

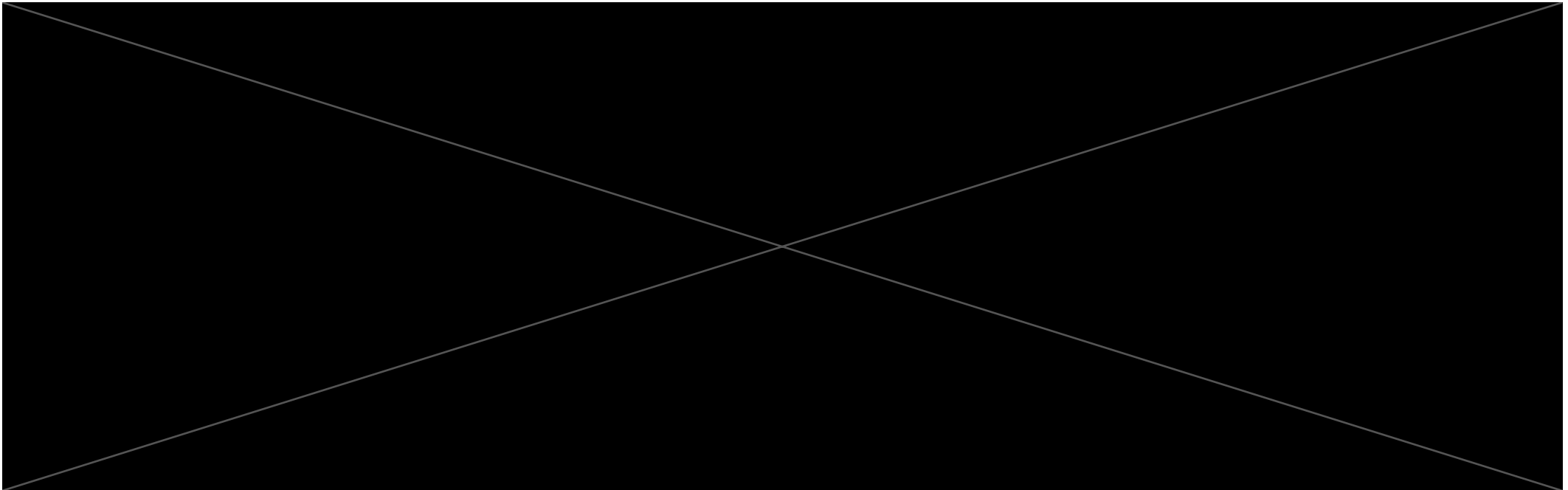
## Asian Development Bank (ADB), Accountability Mechanism, Complaint Form

*(Add rows or pages, if needed)*

### A. Choice of function - problem solving or compliance review *(Choose one below)*

**Special Project Facilitator** for problem solving *(Assists people who are directly and materially harmed by specific problems caused, or is likely to be caused, by ADB-assisted projects through informal, flexible, and consensus-based methods with the consent and participation of all parties concerned)*

**Compliance Review Panel** for compliance review *(Investigates alleged noncompliance by ADB with its operational policies and procedures in any ADB-assisted project in the course of the formulation, processing, or implementation of the project that directly, materially, and adversely affects, or is likely to affect, local people, as well as monitors the implementation of remedial action relates to the harm or likely harm caused by noncompliance)*



**Authorized Representative or Assistant** *(if any)*. *(Information regarding the representatives, or persons assisting complainants in filing the complaint, will be*

<i>disclosed, except when they are also complainants and they request confidentiality.)</i>						
Complainant represented	Name and designation (Mr., Ms., Mrs.)	Signature	Position/ Organization (If any)	Mailing Address	Telephone number (landline/mobile)	E-mail address

#### D. Project

Name	Balakot Hydro Power Project
Location	Balakot District Mansehra Khyber Pakhtukhawa
Brief description	Balakot Hydro power project is an ADB funded project

