

Tour Report of the visit of the National Commission for Scheduled Tribes (NCST) to the State of State of Odisha from 7-2-2013 to 15-2-2013 for field visits, review of various Organizations, District and State level review meetings on the implementation of development programmes and reservation policy for STs

The Commission led by Dr. Rameshwar Oraon, Hon'ble Chairman, accompanied by Shri B.L.Meena and Smt. K.Kamla Kumari, Hon'ble Members, Shri T.D.Kukreja, PS to Chairman and Shri R.K.Dubey, Assistant Director visited the State of Odisha from 7-2-2013 to 15-2-2013 in accordance with the programme communicated to the State Government vide wireless message No. 16/19/ORISSA(REVIEW)/2012/RU-III dated 24-1-2013 and revised tour programme dated 7-2-2013 for field visits, review of various organizations, District and State level review meetings on the implementation of development programmes and reservation policy for STs. Shri Aditya Mishra, Joint Secretary joined the team on 12-2-2013 for the meetings scheduled from 13-2-2013. Shri B.L.Meena, Hon'ble Member attended the meetings and field visits up to 12-2-2013 (forenoon).

7-2-2013

Formal welcome and briefing the Commission about various aspects of tribal development by Secretary, ST and SC Development Department, Government of Odisha and other Senior officers.


1.0 After arrival at Bhubaneswar Airport, State Protocol officer received the Commission. Officers of ST and SC Development Department, Government of Odisha, senior officers of NALCO and office bearers of various ST Welfare Associations also welcomed the Commission. At the State Guest House, the Commission was given warm welcome by Secretary, ST and SC Development Department, Govt. of Odisha, Additional Secretary and Director, Tribal Research and Training Institute of the State.

Visit to Kalinga Institute of Social Sciences (KISS), Bhubaneswar

1.1 The Commission visited Kalinga Institute of Social Sciences (KISS), Bhubaneswar on 07.02.2013 at 16.00 hrs. On arrival, Commission was given warm welcome by the tribal students and the KISS Management. KISS was established in the year 1993 as a Residential Primary School (Class-I to V) by Dr. Achyuta Samanta with 125 tribal children with the financial support from Ministry of Tribal Affairs, Government of India, New Delhi. Presently it has become perhaps the prominent residential educational institute for the tribals, spread over 80 acres of land (built up area is approx. 8 lakh Sq.ft.), where more than 16,000 ST students from 62 tribal communities and 13 PVTGs of Odisha and adjoining States are pursuing their study free of cost from Class-I to PG level. At present, KISS is functioning with the following mission:

- to eradicate poverty and hunger through education,
- to empower through education,
- to transform 'liability' into 'asset' through education,
- to bring tribal children to mainstream, at par with others in the society,
- to enable them to lead a decent life and avail facilities and opportunities of 21st century, to preserve tribal heritage, culture and values,
- to nurture tribal children as change agents for their community
- to enable them to afford a better quality of life for their children and to save them from hardship that their parents and forefathers had to undergo.

1.2 It was informed by the representative of the KISS that is providing good accommodation, nutritious food, adequate health care, quality education (from Class-I to Post Graduation), vocational training, sports facilities and all other basic amenities of life absolutely free of cost to the students reading in it. Before making interaction with the tribal students reading in KISS, Commission visited ST Hostels (both boys and girls), Kitchen, Dining Hall, Mineral Water Project & Dispensary. During the visit, Commission observed that apparently good facilities are being provided to the tribal students residing in the institute and the environment is conducive for study. Commission


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on the spot suggested for setting up of proper drainage system of water out let of washing points .since presently water was flowing towards the open area .

During the discussion with the KISS authorities, the Commission was informed that the State Government is providing APL rice for the inmates. They demanded for providing of rice to the students of KISS at par with facility to BPL families . Now the Government of Odisha have taken a decision to provide BPL rice @ Rs.1/- per KG. **The Commission observed that most of the tribal students reading in KISS have come from a very poor family background and their families come under the BPL category. The Commission is of the view that it shall be appropriate and justified if the State Government provides BPL rice @ Re. 1/- per kg to the tribal students of KISS.** It shall also be a great support to the KISS in its continuous efforts for promoting education to the Tribals .

(Action: Govt. of Odisha)

Meeting with the tribal students on their representation sent to the Commission:

1.3 The Commission held a meeting with the tribal students, who had sent a representation to the Commission regarding harassment and defamation of the students residing in the hostels of KISS and its founder by a private local TV channel (Naxatra news) by telecasting false and fabricated news items. Shri Somnath Gudia and 52 other students met the Commission and informed as under:

a) They stated that Kalinga Institute of Social Science is a free residential educational Institution run only for poor tribal students where students are pursuing their study from Class-I to PG level, both in Science and Arts. Most of the students reading in the KISS are from poor tribal families and from rural background. The Institute provides accommodation, food and education completely free of cost. The institute also provides vocational training to the students in different trades. They are also paid for the products they prepare in the vocational courses during training under the scheme “earn while you learn”. About 1500 students who have passed out from KISS are also pursuing their study in Engineering, Medical, Nursing, Law, MCA etc. in the KIIT University free of cost and they are also residing in the KISS Hostel. The students expressed their satisfaction over the food, accommodation and other facilities provided to them by the KISS Management.

