

NATIONAL COMMISSION FOR SCHEDULED TRIBES

File No. Odisha/1/Rourkela Steel Plant/2016-RU-III

Date : 30.5.16


**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 HIDUSTAN STEEL PLANT (AT
PRESENT ROURKELA STEEL PLANT) AT ROURKELA IN ODISHA.**

Dr. Rameshwar Oraon, Hon'ble Chairperson accompanied by Smt. K.D.Bhansor, Director, Shri Chetan Sharma, Investigator, National Commission for Scheduled Tribes, and Shri Dwarka Karol, Director & Shri Basudev Behera, Personal Assistant, National Commission for Scheduled Tribes, Regional Office, Bhubaneswar visited Rourkela in the State of Odisha from 22.02.2016 to 24.02.2016 as per the tour programme communicated vide Wireless Message No.ODISHA/1/ROURKELASTEELPLANT/2016-III dated 15.02.2016 & 19.02.2016 to the Government of Odisha and heard the grievances of displaced tribals of Rourkela Steel Plant, held meeting with the State Government officials regarding various measures taken by them for the rehabilitation of displaced families and held meeting with the management of Rourkela Steel Plant on the activities undertaken by them for the displaced tribals under Corporate Social Responsibility(CSR) Scheme.

The team of the Commission reached Rourkela on 22.02.2016 from Ranchi by road via Simdega. On arrival in the Circuit House, Rourkela, the District Administration led by Collector and District Magistrate, Director for ST, ST/SC Development Department, Government of Odisha and other District Level Officers warmly welcomed the Commission.

Meeting with the displaced tribals

On 22.02.2016 (03.00 PM) and 23.02.2016 (09.00 AM), Commission made an interaction meeting with petitioners and other affected tribals on the issues of acquisition of land for establishment of Rourkela Steel Plant in the Circuit House Panposh.


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At the outset, the Hon'ble Chairman met the media persons and spoke about the purpose of their visit and hearing the grievances of the petitioners. Hon'ble Chairman stated that complains have been received by the Commission regarding non-payment of proper compensation, non-receipt of ROR of allotted land for agricultural purpose or housing purpose. The reclamation land allotted against the land acquired is far distant and uncultivable for not possible on their part to cultivate the land and to maintain their livelihood. The Commission will enquire into the grievances and complaints of the petitioners and to ensure justice to the affected people. Subsequently, Hon'ble Chairman heard the grievances individually one by one, as per notice issued by the Commission. The statements recorded from the petitioners are as follows:

Shri Lachu Oram :- He got a notice to receive only Rs. 5.25 towards payment of compensation on land acquired for RSP. He did not receive the payment and it is kept in Civil Deposit in treasury. He was given reclamation land at Amgaon Village, Deogarh district which is 150 K.M. away from Rourkela. ROR has not been received by him. He further intimated that the above land is not available as per the report of Tahasildar, Deogarh.



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Shri Mangra Oram(1) :- He complained that land measuring an area of Ac.8.02 Raity land has been recorded in their favour out of their acquired land measuring Ac 10.32. Only compensation for crop was given to him but no compensation for agricultural land was given. He intimated that out of the acquired land of Ac 8.02 only Ac 4.94. is in possession of Plantsite Police Station, rest unused land is not returned to him. No ROR for reclamation land was received in his favour. No employment was also given against the land.

Shri Rama Oram(1) :- He stated that compensation for land acquired was not paid to him. Only Rs. 7,000/- was paid against the Ac 17.00 acquired land, No agriculture land was not allotted. Two residential plots have been allotted to him at Jalda R.S. Colony. Though the land was acquired for RSP, it was surrendered to State Govt. and the State Govt. is selling it to private parties.



Shri Rama Oram (2) :- Out of Ac. 7.62 of land Ac. 6.54 was acquired from his khata but the balance Ac.1.08 has been transferred to Govt. khata instead of his khata. He has not been paid any compensation. He filed a case in the Hon'ble High Court, which is pending for disposal.

Shri Birsa Kerketta :- Out of total area Ac.12.70 of land, Ac. 11.93 which has been in the name of Turi Oram was acquired for establishment of RSP. The acquired land is actually not in possession of RSP, he has not been paid any compensation towards the acquired land. As per rule, if the land is not used for

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the purpose of acquisition within the period of 5 years, the land should be returned to the owner of the land. Land against land was allotted at village Hatidharsa, which is 60 kms. away from Rourkela and is not fit for cultivation. He appealed before the Commission for his proper rehabilitation.

Shri Jasmant Singh :- An area of Ac. 80.00 land was acquired which was in the name of Khadu Singh Routia (non-tribal), the grandfather of Jasmant Singh. He did not know any compensation paid to them. Ac. 31.00 of land was allotted at village Kenduberna (Brahmanitarang P.S.) of Sundargarh District at a distance of 25 Kms. away from Rourkela, but no patta has been provided. So, he is not in possession of the land. No employment was given against the acquired land.

