaluation. The monitoring and evaluation group is composed of 6 resettlement specialists with much experience on project resettlement and sociology.

12.2.2 Objectives and Tasks
The purpose of independent monitoring is to provide an evaluation of land acquisition and resettlement by an independent organization, and to review the overall implementation from a broader, long-term point of view. The Independent Monitoring Institution will periodically monitor and evaluate the implementation of the RP, including the progress, quality of resettlement, and utilization of funds. It will give advice and suggestions. After checking APs’ living standards and production conditions, the independent monitoring agency will submit monitoring and evaluation reports to the PMO and each project component EA and IA, as well as the ADB. The Independent Monitoring Institution will follow the resettlement activities to evaluate whether the goals of resettlement are being achieved through observing:

- the application of the laws of P.R.C. concerning resettlement;
- compliance with the involuntary resettlement principles of ADB;
- whether the APs’ living standards have been improved or at least maintained as a result of the project.

The independent monitoring agency will provide suggestions to the land acquisition and resettlement implementation agency, so that any problems encountered in the implementation can be resolved in a timely manner.

12.2.3 Procedures and Tasks
- Compiles an outline for monitoring and evaluation
- Develops a resettlement monitoring and evaluation information system
- Prepares a survey outline, questionnaire, recording card for sampling residents and affected villages
- Sampling design: all are permanent land acquisition residents.
- Carries out a baseline survey on the residents and institutions affected by land acquisition to obtain basic data about their living standards and production condition (including living, business and income).
- Establishes a monitoring and evaluation information system to store resettlement data
- Conducts monitoring surveys
- Conducts local socioeconomic surveys on the social and economic development situation in project area.
- Monitors the resettlement implementation organization on its ability and efficiency
- Monitors affected households on the allocation of compensation funds, income restoration, employment, and resettlement satisfaction level.
- Monitors vulnerable groups which include minorities, households in poverty, the handicapped, women-headed households and children.
- Monitors public facilities on the allocation of compensation funds, rehabilitation measures, and progress of reconstruction of lost assets.
- Monitors public consultation on participation in compiling RP and APs’ activities during implementation, the effects of participation.
- Monitors complaint and grievance procedures and outcomes in terms of the mechanism and its efficiency.
- Arranges monitoring data, establishes a database.
- Conducts a comparative analysis.
- Produces monitoring and evaluation reports.

12.2.4 Monitoring Indicators
- Social and economic indicators: average income, employment rate
- Institutions’ indicator: staff composition and their quality, regulations, equipment, efficiency
- Indicators for households affected by permanent land acquisition: allocation of compensation funds, production restoration, income, employment, and to what extent APs are satisfied
- Indicators for infrastructure: compensation funds, functional restoration.
- Indicators for vulnerable groups: living conditions before and after resettlement, which contains the area of residence, income and employment.

12.2.5 External Monitoring Report
The external monitoring agency will submit the external monitoring and evaluation report in a month after completing monitoring. And the report will be submitted to ADB when NQREIPMO reports the implementation progress to ADB every year.

a. Timing
- In Dec. 2006, conduct baseline survey.
- In Jan. 2007, submit No. 1 M&E report.
- In Jul. 2007, submit No. 2 M&E report.
- In Jan. 2008, submit No. 3 M&E report.
- In Jul. 2008, submit No. 4 M&E report.
- In Jan. 2009, submit No. 5 M&E report.

b. Content
- Resettlement base-line survey
- Land requisition and resettlement schedule
- Production restoration and rehabilitation
- APs’ living standards
- Availability and utilization of the resettlement funds
- Evaluation of operation and efficiency of the resettlement implementation institutions
- Support to vulnerable groups
- Gender issues
- Restoration of permanent land use
- Problems and recommendations
- Follow-up on previous problems and mitigation actions.
XLVII. APPENDIX 1: MAPS OF THE SLUDGE TREATMENT AND DISPOSAL FACILITIES COMPONENT

Map 1: Sludge Treatment and Disposal Facilities – Location Plan

Map 2: Jiang Xin Zhou Sludge Treatment Facility - General Layout Plan

Map 3: Mount Feng Huang Municipal Sludge Disposal Facility - General Layout Plan
Map 1: Sludge Treatment and Disposal Facilities – Location Plan
Map 2: Jiang Xin Zhou Sludge Treatment Facility - General Layout Plan
Map 3: Mount Feng Huang Municipal Sludge Disposal Facility - General Layout Plan
XLVIII. APPENDIX 2: LAW AND POLICIES FOR LAND ACQUISITION AND RESETTLEMENT

1. Limits of Acquisition and Nature of Compensation

   1. Limits of Land Acquisition and Nature of Compensation

Land Administration Law of the People’s Republic of China

   Article 43 Any unit or person who needs land for construction should legally apply for state-owned land.

   Article 58 Under any of the following circumstances, the administration department of the people’s government concerned may, with the approval of the people’s government that has originally approved the use of land or that possesses the approval authority, take back the right or the use of the State-owned land:
   (a) The land is needed for the benefits of the publics;
   (b) The use of the land needs to be readjusted for renovating the old urban area according to urban planning.

   Article 47 Land requisitioned shall be compensated for on the basis of its original purpose of use.

Jiangsu Province Enforcement Methods of Land Administrative Law of P. R. China

   Article 23 the national and collective are acquired for construction, implement sole land acquisition and supply. Construction takes up land, the enterprise or individual should hand in relevant approval files that the laws and administrative regulations stipulate to land administrative department to apply for the land using right, the government senior to county examine and approve according to the legal rights and procedure.

   Article 24 The land for construction should accord with the whole plan and the yearly plan for land use. Involved in farm land converting to construction land, the examining procedures of farm land convert should be transacted. Especially, in order to carry out the whole plan for land use, the farm land within the range of town construction is converted to construction land, the examining and approving procedures can be conducted by the town with district government that province government entitle

Nanjing City Compensation and Resettlement Methods of Land Acquisition and House Demolition:

   Article 5 When land acquisition is needed for construction, project organizers should pay compensation fees for land, young plants, over-ground attachments, house demolition, and farmers’ resettlement subsidy.

2. State-owned land use rights

Urban Real Estate Administration Law of P. R. China

   Article 3 All the uses of state-owned land are payable and terminable, except the use of allocated land defined in the present law.

