



सत्यमेव जयते

Speed Post

भारत सरकार
Government of India
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
(A Constitutional Body under Article 338A of the Constitution of India)

File No. Tour report/ (Member)/Odisha/1/2022-ESDW

Dated: 08.02.2022

To,

The Chief Secretary,
Government of Odisha,
General Administration Department,
Odisha Secretariat,
Bhubaneswar-751001

The District Collector,
Office of the Collector and District
Magistrate, District Kalahandi,
At/Po Bhawanipatan – 766001
Odisha

The District Collector,
Collectorate, Phulbani,
Kandhamal Pin- 762001
Odisha

The District Collector,
At/Po-Baripada,
Dist-Mayurbhanj, PIN-757001
Odisha

Sub: Tour Report of Shri Ananta Nayak, Hon'ble Member, NCST of visit to the Odisha from 24.12.2021 to 02.01.2022.

Sir,

I am directed to enclose a copy of Tour report of Shri Ananta Nayak, Hon'ble Member, NCST of visit to the State of Odisha from 24.12.2021 to 02.01.2022 for ready reference.

2. It is requested that necessary action may be taken on the points raised/recommendations in the Tour report and furnish the report to the Commission at the earliest.

Encl: As Above.

Yours faithfully,

397-400
8/2/2022
जारी किया
ISSUED o/c

(H.R. Meena)
Research Officer

Copy to: - NIC, NCST. 501777
09/02/2022

**TOUR REPORT OF SHRI ANANTA NAYAK, HONOURABLE MEMBER,
NATIONAL COMMISSION FOR SCHEDULED TRIBES TO ODISHA FROM
24TH DECEMBER 2021 TO 02ND JANUARY, 2021**

Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes reached Bhubaneswar on the 24th December, 2021 on a 10(ten) day to Odisha. Shri Ananta Nayak, Hon'ble Member, NCST was received at the Bhubaneswar Airport by Shri P.K. Parida, PS to the Hon'ble Member, Shri P.K. Behera, Addl. Secretary, ST & SC Development Department, Govt. of Odisha and Shri D.K. Palai, UDC Regional Office, NCST, Bhubaneswar.

As per schedule Hon'ble Member of the Commission left for Keonjhar District and night halted there on the 24th December, 2021 and returned to Bhubaneswar on the 25th December, 2021 and proceeded to the State Guest House and night halted.

26th December, 2021

Shri Ananta Nayak, Hon'ble Member, NCST left for Bhawanipatna on the morning of 26th December, 2021 from Bhubaneswar, accompanied by Shri R.K. Tripathy, Legal Adviser, NCST, Shri P.K. Parida, PS to the Hon'ble Member and Shri D.K. Palai, UDC, Regional Office, NCST, Bhubaneswar by road.

On reaching Bhawanipatna, Hon'ble Member met the Tribal Leaders at the Bhawanipatna Circuit House, during the said meet, there was extensive discussion on various tribal issues, including issues of Fake Caste Certificate, FRA related issues, issues relating to drinking water, education, health, road communication to Tribal Villages and Hamlets.

The NCST team headed by the Hon'ble Member of the Commission night halted at Bhawanipatna.

27th December, 2021

Visit to Dakibandel Village

At 09.00 Hours, the NCST team led by Shri Ananta Nayak, Hon'ble Member visited the Dakibandel Village under Shagada GP under Bhawanipatna Block to access the ground realities of implementation of Forest Rights Act 2005.

It was observed that, in reality the status of implementation of Forest Right Act, 2006 was visible nowhere there. Although, there was a demand by the STs for allowing them to sale the minor forest produces out side the locality for sustenance of their livelihood. The major challenge faced by the local Tribals i.e Transit Permit of for selling of forest products. The forest officials along with the police obstruct in coercive manner stating the locals to don't have the

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सदस्य/Member

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transit permit to sell the forest produce. Considering the gravity of the issue the directly affects the life and livelihood the locals. Hon'ble Member recommended the authorities to remove the bottlenecks faced by the tribals.


Hon'ble Member of the Commission explained the locals about the positives of the Forest Right Act, 2006 while addressing the public. Also made an appeal to locals across the communities to come forward to work together so that, they can take benefits of the FRA. Hon'ble Member tried to educate the locals about the silent features of FRA, as these are made not only for the STs but also for other communities, who fulfill the eligibility criteria laid down in it.

Visit to Sagada under Kalarapat Wildlife Sanctuary

After visit to Dakibandel Village, Shri Ananta Nayak, Hon'ble Member, NCST along with the team of NCST visited the Kalarapat Wildlife Sanctuary to meet the Sagada PRF people. The NCST on the basis of the youtube news had called for report from the Administration on the displacement of ST people inside Kalraapat during the Lockdown. That to access the position from the ground zero the NCST has taken a decision to visit the Sagada and found that the life of the ST people very pitiable. In the present of forest officers, Hon'ble Member and the NCST team discussed in detail about facts, which lead them left their earlier settlement. It was learnt that due to landslide they were forced to leave their earlier settlement, but they also expressed that, they have been staying on the present location only for the sake of survival, as they don't have bare necessities of life. There is no such available option for education, health, etc. nearby, currently they used to live under temporary shelters, which are completely fir for habitation.

