

# **Social Impact Assessment Study on Land Acquisition for Construction of Facilitation Centre - Entry and Exit Point, Saphai village, West Jaintia Hills District**



सत्यमेव जयते

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## **ABOUT MEGHALAYA INSTITUTE OF GOVERNANCE**

The Meghalaya Institute of Governance was created as one of the institutional support mechanisms of the Meghalaya Basin Development Authority (MBDA) with a vision to explore, share and promote good governance in Meghalaya by assisting the government, the private sector, the voluntary sector and the communities in putting good governance into practice.

In exercise of powers conferred by the Sub Section (1) of Section 4 of The Right to Fair Compensation and Transparency, Rehabilitation And Resettlement Act, 2013 (No. 30 of 2013), the Government of Meghalaya had notified the Meghalaya Institute of Governance as the State Social Impact Assessment Unit for carrying out Social Impact Assessment Study.

## DECLARATION

This final SIA and SIMP report is based on the information given by the land owners, government officials, Revenue Department and other line departments as well as headmen from villages falling under the proposed acquisition. Maps and project details were provided by the Office of the Deputy Commissioner, West Jaintia Hills District (Revenue Branch), Jowai.

This Social Impact Assessment and Social Impact Management Plan is the final SIA report after the Public Hearing.

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# Contents

List of Tables .....	iv
List of Figures .....	iv
Abbreviations .....	iv
Executive Summary .....	v
Chapter 1: Introduction .....	7
About West Jaintia Hills .....	8
Description of Project .....	10
Chapter 2: Research Methodology .....	11
Purpose of Social Impact Assessment.....	11
Rationale of the study.....	12
Sampling method .....	12
Data Collection Methods .....	13
Objective of the Study .....	13
Primary Data .....	13
Secondary Data .....	14
Public Hearing.....	14
Data Processing and Analysis.....	14
Chapter 3: Demographic Profile and Description of Village .....	15
Chapter 4: Stakeholder Consultation.....	18
Discussion with the Shri. Anthony Bareh, Headman of Saphai Village.....	18
Key Informant Interview with the Land owner.....	19
Focus Group Discussion with the Community Members of Saphai Village:.....	19
Chapter 5: Major Findings.....	21
Environmental Impacts .....	21
Trees & Vegetation .....	21
Water Sources.....	21
Impact on Women .....	21
Impact on Transport and Communication.....	21
Impacts on Safety.....	22
Impacts on Sanitation & Cleanliness.....	22
Findings from the Public Hearing.....	22
Other Issues .....	22
Chapter 6: Public Hearing Held at Saphai Village .....	23
Chapter 7: Social Impact Management Plan.....	26
Bibliography .....	29

Annexure 1.	Notification to conduct SIA on proposed land acquisition at Saphai Village.....	30
Annexure 2.	Attendance during Public Hearing at Saphai on 30 April 2019.....	32

## **List of Tables**

Table 1	Village Profile as per Census of India 2011 .....	15
Table 2:	Availability and anticipated impact on community infrastructure and public services at Saphai.....	16
Table 3:	Date of stakeholder consultation.....	18

## **List of Figures**

Figure 1	Map Showing Land for Entry and Exit Points at Saphai Village, West Jaintia Hills District.....	9
Figure 2	Public Hearing at Saphai Village.....	23
Figure 3	Public Hearing at Saphai Village.....	24

## **Abbreviations**

C&RD	:	Community and Rural Development
FGD	:	Focus Group Discussion
KII	:	Key Informant Interview
NEEPCO	:	North Eastern Electric Power Cooperation Limited
TOR	:	Term of Reference
SIA	:	Social Impact Assessment
SIMP	:	Social Impact Management Plan
MIG	:	Meghalaya Institute of Governance
LHS	:	Left Hand Side
RHS	:	Right Hand Side

## Executive Summary

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The Meghalaya Institute of Governance (MIG), which is the Social Impact Assessment Unit of the state was assigned the task of conducting an SIA study on the proposed land acquisition for the construction of a Facilitation Centre – Entry and Exit Point at Saphai village, West Jaintia Hills District Meghalaya. The proposed land to be acquired measures about 4760.38 sq.mt. approximately. It was identified by the District Administration, West Jaintia Hills District and the land belongs to two individuals.

On receipt of the notification under Section 4(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 from the Revenue Department, Government of Meghalaya, the MIG started the SIA study, adopting research methodologies such as Reconnaissance Survey, KII and FGD for collection of primary data which was supported by the maps and project description received from the Office of the Deputy Commissioner (Revenue Branch), West Jaintia Hills District.

The land on which the Exit Point (LHS) is proposed to be acquired belongs to Smti. Piary Sumer and measures 959.03 sq.mt. It is an agricultural land/paddy field which is used by her family for subsistence farming. On the LHS of the road there is also one water source which is commonly used.

The land on which the Entry Point (RHS) is proposed to be acquired belongs to Smti. Ribanti Suchiang and measures 3801.35 sq.mt. There is one semi-pucca residential structure which was previously given on rent.

The land owners and community members saw the need to construct such a facility in their village to check on the entry of labourers coming from other states to work in the coal mines in Jaintia Hills. In return, the land owners wish to be fairly compensated and for the government to consider giving a member of their family employment in the facility.

During the Public Hearing held on 30 April 2019, the land owners stressed that their willingness to give their land would depend on the land valuation by the government and are

hopeful of entering into an agreement with the government to ensure employment for a family member. During the same Public Hearing, the community members placed no objections to the installation of such a facility in their village.

