

**STATEMENT OF ISSUES & COMMENTS OF THE APPLICANT AT THE PUBLIC
HEARING FOR
CONSTRUCTION OF ROAD FROM NH-54 TO INDO-MYANMAR BORDER UNDER
KALADAN MULTI-MODAL TRANSPORT PROJECT IN MIZORAM**

A HMUN : DOKULHA HALL, LAWNGTLAI, MIZORAM
A HUN : NOVEMBER 18, 2009; DAR 11:00 AM

Introduction: *The Central Government of India, in order to establish strong ties with the neighbouring Asian countries especially with the eastern neighbours both economically and politically, planned to set up a new policy known as “Look East Policy” wherein sectoral trade link will be established with the Far-East countries. An agreement has been reached between Govt. of India and Govt. of Myanmar to develop a Multimodal Trade Route between the two countries. The first part of the trade route is through the inland waterway of river Kaladan in Myanmar from its confluence point at Bay of Bengal at Sittwe up to the suitable navigable point at Kaletwa (Setpyitpyin), Myanmar. The second part covers from Kaletwa up to R.Zocha at Indo-Myanmar Border by road. The portion of the Road now being surveyed and investigated covers from Lawngtlai town at NH-54, in Mizoram, India upto R.Zocha at Indo-Myanmar Border to form the Indian part of the said Multi Modal Trade Route which is entirely within the Lawngtlai District of Mizoram, India. The length of the road along the surveyed alignment is 99.830 Km.*

The Public Hearing was presided over by Shri Thlamuana, Deputy Commissioner (DC), Lawngtlai District, Mizoram at the scheduled date and time. At the outset, the chairman invited Shri Zosangliana Zote, E.E, Multi Modal Project Division I, to explain about the proposed Project, who, with the aid of the state map explained all significant information about the project effortlessly. Then, the chairman invited Smt P.C Lalmuanpuii, Asst. Environmental Engineer, Mizoram State Pollution Control Board, to clarify the objects and need of holding the public hearing. She mentioned that developmental projects require environmental clearance for which, public consultation is obligatory as per the Environmental Impact Assessment Notification, 2006. She reported that Public hearing was notified in Vanglaini Newspaper (9th & 10th) and Times of India (15th October) and that no objection or suggestions were received on the proposed project during the 30 days period of Notification. She also informed the public that the proceeding of the hearing would be recorded in writing and in video as well, which shall be sent to the Ministry of Environment & Forest.

The Chairman then requested the audience to speak out their mind comfortably on the environmental issues of the project while requesting them to clearly tell their names and addresses. To start with the discussion, the chairman specially invited Mr. Ukmang Zathang, Executive Member, Lawngtlai Autonomous District Council (LADC) who is in charge of the Forest Department to have a speech. Mr. Ukmang said that the project is a corridor to

communicate with the rest of the world and that it would be beneficial for the growth and development of the District. He also said that, these types of project could have a positive and negative impact and that; huge forest areas within their District would be degraded. However, Forest Clearance had been accorded by the Lawngtlai Autonomous District Council (LADC) as it would develop the area. He expressed his wishes that the project would continue without any hardships.

The Chairman invited the participants again to come forward freely with their views, suggestions and queries etc. The main issues raised and clarifications from the project proponent were as summarized below:

1. **L.Chinzah Ex-CEM (Chief Executive Member), Lawngtlai Autonomous District Council:**

“This project is very vital for us as it would be able to transform this part of the state and bring us from ‘dark’ to ‘light’. Through this project, Lawngtlai district will be changed into a commercial center of Mizoram. As such, construction of this road is only for the interest of public. Although public were informed enough about this meeting, I personally regret to have very few participants today. This is the time to speak out our wishes and desires. I therefore request the PWD officials to give ear to what we say today and make changes as necessary even though much might have been done and huge funds might have been spent.

It has come to my knowledge that the PWD officials had surveyed the proposed road in secret. When I enquired about this, I was told that it was because the officials were trying to avoid compensation to the public. I feel that the alignment somehow confirms this belief.