Hon'ble Member himself get inside some of those temporary shelters to access the position and got shocked. After inspection, Hon'ble Member had a special discussion with tribal women, to gather information about their basic minimum needs and promised them that, during the District Review the matter will be discussed with the district authorities to have a permanent solution to their problem.

Accordingly, the matter was discussed with the district administration Kalahandi and it was suggested that, the matter may be looked in humanitarian prospective, if required amendments should be made in the prevailing rules, wherever necessary, so that, the displaced tribals of Sagada may be well settled with a permanent rehabilitation with all basic minimum basic necessities, viz., housing, drinking water, electricity, sanitation, education, as well as proper health care. Accordingly, the district administration has given assurance to the NCST that, the matter of Sagada PRF people will be taken care of on humanitarian ground, as suggested.


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Visit to CHC Junagarh

In the afternoon of the 27th December, 2021, Shri Ananta Nayak, Hon'ble Member of the Commission along with Shri R.K. Tripathy, Legal Advisor, NCST, Shri P.K. Parida, PS to the Hon'ble Member and Shri D.K. Palai, UDC, Regional Office of the NCST, Bhubaneswar visited the CHC Junagarh and inspected it. After the inspection had a discussion with the Hospital Administration. Hon'ble Member, NCST assess the situation and found that, although there are shortage of doctors and other supporting staffs. The infrastructure of the hospital is deplorable condition and needs immediate innovation and expansion is required on war footing. However, it was brought to the notice of the NCST team that, there is bare requirement of one Ambulance for the CHC.

Accordingly, this matter also was taken up the district administration during the District Review and it was learnt that, a major portion of the adjacent belong to the CHC has been under unauthorized encroachment, needs to be taken care up. Accordingly, the district administration has been advised to take necessary steps to restore land and expand the CHC for betterment of locals, which mostly comprises STs.

Visit to Suruguda Village under Junagarh Block

While returning to Bhawanipatna, after inspection of Junagarh CHC, Shri Ananta Nayak, Hon'ble Member, NCST along with the team of NCST visited the Suruguda Village, under Junagarh Block to access the ground realities of implementation of Forest Right Act, 2006.

As the district administration was well aware of visit of Shri Ananta Nayak, Hon'ble Member, NCST to Suruguda Village, so all concerned authorities were present there. Also, the locals were there in large numbers, at the beginning the DWO, Kalahandi introduced the Hon'ble Member of the Commission and the team of the NCST. Hon'ble Member, NCST addressed the gathering and made the people aware about the NCST, as well as the Forest Right Act, 2006 and the PESA. An appeal was made to the people to come forward and to express their problem before the NCST. Some people referred to the drinking water issues and lack of facilities for education of their children. But, majority of them emphasized that, they do not able to get the benefits of FRA, although there are provisions for use of minor forest produces for livelihood of forest dwellers, because concerned forest authorities do not issue the permit relating to transit of minor forest produce. But, the concerned Range Officer of the Forest Department communicated that, there is no need of Transit Permit. Rather due to the issue demarcation of area could not be resolved so far, hence to avoid any sorts of tussle between various parties, forest department has been emphasizing on settlement of forest area prior to transport of minor forest produce. Hon'ble member recommend that the forest department must fix traditional boundary and ensure free transportation minor forest produces for sustenance of livelihood of the local tribals. Accordingly, time limit was given to the villagers to settle the pending issues with support of forest officers, in which the concerned forest officer agreed for all possible support.

Meeting with ST Associations

On the evening of 27th December, 2021, Shri Ananta Nayak, Hon'ble Member of the Commission held meeting with ST Association at the Circuit House, Bhawanipatna. Some NGOs also met the Hon'ble Member after the meeting.

During the Association meeting a range of issues were raised before the Hon'ble Member of the Commission, which included issues of drinking water, road communication to tribal villages & hamlets, as well as on the issues of telecommunication, health related issues. Most of participants focus on road communication, as because of poor condition of approaching roads, at the time of emergency medical aid could not reach to some of those villages. Due to non-availability of internet, students could not able to attend online classes, in addition to that, at emergency people could not contact for Ambulance. Baring those there are issues relating to issuance of ST caste certificate. Some migrants able to take ST certificate in their name, although originally they do not belong to ST community. Although matter has already been taken to notice of authorities, yet there is no action.

Some NGOs suggested that, if a colony for Panchayat Level Officers can be built at the Panchayat Headquarters that will also help them to discharge their work in more purposeful manner.