While discussion, the students also stated that they are getting enough scope for their all round development. Many students of the KISS represented both in National and International Sports and won the prize. In the field of Rugby, one student of the KISS is the world champion.

b) Students informed the Commission that, a television news channel named 'Naxatra news' run by a company named 'N.K.Media Ventures' has been maliciously telecasting false and defamatory news and pictures against the KISS, KIIT and its founder Dr. Samanta. The News Channel is, thereby, committing the cognizable offence punishable under relevant Sections of IPC and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. They expressed their concern over the issue and demanded for immediate action by the Commission against Shri Budeep Mohanty, the news head of the TV channel, Shri Pravat Ranjan Mallick, the Managing Director of the company running the TV channel, Shri Chinmaya Mahapatra, its reporter and Shri Sunil Jena its news reader, who are jointly responsible for committing such offence and making deliberate attempt to tarnish the image of a reputed Institute (KISS and KIIT) and causing harm to the students. This is being done apparently to damage the institution so severely that it may be forced to close, thereby compelling the ST students to go away from the hostels and to discontinue their study.

c) As a result of such false and defamatory telecast made by the Naxatra news channel, the students stated that, their parents/guardians have become very much afraid of their future. Their parents have also become very much worried about their well being in the institute and due to such false telecast made by the news channel, they may force them to leave the Institute and discontinue the study. The students informed the Hon`ble Chairman that, due to the above reason, they are under severe mental pressure and cannot live peacefully and concentrate on their study.

d) Commission was informed that one of the boarders in the hostel of the KISS named Dhanurjay Behuri, studying in Class IV, who had gone outside of the campus to play, was forced to appear before the camera of the News Channel and to affirmatively nod to suggestive questions asked by the reporter. The news channel persons, through their agents, have also been terrorizing the students over last one and a half year to give interviews against the KISS and putting pressure on the authorities of the KISS to illegally pay hefty amount to stop the malicious propaganda against the KISS.

e) The students also informed the Commission that the KISS authorities have filed a suit in the court of Civil Judge (Senior Division), Bhubaneswar for damage against defamation and permanent injunction against the Naxatra TV channel and its authorities. The court has directed the News Channel to restrain from defusing and disseminating such libelous, malicious and defamatory news in their news channel against the KISS and its founder. Despite it, the news channel is continuing to telecast the false and defamatory news.

After listening to the tribal students, the Chairperson, NCST advised them not to be afraid of such telecasts by the news channel and to inform their parents/guardians not to believe in such false and malicious news items. He also advised them not to be panic and to concentrate on their studies. Hon'ble Chairman assured the students that the matter would be taken up by the Commission with the Ministry of Information and Broadcasting, Govt. of India and also with the State authorities to save them from further harassment by the Naxatra TV channel and its reporters. He further assured that the Police authorities of the State shall also be asked to take immediate necessary action against the News channel personnel under relevant Sections of the POA Act, 1989 and IPC.

(Action: Govt. of Odisha)

Before leaving the KISS, the Commission met Dr. Achyuta Samanta, Founder of the Institute. and his team of Officers. Hon'ble Chairman praised the sincere efforts of Dr. Samanta and his team for the upliftment of the tribals through education.

8-2-2013

2.0 The Commission left Bhubaneswar for Kalinga Nagar, District Jajpur at 09.00 hrs and reached Neelanchal Ispat Nigam Ltd., Guest House at Kalinga Nagar at 11.30 hrs where Shri Anil Kumar Samal, District Collector and other officers welcomed it.

Meeting with District Collector and tribal representatives displaced due to acquisition of land for setting up of industries.

3.1 The Commission held a meeting with tribal representatives displaced due to acquisition of land for setting up of industries in the Kalinga Nagar, District Jajpur.

District Collector, Additional District Collector and other concerned officers were also present in the meeting.

Report of the District Collector, Jajpur on the R&R issues related to Kalinga Nagar

3.2 In the beginning the District Collector, Jajpur briefed the Commission about the general information related to the district and the changing scenario of the Kalinga Nagar area due to the ongoing industrialization process. He informed the Commission that Jajpur district was carved out from Cuttak District in the year 1993 and 90% population of the District depends on the agriculture for their livelihood. Sukinda area of the District is having 99% reserves of Chromate of the country. Industries have started coming up in last few years and the district is now on the way of becoming 'Steel hub' as many steel plants are coming up in an around Kalinga Nagar area. For setting up industries, land acquisition is taking place and the project-affected families are being provided compensation as per the Government of Odisha guidelines/R&R policy, 2006 prevailing at the time of land acquisition.

3.3 He informed that Kalinga Nagar Integrated Industrial Complex (KNIIC) has been established comprising of 30 villages of Sukinda and Danagadi Tahsils of Jajpur district. It is about 100 kms from the state capital, Bhubaneswar and about 40 kms from the District HQs. The NH-200 connecting the iron ore/chromite belt of Jajpur and Keonjhar districts with the Paradeep port runs through the area. Brahmani, one of the major rivers of Odisha, runs nearby KNIIC. As there is no significant irrigation facility, the area is largely rain-fed and mostly rice is cultivated. The land of these 30 villages under 11 gram panchayats was acquired for setting up of 11 industries out of which 8 industries are functioning till date. For setting up of industries in KNIIC 8284.15 acres of private land was acquired and 6382.38 acres of Government land was alienated and leased out to IDCO for industrial purpose. The land acquisition/alienation processes started in the year 1991 and it is an ongoing process based on the requirement of the land from time to time for setting up new industries and for the purpose of other ancillary development work in KNIIC area. District Collector informed that in first second and third phase, 7057.40 acres of private land in 20 villages of KNIIC area was acquired through 38 land acquisition cases. Possession of the land has already been handed over to IDCO. An

amount of Rs. 35,27,62,920/- has been estimated as compensation for these old land acquisition cases. So far an amount of Rs. 24,64,00,700/- has been paid as compensation for 6054.97 acres of land. An amount of Rs. 10,63,62,220/- as compensation for remaining 1002.43 acres of land is yet to be paid.

3.4 He further informed that during the period 2004 onwards, the Chief General Manager (P&A), IDCO has filed 22 land acquisition proposals for an area of 1226.75 acres of land in 16 villages. In these new cases, land was acquired mostly for development of KNIIC, township, Ash pond, Water pipe line, Railway etc. These acquisition proposals also cover some interspersed land of first and second phase acquisition area. An area of 1226.75 acres of land was involved in these 22 new land acquisition cases and an amount of Rs. 17,97,32,119/- was estimated as compensation. An amount of Rs. 4,17,66,580/- for 434.01 acres of land has been paid as compensation and an amount of Rs. 13,79,65,539/- is yet to be paid for an area of 792.74 acres.