   Article 22 Allocation of land use right means that approved by the government over country level, after the land users have paid compensation, relocation costs etc., they can use the land, or they can get the land use right free of charge.

   Article 23 If the land use of the following land for construction is really necessary, it can be approved and allocated by the government over country level: land for urban infrastructure and public utilities, land for energy, transport, water conservancy etc., project which are the state key project.
3 House demolition and compensation

Urban House Demolition Regulations:

Article 6 The unit who demolish the houses can not carry out the demolition until getting house demolition license.

Article 22 The unit who demolish the houses should compensate the unit whose houses are demolished in accordance with the regulations.

Jiangsu Province Urban House Demolition Administration Regulations:

Article 9 the demolishing party should pay the compensation to the demolished party according to the Urban House Demolition Regulations and Jiangsu Province Urban House Demolition Administration Regulations

2. Laws and Administration Procedures

Land Administration Law of the P.R.C.

Article 46 Where land is to be requisitioned by the State, the requisition shall, after approval is obtained through legal procedure, be announced by people’s governments at or above the country level, which shall help execute the requisition. Units and individuals that own or have the right to the use of the land under requisition shall, within the time limit fixed in the announcement, register for compensation with the land administration department of the local people’s government by presenting their certificates of land ownership or land-use right.

Jiangsu Province Enforcement Methods of Land Administrative Law of P. R. China

Article 6 To legally change land ownership, land use rights or transfer over-ground constructions and affiliated structures, units/person should apply for the registration of land rights alteration from local people’s government at the above-county level. Original land registration department takes charge of concrete registration.

Nanjing City Compensation and Resettlement Methods of Land Acquisition and House Demolition

Article 7 Representative of municipal government, the Municipal Land Resource Bureau should publicize the notice of land acquisition in 10 days after obtaining the permission of land acquisition scheme.

Article 11 The units who conduct house demolition should apply for the permission of house demolition scheme from the Municipal Land Resource Bureau. After permitted, the units should publicize the notice of house demolition for no less than 7 days and follow the permitted scheme strictly.

Article 12 The units who conduct house demolition should sign the literal contract concerning compensation and removement with the units/persons whose houses will be demolished before demolishing houses.

Urban House Demolition Administration Regulations

Article 8 As the house demolition permission license was given, the department in charge of house demolition shall propagate the demolition unit, the demolition scope, the deadline of demolition and other items in the form of house demolition notice at the same time, the department of in charge of house demolition and the unit who demolished the houses shall in time propagate and explain the policies to the persons whose houses are to be demolished.

Jiangsu Province Urban House Demolition Administration Regulations:
Article 4 The urban house demolition should obey the following procedures:
(1) conducting the evaluation to demolished object;
(2) applying for license of demolition to house demolition administrative department;
(3) house demolition administrative department issue bulletin;
(4) signing written contract about the compensation for resettlement and demolition.
(5) the demolishing unit pay compensation according to the contract.
(6) carrying out demolition

Nanjing Municipality Urban House Demolition Administration Methods
Article 8 When issuing the house demolition permission license, the Municipal house demolition administration department should publicize the information in this license, such as the units who conduct house demolition, scheme content, demolished area, demolition duration.
Demolition duration starts from the 15th day after the publication of demolition notice.
Houses will be demolished no less than 30 days after the publication of demolition notice.


3.1 For rural land
Land Administration Law of the People’s Republic of China
Article 47 Land requisitioned shall be compensated for on the basis of its original purpose of use. Compensation for requisitioned cultivated land shall include compensation for land, resettlement subsidies, attachments and young plants on the requisitioned land.

Jiangsu Province Enforcement Methods of Land Administrative Law of P. R. China

Article 26 Compensation types and standards are shown as following:
(1) Compensation fee for occupying land
(a) For occupying farmland, compensation fee is eight to ten times the average annual production value of the farmland in the latest three years;
(b) For occupying special/common fishpond, compensation fee is ten to twelve times/four to eight times the average annual production value of nearby farmland in the latest three years;
(c) For occupying orchards or economic woods, compensation fee is eight to twelve times the average annual production value of nearby farmland in the latest three years;
(d) For occupying other agricultural land, compensation fee is six to ten times the average annual production value of nearby farmland in the latest three years;
(e) For occupying unused land, compensation fee is three to five times the average annual production value of nearby farmland in the latest three years;
(f) For occupying off-farm construction land owned by rural collectives, compensation fee is six to ten times the average annual production value of nearby farmland in the latest three years;

(2) Resettlement subsidy
(a) For occupying farmland, resettlement subsidy is accounted on the basis of farmland area;
(b) For occupying other agricultural land, resettlement subsidy is 70% of the compensation fee for this land;
(c) There is no resettlement subsidy for occupying off-farm construction land owned by rural collectives.

(3) Compensation fee for overground attachments and young plants
   (a) Houses and other constructions or structures are compensated at the price of replacement.
   (b) Equivalent compensation fee will be paid for the costs of moving or replacing agricultural irrigation works, livestock farms, electricity, broadcast, communication equipments.
   (c) Young plants are only compensated at the price of production value of one season.

The details of the rates of the above three compensation types are decided by municipal people’s government and should be reported to provincial people’s government for recording.

**Jiangsu Province Methods of Land Acquisition compensation and Land-expropriated Farmers Basic Living Security**

**Article 8** Compensation for farmland occupation should be ten times the average annual production value of the farmland in the latest three years;

**Article 9** Resettlement subsidy is related to the numbers of farmers who need to be resettled. The lowest resettlement subsidy for each resettled farmer in various areas is respectively 20,000, 17,000, 13,000, and 11,000 Yuan

**Article 10** In three months after the permission of land acquisition and resettlement compensation scheme, municipal and county land administration departments should fully pay resettlement subsidy to land-expropriated farmers who are excluded in Basic Living Security scheme, fully pay living subsidy to related people under 16 years, transfer no less than 70% of land compensation and all resettlement subsidy to the special account which is established by local finance department and especially for land expropriated farmers who participated in Basic Living Security scheme, pay compensation fee to the owners for their over-ground attachments and young plants, and pay the rest compensation fee to the affected rural collectives.

**Nanjing Municipality Compensation and Resettlement Methods of Land Acquisition and House Demolition**

**1 Compensation for land, young plants and over-ground attachment**

**Article 14** Land compensation fee is accounted according to the regulated standard.

**Article 15** The use of Land compensation fee:
   (1) 70% of land compensation fee goes into the Basic Living Security Fund for land-expropriated farmers;
   (2) 30% of compensation fee goes into the Accumulation Fund of rural collectives.