28th December, 2021

As scheduled Shri Ananta Nayak, Hon'ble Member, NCST along with the NCST team attended district review meeting at the conference hall of the district Collectorate.

The District Collector and Superintendent of Police were not present during the district review meeting remaining all the concerned district level officers were present in the during the district review meeting. However, both officials deliberately did not inform about their absence, unavailability during the review meeting. The state government must take cognizance of the irresponsible attitude and un becoming behavior of both the officials and take appropriate action.

District Review Kalahandi

That at the beginning of the District Review, Kalahandi, ADM, Bhawanipatna gave reception to Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes and the NCST team. Thereafter, formal meeting begun.

Hon'ble Member, NCST gave an introductory speech to the district level officers on the role & function of the Commission, as a Constitutional Body and the aim & objectives of the district review. Soon scrutinize the reply to the district review questionnaire submitted by the Kalahandi district.

It has been submitted that out of total population of 15,78,869 of Kalahandi the population of STs is 4,49,456 which is approximately 26 p.c of entire population.

I. Education

- It has been informed that the literacy rate among ST women is very low in and they live in precarious condition.
- Drop out rate of students of STs at secondary level is in at alarming situation and more serious the elementary education the enrolment is below 50%. As per Right to Education, Fundamental Rights as enshrined in the Constitution of India and the policies of United Nations where India is party, the enrolment of elementary education should be 100%. There is no satisfactory reply from the district administration as to why the enrolment of elementary level of education is so low.
- But the attendance at the Middle School Level is low i.e. 28.93% in comparison to the Elementary Level.
- The number of ST student staying in ST & SC residential school is up to mark, therefore it is recommended that the district administration proactive initiative to increase the strength of ST students and ensure better living condition.
- Rs.1,100.00 (Rupees one thousand one hundred only) has been spent on girl and Rs.750.00 (Rupees seven hundred fifty only) on boy per month as a boarder. There was a demand from ST Associations for increase in the above amount before the Hon'ble Member, NCST during the meeting with Association leaders earlier. It has been recommended that the amount spent on each student should be increased.
- A total of 25,040 (Twenty five thousand forty) number of students have been given Pre-matriculation Scholarship in the year 2020-21 and a total amount of Rs.12,02,90,100.00 (Rupees twelve crore two lakh ninety thousand one hundred only) has been spent towards Pre-Matriculation Scholarship during the said year. It has also been submitted by the district administration that, steps have been taken for smooth releasing of Scholarships to the ST students.

II. Agriculture

- As submitted by the district administration, there are 10,001 (Ten thousand one) ST Agricultural Farmers at present in the district and those farmers have been raising crops viz., Paddy, Cotton, Ragi, Maize & Vegetables for their livelihood, by adopting improved method of agriculture.
- Whereas, there are 1,43,873 (One Lakh Forty Three Thousand Eight Hundred Seventy Three) landless Agricultural Labourers in the district, who are dependant on Daily Labour, Pultry farming through intervention Mission Jeevika /IGA from OPELIP at programme area.



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- It has been recommended that to educate, trained and improve the skill and technology use by the local tribals.

III. Employment

- There are 2495(Two hundred ninety five) male and 1318 (One Thousand Three Hundred Eighteen) Female unemployed ST person have got them registered with the Employment Exchange.
- There is no Scheme available by ST Financial Institutions for employment generation, Bankable IGS is the only option. But since 2018-19 no loan has been provided although 96(ninety six) individuals comprising 9(nine) groups available there for the said purpose.
- The commission recommend that the district administration should ensure smooth of loans under various schemes to unemployed youth. To ensure the proper training to develop the entrepreneurship and articulate business and commercial mindset among the unemployed and semi-employed Tribals.

IV. House & housing site and other Basic Amenities

- In 13(thirteen) blocks of the districts a total of 42,144 (Forty Two Thousand One Hundred Forty Four) Land Pattas have been distributed during the last ten years.
- A total 1,48,041 (One Lakh Forty Eight Thousand Forty One) houses have been constructed during 2011-12 to 2020-21 under schemes viz., IAY, BPGY, NSPGY and PMAY(G).
- At present no Rural Cooperative Housing Society for STs is available in the district.
- 28(Twenty Eight) villages /habitations do not have link road, as per submission of the district administration, but during the ST Association Meeting the leaders of the Associations alleged that the number is much higher. It has been alleged before the Hon'ble Member of the Commission that, due to lack of link road at emergency medical aid could not reach those habitants. In addition to the mobile network is not available in those village also creating hindrance for contacting the Ambulance in emergency, as well as creating problem for students for online studies.
- 32(Thirty Two) villages / habitations do not have street lights as per the submission of the district administration, but it has been alleged before the Hon'ble Member, NCST during the Association Meeting that, the number is also much higher. Although there is various scheme of the government.
- As per submission of the district administration, there are 15(fifteen) numbers of villages / habitations at present, which do not have potable drinking water. Inhabitants of these villages / habitations have been dependents upon spring water. Further, it has been submitted that, RWS&S has been using disinfectant for necessary disinfection. However, construction of sanitary well are under process.
- PDS is available in the ST villages / habitations and essential provisions like rice, wheat, kerosene, etc. distributed in those fair price shops.