Shri Birendra Kumar Bhumij :- An area of Ac. 12.07 of land was acquired which was recorded in the name of Madan Bhumij, grandfather of the complainant Birendra Kumar Bhumij. No compensation towards land or crop loss or house purpose has been provided to them. He intimated that Shri Bhabani Bhumij, brother of the petitioner had got service in RSP.



Shri Jitendra Kumar Bhumij :- The petitioner stated that an area of Ac. 18.40 was acquired by State Govt. for the establishment of RSP, which was recorded in the name of his grandfather Ranjan Bhumij @ Kanchan Bhumij. No compensation towards land acquired has been paid to them. On query of the

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Hon'ble Commission, the petitioner intimated that one person has got service in Rourkela Steel Plant, but not on displaced ground. The complainant states that though he has been given one residential plot at Jalda RS Colony, but he has not received the ROR.

Sushil Bhumij: -Sushil Bhumij stated that land measuring an area of Ac.26.23 was acquired for establishment of Rourkela Steel Plant. They have been given waste land of Ac13.14 at Amgaon Reclamation Camp, which is far away from Rourkela. The complainant also stated that the compensation for one year crop loss has been received. The acquired land is still in their possession and they are cultivating the land. He prayed before the Commission that the land may be returned to him.

Bhalabhdra Bhumij : Ac.11.00 of land was acquired but at present the said land is in his occupation. He requested that the land which was acquired but not in use may be returned to them.



Rajkishore Bhumij : Ac.50.00 of land was acquired which was in the name of Sikandar Bhumij. No compensation was paid to his family but the acquired land is still cultivated by him. Reclamation land is given at Amgaon which is uncultivable and unfit for agriculture purpose.

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Surendra Ku. Bhumij : He received information by RTI Application that Ac.8.99 has been given to three brothers namely M. Bhumij, Ganesh Bhumij & Digamber Bhumij at Jolda"A" Block. for residential purpose. Neither possession nor patta has been issued in their favour.



Rabindra Ku. Bhumij. He has also got information by RTI application. Ac.25.03 of land was acquired. Reclamation land of Ac.24.23 was allotted at Hatibasa under Rajgangpur which is 50 kms. away from Rourkela. But no patta has been given. He claims the surrendered land by the RSP to Govt. should be returned to the actual land owners instead of others.

Ruben Ku. Minz : An area of Ac.3.00 of land was acquired. No compensation and no employment has been provided to his family. They are still occupying the land which was acquired in the past which should be returned to them.

Loba Tanty: Against the acquired land, no employment, no compensation has been received by them. Acquired land is still vacant. No land is given against the land acquired.

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Sunil Munda : An area of Ac.1.17 has been acquired by the State Govt. for establishment of RSP. Neither employment nor rehabilitation has been provided to the complainant.

Roshan Xess : An area of Ac.25.00 has been acquired by the State Govt. for establishment of Rourkela Steel Plant. Application is incomplete for which he was advised to come with all the facts and papers before the Commission.

Biswanath Oram. An area of 7.76 of land was acquired Ac. 3.27 of waste land has been allotted to them at Amgaon which is 150 kms away from Rourkela and coming under Deogarh district. Besides above he produced a copy of final order from Hon'ble High Court which requires to be complied of by the Police.

Sanatan Bhumij : An area of Ac.17.30 of land was acquired. Reclamation land has been allotted at Silikuta village which is about 90 kms away from Rourkela. A plot of 60' X 40' was also allotted in their favour for residential purpose but no R.O.R. has been issued to them. Neither compensation nor employment has been given.

Soma Oram. The acquired land is in their possession and they are still cultivating the land. So he appealed before the Hon'ble Commission that the land may be returned to them.

Sahadev Tanty. An area of 0.27 dec. was acquired but no compensation has been paid to him. He admitted that he had got employment on compensatory ground.

Ajay Khalko : He has not been given any compensation or employment against the land acquired. His main grievance is that the R.O.R. may be provided to him for his cultivable land.

Bipin Burwa: Ac.7.00 land acquired in the name Tangu Kisan for Mandira Dam Project. His application was also found incomplete and Commission advised to submit with full particulars.



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Mahavir Bhumij:-Raghunath palimouza, land acquired against land has not been given. Submitted papers to the Commission.



Raju Kansari:- Ac.4.05 of land acquired for RSP. Air port is constructed on the land and no land has been given. In resettlement colony 40'X60' lease hold plot has been allotted. One of his family member got employment.

Marshal Kindo, Hamirpur: The petitioner states an amount of Rs.4870 - has been paid towards compensation of land. No ROR has been provided.

Bendict Toppo:-Land measuring an area of Ac.10.26. Plot has been acquired. Only one house site plot has been provided at Jalda-A Block Resettlement Colony. But neither employment nor compensation amount has been provided. The petitioner also admits that 2 to 3 acres of cultivable land has been provided at Gohamy village under Gurundia block which is 60 kms. away from Rourkela.

Narendra Sethy : Though an area of Ac.4.64 of land has been acquired by the Govt. of Odisha for establishment of RSP, but still it is in his possession and cultivating the same. Accordingly prays for ROR of the said land.