**Article 17** Compensation for young plants and over-ground attachment should be paid to their owners.

**Article 18** Overground attachments, e.g. farmland irrigation works, electricity, broadcast and communication equipment, are paid only the removement fee when they can be removed. But if not, they are compensated on the basis of their replacement value. When tombs need to be removed, notice should be publicized in advance. Publication fee and removement fee are also paid by project organizers.
Article 19  Project organizers are responsible to reclaim new cultivated land whose area and quality should be equal to the occupied one. If they cannot be able to conduct cultivated land reclamation, they should pay cultivated land reclamation fee to land administration department when they apply for the permission of land conversion.

Article 20  Digging and piling the earth, project organizer should pay compensation fee and reclamation fee, and sign the contract with local rural collectives. Local rural collectives are responsible to reclaiming the destroyed land after the end of the project. Permission of land acquisition should be applied for if the depth of digging earth is more than three meters.

Compensation fee should be paid for the loss of the whole fishpond even if only part of the fishpond is needed for the project.

2. Resettlement subsidy for land-expropriated farmers

Article 21  Project organizer should pay land-expropriated farmers resettlement for their loss of land and farming.

Article 22  Taking the date of provincial permission of land acquisition as the base time, land-expropriated farmers are divided into four categories according to their age and gender:

(1) The first age category: people who under 16 years;
(2) The second age category: the female who are older than 16 years but younger than 45 years and the male who are older than 16 years but younger than 50 years;
(3) The third age category: the female who are older than 45 years but younger than 55 years and the male who are older than 50 years but younger than 60 years;
(4) The fourth age category: the female who are older than 55 years and the male who are older than 60 years.

Article 23  If fit for any of the following conditions, land-expropriated farmers who stay in the second, third and fourth age categories will obtain resettlement subsidy and 70% land compensation, and enjoy welfare after joining in the Basic Living Security scheme and handing in regulated fees:

(1) Native residents of the land-expropriated collective and the immigrants who have stayed in the land-expropriated collective for no less than ten years, both legally have land contract rights and assume the responsibility of agricultural production;
(2) Native residents of the land-expropriated collective have no land contract rights for certain reasons and thus have no contract land and do not assume the responsibility of agricultural production;
(3) Either of the couple is fit for the conditions;
(4) Residents whose Hukou have been moved out from the collective for the small town construction but still have contracted land and assume the responsibility of agricultural production;
(5) Undergraduates, students in technical secondary schools, and soldiers who are fit for one of the above conditions before their enrollment;
(6) People who are in/out of the prison or work camp but fit for one of the above conditions before their sentences.

Article 24  The number of subsidized farmers in one group(zu) is accounted by dividing occupied land area of this group(zu) by land area per capita before land acquisition. The latter variable is gotten by dividing the total land area of this group(zu) before land acquisition by the total population but without the people of the first age category in the same group. The population of each age category in one group(zu) is decided by making its age distribution percentage multiply the number of subsidized farmers in the same group(zu).
The above land area should consult local land survey result of municipal and district land administration department. The above population refers to the people listed in Article 23 except the people listed in Article 25 and 26. The above age categories are regulated in Article 22.

70% of land compensation fee should be distributed evenly to the above subsidized farmers.

Project organizers should pay the price difference if the sum of land compensation fee and resettlement subsidy for the farmers in the fourth age category is still lower than the lowest charge rate of Basic Living Security scheme.

**Article 25** If fit for any of the following conditions, land-expropriated farmers cannot obtain resettlement subsidy and 70% land compensation, and join in the Basic Living Security scheme. Alternatively, they will get one-off living subsidy.

1. Young persons who are under 16 years;
2. Immigrants who stay in the land-expropriated collective for less than ten years although have contracted land and assume the responsibility of agricultural production;

Note: People who legally have land contract rights and assume the responsibility of agricultural production in the present methods do not include the land users who get others’ contracted land through the way of subcontract and rent.

**Article 28** Village group whose annual farmland will be less than 0.1 mu after land acquisition can be cancelled after getting the legal permission. The rest rural land will be collected into local government’s land pool theoretically and changed to be state-owned.

**Article 29** Land-expropriated farmers should be accepted into the municipal training system for unemployed people. If fit for regulated conditions, land-expropriated farmers, even those who have already been resettled before the issue of the present methods, should be accepted into the urban minimum social security system.

3. Compensation for house demolition

**Article 30** Farmers whose houses need to be demolished should be compensated by project organizer.

Farmers could be compensated in cash. They also could tear down old houses and build new houses themselves.

Demolished houses located in the following areas should be compensated in cash. These areas are Gulou District, Xuanwu District, Baixia District, Qinhua District, Jianye District (except Jiangxinzhou Jiedao), Xiaguan District, Yaohua Jiedao of Qixia District, Maigaoqiao, Yanziji, Maqun, Qixia Jiedao, Ningnan Jiedao and Saihong Jiedao of Yuhuatai District, and Northern-Qinhua New River area of Xishanqiao Jiedao and Tiexinqiao Jiedao.

**Article 31** Farmers who have the rural residence land use certificate (or a kind of state-owned land use certificate specially for the villagers in the cancelled group as referred in Article 28) and house property license (or house building permission) will be compensated according to the present methods.

**Article 32** When demolished houses are compensated in cash, the main three types of house compensation are replacement subsidy, new house purchase subsidy and location distinctive subsidy. However, affiliated constructions will only be paid the replacement subsidy.

**Article 34** If fit for regulated conditions, house-demolished families can apply for economic housing.

If a house-demolished family only has one house and its compensation fee is less than the total price of an economic house in the smallest area, project organizer should pay the price difference.

**Article 36** Non-house construction is compensated according to these rules:
(1) When demolished non-house constructions are compensated in cash, compensation fee includes replacement subsidy and location distinctive subsidy. However, affiliated constructions will only be paid the replacement subsidy.
(2) Shutout of the building for business use will be compensated at the price of no more than 8% of the compensation fee. Shutout of the building for non-business use will be compensated at the price of no more than 5% of the compensation fee.
(3) Teardown, installment and removement of the equipments in the non-business buildings for production use will be compensated at the price of no more than 8% of the compensation fee while for other uses no more than 4%. Subsidy for conveying equipments in the business building will be paid at the price of no more than 2% of the compensation fee.
If the building has been rented out, project organizer only needs to compensate the tenant for the loss caused by shutout, equipment teardown, installment and removal. Compensation for the demolition of school, hospital and home for old people is 1.5 times of the rates of non-house construction. Then project organizer has no responsibility to rebuild them.

