

Report on “Strategies for Governing” by Prof Alasdair Roberts

Alasdair Roberts is a Professor and Director, School of Public Policy & Dept of Political Science, University of Massachusetts, Amherst. He writes extensively on problems of governance, law & public policy. At an interactive meeting organised by the Meghalaya Institute of Governance on 10th January, 2020, Prof Al Roberts spoke on the historic debate about the right size for countries and describe the emerging era of superstates. He identified 4 problems of governing at scale and talked about the challenges in the Indian Case. He spoke on the era of great nations and empires in the 19th, the era of small states in the late 20th and the era of super state and the politics of unprecedented size in the 21st Century. He explained that experiment in governance and the expansive, diverse, complex societies of these superstates can be sustained only with the following:

- a. Maintaining national security
- b. Providing personal security and basic services
- c. Promoting economic growth
- d. Maintaining democratic institutions and promoting human rights

He spoke of the divergent strategies for governing at scale with examples of

- a. China: authoritarianism, centralism, state-led capitalism
- b. India: liberal democracy, “centre-heavy” federalism, parliamentarianism, planning legacy
- c. US: liberal democracy, weak-center federalism, presidentialism, anti-statism
- d. EU: technocratic/ diplomatic confederalism, economic “regulocracy”



He pointed to the signs of strain in superstates that have emerged with reference to United States, China and European Union with studies showing that average duration of such states is 200 years only. Similarly, the challenges of India is reflected in the problems of purpose, challenges to secularism, tolerance, problems of control, problems of leadership and problems of adaptation.

The lively session was attended amongst others by former Chief Secretary PS Thangkhiew IAS (Retd), Toki Blah, Patricia Mukhim, Prof B K Tiwari, C Noronha, Aiban Swer and a host of young minds who contributed to the discussions.

Think Shop: ‘The sixth schedule in the constitution of India’ and ‘Problems of Governance in Meghalaya and their challenges’

A panel discussion was organised by the Meghalaya Institute of Governance on 3rd February, 2020 at the MBDA Conference Hall from 11: 00 am onwards. The expert panellists for the discussion were Shri R G Lyngdoh, Former Vice Chancellor of MLCU and Shri Toki Blah, IAS (Retd), Chairman of Social Audit Council, Govt. of Meghalaya. The discussion was chaired by Shri Aiban Swer, Director, Meghalaya Institute of Governance and was attended by the entire team of MIG along with the interns from NEHU University.

The following points were discussed:

- If the ADC does not exist, a void will be created. There has to be constitutional amendment to avoid constitutional failure. The power has to be shifted to State or to identify some other institutions.
- ADCs were created to protect the culture of the tribal of the state but they have not practiced in codifying the traditional laws.
- The protective power has been given to the ADCs but the state has the power to enact the laws in general
- The need to codify traditional laws.
- The ADCs are performing roles they are not authorised to perform.
- In addition to the rule of law, how the political system uses its power to ensure maximum management of available resources for the ultimate benefit of the society.
- Need to have demarcation of powers between the ADCs and the Traditional Institutions.
- “Standard Operating Procedure” to be made to tackle the problem of Utilization Certificate.
- The need of Financial Management System in the state, the ADCs and the traditional institutions to have some idea on giving the Utilization Certificate.
- The need to collaborate with National Institutions as there’s a lack of skilled institutions in the state in order to give Utilization Certificate.
- The need to have an auditing agency and if Social Audit can be included in the District Council?
- Introduction of modern system of administration along with the need to build a bottom-up approach and have a participatory system for Governance.
- The need to have a participatory and decentralized mode for Governance.
- Requirement for framing of guidelines and the need of social mobilization in the state.

Land Acquisition for Construction of Sub - Fire Service Station, at Saphai Village West Jaintia Hills District

SUMMARY OF THE REPORT

The Meghalaya Institute of Governance was assigned the task of conducting an SIA on proposed land acquisition at Saphai, West Jaintia Hills District, Meghalaya for the purpose of constructing a Sub-Fire Service Station. The area proposed to be acquired measures 2641.43 sq.m. which belongs to the Saphai village durbar.

