

Date: 2073/08/05 (20 Nov 2016)

The Managing Director
Tanahu Hydropower Project Pvt. Ltd.

Subject: Memorandum

Dear Sir or Madam:

In the context that Tanahu Hydropower Project is constructing powerhouse with reservoir by damming the Seti River, which flows through the middle part of the Tanahu district, we, the sovereign affected local residents, have been deprived of the right to formal information. Though there has not been meaningful consultation with us, the Asian Development Bank has been misled with report that up to 12 consultations were conducted. Though the Project should have obtained consent of the local affected families prior to the beginning of the Project construction, which has not been obtained and though the Project construction has directly or indirectly impacted us, we welcome the construction of the Hydropower Project for the sake of solving the energy crisis of the country, making the country self-reliant on energy imports and Nepal prosper through export of excess energy produced.

Definitely, after the construction of the Hydropower, our ancestral lands which we have been traditionally using and occupying, forests that we use for grazing, timber and wood and the roads and bridges that we use, are going to be inundated. And the Project will negatively impact our daily lifestyles, religious, cultural and economic lives. Further, among the victims, some of us will have to be displaced due to inundation of our entire land. Some will have their land partially inundated, which will render the remaining land unusable. Whereas, some of us don't have legal titles to the lands we have used or occupied for generations. Thus, the construction has created compulsion on us for life of hardships. We will have to lose our ancestral land not for one time but forever. Like a dead person cannot come back to life, we will not be able to regain the ownership of our lost lands. It is extremely necessary to analysis of this critical condition in a serious manner.

Hence, as the construction of the Project will have great negative impacts on our daily lifestyles, we are on the edge of land and death. And as the conditions have compulsorily made our lives full of risks, we, all affected families, strongly call for fair compensation and redress as well as fulfillment of the following demands. If our demands are not addressed in a justified manner and fair compensation and redress are not provided and the conditions become that of havoc for our families and children, we would like to inform that we will be in outright disagreement of the construction of the Hydropower.

Our two organizations (Directly Concerned Inundation Area Conservation Committee and Tanahu Hydropower Directly Affected Area Concerned Committee) are the actual and authoritative organizations of victim families. We would like to inform that sub-committees of the organizations have been formed even in affected Village Development Committees and municipality.

Ours Demands:

1. Provide, immediately, a copy of the Resettlement and Indigenous Peoples Plan (draft) 2012 produced by the Tanahu Hydropower Project.
2. Provide the Safeguards Policy of Asian Development Bank in Nepali language urgently.
3. Provide, without delay, development policies formulated by Nepal government.
4. Conduct meaningful consultation with victim parties.
5. Establish local consultation forums urgently according to the ADB's policy.

DRAFT TRANSLATION

6. Include representation of victims in compensation fixation committee.
7. Provide compensation at the rate of five lakhs (NPR 500,000.00) rupees per anna (31.79 sq. m.).
8. Distribute compensation without classification of land but at the same rate.
9. Provide compensation for partial land remaining after inundation of a land as the partial land is not usable.
10. Provide compensation also to those landowners who have land use certificates (form #7) and paid tax receipts but not legal land ownership titles.
11. Provide compensation also to those landowners, who have no legal land ownership title but have been using the land for generations.
12. Build motorable bridges in Chuleshi, Tutuwa, Santari, Wangtang Khola, Liwang Khola and Dableng as the roads and bridges being used there will be inundated after construction of reservoir.
13. Provide desired business skills trainings to victim families.
14. Immediately conduct survey of the lands and structures that will not be inundated but immediately impacted due to inundation.
15. Make arrangements for carrying out fisheries in the reservoir area.
16. Make special provisions for the livelihoods of destitute class of the affected area.
17. Include the victims' families committees in the program undertaken by the Project.
18. Distribute free shares of the Electricity Authority to victims' families.
19. Make arrangements for free electricity distribution in the directly affected area.
20. Conduct re-survey of those lands left out while undertaking comprehensive survey.
21. Make arrangements to allocate the revenue generated from tourism after construction of the reservoir for development of the affected area.
22. Make arrangements for compensation of crops that will be destroyed after wildlife and birds, whose habitats will be destroyed after construction of the reservoir.
23. Make arrangements for resting places (*Pati Pauwa*), cremation sites and mausoleums of the affected area as those will be inundated.
24. Make arrangements for one house one employment for victims' family.
25. Address the above demands within 15 days.

Signed

[Redacted Signature]

Tanahu Hydropower Directly Affected Area
Concerned Committee

[Redacted Signature]

Signed

[Redacted Signature]

Directly Concerned Inundation Area Conservation
Committee

[Redacted Signature]

Copies and for actions:

1. Rt. Hon'ble Prime Minister, Officer of the Prime Minister and Council of Ministers, Singha Durbar
2. Hon'ble Energy Minister, Ministry of Energy, Singha Durbar.
3. Hon'ble Member of Parliament and Former Deputy Prime Minister Ram Chandra Paudel
4. Hon'ble Tukraj Sigdel
5. Hon'ble Bhul Bahadur Ale
6. Executive Director, Nepal Electricity Authority, Kathmandu
4. Chief District Officer, District Administration Office, Tanahu
5. Chief, Land Revenue Office, Tanahu
6. Local Development Officer, District Development Committee, Tanahu
7. Secretaries, Kotdarbar, Kahun Shivapur, Ranipokhari, Majhkot, Bhimad, Chhane and Jamune VDCs
8. Executive Chief, Byas Municipality

9. Editor, National and local means of media
10. Political parties
11. Asian Development Bank
12. European Investment Bank
13. JICA