The Social Impact Management Plan as detailed in the following chapters, list the need to follow Schedule 1 and 2 for Resettlement and Rehabilitation of all stakeholders while also placing importance on the need to replace all lost trees; to check on pollution during the construction period and foremost to protect the commonly used water source.

## Chapter 1: Introduction

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Meghalaya, one of the sister states in the North-eastern part of India was carved out from the state Assam. It is bounded on the north and east by Assam and to the west and south-west by Bangladesh. It covers an area of 22,429 sq. km. and lies between 20.1°N and 26.5°N latitude and 85.49°E and 92.53°E longitude. As per The Telegraph Newspaper (dated October 18, 2013), stated that Meghalaya witness the rise in Bangladeshi immigrants. According to official statistics, in the past five years (2008 to September, 2013) 18,951 Bangladeshis were found in the State.<sup>1</sup> Most of the apprehended infiltrators according to the article claimed that they were on their way to Bangladesh from the coal mining areas of Meghalaya.<sup>2</sup> After the publication of the National Register of Citizens, the Khasi Students' Union launched a drive to prevent illegal immigrants from entering the state and detected 1000 suspected illegal immigrants along the National Highways. In order to prevent this illegal immigration, Non-Governmental Organizations and pressure groups from Meghalaya demanded a mechanism to curb influx into the state and proposed the implementation of Inner Line Permit in the State to check influx and illegal immigration into the state, to protect and address the demography, identity and national security of the State.

In connection with the implementation of the Inner Line Permit in the State of Meghalaya, the Government of Meghalaya has proposed the setting up of Facilitation Centre - Entry and Exit Point in border area to check on people entering or leaving the state, to prevent illegal immigration and other anti-national activities from across the State.

As part of this initiative by the Government of Meghalaya, land will be acquired for the proposed construction and Meghalaya Institute of Governance has been notified as the Social Impact assessment (SIA) Unit for conducting the Social Impact Assessment Study under section

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<sup>1</sup> (Meghalaya faces rise in immigrants - 18951 Bangladeshis detected in 5 years, 2013)

<sup>2</sup> Ibid



4(1) of The Right to Fair Compensation and Transparency, Rehabilitation and Resettlement Act, 2013 (No.30 of 2013).

***Objective of the project***

The objective of the project is to install an Entry-Exit Point - Facilitation Centre at important points in the state to facilitate the entry and exit of travelers. It shall also serve as a check on illegal entry into the state.

***Public Purpose of the Project***

Public purpose for this project may be to check on the illegal entry of unwanted elements which may disturb the integrity of the state and its inhabitants.

***Need for the project***

In order to check on illegal migrants and influx in the State of Meghalaya, the Government has proposed for setting up of Facilitation Centre - Entry and Exit Point which will check the exchange and interaction of goods and services between the States of Meghalaya and Assam. The Facilitation Centre will smoothen all arrivals and departures of people from the state as well as to carry out inspection to avoid any kind of unforeseen issues.