3.5 The District Collector informed the Commission that a total of 2423 families were affected due to land acquisition out of which 2066 have already been displaced. Out of the 2423 families, about 1700 families are from the Scheduled Tribe category. The displaced families have been settled in 6 colonies viz. Gobaraghatti-1, Gobaraghatti-2, Trijanga-1, Trijanga-2, Sansailo and Kantipur where 1331 plots have been allotted to displaced families. Altogether 1353 ST families have been resettled in these 6 colonies, which also includes self relocated ST families. The Commission was informed that as a measure of benevolence, Government has allowed the payment of ex-gratia over and above the compensation to all the land losers of KNIIC in different phases. In 31 old land acquisition cases, an estimated amount of ex-gratia is Rs. 39,10,61,098/- involving 6877.55 acres of land. Out of it an amount of Rs. 29,03,98,843/- as ex-gratia payment for 5087.40 acres of land has already been paid to the displaced families and an amount of Rs. 10,06,62,255/- involving an areas of 1790.15 acres of land is yet to be paid. Similarly in the 22 new land acquisition cases, the estimated amount of ex-gratia payment is Rs. 6,77,18,649/- for 1226.75 acres of land out of which an amount of Rs. 2,16,14,320/- as ex-gratia has already been paid to the displaced families involving 431.64 acres of land.

An amount of Rs. 4,61,04,329/- is yet to be paid as ex-gratia involving 795.11 acres of land.

3.6 The District Collector informed that most of the acquisition of land in KNIIC area was done before enactment of Orissa Resettlement and Rehabilitation policy, 2006. So, the Rehabilitation and Resettlement in Kalinga Nagar area was done as per the 2005 guidelines of Revenue and Disaster Management Department. As per the above guidelines, all adult male members and unmarried daughters above the age of 30, who have lost their homestead land, have been declared as displaced persons. They have been provided with 1/10th of an acre in rehabilitation colonies for resettlement. House building assistance, temporary shed assistance and transportation allowance is given to all the displaced persons. They are also entitled to get a permanent job in the Industry by which they are displaced. As per the Government guidelines, the local persons shall be given 90%, 60% and 30% employment in the unskilled, skilled and supervisory level categories respectively. The industries shall make expenditure to the tune of Rs. 10,000/- per acre of land acquisition for the CSR activities.

3.7 The District Collector admitted that the project affected persons are demanding higher compensation for their land and seeking employment for the members of each land loosing family. He also admitted that in some cases related to the acquisition of land, the land records have been too obsolete for rightful tenant to produce the relevant documents.

(Action: District Admn./Govt. of Odisha)

Discussion with representatives of tribals displaced due to acquisition of land for setting up of industries in Kalinga Nagar.

3.8 After listening to the information given to the Commission by the District Collector, the Commission requested the tribal representatives to brief the Commission on the issues related to acquisition of land and the problems being faced by them in the implementation of R&R policy. Following information was shared with the Commission in the meeting by the tribal representatives who were displaced due to acquisition of land for industrialization:

1) Shri Virendra Jamuda R/o Gobaraghatti village informed that 20 acres of land of his family located in village Gadpur and entire land was acquired by the district administration in the year 1992 and his family was paid compensation @ Rs. 37,000/- per acre. From the year 2007-08 onwards, the Government is paying compensation @ Rs one lakh per acre and the company (TATA) is paying Rs. 4 lakh per acre from its side. He demanded compensation at similar rate from the Government and the industry. He informed that his family was given Rs. 1.5 lakh for construction of house and 10 decimal lands. The company also assisted with an amount of Rs. 1 lakh for construction of house. His father was having 3 more brothers and the compensation received by the family was distributed equally among all the brothers. As the Government acquired entire piece of their land, hence they do not have any work or employment opportunity. Earlier all the family members used to engage themselves in agriculture. Those who were minor at the time of land acquisition have now become adult and many of them have separate families but they do not have any source of livelihood.

On being asked by the Commission, he informed that Tata Steel Company has started a hospital for providing medical care to them. There is a Government hospital also providing them medical aid at the time of need. However, the road facilities in the village are not well. They are being provided electricity free of cost. There is school facility in their village but in some of the colonies there is drinking water scarcity. Before the land acquisition, they used to keep cattle with them, which provided additional income to the family. Now, they are residing on a house constructed on 10 decimal piece of land as a result of which they cannot keep the cattle. Their cultural and community life has also been adversely affected due to land acquisition. Earlier each clan was having separate burial ground/cemetery but after the acquisition of land, there is a common cemetery for all. Had they all been provided land for land, this situation would not have arrived.

The ADM, Jajpur informed the Commission that there was no provision of providing land for land in the Government guidelines for land acquisition for setting up industries prevailing at that time. The Chairman, NCST insisted that the cultural and community life of the tribals should be protected by the State Government. The Government land available in or near by the colonies should be used for community requirements. The children of the project-affected families should be provided proper

education and training so that they can get employment in the industries being set up in the area. He also stressed that the District Collector should watch the interests of the tribal community as the provisions made under various laws have given the responsibility of safeguarding the interest of the Scheduled Tribes to the District Collectors.

2) Shri Laxman Jamda R/o Gobaraghati informed that his family has shifted from Chandia village. He informed the Commission that there is no Government secondary school in the area as a result of which the students are facing hardship in continuing their further education after primary level. He informed that the college is 15 km away from their village and there is no hostel facility for the students. The District Collector, Jajpur informed the Commission that the construction of hostel shall be started shortly as an amount of Rs. 1 crore has already been sanctioned for the construction of two hostels for 100 girls and boys each. The Chairman NCST advised the District Collector to ensure that the construction of hostel buildings is started at an early date so that the students do not have to suffer for a long time.

3) Shri Harishchandra Haibrue R/o Gobaraghati informed the Commission that the Government in the year 1992 acquired his land. His rehabilitation was not done as per the 2006 policy. He was not provided benefits due to him. He was not given any assistance for shifting to the new place after acquisition of his land. The social and cultural life has also vanished.

4) Shri Ganga Munda R/o Dey colony informed that his land was located in Kulapasi, Mangalpur village and his 7 acres of land was acquired for Visa Steel Company. He informed that he got compensation @ Rs. 52,000/- per acre of land whereas he should have been given compensation @ Rs. 1.5 lakhs per acre.