#### E. Complaint:

<p>What direct and material harm has the ADB-assisted project caused, or will likely cause, to the complainants?</p> <ol style="list-style-type: none"> <li>1. PEDO/ Land Collector has not paid Land payment of more than three hundred kanals of land (e.g. khasra 1587/3/2) yet they forcefully excavated the land and forcefully took the possession damaging property and violating land acquisitions act 1894. More over violating the clause 7a under schedule 4 on page 17 of the loan agreement “ that no physical or economic displacement takes place in connection with the project until Compensation and other entitlement have been provided to the affected people in accordance with the RP”.</li> <li>2. PEDO on 21<sup>st</sup> January 2024 along with local administration destroyed building using heavy machinery of CGGC and Ghulam Rasool company without giving notices (MB-37) and (MB-36) in mouza Bela Sacha, Notices were issued for Buildings (MP-16, MB-33, MB-34, MB-35 and MB-38) on 16<sup>th</sup> January,2024 which were also destroyed and thrown the salvageable material of the destroyed buildings into the river thus giving loss of millions of rupees to affected personals as it is clearly mentioned in LARP “All salvageable material dismantles either by the contactor or owner of structure will remain with owner and its value will not be deducted from the compensation”. PEDO destroyed these buildings without paying their One-time structure relocation allowance of PKR 31,000 per affected structure, One-time business moving assistance of PKR 63,000 and their business allowance of 12 months were under discussion in GRC Village Committee. These notices were inhumane, not practical ( building that took years to construct could not have been dismantled in 3 days) and were deliberately designed to teach a lesson and make an example, so no body from the affected personals could raise the concerns in future. In addition these notices were illegal as the Act of land acquisition 1894 gave power to DC/ land collector rather than project director. They also violated the terms mentioned in LARP 7.12 “2. All the households who are being affected by the project will be served notice by the district management on behalf of DC to vacate their lands, houses and business. Prior to dislocation the DC will ensure all compensation and allowances are paid to the Ahs/DPs. If any household rejects to vacate the affected property the household will be approached by the project authorities to convince them. Forced dislocation will be the last resort”. Similarly in LARP it was clearly mentioned that “All AHs requiring relocation are given sufficient time (6 months) after the payment of compensation and allowances to arrange their housing before relocation.”</li> <li>3. PEDO have not established a comprehensive income and livelihood restoration program in accordance with the RP thus violating the clause 7(b)</li> </ol>
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schedule 4 of loan agreement that ensures that no physical or economic displacement takes place until fulfilling the above condition.

4. NO personal from Mouza Bela Sacha has been hired in the project till date although it is mentioned in LARP that “At least one male and one female from every affected HH will be eligible for employment/labor or training or loan based on their willingness, based on the project requirement”

Moreover it has been mentioned by the Project Director that the above actions were taken with the consent of ADB Pakistan mission.

Have the complainants made prior efforts to solve the problem(s) and issue(s) with the ADB operations department including Resident Mission concerned?

**Yes.** If YES, please provide the following: when, how, by whom, and with whom the efforts were made. Please describe any response the complainants may have received from or any actions taken by ADB.

**No**

#### F. Optional Information

1. What is the complainants' desired outcome or remedy for the complaint?

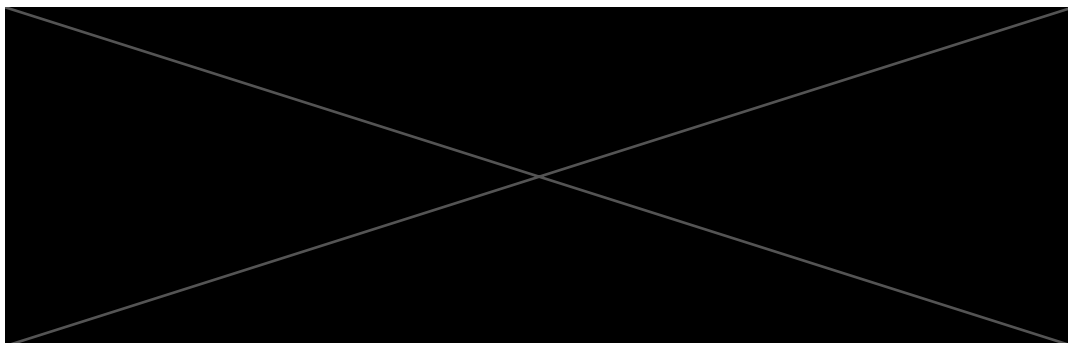
Proper compensation for building material destroyed by PEDO.

Full compliance with guidelines mentioned in LARP, safeguard policies and other contracts.

Entitled allowance to be paid to Effected personals at the earliest.

Income and livelihood restoration as mentioned in LARP

2. Anything else you would like to add?



Please send the complaint, by mail, fax, e-mail, or hand delivery, or through any ADB Resident Mission, to the following:

**Complaint Receiving Officer (CRO)**, Accountability Mechanism  
ADB Headquarters, 6 ADB Avenue, Mandaluyong City 1550, Philippines,  
Telephone number: +63-2-6324444 local 70309, Fax: +63-2-6362086,  
E-mail: [amcro@adb.org](mailto:amcro@adb.org)