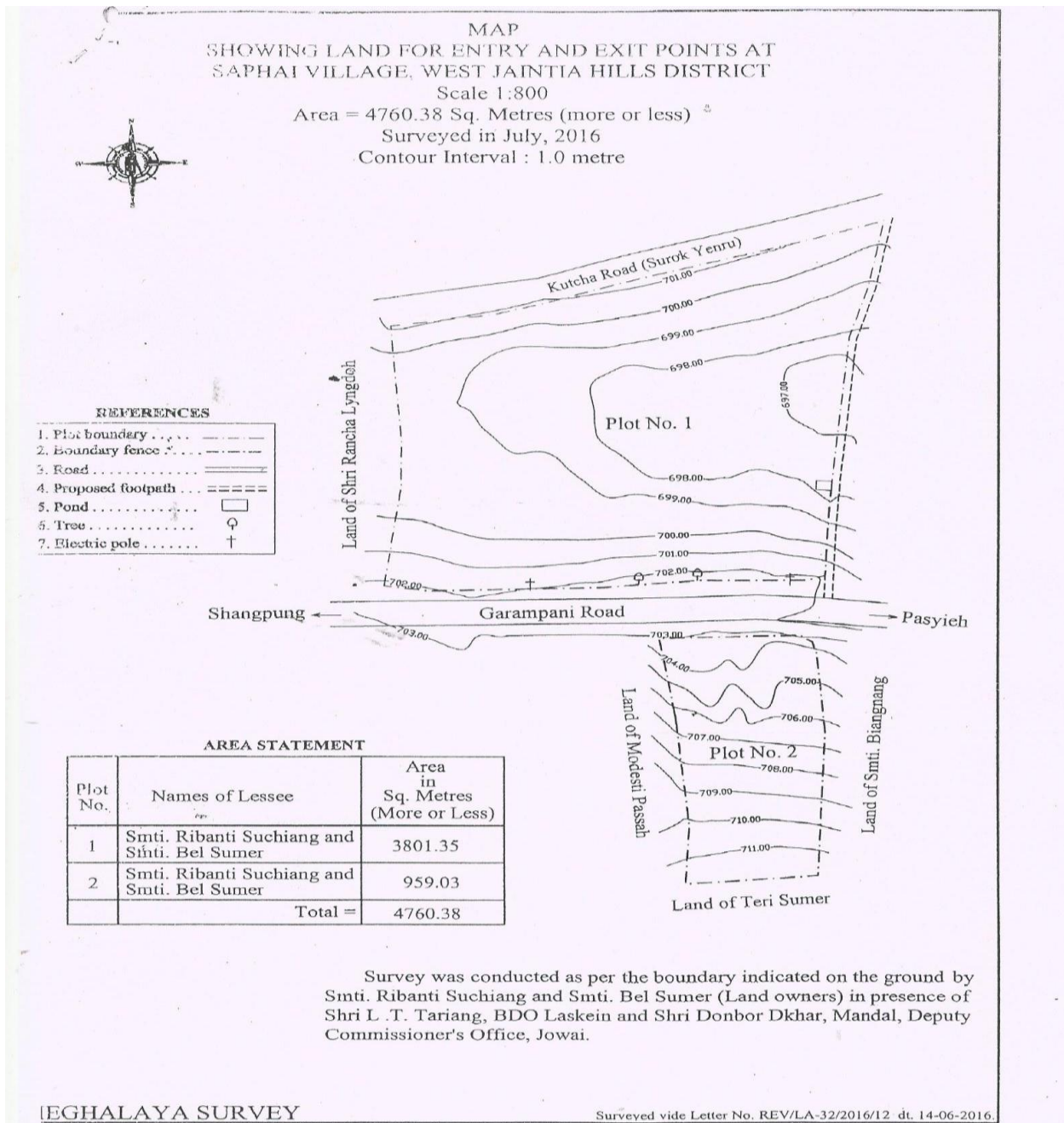
**About West Jaintia Hills**

West Jaintia Hills District is one of the 11 districts of the state of Meghalaya. With the bifurcation of the erstwhile Jaintia Hills District into East and West Jaintia Hills District, West Jaintia Hills District came into existence on 31st July 2012 with its headquarters at Jowai. Important government offices, educational institutions, hospitals, and other important facilities are available in Jowai.

The total area of the district is 1693 Sq.km. The district comprises of 1(one) Civil Sub-Division Viz. Amlarem Civil Sub-Division and 3(three) Community and Rural Development Blocks viz. Amlarem C&RD Block, Laskein C&RD Block and Thadlaskein C&RD Block with the following boundaries:-

- North – Assam
- South - Bangladesh and East Jaintia Hills District
- East – Assam
- West - East Khasi Hills District

Figure 1 Map Showing Land for Entry and Exit Points at Saphai Village, West Jaintia Hills District



The district has a total population of 2,70,352, of which 1,34,406 are males and 1,35,946 are females. The density of Population is 159.69 per sq. km.

## **Description of Project**

### ***Project location***

The location of the land to be acquired for the construction of Entry and Exit Point - Facilitation Centre is in Saphai village, West Jaintia Hills District. It is about 65 km from the district headquarter at Jowai and about 2 km from the Assam – Meghalaya border. The land acquisition for setting up Integrated Facilitation Centre measures an area of 4760.38 sq.m.

### ***Ownership of Land***

The land to be acquired falls under the ownership of two private owners. The site where the Entry point is located is owned by Shri. Ribanti Suchiang. It is at the road side and a little elevated. It measures about 3801.35 sq.mt. and contains one semi pucca house which is unoccupied. The Exit point is opposite to it and owned by Smt. Piary Sumer, it is a paddy field measuring about 959.03 sq.mt.

### ***Proposed Implementation of Project***

The proposed date for implementation of project is not known as the land to be acquired is a private land and their consent is required for acquisition of land.

## **Chapter 2: Research Methodology**

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The research strategy that the SIA-Unit adopted is a descriptive method. This method describes the specific behavior or facts concerning the nature of the situation. It involves the gathering of data that describe the events, organization, tabulation, depiction and description of the data collected.

### **Purpose of Social Impact Assessment**

The Social Impact Assessment process began as part of the new land acquisition act called the Right to Fair Compensation, Transparency in Land Acquisition Resettlement and Rehabilitation (RFCTLARR) Act, 2013 of the Government of India, under Section 2 of the said Act. It is a people friendly, Rights Based Approach to development that considers possible impacts from the loss of land; impacts to the community wellbeing, livelihood, security, sentiments of the people; impacts to the institutions present near the project site that the implementation of the government project might bring about; not just from an environmental point of view but from the social – institutional point of view.

Prior to this, land acquisition was at the behest of the requiring department. It was based on the idea of “eminent domain” which refers to the power of the government to take private land for public use. This concept has always been recognized as an essential attribute of sovereignty as it connotes the legal capacity of the state to take private property of individuals for public purpose. Eminent domain ignored that land acquisition for any project may also cause certain difficulties to peoples’ livelihoods, activities, social and political structure and the environment. Land acquisition was completed without considering whether the acquisition of the land would be detrimental to the people who resided on or who used the land for economic gain or whether it would have adverse impacts on common property resources (CPR). Thus on 31st December 2014 the President of India promulgated an ordinance with the official mandate to “meet the twin objectives of farmer welfare along with expeditiously meeting the strategic and development needs of the country.”

As per the Act the State or Union government can acquire land, provided it shows the “public purpose” of the project. Public purpose includes projects related for strategic purposes such as those related to the armed forces, national security; infrastructure projects; projects for project affected families (PAF); projects which provide housing for low income groups; projects for residential purposed of the poor or landless and those displaced by natural calamities or other reasons. The underlying clause in this Act was that land acquisition could only occur if 70% of the population to be affected consent to the land acquisition in case of land acquired for private companies or for Public Sector Undertakings (PSU).