- Health facilities have been made available for ST villages / habitations. During COVID 19 only 5(five) casualties were there out of 133(one hundred thirty-three). The Commission took up the cause of bare necessities of life and basic amenities for the villagers in remote areas of the district. It is also noticed that many villages still lack portable drinking water, road and mobile communication etc. It is in these context it recommended that administration must ensure basic amenities to the tribal living in remote areas on war footing

V. Forest Rights Act

- 10919 (Ten thousand nine hundred nineteen) nos. of beneficiaries have been benefited under FRA and land measuring 6775.935 Ha have also been allotted.
- 10(Ten) number of villages have been issued transit permit for transportation of bamboo (MFP) and 6(six) number of villages have been allowed for transportation of Kendu leaf (MFP).
- The proposal, applications submitted before the administration by the Gram Sabha and individual applicants must be considered and Land Rights must be ensured to the applicants in a time bound manner.

VI. Child Labour

- 31(Thirty-one) numbers of Child Labour (ST) have been identified from 25(Thirty five) numbers of establishment during the inspection/special drive conducted by the Labour Machinery. But it has been communicated that only 4(four) numbers of prosecutions have been filed against the defaulting employer before the appropriate court of law.

VII. POA ACT

- It has been submitted that, 33,39, 19 & 31 number of cases have been booked under PoA Act respectively in the years 2018, 2019, 2020 and as on 31.08.2021. Out of the above cases 02 two cases of 2019 and 11 cases of 2021 have been lying pending. Status of compensation paid to ST victims could be submitted before the Commission. It is recommended that the Superintendent of Police and District Legal Service Authority must submit the details of compensation paid to the victims in each case registered under POA Act. The district administration could not reply on the constitution and functioning of the District Vigilance Monitoring Committee for the last three calendar years.

It has also been observed that funds allocated towards Support to PG/SHG and SHG Support could not be utilized during the year 2020-21. Similarly, Allocation for Agricultural Activities, Poultry, Irrigation purpose could not be fully utilized during 2019-20.

Over all observations and recommendations:

- a. Despite constitutional mandate and statutory compulsions, the district administration has failed measurable to enroll all the children below 14 years for elemental

education. The data provided by the administration is below 50% enrolment among the children. This is responsible for illiteracy, poverty and various other social ailments in the future.

- b. The landless population also very high. The lethargicity and negligence of the district administration for ensuring land for the landless. Deprive tribal people from bare necessities. It has been noticed that poor tribal people residing in various settlements, hamlets without land rights, portable drinking water, anganwadi centers and other primary entitlements.

It is recommended that the District Administration must take adequate steps to ensure land with basic amenities to the landless population in the district.


- c. During field visits and interaction with locals and NGOs, it has been noticed that despite several attempts have been made by the Gram Sabhas, Activists, NGOs and locals for obtaining Forest Rights like Patta, use of forest products sell of forest produce as mentioned under Forest Rights Act – 2006. However, the forest officials and the district administration has not paying legitimate attention towards the legitimate demands by the stake holders. It is therefore recommended that the forest officials and administration must take joint action to decide and dispose the pending applications for ensuring forest rights including Pattas, sell of forest produce, transit permit fixing up of traditional boundary.

- d. The health issues like Anemia and Sickle sells have been noticed significantly among the tribal population of the district and administration is also not maintaining exact data base on these issues.

It is recommended that the administration must periodically assess the health parameters, maintain exact data base and remedial measures with social awareness to prevent the diseases in future.

- e. It is recommended that the Superintendent of Police and District Legal Service Authority must submit the details of compensation paid to the victims in each case registered under POA Act. The district administration could not reply on the constitution and functioning of the District Level Vigilance Monitoring Committee for the last three calendar years.

- f. Since the majority of the population suffered from illiteracy, poverty, malnutrition and lack of employment the existence of left wing extremism has been continuing in the district. During the district review meeting the CDMO categorically stated even though the administration wants to ensure primary health care like distribution of mosquito net and other necessary equipment's and supplements it is impossible to enter in to the certain villages like Trilochanpur and others. The Commission has taken serious note of incapability of the administration to cope with the situation. The existence and continuance of Left Wing Extremism in the district causing there by unload hardship for the poor tribals. In view of the prevailing situation the



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administration must take proactive humanitarian steps to bring amicable solution as soon as possible and ensure primary needs to the affected tribal people.

