

REPORT OF THE EXPERT GROUP CONSTITUTED UNDER SECTION 7(1) OF THE RIGHT TO FAIR COMPENSATION AND TRANSPARENCY IN LAND ACQUISITION, REHABILITATION AND RESETTLEMENT ACT, 2013 IN RESPECT OF THE PROPOSED LAND ACQUISITION FOR SETTING UP OF THE FACILITATION CENTRE AT ENTRY AND EXIT POINT AT ATHIABARI VILLAGE, WEST KHASI HILLS DISTRICT.

The Expert Group under sub section (1) of Section 7 of the Right to Fair Compensation and Transparency in land Acquisition, Rehabilitation and Resettlement Act, 2013 comprising of the following members was constituted by the Deputy Commissioner, West Khasi Hills District, Nongstoin vide order No.NDR/Bldg.7/2014/70 dated 9th June 2017 to evaluate the Social Impact Assessment Report and Social Impact Management Plan submitted by the Meghalaya Institute of Governance (MIG) in respect of the proposed land acquisition for setting up of facilitation centre at entry and exit point at Athiabari village:

- (i) Extra Assistant Commissioner (Revenue) West Khasi Hills District, Nongstoin as Rehabilitation expert and also nominated as Chairman of the Expert Group.
- (ii) Extra Assistant Commissioner, I/c Mawshynrut Administrative Unit-Rehabilitation Expert.
- (iii) Superintendent of Police, West Khasi Hills District -Technical Expert on the subject matter.
- (iv) Shri Rishan Sunn, Asstt.Professor, Nongstoin College-Social Scientist
- (v) Fr James Syiemlieh, Director Nongstoin Social Service Society
- (vi) Shri Nastar Kharlyngdoh, Headman & VEC member Athiabari village- Local representative.
- (vii) Smti Jemethy M Marak, VEC member Athiabari village-Local representative.

The meeting of Expert Group was held on the 19th June, 2017 at 12.00 Noon in the Office Chamber of the Chairman and attended by all the members. The Social Impact Assessment Report and the Social Impact Management Plan submitted by the Meghalaya Institute of Governance (MIG) has also been circulated to all members by the Deputy Commissioner, West Khasi Hills District Nongstoin 10 days prior to the meeting vide Memo No No.NDR/Bldg.7/2014/70 dated 9th June 2017.

The extract of the SIA report is highlighted as under:-

- (i) The Meghalaya Institute of Governance (MIG) had conducted detailed study on the proposed land acquisition of an area measuring about 7.09 acres for the purpose of setting up of facilitation centre at entry and exit point at Athiabari village by engaging tools such as observation and interaction made with the people, collection of secondary data from competent authority; review of related literature and relevant laws; reconnaissance survey; baseline study; interview with different stakeholders and consultation and public hearing. The tools used are screening checklist, interview scheduled, questionnaire and formal meeting. Public hearing at the village level was also held at Athiabari village itself on 22.3.2017.

The major findings of the MIG during conduct of the Social Impact Assessment study along with the points in the Social Impact Management Plan are reproduced hereunder:

A. Social Impact Assessment Report-

- (i) The concept of a Facilitation Centre – Entry and Exit Point came up as a concession to the demands of local pressure groups to set up the Inner Line Permit to check on the entry of unwanted elements into the state. The Facilitation Centre – Entry and Exit point was proposed to be set up in all sensitive areas of the state to address the issues of unauthorized immigration into the state, illegal flow of trades and goods, criminal activities, etc. The Facilitation Centre – Entry and Exit Point proposed by the State Government of Meghalaya aims to address these issues by preventing unlawful entries into the State and to facilitate the legal flow of people, goods and vehicles into the State.

- (4)
- (ii) The land identified for setting up of the facilitation centre in West Khasi Hills District is located at Athiabari village which is located at a distance of about 82 KM from Nongstoin and belongs to the Khasi Hills Autonomous District Council (KHADC) and consent has been obtained from KHADC for the proposed land acquisition.
 - (iii) The land has been earlier used for teak plantation but has remained uncultivated for more than 6-7 years. The land is not used by the community for any purpose. On observation, the land has turned into a shrub area and no social activities like farming, grazing, structures etc were available on the proposed site
 - (iv) The total area proposed for the project site is 28728.88 sq.meters (7.0991 Acres) more or less and does not have any infrastructural facilities or service facilities..
 - (v) From the Consultation, the negative impact on the community is minimal as the project location is about 1 km from the homestead area. The people felt that such construction in the village will bring development as well as provide employment opportunity for the local during the project face. However, certain concerns were raised during the project construction phase where soil excavated from the project site will be dump into individual private land near the project location and the falling of loose soil from freshly cut slope/berm. However, after due consultation, it was agreed by the village authorities that the soil will be dumped along the banks of the river Tyrsung to prevent erosion of loose soil along the river banks.

B: SOCIAL IMPACT MANAGEMENT PLAN

The land to be acquired for setting up of Facilitation Centre – Entry and Exit Point at Athiabari, Nongstoin, West Khasi Hills District measuring an area of 28728.88 sq.meters (7.0991 Acres) more or less, falls under the territorial jurisdiction of Khasi Hills Autonomous District Council. The consent for initiation of acquisition has been conveyed by KHADC to the Revenue Branch (Nongstoin).

From the village level consultations, the community members welcome the setting up of Facilitation Centre – Entry cum Exit Point at Athiabari, WKHD and stated that negative impact on the community will be minimal and absent. Some of the community members suggested that the Facilitation Centre should be set up near Aradonga Check Post which is closer to the Meghalaya- Assam Border and the staff quarter for the Facilitation Centre – Entry and Exit Point can be set up in the proposed area.