The new land acquisition Act warrants the carrying out of a Social Impact Assessment<sup>3</sup> study to ascertain whether the land acquisition would be beneficial or detrimental to the community which is a stakeholder. Rigorous field level data collection exercises were conducted for this purpose. They begin with a preliminary site visit to assess the project site and help in preparing a detailed TOR for the project. The next step, with the help of the acquiring body is to meet with direct stakeholders such as village durbar members as well as the land owners, residents of the village who would be indirectly affected by the land acquisition, but directly affected by the proposed project. The final step is to hold a public meeting bringing together, the district authority, the village authority, the land owners and the village residents to air out any further grievances or thoughts on the proposed land acquisition.

### **Rationale of the study**

The purpose of the social impact assessment is to analyze impacts and manage the intended and unintended social consequences which may be both positive and negative and also any social change that may arise from the land acquisition.

### **Sampling method**

The sampling method used for this study is purposive sampling. In this project, the SIAU depended on the land owners’ schedule as provided by the Office of the Deputy Commissioner

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<sup>3</sup> Section 2 of the RFCTLARR Act, 2013 and the Meghalaya Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2017 under Chapter II Section 3

(Revenue Branch), West Jaintia Hills District. The SIAU spoke to the Village Headman as well as members of the community.

### **Data Collection Methods**

Secondary data was collected through a literature review of books, articles, reports and census data which are relevant to the study. Based on this literature review, the SIAU was able to obtain an insight on the background of the project and allowed for group identification and formulation of questionnaires. This was done so as to:

- Understand the issues and opportunities from the concerned project. To do this it:
- Identifies all stakeholders in the project starting from the land owners, land users, local grassroots governance bodies and create a social profile of them.

To conduct this study the SIAU undertook primary data collection. Data was collected through structured questionnaires. Key Informant Interviews (KII) was held with village headmen and members of the village durbars' executive committee. The SIA Unit spoke to community leaders like the representatives of Raids. Focus Group Discussions (FGD) and KIIs were held with the landowners and the land users.

### **Objective of the Study**

The objective of the study is to identify likely impacts which may result from the proposed project. The MIG-SIAU seeks to identify the likely impacts and benefits. This includes the identification of impacts and analysis of the significance of the impacts and benefits, the assessment of community investment opportunities.

### **Primary Data**

The research team held interviews with the traditional leaders and village headman of Saphai. The methods used were both structured and unstructured interview schedule and designed based on the likely impact on the proposed project area. During the field research the following methods were used to gather information:

#### ***Reconnaissance Field Survey***

A preliminary site visit was first carried out with the help of a scoping checklist. It involves identifying the likely significant impacts of the project which needs to be investigated and also defining the approach that will be taken for their assessments to complete the initial scope of

work. The Reconnaissance Survey helped develop the Terms of Reference (TOR) for this SIA study.

### ***Stakeholder Consultation***

Good practice requires active consultation with relevant affected communities and other interested and affected parties. Key Informant Interviews (KII) and Focus Group Discussion (FGD) was held with the land owners, traditional institutions, village authority and the community members falling under the proposed land acquisition. Consultation with the community members was also held as part of the Public Hearing. The aim is to give the respondents an opportunity to express their views on the project and its impacts so that these can be taken into account while developing mitigation impacts.

### **Secondary Data**

The research team first reviewed and studied related literature to understand the requirement and needs of the project area. Based on the review of secondary data, the team was able to get an insight on the background of the project and this has allowed for group identification and formulation of questionnaire design. Secondary data such as project details, type of investment, maps and details of land ownership were obtained from the Office of the Deputy Commissioner (Revenue Branch), West Jaintia Hills District.

### **Public Hearing**

A Public Hearing was held for persons with interest in the said project; sharing of draft report and answering to queries. Public Hearing was held as part of an inquiry process through formal meeting for receiving the testimony of the public/person of interest on the proposed land acquisition for construction of Entry Exit Point - Facilitation Centre at Saphai, West Jaintia Hills District.

### **Data Processing and Analysis**

Data collected during the field visits have been systematically arranged and qualitatively interpreted. Data obtained during the field work for this SIA project was categorically arranged and interpreted using Microsoft Excel applications. Qualitative data was interpreted to bring out a proper understanding of the impacts of the project and to help design mitigation measures for the project.

## Chapter 3: Demographic Profile and Description of Village

This chapter describes the nature of the village as well as its demography. It also describes likely impacts (both positive and negative) on the existing infrastructure and services available in Saphai.

### Saphai Village

The proposed land acquisition for construction of Entry - Exit point cum Facilitation in Saphai falls under the administration of Laskein Community and Rural Development Block, West Jaintia Hills District.

Saphai is a large village about 65 kilometres from Jowai, the headquarters of West Jaintia Hills District. It has a total of 410 households residing in it. The village has population of 2540 persons; out of which 1269 persons are males, and 1271 persons are females as per the Census of India, 2011. In Saphai village the population of children with ages between 0-6 years is 642 which makes up 25.28 % of total population of village. The average sex ratio of the village is 1002 which is higher than Meghalaya state average of 989. Child sex ratio as per this census is 994, which is higher than the Meghalaya average of 970.

