

Complainants' names and addresses are withheld at their request for confidentiality.

List of submitted documents:

1. Application addressed to The Project Facilitator (dated 20.2.2009)
2. Resettlement Report and briefing
3. Reports of Inspector PEPA (Punjab Environment Protection Agency), Hafiz Ghulam Abbas (two reports dated 30.5.2008 and 07.07.2008)
4. Conditional Approval by Director General PEPA (dated 17.07.2008)
5. Notification by the District Government, Multan, 2005
6. Attention towards major causes/reasons.
7. Suggestions
8. Letter by the Action Committee of Affectees of Treatment Plant, Akbarpur
9. Direction against the Contractors by the Additional District and Session Judge, Multan (Mr. Aslam Pervez)
10. Map indicating affected area and surroundings.

(Received by the Office of the Special Project Facilitator 27 Feb 2009)

20.02.2009

To: The Special Project Facilitator

Asian Development Bank

6-ADB Avenue

1550 Mandaluyong City

Metro Manila, Philippines

Tel: (632) 632-632-4825

(636) 636-2490

Email: spf@adb.org

Respected Mr. Special Facilitator,

My name is _____. I am Chairperson of Affectees' Committee. I belong to Suraj Miani, District Multan. I beg to submit the following complaints against the Waste Water Treatment Plant Project funded by Asian Development Bank. The plant is being installed in *Mauza* (village) Akbarpur, Suraj Miani, Multan.

Whereas on the one hand the plant has destroyed the natural beauty of the area and the natural fertility of agricultural land on the other hand, it has increased unemployment in the area. It would not thus be out of place to say that the plant has affected the environment and caused unemployment.

When the affectees contacted various government agencies asking for record, they were not provided any record but were fed mis-information. When the affectees were able to obtain information from other sources, we were shocked to read the Resettlement Report. The Resettlement Report which is absolutely wrong.

Sir, the site where the plant is being installed is not according to the recommendations of the Environment Dept/Agency. The area where the plant is being installed is very fertile land where vegetables, fruits, wheat, grain and cotton are cultivated. Not only does the country need these commodities, but they earn the country valuable foreign exchange. The Contractors deprived the growers of a handsome return on the Crops by destroying them which is also a loss to the Country by depriving it of these commodities: This is very unfair and against human rights.

Now a few comments on the Resettlement Report:

Resettlement Report (Suraj Miani) Multan City, Document Stage, Final.
Prepared by Co-ordination Office, Local Government and Community Department:
Punjab. (December, 2007)

The wrong statements contained in this report e.g.

- The number of affected families has been mentioned 28. Actually they are about 100 with a population of 500. Many of the affectees are women who managed to earn their livelihood from agriculture.
- It has been mentioned that the affectees have accepted the price and have no objection to it. The fact is that not a single meeting was held with the affectees. As far as not having any objection is concerned, they have protested on every forum and some of them have taken the case to court.
- It has been mentioned that the plant is 4KM away from the populated area whereas the fact is that the plant is sited in a thickly populated area (For more explanation, the Site plan is enclosed)
- In the report 15 households have been shown to be in the affected area while the minimum number is 60. (See attached map)
- According to the Report the people were contacted and the requirement of providing adequate information was fulfilled. This is just not true and no such information was provided. The fact is that the people approached the agencies themselves and when they asked for any information, they were misguided with wrong statements.
- According to the Report the affectees have additional agricultural land in Shuja Abad, Muzaffargarh and Khanewal. This is a false statement. The people have only these parcels of lands which provide them with their only source of livelihood which they have been deprived from.
- In the Report it is mentioned that five meetings were held with the Communities (on 26th and 31st of December, 2006; 24th of November, 5th and 6th of December 2007) which is quite wrong as no such meetings were held with the affectees. To add insults to injury, two ladies who are claimed to have been present in the meetings are above 85 and another is _____ observing. Neither of these women knows about their agricultural land. One of the contacted people is named as _____, who is only 14. The following four persons have been reported present in meetings, who had died by/before 2005. Their names are: _____.