**Article 37** Self-employers need to provide land use rights certificate, house property rights certificate (or house building permission) in order to get the compensation for the demolition of their houses for business uses.
If the usage stated in the land use rights certificate is residence land, the compensation refers to the above standards set for the houses. But the replacement subsidy will increase 20%. If the usage is not residence land, the compensation refers to the above standards set for non-house constructions.

**Article 38** The units who conduct house demolition should pay house owners removal fee for house and related attachment (e.g. telephone, air conditioner, gas piping and Cable TV equipment), house rent and living subsidy, and the house decoration compensation. House owners who remove rapidly will obtain the premium as the encouragement.

With the certificate stated by the units who conduct house demolition, in-service employees could apply for two-day break for house removal from their employers.

### 3.2 Basic living security system for land-expropriated farmers
**Jiangsu Province Allocation Rules of Land-expropriated Farmers Basic Living Security Fund**

**Article 5** The basic living security fund should be accumulated in special financial account. Payments into and out of the fund shall be subject to separate administration and accounted independently.

**Article 6** The people who deserve the basic living security fund should be recommended by more than half of the rural collective economic organization whose land will be levied. They should be designated by the county government after the town or township government’ checking. They also should be undisputed after the public notification of the rural collective economic organization.

**Article 7** In three months from the permission date of land acquisition and resettlement scheme, Land administration department should fully pay the compensation for land acquisition and resettlement to land-expropriated farmers who will not be accepted into the Basic Living Security scheme and pay the living subsidy to the affected people under 16 years old. No less than 70% of land compensation fee and full resettlement subsidy should be paid into the personal accounts of land-expropriated farmers who have been accepted into the Basic Living Security scheme.

**Article 12** The people who deserve the basic living security fund should show their Basic Living Security Register Card and other related certificates and draw their living
subsidy according to the stated standard and the fixed number of years monthly since the basic living security was carried out. The old who reach the pension age should draw his pension according the regulated standard with the relative organization change the Basic Living Security Register Card to Pension Card.

Article 17 The people who deserve the basic living security fund should draw the subsidy or pension from their individual account. When the individual account falls into short, the subsidy or pension can be drawn from the social pool account.

Nanjing Municipality Temporary Methods of Land-expropriated Farmers Basic Living Security

Article 5 The basic living security fund should be established in special financial account. Payments into and out of the fund shall be subject to separate administration and the fund can only be used to the basic living security of the land levied farmer.

Article 6 The basic living security fund source include the 70% of the sum of land acquisition farmer’s land compensation fee and resettlement subsidy, the income raised by the government from the land-leasing, the interest and the increments of the farmer’s basic living security fund and other available fund.

Article 7 The basic living security fund comprises the personal account and the social pool account. 70% of the sum of land acquisition farmer’s land compensation fee and resettlement subsidy should be included in the personal account according the farmer’s standard. The government and other available fund should be included in the social pool account. The interests or increments should be kept in the two accounts respectively.

Article 8 The land administration department has the responsibility to hand the list of the people who deserve the basic living security fund to the labour and social security department. The labour and social security department has the responsibility to guide the farmer to choose the proper payment level, and hands out the basic living security register card after going through the procedure. Within 10 days after the farmer to choose the proper payment level, the land administration department should transfer the fund to the farmer’s special financial account according to the payment level chosen by the farmer himself. The local town government has the responsibility to coordinate the relative matter about farmer’s basic living security and send back the surplus fund to farmers.

Article 10 According to the regulation the first age stage farmer can’t be included in the basic living security but draw living subsidy one-off.

Article 11 The basic living security should be carried out in the second, third and fourth age stage. The second and third age stages have five payment levels choice and the fourth age stage has two. The payment should be covered in the 70% of the sum of land acquisition farmer’s land compensation fee and resettlement subsidy. When the female farmer beyond 55 or the male beyond 60, they begin to be treated by the basic living security.

Article 12 If unemployed the second aged farmers could draw no more than two years living subsidy monthly and the third aged could draw no more than three years living subsidy monthly.

Article 13 The treatment of the basic living security for farmers acquisition of land should begin in the month the public notification of the farmer list closed and should draw their living subsidy in the next month the Basic Living Security Register Card was issued.

Article 17 The people who deserve the basic living security fund should draw the subsidy or pension from their individual account. When the individual account falls into short, the subsidy or pension can be drawn from the social pool account.
Article 18  The administration department could cover the urban enterprise employee’s basic endowment insurance from the basic living security account when the farmers in the second and third age stage can’t afford the insurance and apply the administration department to do so in the off-farm.

Article 19  The farmer’s basic living security should be terminated by administration organization one-off sending back the farmer’s account residual fund when the farmer deserved the basic living security fund, in the case joined the urban enterprise employee’s basic endowment insurance later, and regularly hand in the insurance for 15 years.

3.3 The use of state-owned land
Temporary Methods of Allocated Land Use Rights Administration
Article 2  Allocated land use rights refer to the use rights of state-owned land achieved by the ways except land sale.

Article 26  Income of the sale of allocated land use rights should not be less than 40% of the marked price of land which is decided by local municipal or county land administration department accounting for local Benchmark Land Price, the time limits of transfer, rent or mortgage, and the conditions of land,

Article 27  Income of the sale of allocated land use rights is collected and managed by local municipal or county land administration department who is representative of local government.

Article 30  If it is wanted by the state for public benefits, the sold land could be taken back according to legal procedures. Land users will get compensation with regard to the length of land use and the actual land use conditions.

3.4 Urban house demolition
Urban House Demolition Regulations
Article 23  The demolished houses could be compensated in cash or in exchange with other houses.

Nanjing Municipality Urban House Demolition Administration Methods
Article 27  Affected urban residents in this project are compensated in cash. The amount of compensation is determined by accounting for local real estate evaluation unit price and the construction area of the demolished house. This unit price should consider for house characteristics, such as location, usage, framework, and storey. House indoor decoration is compensated additionally.

