REPORT OF THE EXPERT GROUP

(EVALUATING THE SOCIAL IMPACT ASSESSMENT REPORT FOR LAND ACQUISITION BY NHPC FOR TEESTA STAGE-IV (520 MW) HYDRO-ELECTRIC PROJECT, NORTH SIKKIM)

INTRODUCTION

The Social Impact Assessment (SIA) Study, in respect of acquisition of land by National Hydro-Electric Power Corporation (NHPC) for Teesta Stage-IV (520 MW) Hydro-Electric Project, North Sikkim was conducted by Administrative Staff College of India (ASCI), Hyderabad and the report was submitted in May 2018. In exercise of the powers conferred by sub-section (1), (2) and (3) of Section 7 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (henceforth 2013 Act), the State Government in a notification vide Ref. No. 29/LR&DMD/ACQ./GOS dated 18.07.2020 has constituted an Expert Group for evaluation of the SIA Report. The members of the group are as follows:

1. Shri. G P. Sharma, Retd. Deputy Director, LR&DMD (Expert on Rehabilitation) - Chairman
2. Dr. Nancy C. Lhasungpa, Assistant Professor & Head, Dept. of Sociology, N.B.B.D.C., Tadong (Social Scientist) - Member
3. Ms. Viveka Gurung, Assistant Professor, Dept. of Sociology, N.B.B.D.C., Tadong (Social Scientist) - Member
4. Mr. Yadav Prasad Adhikari, Assistant Engineer (Civil), North Sikkim (Technical Expert) - Member
5. Shri Dup Tshering Bhutia, Panchayat Member, Namok Swayem GPU - Member
6. Mrs. Satik Bhutia, Panchayat Member, Tingchim Chadey GPU - Member

The Expert Group conducted its first meeting on Monday, 10th August 202 at the Conference Hall, LR&DM Department, Govt. of Sikkim, Tashiling Gangtok. The second meeting was also held at the same venue on Friday 14th August 2020. The present report has been finalized in the meeting hel on Thursday, 3rd September 2020 again at LR&DM Department, Gangto

after evaluating the SIA Report which was submitted in July 2018 as per the provisions contained in the 2013 Act.

APPRAISAL AND EVALUATION

The proposed project envisages a total land requirement of 272.84 hectares i.e. 177.43 ha of private land, 3.31 ha of government departmental land and 92 ha of forest land (*khasmal*) from ten Gram Panchayat Units (GPU) of North Sikkim for construction of Teesta Stage-IV hydro-electric project, a run-off the river hydro-project with a proposed installed capacity of 520 MW. The GPUs falling in the proposed site include Mangshila Tibuk, Tingchim Chandey, Ringhim Nampatam, Ramthang Tanyek, Namok Swayem and Singhik GPUs on the left bank and Passingdang Safo, Lingdong Barfok, Hee Gyathang and Lum Gor GPUs on the right bank of the Teesta river.

The SIA Report has been classified into six (VI) chapters, covering all the formalities and objectives under the 2013 Act.

- **Chapter I** provides a comprehensive summary of the project, its purpose, location, alternatives considered, various social impacts, mitigation measures as well as an assessment of social costs and benefits.
- **Chapter II** gives a detailed project description- the rationale for the project, an examination of the alternatives considered, findings of the Environmental Impact Assessment (EIA) Report, relevant legislations and policies, construction details and workforce requirements.
- **Chapter III** highlights the methodology and data collection techniques employed during the course of the study along with the challenges faced during fieldwork.
- **Chapter IV** provides a detailed socio-economic profile of the affected families and vulnerable groups. It also documents health status accessibility, migration patterns in the proposed site and peoples perception about the project.

- **Chapter V** discusses the social impacts and inventory loss as a result of the proposed project. It gives an account of the nature, present use and irrigation status of the land holdings and residential structures.
- **Chapter VI** further highlights the Social Impact Management Plan (SIMP) with suggestions and recommendations for mitigation of the social cost as well as management of any adverse impacts. It also works out a budget/expenditure estimate for R&R Plan, infrastructure development and other additional measures.

OBSERVATIONS

Development, if understood simply, means growth and advancement. In terms of planned development, it depends on the balance of power between different actors- namely the state and the society. While the protagonists state that dams with the contribution of water and power resources lead to the growth of civilization. The antagonists argue that it also involves massive uprooting and displacement of people and nature at large. While such development projects are debatable especially when it comes to displacement, the SIA Study has become a quintessential prerequisite with the aim to predict and mitigate negative impacts and identify opportunities to enhance benefits for local communities and broader society.

The Expert Group has gone through the present SIA Report, the proceedings of the public hearing, the details of the socio-economic study conducted, the SIMP and other recommendations. The following observations were made from the final SIA report:

1. The SIA Study has been comprehensively documented. The required information has been presented in a systematic manner. Each chapter concisely describes the main parameters of the proposed project. All relevant stakeholders, both direct and indirect, have been identified and analysed.

2. The Report identifies the socio-cultural, economic, institutional, political and historical characteristics of the proposed site before the project commences.