After completion of tour to Kalahandi, Shri Ananta Nayak, Hon'ble Member of the Commission along with the NCST team left Bhawanipatna for Phulbani at the afternoon.

Visit to Kandhmal

Shri Ananta Nayak, Hon'ble Member, National Commission for STs accompanied by Shri V. Ashok Vardhan, Assistant Director, Regional Office, Bhubaneswar, Shri Radhakanta Tripathy, Legal Consultant, Shri P.K. Parida, PS to the Hon'ble Member and Shri D.K. Palai, UDC reached Phulbani on the evening of the 28th December, 2021. On reaching at the Phulbani Circuit House there was a rousing reception for the Hon'ble Member of the Commission, by the district level officers of Kandhmal.

The Collector & District Magistrate and the Superintendent of Police of Kandhmal met the Hon'ble Member of the Commission at the Circuit House and held discussion also.

Meeting with ST & SC Associations

Hon'ble Member met the delegation of ST Association at the Circuit House Kandhmal, in the said meeting wide range of issues were discussed, but notable of those was the issue of caste certificate. There is unanimous opinion that the ST girls who got married to non STs may be debarred from using the ST certificates, because after marriage these ST girls got misused for political gains. In addition to that the issue of marketing of agricultural products of STs was another major issue.

Hon'ble Member of the Commission along with his team Night Halted at Phulbani Circuit House.

29th December, 2021

Inspection of Gumagarh CHC

Shri Ananta Nayak, Hon'ble Member along with the NCST team visited Gumagarh CHC and inspected it at 8.30 AM. During inspection it was found that, the CHC lacks adequate doctors/specialists, as well as supporting staff. The issue of Ambulance was also a define factor, no Ambulance has been allotted to the CHC. There are no adequate facilities for Indoor Patients in the hospital and also found that staff quarters are not available in sufficient manner. It is also observed that drinking water facility also not available for patients and toilet condition is unhygienic in the CHC.


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Visit to Pakana Gaon TRW Ashram School

That on way back to Phulbani from Gumagarh, Shri Ananta Nayak, Hon'ble Member of the Commission along with his team visited Pakana Gaon TRW Ashram School and inspected it. During inspection had discussion with Students and Teachers. Thereafter had a discussion with the Principal of the School and gather information about progress of students. During the said interaction it was learnt that, although the result of the school is overall good, but there were no outstanding achievers. Similarly, teachers requested that, all of their pending issues may be resolved by the administration in a time bound manner.

Meeting with ST & SC Association

That in the afternoon of the 29th December, 2021, Shri Ananta Nayak, Hon'ble Member, NCST held a meeting with ST & SC Association at the Conference Hall of Phulbani.

Leaders of various ST Association present during the said meeting presented their opinion before the Hon'ble Member. Most of the facts had already been placed before the Hon'ble Member during the Association Meeting with Tribal Leaders in the earlier evening. Matter of bogus caste certificate, inter-caste marriage, mortgage of ST land for loan purpose, marketing of Agricultural Products, etc. mostly featured during the said meeting.

District Review Kandhamal

That at the beginning of the District Review, Kandhamal, ADM, Phulbani gave introduction to Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes and the NCST team. Thereafter, formal meeting begun. The District Collector and Superintendent of Police has sought for permission from Hon'ble Member to hold district review in their absence as they were busy in certain exigencies.

Hon'ble Member, NCST gave an introductory speech to the district level officers on the role & function of the Commission, as a Constitutional Body and the aim & objectives of the district review.

I. Education

- It has been submitted that the literacy rate of ST Male is 52.93% in comparison to General Category of 76.93%, similarly that of ST Female is 54.22%, whereas that of General Category Female is 51.94% in the district.
- The percentage of enrollment at elementary school level for ST is 97.51% in comparison to that of General is 99.86%, whereas, the drop out percentage is less than 1%.
- The percentage of enrollment at middle school level for ST is 99.42% in comparison to that of General is 99.76%, whereas, the drop out percentage is also less than 1%.

- Whereas, the percentage of drop out at the High School Level is 3.49% for general in comparison to 4.89% of STs.
- There are 38 High School Hostels, in which 4632 boys and 8825 girls. Number of boarders is 14860 and number of seats occupied is 13457.
- Similarly, there is one College Hostel in the district.
- Rs.800.00 (Rupees eight hundred only) has been spent on girl and Rs.750.00 (Rupees seven hundred fifty only) on boy per month as a boarder at High School Level. Whereas, Rs.1,000.00 (Rupees one thousand only) spent for each boy & girl.

A total of 52503 number of students have been given Pre-matriculation Scholarship in the year 2020-21 and a total amount of Rs.34,34,46,990.00 (Rupees thirty four crore thirty four lakh forty six thousand nine hundred ninety only) has been spent towards Pre-Matriculation Scholarship during the said year. Whereas, an amount of Rs.8,08,29,832.00 (Rupees eight crore eight lakh twenty nine thousand eight hundred thirty two only) has been spent on Post Matric Scholarship on 9584 number of students.