*Table 1 Village Profile as per Census of India 2011*

Particulars	Total	Male	Female
<b>Total No. of houses</b>	410	-	-
<b>Population</b>	2540	1269	1271
<b>Children (0-6)</b>	642	322	320
<b>Scheduled Caste</b>	2	2	0
<b>Scheduled Tribe</b>	2282	1144	1138
<b>Literacy</b>	61.8%	52.69%	70.87%
<b>Total Workers</b>	931	605	326
<b>Main Worker</b>	539		
<b>Marginal Worker</b>	392	230	162



Saphai has lower literacy rate compared to Meghalaya. In 2011, literacy rate was 61.80 % compared to 74.43 % of Meghalaya. Male literacy stands at 52.69 % while female literacy rate was 70.87 %.

Within the boundaries of Saphai village also is also the Kopili Hydro Electric dam under North Eastern Electric Power Cooperation (NEEPCO). This was the first project of NEEPCO and came into existence in 1976<sup>4</sup>. The Umrong reservoir is located near the village. This power station provides electricity to Assam, Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland and Tripura.

## Village Profile

Table 2: Availability and anticipated impact on community infrastructure and public services at Saphai

<b>State</b>	Meghalaya	
<b>District</b>	West Jaintia Hills District	
<b>Block</b>	Laskein C&RD Block	
<b>Total No. of Households</b>	410	
<b>Total Population</b>	2540	
<b>Basic Facilities</b>	<b>Presence</b>	<b>Impact (Y/N)</b>
<b>Primary School</b>	Yes	No
<b>Secondary School</b>	Yes	No
<b>Higher Secondary School</b>	No	No
<b>Anganwadi Centre</b>	Yes	No
<b>Bus stop</b>	Yes	No
<b>Police Station</b>	Yes	No
<b>Bank</b>	No	No
<b>PDS</b>	Yes	No
<b>Pharmacy</b>	No	No
<b>PHC/CHC/others</b>	Yes	No
<b>Community hall</b>	Yes	No
<b>Library</b>	No	No
<b>SHG</b>	Yes	No
<b>Youth Club</b>	Yes	No
<b>Traditional Healers</b>	Yes	No

<sup>4</sup> Kopili Hydro Electric Plant accessed from <https://neepco.co.in/projects/hydro-projects/kopili-hydro-electric-plant>

<b>Religious Institutions</b>	Yes	No
<b>Accessibility to PHE Water</b>	No	No
<b>Accessibility to Community well</b>	No	No
<b>Road (Black top and Kutcha)</b>	Yes	No
<b>Transportation</b>	Yes	No
<b>Community Forest</b>	Yes	No
<b>Cremation/Burial Ground</b>	Yes	No
<b>Playground</b>	Yes	No
<b>Market</b>	Yes	No
<b>NGO's</b>	Yes	No

The table above shows the availability and anticipated impact of infrastructure and services at Saphai. It can be drawn out that the proposed land acquisition for construction of Entry & Exit Point at Saphai will not have negative impact on the infrastructure and public services at Saphai.

## Chapter 4: Stakeholder Consultation

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This chapter draws out the discussion held with various stakeholders who are directly and indirectly impacted from the proposed land acquisition for construction of Entry & Exit Point - Facilitation Centre at Saphai. The respondents are the land owners, community members, traditional institution and headman.

*Table 3: Date of stakeholder consultation*

Sl.no	Description	Date of Consultations
1.	Reconnaissance survey	27 <sup>th</sup> January 2017
2.	Discussion with the Land owners	19 <sup>th</sup> April 2017
3.	Discussion with the Land Owners	13 <sup>th</sup> November 2018

### **Discussion with the Shri. Anthony Bareh, Headman of Saphai Village**

During the interaction with Shri Anthony Bareh, the land proposed to be acquired belongs to two individual land owners. The land proposed to be acquired is about half a kilometre from the state border with Assam. According to the headman, the route through this village is important and needs a check point as labourers from Assam use this road as it is more easily accessible to them. As there are no measures to check on the entry and exit of people through this route, unverified and undesirable people have been using this route to find employment in the rich coal mining areas of Jaintia Hills. So too, traders from Assam and even from Bangladesh use this trade route. People from neighbouring villages in Iooksi, Iawthymme, Rtiang also use this road to travel to their cultivation lands in Assam and also to use the market there. The people rent the land in Assam to carry on mining activities at the rate of Rs. 300 per annum.

People who rent land in Assam to cultivate on pay an annual fee, and the rate depends on the size of the land. They also have to pay Rs. 50 to the District Council of Dima – Hasao in Assam and a fee of Rs 50 to use the markets for every 3 kilos. Vehicles entering and exiting

Assam also have to make a monthly payment to the Police Check Post in Assam. Apart from this, people from the village cultivate in NEEPCO land free of cost.

### **Key Informant Interview with the Land owner.**

The SIA unit spoke to all landowners of the land proposed to be acquired:

**Shri Anthony Bareh, Husband of Smti. Ribanti Suchiang** who is also the village headman; and his family are residents of Saphai village and belongs to the Scheduled Tribes (Khasi, Jaintia, Synteng, Pnar, War, Bhoi, Lyngngam). There are a total number of eight members in the family which include his wife, children, brother-in-law and helpers. Apart from being a stakeholder directly affected by the land acquisition, he is also the village headman of Saphai village. From this acquisition Shri Anthony Bareh will lose only:

- (1) Semi-Pucca residential structure and
- (2) Toilet.

The semi-pucca residential structure on the land proposed to be acquired used to be given on rent, but is no longer occupied in anticipation of the proposed land acquisition.