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Revka Pradhan: The acquired land was in his possession but recently the land has been allotted to Krishi Vigyana Kendra. Neither employment nor cultivable land has been provided against the acquired land.



Prasanna Tanty: An area of Ac. 18 of land was acquired. Neither employment nor cultivable land has been provided against the acquired land. But they are in possession of the land and still cultivating the land. Accordingly they prayed for issue of ROR before the Hon'ble Commission.

Amit Minz: He doesn't know how much land has been acquired. No compensation has been given. He was asked by the Commission to give all the facts and information properly.

Pratap Ekka: An area of Ac.12.88 has been acquired by the State Govt. for establishment of RSP, which is subsequently allotted to Krishi Vigyana Kendra. It was in his possession and was growing vegetables on that land. But, due to set up of KrishiVigyana Kendra, he become landless and facing a lot of difficulties for his livelihood.

Butto Kisan: An area of 0.39 dec. of land was acquired against whom neither compensation nor any cultivable land has been provided.

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Sagar Tirkey: An area of Ac.28.25 of land was acquired for which neither compensation nor any employment has been provided.

Binod Lakra: An area of Ac.1.015 of land was acquired. He submitted papers to the Commission.

Jabulam Ekka: An area of 0.80 of land was acquired. He alleged that one Shri. Dillip Ray has falsely transferred the same khata in his name.

John Xess: His acquired land has been kept unused and later given to private parties and unauthorized colonies have come up at Tilkanagar. Fulbari which were occupied by non tribals. The Administration is not able to evict the outsiders but they are forcefully evicting the tribals.



Ramachandra Kissan: He was not allowed to construct a house in Bonai. He was directed by the Commission to attend the meeting in ADM. office immediately.

Mahadev Oram: An area of Ac.12.00 of land was acquired but it is still in their possession. He got employment in RSP. But neither cultivable land nor compensation towards land acquired has been provided.

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Fransis Khalkho: Against the acquired land employment was given to his father. No monetary compensation was given to his family.

Birwa Oram: An area of Ac.1.00 was acquired against which neither compensation nor employment has been provided. No house site plot has also been provided

Kishore Barua: An area of 0.19dec. was acquired. Neither cultivating land nor employment was provided.

Pushpa Bud: On the gochar (public Grazing) land of village Bartoli, a private ITI was constructed. The villagers filed a case before the Hon'ble High Court. The Hon'ble High Court has ordered for eviction. The Administration is not taking any interest to vacate the said land.

Ashani Kansari: An area of Ac.11.30 of land was acquired. Nothing has been provided against the acquired land.

Mangra Oram(2): An area of Ac.2.35 was acquired. Against this, waste land has been allotted at Tainsar village. Unfortunately the land is again acquired for setting of a factory. As a result, they we have become landless again.

Deva Kerketta of Bisra block: Their land is acquired for Railway. The petitioners produced a copy of order of the then Collector, Railway returned the property of unused land without any ROR. His grievance is that, he may be provided with the ROR for his land.

MahadevTanty: His land was acquired by Railway Authority for construction of Marshalling Yard at Bondamunda in the year 1971. But the land is under his possession. His grievance is that, he may be provided with the ROR for his land.

Sunil Oram: An area of Ac.37.00 of land was acquired and still in their possession. Neither compensation nor employment has been provided.

Maheswar Tanty: The petitioner reported before the Commission that an area of Ac.11.55 of land was acquired by the Railway Authorities. The same is in his

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possession. Neither compensation nor employment has been given for the above acquired land. No reclamation land has been provided too.

Gandha Oram: An area of Ac.61.00 of land belong to Bondamunda village was acquired. He is not sure that how much land belongs to him was acquired. He was advised bring proper application with facts.