5) Shri Babli Poorti R/o Gobaraghati informed that he has shifted to the new place from village Kandiposi where his 20 acres land was located prior to acquisition. The Government in the year 1997 acquired Land of his family for setting up Neelachal Ispat Company. His father was having 3 brothers and their share of land was 5 acres each. They were paid compensation @ Rs. 52,000/- per acre in the year 1997 and the Government in the year 2007-08 paid further amount of Rs. 48,000/- per acre. The Company has not given any further compensation to the displaced families from its side, as Tata Steel has done. He further informed that a total of 640 families were displaced for setting up Nilachal Ispat Company which is the only Government owned Company out of 12

industries of Kalinga Nagar. Presently they are staying in Gobaraghati colony where other 150 displaced families are also residing. There is no supply of water in the area and no play ground for the children. Recently, a cemetery has been constructed. He informed that the Company gave employment to 150 displaced persons after the incidence of firing in the year 2006. Their children, who have, since grown up are unemployed. Had the land acquisition not taken place, they would have been engaged in the agricultural activities in their own fields. He informed that a person named Kaira Munda died of starvation after acquisition of his land by the Government.

6) Shri Ramesh Munda informed the Commission that his family was displaced by land acquisition for Neelachal Ispat Company. He said that 3 displaced persons who were given employment by the Company died within a few months after joining the service. One of them died within 3 months. The Company, which has taken all the land under their possession, is denying employment to the next of kin of the deceased who are on the roads. He demanded that in such cases immediate employment should be given to the eligible members of the family of displaced persons. He further added that the Company is not doing anything for the welfare of the displaced under CSR policy. The District Collector informed the Commission that a decision has been taken in the RPDS meeting held recently in which it has been decided to give employment to family member of such a deceased person who died in service. The Hon'ble Chairman, NCST suggested that these persons should also be given priority in the contracts by the companies so that they are able to earn their livelihood.

7) Shir Mahiram Poorti S/o Shri Nehru Poorti informed the Commission that the reservation policy of the State Government is not being followed in the District. He informed that he is a member of displaced family with a qualification of graduation and MBA but he has been given clerical job in the Company. Hon'ble Chairman, NCST advised him to give a representation to the concerned company in this regard with a copy to the District Collector who will do the needful in the matter.

8) Shri Shyam Sunder Gagarai informed the Commission that his family has shifted from Kosiudi village due to land acquisition for Neelachal Ispat Company. He demanded that the Company for which land has been acquired should give employment not only to the present generation but also to the next generations. Had they been enjoying the rights over their cultivable land, the family members would have engaged themselves in the

agricultural activities. They are now roaming here and there as no employment is available to them. He demanded that the R&R policy of the year 2006 should be made applicable to the land acquisition cases for Nilachal Ispat Company also. He informed that the Tata Steel Company is providing higher rate of compensation to the persons who have been affected due to land acquisition but no other company including the Government PSU like Nilachal Ispat Company is paying adequate compensation which is acceptable to them.

9) Ms Mona Avita Jamuda R/o Gobaraghati colony of Tata Steel Company informed that though there is doctor in the dispensary of their colony but no medicines are available there. The road facility is not there and the supply of electricity is also highly irregular. There is no drainage facility in the colony. She informed the Commission that she and other persons have been given land for construction of houses but they have not been given any pattas over that land to enable them to get loans from banks. They should be given pattas over the land to recognize their rights over the land. The Commission agreed to the demand made by her and directed the District Collector to issue pattas to such project affected families whose land has been acquired and who have been given land by the Government for construction of houses in the colonies of displaced families. The district Collector agreed to issue pattas to these families.

10) Ms. Sumitra Jamuda informed the Commission that her daughter is suffering from Cancer. Her husband was a bank employee but he is unable to serve the bank due to paralytic attack. She informed that she has lost all her belongings for the treatment of her husband and the daughter. She requested the Commission to see that if some kind of financial assistance is provided to her for the treatment of her husband and the daughter. The Commission advised her to contact the District Collector in this regard who assured that the district administration will help her in getting treatment of the family members at Tata hospital.

After listening to the representatives of displaced families, the Commission advised the District Collector to take necessary steps for settling the grievances of the displaced families sympathetically. The Commission advised him to ensure those basic amenities like drinking water, roads, electricity, health facilities including medicines, cemetery, playground etc. should be made available in the colonies. The Commission also requested him to issue pattas of the land, which has been given to them for construction


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of house, as it is recognition of their right over the land. The Commission also thanked the tribal representatives to come to the place to have interaction with the Commission.

(Action: District Admn./Govt. of Odisha)

District level review meeting at Kalinga Nagar, Jajpur

3.2 The Commission held a meeting with District Collector, SP and other officers of Jajpur District at 1500 hrs in the conference room of the O/o the District Collector, Jajpur to review the implementation of various development programmes being run for the welfare of scheduled tribes in the district. In the beginning, the District Collector, Jajpur welcomed the Commission. He gave a brief account of the district and informed that as per the year 2001 Census, there are 3,27,129 habitations in the district out of which 25,063 are Scheduled Tribe habitants. The total population of the district was 16,24,341 out of which 1,25,989 (7.75%) were Scheduled Tribes. Then, he invited the Chairman, NCST to initiate the discussion. The Chairman, NCST gave brief information about the role and duties of the Commission. He opined that the Scheduled tribes are the most vulnerable sections of the society. Several protection measures have been adopted in the Constitution of India to protect them from the other groups. It is responsibility of the District administration as well as State to protect them from all kinds of discrimination, harassment and exploitation. After the address by the Chairman, NCST, detailed discussion was held on the basis of reply of the questionnaire furnished to the Commission by the District Collector. Following action points/issues emerged in the meeting:

1) The Commission noted with concern that the while literacy rate in general category was as high as 87.27% in the males and 64.63% in the females whereas it was 21.5% males and 12.6% females in the Scheduled Tribes category as per the information furnished by the District administration. The Commission suspected towards the accuracy of the figures furnished to the Commission by the District administration. The District Collector informed the Commission that the correct figures for the literacy among Scheduled Tribes category was 45.48% among males and 16.33% among females. While comparing the figures of literacy rates between general category and ST category males and females, the Commission observed that there was almost double gap among the


males and four times gap among the females. The Commission stressed upon the need to reduce this gap in literacy without which the Scheduled tribes cannot come to the mainstream of the society.