It can be said that the alignment appears to get away from the inhabitants. For whom this road has been designed if such is the case? As such, I feel that the alignment is inappropriate and should be redesigned to enable more people to get benefit from this road in terms of compensation and communication. I therefore request the officials to make changes in the alignment as desired”.

2. **C.Lalduhbika, L-4, Lawngtlai (& Patron Mizoram Working Journal Association, Southern Part of Mizoram):**

“I request all those who are having land within the project area to fairly claim compensation for development of our land. I personally refused to receive any compensation twice as I was convinced enough that this was only what I could do to contribute for the development of our land. Besides, as the proposed road would pass through two cemeteries, about

70 burial places would be demolished. I would therefore like to ask whether the road could be made to run below these cemeteries”

3. Pu Zosangliana Zote, EE, Multi-Modal Transport Project, Division I, PWD (reply):

As requested by Chairman, the Executive Engineer clarified as below:

“The alignment of this road has been prepared for 2 years and one of our Junior Engineers had lost his life in it. The method of preparing alignment for this road differs from the conventional method wherein road are simply made depending upon its suitability. A group of Indian Engineering Service (IES) officers of the Ministry of Surface Transport & Highways, the funding authority for this road has evolved standards for roads of national and international importance, which specify strict standards for the grade and radius of curvature. Surveying is also to be done using GTS Software only. We are strictly directed to comply with these standards and have to apply all these standards for this road too. This road is being designed to offer maximum travel speed and minimum travel time, to serve not only the state of Mizoram but also the whole north eastern states. The minimum radius of curvature required to handle vehicle running at 40 km/hour should be 30 m which is followed for this road too. Besides, the road will be made double lane having width of 12 m with 6 m reserves on both sides, and will be in the name of the President of India. Considering all these design parameters, alignment is made and whether villages or localities are being traversed by this road or not is not the main consideration. Besides, when the road is upgraded to four lane highway, all the small villages along the road will be dispersed. More so, if it is made as Express Way in future, no road will be allowed to connect this road. Most importantly, compensation shall be given to affected people.

He then requested Pu Zirthanmawia Hmar SDO, who rendered active contribution since the beginning to explain in detail about the proposed alignment”.

4) Pu Zirthanmawia Hmar, SDO, Multi-Modal Transport Project, Division I, PWD (reply):

With permission from the Chairman, the SDO clarified as follows:

“There are two stages in making road alignment. Rivers, hills, saddle, slope and plain areas were studied from the Map of Survey of India in toposheet. In December 2007, preliminary survey was done under the leadership of Pu Rinnggheta, AE to study the conformity of the toposheet with the land. The drawing was then considered in the office to confirm whether it could be put into practice or not. This was then considered feasible. The Chief Engineer and

Engineer –in – chief also came to the site in January 2008. Ground survey was the started in full swing since February 2008.

The road alignment is not made in secret. As soon as we reached Lawngtlai, that is before any work starts, we informed the Chief Executive Member (CEM), Executive Member (EM), Revenue of LADC about the project. Shri Zahminga, the then Deputy Commissioner, Lawngtlai District was also met who witnessed our plan. He even guaranteed help in case we needed one. I feel that the confusion regarding the alignment not passing through villages and localities has been cleared by our Executive Engineer. Our main aim is to connect Lawngtlai and Akyap and there is no intention of traversing those if the road conforms to the standards. The proposed road is also far off from Ngengpui wildlife sanctuary”.

5) Sub question:

“It was said that it is inappropriate to connect this high - speed road with subway. In that case, what will be done for Mampui village situated along Parva Road in the west or should it be completely cut off. Will this mean that roads running between the east and the west shall be obstructed by this road?”

6) Pu Zirthanmawia Hmar, SDO, Multi-Modal Transport Project, Division I, PWD (reply)

“If this road ever crosses the existing road, be village road or private steps, it will be renovated as far as possible”.

7) Pu T. Ngurduna, Chanmari, Lawngtlai:

“The public is unaware of this road alignment. They simply worked on it. I had allowed their labours to camp within my land who informed me that they were working on the footpath to Burma. As I was not aware of how the work will proceed, I had refused to give consent to work within my farm. Only after a written agreement was signed with the PWD Department, I allowed them to continue their work. We would like to receive compensation rightfully and we are agerly waiting for it. We would also like to know how far our bill has been processed because; we have not yet received any signature sheet so far.