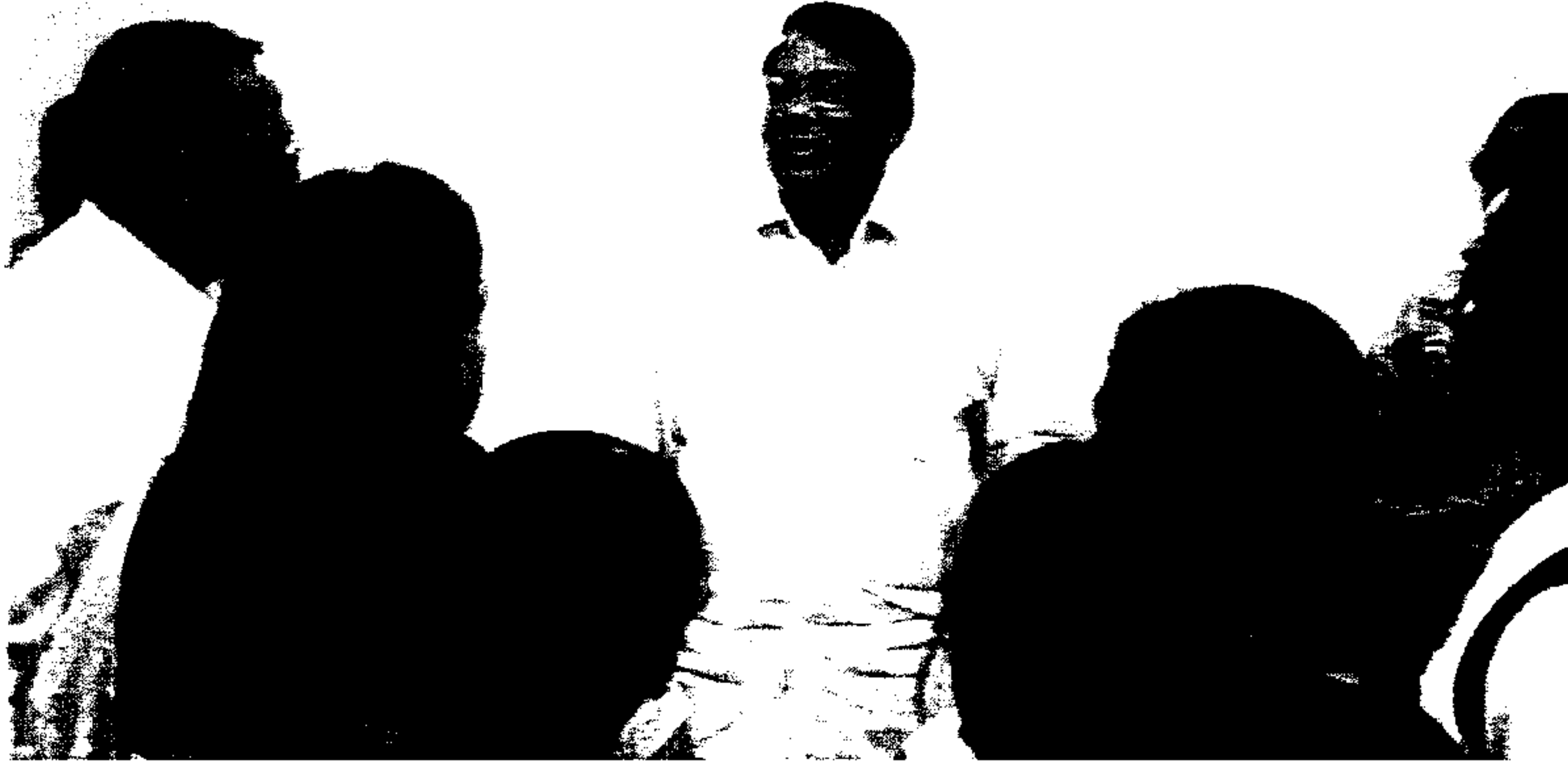
In addition to the above, other petitioners also met the Hon'ble Chairman and handed over their representations in the line of similar complaint as above. The details of the Summary of the Representation have been enclosed.



After hearing of the grievances of the petitioners, the Hon'ble Chairperson, National Commission for Schedule Tribes stated that the grievances of petitioners are very grave in nature. Compensation towards the land acquired has not been paid to the petitioners properly. Employment in Rourkela Steel Plant against the displaced persons has not been given judiciously. Reclamation land was allotted to them at a long distance and the land appears to be uncultivable land. Similarly, the land was allotted to some of

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CHAIRPERSON
NATIONAL COMMISSION FOR SCHEDULE TRIBES
11, PARLIAMENT BUILDING, DELHI

them at resettlement colony, but no RORs was issued in their favour. The plots were allotted only on lease hold basis.



Meeting with the State Government Officials:

On 23.02.2016 afternoon, the Commission held meeting with the Principal Secretary to Government of Odisha, Revenue & DM Department, Revenue Divisional Commissioner (Northern Division), Sambalpur, Collector & DM, Sundargarh, Forest officials & other dignitaries in the Conference Hall of Additional District Magistrate, Rourkela on various issues relating to land acquisition, R &R matter of RSP, implementation of Forest Rights Act and other local issues pertaining to tribals.



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At the outset Collector, Sundergarh welcomed the Hon'ble Chairperson, National Commission for ST and other dignitaries who attended the meeting. He advised the Addl. District Magistrate(ADM), Rourkela to continue the proceedings. ADM, Rourkela explained about Rourkela city and about establishment of RSP and the details of land acquired, villages affected, compensation paid elaborately including the details of implementation of Forest Right Act through a Power Point Presentation.

Details about Rourkela City and Rourkela Steel Plant:

It is situated on the banks of river Koel and Brahmani in the District of Sundargarh of Odisha. The population is around 5.36 lakhs.

The Rourkela Steel Plant(RSP), the first integrated Steel Plant in the Public Sector in India, was set up with German Collaboration and started operation in the year 1959 with an installed capacity of 1 million tons. Subsequently, its capacity was enhanced to 2 million tons and subsequently to 4.5 million tons.

During discussion, it was learnt that acquisition of land for establishment of erstwhile Hindustan Steel Plant Limited (presently known as Rourkela Steel Plant and other auxiliary project were initiated during the year 1953-54 as per the Gazette Notification No.863-Dev. XVII-27/54-R dated 22.02.1954 of the Revenue Department, Government of Odisha). It has been done as per the provisions of Odisha Development of Industries, Irrigation, Agriculture, Capital construction and resettlement of displaced persons (Land Acquisition) Act 1947 (Odisha Act XVII of 1947).

