

SOCIAL IMPACT ASSESSMENT

STUDY ON LAND ACQUISITION FOR CONSTRUCTION OF ZIKZAK BY-PASS ROAD SOUTH WEST GARO HILLS DISTRICT



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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 with a vision to explore, share and promote good governance in Meghalaya by assisting the government, 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.

The Social Impact Assessment Team is as follows:

- | | |
|-------------------------------------|---------------------------|
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Declaration

This draft SIA report is purely based on the information given by stakeholders and local people of the village of Zikzak. Maps and project details were provided by the Office of the Deputy Commissioner, South West Garo Hills District (Revenue Department), Ampati.

This study report is the Final Social Impact Assessment and Social Impact Management Plan published after the site visit, interview, focused group discussion and public hearing held with the community.

Officer on Special Duty,
Meghalaya Institute of Governance,
Shillong.

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Abbreviation

MIG	-	Meghalaya Institute of Governance.
SIA	-	Social Impact Assessment.
ADB	-	Asian Development Bank
NESRIP	-	North Eastern State Roads Investment Programme.
C&RD	-	Community and Rural Development.
RFCTLARR	-	Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act.
PWD	-	Public Works Department
BPL	-	Below Poverty Line
PAFs	-	Project Affected Families
PAP	-	Project Affected People
ROW	-	Right of Way
IBDLP	-	Integrated Basin Development and Livelihood Promotion Programme

Executive Summary

Zikzak also known as Phuljuri village is a small village located on the way to Mahedraganj from Ampati and falls under the Zikzak Community & Rural Development Block of South West Garo Hills District. The village is about 11 kms from the district headquarter at Ampati and about 80 kms from Tura in West Garo Hills District. Mahendraganj which is an important commercial town bordering Bangladesh is about 17 kms from the proposed project site.

The proposed By-pass road project falls under the North Eastern State Roads Investment Programme (NESRIP) funded by the Asian Development Bank (ADB). It is a part of the Road project, MLN1, in the state of Meghalaya, referred as Garobadha to Dalu Road. It is a State Highway (SH12) which is the connecting corridor between Tura, the District Headquarter of West Garo Hills, skirting the international border with Bangladesh in south west corner of the state.

The area of land that is proposed to be acquired is approximately 4682.30 Sq.m. The project site belongs to 7 titled land holders. There are also 2 non-titled occupants of the land. The total project affected families is 9. The acquisition will lead to relocation of 3 households who are living in the proposed site, due to damage to their properties. The proposed site has 6 kutcha structures which are residential houses and 3 semi pucca Assam type houses. The total of 933 trees which are present in the proposed project site are to be felled in the course of project construction phase. There is also presence of two small streams that run parallel to each other through the proposed site.

The Meghalaya Institute of Governance (MIG) had carried out the Social Impact Assessment (SIA) study on the proposed land acquisition for construction of a By-pass road at Zikzak market, South West Garo Hills District. The objective of this study is to identify the likely impacts, both positive and negative which may result from the proposed land acquisition and the subsequent construction of the By-pass.

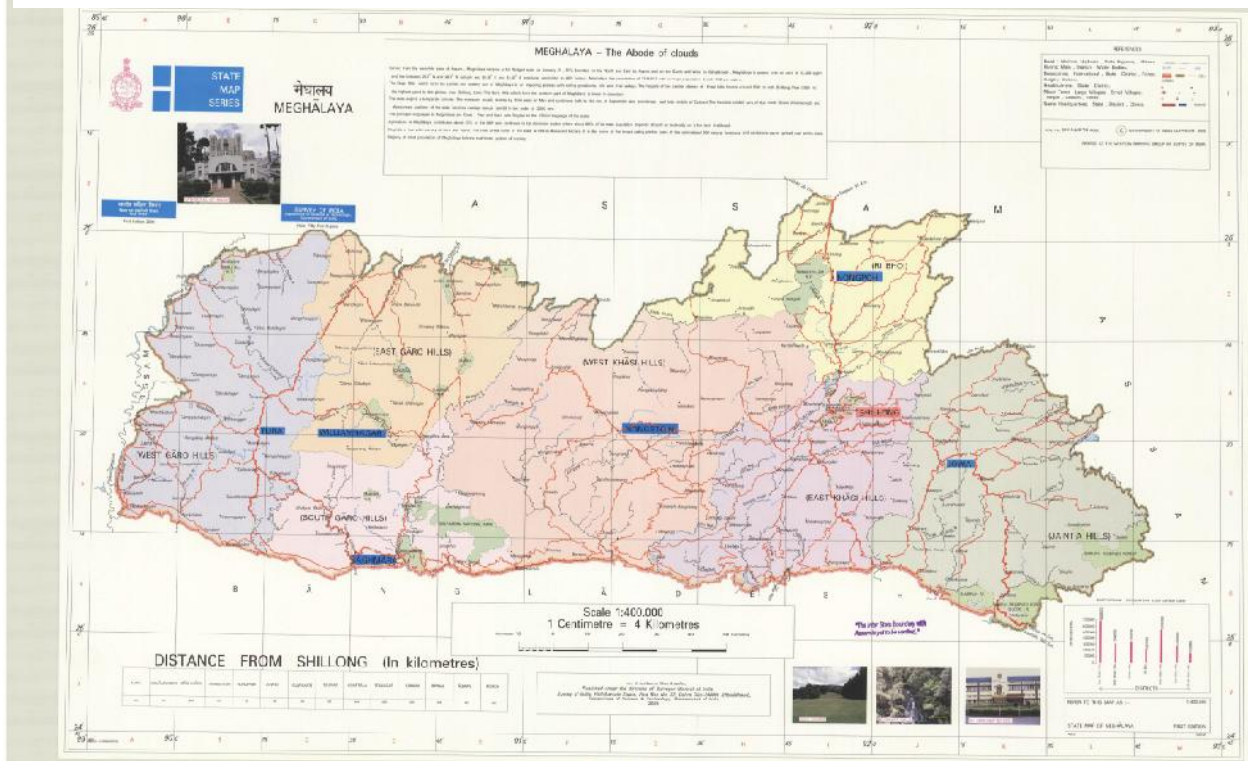
The research methods adopted for this study were quantitative as well as qualitative wherein primary data was collected from the respondents using tools such as reconnaissance survey, interviews, focus group discussions as well as public meeting and public consultations.

