



भारत सरकार

राष्ट्रीय अनुसूचित जनजाति आयोग

GOVERNMENT OF INDIA

NATIONAL COMMISSION FOR SCHEDULED TRIBES

F. No. Odisha/1/Rourkela Steel Plant/2016/RU-III
F. No. 33/Press Clipping/15/2016/RU-III

6th Floor, 'B'wing, Lok Nayak Bhawan
Khan Market, New Delhi-110003

Date: 09.09.2016

To,

1. The Chief Secretary,
Govt. of Odisha,
Secretariat,
Bhubaneswar,
Odisha
2. Commissioner Cum
Secretary,
SC&ST Development,
Dept.
Govt. Of Odisha,
Bhubaneswar, Odisha
3. Commissioner,
Rehabilitation &
Periphery Development
Advisory Committee,
Govt. of Odisha
Sambalpur, Odisha
4. Secretary,
Revenue Dept.
Govt. of Odisha,
Bhubaneswar, Odisha
5. District Collector,
Sundargarh District,
Odisha
6. Managing Director,
Rourkela Steel Plant,
Sundargarh District.
Odisha

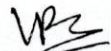
Sub: Report of the visit of the National Commission for Scheduled Tribes in Connection with the displacement and rehabilitation of tribals due to setting up of erstwhile Hindustan Steel Plant (At Present Rourkela Steel Plant) at Rourkela in Odisha from 19/08/2016 to 21/08/2016.

Sir,

I am directed to a enclose a copy of visit report of the NCST on the above subject for necessary action.

It is requested that action taken on the actionable points emerged during the meeting may please be sent to Commission as early as possible for further examination.

Yours faithfully,


(V.P. Shahi)

Assistant Director

Copy to:

1. Shri Lachchu Oram, Rourkela Local Displaced, Association-32 Village, Head Office- Panposh, P.S.- Raghunathpali, Rurkela, District Sundergarh, Odisha.
2. NCST, Regional Office, N-1/297, IRC, Village, Bhubaneswar, Odisha.
3. SSA NIC
4. Copy for information to all Unites/Regional Offices of NCST.

NATIONAL COMMISSION FOR SCHEDULED TRIBES

**REPORT OF THE VISIT OF THE NATIONAL COMMISSION FOR
SCHEDULED TRIBES, (NCST) TO BHUBANESWAR ODISHA FROM
19/8/2016 TO 21/8/2016**

Dr Rameshwar Oraon, Chairperson National Commission for Scheduled Tribes (NCST) visited Bhubaneswar from 19/8/2016 to 21/8/2016 to discuss the following issues with the Chief Secretary Govt. of Odisha and with other concerned State Govt. officials.

- I) Land acquisition for Rourkela Steel Plant (erstwhile Hindustan Steel Plant) in Rourkela district Sundargarh.
- II) Action taken on the issues related to killing of 05 tribals during firing by police forces in Balliguda block of Kandhamal district.
- III) Schemes of Residential schools for scheduled Tribes students in the State of Odisha.
- IV) To discuss scheme and modalities of scholarship for Scheduled Tribes students in the State of Odisha.
- V) Diversion of Funds of Tribal Sub Plan Funds.
- VI) Issuing of Caste Certificates to Tribals at School level.
- VII) Death of 19 persons of Juang tribe in Nagada , Jajpur District and deaths of tribals due to Malaria reported in Sadar Block , deaths of new Born babies in districts of Rayagada , Koraput , Nabrangpur, Malkangir & other tribal areas. Problems of malnutrition and inadequate health services in Odisha.

Rameshwar Oraon

Shri N C Dalai, Director NCST Bhubaneshwar and Shri T D Kukreja, PS to Chairperson also attended the meeting. Ms. Sukeshi Oraon- Social activist, from Sundargarh District, Odisha, who had earlier accompanied the Commission in the matter of land acquisition for Rourkela Steel plant, was invited as Special invitee by the Chairperson to attend the meeting .

List of State Govt. officials attended the meeting is at Annexure –I.

2. Land acquisition for Rourkela Steel Plant (RSP), erstwhile Hindustan Steel plant, and Mandira Dam, in Rourkela. (NCST File NO. Odisha/1/Rourkela Steel Plant/2016-RU-III)

2.1) In connection with land acquisition from tribals of 32 villages, affecting 4094 families, for Rourkela Steel Plant (RSP) and Mandira Dam, Commission had visited Rourkela from 22/2/2016 to 24/2/2016. During the visit meetings were held with the concerned petitioners and State Govt. officials. Broadly, following issues were involved in the matter under reference.

- (i) non-payment of compensation to few land owners whose land was acquired.
- (ii) non providing of employment to some of the family members of displaced/ousted tribal families.
- (iii) rehabilitation of ousted/displaced tribal families /persons of Rourkela.
- (iv) allotment of land for land at far away location in the forests.
- (v) land allotted in lieu of land not fit for cultivation.
- (vi) portion of un- acquired land in use of State Govt & private parties by encroachment.
- (vii) non allotment of pattas for housing sites etc.

