



राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes

(भारत के संविधान के अनुच्छेद 338क के अंतर्गत दीवानी न्यायालय की शक्तियों को प्रयोग करने वाला एक संवैधानिक निकाय)
(A Constitutional body exercising powers of a Civil Court under Article 338A of the Constitution of India)

SUMMONS

Case File No. NCST/ATY-162/OR/6/2021-APCR

To,

Ms. Archana Joshi,
General Manager,
South Eastern Railway,
11, Garden Reach Road,
Kolkata-700043
West Bengal.
Email: gm@ser.railnet.gov.in

Whereas the National Commission for Scheduled Tribes has decided to investigate into the following matter in pursuance of powers conferred upon it under Article 338A of the Constitution of India, your attendance is hereby required in person to appear before Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes on the **30th day of May, 2023 at 11.30 A.M. at State Guest House, Bhubaneswar.** You are required to bring with you the connected documents for examination by the National Commission for Scheduled Tribes.

Case reference: Representation dated 26.11.2021 received from Shri Deme Oram, Sundargarh (Odisha) regarding atrocity against STs and deployment of forces to protect the interest of STs in the District Sundargarh.

If you fail to comply with this order without lawful excuse, you shall be subjected to the consequences of non-attendance laid down in Rule 12 of Order XVI of Code of Civil Procedure, 1908.

Given under my hand and seal of the National Commission for Scheduled Tribes exercising powers of Civil Court this 19th day of May, 2023.

Signature

Ananta Nayak
Court Officer

SEAL

NCST - NIC



Court Officer
National Commission for Scheduled Tribes
Loknaya Bhawan, New Delhi-110003

To
SHRI ANANTA NAYAK
The Hon' ble Member
National Commission for Scheduled Tribes,
6th Floor, B- Wing, Lok Nayak Bhawan
Khan Market
New Delhi-110003

Call for report from
S.P. Sundargarh within
15 days.
A
3.12.21
DD (APCR)

[Sub:- Regarding Deployment of Forces in the District
Sundargarh]

Respected Sir,

With due veneration and complete submission I Shri Deme Oram on behalf of tribes of the District Sundargarh the undersigned do approach your virility and esteemed authority for your condign orders on the following facts which in nutshell and concisely appraised as under:

Firstly I want to mention here that for your kind attention that we are the poor & innocent tribes from the District Sundargarh, Odisha which is comes under the Scheduled Areas and governs under the provisions of Fifth Schedule of our Constitution but we have carefully noticed that One Palli Sabha held at Barhabans, Kapatmunda GP under Bisra Block of District Sundargarh and it was the meeting of Revenue village levels members whom names are enrolled in Panchayat Election and we have noticed in reference to RTI queries & we found that to conduct this kind of Sabha or meeting our State Police deployed huge forces i.e;

- a) Inspector - 02 Personnel
- b) Sub-Inspector - 01 Personnel
- c) ASI-1, Havildar - 02 with 16 person from Police
- d) Force - PSI - 01 with one platoon of OSAP Force

(Annexure-1)

Accordingly we have also noticed in different stages such as Palli Sabha or any meeting conducted with our respected

areas, the district authority & state police are deploying this kind of huge forces.

So, we are not able to understand for the deployment of huge forces in any meeting conducted at village level and what are the criteria to deploy so much of Police Force in the District Sundargarh which is under Scheduled Area whereas our poor innocent tribes are peacefully residing.

That in the same kind of heavy Forces are deployed to conduct Palli Sabha, Gram Sabha, Public hearings (for SIA & Environment clearance), Projects implementation. Following few examples below;

- Palli Sabha at Village Barhabans & Kapatmunda for the Land acquisition for Railway Projects.
- Gram Sabha at Kukuda GP, Katang GP, Alanda GP, Keshramal GP, Jhagarpur GP for Land acquisition (SIA & SIAMP) for the purpose of Lime stone & Dolomite mines of M/s Odisha Cement Limited, Rajgangpur (Private Companies).
- Gram Sabha at Khatkurbahal GP for Lime Stone and Dolomite mines for Shiva Cement Ltd. which is also an Private Company. Overall it was found that almost all public hearing it may be for SIA or for Environmental Clearance heavy forces are deployed.

It is pertinent to mention here that state police personnel Forcefully stop the poor tribes in different Public Hearing & police not letting their grievances addressed in front of the appropriate forum and due to this reason our poor tribes right are violated in different ways.

- Project Implementation by forcefully with the help of State Police in the District Sundargarh following below:

- a. Destruction of community road at Khatkurbahal mines also false cases are logde against the innocent tribal women and men including lactating mother;
- b. GAIL Pipeline at Ramabahar;
- c. Road widening for Shiva Cement
- d. Truck Terminal at Rourkela (Annexure-2)
- e. Constructing boundary wall for IDCO at Riun, Kuarmunda (Panposh Tahasil)
- f. Cutting of trees for sponge iron Plant near Rajamunda, and it was found that due permission were also not taken from forest department.

These are the few examples & we are unable to know the Policy of Deployment of Forces in Scheduled Area specially in the District Sundargarh & Why District Authority are deploying heavy police forces.

On the other hand its being seen that, forces not available to restore the lands after Judgement of different Courts & Forums in favour of tribals & affected others people such as In Rourkela & Bondamunda area where outsider (Non STs & Private Parties & Companies) are repeatedly encroaching over the tribal land which is questionable and this lands are legally belong to the tribes where appx. 5000 Acres of lands surrendered to state government by H.S.L (now SAIL R.S.P) & other disputed Railways vacant land are regularly and continuously encroached. In result of which Tribal people are going to compromise their constitutional and legal rights.

That our poor innocent tribes reside peacefully in the said district but due to deployment of heavy forces in the Meetings (Palli Sabha, Gram Sabha), Public Hearings areas becomes unrest and unable to express their genuine concerns result of which in the basic spirit of law is forfeited.

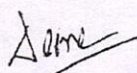
PRAYER

It is therefore prayed that your Esteemed Commission may kindly be pleased to pass immediate necessary instruction for safeguarding the rights of STs and social justice in the district of Sundargarh which is vindicated by State Authorities on the above points & necessary action at your end for protect the interest of Schedule Tribes.

Thanking You.

Yours faithfully

Place: New Delhi
Date: 26. 11. 2021


(Deme Oram)
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