The compensation amount should be respectively decided according to the following different cases:

1. the demolition benchmark unit price should be adopted when the unit price appraised by the market is lower than that of the demolition benchmark in the certain location;

2. if the owner only has the unique one dwelling house, in the case the total compensation is less than the total price of the economical flat with least standard (judged by the one house property certificate or other legal real estate credence), the demolition executor should compensate the owner with that total price.

The demolition benchmark unit price should be established by the commodity price department cooperated by the house demolition department. The benchmark unit price should be publicized annually.

Article 28  If it is less than five years between the date when the planning department authorized house building was complete and the time when the demolition license was
issued, the demolition executor should add extra compensation according the following rules:

1. within one year, add 20% extra compensation;
2. more than one year, less than two years, add 18% extra compensation;
3. more than two years, less than three years, add 17% extra compensation;
4. more than three years, less than four years, add 16% extra compensation;
5. more than four years, less than five years, add 15% extra compensation;

**Article 31** The demolition executor should pay the one-off transition subsidy when the monetary compensation was adopted.

**Article 32** The precedence should be delivered to the demolition house owner or tenant when they are qualified to purchase the middle or low price apartment, economical flat or qualified to lease the cheap house.

**Article 34** When demolish the leasing house, the demolition executor should pay the monetary compensation or exchange the property rights according to the stipulation between the owner and the leaser except those regulated in articles 35, 36, and 37.

**Article 35** When demolishing the public-owned house leased with the government regulated rent, the demolition executor should pay the 10% compensation to the owner, 90% to the leaser, and end the house-leasing. The stipulation should be implemented if the proportion of the compensation distribution has been set by the both sides.

**Article 37** When demolishing the private-leased house the monetary compensation should be carried out, if the lease relation was formed by the state reclamation of private houses. The demolition executor should pay the owner with the compensation; at the same time, the leaser should also be compensated to 90% of the owner’s compensation. When the compensation added because of the leaser’s change on the house functions, the surplus amount should be go halves between the owner and the leaser if no agreement exists.

**Article 42** The demolition executor should pay the truckage and transition subsidy to the owner or the leaser who is making use of the house to be demolished.

The demolition executor should pay the owner the fee for the transplants of telephone, air-conditioner, cable TV and civil gas pipeline and its attached establishments. The demolition executor could put a premium on those owner or leaser who actively cooperated with the demolishing.

**Article 43** The demolition executor should pay no more than 1% of monetary compensation to discharge, transition and installation the yielding equipments; no more than 0.5% of monetary compensation could be paid to transit the non-housing equipments.

**Article 44** When the demolition stopped the production or operation in non-housing real estate, the demolition executor should pay no more than 3% of monetary compensation to business house; no more than 1% of monetary compensation to non-business house.

**Article 45** The demolition appraisal should be carried out by the qualified real estate appraisal organizations (abbreviated as demolition appraisal organizations) which were granted the third level or better by the provincial construction department.

**Article 46** The demolition executor and receiver should choose the same demolition appraisal organization. The appraisal cost should be paid by the executor.

**Nanjing Municipality Adjusting Deadline and Standards of Premium Paid for Quick Removal in Urban House Demolition**

House owners/tenants who move out in 15 days from the first day of house demolition duration and finish regulated procedures will be once paid 30,000 Yuan as the encouragement. Those who move out between 16 and 30 days will get this premium on a decrease of 2,000 each day.
Nanjing Municipality Price Guide to Economical Housing in 2006

The total price for one urban house in Nanjing Municipality in 2006 should not be less than 72,000 Yuan.

House owners/tenants can apply for economic housing. If the new house price is higher than the compensation fee and also the construction area of the new house is no more than 45 m², the unit of house demolition should pay the price difference directly to the units of economic housing. But when the construction area of the new house is larger than 45 m², house owners/tenants should pay the price difference themselves.

3.5 Economic housing system

Nanjing Municipality Economical Housing Enforcement Rules:

Article 7 Construction land for economic housing is administratively allocated by local government.

Article 8 All the administration fees charged in the process of economic housing construction and sale will only be half of the rates for common constructions. Especially, the administration fees collected by municipal departments will be half of the lowest rates.

Article 23 Area and layout of Economic housing should be rationally decided accounting for local citizens’ income and living conditions. Houses at middle area (about 80m²) or small area (about 60m²) should be the majority.

Article 27 The price of economic housing is guided by local government.

Article 29 Based on the regulated Basic Price, there should be price distinctions among houses in one building for the differences among floor and face. However, the total price of this building is constant.

Article 36 Any household fit for one of the following conditions can apply for one economic house:

House-demolished household whose members are urban permanent residence, compensation fee is lower than the regulated amount of the same year, per capita household income is lower than the municipal per capita disposable income of last year, and has no other houses in the same municipality;

House-demolished household whose members are rural permanent residence and fit for the conditions of applying for economic housing, can purchase economic house through using compensation fee for house demolition (the sum of replacement subsidy, new house purchase subsidy and location distinctive subsidy) and its own capital no more than 10% of the total house price.

Article 42 The procedures for different households to apply for economic housing are introduced as following:

Applicants of urban low-income households or urban house-demolished households should get all the necessary certificates first (including their Hukou Registration Certificate, identity card of either of the couples, the present house property rights/land use rights certificate, residence certificate, the income certificate issued by employers or related Jiedao Office or the literal negotiation of Nanjing Municipality compensation for land acquisition and house demolition, and any other certificates demanded by the registration section), then fill in the application form and apply for economic housing from the District House Reform Office where their houses are located.

Applicants of rural house-demolished households should bring personal identity card and literal negotiation of Nanjing Municipality compensation for land acquisition and house demolition, fill in the application form and apply for economic housing from the District Land Administration Department or Real Estate Management Bureau where their houses are located.
**Article 45** The sequence of purchasing economic housing can be publicly chosen by lot.

**Article 49** Economic houses can be sold at market price five years after obtaining House Ownership Certificate and State-owned Land Use Certificate. However, local government can charge the sellers (except house-demolished farmers) part of the profits especially for the development of economic housing.

**Nanjing Municipality Price Guide to Economical Housing in 2006**
In 2006 the guiding price of economic houses is between 2,500 and 2,700 Yuan/m², which is set for all the areas of the municipality. There will be no price differences among districts any more. The actual sale price can fluctuate 3% above the guiding price, but there is no limits to the price drop.