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National Commission for Scheduled Tribes
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नई दिल्ली/New Delhi

2.2) Commission vide its letter No. Odisha /1/ Rourkela Steel Plant /12016/RU-III dated 2/6/2016 communicated observations and recommendations to the Chief Secretary Govt of Odisha, District Collector Sundargarh and other concerned officials for necessary action. State Govt. of Odisha was requested to send action taken report at the earliest. However, action taken report was not received from it. Therefore Commission decided to visit Bhubaneswar and discuss the issues / points of earlier visits, with the Chief Secretary and other concerned officials.

2.3) During the meeting at Secretariat Bhubaneswar held on 20/8/2016, Additional District Magistrate Rourkela submitted Action taken/ compliance report which is placed as **Annexure II**.

2.4) Honourable Chairperson, NCST mentioned that report of State Govt would be examined by it with reference to the findings /observations/ recommendations.

2.5) Case of land acquisition of Shri Lachu Oram :-

(I) Land measuring 53.94 acre was acquired from the family of Shri Lachu Oraon and Rs. 22000/- was sanctioned as compensation. But the family did not receive payment, it is still kept in Civil Deposit in the treasury.

ADM, Rourkela stated that compensation was given in the above case. Chairperson, NCST advised the ADM to recheck the records and if not paid, she should find out whether it is feasible to pay compensation as per the Land Acquisition Act passed by the parliament in the year 2013.

(II) Further in the above case, Land for Land was given at Amgaon Village, (Deogarh district) which is about 150 K.M. away from Rourkela. Petitioner had told the Commission that he contacted the revenue officer of the Taluka, the latter denied of any such land.

Rameshwar Oraon

2.6) Few other Tribal families were allotted land for land but physical possession was not given, as the allotted land did not exist in revenue records.

ADM, Rourkela agreed to re-survey and would post the Commission of actual position.

2.7) Non Allotment of Pattas for House sites to displaced families:

Chairperson was assured by the Deputy Commissioner, Rourkela that proposal seeking State Govt. approval for issuing Pattas is being moved and Commission would be apprised of the action taken.

2.8) Agricultural Land allotted not fit for cultivation in many cases :

Chief Secretary gave his opinion that poor /BPL families could be given reclaimed land. Since most of tribal families, specially those, who have been displaced, belong to BPL category, they should be allotted reclaimed land on priority.

2.09) Employment to displaced families and cases of employment on the basis of fake documents .

During its earlier visit, the Commission was told that many of the displaced persons were not given employment, whereas some persons have got employment on fake documents. The ADM, admitted it and stated RSP has initiated action against such persons. The Chairperson decided that a separate meeting of CMD, RSP and officials of Steel Ministry should be called to review this issue.

Action NCST – HQ Delhi.

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2.10) Use of un-acquired land of tribals by State Govt. and others in Rourkela

Shri Ravindra Bhumiz and Shri Mangla Oraon appeared before the Commission during the meeting and submitted that part of their un-acquired land was also unlawfully occupied and was in use with the State Govt. & private parties. Likewise, land of few other tribals was not acquired but was in use with others. In this regard they have already submitted petitions to NCST New Delhi. NCST Secretariat to put up.

On the issue of un-acquired land, ADM, assured that detailed verification of their complaint would be done and early action would be taken as per extant laws.

2.11) Unauthorised colonies in RSP area.

ADM, Rourkela admitted that there was encroachment on the acquired land. She informed that steps are being taken to remove encroachment.

3) Conferring of rights over Forest Land allotted to displaced families.

As mentioned in the visit report of the Commission, many of the displaced persons settled in nearby forest land, at the time of acquisition of their land for RSP. Such displaced families were not conferred rights over forest land. District Collector Sundargarh during video conferencing mentioned that rights to persons particularly in rural areas under Forest Rights Act were yet to be conferred. The Chairperson, NCST emphasised that urgent action should be taken by the District Authorities so that such affected families /persons could reap the benefit by using such land. District Collector assured of early action.

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4. Death of 05 tribals and other injured persons during police firing on 8/7/2016 in Balliguda block of Kandhamal District (File No. 33/Press clipping/15/2016/RU-III)

4.1) In connection with above, Commission had visited Kandhamal District on 12.7.2016 and held discussion with District Collector, Suptd. of Police, Public representatives, family members of deceased & injured families etc.

4.2) Commission, based on the inputs from affected families, public representatives and State Govt. Officials, vide its letter No. 33/Press Clipping/15/2016/RU-III communicated its findings and recommendations, interalia, including advise for taking appropriate steps by State Government to avert such situations in future. Govt. of Odisha was requested to send report. Since report was not received, therefore, it was decided to discuss the matter with the Chief Secretary during ensuing visit.

4.3) During the meeting, officials of State Govt. of Odisha informed that besides payment of compensation, following actions were taken by the State Govt. List of actions taken is placed at **Annexure –III**.