From the findings during the focus group discussions, interviews, the public meeting and the public consultation, we may conclude that the people of the village welcomed the project. The project is expected to ease traffic congestion in the market area from where the existing road goes through, providing free movement of people in the market and seamless movement of vehicles once the By-pass comes to function.

Chapter 1 Introduction

As per The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 the Meghalaya Institute of Governance (MIG) was assigned the task of conducting the Social Impact Assessment Survey on the land acquisition for the purpose of construction of a By-pass road at Zikzak, South West Garo Hills, Meghalaya¹. The objective of the study is to identify likely impacts which may result from the proposed acquisition and construction of the By-pass.

Figure 1 Map of Meghalaya



The North Eastern State Roads Investment Programme (NESRIP) funded by the Asian Development Bank (ADB) is to support eight states in the Region to develop their road network

¹Vide Letter No. RDA.21/2012/172 dated Shillong the 29th March, 2017

and establish consistent road connectivity. This Program, was thereby initiated in Meghalaya in the two districts of West Garo Hills and South West Garo Hills connecting Garobadha to Dalu.

The By-pass road project is a part of the Road project titled MLN1, in the state of Meghalaya also referred to as Garobadha to Dalu Road. It is a State Highway (SH12) which forms the connecting corridor between Tura, the District Headquarter of West Garo Hills, close to the International border with Bangladesh in south west corner of the state. The road has been prioritized as Tranche-I road due to its strategic importance. Objectives of the Project

Objective of the Project

This initiative by the ADB aims to upgrade state roads so that more facilities are available on them. At present state roads are in a poor condition and it is necessary to enhance the quality and life span of these roads. In these efforts, it also aims to strengthen the ability of executing agencies like District Administration, PWD and CPWD to do faster and better work in future resulting in economic progress due to increased opportunities, reduced travelling time and increased connectivity.

The proposed investments programme and up gradation of the project roads will also:

- a) Improve socio-economic condition of the people in the influence area,
- b) Improve the living condition and quality of life.
- c) Reduce travel time and vehicle operating costs
- d) Improve access to health, education, religious and market facilities.

The NESRIP project seeks to facilitate all round development in educational and health, religious and trade activities within the state for economic growth². Keeping in view of the overall objectives of the NESRIP it was deemed necessary that a By-pass be constructed, which would avoid the Zikzak market area and the human population there, therefore, the Zikzak market By-pass road was proposed to ease congestion and to ensure overall safety of pedestrians and market users.

Need for the Project

The State roads in North Eastern region have deteriorated over the years due to heavy rains and floods in some areas of the state, the failure of sub-grade and sub-base courses under increasing traffic load and paucity of maintenance funds and resources for the timely and adequate maintenance of such roads. Development in the region is therefore hindered by the low quality of existing transport infrastructure, unreliable services, restriction on transit traffic through Bangladesh, and the largely hilly and rolling terrain besides excessive rainfall and floods in the area resulting in damages to the existing roads.

Project Location

The proposed site for By-pass road is situated under Zikzak C&RD Block. Its distance is 11 kms approximately from the district headquarter Ampati. The By-pass will be located next to the Zikzak market and directly opposite the Zikzak C&RD Block office.

²DETAILED PROJECT REPORT (FINAL), TA No. 4814-IND, TA Cluster for Project Processing & Capacity Development. Design & Project Management Support for the Proposed, North Eastern State Roads Investment Program, SMEC International Pty Ltd, in Sub-consultancy with, SMEC India Pvt. Ltd and Vic Roads International, Garobadha to Dalu (NH-51) MLN1, Vol.: I Main Report.

Project Description

The total area for acquisition for the proposed Zikzak Bypass road is 4682.30 Sq. m (1.157 acres). The Bypass road is proposed to replace the existing 2 numbers of timber bridges at Zikzak Market with 2 permanent RCC bridges. The estimated length of the Bypass road will be 400 meters approximately, with ROW being 7 meters.

The details of the two new proposed RCC bridges are as under –

Table 1 Details of RCC Bridges

Sl. No.	Variable	Bridge 1	Bridge 2
1.	RCC Bridge on Chainage	31+816	31+939
2.	Proposed carriage-way width	7.50 m	7.50 m
3.	Proposed span	25.00 meters (single span)	25.00 meters (single span)
4.	Type of foundation	Well foundation	Well foundation

Proposed Schedule for Implementation

The project was proposed in 2008, and is to be implemented at the earliest after SIA has been conducted and land acquired by the District Administration.

Maps for Proposed Project Area

The map provided in the report was prepared by the Office of the Deputy Commissioner (Revenue Branch) Ampati and Garo Hills Autonomous District Council, West Garo Hills District.

The objective of the Social Impact Assessment study is to prepare a complete inventory of structures, affected families and persons, and to identify social impacts. The research strategy that the SIA-Unit used is a descriptive method. This method describes the specific behaviour or facts concerning the nature of the situation. It involves the gathering of data that describe the events; organisation, tabulation, depiction and description of the data collected.

Primary Data

The research team has taken a sample of 7 titled land owners and 2 non-titled occupants and 23 participants in the focus group discussion held at IBDLP multi facility building in Zikzak, who are occupants and users of the land to be acquired. The methods used were structured and designed based on the likely impact on the 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. 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 site for the area to be acquired for the construction of Zikzak By-pass road was visited. The Reconnaissance survey helped develop the Terms of Reference (TOR) for this SIA study.

Consultation with Village Authority

Village headmen and village authorities were consulted to assess the issues that would be touched or affected the most. From the interaction with the village authorities a brief

outline of the demographic profile of the village as well as the existing structures and infrastructures that would be affected due to this land acquisition. The interaction with village authorities also revealed problems that the community faced, as a whole.

Village Survey

Good practice requires active consultation with relevant affected communities and other interested and affected parties. In this project, the affected persons includes landowners as well as the occupants of the land who are from the Garo, Hajong, Rabha and Bengali communities residing in the villages and using the land. The aim is to inform them about the development plans and give them an opportunity to express their views on the project and its impacts so that these can be taken into account while developing mitigation impacts. Land owners were interviewed using an interview schedule containing both structured and unstructured questionnaires. The primary data was collected from the occupants using focus group discussion and key informant interview.

Secondary Data

The research team first reviewed and researched 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 owners were obtained from the Office of the District Commissioner (Revenue Branch), South West Garo Hills District, Ampati.

