



भारत सरकार

Government of India

राष्ट्रीय अनुसूचित जन जाति आयोग

National Commission for Scheduled Tribes

(A Constitutional Body set up under Art. 338A of the Constitution of India)

File No. PTR/2/2019/MENV1/DEOTH/RU-IV

Dated: 16.12.2019

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| <p>1. The Secretary, Ministry of Environment & Forests, Indira Paryavaran Bhavan, Ali Ganj, Jorbagh Road, New Delhi, Delhi 110003</p> <p>3. The Chief Secretary, Government of Madhya Pradesh, Bhopal-462004 (MP)</p> <p>5. The Additional Chief Secretary, Department of Forest, Government of Madhya Pradesh, Bhopal- 462004 (MP)</p> | <p>2. The Additional Director General (Forest), National Tiger Conservation Authority Pandit Deendayal Antyodaya Bhawan, CGO Complex, Pragati Vihar, New Delhi – 110003</p> <p>4. The Additional Chief Secretary, Department of Revenue, Government of Madhya Pradesh, Bhopal - 462004 (MP)</p> <p>6. The Principal Secretary, Tribal Development Department, Government of Madhya Pradesh, Bhopal - 462004 (MP)</p> |
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To,

Sub: Minutes of the meeting held on 18.11.2019 chaired by Dr. Nand Kumar Sai, Hon'ble Chairperson, National Commission for Scheduled Tribes (NCST) in the in the matter of Denial of Record of Rights (RoR) to Scheduled Tribe families relocated from Panna Tiger Reserve (PTR) in the State of Madhya Pradesh.

Sir,

I am directed to enclose herewith a copy of the minutes of the meeting held on 18.11.2019 under the Chairmanship of Dr. Nand Kumar Sai, Hon'ble Chairperson, National Commission for Scheduled Tribes on the above mentioned subject for necessary action and submission of compliance report to this Commission on the Commission's recommendations in the matter may be furnished to the Commission expeditiously for placing the same before the Hon'ble Chairperson, NCST.

Yours faithfully,

(Y.K. Bansal)

Research Officer

Ph. No. 011-24645826

(Encl. As above)

copy to: - SAJ, NIC, NCST.

NATIONAL COMMISSION FOR SCHEDULED TRIBES

Case File No. PTR/2/2019/MENV1/DEOTH/RU-IV

MINUTES OF THE MEETING HELD ON 18.11.2019 CHAIRED BY DR. NAND KUMAR SAI, HON'BLE CHAIRPERSON, NATIONAL COMMISSION FOR SCHEDULED TRIBES (NCST) IN THE MATTER OF DENIAL OF RECORD OF RIGHTS (RoR) TO SCHEDULED TRIBES FAMILIES RELOCATED FROM PANNA TIGER RESERVE (PTR) IN THE STATE OF MADHYA PRADESH.

Date of meeting: 18.11.2019

List of officers present in sitting is Annexed.


The National Commission for Scheduled Tribes is a constitutional body set up under Article 338(A) of the Constitution of India to investigate and monitor all matters relating to safeguard provided for Scheduled Tribes under the constitution or under any other law or any order of the Government and to evaluate the working of such safeguards. Accordingly, with the approval of the Hon'ble Chairperson, Joint Secretary to the Government of India, NCST, visited Panna Tiger Reserve in Madhya Pradesh from 30th September, 2019 to 3rd October, 2019 and interacted with the displaced ST persons in two villages namely Nadiabehar in Taparayan Gram Panchayat under Rajnagar Tehsil in Chhatarpur district and Navin Jhalar in Janavar GP under Panna Tehsil in Panna District.

2. The Panna Tiger Reserve (PTR) contains 16 Revenue villages in the core area out of which 13 villages have been relocated so far in different phases in the Chhatarpur and Panna Districts of Madhya Pradesh. The first relocation of three villages took place between 1987 to 1991 by giving them a compensation amount of Rs. 932085/- to 103 families which amounts to Rs. 9049/- per family. Subsequently, 10 more villages were relocated between 2007 to 2013 by giving them a cash compensation of Rs. 1,00,000/- per family, which was later raised to Rs. 10,00,000/- per family w.e.f. from the year 2009-10 under the guidelines issued by the Ministry of Environment and Forests and National Tiger Conservation Authority.

3. It may be mentioned here that out of 877 families relocated from 13 villages, 483 families (55 per cent) were resettled in four places by giving them land upto 5 acres per family and the remaining 394 families were given only cash compensation of Rs. 9094/-, Rs. 1.00 lakh and Rs. 10 lakh. But their whereabouts are not known today.

4. During field visits and interaction with displaced families by Joint Secretary (NCST) in the presence of local officials on 1st and 2nd October, 2019, it was noticed that most of the displaced people possess Voter Card (EPIC), Aadhaar Card and Ration Cards. However, as these are not declared revenue villages, no government functionary visits their settlement colonies/habitations. The following are the important findings of the evaluation:

- (1) The displaced tribals have been allotted land upto 5 acres in the protected forest land with the approval of the Government of India, Ministry of Environment and Forest. The


डॉ. नन्द कुमार साय/DR. Nand Kumar Sai
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

Director, Panna Tiger Reserve (PTR) informed that proposal of de-notification of forest land to revenue land has already been submitted to Government of Madhya Pradesh. But, the necessary notification for de-notification of forest land and re-allotting the same to the Revenue Department has not yet been issued by the Government of Madhya Pradesh. The Deputy Director, Panna Tiger Reserve has issued a certificate to each of the displaced person, which is not recognized by any government officials public societies or banks. As a result, none of the displaced people have any land record in their names even after 12 years of their displacement.