I would also like to request to consider the compensation at a better rate. We wish to have the rate as Chakma Autonomous District Council which has received compensation at central rate. Besides, we also desire to receive compensation before the actual works starts”.

8) Pu C. Lalchhuana, SE, Multi Modal Transport Project (Reply):

“Compensation is to be given. We have talked about it with the Chief Engineer, Ministry of Road, Transport & Highways when he visited Lawngtlai on 2nd October. I have talked with him again just last Thursday while we were having a meeting with the Minister of State for Road, Transport & Highways.

We are trying to give the compensation before the actual work start. But, the tender has to be publicized for at least 45 days in the national newspaper and therefore the situation needs to be understood. Moreover, unlike the practice of the State PWD this compensation is to be given directly. However, it cannot be given just after sanction is made, but bill has to be made first which should be passed by the Regional Officer from Guwahati, who then will sent the cheque to the Deputy Commissioner who at last will disburse it to the claimers. We are hoping to give the compensation as soon as possible, at least by December 2009 or January 2010”.

9) Thlamuana, DC & Chairman:

“The reason for this Public Meeting is to discuss about the possible impact of the project on the environment. Therefore, let us not talk more about the compensation as Project proponent have mentioned clearly that it is to be given. From now on let us talk about the environmental impact only so that we can save our time”.

10) T. Tialduna, Chanmari,Lunglei :

“The reason why we are called to attend this meeting is to discuss about Environmental Clearance. I would like to thank all the officials from the Central and the State Government as well as the workers who make this great development possible. Let us not make any problems with regards to the public property it may create and let us make its way so that the works can be done smoothly.

I am happy indeed to know that compensation is going to be given. However, could the amount of bill be informed to the claimers sooner? Also, if this projected road is going to destroy public properties like the graveyard, compensation may be given to the public to their satisfaction. I propose that the public should be given the compensation because they will need the money to buy another place for graveyard. Moreover, we really need compensation with better rate. I also believe that no one will expect to claim the compensation much more than they deserve. We submitted our land pass while measurement of the land was made, and I believe that the bill should be made in accordance with that. If there are any person trying to claim

compensation with land-pass made after the measurement was done, then their name should be cut from the list of claimers. Lastly, let us not be too miser in granting compensation if we want a good road. This is the need of the poor”.

11) Zosangliana Zote, EE, Multi-Modal Transport Project, PWD (Reply):

“Compensation can be given, but it is not our subject for today. Compensation is under Land Acquisition Act which is under the jurisdiction of the Deputy Commissioner, and therefore we can have no saying in that sense. There are accounts, and there are every means for refunding if it is not given and revised estimate can be given if the sum is not enough. It is tried to be given before the work is done and so let us not be troubled about the time of its disbursement. Moreover, survey is still going to be made for the compensation and the rate is to be decided by the Deputy Commissioner”.

12) F. Lalluia, Secretary, Land Owner Association of the affected areas:

“The proposed road alignment is very good because it is going at the outskirts of the town without destroying much property. No public water point is going to be destroyed as all the public water sources are lying on the eastern side of the town which is just opposite to this proposed alignment. Therefore, this road is a blessing for the Lawngtlai people. Moreover, it is going to make Lawngtlai as one of the commercial centers of the state and the public are going to utilize it very much. As had been told by Pastor Chhawna, I believe that Lawngtlai is at last going to become the Southside corridor of the land today. Therefore, we, the people should be happy for this road and we should not make any problems for it.

Also, it may be noted that the road is going to pass through Electric Locality and L-4 locality graveyards. However, the graveyard compensation rate is very less and I will be very happy if it can be revised and the rate is made acceptably high.

I believe that the sanctioned amount for this road project is Rs. 680 crore and that Rs. 14 crore is earmarked for compensation. I know that much compensation had been given for the Chakma border fencing project, and that about Rs. 1000 crore had been disbursed and another Rs.2000 crore is still going to be given. I believe that if the exact rate is given for the compensation, no one will complain about it”.