Public Hearing

A Public Hearing was held at IBDLP multi facility building in Zikzak on 14th July 2017, to discuss the Draft SIA report. The Hearing was attended by participants and representatives

from the Zikzak C&RD Block office, PWD, land owners and land users. The Public Hearing was held to discuss the main findings, the SIMP and to take in further inputs and suggestions from the public gathering.

Data Processing and Analysis

Data collected during the field visits have been systematically arranged and qualitatively interpreted.

Chapter 3

Profile of the Project

The By-pass road is proposed to be set up in Zikzak, South West Garo Hills District of Meghalaya. The District has approximately 35 kilometres of international boundary with Bangladesh on the southern and western side. Nearly one third of the total number of villages of the sub-division has been declared as border villages by the Border Area Development Department.

Demographic Profile of the Village

The total population of South West Garo Hills is 1,70,794 (provincial) as per Census 2011, with 85,872 male and 84,922 female population. The literacy rate of the district is 68.88%. The project to be set up under Zikzak Community & Rural Development Block has total population of 77,271 (provincial) of which 39,149 are male and 38,122 are female. The total literacy rate is 67.214% (provincial), of which the literacy rate of male is 72.493% and that of female is 61.795%.

Phuljuri village also commonly known as Zikzak is about 11 kms from the District Headquarter, Ampati and is about 17 kms from Mahendraganj, an important commercial town bordering Bangladesh. The area in concerned is mainly inhabited by communities such as Hajong, Koch and Garo Tribes. The residents of the village are mainly involved in agricultural activities and some also work as daily labourers while some are engaged in petty businesses. The Zikzak market is adjacent to the proposed project site. Although it is a small market with only about 50 shops it caters to a wide population. The route is also economically and socially important as it connects Mahendraganj to Ampati, the District Headquarter of South West Garo

Hills and to Tura as well. The route thereby provides access to markets, health facilities and various other goods and services to the people.

Description of Project Area:

The proposed land to be acquired is a residential area and is located next to the Zikzak market. The total land to be acquired according to the survey carried out by the PWD and Revenue Department is about 4682.30 sq. m with the ROW being 10 meters on both left hand side and right hand side from the central line.

The plot of land belongs to 7 titled land holders with 2 non-titled occupants of the land. There are 4 households living in the proposed site who will be affected from this land acquisition as they would have to be relocated. The proposed site has 6 kutcha houses and 3 semi pucca houses. A sizeable number of trees like betel nut, jack fruit, bamboos etc. are also present in the proposed area numbering to a total of 933 trees. It was also observed that two small streams which run parallel to each other are present in the proposed site. The stream is also utilised by people for various purpose such as washing, bathing and also as a drinking water source in the area.

The Zikzak market next to the proposed site is small with about 50 shops and caters to the need of the people of the adjoining areas. The existing road at present cuts across the market and is seen to be very narrow thereby causing difficulty in movement of the people and vehicles.



Figure 3 (i) Picture top left: Affected house of Sri. Pronob Saha (ii) Picture top right: Affected house of Sri. Jobaswar Hajong (iii) Picture bottom left: Affected trees (iv) Picture bottom right: Affected kutchha house



Figure 4 (i) Picture top left: Affected kutcha house of Smt. Robali Hajong (ii) Picture top right: Affected trees of Smt. Robali Hajong (iii) Picture bottom left: Partial affected kutcha house (iv) Picture bottom right: Affected Shop of Smt. Basumati Hajong

Land Ownership

There are 7 titled holders with 2 non-titled occupants of the land³. Out of the total 9 main affected occupants, 3 households who are living in the proposed site will be affected immensely resulting to relocation.

Structures Present on Land

There is hence presence of 3 Assam type houses and 6 kutcha structured houses. The effect on the household's movable and immovable assets is thus seen to be large.

Tree Enumeration

There is presence of a number of trees like Mango, jack fruit, betel nut, black pepper and bamboo numbering to a total of 933⁴ which will require to be felled. The felling of fruit bearing trees like mango, banana, Jack fruit, and betel nut will affect the livelihood of the land owner who receives income from selling of the fruits seasonally.

Water Sources

The two streams that are present and run parallel to each other in the proposed site will be affected during construction period. The stream is used by the people living in the area for purposes like washing, bathing and even drinking. The construction will lead to pollution of the stream and hence people will not be able to use it during the construction period.

Miscellaneous

The presence of the By-pass road will ease traffic congestion in the market area from which the existing road at present goes through. As observed during the field visit, the narrow existing road that cuts through the market causes a lot of traffic and difficulty in movement,

³ See Annexure 2 & 3

⁴ See Annexure 3

which becomes even more so when a vehicle has to pass through. The By-pass hence will provide seem less movement of vehicles that are coming from Ampati to Mahendraganj and vice-versa and will not require passing through the market.

The construction of a By-pass will facilitate free movement of daily commuters of that particular area as well as nearby villages who travel to and fro through the route.

Chapter 4

Data Analyses and Interpretation

The primary data collected and gathered from the respondents has been analysed and interpreted by the Social Impact Assessment Team.

Directly Affected Respondents

Table 2 Respondent Profile

Sl. No.	Name	Land ownership	Class of Land	Area of Land ⁵ (in Sq. M)	Property Characteristic	No. of damaged structure	No. of affected Trees ⁶
1.	Shri. Pronob Saha, S/o Lt. Pran Gopal Saha	Own	1 st Class Homestead	267.56	<ul style="list-style-type: none"> Land House Structure 	1 Assam Type pucca House. 1 Assam type pucca house (partial damage) 1 Worship place of pucca structure (partial damage)	25
2.	Shri. Jobaswar Hajong, S/o Lt. Gaurikanta Hajong	Own	1 st Class Homestead	802.68	<ul style="list-style-type: none"> Land House Structure 	1 Assam type pucca house	71
3.	Smt. Prabasi Hajong, W/o. Lt. Suresh Hajong	Own	1 st Class Homestead	802.68	<ul style="list-style-type: none"> Land 	Nil	232
4.	Shri. Astrodhar Hajong, S/o Lt. Mahendra Hajong	Own	1 st Class Homestead	802.68	<ul style="list-style-type: none"> Land House Structure 	2 kutcha houses	230

