

Agnes Kharshiing
<akharshiing@yahoo.com>

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To: spf@adb.org

cc:

Subject: URGENT COMPLAINT

To the Special Project Facilitator, ADB, Manilla
Subject: Complaint

Dear Sir,

I would like to inform you that I had written a letter to the President of the ADB on the 23rd Oct 2010, objecting to the Municipal Elections that are being pushed in our State of Meghalaya just to adjust to the project loan sanctioned by ADB being loan No-2528-IND. They have stopped the elections in the Garo Hills but are now pursuing the Elections to be held in the Jaintia Hills, which is a District in the State of Meghalaya, against the wishes of most of the people in the entire State of Meghalaya, India.

This is a loan and why are they stressing for reforms? We are an indigenous people and we do not want development that comes with reforms that are a threat to our lands. These funds from ADB are loans for development for which we are going to pay back, so why reforms that will make us loose our rights to our lands. It may also be mentioned that 100% of these development funds are siphoned away by the people in Government and the rest maybe 30% will be spent for the so called development, and for which the people have to repay back 100% of the loan which explains for the escalating prices of all essential commodities which again will affect the Poor and the Middle Class.

It may also be mentioned, that the people in Governance are trying to bulldoze the elections just so they can fleece us off our lands. For years to come lots of money has been pumped into our State by the center in New Delhi for Roads, Health, Education, Agriculture, etc., yet if you personally come you will see that there is rise in poverty and tremendous backwardness in the remotest parts and development was just in name, benefitting those in Government and their close aides. The roads are not what you can call roads. In the health Sector medicine, injections are to be procured from private Hospitals. The IAS officers, who are to be the guardians of the state, have been bribed and they are allotted land at Rs 1 PER SQ FT while there are thousands of homeless people. They are now violating all rights of the people and are pushing for this loan with the reforms that will affect the traditional customs and rights of our lands. This is clearly undemocratic and they are not transparent at all about the whole project which shows there are ulterior motive behind this.

I am yet to also get a reply from The ADB, as to why only the Meghalaya Town and Country Planning Act 1973 was mentioned in the footnotes of page 87 of your Facility Administration Manual, with regards to relevant State Laws. The Meghalaya land (Regulation) transfer Act 1971, which clearly states in the Act under Section 11 [(d)(ii)] that 'nothing contained in this Act shall be applicable to a Municipal Corporation, Municipality or town committee constituted under any law', has not been mentioned in your Facility administration Manual which points to a fact that your office has been misled by those in the Department of Urban Affairs, Government of India or the ADB is not following their own guidelines of Accountability and Transparency, and safeguard of IP Policy. This clearly indicates that there is no transparency and shows that the reforms are meant to violate the rights to our lands.

There are many instances in our State of Meghalaya where those in governance are attracting Contempt of Court, violating rules, rampant corruption, defying Supreme Court orders, and to fight them the Common Man has to run to the Courts for their grievances and lack of financial restraints are depriving them to fight for their Constitutional Rights.

ADB being an institution to uplift the poor should take the initiative to address our grievances and we hope that you will respect the wishes of the Indigenous people and stop our Government from trampling over our rights and to immediately get the Municipal Elections stopped in our State. The Policy of the ADB in the ADB' Indigenous People's Policy (1998) clearly ensures equality of opportunity to the Indigenous People. It aims to ensure that any ADB-assisted development interventions which will have any impact on indigenous peoples will be consistent with the needs and aspirations of affected indigenous peoples and compatible in substance and structure with affected IP's culture and social and economic institutions.

I therefore request you to kindly take immediate note and action to safeguard us from extinction.

Thanking You

Yours Faithfully,

Agnes Kharshiing, President of the CSWO(Civil Society Women's Organization)
Bomfyle Road, Laitumkrah, Shillong, Meghalaya, India.

Copy to the : Mr. A Joshi, Director (UD), MOUD, New delhi -110001, India.
Mr. P.Naik IAS, Principal secy, UAD, Government of Meghalaya,
Mr. Sultan Hafeez Rahman, Director General , SARD, ADB, HQ
Ms. Carmela Locsin, Deputy Director General, SARD, ADB HQ
Mr . Jayanta Perera, Principal Safeguards Specialists, ADB HQ
Ms Indira Simbolon, Principal Social Development Specialist, RSES, ADB HQ