- It has also been submitted by the district administration that, various steps have been taken for smooth releasing of Scholarships to the students and WEO of the concerned block has been entrusted to ensure it.

II. Agriculture

- As submitted by the district administration, there are 61136 ST Agricultural Farmers at present in the district and those farmers have been raising crops viz., Jowar, Paddy, Ragi, Maize, Millets, Arhar, Moong, Biri, Kulthi, Mustard, nizer, etc. for their livelihood, by adopting improved method of agriculture.
- Whereas, there are 42795 landless Agricultural Labourers in the district, who are dependent on Cultivating leased land of other farmers, Labour in other's fields. Also some of them are engaged in other developmental works of Govt. Schemes.
- District Administration has suggested for proper marketing facilities for NFIP and the products produced by SHG and other individual farmers. The process of land mortgage for sanction of loan needs to be simplified so that, farmers may available loan.

III. Employment

- There are 5225 males and 3590 Female educated unemployed ST person have got them registered with the Employment Exchange.
- There is no Scheme available by ST Financial Institutions for employment generation.

IV. House & housing site and other Basic Amenities

- 2067 Land Pattas have been distributed during the last ten years, comprising approximately Hc. 0.016 R of land per head.
- A total 66,668 houses have been constructed.

- At present no Rural Cooperative Housing Society for STs is available in the district.
- 126 villages /habitations do not have link road.
- 1078 villages / habitations do not have street lights.
- All villages / habitations have been provided with potable drinking water.
- PDS is available in the ST villages / habitations and essential provisions like rice, wheat, kerosene, etc. distributed in those fair price shops.
- Health facilities are being provided to all ST villages / habitations including family planning programme, routine immunization, etc.
- Due to connectivity some villages are not getting minimum required health facility.

V. FRA

- 2415 Forest Right Committees Constituted, 60346 numbers of claim petitions filed, 58425 number of claims forwarded by Gram Sabha, 57818 number of claims forwarded by SDLC to DLC, 57818 number of cases approved by DLC measuring 87450 Ac. Whereas, 2221 community titles approved by DLC and 57818 number of individual titles issued, comprising land area of 87,449 Ac.

VI. Child Labour

- 4 numbers of Child Labour (ST) were rescued from K.L. Phadi, Khamankhole, Billiguda and one from construction site of one irrigation project. Accordingly necessary action has been taken.

VII. POA ACT

- It has been submitted that, 8,6 and 11 number of cases have been booked under PoA Act respectively in the years 2018, 2019 and 2020.

Over all observations and recommendations:

- a. The literacy percentage is low and school dropout information is suspicious and authority could not explain the reason of dropout of the students as data provided by the administration. The number of hostels for ST students and amount spent on each of boarder is low.
- b. The agriculture statistics has not been updated since 2016 and total number of ST category has not been updated. There is no special measures or steps taken for the improvements of the agriculture labourers. Even if the administration is aware the poor economic condition of agriculture labourers. It fails to address the sensitive issue with adequate measures. The number of landless agriculture labourers is very high. No sincere effort has been taken by the administration in the serious issue.
- c. The steps taken to provide employment to the ST educated but unemployment mass is below expectation.



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- d. It is noticed that many people in the district have been facing severe hardship to reach PDS outlets. The demand for doorsteps delivery of the items like Paddy, Wheat Kerosene etc.
- e. During the meeting with Tribal Leaders, NGOs and local people it has noticed that number of cases relate to fake caste certificate have emerged. Few of them also produced certain documents proof the allegation and they also content that the drawn the attention of administration with regard to issuance of fake caste certificate. However, the district administration is not giving attention to their allegations even if submission of documentary evidence. It is recommended that the administration must take up the cases of fake certificate seriously in a time bound manner and take appropriate legal action.
- f. During interaction with Tribal leaders, locals and NGOs, it has been noticed that despite several attempts have been made by the Gram Sabhas, Activists, NGOs and locals for obtaining Forest Rights like Patta, use of forest products sell of forest produce as mentioned under Forest Rights Act – 2006. It is therefore recommended that the forest officials and administration must take joint action to decide and dispose the pending applications for ensuring forest rights including Pattas, sell of forest produce, transit permit fixing up of traditional boundary.
- g. The tribal leaders and locals have brought to the notice of the Hon'ble Member on the issue of lack of basic amenities like portable drinking water, communications including like road, mobile connectivity, primary health care facilities. The administration must take up the issue on top priority and ensure bare necessities of life to the villagers.
- h. The health issues like Anemia and Sickle sells have been noticed significantly among the tribal population of the district and administration is also not maintaining exact data base on these issues.
It is recommended that the administration must periodically assess the health parameters, maintain exact data base and remedial measures with social awareness to prevent the diseases in future.
- i. The number of cases produced before Hon'ble Member registered under POA Act details of Compensation paid to the victims could not be informed.
The district administration could not reply on the constitution and functioning of the District Level Vigilance Monitoring Committee for the last three calendar years.

