



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)

Case File No. NCST/ATY-162/OR/7/2021-APCR

Dated: 23.06.2023

To,

1 **Dr. Gavali Parag Harshad,**  
Collector and District Magistrate,  
District - Sundargarh,  
Sundargarh -770001 (Odisha)  
Email: dm-sundargarh@nic.in

2 **Shri Mitrabhanu Mahapatra**  
Superintendent of Police  
District – Rourkela,  
SP Office, Udit Nagar,  
Rourkela – 769012 (Odisha)  
Email: sprkl.orpol@nic.in

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

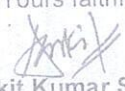
**Subject:** Representation dated 26.11.2021 received from Shri Deme Oram, Sudargarh (Odisha) regarding atrocity against STs and deployment of forces to protect the interest of STs in the District Sundargarh.

Sir,

I am directed to enclose herewith a copy of the Minutes of the Sitting held on 30.05.2023 at State Guest House, Bhubaneswar under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes on the above mentioned subject for necessary action. It is requested that compliance report may be submitted to this Commission within 60 days positively for placing the same before the Hon'ble Commission.

Encl: as above

Yours faithfully

  
(अंकित कुमार सेन / Ankit Kumar Sen)  
अनुसंधान अधिकारी/ Research Officer

Copy to:

*NIC*  
**Shri Deme Oram**  
S/o Shri Saharai Oram,  
At. Barhabans P.O. - Bisra-kirker, a,  
District - Sundargarh – 770036 (Odisha)  
Email- oraondeme@gmail.com

# National Commission for Scheduled Tribes

\*\*\*\*\*

No. NCST / ATY-162 / OR / 7 / 2021-APCR

Minutes of the Sitting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST on representation dated 26.11.2021 received from Shri Deme Oram, Sudargarh, Odisha regarding atrocity against STs and deployment of forces to protect the interest of STs in Sundargarh District.

Date of the Sitting: 30.05.2023 at 11:30 AM

List of Participants: As per Annexure

The Commission received a representation from the Petitioner stating that huge security forces were being deployed for the meetings of Palli Sabha and Gram Sabha and the state police authorities forcefully stop the tribals from putting their grievances before the appropriate forum in public. Public hearings are becoming unrest. This has resulted in the implementation of different projects in their districts against the interest of the tribals.

The Commission on Sitting dated 19.10.2022 made the following recommendations:

1. FIR submitted to the local police to be lodged on urgent basis and the same to be investigated expeditiously in a time bound manner.
2. Disciplinary inquiry and investigation to be held against SDPO Ms. Shantanutan Samath for harassing the tribal people.
3. The minutes of the last meeting of the District Level Committee for SC and ST to be submitted to the Commission.
4. The matter of dispute related to the land and truck terminal construction to be finalized in the court of Sub-Collector on urgent basis.
5. Fair and adequate compensation to be given for the resettlement and rehabilitation of the tribal people as per the rules of the state whose land has been acquired for the construction of Railway Bridge and truck terminal construction.
6. A High Powered Committee to be constituted to find out the condition of the people who have been affected due to the construction of the Railway Bridge. The Committee to have members from the affected tribal, administrative authorities and Railway (DRM) authorities.



अनंत नायक/ANANTA NAYAK

सदस्य/Member

राष्ट्रीय अनुसूचित जनजाति आयोग

NATIONAL COMMISSION FOR SCHEDULED TRIBES

भारत सरकार/Govt. of India

नई दिल्ली/New Delhi

7. Detailed report of the Committee to be finalized in associating the tribal people
8. Clarification to be given on the Parliamentary Standing Committee 2006 report which states that the land which has been unused for five years shall be returned to the tribal people


The Commission did not receive any satisfactory reply from the Authorities, therefore issued Summons dated 19.05.2023 to the Superintendent of Police, Rourkela, Odisha, the Collector and District Magistrate, Sundargarh, Odisha and the General Manager, South Eastern Railways to appear before the Commission for Sitting at the State Guest house, Bhubaneshwar, Odisha on 30.05.2023 at 11:30 AM.