⁵See Annexure 2, Statement of land to be acquired

⁶See Annexure 3, Data provided by Office of the District Commissioner (Revenue Branch), Tura, West Garo Hills District

5.	Smt. Robali Hajong, W/o Lt. Hirendra Hajong	Own	1 st Class Homes tead	936.46	<ul style="list-style-type: none"> Land House Structure 	4 kutcha house	54
6.	Shri. Nidhiram Hajong, S/o Nibaron Hajong	Own	1 st Class Homes tead	535.12	<ul style="list-style-type: none"> Land 	1 Kutcha house (partial damage)	116
7.	Smt. Jainti Hajong, W/o Lt. Narayan Hajong	Own	1 st Class Homes tead	535.12	<ul style="list-style-type: none"> Land 	Nil	28
8.	Shri. Siknal Sangma, S/o Lt. Leson Sangma		1 st Class Homes tead	-	<ul style="list-style-type: none"> Land 	Nil	146
9.	Smt. Basumati Hajong, W/o Porimal Hajong		1 st Class Homes tead	-	<ul style="list-style-type: none"> House structure 	1 Assam type pucca house	31

This section further describes the data collected from the directly affected respondents.

From the total respondents who will be affected directly, 8 are males and 1 is a female.

From the total of 9 directly affected respondents, it was found that the majority, 6 in number are engaged in agriculture for their livelihood, while the rest are engaged in daily wage work and small business. The other source of livelihood undertaken by the respondents is horticulture.

From among the total respondents 4 fall under the BPL category. Out of the total 9 directly affected respondents, the land acquisition will greatly affect 3 households due to relocation while the rest will be affected in terms of loss of land, trees and structure only. The 3

households that will be affected due to relocation have stated that they do have an alternate land nearby to the proposed site itself in Phuljhuri and would like to resettle there.

The study also took the respondents view on whether there was need for the said By-pass road project, to which all the respondents gave their consent and did not have any objections on the said project. Many were of the view that the said project will further develop the market and also lead to an increase in the cost of property nearby.

When asked about their aspirations from the project, the land owners requested for adequate compensation for their land and for their structures that will be affected.

Indirectly affected Respondents

A Focus Group Discussion in the village was held on the 8th June 2017, which was attended by the Assistant Executive Engineer PWD, Ampati, and the social expert from the concerned construction company and a mixed group of 15 above residents of only Zikzak village. The participants were from different occupational backgrounds and different age groups. Out of total 23 participants, 6 were females while 17 were males.

The main occupational status of the people was found to be agriculture related and only a few engaged in business. Majority of the women were found to be homemaker or daily wage labourer.

Findings

The findings from primary field survey are detailed below.

Awareness level on the proposed project:

From the key informant interviews, focused Group discussion and public consultation, it was found that majority of the people were aware about the proposed project. People of Zikzak

village were all aware of the project as; a prior survey was done by the district administration and the PWD during site identification.

Land Use

The proposed land has 7 titled owners of the land and 2 non-titled occupants of the land. The proposed land acquisition area at present is a residential area and is inhabited by 4 households. The site in question has 3 Assam type houses and 6 kutcha structured houses, out of which one pucca Assam type structured house is used as a shop by Smti Basumati Hajong. The area adjacent for acquisition also has one temple of pucca structure, one Assam type pucca house belonging to Shri Pronob Saha and one kutcha structured house belonging to Shri Nidhiram Hajong which may face possible damage during construction period.

There is also presence of a number of trees like mango, jack fruit, banana, bamboo, black pepper, neem etc. numbering to a total of 933. Some of the land owners hence receive livelihood income seasonally by selling of fruits received from the above mentioned fruit bearing trees.

The two streams that are present and run parallel to each other in the proposed site are used by the people of the village for different purposes like cleaning, washing, bathing and also for drinking. It was also observed that there is a spring closely adjoining to the proposed acquisition land, however it was found that the spring had dried and was left abandoned now for many years.

Social and Economic Issues

The research team assessed the issues and concerns related to the construction of the By-pass road and on how it will serve the people of the village once completed.

Utility and Accessibility

The proposed By-pass road is located adjacent to the Zikzak market and it is through this market the existing road i.e., state highway (SH-12) passes through. The location thereby is vital in connecting Ampati to Mahendraganj and vice-versa. The route is an important economic route for the people of the surrounding villages and for the state as well. Many goods are hence being transported and people frequently travel on a daily basis through this route.

It can be noted that the Zikzak market serves as an important economic commercial centre for the people of the surrounding area. The market is seen to have more than 50 shops and various goods and services are available for the general public. The weekly market day is held on Friday in which local people of the surrounding area and traders from other areas bring their agricultural produce and their goods for sale in the market. The people also have access to public transport in the area with auto and bus services found to be available.

The present existing road cutting across Zikzak market is very narrow. It is because of this reason a lot of traffic congestion is caused in the market area with people facing difficulty in movement which becomes even more so when a vehicle has to pass through.

The By-pass once completed will provide seem less movement of vehicles that are coming from Ampati to Mahendraganj and vice-versa and will not require passing through the market.

The construction of a By-pass will also facilitate free movement of daily commuters of that particular area as well as nearby villages who travel to and fro through the route.

Income from the Land

The land at present has a number of fruit bearing trees like mango, banana, jackfruit, black pepper etc. which provide livelihood income seasonally to some land owners who sell the fruits in the market. These products are also exported to nearby markets in Border haat in Kalaichar, Mankachar in Assam and also to Bangladesh.

Smti. Basamati Sangma, an occupant of the land runs a shop in the proposed site from which she earns her livelihood income.

Social Issues

Through the interview and discussions held it was found that the people of the village face difficulty of movement in the market due to the narrow width of the road with many people and vehicles plying through it.

The acquisition of the proposed land is seen to result in relocation of 3 households which in turn is likely to displace a total of 21 people. From among which 7 are found to be below the age of 18 years.

Environmental Issues

The construction of the by-pass road in the proposed site will require felling of a number of trees like jackfruit, mango, banana, betel nut, and bamboo among others and clearing of shrubs and bushes, hence leading to loss of vegetation.

The two small streams that flow across the proposed site will be affected as the earth work during the construction period will spill over to the stream causing the water to be polluted. This might create inconvenience to the people who use the stream for different purposes like washing, cleaning and even for drinking water.

Opinion of the Respondents on Zikzak By-pass Road.

