



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/DEV-545/OR/64/2022-ESDW

Dated: 10.04.2023

To,

The District Collector and Magistrate,
District -Jharsuguda,
O/o the District Collector & Magistrate,
Jharsuguda, Odisha - 768204
Email: dm-jharsuguda@nic.in

The Chief Executive Officer,
Vedanta Limited,
Village -Bhurkamunda, Jharsuguda,
Bhubaneswar - 768201 (Odisha)
Email: infoaluminium@vedanta.co.in

Sub: Minutes of the Sitting taken by Shri Ananta Nayak, Hon'ble Member, NCST, New Delhi on 13.03.2023 at 03:00 PM regarding representation dated 02.07.2022 of Shri Chandrahasya Marai, AT-Debadihi, PO/District - Jharsuguda, Odisha regarding land matter.


Sir/Madam,

I am directed to enclose herewith a copy of Minutes of the Sitting taken by Shri Ananta Nayak, Hon'ble Member, NCST, New Delhi on 13.03.2023 at 03:00 PM on the above mentioned subject for information and necessary action.

2. You are directed to send the Action Taken Report (ATR) on the recommendations of the Commission **within 15 days** from the date of receiving of the Minutes.

Encl: as Above.

Yours faithfully,


(H.R. Meena)
Research Officer

Copy for information to: -

Shri Chandrahasya Marai,
AT-Debadihi,
PO/District - Jharsuguda,
Odisha

National Commission for Scheduled Tribes

No. NCST/DEV-545/OR/64/2022-ESDW

Minutes of the Sitting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST, on the representation of Shri Chandrahasya Marai, AT-Debadihi, PO/District - Jharsuguda, Odisha dated 20.07.2022 in the matter of loss due to acquisition of land by Siidhartha Construction Company.

Date of the sitting: 13.03.2023; 03:00 PM

List of Participants: As per Annexure

The Commission received a petition from Shri Chandrahasya Marai, At-Debadihi, PO/District - Jharsuguda, Odisha dated 20.07.2022 stating that he incurred losses on his valuable land with standing trees due to acquisition of land by Siddhartha Construction Company. The petitioner sought relief through several petitions before the District Administration. However, none paid any heed/attention to his grievances. He sought intervention of the Commission against such illegalities of the Company.

Considering, the gravity of the issue raised in the petition, the Commission issued Notice dated 22.08.2022 to the District Collector and Magistrate, Jharsuguda District, Odisha and the Chief Executive Officer, Vedanta Limited, Bhurkamunda, Jharsuguda, Bhabaneshwar, Odisha seeking reply from the concerned officials within 15 days.

Subsequent to the issuance of the Notice dated 22.08.2022 a reply was received from Vedanta Limited and Collector office wherein it was submitted that an area of 1.42 acres comprising Plot No. 3610 (P) of 0.25 acres, Plot No. 3612 of 0.41 acres, and Plot No. 3615 for 0.76 acres under Khata No. 151 was sold by Sri Tiketh Gond Marai s/o-Biswanath Marai, Sri Dubraj Gond Marai s/o-Chhatish Marai, Chudamani Gond Marai S/o- Jaynath Marai, Sri Parameswar Gond Marai - adopted son of Gaje Maraito Mr. Chitrasen Pradhan vide a registered sale deed on 30.03.2009. Subsequently in the year 2011 the same was purchased by M/s Sterlite Energy Ltd. from Chitrasen Pradhan vide RSD No. 10861101630 dt. 25.04.2011 as per notification of the appropriate authority u/s 73(c) of OLR Act, 1960.

Consequently, RoR has also been corrected in favour of M/s Sterlite Energy Ltd. in Khata No. 536/1277 of Mouza- Jharsuguda T U No. 3. The land was purchased for construction of railway track for connectivity between M/s. Sterlite Energy Ltd. and Dhutura Station. The track is under construction. It was submitted that during the field visit by the Revenue officials, it was noticed that there is cultivation on adjacent plots. It was also submitted that the Sale Deed between Chitrasen Pradhan and Sterlite Energy did not contain any covenant in favour of petitioner's families over the trees.



अन्ता नायक ANANTA NAYAK
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES
भारत सरकार/Govt. of India

The Commission found the replies highly unsatisfactory and hence, issued Summons to the District Collector and Magistrate, Jharsuguda District, Odisha and the Chief Executive Officer, Vedanta Limited, Bhurkamunda, Jharsuguda, Bhabaneshwar, Odisha to appear for a hearing before the Commission on 10th January 2023.

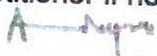
A letter dated 07.01.2023 from District Collector and Magistrate, Jharsuguda District, Odisha was received wherein an exemption from physical appearance was prayed for on account of "Dashaha Kriya" of his only maternal uncle.

Subsequently, the Commission issued summons to the District Collector and Magistrate, Jharsuguda District, Odisha and the Chief Executive Officer, Vedanta Limited, Bhurkamunda, Jharsuguda, Bhabaneshwar, Odisha to appear for a hearing before the Commission on 20.02.2023.

The authorities remained absent and the Commission took a serious note of the non-appearance of the authorities. The Commission issued warning letters to the authorities and fixed the next date of hearing on 13.03.2023.

On 13.03.2023, the Commission asked the Petitioner who appeared in person about the facts of the case as on date. He repeated and re-iterated his earlier submissions. The petitioner submitted that he is not able to continue his farming activities on the land due to water clogging. The District Collector and Magistrate, Jharsuguda District, Odisha submitted that he had already taken steps in this regard and had compelled Vedanta to provide a channel for water to flow through.

The Commission recommended that the authorities meet with the petitioner and resolve the issue by doing the needful. The Commission also recommended that compensation be paid to the Petitioner if he is entitled to it.


अन्त नायक/ANANTA NAYAK
सचिव/Secretary
राष्ट्रीय अनुसूचित जातों के
NATIONAL COMMISSION FOR SCHEDULED TRIBES
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

(ANNEXURE)

F. No. NCST/DEV-545/OR/64/2022-ESDW

LIST OF PARTICIPANTS: -

National Commission for Scheduled Tribes		
S. No.	Name	Designation
1.	Shri Ananta Nayak	Hon'ble Member
2.	Dr. Jayant Sarode	Director
3.	Shri H.R. Meena	Research Officer
4.	Miss Ayushi Jain	Young Consultant (Legal)
The Collector & District Magistrate, District Jharsuguda, Odisha		
S. No.	Name	Designation
1.	Shri Saroj Kumar Samal	Collector
The Chief Executive Officer, Vedanta Limited, Bhubaneswar, Odisha		
1.	Shri Nabal Kishor Sharma	Head Legal, Vedanta Limited
Petitioner		
S. No.	Name	Designation
1.	Absent	Petitioner