**Smt. Peri Sumer** also belongs to the Scheduled Tribes (Khasi, Jaintia, Synteng, Pnar, War, Bhoi, Lyngngam). She is an agriculturalist and earns a monthly income of Rs. 40,000. There are a total of 10 members in her family which include her sons, daughter, grandsons and granddaughter. She has alternate agricultural land where she grows paddy, maize, turmeric, which she sells to the market and uses the remaining for self-consumption. Her agricultural field produces 60 sacks of paddy in a year and 6-10 sacks of turmeric in a year. For her work, she employs 3 persons.

Both land owners agreed to give their land on the condition that at least one member of their family gets employment in this proposed check point and want a written agreement on the same from the government.

### **Focus Group Discussion with the Community Members of Saphai Village:**

A Focus Group Discussion was held on the 19th of April, 2017 (Monday) at Saphai village with has 11 participants from the village. This includes the Headman, Secretary and other community members. The following are the discussion:

- The community members present at the Focus Group Discussion have stated that they are aware of the proposed land acquisition at Saphai village as government officials have already come to survey the land along with the Headman, Secretary (village council) and individual land owners.
- The community members also stated that due to the unfamiliarity in the functioning of the Facilitation Centre - Exit Point, they are not able to decide on whether such development programs taken by the government will bring development or hardship to the people.
- The community members stated that since the land belong to two individual land owners, the community members do not have the rights to utilize the land. The owner use the land for agriculture and resident building. There is however, a water source where community members used to fetch water.
- The community members stated that though the village border with Assam is separated by the River Kupli, there has been no problem in the area as both the states live in harmony. They are dependent on each other for domestic goods, market facilities, transportation, employment opportunities, access to basic services etc. as they travel to and fro on a daily basis. There will be a mutual benefit for people living on either side of the border as they are interdependent on each other.
- The setup of this Entry & Exit Point helps the local to set up business activities such as shops. It will also act as a security provider as before people from Bangladesh and Assam use to go in freely without paying for entry-exit fee.
- The residences at Saphai urge that it is necessary to set up Entry & Exit Point as the borders always face problems just like in Block 1, Block 2, Moolaber, Psiar, Khatkaska. However as of now there are no problems as the police out post exist but for further security the Entry & Exit Point is necessary.
- The community members requested the government to extend a helping hand in furnishing an existing spring which is a source of water.
- The local resident desires that they will get employment opportunities like helper, cook, drivers etc. during and after the operation phase.

## **Chapter 5: Major Findings**

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This chapter lists the major findings that the research team gathered from site visits as well as interaction with the various stakeholders

### **Environmental Impacts**

The land acquisition will have negligible impacts on the environment.

### **Trees & Vegetation**

The Exit Point is an agricultural field, and land acquisition will negatively impact all plants and trees in the site.

### **Water Sources**

There is a one water source (spring) on the Exit Point which is just a few meters away from the State Highway. The water from this spring is used by all, it is used in the agricultural fields as well as for domestic use.

### **Impact on Women**

The project will have negligible impacts on women. Some women may start petty shops on the roadside for their economic wellbeing.

### **Impact on Transport and Communication**

Movement of vehicles will be affected during the construction period. The entry and exit of all motor vehicles will be doubly checked by this facility. As it is after the police check post. However, more so than the police check-post, this Entry & Exit Point will have more facilities than the basic police check-post and will provide more amenities to travellers.

**Impacts on Safety**

The project will bring more security in the area due to the presence of police personnel, streetlights and livelihood activities.

**Impacts on Sanitation & Cleanliness**

During the construction phase the sanitation and cleanliness in the area will be affected.

**Findings from the Public Hearing**

From the Public Hearing, it was learnt that the residents of the village, the landowners have no objections to the installation of the Facilitation Centre in their village.

**Other Issues**

The police check-post maybe moved to the Facilitation Centre, to ensure that there is no repetition of the same work.

## Chapter 6: Public Hearing Held at Saphai Village

Figure 2 Public Hearing at Saphai Village



The Meghalaya Institute of Governance had conducted a Public Hearing on the 30<sup>th</sup> April, 2019 at Saphai village for the purpose of assessing the impacts that may arise from the land acquisition for construction of Facilitation Centre - Entry & Exit point in Saphai Village as part of the Social Impact Assessment study under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

The Public Hearing was attended by Smt. Y. Mawlong (MCS) EAC, West Jaintia Hills District, Shri A. B. S. Swer, Director, MIG, Shri. D. Dkhar, Recorder, Revenue Branch, Office of the Deputy Commissioner, West Jaintia Hills, Jowai, Shri. W. Phawa Mandal, Revenue Branch, Office of the Deputy Commissioner, West Jaintia Hills, Jowai, Shri Anthony Bareh



headman of Saphai village, the members of the Village Executive Council and the residents of Saphai village. The headman of Saphai, Shri Anthony Bareh welcomed the people gathered there and then handed the chair to Shri A.B.S. Swer to conduct the proceedings.

*Figure 3 Public Hearing at Saphai Village*



Shri. A. B. S. Swer explained the need to conduct a SIA study and the purpose of a Public Hearing, which is to further clarify peoples' doubts about the said land acquisition and to review the draft report. The Draft SIA Report was read out by the Programme Associates of MIG. After this Shri Swer opened the floor for discussion.