The study also took the opinion of the respondents view on the by-pass road project. All the respondents of Zikzak felt that the by-pass road is favourable for the residents of the area and welcomed the project.

The by-pass road is seen by many to address the issue of traffic congestion in the market and facilitate free movement of daily commuters of that particular area as well as nearby villages who travel to and fro through the route.

The 3 households which will be subject to relocation have also opined that they would like to resettle in Phuljhuri itself close to their present home.

A concern however raised by one of the land owner was that whether they would receive compensation for the structure that would be affected partially even if not fully affected.

The directly affected respondents i.e., those households that will be affected, aspire for due compensation as per their property characteristic in terms of their movable and immovable assets. They also seek that the authority would help the affected people in relocation and rehabilitation.

Table 3 Positive and Negative Assessment

Sl. No.	Positive Impact	Negative Impact
1.	Reduced traffic congestion	Loss of Land
2.	Savings in travel time	Relocation of PAFs
3.	Enhanced value of land	Loss of Livelihood
4.	Reduced instances of accident	Loss of trees
5.	Increase in employment opportunities	

As mentioned above in positive and negative impacts in Table no. 3, it can be noted that the project will have more positive impacts than negative impacts. There are no major social impacts of this project because there is no much impact on agriculture, business and environment whereas there is an impact in loss of residence and livelihood of the stakeholders. This project in turn will help the local people of the area as well as the travelers. Hence it can be mentioned that potential benefits of the projects outweigh overall cost of the project and this land acquisition can be undertaken.

Chapter 5

Public Hearing

The Meghalaya Institute of governance had conducted a Public hearing on the 14th July, 2017 in IBDLP Multi Facility Building, Zikzak at 11:00 a.m as part of the Social Impact Assessment study under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 notified by the Ministry of Rural Development, Government of India.

The programme was chaired by Shri Reuben Ch. Momin, MCS, Block Development Officer, Zikzak C&RD Block, South West Garo Hills District, in the presence of Shri Daniel Ingty, Director Natural Resource Management (MBDA), Shri Dylan Minty Sangma, A.E.E, PWD(R), Ampati, the MIG SIA Team and the project affected people and the general public.

The Public Hearing started with Shri Reuben Sangma MCS, BDO, Zikzak C&RD Block, South West Garo Hills District, welcomed the public and stated that the public hearing was conducted with a view to interact and share ideas and opinions on the construction of the Zikzak By-pass road on the State Highway-12 (SH-12) connecting Ampati to Mahendraganj.

He then informed that Meghalaya Institute of Governance, Social Impact Assessment team has conducted the Social Impact Assessment study of the land acquisition on the said purpose on receiving the proposal from Government of Meghalaya. Before setting up a project anywhere the Government has set rules to conduct the SIA study under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, passed by the Government of India, it therefore has become mandatory for the

Government to conduct the Social Impact Assessment whenever Government undertakes any land for construction or developmental work.

The Meghalaya Institute of Governance has been notified as a nodal agency of the state to conduct SIA throughout the State. The SIA team thereby visited the site and inspected the area. Consultations were then held with the project affected people and the general public of Zikzak after which the Public hearing was held. The people therefore participated in the public hearing and provided their views and opinions, wherever they have any doubts about the report submitted and also about the project.

Shri Daniel Ingty, Director, Natural Resource Management (Garo Hills), Meghalaya Basin



Development Authority then stated that the public hearing was being conducted for the public, hence the people should voice out their views and concerns if any so that it can be heard for any objection by the attending Government representatives who later can

clear the doubts of the public and also take stock of the people's views and grievances to the Government.

Shri Prabhakar Boro (Programme Associate, MIG, SIA Unit): He welcomed the Govt. Officials, village nokma and all the public gathered in the public hearing and requested the people to come forward for any comments and the feedbacks once the report was fully read out. He then briefed about the purpose of the construction of the Zikzak By-pass road and on how the SIA study was carried out under the Right to Fair Compensation and Transparency in

Land Acquisition, Rehabilitation and Resettlement Act, 2013, passed by the Government of India. The draft SIA report with major findings and recommendations was then read out in Assamese before the people.

Opinion and views of the People

- Shri Jobaswar Hajong, a land owner, wanted to know whether his one Assam type house structured next to Pranab Saha's Land was listed under the affected list of structures and also if the trees present in his land were listed for compensation.

Answering this query ,Shri Prabhakar Boro (Programme Associate, MIG, SIA Unit), stated that the Revenue Department along with the PWD, Government of Meghalaya, had conducted the survey prior to the SIA study and that Shri Jobaswar Hajong's Assam type house structure and the trees present on his land were present on the list of affected structures and trees. Shri Reuben Sangma, MCS, BDO Zikzak C&RD Block, then read out the number of affected structure and trees on his land from the document provided by the District Administration. .

- Shri Astrodhar Hajong, a land owner, stated that with the proposed acquisition of land, he will lose more land than what has been projected and that many of his trees were not taken into account out of which majority were bamboos. He then claimed that there is a presence of 8000 to 10000 bamboo trees on his plot of land.

Answering to this query, Shri Reuben Sangma, MCS, BDO Zikzak C&RD Block, stated that only the structures and trees to be affected by the acquisition and construction were being taken into account and not the whole of his property. He then read out the number of affected trees on his land with bamboos numbering to 80.

Shri Astrodhar Hajong pointed out that more trees were likely to be affected than what Sri. Reuben Sangma, MCS had read out from the official records and Government documents and requested that the number of trees to be reassessed by the Departments concerned.

- Shri Nidhiram Hajong, a land owner, stated that the proposed acquisition of land and construction of the By-pass road will lead to partially damaging one of his kutcha structured houses and that the affected number of trees on his plot of land is more than what has been listed. He therefore claimed compensation for the same and also requested for a re-assessment of the affected number of trees on his plot of land.
- Shri Monjon Hajong, who had come on behalf of Smti. Robali Hajong(Titled Land Owner) claimed that the affected land is more than what has been projected and hence requests for a re-assessment of the land to be acquired.
- Shri Pronab Saha, Shri Paresh Hajong and Smti. Basumati Hajong (Titled Land Owners) each expressed their satisfaction on the said acquisition of land for the purpose of by-pass road construction and did not have any objections on the matter.
- Shri Jobaswar Hajong then stated that another of his house might get affected during the construction period.