Since the majority of the population suffered from illiteracy, poverty, malnutrition and lack of employment the existence of Left Wing Extremism has been continuing in the district. The issue of fake certificate and the benefits availed therefrom by the non-tribals is serious issue in the district. This is nothing but a criminal act. The administration must take up the case seriously and make discreet enquiry on each of the pending cases. Need to ensure Special Awareness program

The Commission has taken serious note of incapability of the administration to cope with the situation. The existence and continuance of Left Wing Extremism in the district causing there by unload hardship for the poor tribals. In view of the prevailing situation the administration must take proactive humanitarian steps to bring amicable solution as soon as possible and ensure primary needs to the affected tribal people.

That after completion of the visit to Kandhmal, Shri Ananta Nayak, Hon'ble Member of the Commission, along with the NCST team left for Bhubaneswar in the afternoon of 29th December, 2021, by road from Phulbani.

Hon'ble Member of the Commission accompanied by the NCST team reached Bhubaneswar and night halted at the State Guest Bhubaneswar.

30th December, 2021

On 30th December, 2021, Shri Ananta Nayak, Hon'ble Member of the Commission along with the NCST team left Bhubaneswar for Baripada by road and reached there. But there was no due curtsey was not provided to the Hon'ble Member of the Commission by the district administration Mayurbhanj. There was no one to receive the Hon'ble Member of the Commission although the Office of the Collector & District Magistrate, Mayurbhanj has been communicated in advance about the visit in well advance. Moreover, prior to living Bhubaneswar the Office of the Collector & DM, Mayurbhanj, as well as the DWO, Mayurbhanj were communicated over phone. This was nothing but violation of the Protocol.

Visit to the CHC Kuliana

Shri Ananta Nayak, Hon'ble Member of the Commission inspected the CHC Kuliana, during the inspection the NCST team was also there. It was observed that, CHC has been running with skeletal medical staff. Most of the sanctioned posts have been lying vacant for years together, no effort has been made for filling up the vacant posts. It was also observed that there is no boundary wall on one side, which poses threat to the functioning of hospital. There is also issue of water logging inside the compound. Moreover, there is no mortuary available in the hospital.

Visit to Suliapada TRW Ashram School

After inspection of CHC Kuliana, Shri Ananta Nayak, Hon'ble Member of the Commission visited the Suliapada TRW Ashram School and inspected the same. During the inspection it was observed that, the Ashram School was in a precarious condition, the class rooms are in pathetic condition, windows found to be broken and toilets were not in useable condition. It has been noticed that there only 5 toilets for 120 girls and 2 toilets for 100 boys in the school. It is also observed that two girls share one bed and three boys two beds. In the hostel the inmates are found to be sharing beds, although this is pandemic time. There are no

shelf and table etc. for study purpose. Moreover, it was observed that, there are only few toilets, taking consideration the strength of the inmates. The Principal of the school as well as the locals lodged protest before the Hon'ble Member of the Commission and made appeal for taking the matter to the notice of the appropriate authorities.

Meeting with Tribal Leaders

In the evening at the Circuit House Baripada, Hon'ble Member held discussion with various tribal leaders on issues, viz., FRA, Health Facilities, Educational Facilities, Road, Fake Caste Certificate, etc.

Hon'ble Member, NCST and the NCST team night halted at Baripada.

31st December, 2021

District Review Mayurbhanj

Collector & District Magistrate, Mayurbhanj gave the welcome speech at the beginning of the district review meeting. Thereafter, the Assistant Director, RO, NCST, Bhubaneswar introduced the NCST team. Shri Ananta Nayak, Hon'ble Member of the Commission was given introductory speech and explain about the mandate of the Commission which is provided under the Constitution.

The Hon'ble Member took serious view of the lackadaisical attitude of the district administration in submission of reply prior to district review. This is quite evident from the reply submitted to the Commission wherein more than 10 points have not been answered and even nor attended to. There was no sequence in submission of the data, which itself is dishonor to the Constitutional Body, prior to putting his signature the Collector & DM could have verified it, but without owning the responsibility he had put all the blame on the DWO, Mayurbhanj. That it is another fact that, the DWO Mayurbhanj may not consider him innocent, because being the Nodal Officer of the district, he is also equally responsible for the same. Further, although he was informed several times by the Regional Office, NCST, Bhubaneswar regarding the said visit of the Hon'ble Member of the Commission, as well as regarding the district review, yet no professionalism was there in his part. There was no officer designated to receive the Hon'ble Member, which ultimately lead to breaking of Protocol.