During the course of hearing on 30.05.2023 the Petitioner submitted that the authorities have not complied with any of the recommendations. Huge forces are still being deployed during the Gram Sabha In addition to this, the Petitioner and the tribals are being implicated in false cases and are being arrested. The authorities were just intimidating the people in Palli Sabhas.. The Petitioner further raised questions regarding the guidelines and SoPs on deployment of police force in Scheduled Areas.

The Additional District Magistrate, Sundargarh, Odisha present on behalf of the Collector and District Magistrate, Rourkela, Odisha submitted that security was being deployed in the Palli Sabhas only after receiving requisitions from the concerned authorities.

The Superintendent of Police, Rourkela, Odisha submitted that there was no force used by the police. Security was only deployed to ensure free, fair and unbiased hearings. The police were not implementing any projects forcefully against the interest of the tribals.

Shri. R. S. Rajpal, Chief Engineering, South Eastern Railways submitted that they had acquired the land for lay down a railway track in the area which was essential. He further submitted that the proposal was being undertaken by following due process.

  
अनंत नायक/ANANTA NAYAK  
सदस्य/Member  
राष्ट्रीय अनुसूचित जनजाति आयोग  
NATIONAL COMMISSION FOR SCHEDULED TRIBES  
भारत सरकार/Govt. of India  
नई दिल्ली New Delhi

The Commission expressed serious disappointment over the lackadaisical attitude of the authorities. Despite passing of 6 months, none of the recommendations of the Sitting dated 19.10.2022 were complied with. The Commission is constrained to note with pain and serious displeasure the inaction, failure and negligence of the Railway Authorities to address the issue.

After hearing the case, the Commission recommends the following: -

1. The General Manager, South Eastern Railways to furnish proposal of the land acquisition and all other required documents with the authorities to the Collector and District Magistrate, Rourkela, Odisha within 7 days.
2. The General Manager, South Eastern Railways to compile all documents pertaining to the project from all the concerned authorities and submit them to the Collector and District Magistrate, Rourkela, Odisha within 90 days.
3. It is recommended to constitute a High Powered Committee to find out the living standard and present condition of the people who have been affected due to the construction of the Railway Bridge. The Committee must have members from the affected tribals, administrative authorities and Railway (DRM) authorities. The High Powered Committee will submit a report within 30 days.
4. The Collector and District Magistrate, Sundargarh, Odisha shall furnish details of all the requisition received to deploy forces and the minutes of meetings of the respective Gram Sabha and Palli Sabha within 30 days.

Action Taken Report with compliance of the recommendations be furnished to the Commission within 60 days.

  
अनंत नायक/ANANTA NAYAK  
सदस्य/Member  
राष्ट्रीय अनुसूचित जनजाति आयोग  
NATIONAL COMMISSION FOR SCHEDULED TRIBES  
भारत सरकार/Govt. of India  
नई दिल्ली/New Delhi

# NOTE SHEET

## NATIONAL COMMISSION FOR SCHEDULED TRIBES \*\*\*\*\*

F. No. NCST/ATY-162/OR/7/2021-APCR  
NCST/ATY-161/OR/6/2021-APCR

Dated: 30.05.2023

Sub: 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.

S. No.	Name	Designation	Mob. No. & Office No.	Signature
1.	Shri Ananta Nayak	Hon'ble Member		In Chair
2.	Shri Jayant J. Sonoda	Director, NCST		
3.	Shri Radhakanta Tripathy	Special Reporter NCST		
4.	Shri P.K. Parida	PS to Parida		
5.	Shri Avinash Mathur	Consultant, NCST		
6.	Shri D.K. Palai	NCST RO, BBSR		
7.	District Collector Sundargarh			
1.	D. Subramanyam (Committee)		9437846098	
2.				
3.				
4.				
Superintendent Of Police Rourkela				
1.	M. S. Mahapatra	SP, RKL.	9438818588	20/5/23
2.				
3.				
4.				
General Manager South Eastern Railway				
1.	R.S. RAJPAL	CG/CON/SER	9002080255	20/5/23
2.	A.K. SAXENA	AXEN/C/ROU	9777582275	20/5/23
3.	P.S. BISWAS	SPO(M&EL)/GRE	9002080600	20/5/23
4.				
Petitioner				
1.	Deme Oram		9438539549	20/5/23
2.				
3.				
4.				