**3.6 Occupying and digging urban roads/ riverways**

**Nanjing Municipality Urban Roads Construction Management Regulations**

**Article 6** No units/persons can occupy urban roads without permission. When necessary, project organizer should apply for the temporary roads occupation license from local urban roads administration department, deal with related procedures, and hand in roads occupation fee. If the traffic safety is affected, permission from the communications department is needed.

**Article 11** The occupation of pavement should be strictly limited. Generally the width of the temporarily occupied pavement should be no more than half of the whole width. If necessary, at least one-meter-wide roads should be kept for pedestrians.

**Article 13** Units/persons should not damage urban roads. If damaged, compensation should be paid.

The occupied area should be fenced and kept clean.

**Article 16** When the digging of urban roads is necessary, construction units/persons should send the application form together with construction project planning license and design drawings their to urban roads administration department, and hand in digging and recovery fee. After getting the permission and roads digging license, the digging can be proceeded.

The digging of important sections of roads or roads in some special areas should get the permission from the municipal roads administration department. The district roads administration department shall deal with the rest applications for digging.

**Article 17** Urban roads newly-built/rebuilt in five years, large-scale roads renovation in three year, and concrete motorways should not be dug. However, when necessary, permissions should be gotten from urban roads administration department, communications department and municipal government. Also, the digging and recovery fee should be charged one to three times the common rate.

**Nanjing Municipality Incity Qinhuai River Management Rules**

**Article 16** Any of the following activities should not be conducted until getting the permission from riverway administration department:

Project organizer should apply for the riverway occupation license from the district riverway administration department and hand in temporary occupation fee. If the occupied area is larger than 100 m², the application should be sent to the municipal riverway administration department after the primary check of district riverway administration department.

For building embankment, slope protection, dock, bridge culvert and water gate, and setting piping or any other water facilities, project organizer should apply for the
construction/digging license from municipal planning department and get the permission from municipal riverway administration department. Project organizer should hand in recovery fee for digging riverways. Riverway administration department will conduct recovery work within time limit.

4 Responsibilities

**Land Administration Law of the People's Republic of China**

**Article 66** Land Administration department of the people's government at or above the county level shall supervise over and inspect violations of laws and regulations governing land administration. Supervisors over and inspectors of land administration shall be familiar with the laws and regulations governing land administration and they shall be devoted to their duties and enforce laws impartially.

**Article 70** Where, in the course of supervision and inspection, land administration departments of the people’s government at or above the county level find any violations by State functionaries and believe that administrative sanctions need be given to such functionaries, they shall deal with such violation in accordance with law; if they have no right to do so, they shall propose in writing to the administrative supervision departments of the people’s governments at the corresponding or a higher level that administrative sections be given to the functionaries, and the administrative supervision departments concerned shall deal with the violations in accordance with law.

**Article 79** Whoever embezzles or misappropriates the compensation or other relevant charges paid to a unit whose land is requisitioned, if the violation constitutes a crime, shall be investigated for criminal responsibility in accordance with law; if the violation is not serious enough to constitute a crime, he shall be given administrative sanctions in accordance with law.

**Nanjing Municipality Temporary Methods of Land-expropriated Farmers Basic Living Security**

**Article 4** The work to guarantee land-expropriated farmers' basic living is under the supervision of municipal and district government. Land administration department is responsible to land acquisition and related compensation and resettlement. Finance department is responsible to the management and monitor of Basic Living Security Fund. Labor and social security departments, especially its rural social endowment insurance agencies at various levels, are responsible to the concrete operation.

**Urban House Demolition Regulation**

**Article 5** The unit who demolishes the house shall, in accordance with this regulation, compensate and replace the people whose houses are demolished. And the people should submit themselves to the need of the city construction and move out with the given period.

**Article 6** The Real Estate Administration Department of the State council is in charge of the national urban house demolition. The Real Estate Administration Departments of the people’s government at or above the county level or the departments authorized by the government are in charge of the urban house demolition in their own regions.

**Article 7** The people’s governments at or above the county level should strengthen their leadership on the urban house demolition.

**Nanjing Municipality Economical Housing Enforcement Rules**

**Article 6** Municipal House Property Management Bureau is the major administrative department responsible to the construction and management of
economic housing. Its major tasks are establishing related development and supply policies, and making development planning and reservoir planning of economic housing.

Municipal House System Reform Office takes charge of the concrete business of the construction and supply of economic houses.

Municipal Land Resource Bureau is responsible for the survey, registration and check of rural land-expropriated households’ applications for economic houses.

Nanjing Municipality Urban Roads Construction Management Regulations

Article 3 Nanjing Municipal Public Utilities Bureau is the major administrative department who is responsible to the management, maintenance and supervision of roads infrastructures.

5  ADB Policies on Involuntary Resettlement

(1) ADB’s policy on involuntary resettlement includes the following principles:
① Involuntary resettlement should be avoided where feasible.
② Where population displacement is unavoidable, it should be conceived and executed as a part of a project for sustainable development. Sufficient fund should be provided for displaced persons to enjoy the benefits of the project. Displaced persons also should be consulted with and be made to participate in the planning and execution of resettlement scheme.
③ People unavoidably displaced should be compensated and assisted, so that their economic and social future would be generally as favorable as it would have been in the absence of the project.

(2) In order to resolve the displaced persons’ subsistence problem caused by involuntary resettlement and thus the loss of their assets, livelihood and income, ADB requires one resettlement plan or policy framework, which should cover:
① Measures taken to promote population displacement:
a. People affected will be informed fully and consulted on resettlement and compensation options.
b. People affected will know the technically and economically feasible options and have the chance to participate in voting.
c. People affected will be provided for compensation rapidly to replace all lost assets.
② Measures taken to guarantee compensation:
a. People affected will be assisted to relocate.
b. People affected will get houses, residence land or fields for farming (if asked). The conditions of the fields for farming, e.g. production capability and location, should be at least equal to those of the original fields.
③ Other measures when necessary:
People affected might get assistance in the interim, e.g. leveling land, loan, and work training.