The Collector & DM, Mayurbhanj himself requested the Commission for a communication, so that, he will be in a position to take disciplinary action against the DWO, but this was a deliberate attempt in his part to shift attention from the failures in his part. Moreover, the Collector & DM has also directed the DWO and to resubmit the fact & figures.


अनंत नायक/ANANTA NAYAK

सदस्य/Member

राष्ट्रीय अनुसूचित जनजाति आयोग

NATIONAL COMMISSION FOR SCHEDULED TRIBES

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Over all observations and recommendations:

- j. The agriculture statistics has not been updated and total number of ST category has not been updated. There is no special measures or steps taken for the improvements of the agriculture labourers and there is coordination with TRIFED also. Even if the administration is aware the poor economic condition of agriculture labourers. It fails to address the sensitive issue with adequate measures. The number of landless agriculture labourers is very high. No sincere effort has been taken by the administration in the serious issue.
- k. The steps taken to provide employment to the ST educated but unemployment mass is below expectation.
- l. The effectiveness of Self Help Group (SHG) could not be satisfactorily explained by the administration.
- m. The tribal leaders and locals have brought to the notice of the Hon'ble Member on the issue of lack of basic amenities like portable drinking water, communications including like road, mobile connectivity, primary health care facilities. The administration must take up the issue on top priority and ensure bare necessities of life to the villagers.
- n. During interaction with Tribal leaders, locals and NGOs, it has been noticed that despite several attempts have been made by the Grama Sabhas, Activists, NGOs and locals for obtaining Forest Rights like Patta, use of forest products sell of forest produce as mentioned under Forest Rights Act – 2006. It is therefore recommended that the forest officials and administration must take joint action to decide and dispose the pending applications for ensuring forest rights including Pattas, sell of forest produce, transit permit fixing up of traditional boundary.
- o. During the visit of Kuliiana CHC, it has been observed the infrastructure of health care facilities is not adequate to meet the public demand and the renovation works existing hospital building is not satisfactory. It is also informed by the Tribal leaders that the health care system in the district is below standard. It is strongly recommended that the administration is utmost care to increase the fill up the vacancies of Doctors and other supporting staffs and improve the infrastructure of each PHC and CHC in the district.
- p. During visit to Suliapada TRW School Hon'ble Member observed that the lacks studios atmosphere and lacks infrastructure facilities. The quality of education provided by the school is reflected in the results, performance of the students. Hardly any student secured more than 60% marks in their examination.
- q. The health issues like Anemia and Sickles have been noticed significantly among the tribal population of the district and administration is also not maintaining exact data base on these issues.
- It is recommended that the administration must periodically assess the health parameters, maintain exact data base and remedial measures with social awareness to prevent the diseases in future.
- r. The number of cases produced before Hon'ble Member registered under POA Act exact information of compensation paid to the victims could not be submitted before the Hon'ble Member. The district administration could not reply on the constitution and

functioning of the District Level Vigilance Monitoring Committee for the last three calendar years.

The Commission has taken serious note of incapability of the administration in submission of required information for district review. It is strongly recommended to the State Government to appropriate legal action and to initiate disciplinary proceedings for dereliction of duty by the concern district officials. Taking into the statements of the Collector & DM, Mayurbhanj the district review was aborted in midway.

Shri Ananta Nayak, Hon'ble Member, NCST along with his team left for Thakurmunda.

Meeting with Tribal Leaders at PWD Guest House Thakurmunda

Hon'ble Member, NCST met tribal leader at Thakurmunda, PWD Guest House and educate them about the role & functions of the Commission. During this process appealed the STs to put their grievances to the Commission, withheld of Grievance Portal.

Issues of displacement & rehabilitation of tribal people also feature during the discussion. Most of the displaced found to be satisfied with compensation they had already been paid. The Commission recommends that the district administration should follow the land acquisition law of 2013 and guidelines of rehabilitation and resettlement.

After the meeting the Hon'ble Member, NCST left for Keonjhar and night halted at Keonjhar.

01st January, 2022


Meeting with Tribal Leaders

At 11.00 Hours there was meeting with tribal leaders at Keonjhar, in which wide range of issues were discussed. Tribal leaders expressed their views to the Hon'ble Member of the Commission, also seek suggestions.

In the afternoon the Hon'ble Member of the Commission attend the inagural session of the Skshyam Training Program at the Sri Gurukul, Gaddharpur, in the Keonjhar district and night halted at Keonjhar.

02nd January, 2022

Shri Ananta Nayak, Hon'ble Member of the Commission left for Bhubaneswar and proceeded to the State Guest House. At the evening left for New Delhi after completing a 10(ten) day long visit to Odisha.


अनंत नायक/ANANTA NAYAK
सदस्य/Member
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