Answering to this query, Shri Reuben Sangma, MCS, BDO Zikzak C&RD Block after consulting with Shri Dylan Minty Sangma, A.E.E, PWD(R), Ampati,South West Garo Hills, stated that after due measurements taken by the PWD during their survey, they found that the

construction of the By-pass road and the ROW will not affect his house, however a portion of his bamboo made wall may be affected.

Shri Reuben Sangma, MCS, BDO Zikzak C&RD Block: On the issue raised by few on the area of the land to be acquired being lesser on paper than in actual, he stated that he would recommend the concerned departments to verify and reassess the area of land and also the number of trees to be affected so that the people will not be in doubt and at a loss in getting their due compensation. He informed the people that the compensation however will depend on the verification and survey conducted by the concerned departments and not on mere claims made by the people.

Shri Daniel Ingty, Director NRM, MBDA (Garo Hills Region), stated that the views and grievances brought up by the people in the public hearing will be put forward to the Government and recommendations through the SIA report will be made to address the issues discussed.

Shri Prabhakar Boro (Programme Associate, MIG, SIA Unit) thanked all who had attended the public hearing and the people for their active participation during the process. He informed that, as the concerns, suggestions and views of the people have been heard, the SIA Unit will produce the same in the report and will be submitted to the government. After the submission of the report, the concerned departments can look into how the affected people can be helped in terms of their grievances. Information will hence be also provided to the affected people on the site.

Conclusion

With a lot of positive interaction, discussion and feedbacks from the land owners and community people of Zikzak, it was found that the people are ready to accept the construction of the Zikzak By-pass road project. The symbol of accepting this proposal was made by raising their hands before bringing the Public hearing to a close.

Chapter 6

Major Findings

The following are the summary of the major findings of the research team from their interaction with the villagers, the owners of the land, directly and indirectly affected families residing in and around the project site.

Location :

The proposed By-pass road is located adjacent to the Zikzak market and it is through this market the existing road i.e., the state highway (SH-12) passes through. The location thereby is vital in connecting Ampati to Mahendraganj and vice-versa. The route is an important economic route for the people of the surrounding villages and for the State as well. Many goods are hence being transported and people frequently travel on a daily basis through this route.

Ownership of Land:

The area of land that is proposed to be acquired is 4682.30 sq.m. with the estimated length of the Bypass road being 400 meters approximately and ROW 7 meters. The land belongs to 7 titled holders with 2 non-titled occupants of the land. The 7 land owners are namely Shri. Pronob Saha, Shri. Jobaswar Hajong, Smti. Prabasi Hajong, Shri. Astrodhar Hajong, Smt. Robali Hajong, Shri. Nidhiram Hajong, Smt. Jainti Hajong. The two Non-titled occupants are Shri. Siknal Sangma and Smt. Basumati Hajong

Structures on land:

Out of the total 9 affected, 3 households who are living in the proposed site,i.e., of Shri. Pronob Saha, Shri. Astrodhar Hajong and Smt. Robali Hajong, will be affected greatly

resulting to relocation. There is hence presence of 3 Assam type houses and 6 kutcha structured houses. The effect on the household's movable and immovable assets is thus seen to be high.

It is also seen that, one worship place of pucca structure, one Assam type pucca house belonging to Shri Pronob Saha and one kutcha structured house belonging to Shri Nidhiram Hajong may face possible damage during construction period.

Impact on trees:

In the Public Hearing conducted on 14th July 2017, land owners of the proposed project site, namely Shri Astrodhar Hajong, Shri Nidhiram Hajong and Shri Monjon Hajong on behalf of Smti. Robali Hajong were of the view that the affected trees on their plot of land and the area of the land to be acquired were projected lesser on paper than what it is in actual. The 3 titled land owners therefore requested for a re-assessment of their plot of land and the number of trees to be affected before the acquisition.

Livelihood:

There is presence of a number of trees like Mango, jack fruit, betel nut, black pepper and bamboo numbering to a total of 933 which will require to be felled. The felling of fruit bearing trees like mango, banana, Jack fruit, and betel nut will affect the livelihood of the land owner who receives income from selling of the fruits seasonally.

Water:

The two streams that are present and run parallel to each other in the proposed site will be affected during construction period. The stream is used by the people living in the area for

purposes like washing, bathing and even drinking. The construction will lead to pollution of the stream and hence people will not be able to use it during the construction period.

Market:

The market is seen to have more than 50 shops and various goods and services are available for the general public. The weekly market day is held on Friday in which local people of the surrounding area and traders from other areas bring their agricultural produce and their goods for sale to the market.

After the completion of the proposed project, majority of the respondent felt that the project will have a better impact on the market and the village in term of community way of living and safety.

Road:

The narrow existing road that cuts through the market causes a lot of traffic and difficulty in movement, which becomes even more so when a vehicle has to pass through. The By-pass hence will provide seamless movement of vehicles that are coming from Ampati to Mahendraganj and vice-versa and will not require passing through the market. The construction of a By-pass will facilitate free movement of daily commuters of that particular area as well as nearby villages who travel to and fro through the route.

All the respondents of Zikzak felt that the by-pass road will be favourable for the residents of the area and are welcoming the proposed by-pass road.

The site is suitable for the said project and there is no such suitable alternative land nearby. The land in question hence can be acquired by the concerned authority while also addressing the grievances of the affected people.

Chapter 7

Social Impact Management Plan

The Social Impact Assessment Unit of MIG which has been assigned the task of conducting a study on the land acquisition land for the By-pass road situated under Zikzak C&RD Block recommend the following to ensure that there are no negative impacts from the project. The MIG recommend the following:

Compensation Award

- The 7 titled land owners which includes the following names Sri. Pronob Saha, Shri. Jobaswar Hajong, Smt. Prabasi Hajong, Sri, Astrodhar Hajong, Smt. Robali Hajong, Shri. Nidhiram Hajong and Smt. Jainti Hajong may be awarded the following minimum compensation package under the First Schedule:
 - The market value of the land
 - Including the market value multiplied by the factor determined by the appropriate Government
 - The value of assets attached to the land including trees and plants bore wells etc.
 - A solatium which is equivalent one hundred percent.