Mandira dam was also constructed over the River Sankh to meet the water requirement of Rourkela Steel Plant for which Land Acquisition has been made through the Land Acquisition Office, Sundergarh.

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Details about the Land Acquisition for RSP

Total land acquired for Rourkela Steel Plant	Ac.19722.69	
	Private	Govt.
	Ac.14824.18	Ac.4898.51
No. of villages from which land acquisition was made	32 villages	
No. of holdings affected	2465	
No. of families displaced	2901	
Compensation paid	Rs.1,32,48,217.00	
Compensation deposited in Civil Deposit	Rs.1,94,440.55	
Total land distributed in the reclamation camps for RSP	Ac.4138.52	
	House sites	Agriculture land
	Ac.155.40	Ac.3983.12
No. of Resettlement colonies	05	
No. of plots created	4167	
No. of plots distributed	3061	

Details about the Land Acquisition for Mandira Dam:

Total land acquired	Ac.11964.00	
No. of villages from which land acquisition was made	32 villages	
No. of holdings affected	1929	
No. of families displaced	1193	
Compensation awarded	Rs.3500628.13	
Compensation paid	Rs.3217468.48	
Compensation deposited in Civil Deposit	Rs. 283141.69	
Total persons resettled	1193	
	In RS Colony	In their own choice
	639	554
Total area given for Agriculture in reclamation camp	Ac.1982.96	
	For Agriculture	For House sites
	Ac.1833.22	Ac.149.74

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Agreement/MOU and the Employment Issue:

It is further learnt that there was no such agreement/MOU between the State Government and erstwhile Hindustan Steel Plant limited. Being a premier public Sector Undertaking proposed for establishment just after Independence from colonial Rule, it has been taken up in the national interest.

Regarding provision of employment, it is learnt that initially, there was no such provision for employment of displaced persons in Hindustan Steel Plant Limited as 'land Oustees'. During 1973, the then Ministry of Steel and Mines issued instructions to the authorities of RSP to provide employment opportunities for the displaced families and absorb at least one eligible person from each affected family in consideration of merit in response to the local demand for job to displaced persons. The said order of the Ministry was superseded by Sri T. N. Singh formula upto February, 1986 by the RSP. On receipt of the letter No.15/13/84 BPEC dated 03.02.1986 of Bureau of Public Enterprises under Industries Department, the RSP took rigid stand for not giving any further employment to the local displaced persons. But on the demand of the displaced families from time to time, the Collector and District Magistrate, Sundargarh and ADM-cum-Land Acquisition & Reclamation, Rourkela impressed upon the RSP to continue the same.

Other issues discussed in the Meeting:

Discussion was held on trafficking of girls, their rescue, and about their protection. One NGO working in Sundargarh district needed help from administration regarding rescue and protection of girls and women labourers. The NGO officials also prayed for imparting skill development training for girls thereby the girls can earn their livelihood.

Collector, Sundergarh explained about ongoing schemes for protection and upliftment of girls and women labourers. He advised the NGO officials to submit relevant proposals for skill development training for girls so that the District Administration can recommend the proposals to Govt. for release of Grant in Aid. Collector also stated that the administration is helping the needy people through CMRF and Red Cross Society funds for urgent financial aid to

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the people including girls. Houses under IAY, Rural Housing schemes, are provided by following certain procedures to the needy people, as per the provision of the scheme. The Police are also taking rigorous steps on anti trafficking.



Hon'ble Chairperson advised the NGO personnel to keep in touch with the District administration regularly for assistance regarding such type of issues.

One displaced person of Mandira Dam pointed out that he along with his family members were residing at DAV area of Basanti Colony at Rourkela since 2006. The land has been given to DAV Public School. He shifted near the forest site to stay. But Forest officials registered a case against him. He requested the Commission for help in the matter.

Intervening in the matter, Hon'ble Commission opined that, the claims of tribals & displaced persons should be taken into consideration on priority basis. Their lands have been taken for construction of Madira Dam, they have been settled in forest areas. They may be provided the benefit of FRA, but forest official registered cases against them on the plea of forest area.

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Collector, Sundergarh explained that the FRA is not implemented in Urban area. So the claims of forest land by the tribals under Forest Rights Act can't be considered right now. The claims for forest land by the petitioner may be considered at the time of implementation of the same in urban area.

One petitioner appealed before the Hon'ble Chairperson that due to high power blasting of nearby mining at Rajgangpur, their houses as well as lands were damaged and in spite of several representation the District Administration did not take any action. Collector, Sundergarh clarified that, after obtaining an environment clearance, the mines are functioning in that area. However, the administration will take appropriate action on the matter. Hon'ble Chairman advised that preventive measures should be taken by the mining firm so that the blasting should not affect the nearby people and their life & property.