2) The Commission also noted that as per the information provided to the Commission in reply to the questionnaire, the drop out percentage at High School level was reported to be 23.16% in general category and only 7.79% in the Scheduled Tribe category. The data doesn't seem to be correct. The Commission observed that in all the tribal areas, the drop out at this level in Scheduled Tribe category is higher than general category. The Commission directed to check the correctness of the figures and furnish correct figures to the Commission.

3) The Commission was informed that the required teacher pupil ratio at primary and secondary level was 35:1 and 30:1 respectively. There is no shortage of teachers in the schools in the district. There are 5 high school hostels in the district in which 684 boys and 770 girls are residing. In College hostel 30 boys and equal number of girls are residing. At high school level an amount of Rs. 620/- per boy and Rs. 650/- per girl per month is spent. At college level hostel, Rs. 1000/- per boy and Rs. 1050/- per girl per month is spend. Pre-matric and Post-matric scholarship is disbursed to them in time. The Commission desired to know about the time of payment of scholarship. It was informed that the scholarship is being distributed through RTGS mode directly crediting it into the beneficiary's account. The scholarship is being distributed by 31st December every year.

4) The Commission also noticed that as per information furnished to the Commission, there were 81,907 landless agricultural labourers in the district. The Commission desired to know the nature of occupation taken up by the agricultural labourers. In the written reply, it was informed by the District administration that they are engaged as a labour in agriculture and allied activities of their own land. The Commission desired to know that if they own a land; how they could be landless agricultural labourers. The Commission opined that there is lack of seriousness in preparing the reply to the questionnaire sent by the Commission to the District authorities. District Collector admitted that some typing error had occurred and assured the Commission to furnish the correct information totally.

5) The District Collector admitted that the tribals of the area are basically agricultural labourers to depend upon the agricultural activities. Most of the land owned by them is


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rain-fed. So, extension of irrigation facilities in their area is necessary to improve their economic condition. In order to conserve the water and facilitated agriculture, WHS, farm ponds, big water bodies need to be developed. The tribal youth should be imparted with skill development training, which should be employment linked. The District Collector, on being asked by the Commission, informed that only 35% land of the tribal blocks of the district was irrigated. The Commission suggested that the agriculture sector needs higher quantum of investment. If the irrigation facility is provided to land owned by the tribals then, they may be able to take two or three crops. This will improve their economic condition. The District Collector agreed to the suggestion and said that integrated action plan has been prepared for providing irrigation facilities through borewells, ponds, check dams, lift irrigation schemes etc. A big river project (Rengali Dam) is coming up and the canals of the project are under construction, this will improve the situation in the tribal areas.

6) The Commission was informed that 26 number of ST villages/habitations does not have link roads. There is a special scheme in 12th Finance Commission Award in which SC/ST habitations are covered for taking up CC roads under the State sponsored scheme. Apart from the above scheme, roads are constructed under IAP, which is basically aiming for rural connectivity in the interior pockets of the ST dominated habitations. The Commission desired to know about the target fixed for providing road connectivity to these ST habitations. The District Collector informed that the target should be achieved by the end of this financial year.

7) The Commission also discussed the status of implementation of Indira Awas Yojana and Mo kudia schemes. The Commission was informed that the centrally sponsored IAY Scheme and the State sponsored Mo kudia schemes are being implemented to provide housing facilities to the poor including Scheduled Tribes. Government waste land under Vasundhara Project is also distributed to the Scheduled Tribes of the district and so far 1611 ST families have been given benefits under this project for construction of houses. For this purpose the Government has regularized the encroachments made by the Scheduled Tribes and they have been provided land measuring from 4 to 10 decimals. Most of the pattas have been distributed after disposing the cases under OPLES Act and OGLS Act. About 40% of Scheduled Tribes have constructed their houses.

8) The District Collector informed the Commission that all the villages/habitations have been covered by the health facilities. On being asked about the availability of Doctors, it was admitted that 40% posts of doctors was lying vacant in the Districts. There are many PHCs with single doctor and that too is being run with the help of Ayush doctor. The Commission was informed that there is a CHC in Sukinda block of the district, which is a tribal block. The Commission directed the District Collector to take immediate action to fill up the vacant posts of doctors in the district. For attracting the doctors to work in the rural and tribal areas, the Government should come forward with a action plan. This could include higher remuneration, Government accommodation, preference in admission to higher medical courses etc.

9) The Commission noticed that a huge amount of fund received under Article 275 (1) could not be utilized in last 3 years. The District Collector informed that this amount is not lapsed due to non-utilization and the utilization of the balance can be made in the subsequent year also. When the Commission asked about the reasons for non -utilization, it was informed that there was no district welfare officer posted in the district. The BDOs were also not posted in the tribal blocks during most of the period. The Commission stressed on the need to utilize the money received from the Central Government failing which the gap between the general population and the scheduled tribes will not be reduced and the scheduled tribes will lag behind in development.

10) The Commission observed that as per the information provided to the Commission, there were 5859 child labourers in the district. The highest number of child labourers detected in the survey conducted by State Labour Institute, Odisha during March 2011 to June 2011, was found in Sukinda Block which is a tribal block. The Commission was concerned that 4524 children out of the total 5859 child labourers engaged in hazardous operations. The Commission directed the district authorities to take necessary action against the employers.

11) The Commission also reviewed the implementation of Forest Rights Act in the district. The Commission was informed that 9170 individual claims were received out of which the Gram-sabha rejected 4237. A total of 1859 titles rounding to area of 1050.89 acres have been distributed to the ST beneficiaries. The Commission desired to know about the community claims provided to the community. As this information was not readily available, the District Collector assured to provide it separately


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12) The Commission also desired to know about the implementation of MGNREGA in the district. This act provides a legal guarantee of 100 days of wage employment in a financial year to every rural house hold whose adult members volunteer to do unskilled manual work at the minimum wage rate notified for agricultural labour prescribed in the state or else an unemployment allowance. The objective of the act is to supplement wage employment opportunities in rural areas and in the process also build up durable assets. As this scheme is very crucial in generating the income of the Scheduled Tribes residing in tribal areas, the Commission desired to know about the number of job card holders and the number of Scheduled Tribe households among them. The Commission was informed that 269443 job cards have been issued to the households out of which 23641 belong to Scheduled Tribes. In the year 2012-13 (up to January, 2013) 531225 man days were generated in the district out of which 58348 man days were generated against ST households. Number of workers registered in the district is 588209 out of which 51812 are the Scheduled tribe workers. On being asked, the Commission was informed that in the current year 168 families have completed 100 days work under the scheme. The Commission noted that the number of households who have been provided with 100 days of employment was not convincing. The information related to payment of unemployment allowance due to non availability of work was also not made available to the Commission. The Commission was informed that the present rate of wage is Rs. 126/- per day and the labourers are getting much higher rate of wages while working in the industries. The Commission advised the district Collector to intensify the works under this scheme in the tribal areas to create assets and to enhance the income of the tribal community of the district.