The Saphai Sub-Fire Service Station is already present and shares office space with the Saphai Police Station. The purpose of the land acquisition is to construct a separate Sub-Fire Service Station office. The primary role of the F&ES is to provide first response in case of emergency situations. The land proposed to be acquired is 1 km away from the existing police station. It is open area with a few matured trees. It lies adjacent to the land of Smt. Ribanti Suchiang and the village land.

From the survey, it is seen that there is one abandoned semi-pucca structure on the land. A few households collect firewood from the area to be proposed. Apart from this, there is

negligible negative impact on the community from the land acquisition.

During the Public Hearing held on 21st February 2020 approximately 178 people were in attendance. There was no objection to the land acquisition and people welcomed the proposal to build the Saphai Sub-Fire Service Station.



Social Impact Management Plan

The following are the measures to reduce and alleviate any negative impacts that may arise from the construction of a Sub-Fire Service Station at Saphai village, West Jaintia Hills District.

Resettlement Measures

- i. As per Section 8 of the RFCTLARR Act 2013 the Rehabilitation Commissioner shall publish the approved Rehabilitation and Resettlement Scheme by affixing it in conspicuous places in the affected areas.



ii. As per Section 101 of the RFCTLARR Act 2013 when any land acquired under the Act remains un-utilized for a period of five years, it shall be returned to the legal owners or the legal heirs.

Rehabilitation Measures

- i. The Village dorbar who owns the land may be compensated as per the First Schedule of the RFCTLARR Act 2013.
- ii. When jobs are created through the project, suitable training and skill development should be given so as to ensure employment at a rate not lower than the minimum wages; or ;
- iii. Proper financial training for all; to help those who have been awarded compensation to be more financially aware and thus be able to plan their financial resources sustainably.
- iv. Vocational or skill training of the affected family members who have suitable educational qualifications.

- v. Provide training and market linkage support to women through SHGs.
- vi. If any affected household is reduced to the status of a marginal farmer or landless, they shall be allotted a minimum one acre of land in the command area.
- vii. Attempts should be made by the project proponent to reconstruct the community infrastructures most likely to be affected by the project.

Environmental Measures

- i. Under the Forest (Conservation) Act, 1980 Chapter 3 Section 3.1(i) compensatory
- ii. afforestation must be made for the loss of all trees in the area.
- iii. To ensure that there is no loose earth that may cause landslides later.
- iv. Efforts must be taken not only for the creation of adequate drinking supply

but for the protection of the already present water resources.

- v. To install a Dust Mitigation Plan⁷ such as the one installed in Delhi -National Capital Region (NCR) by the Ministry for Environment, Forest & Climate Change, and Government of India. The following measures may be followed by the construction company:
 - a. No loose soil or sand or construction and demolition waste or any construction material that causes dust shall be left uncovered.
 - b) Wind-breaker of appropriate height.
 - c) Water sprinkling system shall be put in place.
- i. To install a Community Engagement Strategy which contains a list of key stakeholders and describes their interest in the project; actions, outcomes, mechanisms, to support a regular review of the effectiveness of the community engagement strategy. This would engage local grassroots bodies in the identification of suitable areas to dump soil, to monitor and supervise construction labourers engaged in the construction of the project.
- ii. To ensure that there is cooperation between the village durbars and the construction company so as to create a sense of security among the people and

avoid untoward incidents with the construction labourers.

- iii. To install a Dispute Resolution Mechanism.
- iv. To install a Grievances Redressal Mechanism (GRM) and to ensure that a Grievances Redressal Officer (GRO) is placed at the ground level who is accessible by all stakeholders. The functioning and hierarchy of the GRM should be properly explained beforehand.

**Miscellaneous
Rehabilitation and Resettlement
Committee**

Although Section 45(1) of the RFCTLARR Act 2013 puts provision for the establishment of a Resettlement and Rehabilitation Committee when the area of land to be acquired is more than one hundred acres. As such it is desirable to constitute a similar body to see and review and monitor the progress of rehabilitation and resettlement once in a month till the process of rehabilitation and resettlement is completed. This Committee is also set up for the purpose of carrying the post-implementation social audits and grievance redressal.