XLIX. APPENDIX 3: OUTLINE OF INDEPENDENT MONITORING & EVALUATION ON RESETTLEMENT

1. Objectives of M&E

According to the requirements of ADB, independent monitoring and evaluation on resettlement of Nanjing Qinhui River Environmental Improvement Project (NQREIP) will be carried out, through checking the rehabilitation of APs’ living and income, the
implementation process, fund, management of residential house demolition and resettlement, enterprises and institutions relocation, shop resettlement. While reports are submitted to the ADB, NQREIPMO, IAs and related superior departments regularly (twice a year), information and suggestions are provided, which is the reference to decision of related departments. Through independent monitoring and evaluation, ADB and PMO can have a well know about whether land acquisition and resettlement is achieved on schedule and with stipulated quality, and problems will be brought forward, and suggestion for improvement will be put forward.

2. Contents of Resettlement Monitoring and Evaluation

(1) M&E on Progress of affected factories demolition and resettlement
Including: progress of house demolition and compensation; Utilization condition of Compensation (plan and actual).

(2) M&E on Fund Fulfillment and Utilization
Including: fulfillment condition of fund transfer; Utilization condition of fund (plan and actual).

(3) M&E on Progress of affected enterprise resettlement
Including: the compensation fund utilization (plan and actual); The village living level and welfare.

(4) M&E on vulnerable group resettlement
Include: allocation of vulnerable groups; the problem and special supported measures in the process of resettlement.

(5) M&E on complaint and grievance

(6) M&E on public participation and information disclose

3. Technical Method
Independent M&E technical method is shown in Figure A3-1
Independent M&E on resettlement of the project will be undertaken by NRCR of Hohai University. The staff is experienced in external M&E of ADB Loan Project.

5. Organization and Division of Resettlement M&E

(1) NRCR are entrusted to be responsible for specific survey, data collection of M&E by NQREIPMO, then calculate and analysis it, and examine the results.

(2) NRCR formed Resettlement M&E Group of Nanjing Qinhuai River Environmental Improvement Project, whose task is that, under the directions of project officer of
ADB, carry out M&E on resettlement, and take charge of compiling M&E outline, establish monitoring site, and preside over on-spot survey and inside analysis, and take charge in compiling resettlement M&E reports.

(3) NQREIPMO and other relevant agencies provide cooperation of staff and transportation etc., during resettlement M&E group carries out on-spot survey.

6, Resettlement M&E Ways
(4) The method of combination of on-spot survey, calculating analysis and experts’ comprehensive evaluation is adopted.
(5) The survey method of combination of spot and side is employed. Comprehensive survey on process, fund and institute and management etc of resettlement is conducted. Sampling survey on the resettled households is conducted.
(6) Methods of survey sheet, interview, inquiring files and documents etc are employed in comprehensive survey.
(7) Besides letter data, information such as pictures, records, kinescope and practicality etc should be collected.

7, Schedule of Independent M&E on Resettlement
In Dec. 2006, conduct baseline survey.
In Jan. 2007, submit No. 1 M&E report.
In Jul. 2007, submit No. 2 M&E report.
In Jan. 2008, submit No. 3 M&E report.
In Jul. 2008, submit No. 4 M&E report.
In Jan. 2009, submit No. 5 M&E report.
In Dec. 2009, submit resettlement completion report
### L. APPENDIX 4: THE PUBLIC PARTICIPATION OF AFFECTED PERSONS

<table>
<thead>
<tr>
<th>Period</th>
<th>Site</th>
<th>Participates</th>
<th>Content</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>2006.3</td>
<td>The office of PMO, the location of project</td>
<td>PMO, Project design institute, the representative of affected villages and enterprises</td>
<td>preliminarily evaluate the scope and material object number affected by project, carry out social-economic investigation</td>
<td>The project affecting extent when the socioeconomic investigation is carried out</td>
</tr>
<tr>
<td>2006.3-2006.4</td>
<td>The office of PMO, the JDCB</td>
<td>PMO, RP writers, JDDMO (many times)</td>
<td>The policy about compensation for the enterprise on the state land</td>
<td>preliminarily consult the enterprise-demolishment compensation policy when RP is prepared for</td>
</tr>
<tr>
<td>2006.3-2006.4</td>
<td>The office of PMO, the NLRMB, the JDLRMB</td>
<td>PMO, RP writers, the NLRMB, the JDLRMB (many times)</td>
<td>The policy about compensation for land acquisition and resettlement and draft RP</td>
<td>preliminarily consult the land acquisition compensation policy when RP is prepared for</td>
</tr>
<tr>
<td>2006.4-2006.5</td>
<td>The office of PMO, the Phoenix village</td>
<td>PMO, RP writers, the representatives of the village</td>
<td>The affecting scope of permanent acquisition land, the socioeconomic investigation of affected village, RP and compensation policy</td>
<td>preliminarily consult the land acquisition compensation policy when RP is prepared for</td>
</tr>
<tr>
<td>2006.4-2006.5</td>
<td>The office of PMO, the phoenix iron mine</td>
<td>PMO, RP writers, the leader and representatives of the mine</td>
<td>The affecting scope of permanent acquisition land, the socioeconomic investigation of affected enterprise, RP and compensation policy</td>
<td>preliminarily consult the land acquisition compensation policy when RP is prepared for</td>
</tr>
<tr>
<td>2006.5</td>
<td>The Phoenix village</td>
<td>PMO, RP writers, the representatives of the village</td>
<td>The questionnaire survey</td>
<td>The necessary work for the RP Compilation</td>
</tr>
<tr>
<td>2006.5</td>
<td>The phoenix iron mine</td>
<td>PMO, RP writers, the leader and representatives of the mine</td>
<td>The questionnaire survey</td>
<td>The necessary work for the RP Compilation</td>
</tr>
</tbody>
</table>
LI. APPENDIX 5: THE JIANGXINZHOU SEWAGE TREATMENT PLANT
STAGE 2 RESETTLEMENT POLICY AND IMPLEMENTATION REVIEW

1 Brief Introduction to the Project
The Jiangxinzhou sewage treatment plant is a Nanjing Qinhuai River government project important constituent, stage I investment CNY 260 million and land occupation 200 Mu. The project went into operation in October, 1996. The actual processing water volume amounts to 400,000 tons before the extension.
The Jiangxinzhou sewage treatment plant stage II project was approved in Feb, 2002 and begun to be constructed in June. The date treating ability reached to 400,000 tons/day in dry season. The entire project was completed in the end of 2005. The new increased occupying-land is 428 mu and the total investment is CNY 920 million. The extension project main content includes:
(1) The treating equipment technological transformation and the facility improvement of the waterfront pumping station and the sewage treatment plant.
(2) The laying of the sewage transportation main pipes with a 140,000 tons/day scale on the Weiqi road.
(3) The new building of the sewage transportation main pipes with a 100,000 tons/day scale in the southern and central area of the Hexi new district and the elevation pumping station.
(4) The new building of secondary treated facility with a 400,000 tons/day scale.
(5) The new building of waterfront pumping station with a 240,000 tons/day scale, the sewage transportation pipe flowing to the plant, the area of plant, the discharging pipe and the discharging hatch.