It was also noted by the Chairperson that at the field level there was lack of awareness of NSTFDC/OSTFDC schemes meant for income generation activities for the STs. Accordingly, Shri T.D. Kukreja explained the salient feature of NSTFDC schemes during district review meeting held with District Collector and other officers (about 40) at Jajpur Districts.

In the end, the District Collector thanked the Commission for the guidance and assured the District administration shall take necessary steps to ensure that the welfare schemes being run for the welfare of Scheduled Tribes is implemented in more efficient way. The

Chairman, NCST also thanked the district administration for cooperating the Commission in fulfilling its constitutional mandate.

(Action: District Admn./Govt. of Odisha)

After the district level review meeting, the Commission proceeded for field visits in the District.

Field Visits.

3.3 Visit to Phuljhar Ashram School:

In the evening the Commission inspected Phuljhar Ashram School and interacted with the tribal students residing in the ashram school and their teachers. This ashram school is upto Class VII and there are 6 teachers posted in the school. The students informed the Commission that they are given packet of Tiger biscuit in the breakfast. At 9.00 a.m. they are provided Daal-bhat and in the night also they are served daal-bhat with vegetables. They are provided chicken or meat on every Sunday and egg on every Wednesday and Friday. The Commission was informed that there are 376 students in the school out of which 220 are boarders. An amount of Rs. 620/- and Rs. 650/- for boys and girls each are spent. This Ashram school was started in the year 1989. The Commission noted that the boarders are sleeping on the floor in the classrooms. They have not been provided bed and only one blanket has been supplied to each of them. About 35 to 40 boarders are residing in each room as a result of which there is no ample space for them to sleep properly. The Commission also noted that proper and adequate arrangement of toilets and bathroom was also not there in the ashram school. The outsiders were coming inside the ashram school campus to take drinking water and it was a threat to the security of the students. The Commission was informed that 10 toilets were under construction in the ashram school and the new building of the 100-seated hostel is under construction. It was also informed that the students were residing in the classrooms only for the last 15-20 days. The Commission was not satisfied over the arrangements for the boarders in the ashram school and directed the District Collector to improve the living conditions in the ashram school.

3.4 Meeting with members of Maa Tarini Self help group:


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The Commission interacted with the members of Maa Tarini self help group. The members SHG informed the Commission that their group is a registered group of female members. Though gradation of this SHG has been done, they have not received any financial support till date. The district authorities present at the place informed the Commission that this a new SHG and a grant of Rs. 15.000/- has been sanctioned to assist the group. From the Commission's side, the district authorities were informed that a loan of Rs. 35,000/- per member up to a maximum of Rs. 5 lakhs per SHG under NSTFDC scheme can be provided to the self help groups on 6% per annum rate of interest. In another individual scheme of NSTFDC , exclusively for ST Women ,an amount of Rs. 50,000/- per person can be sanctioned for undertaking income generating activities . The Commission noticed that there is lack of awareness of NSTFDC/OSTFDC schemes for undertaking income generating activities by the eligible STs and advised the officers of the District to update their knowledge so as to encourage these groups in enhancing their income by availing the required funds under NSTFDC schemes available at highly concessional rates of interest .

3.5 Meeting with members of Mahalaxmi self help group:

The Commission also interacted with the members of Mahalaxmi self help group the Commission was informed that this is a two years old group, which is providing mid-day meal in the schools. The members of the group informed the Commission that the concerned authorities have not done so far grading of their SHG. The Chairman, NCST directed the local officer present at the venue to go to the doors of the members of the group and help them in grading process. The Commission was informed that 98% supply of the mid-day meal is being done in the State of Odisha through the SHGs. The Commission appreciated the decision of the State Government in this regard. Some members of the group informed about the scarcity of water in the Phuljhar village and said that they have to take water from the ashram school. There are two hand pumps, which are far away from their houses. As the ashram school is closer, they prefer to take water for their household requirement from the school. They demanded that at least two hand pumps should be provided in the area outside the ashram school. The district Collector informed that the work order has already been issued for setting up one hand pump. He agreed to provide one more hand pump in the area for adequate water supply.

After the field visits, the Commission returned to Kalinga Nagar guesthouse for the night stay.


9-2-2013

4.0 The Commission left Kalinganagar for Mayurbhanj District at 09.00 hrs in the morning and reached Circuit House at the District headquarter, Baripada at 12.30 noon where it was welcomed by Shri Rajesh Prabhakar Patil, District Collector, Ms. Kavita Jalan, S.P. and other officers of the District.

Meeting with tribal delegates.

4.1 Several tribal delegations met the Commission in the afternoon. Following demands were placed before the Chairman, NCST on issues related to the welfare of Scheduled Tribes:

1. There is a requirement of opening up of one Agriculture College in the Mayurbhanj District to promote modern agricultural techniques in the northern part of the State.
2. Since there is no medical college in the northern part of the State, it was suggested that one medical college should be established in the Mayurbhanj district, which can serve the adjoining districts of the State as well as neighboring districts of Jharkhand and West Bengal also.
3. Hundreds of families have been affected by the Subarnarekha Project, which is spread over the adjoining states also. Due to construction of Jamveera Dam and canals from the reservoir, some more families have been displaced. Their proper rehabilitation should be done and sufficient monetary compensation should also be paid to these families.
4. Provisions of Odisha Reservation Act are not being followed in the district as well as State. Many posts reserved for the Scheduled Tribes remain unfilled. The State Government should be directed to adhere to the provisions of Odisha Reservation Act and to fill up the reserve post through promotion as well as direct recruitment.