The following were the opinions and suggestions given by the participants of the Public Hearing:

- Shri. Anthony Bareh the headman of Saphai briefly explained the process of land identification conducted by the Revenue Branch in tandem with the Dorbar Shnong. He

explained that a survey of the land was done to identify a suitable site for installation of the project. Since the government wanted land on both sides of the road, the land belonging to his wife Smti. Ribanti Suchiang, and of Piary Sumer was selected for the project. He also pointed out that both of the land owners have not agreed to give their land until the valuation of their land is suitable for them at market value. The landowners also wanted a clarification on whether this would be a total land acquisition or a mere lease of their land.

- Smt. Y. Mawlong the EAC, West Jaintia Hills District, replied that as per the project plan, the Department of Tourism who will take this land and it will be bought and owned by the Government and the land will not be taken on lease.
- Shri. Anthony Bareh also pointed out that the existing water source which is near the project site should not be demolished but instead be improved for the betterment of the community as a whole.
- Secretary of Saphai Village asked whether the approval of the Entry and Exit Point would be against the objective of getting an Inner Line Permit system in the state.
- Shri. ABS Swer replied that the Entry and Exit point will be just like an ILP as it will check the entrance of the outsiders.
- The Headman of Saphai further explained the functioning of the Entry and Exit point. He also said that with the coming of this project in the village it will be beneficial and ensure safety for the village and its neighboring villages. He also stated that it is necessary to have an Entry and Exit point in Saphai village since the village is located in the border area with Assam and also stated that for employment opportunity also should be given to the local people who are deemed fit for the post.

The Public Hearing was concluded by Shri A.B.S. Swer after a vote on the proposed land acquisition for the construction of an Entry and Exit point was put to the gathering. The public gathered there accepted the proposed project.

## Chapter 7: Social Impact Management Plan

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The following are the measures to reduce and alleviate any negative impacts that may arise from the land acquisition at Saphai village for construction of an Entry-Exit Point.

### **Resettlement Measures**

- i. As per Section 8 of the RTFCLARR 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 unutilised for a period of five years, it shall be returned to the legal owners or the legal heirs.
- iii. As per Section 41 (6) as the land shall be acquired from a Scheduled Tribe family, one-third of the compensation amount due should be paid to the affected family as first instalment.

### **Rehabilitation Measures**

- i. The land owners of the land may be compensated as per the First Schedule of the RFCTLARR Act 2013. This may include the:
  - o Market Value of land as determined under Section 26
  - o Factor by which the market value is to be multiplied in rural areas
  - o The value of assets attached to the property.
  - o Solatium, i.e. an award for inconvenience, loss or the like.
  - o For the loss of house a constructed houses shall be provided as per the Indira Awas Yojana specifications or the equivalent cost of the house in lieu of a constructed house.
  - o A onetime payment of five lakh rupees per affected family or annuity policies for a period of twenty years.

- 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.
- viii. Preservation of the water platform at the proposed project site.

#### **Environmental Measures**

- i. Under the Forest (Conservation) Act, 1980 Chapter 3 Section 3.1(i) compensatory afforestation must be made for the loss of all trees in the area.
- ii. Trees to be planted to reduce the pollution caused during construction and implementation of the project.
- iii. Protection of the water sources at the project site so as to protect it from pollution during the construction period.

#### **Miscellaneous**

- i. To shift the police check-post to the proposed Entry-Exit Point.
- ii. 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 Entry & Exit Point.

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

### **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 redress.

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**Annexure 1. Notification to conduct SIA on proposed land acquisition at Saphai Village.**

**NOTIFICATION  
Under Section 4 (2) of RFCT Act, 2013.**

**Under Section 4 (2) of Right to Fair Compensation & Transparency in Land  
Acquisition, Rehabilitation and Resettlement Act, 2013.**

No.RDA.23/2018/14,

Dated Shillong, the 13<sup>th</sup> June, 2018.

WHEREAS, acquisition of land area measuring 4760.38 Sqmtrs at Saphai Village, in West Jaintia Hills District for the purpose of construction of Facilitation Center Entry & Exit point by Government of Meghalaya is/are proposed.

WHEREAS, a social impact assessment team including Meghalaya Institute of Governance (MIG) has been formed to consult, to survey and to take public hearing after publication of this Notification.

WHEREAS, the aforesaid team will fix and indicate the dates and venue for which all concerned will be requested to remain present with their claims/objections/suggestions, if any.

WHEREAS, the concerned land as at Annexure-I the Headman of Saphai Village and the villagers may remain present for hearing for consent/approval for the project.

WHEREAS, the process must be completed and SIA report must be submitted along with the plan (SIMP) within six months as per the time specified as per RFCT-LARR Act, 2013.

WHEREAS, any attempt at coercion or threat against the process during the specified period will render the exercise null & void.

Now, therefore, if there is any requirement for information, anyone may contact the SIA Unit.



(Shri) B. Hajong, MCS)  
Joint Secretary to the Govt. of Meghalaya  
Revenue & Disaster Management Department.


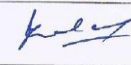
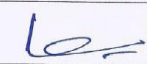
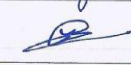


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



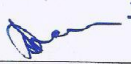


**Annexure 2. Attendance during Public Hearing at Saphai on 30 April 2019**

Public Hearing at Saphai Village, West Jaintia Hills District for the Purpose of Social Impact Assessment on Land Acquisition for Setting-Up a Facilitation Centre- Entry and Exit Point at Saphai on the 30<sup>th</sup> April, 2019.