13) A. Taichhunga, Rulkual Middle School H/M and Vice-Chairman, Land Owner Association of the affected areas:

“I have been to all the places from Lawngtlai to R.Zochachhuah where this projected road is to be constructed and I think it is very good. I also believe that no major environmental problem will be created by it for the public and the flora and fauna of the land”.

14) After this one unknown person who has mistakenly enters the hall thinking that it is the NLUP function (which is held at another hall) stood up and made a speech. His speech was not recorded as it is not relevant.

15) Florence V.L. Nghaki, MSc. (Environmental Science), Lawngtlai:

“May I ask about the environmental impact and mitigation plan contained in the EIA especially with regards to the forest cover which needs to be destroyed, the list of flora and fauna of the land, and the air and water pollution it may make? What should be the role of MPCB in pollution control for this project?”

16) P.C. Lalmuanpuii, AEE, MPCB (Reply):

The project organizers are making an EIA/EMP report where all the possible effects of the project on the environment and its mitigation programme is written. In this report, all their plans could be seen and thus it may be better if they explain these questions.

We, the MPCB will take actions after the environmental clearance is granted. They will take NOC and consent from us and we will give them standards for air, water, noise etc. which they will be mandated to follow. We will then oversee time and again whether they conform to the standards and the CPCB may also check them if necessary”.

17) Zosangliana Zote, EE, Multi-Modal Transport Project, PWD (Reply):

“The Ministry of Environment & Forests (MoEF) is there in the central. It is needed to take both Environmental Clearance and Forest Clearance from under them, i.e. under the same ministry. First of all, we submit our application for Forest Clearance to the LADC (Forest Department) who, after scrutiny, sent it to the Conservator of Forest (Range Office) at Lunglei. Then it reached the PCCF office at Aizawl and then to the Secretary (i.c. Forest) who sent it to the North East Regional Officer at Shillong. The application is then finally received at Delhi.

Until today, one year has elapsed since we submitted the application for Forest Clearance to the LADC (Forest Department) office.

The main reason why this took too long is that we submitted our requirement of land which is 239.59 hectares (24m x 99.830km) mentioning that we needed this much amount of forest area.

Also, the Forest Department has their own law. As per their law, it is needed to build up another forest cover equal to the amount of the forest that is destroyed. This is called Compensatory Afforestation. The cost of creating such forest is about Rs.30,000/- per hectare. Moreover, to prevent destruction of forest, land value cost called NPV (Net Present Value) which is Rs. 7,30,000 (minimum) has to be paid too. After we submitted the application for clearance the LADC officer surveyed the land for us whereby they identified much of the land as private land, degraded land and then finally approved the exact forest cover (land). After this we have to give the entire payable sum to the Ministry of Environment & Forest at the central, and not to the LADC. The Supreme Court is opening an account called CAMPA account for such activities in which forest are destroyed and the sum has to be deposited there.

In the beginning, we were supposed to pay Rs. 1 crore and 16 lakhs. But, the Supreme court ordered that degraded land which are left untouched for about 4 years are to be regarded as Forest land and therefore the sum payable is revised in accordance with it. The final sum payable becomes about Rs. 15 crore. With regard to this, the central ministry, who is our funding source has to agree to the sum and if they do not, the project is not possible. The Forest and Environmental Clearance both are very important and cannot be ignored which in turn makes the process very difficult and lengthy”.

18) Florence V.L. Nghaki, MSc. (Environmental Science), Lawngtlai:

Is there any road tax to be given? If there is, whether it is to be paid to the Central or State Government? What will you do about it?

19) Zosangliana Zote, EE, Multi-Modal Transport Project, PWD (Reply):

“This is not supposed to be a toll road. Therefore, other than the usual road tax to be given by user, no other fee/tax will be collected”.

CONCLUSION:

On invitation from the chairman, the summary of the Public Hearing was read out to the public by Er. P.C. Lalmuanpuii, AEE, Mizoram Pollution Control Board, and as there was no objection from the public it was signed by the chairman. Then, after a vote of thanks from the chairman the meeting was dissolved.