2 The Land Acquisition and Demolition Effect
The Jiangxinzhou sewage treatment plant stage project altogether acquired the collective land 428.454 mu, involving two administrative villages, namely the garden village and red star village. Affected by the project, total 529 persons were changed their household register quality (rural to urban), including 77 children under 16 years old, the labor force 392 and 78 qualified 'living-guaranteed' people. In addition, 35 households' houses (affecting 113 persons) were demolished for the project. The demolishing area sums up to 6539.82 M2, including storied building 1730.99 M2 and one-story house 4806.33 M2.

3 The Resettlement Policy and Implementation
3.1 The Law and Policy Reference
- Nanjing Compensation and Resettlement of the Construction Land Acquisition Methods (issued 2000, NO.86)
- Nanjing Monetary Compensation for Land Acquisition House Demolition Detailed Rules (issued 2001, NO.21)

3.2 Resettlement Ways
(1) Land Acquisition
   a. If the construction land acquisition causes the redundant agricultural labors, they must be resettled and changed their rural household registration to urban.
   The resettled population is calculated according to the below formula:
   The resettled population = the acquired cultivated-land area ÷ the average cultivated-land area × 70%
   The average cultivated-land area = the registered cultivated-land area ÷ the agricultural population
   b. Resettlement ways for the land-acquired farmers with reference to their age categories are shown in Table A5-2

Table A5-1 The Resettlement Members

77
### Age category, Age range, Resettlement way

<table>
<thead>
<tr>
<th>Age category</th>
<th>Age range</th>
<th>Resettlement way</th>
</tr>
</thead>
<tbody>
<tr>
<td>First</td>
<td>Both 16</td>
<td>Not resettled</td>
</tr>
<tr>
<td>Second</td>
<td>Female ≥16, ≤50</td>
<td>Monetary resettled</td>
</tr>
<tr>
<td></td>
<td>Male ≥16, ≤60</td>
<td></td>
</tr>
<tr>
<td>Third</td>
<td>Female &gt;50</td>
<td>Monetary resettled</td>
</tr>
<tr>
<td></td>
<td>Male &gt; 60</td>
<td>(living-guaranteed)</td>
</tr>
</tbody>
</table>

- c. Village group whose annual farmland will be less than 0.1 mu after land acquisition can be cancelled after getting the legal permission. The rest rural land will be collected into local government’s land pool theoretically and changed to be state-owned. All household registration of the group members should be changed into urban.
- d. The redundant agricultural labors are resettled based on their age and gender.

#### (2) House Demolition

- a. The house demolition compensation is composed of the replacement subsidy, the new house purchase subsidy and location distinctive subsidy.
- b. The demolished households are compensated by cash and won’t be provided with new house or new land for house-construction.
- c. If the demolished households want to purchase new house with the compensation, they should submit the compensation agreement, the house purchasing contract, the compensation fund deposit proof and the compensation fund using notice to the bank. Then the bank will pay the compensation to the house seller. The application of the demolishing compensation to the house purchasing is duty-free. If there is still remaining money after house purchasing, the demolished person can withdraw it.
- e. The demolished houses must be given removal transient subsidy.

### 3.3 Compensation Rate and Cost for Land Acquisition and Demolition

The compensation for land acquisition and demolition can be seen in the table A5-1.

#### Table A5-2 The Land Acquisition and Demolition Compensation Rate and Cost

<table>
<thead>
<tr>
<th>Item</th>
<th>Rate</th>
<th>Quantity</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Permanent land acquisition</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land compensation</td>
<td>230,000yuan/ha</td>
<td>25.833</td>
<td>5,941,590</td>
</tr>
<tr>
<td>Resettlement subsidy</td>
<td>24,000yuan/person</td>
<td>470</td>
<td>11,280,000</td>
</tr>
<tr>
<td>Young plant compensation</td>
<td>15,000yuan/ha</td>
<td>25.833</td>
<td>387,495</td>
</tr>
</tbody>
</table>
### 3. Transient subsidy

- **Type:** Storied house
- **Price:** 1,420 yuan/m²
- **Area:** 1,730.99 m²
- **Total:** 2,458,000 yuan

### 4. One-story house

- **Price:** 1,320 yuan/m²
- **Area:** 4,806.33 m²
- **Total:** 6,344,000 yuan

### 3. Transient subsidy

- **Price:** 10 yuan/m²
- **Area:** 65,400 m²
- **Total:** 65,400 yuan

### Total

<table>
<thead>
<tr>
<th></th>
<th>Price (yuan/m²)</th>
<th>Area (m²)</th>
<th>Total (yuan)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1~3</td>
<td></td>
<td></td>
<td>26,476,885</td>
</tr>
</tbody>
</table>

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**4 Resettlement Effect**

The PMO surveys the affected persons by the project in May, 2006. The result of the survey demonstrates that most of the affected persons (above 90%) are satisfied with the resettlement.

1. The Jiangxinzhou sub-district population is 12,000 people, but the immigrated worker population achieves 18,000 people. This phenomenon fully shows that this area has this massive employment opportunity;

2. After the completion of the project, the sewage treatment plant employed 42 workers form the APs. The APs of the project were considered firstly when there were short-term jobs in plant. Moreover 10 affected households contracted with the plant on the sludge transportation and disposal and could earn 1 million yuan/year.

3. All of the demolished households had bought commercial houses in Jiangxinzhou, the average price about 1,600 yuan/m². The new houses have good facilities and public utilities. The housing level is greatly improved.

4. The residents of Jiangxinzhou take advantage of the island geographic features to develop the agricultural traveling vigorously. The Jiangxinzhou becomes the best resort for Nanjing citizens. From 1999, The Jiangxinzhou has successfully held the grape festival for 7 years continuously. This project APs is engaged in the traveling correlation profession and the incomes are increased greatly.