3. The Study Team predicts and assesses the significance of project impacts (positive and negative/direct and indirect/short-term and long-term), as well as ascertains other potential critical social issues such as impact on vulnerable households and Common Property Resources (CPR), socio-cultural life of the tribal community etc. identified during the course of the Study.

4. Further, the Report highlights a detailed analysis regarding how the risk of being impacted by project activities differs by social characteristics, such as gender, ownership/non-ownership of land, culture, age, health status etc. It also provides specific mitigation measures for such groups.

5. Given that Dzongu region is considered as the spiritual homeland of the Lepchas, who were accorded Primitive Tribe (PT) status by the State Legislative Assembly in 2005, the SIA Study provides an in-depth analysis of potential impacts on indigenous people, such as their culture and tradition, tardy implementation of Environment Management Plan (EMP) on the environment and life of the indigenous people of the Dzongu area, lack of benefit sharing mechanisms etc.

6. The SIMP describes each mitigation measure including the type of impact(s) it will address, its design etc. The proposed mitigation measures are technically and operationally feasible and culturally adequate. Women-headed households were classified under 'vulnerable groups' with ample initiatives to communicate the essence of the development project with the women folk of the affected area. However, the SIMP is not reflective of gender sensitivity with regard to employment or development measures. It is recommended that 33% (or suitable) reservation be provided in matters of employment opportunities for women in general and women headed households in particular.

7. The depth of stakeholder engagement is crucial for a proper SIA Study outcome. The concerns and suggestions put forth by the affected landowners and other stakeholders during the Consultations, Survey and Public Hearings have been reviewed and duly incorporated in the final report.

8. The SIMP and the Dzongu Indigenous People Development Plan (DIPDP) in the Report advocates for tourism as a means to develop economic growth in the affected area. This measure is inconsistent with resolution No. 3069 which declares North Sikkim as a protected area and Order No. (3(45)PA/518/2006) which declares the Lepcha Tribal Community as Primitive Tribal Group in the state of Sikkim. Since the affected area and the community comes under a sensitive radar, unregulated tourism may not be a suitable means of economic upliftment. Instead the development of a regulated and controlled tourism strategy can play a key role in engaging government and other direct/indirect stakeholders to identify a vision and direction for tourism development in the area and in setting priorities for implementing a long-term and sustainable vision for the tourism sector.

9. Alternatively, a Horticultural Agricultural Research Centre may be established, focusing on the revival of cardamom, orange and ginger in the area. This may also be linked with the current Atmanirbhar Bharat Initiative of the Government of India (GOI) and the intention of the grant MSP to the above mentioned produces.

10. Any requirement for land acquisition must consider these centra aspects- whether the proposed acquisition serves public purpose whether the extent of land proposed for acquisition is the absolut bare minimum extent needed for the project; whether lan acquisition at an alternate rate place was considered and foun not feasible, and; whether social benefits from the project outweig the social costs. The present SIA report justifies the first thre aspects with proper validation. The assessment of social costs an

benefits reflects opposing public perception regarding the project. While the affected families and other stakeholders of the left bank have given their full support in favour of the project, the same cannot be stated for the right bank. Four GPUs of Passingdang Safo, Lingdong Barfok, Hee Gyathang and Lum Gor have outrightly boycotted the Study right from its commencement. Despite such a stance at the GPU level, the majority of the landowners from the right bank have managed to take part in the primary activities of the SIA Study- Consultation, Survey and Public Hearing.

11. The ordinary residents of the (right bank) area fear the environmental, socio-cultural and economic upheaval as a result of the said project to be borne by the community as a whole. While the Study team has made an earnest attempt to address these concerns, the *'development versus displacement'* debate merits a wider discussion, therefore it may be advised to re-approach the community members from the right bank for their cooperation in-order to avoid any future communal tension. The State Government should focus on a more centralized planning scheme in terms of both short-term and long-term growth.

12. The focus on large hydro power projects as renewable projects ha seen a major push from State Governments across party lines. Th proposed project is in an advanced stage and at the verge c implementation despite drawing opposition from other relevar stakeholders. In this regard, in terms of consultations regardin such large-scale projects in the future, especially in the time c climate emergency, the Government must assess the econom viability and burden along with the ecological challenges and t impact that such future projects will have on local communiti and seek alternative measures, where possible.

In conclusion, the Expert Group is of the opinion that the development of the proposed project in respect of acquisition of land by NHPC for Tee a

Stage-IV (520 MW) Hydro-Electric Project, North Sikkim which has been delineated in Section 2 (1) (e) of the 2013 Act will serve public purpose and the SIA Report prepared by ASCI, Hyderabad may be accepted after incorporating the above mentioned observations/suggestions.

CHAIRMAN

1. Mr. G. P. Sharma, Retd. Deputy Director, LR&DMD (Expert on Rehabilitation).

MEMBERS

2. Social Scientist: Dr. Nancy C. Lhasungpa, Assistant Professor & Head, Dept. of Sociology, N.B.B.D.C., Tadong.

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3. Social Scientist: Ms. Viveka Gurung, Assistant Professor, Dept of Sociology, N.B.B.D.C., Tadong.

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4. Technical Expert: Mr. Yadav Prasad Adhikari, Assistant Engineer (Civil), North Sikkim.

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