Sl. No	Name	Village/ Designation	Signature
1.	Aban Swar	Director MIG.	
2.	Mette R. Hawlong	EAC (Rev) Jawai	
3.	Shri Anthony Barah (H.M)	wakeh shung	
4.	Shri Nidawari - synnah.	Saphai	N. S
5.	Smt. Junalia Sajem	Saphai	J. Sajem.
6.	Smt. Deligent. Langbang.	Saphai	D. Langbang.
7.	Smt Rita Langbang	Saphai	Rangbang
8.	smt Doris Lyngdoh	Saphai	D. Lyngdoh
9.	smt Ioli pale	Saphai	I. pale
10.	Shri. Wompharki Kanai	Saphai	
11.	Rimi ki. Chakap	Saphai	R S
12.	phul pis lusiam	Saphai	P S
13.	Shonel. Citep	Saphai	S. L
14.	Boy. Shadal.	Saphai	B. S.
15.	JALBAS LAHAKA	SAPHAI	
16.	GOING PAPENG	SAPHAI	

Public Hearing at Saphai Village, West Jaintia Hills District for the Purpose of Social Impact Assessment on Land Acquisition for Setting-Up a Facilitation Centre- Entry and Exit Point at Saphai on the 30<sup>th</sup> April, 2019.

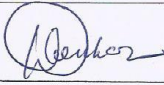


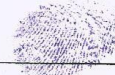
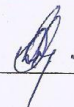
Sl. No	Name	Village/ Designation	Signature
17	M. MARE	SAPHAI	
18	Mih dan wan Suchiang	Saphai	
19	MINSYLLAN BASAH	"	
20	<del>Sun</del> SUMEHI LANAKE	"	
21	Robhon - Kawai	"	
22	Pyoshang - Biam	"	P. Biam
23	Abemon - Biam	"	A. Biam
24	Ram - Shadaf	"	R. Shadaf
25	Poibiang - Suian	Saphai	P. Suian
26	Silora " "	" "	S. Suian
27	Daijmai Synnah	" "	Dynnab.
28	Shal Dhar	"	S. Dhar
29	Ribanti Suchiang	"	lib
30.	Sibina Shulet	"	S. Shulet
31.	VICTORIA SUCHIANG	"	V. Suchiang
32.	JENY KIN TANGNIANG	"	J. Niang

Public Hearing at Saphai Village, West Jaintia Hills District for the Purpose of Social Impact Assessment on Land Acquisition for Setting-Up a Facilitation Centre- Entry and Exit Point at Saphai on the 30<sup>th</sup> April, 2019.

Sl. No	Name	Village/ Designation	Signature
33	Jubilian - Lamare	SAPHA VILLAGE	Lamar
34	Aelis Dhar	"	Ahar
35	Picang Dhar	"	R. Dhar
36	Pimiki Dhar	"	R. Dhar
37	Picaineh skhem Dhar	"	Dhar.
38	Maya Rabon.	"	M. Rabon
39	Wan Pynshit Rabon.	"	W. Rabon.
40	Thmudho Lamare.	"	T-Lamare.
41	Mary Brian	"	Brian
42	Ros Brian	"	R Brian
43	Seri Dhar	"	Dhar
44	Jinghai Dhar	"	J Dhar
45	Kynjai Dhar	"	Dhar
46	Taishah Dhar	"	Dhar



Public Hearing at Saphai Village, West Jaintia Hills District for the Purpose of Social Impact Assessment on Land Acquisition for Setting-Up a Facilitation Centre- Entry and Exit Point at Saphai on the 30<sup>th</sup> April, 2019.

Sl. No	Name	Village/ Designation	Signature
47	Jini. S. Dkher.	Recorder. Rev. Broule Jaintia	
48	Aw. W. Khosa	Minister Rev. Enf Broule Jaintia	
49	Khamli Lamare		K L
50	Jesinta P. Lapasam.		
51	Iwan Shimla Dhar		W. Dhar
52	S. P. Dhar		S Dhar
53	Meristela Lamare		M. Lamare
54	Emi. Langwar		E. Langwar
55	Milda Sumner		
56	Phalti Shadap		Shadap
57	Diangmon Langbang		
58	R. H. T. T. T. T.		Phitigkan
59	Shaniabingkan		Styngkan
60	Jissante. T. T. T.		J. T. T.
61	Nilumbang Kanari		N. Kanari
62	yowani. Langstang		Langstang

Public Hearing at Saphai Village, West Jaintia Hills District for the Purpose of Social Impact Assessment on Land Acquisition for Setting-Up a Facilitation Centre- Entry and Exit Point at Saphai on the 30<sup>th</sup> April, 2019.

Sl. No	Name	Village/ Designation	Signature
63.	Methilda Tyngkan		Mtyngkan
64.	Moida - Sulet		M S
65.	Judis - Iakai		J. Iakai
66.	Meh ekhem Takai		M. Takai
67.	Ritel Suian		R. Suian
68.	wanpynshit Rabon		w. Rabon
69.	Maya. Rabon.		M. Rabon.
70.	Thmubha Lamore		T - Lamore
71.	Dyphina Tyngkan		Dyngkan.
72.	Morbharang		M - Bian
73.	Ridabun Sangstang		R Sangstang.
74.	Ri. bha. lamare		R - L
75.	Shri Reformwell Bian		Bian
76.	Riky Syntem		Riky
77.	Aimamari Iakai		A. Iakai
78.	Hammon. Lamare		H. Lamare