Another complaint was taken to the notice of the Hon'ble Chairperson by the local Sarpanch and others that a private Industrial Training Institute have been constructed in the Gochar (public) land in the village Bartoli for which the villagers are facing problems. In this connection, they produced a copy of order passed by the Hon'ble High Court of Odisha for eviction which is yet to be implemented by the administration. The Collector, Sundergarh stated that as per information available with them, the matter is sub-judice in the court of law and if the Court passed order for eviction, then the District Administration will examine it and take action accordingly.

One Shri Lachhu Oraon complained that an area of 53 acres of their land was acquired for establishment of RSP and till date he has not received any compensation. Cultivable lands measuring an area of 29 acres have been allotted in favour of his family, but he did not receive any ROR for the land. No employment has also been provided to him.

Intervening in the matter, the Hon'ble Chairperson stated that Lachhu Oram visited Commission's Hqrs. office at New Delhi number of times with large no. of grievances for which Commission desired to make an assessment about the displacement and rehabilitation measures taken by the Govt. for the displaced families of Rourkela Steel Plant. He stated that the compensation paid

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to the displaced persons is not adequate. Hon'ble Chairperson wanted to know about the compensation and the criteria prevailed in providing employment to the displaced persons.

On answering in the matter, the Collector, Sundergarh explained that according to T.N Singh formula employment was given to one person in each family and the compensation was paid at prevailing rate applicable at the time of acquisition of land.

The Hon'ble Chairperson stated that the T.N Singh formula was very old. It requires to be revised and rectified by taking into account the living condition of the landless and poor tribals who lost their land. The matter will be taken up with the Ministry of Steel. The poor tribals should be adequately compensated. The Commission will recommend the Govt. of India for revision and rectification of the policy if the Govt. wants to redress the grievances of tribals. On this issue he welcomed suggestions from the Collector, RDC (ND), and Principal Secretary, Revenue & Disaster management department of government of Odisha. The displaced persons were allotted cultivable lands at a very long distance and in forest area. No 'Pattas' were issued in respect of the land allotted under house sites as well as agricultural land. The land need to be developed before allotment to the displaced persons so that they can get minimum comforts to lead their life peacefully instead throwing them in the forest. One employment from one khata is not at all justified. In record, they received payment but in reality, it may not be received. The allotted agricultural land is far away i.e. 120-150 Kms from the city. Further, when the land allottees contacted the Revenue authorities for their land, they have been informed that there is no land available for them.

The Collector & District Magistrate stated that so far as the T.N.Singh formula is concerned in respect of employment and compensation, reopening of old cases yield no positive results and this will seize further development activities in the area. The formula of higher compensation, if any, to a small category of people, whose compensation amount has been kept in civil deposit, is not legally permissible and any implementation of such proposal with retrospective effect may further complicate the matter.

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The petitioners complained that the Govt. is selling the unused and surrendered lands of RSP to private people on exorbitant rate i.e. at Koel Nagar area and Chhend area whereas the poor tribals are suffering a lot without lands.

Collector clarified that this is not a fact that surrendered lands are sold on high price to private persons. The available Government lands were auctioned and settled on lease basis after following due procedure of Law.

Hon'ble Chairman stated that the surrendered land should be recorded in the name of displaced tribals instead of reselling it with exorbitant rate, to enable them to improve their standard of life.

During discussion, the ADM, Rourkela informed that few people have got employment in RSP against the displaced quota through fraudulent manner. On getting report RSP has initiated action in some cases and others are under process at RSP level. He further stated that if the case lingers for more than five years, the genuine displaced person can't get employment because the person get employment on fraudulent declaration enjoyed service benefits for more than 5 years. In that case, the persons, who got service in fraudulent manner can't be dismissed from service as per the existing law.

Hon'ble Chairperson of the Commission stated that probably there is some miscreants are working behind this. The administration as well as the RSP authorities should take adequate preventive measures to stop the menace. Criminal cases should be booked against the fraudulent ones and steps should be taken to ensure the genuine persons get justice. In this regard, Commission will take up the matter with the concerned authorities in giving justice to the displaced persons.

Meeting with the Officials of the Rourkela Steel Plant

On 24.02.2016 at 09.00 AM, the Commission held meeting with the officials of the Rourkela Steel Plant regarding Corporate Social Responsibility(SCR) programmes undertaken by them for the affected displaced tribal families of Steel Plant at Circuit House, Panposh. The Chief Executive Officer, Executive Director, General Manager(P&A), General

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Manager(PR), General Manager, CSR, of Rourkela Steel Plant were present in the meeting.

At the outset, Shri M. K. Das, Executive Director I/c, Rourkela Steel Plant (RSP) extended warm welcome to Dr. Rameshwar Oraon, Hon'ble Chairperson, National Commission for Scheduled Tribes and the team members. With permission of the Hon'ble Chairman, a presentation was made on RSP and its CSR activities by Ms. A. Mohapatra, Manager (CSR), RSP.

Initiating the discussion, Hon'ble Chairperson stated that land for establishment of Rourkela Steel Plant was acquired in 1954-55. But even now a number of complaints are being received regarding payment of compensation, allotment of alternate land and employment to displaced persons etc., which needs to be quickly settled by the concerned authorities. The Hon'ble Chairperson wanted to know about the policy for providing employment to the displaced persons.

