



राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes

(भारत के संविधान के अनुच्छेद 338क के अंतर्गत एक संवैधानिक निकाय)
(A Constitutional body under Article 338A of the Constitution of India)

F. No. NCST-251/21/DEV-45/300/2021-ESDW

Dated: 16.08.2022

To,

Smt. Anu Garg,
Additional Chief Secretary,
Department of Water Resources,
Government of Odisha,
Odisha Secretariat
Bhubaneswar-751001
E-mail: wrsec.or@nic.in

Shri Ashish Thakare,
Collector & District Magistrate,
Collectorate Keonjhar-758001
Odisha
E-Mail: dm-keonjhar@nic.in

Sub: Minutes/proceeding of the Sitting/Hearing taken by Shri Ananta Nayak, Hon'ble Member, NCST, New Delhi on 27.07.2022 on representation dated 06.10.2021 received in the Commission on 07.10.2021 from Shri Saheba Naik, Murusuan, Chamakpur, District Keonjhar, Odisha regarding forceful demolition, displacement of poor ST/SC people during implementation of Kanupur Project in Keonjhar District, Odisha.

Sir,

I am directed to enclose herewith a copy of Minutes/Proceeding of the Sitting/Hearing taken by Shri Ananta Nayak, Hon'ble Member, NCST, New Delhi on 27.07.2022 on the above mentioned subject for information and necessary action.

2. In this regard, Action Taken Report (ATR) to be submitted within 30 days from the date of receiving of the Minutes/Proceeding.

Yours faithfully,


(H.R. Meena)
Research Officer

Copy for information to: -

Shri Saheba Naik,
Murusuan, Chamakpur,
District Keonjhar,
Odisha

NATIONAL COMMISSION FOR SCHEDULED TRIBES

(F. No. NCST-251/21/DEV-45/300/2021/ESDW)

Minutes of the Sitting chaired by Shri Ananta Nayak, Hon'ble Member, NCST, in the case of Shri Saheb Naik and Smt Sombari Munda and others who are displaced due to Kanupur Irrigation Project in Keonjhar district of Odisha.

Date of the sitting: 27.07.2022

List of Participants: As per Annexure

- The Commission received representations from Shri Saheba Naik and others and subsequently Smt. Sombari Munda and others from Keonjhar district of Odisha, regarding demolition of homes and displacement of poor ST people during the implementation of Kanupur Irrigation Project. The people are living in miserable conditions without bare necessities of life. Even Aadhar Cards, Swasthya Bima cards, BPL Cards, Food and Ration and benefits of other Social welfare schemes are denied to them. Thousands of ST families suffering due to adamant and insensitive approach of the district administration.
- The Director of Rehabilitation and Resettlement, Department of Water resources was present in the sitting. The petitioners, Smt Sombari Munda and others from the affected area were also present in the sitting.
- The petitioners unanimously and vociferously raised the issue of displacement and lack of bare necessities of life even after the intervention of the Commission. The inaction of the district administration has also been pointed out.
- During the course of hearing, the Director admitted that he had seen a letter stating therein that the Collector is not responsible for the R&R work. He stated that the District Collector is very much responsible for the execution of the work. The Commission reiterated that the Water Resources Department and the District Administration should work together to solve the issues arise out of the displacement and rehabilitation and resettlement of tribals affected in the project.
- The Commission took the absence of the District Collector seriously. The Director present in the sitting was asked to submit the Detailed Project Report and compliance of earlier recommendations of the Commission. However, the Director of Rehabilitation and Resettlement, Department of Water resources that it would be enquired into and provided within a week.
- The Director of R&R stated that the administration is not able to find agricultural lands that can be allotted and hence monetary compensation is being provided. The Commission questioned as to how the poor tribals could buy land for their livelihood with such meagre compensation to which he stated that allotting land



अनंत नायक/ANANTA NAYAK

अदस्य/Member

राष्ट्रीय अनुसूचित जनजाति आयोग

NATIONAL COMMISSION FOR SCHEDULED TRIBES

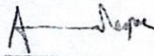
भारत सरकार/Govt. of India

नई दिल्ली/New Delhi

wasn't their purview and Revenue Department has not provided the necessary land but cash in lieu of agricultural land.

- The Director of R&R, Water Resources Department, suggested that the matter regarding land allotment be taken up with the Revenue Department and District Administration.
- The Commission also raised the issue about missing details of first two Gram Sabhas and about RPDAC meetings. The Director assured that he will provide these reports within a week.
- The Director of R&R, Water Resources department on being questioned about R&R policy and Land Acquisition Act of 2013, stated that 2013 policy cannot be applied as the work had begun much earlier and the older policy made for this specific project would be applied. He stated that he is duty bound to follow the law and cannot make any exceptions.
- After hearing both the sides, the Commission recommends the followings: -
 1. The compliance report of the Field Visit Report of the Commission and earlier recommendations be sent to the Commission within a week.
 2. TDS should not have been deducted and should be refunded to the tribals
 3. The Director of Rehabilitation and Resettlement Department to take action against errant officials. Sensitive and Compassionate officials to be appointed at the ground level.
 4. A team to be formed by R&R Department which is to be headed by a sensitive official and the team should be in communication with nominated tribals so that the problems can be communicated and solved on the spot or within shortest period of time.
 5. The DPR and details of Gram Sabhas and RPDAC meetings to be forwarded within a week.
 6. Block wise detailed report about forest lands as well as revenue Government lands to be sent for further consideration of the Commission.

The Action Taken Report to be sent to the Commission within 30 days.



अनंत नरसिंह

NATIONAL COMMISSION

(Annexure)

Attendance Sheet of the Sitting held on 27.07.2022 in Conference Hall of NCST under the chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST on the representation dated 06.10.2021 received in the Commission on 07.10.2021 from Shri Saheba Naik, Murusuan, Chamakpur, District Keonjhar, Odisha regarding forceful demolition, displacement of poor ST/SC people during implementation of Kanupur Project in Keonjhar District, Odisha.

S. No.	Date	Designation
1.	Shri Ananta Nayak	Hon'ble Member
2.	Shri K. Touthang	Joint Secretary
3.	Shri S.P.Meena	Deputy Director
4.	Shri H.R. Meena	Research Officer
5.	Shri Radhakanta Tripathy	Sr. Legal Advisor
Additional Chief Secretary, Department of Water Resources Government of Odisha		
1.	Shri Alok Kumar Kar	Director, R&R, Department of Water Resources
District Collector, Keonjhar Government of Odisha		
1.	Shri Ashish Thakare	Not Present
Petitioner		
1.	Smt. Somabari Munda	Present
2.	Shri Bipin Munda	Present
3.	Shri Ambika Prasad Naik	Present
4.	Shri Sudarshan Naik	Present