However, after the Public hearing the people from Athiabari village approved the setting up of the Facilitation Centre cum Entry and Exit point in the proposed location and majority of them approved the proposed project. It was put forth that the existing anti-infiltration post in Aradonga village should be upgraded even after the setting up of a new Facilitation Centre cum Entry and Exit Point at Athiabari.

The following are some of the specific conditions that needs to be taken up:

Project Phase:

- i. The project proponent shall comply to Acts, Rules, Regulations, Notifications, Government resolution, Circulars, etc for land use which are applicable to the project.
- ii. Provision for temporary housing facilities for construction labour within the site and providing them with safe drinking water and sanitation facilities.
- iii. Avoid digging and dumping of soil to individual land owner's plantation area to prevent mishap and conflict in the future.
- iv. Excavation of soil from project site can be stored for use in landscape development and as suggested during the Public Consultation excessive soil can be disposed off near the bank of river Tyrsung after consultation with the traditional authority of that particular location, to avoid siltation of river Tyrsung.

- v. Generic soil erosion measure should be adopted if need arises especially in slope and berm.
- vi. Traffic congestion near the entry and exit point of the project site must be avoided. Since the width of the existing PWD road is small, no public space should be utilized.
- vii. Permission from competent authority for supply of water shall be obtained prior to construction / operation of the project.
- viii. Avoid use of underground water during construction phase.
- ix. Priority shall be given to local people for job opportunity during the construction/ operation of the project with the knowledge of the local authority.
- x. Approval from competent authority shall be obtained for structural safety of the building on account of natural calamities like earthquake.
- xi. Regular supervision and measure to monitor the working progress so as to avoid disturbance to the surroundings.

The SIA study concluded that on the basis of the site visit, observation, 1st & 2nd consultation and Public hearing there will be no adverse impact on the community as a whole and the community members welcome the proposed setting up of Facilitation Centre – Entry and Exit Point in Athiabari village.


Recommendation of the Expert Group:-

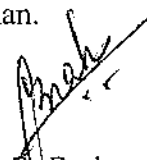
The Expert Group on evaluation of the above findings of the Meghalaya Institute of Governance in its Social Impact Assessment Report and also the Social Impact Management Plan (SIMP) and after spot joint inspection of the proposed land on 29th June 2017 decided to make the following recommendations after threadbare discussion :-


1. The Social Impact Assessment Report and the Social Impact Management Plan has been evaluated and after due consideration and deliberation was found to be effective and in tune with the objectives of the Project and in consonance with the Right to Fair Compensation and Transparency in land Acquisition, Rehabilitation and Resettlement Act, 2013.
2. The Expert Group is of the opinion that the proposed land acquisition of an area of 7.09 acres for setting up of facilitation centre at entry and exit point at Athiabari village will be highly beneficial not only to the local populace but also to the Government since it will result control of unauthorized immigration into the state, illegal flow of trades and goods, tackle criminal activities, etc.
3. The Expert Group is of the opinion that the Facilitation Centre – Entry and Exit Point proposed by the State Government of Meghalaya will address these issues by preventing unlawful entries into the State and to facilitate the legal flow of people, goods and vehicles into the State which is vital for economic and social development of the State.
4. Since the land is suitably located at a distance from human habitation with no structures, the acquisition of the land does not result in any displacement of local populace at present or in the near future.
5. Acquisition of the land does not affect the land owner or the local people in any way as the local population does not utilize the land for any purposes being a the property of KHADC.
6. The acquisition of the land for setting up of the facilitation centre-entry and exit point will increase employment opportunities to the local people in the area as labour for the project is likely to be utilized from among the local population. Besides, it is expected that enterprises will also come up in the future, thereby adding to the livelihood of the local people.
7. However, the Expert Group after Spot inspection on 29th June 2017 alongwith Officials from KHADC, SP (Infiltration), Shillong and EE PWD (Roads) is of the opinion that since the proposed land of 7.09 acres lies on the right hand side (*Entry point*) of the Riango-Athiabari PWD Road, the Government may consider acquiring portion of the proposed land on the left hand side as well taking into account the fact that the Riango-Athiabari PWD Road is likely to be upgraded to a two lane in the future to avoid difficulties which may arise due to restriction of diversion of traffic from left to right hand side of the two lane. As it is, there is available land on the left hand side (*Exit point*) opposite to the proposed land (7.09 acres) belonging to KHADC which is lying unutilized. This is keeping in view with the Report of the Committee to identify sites/locations for setting up of the Facilitation centre at Entry and Exit Point which was constituted by the Government of Meghalaya vide Notification No POL.161/2012/Pt II/91 dated 30.7.2014 wherein the land required for the Entry and Exit Point was indicated to be 5 acres and 2 Acres respectively.

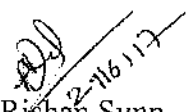
7. As indicated by the SIA report and the representatives in the Expert Group from the village, the local people welcome the proposal for acquisition of the land for setting up of Facilitation Centre and no objection is observed during the whole proceedings of study conducted by the MIG and till date.
8. The Expert Group is of the opinion that the project will serve any public purpose and the potential benefits which will accrue to the Community and the State in the long run outweighs the social cost and adverse social impacts.

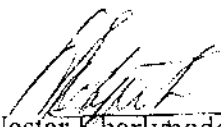
The meeting ended with a vote of thanks from the Chairman.

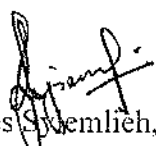

(Shri S. Warjri, MCS)
Chairman
Expert Group.

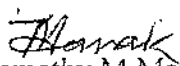

(Shri R. Brahma, MCS)
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Administrative Unit - Rehabilitation Expert


Shri R. R. Marak, MPS
Dy. Superintendent of Police
West Khasi Hills Division
Technical Expert


Shri Rishan Sunn,
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