I) Exhibits have been given to the State Forensic Science Laboratory for examination. Conclusive opinion can be given after receipt of the report of SIT. Investigation would be completed by SIT within 90 days

II) Four Injured person have been cured and have returned to their village.

III) LED lights have been supplied to all households of village Gumudumaha.

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IV) Granular Sub Base of the road from Kurtamgad to Gumudumaha village (around) 11 K M has been done. After rainy season it would be completed.

V) One Tube well has been dug in the village.

VI) Work orders have been issued for construction of houses under Biju Pucca Ghar scheme.

VII) Public Health Centre is functioning in Kurtamgad.

4.4) Chairperson, NCST while expressing satisfaction over the steps taken by the Govt. of Odisha, reiterated that Govt. of Odisha should take appropriate action on the other recommendations of the Commission, including sensitization of police forces, posting of teachers, arrangements of drinking water, payment of MNREGA wages at door steps. Compliance/Action taken report on the various issues that emerged during the visit of the Commission may be sent to NCST within next 10 days.

5. Scheme of Residential schools for scheduled Tribes student in the State of Odisha.

5.1) During the meeting, a note containing salient features of Residential schools for Scheduled Tribe Students in the State of Odisha was given by the ST & SC Development Department. Copy of note is placed as **Annexure IV.**

5.2) Chairperson, NCST after interaction on the issue desired that Director Dr.A.B.Ota, RDC Central Division, Odisha may prepare a critical note on the subject matter highlighting strengths, weaknesses and concerns in the existing schemes run by various State Govts. and suggestions to improve the existing mechanism for effective

Rameshwar Oraon

implementation of Residential school schemes for Scheduled Tribes Students. It was assured that desired comprehensive note on the issues would be sent to the Chairperson NCST.

6. Scheme of Scholarships for the Scheduled Tribes.

6.1) During the meeting, Chief Secretary Govt. of Odisha pointed out that Govt. of India has made it mandatory to implement the revamped National Scholarship Portal from 31.8.2014. He feared that many S.T. students will be denied of pre & post matriculation scholarship (a) as they do not have Aadhaar card (b) 70 % of rural Odisha does not have reliable internet connectivity and (c) on account of other technical issues involved in switching over to new system, as narrated in the D O letter dated 10/8/2016 (**Annexure V**) of the Chief Secretary Govt. of Odisha sent to the Cabinet Secretary GOI .

In view of above, Chief Secretary, vide his D O Letter No. ST &SC Dev 195/CS dated 10/8/2016 (**Annexure V**) has made request for deferment of NSP.

6.2) Commissioner Cum Secretary, vide his letter No. 15049/SSD/ Bhubaneswar dated 11/8/2016 and letter No. 15199/SSD dated 17/8/2016 (**Annexure VI**) has also taken up the matter with the Secretary to GOI, Ministry of Tribal Affairs for deferment of switching over to new system,

6.3) Chairperson, NCST mentioned that in the larger interest of ST students, Commission would also take up the matter with the Ministry of Tribal Affairs so that no hardship is caused to ST students in receiving the Scholarship under Centrally sponsored scheme.

(Action NCST, Secretariat)

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7. Diversion of Tribal Sub Plan Funds

During the meeting, the Chairperson informed that complaints have been received about diversion of TSP fund in the State of Odisha. In earlier visits of the Commission, it has taken up the matter and advised the State Govt. to utilize the funds in tribal areas for individual and/or collective benefit of tribals. If TSP is properly utilized in tribal areas, progress will be visible and result in better lives of tribals. Chairperson informed the officers that Odisha is a good State and it should ensure proper utilization of TSP. He advised the Chief Secretary to study the Act passed by State Government of Andhra Pradesh to curb misuse /diversion of TSP. He requested the State Government of Odisha to frame an Act like A.P Government.

8. Issue of Caste Certificate at School Level

In order to mitigate the difficulties faced by STs, in obtaining Caste certificate, Chairperson NCST, suggested that on the lines of other States, the Govt. of Odisha may also make it mandatory for issuing Caste certificate to the students in the school itself so that difficulties are not encountered by the poor families in obtaining such certificates.

Chief Secretary Govt. of Odisha assured that matter would be taken up on priority.

9. Deaths of 19 persons of Juang tribe in Nagada , Jajpur District and deaths due to Malaria reported in Sadar Block , deaths of new Born babies in districts of Rayagada , Koraput , Nabrangpur, Malkangir & other tribal areas and problems of Malnutrition and Health services in Odisha.

Chairperson, NCST mentioned that on arrival in Bhubaneswar on 19/8/2016, the above issues were brought to the notice of the Commission by Ms. Sukeshi Oraon- a social activist. In response, Chief

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Secretary, Govt. of Odisha mentioned that required steps were taken and further steps are being taken in order to improve the situation.

Commission desired that report on the above listed cases may be sent to it within one month.

10. Chairperson NCST thanked the officials of Govt. of Odisha for taking steps in the overall development of Scheduled Tribes and safeguarding their interest.

Rameshwar Oraon
(Dr. Rameshwar Oraon)
Chairperson, NCST

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