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5. The State Government is not providing any reservation for weaker sections in Government housing schemes. The Commission should take up the matter with State Government to provide reservation for Scheduled Tribes in the Government housing schemes.
6. To protect the tribal culture, a tribal museum should be set up at Baripada and Rairangpur.
7. A Pre-examination coaching center should be set up at Baripada in Mayurbhanj District to prepare the tribal students for various competitive examinations like banking, Civil Services etc.
8. The State Government should be advised by the Commission to promote cottage industry in the State as many tribal families are engaged in such occupations.

The Commission assured the tribal representatives that the demands made by them would be taken up with Government of Odisha at appropriate level for consideration.

(Action: District Admn./Govt. of Odisha)

Field Visits

Visit to Coaching Institute imparting training to the tribal youths for recruitment in Indian Army and para military forces.

4.2 In the evening, the Commission visited Coaching Institute at Ayurvedic College campus, Baripada where the District Administration is providing coaching to the tribal youths for Army Recruitment Rallies. The Commission interacted with the tribals taking training in this institute. It was informed that a private institute 'GENXT' has been engaged to impart training to these participants. They are being provided physical training and are prepared for written examination also. The coaching for written examination includes Mathematics, Reasoning, General knowledge and English as a subjects. There were 3 faculties for imparting training to these young boys at the time of visit of the Commission. There were about 50 young tribal attending the coaching. The District Collector, Mayurbhanj informed the Commission that these young boys would be sent in the Army Recruitment Rallies after completion of the coaching. They would also be sent

to attend the recruitment rallies of Para-military forces like CRPF, BSF, CISF etc. The Commission appreciated the steps taken by the District Collector for providing training to the tribal youth to make them employable in military and para-military forces. The Commission advised that similar training could also be provided in other tribal dominated districts.

Visit to Chikitamatia Education complex

4.3 In the evening, the Commission visited Chikitamatia Education complex at Baripada which was established in the year 2008. This complex comprises of a school from Class I to Class VIII and a hostel for the girls. In this complex, 250 girls belonging to Lodha tribe are being provided education and hostel facilities. They are also being provided vocational training like stitching and computer. This complex has been developed by Lodha Development Agency of the State from the funds received through Ministry of Tribal Affairs, Government of India. In the classrooms, the Commission interacted with the tribal girls and tested their level of knowledge, which was found satisfactory. The Commission also visited the hostel rooms where double Decker beds have been provided to the students. However, there were no mattresses on these beds. The Commission directed the district Collector to see that the mattresses are also provided on these beds. The Commission also visited dining hall, kitchen and wash rooms and found them neat and clean. The Commission was overall satisfied over the arrangements in the education complex.

Visit to Durdiasol village under Keontunimari Gram Panchayat

4.4 The Commission reached Durdiasol village under Keontunimari Gram Panchayat late in the evening where hundreds of tribals were present to meet the Commission. They welcomed the Hon'ble Chairman and Members of the Commission and appraised them about various problems and issues concerning the tribals of the area. They shared following information with the Commission:

1. Thirty-five villages of the district have been affected by the Subarnarekha project. 436 families of this village are also affected due to construction of reservoir. Many of the families have lost their land and house. Some families are partly affected by the project as they have lost either their house or a part of land under their possession. They are being


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provided compensation at different rate at different point of time. For example, before the year 2006 they were paid compensation @ Rs. 4.86 lakhs per acre. From the year 2006, they were paid compensation @ Rs. 5.10 lakhs and from the year 2012 onwards the compensation shall be Rs. 7.28 lakhs. There are also cases where compensation was paid to the different members of same family at different rates. They demanded that all the affected families should be paid compensation at the current rates. There should be no discrimination in the disbursement of compensation to the displaced families.

2. There is no provision of providing compensation to the tribal ladies who have been divorced by their husbands. Among the tribal community of the area, there is a simplified procedure of divorce. As per their customary law, there is a very meager amount of fine in the cases of divorce. Such divorced ladies are not provided any share in the compensation received by their families. Such ladies should also be provided their share in the compensation package.

3. There were many tribals who were 18 years old at the time of land acquisition in the year 2008. They were not treated as separate families. They are not being paid any compensation despite the fact that presently they are having families depended on them. There is no facility of bone test for age determination and they have to go far away to Baripada for the same. The District Collector present at the venue assured the Commission that arrangements would be made by the District Administration to provide facility of bone test for determination of age locally in the area.

4. The displaced families who have started residing elsewhere after constructing their houses are facing problem as there is no road connecting their locality to the nearby pucca roads. They are also facing water scarcity. The District Collector assured the Commission that the work should be started shortly as funds are available with him for this purpose.

5. Many tribal representatives demanded that the displaced families should be provided training in different fields like animal husbandry, poultry, plantation etc. to enhance their economic condition. The Commission also agreed to it and advised the district Collector to do the needful in the matter.

6. The displaced persons should be given priority in the matter of employment in Government services.

7. Arrangements for providing irrigation facilities should be made for the area lying over the dam and reservoir. Water is always made available for irrigation and other requirements in the areas lying below the reservoir and the upper part is neglected. Minor irrigation schemes should be started in the upper area so that the people residing there can also take two crops.

The Commission requested the District Collector to take necessary action on the demands made by the tribal representatives so that the hardship faced by them can be minimized.

(Action: District Admn./Govt. of Odisha)

10-2-2013

Field Visits

5.0 The Commission visited several other places in the forenoon to see the status of implementation of various developmental programmes being run for improving the economic condition of Scheduled Tribes in the district. District Collector and other district level officers also accompanied the Commission.

Maa Jagat Janani self help group, Kalikapur, Baripada

5.1 The Commission visited in the office of Maa Jagat Janani self help group at Kalikapur and inspected the working of this self-help group. This is a group of 10 female members from Santhali community (ST). The group is involved in purchase of toothpaste, shampoo, soap and hair-oil from the wholesale market and the members of this group supply these articles to the hostels after packaging for the use of boys and girls residing there. The group members also prepare sanitary napkins and supply them for the use in the girl's hostel. They also supply iodized salt and tiger biscuits in the hostels. These articles are supplied to the hostels by a pickup van. Baitarini Gramin Bank has provided financial assistance to this group. Members of the group have also been provided skill development training. The Commission was very much impressed with the working of this self-help group and opined that similar arrangements could be made in other districts also to promote such groups.