(2) As displaced persons have no record of land in their names in the revenue records, they are not getting the following facilities/benefits of Government schemes:

- Banks do not provide them any loan as the land is forest Kisan
- They are not getting Kisan Credit Cards (KCC)
- They are not covered under Pradhan Mantri Kisan Yojna (PMKY)
- They are not eligible to get subsidized seeds or fertilizer from cooperative Societies/Agriculture Department.
- They cannot sell their agricultural product at minimum support price.
- The approach roads to their habitation are not repaired since 12 years as the Sarpanches as well as Rural Development Authorities say that it is forest land.
- No drinking water facility or other facilities provided to the habitations as they are not declared "revenue villages".

5. Taking cognizance of the issues, during the visit, a meeting was held on 18.11.2019 under the Chairmanship of Hon'ble Chairperson, NCST with all officers concerned in Govt. of Madhya Pradesh, Ministry of Environment & Forest and National Tiger Conservation Authority.

6. The meeting was attended by the Additional Director General (PT) and the Member Secretary, NTCA, Ministry of Environment and Forest, the DIG (F), NTCA, the Scientist (C), Ministry of Environment & Forest, the Additional Chief Secretary (Forest), Govt. of Madhya Pradesh, the ACCF (WL), Madhya Pradesh and the Director, Panna Tiger Reserve.

7. In the sitting, the Additional Chief Secretary, Forest, Madhya Pradesh informed the Commission that due benefits of providing pattas of the land allocated to them in the Revenue record in the name of displaced persons where they were relocated could not be made due to non-conversion of forest land into Revenue village land. In this regard, the Govt. of Madhya Pradesh has sought clear cut instruction from the Govt. of India through Ministry of Environment and Forest and the same clearance is not received so far. In the meanwhile, the Govt. of Madhya Pradesh has filed a Writ Petition for seeking permission for conversion of forest villages into Revenue villages before the Hon'ble Supreme Court of India. The Hon'ble Supreme Court of India in its judgment dated May, 2019 gave approval to the State Govt. to convert the Forest land into Revenue Village. After ruling of the Hon'ble Supreme Court, the State Govt. sought some clarification about declaring forest land as Revenue village land from the Ministry of Environment and Forest as there was no clarity into the procedures/modalities for conversion of land as Revenue land, which is yet to be received from the Ministry of Environment and Forest. Several reminders were also sent to the Ministry concerned, but, no

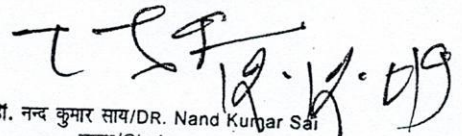

डॉ. नन्द कुमार साय/DR. Nand Kumar Sai
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
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response was received. If Ministry provides clarification then, the State Govt. will take immediate action to provide pattas of the land to the displaced persons.

The Additional Director General (PT) & MS, NTCA informed the Commission that no proposal about seeking clarification or framing modalities to convert forest villages into Revenue villages has been received from State Govt. of Madhya Pradesh. However, on receipt of the proposal or seeking clarification about subject matter, the same would be intimated to the State Govt.

8. The Hon'ble Chairperson intervened in the matter. He expressed his displeasure about dealing with the matter by the authority concerned. He stated that after passing of more than 12 years, the displaced ST persons could not get rights of land and benefits of the Govt. schemes and still, they have no land in their names in the Revenue records. It is a very serious matter and there is need to resolve the grievances of STs. However, he asked both authorities to take immediate action to resolve the matter for declaration of forest villages as Revenue villages so that the displaced ST persons who had been deprived from their legitimate rights of ownership of land and other benefits of the Govt. schemes for last several years, could get their rights. This should be made in time bound manner and no injustice should be meted out against any deprived ST persons. In the sitting, the officers of State Govt. and Ministry of Environment and Forests agreed to resolve the matter on priority basis.

9. The case was discussed in detail. The Commission recommends that the Ministry of Environment & Forests will provide necessary clarification sought by the State Govt. of Madhya Pradesh in time bound manner preferably within one month period. At the same time the State Govt. will provide the necessary inputs to the Ministry concerned. The State Govt. of Madhya Pradesh will take immediate action to declare forest village as Revenue village and will take action to provide patta to the displaced ST persons. All benefits of the Govt. schemes will also be provided to all affected persons displaced due to establishment of Panna Tiger Reserve. The entire process will be completed within three months' period positively and to submit action taken report to this Commission by all concerned authorities.


डॉ. नन्द कुमार साय/DR. Nand Kumar Saini
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
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NATIONAL COMMISSION FOR SCHEDULED TRIBES

Annexure

(File No. PTR/2/2019/MENV1/DEOTH/RU-IV)

List of participants

NCST

1. Dr. Nand Kumar Sai, Hon'ble Chairperson (In Chair)
2. Shri H.K. Damor, Hon'ble Member
3. Shri K. Touthang, Joint Secretary
4. Dr, Lalit Latta, Director
5. Shri Y.K. Bansal, Research Officer
6. Shri H.R. Meena, Sr. Investigator

Officers from Ministry of Environment & Forests

1. Dr. Anup Kumar Nayak, Additional Director General & MS, NTCA
2. Shri Nishant Verma, DIG (F), NTCA
3. Shri Charan Jeet Singh, Scientist (C)

Officers from Govt. of Madhya Pradesh

1. Shri A.P. Srivastava, Additional Chief Secretary, Forest
2. Dr. H.S. Negi, ACCF (WL)
3. Shri K.S. Bhadauria, Field Director, Panna Tiger Reserve