Resettlement Measures (Second Schedule of the RTFCLARR Act, 2013)

- In the case of the households of Sri. Pronob Saha, Sri. Astrodhar Hajong and Smt. Robali Hajong a resettlement award of either one house under the IAY (Indra Awaj Yojana) shall be provided or an equivalent cost of not more than one house is to be paid. The stamp duty and other fees payable for registration of land or house allotted to the

affected family shall be borne by the requiring body and the house or land allotted maybe in the joint names of wife and husband of the affected family.

- Each affected family which is displaced from the land acquired shall be given a monthly subsistence allowance equivalent to three thousand rupees per month for a period of one year from the date of the award.
- As these families are also Schedule Tribes displaced from schedule areas they shall receive an amount equivalent to fifty thousand rupees.
- In case as it is a case of displacement from a schedule area the affected families shall be relocated in a similar ecological zone so as to preserve the economic opportunities, language, culture and community life of the tribal communities.
- Each displaced families whether titled owner or occupant of the land shall get a one time financial assistance of fifty thousand rupees as transportation cost for shifting the family, building materials, belongings and cattle.
- Smt. Basumati Hajong who runs a petty shop shall get a onetime financial assistance that is a minimum amount of twenty thousand rupees for construction of a new petty shop.
- After the land acquisition skilled training may be provided to the PAFs who are losing their livelihood so that they can earn their living.
- During the operational and other stages of this project the preference should be given to the village labour.
- The Collector should engage the services of a competent Engineer to assess the market value of buildings and structures.

- The Collector, for the purpose of determining the value of trees and plants attached to the land to be acquired should use experienced people in the field of Agriculture, Forestry, Horticulture, Sericulture and other relevant fields.

Socio-Economic Mitigation

- To further improve the progress of work and to avoid any disturbance during the construction phase, the local community and local authority can also be included in the developmental process. This can be done by providing prior information to the local authority before work progress as well as providing employment opportunity to the local people.
- 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.
- Ensure electricity supply is not disturbed during the construction phase.
- The concerned departments to verify and re-assess the area of land to be acquired and the number of trees affected before acquisition, as claims were made and a request put forward during the public hearing.

Environment, Health and Safety Mitigation

- Ensure proper drainage as well as sanitation plans in the project design of the Zikzak By-pass road.
- Employ trained and qualified machine handlers and drivers.
- Ensure construction work is conducted by trained workers with strict adherence to safety standards.

- Avoid developing in areas of weak soil structure to avoid landslides.
- Control soil erosion through timely clearing of excavations from project area; develop erosion control structure and excavate new areas only after finishing work at opened segments among other measures.
- As there are two small streams in the proposed site, measures should be undertaken to ensure the water body does not get polluted, in all the phases of the project.

Miscellaneous

- As per section 2 sub section 101 of the RFCTLARR Act 2013 “when any land acquired under this act remains unutilised for a period of 5 years from the date of taking over the possession, the same shall be returned to the original owner or owners or their legal heirs, as the case maybe or to the land bank⁷ of the appropriate Government by reversion in the manner as maybe prescribed by the appropriate Government.”

⁷ Land Bank means a Governmental entity that focuses on the conversion of Government owned vacant, abandoned unutilized acquired lands tax delinquent property into productive use.

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.60/2012/173,

Dated Shillong, the 29th March, 2017.

WHEREAS, acquisition of land area measuring 4.683 sq.m in Ampati Sub-Division South West Garo Hills District for the purpose of ADB Project Garobadha to Barengpara-By Pass of Zikzak Bazar Road (proposed project) to be constructed/developed by Government of Meghalaya (name of the project developer) 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.

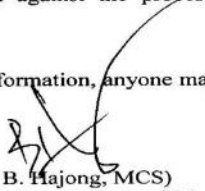
WHEREAS, the aforesaid team will conduct, fix and indicate the date and venue for which all concerned will be requested to remain present with their claims/objections/suggestions, if any.

WHEREAS, the concerned land owners (copy enclosed at Annexure- I) himself/herself or his representative 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. Majong, MCS)
Joint Secretary to the Govt. of Meghalaya
Revenue & Disaster Management Department.

as/sd/-

Annexure 2. Statement of land to be acquired

STATEMENT SHOWING THE LAND TO BE ACQUIRED FOR ASIAN DEVELOPMENT BANK PROJECT (GAROBADHA TO BARENGAPARA) BY -PASS ZIKZAK BAZAR ROAD UNDER SOUTH WEST GARO HILLS DISTRICT.

Name of CD Areas	Class of land	Area of land in Sq.m	Rate per Bigha	Rate per Sq.m	Value of land	Factor by which the market value is to be multiplied (by 2)	Solatium 100%	12% interest for 1095 days	Total Payable	Remarks
2	3	4	5	6	7	8	9	10	11	12
Shri Pronob Saha S/o. Lt. Pran Gopal Saha	1st Class Homestead	0B - 1K - 0L or 267.56 sq.m	150000	112.1244	30000	60000	60000	10800	130800	
Shri Jokeswar Hajong	1st Class Homestead	0B - 3K - 0L or 802.68 sq.m	150000	112.1244	90000	180000	180000	32400	392400	
Shri Parash Hajong S/o Lt. Surend Hajong	1st Class Homestead	0B1 - 1K - 0L or 802.68 sq.m	150000	112.1244	90000	180000	180000	32400	392400	
Shri. Astrodhar Hajong	1st Class Homestead	0B1 - 3K - 0L or 802.68 sq.m	150000	112.1244	90000	180000	180000	32400	392400	
Smt. Robali Hajong W/o Lt. Hirendra Hajong	1st Class Homestead	0B - 3K - 10L or 936.46 sq.m	150000	112.1244	105000	210000	210000	37800	457800	
Lt. Shri Nidhiram Hajong S/o. Niharon Hajong	1st Class Homestead	0B - 2K - 0L or 535.12 sq.m	150000	112.1244	60000	120000	120000	21600	261600	
Smt. Jainti Hajong C/o Shri Ratan Hajong	1st Class Homestead	0B - 2K - 0L or 535.12 sq.m	150000	112.1244	60000	120000	120000	21600	261600	
	Total	3B - 2K - 10L or 4682.30	150000	112.1244	525000	1050000	1050000	189000	2289000	
10% contingencies									Rs 228900	
Total Amount to be payable									Rs 2517900	

(Rupees twenty five lakh seventeen thousand nine hundred) Only

Countersigned
Deputy Commissioner,
South West Garo Hills, Ampati

Required by
Addl. Chief Engineer, PWD (Roads)
Western Zone, Tura cum PD (ADRI)

Annexure 3. Statement of Trees present in the proposed site

Statement of Fruit Bearing trees of the Asian Development Bank Project (Garobadha to Barengapara) Bye -Pass of Zikar Road, under South West Garo Hills, District.