It was clarified by RSP Officials that land for established of Rourkela Steel Plant was acquired by State Government under Land Acquisition Act (Orissa XVIII of 1948). As per records, 4094 (2901 – Rourkela Steel Plant and 1193 – Mandira Dam) families were displaced. Even though there was no provisions in the Act for providing employment to the displaced families, Rourkela Steel Plant has provided employment to 6397 persons from time to time as a rehabilitative measure, which is much more than the number of families displaced. Up to 1973, RSP gave preference for employment to the local displaced persons (LDPs) whenever their names were sponsored by Local Employment Exchange. In the year 1973, Sri T.N. Singh, the then Steel Minister, Govt. of India, suggested a formula whereby one person from each displaced family shall be provided with employment in RSP as a rehabilitative measure.

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Hon'ble Chairperson wanted to know, whether as per the said formula, only one person was considered for employment from the family irrespective of area of the land acquired from them and till date no. of LDPs are in the rolls of RSP out of total strength. It was clarified that one eligible person from each displaced family was considered for employment irrespective of size of the land acquired. Till date 1983 LDPs are on the rolls of RSP against the total manpower of 14731 (Non-executives).

Hon'ble Chairperson pointed out that the Commission has received complaints about a number of persons securing employment under LDP ground by submitting forged/ fake documents and wanted to know the action taken in such cases. It was clarified by RSP Officials that at present, Local Displaced Persons are identified / sponsored for training and subsequent employment by the ADM, Rourkela, in terms of Minutes of Meeting dated 11/03/1993. Prior to 1993, against specific requisition for filling up vacancies (exclusively for LDPs) in RSP, the names of LDPs were sponsored by the local Employment Exchange based on LDP Certificates issued by ADM's office, which was considered both by Govt. & RSP as conclusive evidence of LDP status of the candidates. ADM, Rourkela used to be a member in the Selection Committee.

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Complaints received regarding forged employment is forwarded to ADM, Rourkela for investigation. After receipt of report from ADM, Rourkela action is being taken as per procedure / rules of the Company. Till date, about 14 employees have been removed from service as a disciplinary measure, on the above ground.

Hon'ble Chairperson wanted to know whether the actual persons are considered for employment after removal of the forged persons. It was submitted by RSP officials that as decided in the Rehabilitation & Peripheral Development Advisory Committee (RPDAC) meeting, substitute employment is considered in cases where fraud is detected within two years from date of joining in service. The Hon'ble Chairperson observed that substitute employment should be considered to the genuine person without any time bar and, for the same, the Commission would take up with the appropriate authorities for modification in the system.

Hon'ble Chairperson wanted to know about the present policy for providing employment to LDPs. It was submitted that as per the Minutes of Meeting dated 11.03.1993 signed between Rourkela Steel Plant and Local Administration, 1098 families were identified who were not provided with any employment as rehabilitative measure. Against 1098 identified families, till date, employment has been provided to 705 persons; 99 persons are undergoing training at ITI, Rourkela and on successful completion of training, they will be considered for employment. Further, 129 persons are to be sponsored by ADM, Rourkela for training and subsequent employment in RSP. However, for sponsoring against the balance 165 persons, ADM, Rourkela has intimated about the difficulty being faced by them.

Hon'ble Chairperson wanted to know about the status of employment to 163 list sponsored by ADM, Rourkela. It was clarified that names contained in the said list are beyond the 1098 agreed list. Providing employment to these 163 persons, which is beyond agreed list, would be in contravention to the Orders of Hon'ble Supreme Court passed in the case of Sri Butu Prasad Kumbar -vrs.- SAIL & Others in WP (C) No. 167/1992. As such, legal opinion is required to be taken by RSP and Govt. of Orissa for considering employment of LDPs beyond 1098 agreed list, provided no person from the displaced family has been provided employment in RSP as a rehabilitative measure. However, the matter is pending for approval of Ministry of Steel and SAIL Board.

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Hon'ble Commission appreciated the efforts of RSP under CSR initiatives. However, he emphasized that appropriate steps should be taken for undertaking CSR activities in the Resettlement Colonies, particularly in Gurundia, Hatidharsa and Amgaon. RSP Officials mentioned that developmental activities have been undertaken in the Resettlement Colonies which are located in far off places like Lachhada and assured to undertake further development works in the Resettlement Colonies as suggested by the Hon'ble Chairperson.

Hon'ble Chairperson pointed out that SARNA, the religious place of worship of the Local Tribal people, which are within the acquired land should not be demolished / disturbed. RSP Officials stated that they will take care of the same. He also suggested that RSP should provide training in the area of Motor Driving/ Electrician/Fitter etc. to local youths for their skill development for their self employment or in railway sector. RSP Officials informed that local youths are provided training for their skill development under CSR and agreed to further intensify the same.