Visit to the hostel site at Takatpur


5.2 The Commission visited the campus of Baripada ITDA at Takatpur where a high school and college hostel for Scheduled Tribe girls is being constructed. The Commission was informed that this 200 Bedded ST girls hostel is being constructed at an estimated cost of RS. 1 crore. Rs. 90 lakh shall be spent on the infrastructure and remaining Rs. 10 lakhs shall be spent for providing amenities. Budget for construction of the hostel is being provided through the state plan. The Commission advised the District Collector to see that female employees are posted in the hostel after its opening in view of the security of the girls.

Visit to Ranibhole Government girls High School (residential)

5.3 The Commission visited Ranibhole Government girls high school (residential) where it was given a warm welcome by the teachers and students of the school. This institution was established in the year 2008. There are 280 boarders in the girl's hostel besides the day scholars. Girls studying from Class VI to X and kept in the hostel. The Commission visited the classroom and checked the quality of education, which was found good. The Chairman, NCST advised the district Collector to focus on personality development and individual development of the tribal girls besides their regular studies. The girls informed the Commission that the existing playground is very small and demanded that it should be expanded by allotting the government land adjoining the school. The Commission found this demand as genuine and requested the district Collector to allot the adjoining land to the school. District Collector agreed to the request. The Commission also visited the kitchen of the hostel and inquired about the quality and quantity of meals provided to the girls. The Commission was satisfied with the arrangements for the tribal girls in the hostel.

Visit to Plantations at Ranibhol and Kukudajodi

5.4 The Commission visited a plantation site at Ranibhol where medium density mango plantation has been done on 10 hectares of lands belonging to 24 tribal villagers of Ranibhol village under Sankhabhanga Gram Panchayat. The plantation was initiated in the year 2012-13 on 10 hectares of land and 4000 plants have been planted so far. DRDA, Mayurbhanj is the funding agency and the total cost is estimated to be Rs. 14 lakhs. Dy. Director of Horticulture, Mayurbhanj is the executing authority. A bore well has also


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been dug to provide irrigation facilities through sprinklers. The District Collector informed that schemes of different departments have been converged to get more effective results. He also informed that watermelon is also being produced in between the mango plants and thus more income is being generated for the beneficiaries. Presently 700 hectares of land has been utilized for the mango plantation in the district, which will be extended to 7000 acres in the next few years. Chairman, NCSIT advised him that bamboo plantation could also be promoted in a similar way to enhance the income of the tribal community.

The Commission also visited Kukudajodi plantation site where medium density mango plantation have been promoted on 30 hectares of land belonging to 20 beneficiaries out of which 19 are Scheduled Tribe farmers of Kukudajodi village under Rajabasa Gram Panchayat. The plantation of mango trees has been initiated in the year 2012-13 from the funds received from DRDA, Mayurbhanj. Dy. Director of Horticulture, Mayurbhanj is the executing authority and the total cost of the project is Rs. 42 lakhs. Similar arrangements of irrigation have been made at this plantation site also by the district administration. The Commission was satisfied over the implementation of plantation project.

Rubber plantation and processing center at Jadunathpur, Block-Badsahi

5.5 The Commission also visited rubber plantation and processing center at Jadunathpur in Badsahi Block of Mayurbhanj District. It is a joint venture of ITDA and Rubber Board. For the purpose of promoting the rubber plantation, Jadunathpur Rubber Producers Society has been formed. The Commission observed the process of obtaining latex from the rubber plant and its further processing in the unit. The Commission was informed that 180-200 C.m. rainfall is required for the rubber plantation. As the district receives lesser rainfall than the required rainfall, life saving irrigation is done in this plantation. A Rubber plant can be used to obtain latex after a period of seven years. In the meantime they sow other crops in between the trees and get income. The trees in this plantation are 15 years old and the wood of the tree is also used as timber. A total of 74 families of Scheduled Tribe category are engaged in the plantation activities. Last year total sale of Rs. 70 lakhs was made. The beneficiaries informed the Commission that they are getting benefit of Rs. 60,000/- to Rs. 70,000/- per acre. They also informed that this

project has been handed over by the authorities to them and they directly sell the rubber to the businessman. The District Collector informed the Commission that steps are being taken to expand the area of rubber plantation in the district. Chairman, NCST appreciated the steps taken by the district administration to promote rubber plantation and improve the economic condition of the Scheduled Tribe beneficiaries.

(Action: District Admn./Govt. of Odisha)

District level review meeting at Baripada, Mayurbhanj

5.6 The Commission held a meeting at 16.00 hrs in the conference room of the O/o the District Collector, Mayurbhanj to review the implementation of various development programmes being run for the welfare of scheduled tribes in the district. In the beginning, the District Collector welcomed the Commission. Thereafter, Chairman, NCST initiated the discussion and said that the Commission has visited several places in the district to see the status of implementation of various developmental programmes for Scheduled Tribes in the district. He particularly appreciated the arrangements made by the District administration in the schools and hostels for tribal students in the district. He also appreciated the working of self-help groups like Maa Jagat Janani self-help group and opined that similar arrangements should be made to promote such SHGs in other states also. He also appreciated the initiative taken by the district administration to promote rubber and mango plantation for economic development of the Scheduled Tribes farmers.

The Commission had sent a detailed questionnaire to the district Collector seeking reply on various issues concerning the Scheduled Tribes. Further discussion in the meeting was based on the reply furnished to the Commission by the district administration. Following issues were discussed in the meeting:

Education:

1) The Commission noted that the literacy among general category males was 74.92% and females were 53.18% as per the 2001 Census. However, among the Scheduled Tribe males it was 49.59% and females were only 21.14%. The Commission observed that there is a big gender gap (28%) between the Scheduled Tribe males and females. Further there was a bigger gap (about 30%) in the literacy figures among Scheduled Tribes in comparison to general category. The Commission advised the district