(For verification Resettlement Report is attached)

The Pakistan Environment Protection Agency Environment Impact Assessment Report (EIA) has mentioned 32 points, of which only 3 have been considered and 29 have been ignored.

It has been clearly mentioned that the affects of chemicals and metals will remain in the water which will flow into the Chenab River whose waters will be used for agriculture. This water will have negative affects on agriculture.

There are some other points mentioned in the report which will damage environment.

(Reports by the Inspector PEPA, Mr. Hafiz Ghulam Abbas, dated 30.5.2008 and 07.07.2008)

The Director General PEPA, in his Conditional Approval mentioned 22 points.

One of the conditions is that there should be no human settlement within a distance of 1km from the plant. The plant is being installed in thickly populated area and so this condition is not being met. You can determine how much population is living in the area.

Another condition is that the plant should be installed in an area where the water-table is low and it would not be suitable in an area with a high water table. The area where the plant is being installed has the water level at 12-14 feet. Therefore this is not a suitable site for installation of the plant.

It has been clearly been mentioned that “in case this condition is not fulfilled it will be considered as illegal installation” but this condition has been ignored.

(Conditional approval by DG PEPA dated 17.07.2008 attached)

In 2005, a Notification was issued by the District Government Multan that no “Industry-Work” will be allowed in flood-affected area. According to the definition in the environment law, this plant falls within the definition of “industry work” and the area is flood-affected. But the plant has been installed in the flood area and the District Government instructions have been ignored.

In the above mentioned Notification, this area has been declared as “negative”. No attention has been paid to this point.

(Copy of Notification attached)

It is worth consideration that the affected area lies about 2500 x 3000 feet from the Multan Airport (which has been declared International Airport and the development work is in progress).

After the installation of the plant this area will become breeding place for various bird species. This will become a threat which could lead to any mishap.

As we have already mentioned that we contacted various agencies to collect information about the project but received no response except being issued threats and getting our crops destroyed.

We approached the ADB as a result of which two persons from Islamabad made a site visit and stopped the work. Another ADB team visited the area but no final decision has emerged so far.

The Contractors are threatening us and have caused and are causing damage to our crops. We want to keep our identities confidential as in case the Contractors get any clue that we registered a complaint they can cause more damage.

Our suggestion to you and humble submissions are:

- The plant site should be shifted to a place away from human settlement to a place less harmful to the human population and the natural environment.
- Steps should be taken to finalise and settle the matter as soon as possible to restore the piece of mind of affectees. Also the affectees should be given their rights.

You can contact us on mobile telephone number: _____,
Punjab- PAKISTAN

Action Committee of Affectees of Treatment Plant, Akbar Pur, Multan
 Dated: 16-12-2008

PRESS RELEASE

A meeting of the affectees was held today at Village Akbar Pur. The irresponsible behavior of the Contractor and the Local Administration was condemned.

The affectees have unanimously resolved to set-up a Committee of which _____ was elected as the Chairman whereas the members include _____, _____, _____, _____, _____, _____, _____, _____, _____, _____.

Later the committee unanimously decided that a Legal Committee will be organized which will meet the Presidents of District Court Bar and High Court Bar, Multan.

Sr. No	Name	Signatures
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		

IN THE COURT OF MUHAMMED ASLAM PERVEZ
Additional District and Session Judge, Multan

_____ ;Resident Mauza (village) Akbar Pur Tehsil and
District, Multan

Versus

- | | |
|---|--------------------------------------|
| 1. CPO Multan | |
| 2. SHO Thana (Police Station) Sadar, Multan | |
| 3. Muhammed Shafiq | Contractors and Personnel of |
| 4. Muhammed Ashraf | Jawwad & Company Mauza (village) |
| 5. Rao Jawwad | Akbar Pur Tehsil and District Multan |

Application under Section 22-A Criminal Procedure Code

The Applicant prays as under:

ENGLISH TEXT

SEAL
Additional District & Session Judge,
Multan

Signature
(Muhammed Aslam Pervez)

Announced
02.02.2009