Field visit to the Resettlement Colony:

After completion of the meeting with the authorities of Rourkela Steel Plant, the Commission made field visit to the Resettlement colonies at Jolda village. Commission visited all the three Blocks of A.B & C. During visit it is noticed that the road condition is very poor. The inhabitants have not been provided with safe drinking water. The present electricity is not sufficient to cater the need of the Households. It was brought to the notice of the Commission that no land was earmarked for the tribals for "Sarna" (place of worship) although lands have been allotted for other religious place for which they have been discriminated. Hon'ble Chairman stated that the matter will be taken up with the District Administration as well as with the management of RSP. After completion of visit Hon'ble Chairperson instructed the Additional District Magistrate, Rourkela to give focus about the basic amenities like safe drinking water, electricity, road etc.

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Field visit to the Resettlement Colony



On 24.02.2016 afternoon the Commission left Rourkela for Ranchi via Simdega.

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Findings of the Commission:

The following are the major findings from the grievances of the petitioners.

- The tribals have received only compensation for crop but no compensation for the land which was taken away from them.
- In some cases, compensation money has been kept in the treasury. No effort has been made to disburse it.
- Till date no 'Pattas' for the House sites have been allotted to displaced families in the RSP colonies.
- No adequate employments have been provided by the RSP to displaced families.
- Some of the members of displaced tribals got employment on their merit, but the RSP management is showings them as employment to displaced families.
- In some cases land for land has been provided for cultivation purpose, but the same is not fit for cultivation. Further, ownership of the same has not been conferred. Location of allotted land is also far away i.e. 120-150 KMs for their colonies.
- RSP has surrendered surplus land to State Govt. Instead of returning such land to original land owners, State Govt. is selling them.
- While land was acquired for RSP, several parcels of land which remained un-acquired were also taken away by the State Govt., which is unconstitutional & illegal. Such parcels of un-acquired land should be restored back with immediate effect with urgency.
- The displaced tribals have been facing multiple displacements.
- No land was earmarked for the tribals for "SARNA" (place of worship)
- The minimum basic amenities like safe drinking water, electricity pucca road etc. have not been provided in the RSP colonies.
- Land allotted in lieu of land acquired at Amgoan village in Deogarh district and Sundergardh district to tribals is 90 KMs to 150 KMs away from Rourkela. This is not accessible to the tribal families. Also land allotted is not fit for cultivation because the same is in hilly terrain having deep pits. In some cases Tehsildar Deogarh informed that the allotted land is not available in the revenue records hence the same could not be transferred in the name of displaced families.
- RoR (Pattas) have not been received by affected families in respect of land allotted to them for agricultural purpose / housing plot.

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- Unauthorized colonies have come up over the acquired land. State Govt. has not been able to evict them. Tribals are minding that the State Govt. dispossessed them from their land, and now non tribals are occupying them. Govt. should evict such illegal occupants and give it back to original tribal owners.
- No proper policy for providing employment to member of each displaced families seems to have been framed by the Ministry or RSP as irrespective of area of land acquired for RSP, only one member of the displaced family was provided employment. That too this facility was not availed by many ignorant displaced tribal families. After the expiry of two year this facility is withdrawn, which is not fair.
- Some of the persons got employment in RSP on the basis fake documents.

Recommendations:

- About 5000 acr. acquired land have been surrendered by RSP to State Govt. Instead of selling or setting it to private parties, the concerned land should be returned to the original tribal displaced persons.
- The policy framed by the SAIL authorities is that the displaced families should stake their claim for employment within two years of acquiring land; otherwise no employment will be given. Some of original displaced persons could not claim the employment for certain reasons, including their children being Minor. Therefore genuine cases of such type should be given employment on humanitarian grounds instead of denying on the grounds of policy which is having time frame of two years.
- Multiple displacement of tribals increase the pains felt by the displaced persons, therefore measures should be taken to avoid it.
- Basic amenities like safe and portable drinking water, road, and electricity should be provided in the RSP colonies out of the funds under CSR.
- RSP should take measures for imparting intensive training / coaching to youths of displaced families. Such youth should be prepared for the competitive examination like SSC, UPSC, Bank, Railways etc.

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- The youths of the displaced families should be provided skill development training by RSP for self-employment based on local potentials such as in the field of Electrician, Plumber, Carpenter, Masonry work, Vehicle repairing, Motor driving, Computer & Mobile repairing etc.
- Immediate enquiry should be setup against persons who got employment on the basis of fake certificate of displaced persons. Such person should be ousted from service and instead members of displaced families should be given employment.
- RSP has allotted land for different communities for religious purpose, but the same was denied to tribals for carrying out their religious activity (SARNA), hence tribals should also be provided land in the RSP campus.
- RSP unit's campus allows many people to carry out petty / small trade like Pan Stalls / Canteens / Tea Stalls / Transportation and other business etc. The displaced families should also be accommodated in these activities.
- The CIL has evolved a definite policy to provide employment to families whose land has been acquired under this. It is giving employment to one person per 2 acrs. The land looser are getting better compensation in the form of employment in CIL. SAIL and RSP should also adopt this policy.
- Evidence has come that many displaced persons have settled in nearby forest land at the time of acquisition. Such families / persons should be conferred rights over such land under Forest Right Act urgently.

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