



No. HBM/1/2019/STGML/DELAAL/RU-II
Government of India
National Commission for Scheduled Tribes

6th floor, 'B' Wing, Lok Nayak Bhawan
Khan Market, New Delhi-110 003
Date:- 14.02.2020

To

The Director General Boarder Roads,
Boarder Road Organization,
Naraina, Kirbey Place,
Delhi Contonment,
New Delhi-110028.

2. The Deputy Commissioner,
District-Chandel,
Manipur-795131.

Sub:- Minutes of the sitting held on 20.11.2019 at 3.00 P.M. under the Chairmanship of Dr. Nand Kumar Sai, Hon'ble Chairperson, NCST, New Delhi on representation dated 21.01.2019 was received in the commission from Shri H. Benjamin Mate, Chairmen, Effected Land Owners Welfare Association regarding appeal for intervention against deprivation of rightful compensation to Tribal Land Owners by the BRO/BRT in Moreh to Samatal Boarder Road Project.

Sir,

I am directed to enclose herewith a copy of the extract of the minutes of Sitting held on **20.11.2019** at 3.00 P.M under the Chairmanship of Dr. Nand Kumar Sai, Hon'ble Chairperson, NCST, New Delhi on the above mentioned subject for information and necessary action. The requisite information along with action taken report may please be furnished to the Commission at the earliest.

Encl: As above.

Yours faithfully,

(S.P. Meena)
Assistant Director
Tel: 24645826

Copy to:-

1. Shri H. Benjamin Mate, Chairman, Effected Land Owners Welfare Association, Chandel District, National Games Village, Zone-IV, A-9, Imphal, West Manipur-795004.

2. SAS, NIC, NCST for uploading on website.

Government of India
National Commission for Scheduled Tribes

Minutes of the Sitting held on 20.11.2019 at 3.00 P.M. under the Chairmanship of Shri Nand Kumar Sai, Chairperson, NCST, New Delhi regarding appeal for intervention against deprivation of rightful compensation to Tribal Land owners by the BRO/BRT in the Moreh to Samtal Border Road Project.

No. HBM/1/2019/STGMN/DELAAL/RU-II(Pt.)

List of participants placed at Annexure A'

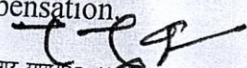
Representation dated 21.01.2019 received from Shri H. Benjamin Mate, Chairman, Effected Land Owners' Welfare Association, Manipur regarding appeal for intervention against deprivation of rightful compensation to Tribal Land owners by the BRO/BRT in the Moreh to Samtal Border Road Project.

2. The matter was referred to the Chief Secretary, Government of Manipur vide this Commission's letter of even no. dated 01.08.2019 to furnish the comments to the Commission. The sitting was held on 08.03.2019 at 11.30 A.M in the Commission under the chairmanship of Shri H.K. Damor, Member. The minutes of the sitting was sent to the concerned authority vide this commission's letter of even no. dated 28/29.03.2019. The petitioner has also intimated to the commission that no action has been taken to pay compensation for land owners so far.

3. Shri Nand Kumar Sai, Hon'ble Chairperson, NCST fixed a Sitting in the Commission on 20.11.2019 at 12:30 P.M to discuss the matter with Chief Secretary, Government of Manipur and the Director General Border Roads, Border Road Organization, Naraina, Kirby Place, Delhi Cantonment, New Delhi-110028.

4. In the Sitting, the petitioner has requested the Commission to provide the rightful compensation to affected tribal land owners by the BRO/BRT in Moreh to Samtal Border Road Project. Further, during the hearing, the petitioner also brought to the notice of the Commission regarding similar case where compensation was given to the land owners even though non-compensation certificate was issued by the land owners initially as per High Court of Manipur Order in the case of WP© No.719 of 2015 Hundung victim development, through its Convenor, Mr. David Mahung, aged about 79 yrs, resident of Hundung Village, Ukhrul District, Manipur Vs. Union of India. Dated 18.09.2018 (copy enclosed). The plea of the petitioner is that the non-compensation certificate was obtained by the District authorities from the land owners without thoroughly explaining the implications. They also claimed that the signatures of land owners in the non-compensation certificate is doubtful and appear to be impersonation.

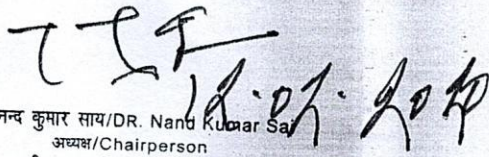
5. In the sitting, Shri Birender Singh, Brigadier informed that land owners never asked for compensation for road construction of 0 to 20 kms. If the land owners had demanded compensation before the construction of this road, then a budget could have been made for it and compensation could have been paid to the land owners. The compensation amount for construction of road from 0-20 km was not paid to any land owners. All Chief of the affected villages gave a NOC for construction of this road and decided that no compensation of any kind of required from BRO/Central Government for construction of this road. Some land owners said after construction of road that they have got many facilities, so they do not need any kind of compensation.


श्री. 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

Now, a joint survey is being carried out for the construction of 7.5 kms of road (20 kms to 27.5kms). Apart from this the road from 27.5 kms to 130 kms will be constructed by the Public Works Department under Pradhan Mantri Gramin Sadak Yojana. Hence, the BRO will not pay to land owners any compensation for construction of this road.

6. After hearing from the both the parties, the Commission stated that the matter is a serious issue it involve acquisition of tribal land by authorities without giving any compensation for the tribal land acquired The Commission, therefore, recommends the following action by the concerned authorities :-

- i. The Chief Secretary, Government of Manipur to constitute a committee headed by the Secretary, Land Management Department, Govt. of Manipur including the representative of BRO which will re-survey the affected tribal land and work out compensation package including the amount and time schedule for payment. The compensation amount once finalized should be sent to Border Road Organization for payment to the petitioners. This includeds 0-20 kms Moreh to Samtal Border Road already completed and also 20-27.5 kms of the same road under process of construction.
- ii. The action taken report to be submitted by the Secretary, Land Management, Government of Manipur in the 15 days for date of receipt of the minutes.
- iii. BRO to obtain the compensation amount worked out by Government of Manipur and process for sanction.


डॉ. नन्द कुमार साय/DR. Nand Kumar Sa
अध्यक्ष/Chairperson
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