Sl. No	Particulars	Crops/trees	mature	Immature	Total no. of crops/ trees	Rates of trees/crops	value of trees/crops
1	Lt. Pran Gopal Saha	Coconut	2		2	3600	7200
		Betelnut	20		20	2400	48000
		Mango	3		3	4800	14400
Total					25 Nos.		69600
2	Shri Jobaswar Hajong	Coconut	3		3	3600	10800
		Betelnut	60		60	2400	144000
		Lemon	2		2	1200	2400
		Jackfruit	2		2	6000	12000
		Mango	1		1	4800	4800
		Other non Sal	3		3	2400	7200
Total					71 Nos.		181200
3	Lt. Suresh Hajong	Betelnut	115		115	2400	276000
		Jackfruit	2		2	6000	12000
		Blackpeper	25		25	500	12500
		Coconut	2		2	3600	7200
		Teak	1		1	7200	7200
		Non Sal	7		7	2400	16800
		Borua Bamboo	80		80	200	16000
Total					232		347700
4	Shri. Ostrodhar Hajong	Betelnut	114		114	2400	273600
		Jackfruit	2		2	6000	12000
		Mango	2		2	4800	9600
		Guava	3		3	750	2250
		Blackpeper	20		20	500	10000
		Non Sal	9		9	2400	21600
		Wa'tre Bamboo	80		80	20	1600
Total					230		330650
5	Lt. Hirendra Hajong	Betelnut	50		50	2400	120000
		Lemon	2		2	1200	2400
		Coconut	2		2	3600	7200
Total					54		129600
6	Lt. Nibaron Hajong F.O Shri. Nidhram Hajong	Betelnut	102		102	2400	244800
		Drumsticks	2		2	1440	2880
		Coconut	2		2	3600	7200
		Teak	3		3	7200	21600
		Non Sal	1		1	2400	2400
		Bamboo	6		6	200	1200
					116		280080

7	Shri Siknal Sangma	Non Sal	5		5	2400	12000
	S/o Lt. Leson Sangma	Wa'bok Bamboo	100		100	150	15000
	under the land of	Betelnut	28		28	2400	67200
	shri Ratan Hajong	Coconut	3		3	3600	10800
	S/o Lt. Jayanti and	Banana	10		10	250	2500
	Lt. Narayan Hajong				146		107500
8	shri Ratan Hajong	Betelnut	26		26	2400	62400
	S/o Lt. Jayanti Hajong	Coconut	2		2	3600	7200
					28		69600
	Total						
9	Smt Basumati Hajong	Betelnut	28		28	2400	67200
		Coconut	3		3	3600	10800
		TOTAL			31		78000

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Annexure 4. Attendance of members present in the Focused Group Discussion

ATTENDANCE SHEET FOR THE MEMBERS PRESENT DURING FOCUSED GROUP DISCUSSION FOR ZIKZAK
BAZAR BYPASS ROAD PROJECT
Dated: 7th June 2017
Place: Zikzak Block office multi facility building

Sl. No	Name	Designation	Contact No	Signature
1	T. Veervajuv	Social Expt	9885976373	Veervajuv
2	T. C. Pant	Survey Engineer	8896908444	Pant
3	Jawed Ansari	Sr. Surveyor	8415924514	Jawed
4	J. B. Anwar	consultant CSC	9706006330	Anwar
5	Sitand Sonoma	Farmer	7085230695	Sitand
6	Pranab Saha	Business	7085230694	Saha
7				
8	Monjori Hajong	Farmer	730834688	Monjori
9	Parash Hajong	Business		Parash
10	S. M. Saengue	ACE PWD (R) Ampti Sub. Div.	9436112480	Saengue
11	Latan Hajong	Business	8974950489	Latan
12	Astradhar Hajong	Business		Astradhar
13	Shri Bodon B. Hajong	J.E PWD (R) Ampti Sub. Division	8416067397	Bodon
14	Ambika Hajong			A. Hajong
15	Manoka Hajong			M. Hajong
16	Tegamanda Hajong		8974155284	T. Hajong
17	Basumati Hajong	AWPT	762836347	Basumati
18	Nidheham Hajong	Business	8974951245	Nidheham
19	Robali Hajong	Farmer		R Hajong
20	Silbingchi G. Momin	MIG Unit	9862678710	Silbingchi

5

Dated: 7th June 2017

Place: Zikzak Block office multi facility building

[illegible]

Annexure 5. Attendance of the members present during the Public Hearing held on 14th July 2017

Attendance Sheet for the members present during Public hearing on Social Impact Assessment for
By-Pass Road, ADB Project in Zikzak .

Dated: 14th July 2017

Place: Zikzak MFC

Sl.No	Name	Designation	Contact. No	Signature
1.	DANIEL INBOY	Director & OSD MSLA/MIG	9436113091	[Signature]
2.	Bodan B. Hajong	J.E. PWD (R) Ampti Sub Division	8416067397	[Signature]
3.	Jogamanda Hajong		8974115284	J. Hajong
4.	Manjor Hajong		8974836389	M Hajong
5.	Pranob Saha		7085230694	[Signature]
7.	Hidhiram Hajong			[Signature]
(8)	Aotrashur Hajong			[Signature]
9.	Parash Hajong	business		[Signature]
10	Basumati Hajong	Anganwadi		[Signature]
11.	Shujib March	Driver	8575907278	[Signature]
12	Pintu D. Sangma	Driver	9089640418	[Signature]
13.	Raju Boro	SIA UNIT, MIG	8974488885	[Signature]
14.	Sylam Hilly Sanyal	A.E. PWD (R) Ampti	9436112480	[Signature]
15.	R. Momi	BDO Lilegale	9436113368	[Signature]
16.	Prashakar Boro	Programme Assistant MIG SIA unit	8730802082	[Signature]
17.	Eliebond k Sangma	MIG, SIA Unit	8014618989	[Signature]
18.	SILINGCHI MOMIN	"	9862678710	[Signature]
19.	Pratish Sangma	—	—	