



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-2300/DL/20/2023-ESDW(RU-III)

07.03.2025

1. **Shri Manoj Ahuja,**
Chief Secretary,
Government Of Odisha,
General Administration Department,,
Odisha Secretariat, Bhubaneswar,
Odisha - 751001
Email Id: esori@nic.in
2. **Shri Prakash Mishra,**
Director General Of Police,
Govt. Of Odisha,
Cuttack,
Odisha - 753001
Email Id: dgpctrroom.odpol@gov.in

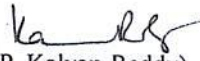
Sub: Representation dated 26.09.2023 of Shri Radhakanta Tripathy, Advocate & Rights Activist, 27, Old Lawyers Chambers, Supreme Court of India, New Delhi-110001 regarding justice for tribals died in police firing at Kalinganagar in Jajpur District of Odisha.

Mam/Sir,

I am directed to enclose herewith a copy of the minutes of the sitting held under the Chairmanship of Shri Jathothu Hussain, Hon'ble Member, National Commission for Scheduled Tribes (NCST) on 12.02.2025 at NCST, New Delhi on the above mentioned subject.

It is requested that the action taken/ to be taken in the matter may be submitted to NCST within stipulated time from receipt of the letter, for placing it before Hon'ble Commission.

Yours faithfully,


(Dr. P. Kalyan Reddy)
Director

E-mail:- kalyanreddy.p@ncst.nic.in Ph No. 011-20819841

Copy to:-

1. Shri Radhakant Tripathy, Advocate and Rights Activists, 27, old Lawyers Chambers, Supreme Court of India, New Delhi-110001
2. PS to Hon'ble Member (Shri Jathothu Hussain), NCST.
3. ✓ NIC, NCST for uploading on the website of the Commission

National Commission for Scheduled Tribes
NCST/DEV-2300/DL/20/2023-ESDW

Minutes of the Sitting held under the Chairmanship of Shri Jatothu Hussain, Hon'ble Member, National Commission for Scheduled Tribes at Lok Nayak Bhawan, New Delhi in the case of Shri Radhakanta Tripathy, Advocate & Rights Activist regarding Kalinga Nagar firing incident in the year 2006 in Jajpur District of Odisha.

Date of the Sitting: 12/02/2025, 12:40PM
Participants in the Sitting: As per Annexure

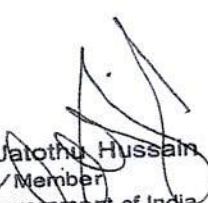
Shri Radhakanta Tripathy, Advocate & Rights Activist, 27, Old Lawyers Chambers, Supreme Court of India, New Delhi-110001, vide his representation dated 26.09.2023 highlighted the prolonged denial of justice to the Scheduled Tribes affected by the Kalinga Nagar firing incident in Jajpur in the year 2006. He draws attention to the plight of ST victims, whose severed palms, meant for identification through DNA tests, remain unburied due to administrative negligence. The incident of theft and resurface of the severed palms are also mentioned stating violation of Constitutional safeguards and rights after death of the Scheduled Tribe Victims. Citing multiple media reports, he underscores the Odisha Government's failure to ensure justice, rehabilitation, resettlement for displaced STs and many of whom remain jobless and landless despite industrial expansion in the region. The petitioner seek intervention of the NCST for ensuring Justice to the deceased families and the affected ST families.

2. The NCST vide Notice dated 13.10.2023 has referred the matter to the Chief Secretary, Odisha and DGP, Odisha for facts and comments within 15 days. The reply has not been received even after lapse of more than a year. Taking serious note of the lackadaisical and negligent attitude of the Authorities in taking steps and submitting replies, the Commission decided to discuss the issue with Chief Secretary, Government of Odisha and DGP, Government of Odisha and the petitioner on 12.02.2025. Accordingly, a Sitting Notice was sent on 31.01.2025.

3. In the Sitting, the District Collector, Jajpur and SP, Jajpur joined via video conferencing while the petitioner was personally present. The District Collector, Jajpur informed that the Inquiry Commission established by the Government had given its final report in the matter. She also stated that the Administration has taken several measures to ensure proper rehabilitation and resettlement of the ST families by providing them education and employment etc. She assured the detailed Action Taken Report would be sent to the Commission very soon.

The SP, Jajpur mentioned that for the severed Palms incident separate FIR has been registered and one Palm could not be recovered till date. The investigation is on to recover the Palm and law has been put in motion against the accused persons. It is informed Vide letter no. 282/DHRPC dated 11.2.2025 it is informed that the Ex-Gratia has already been given to the family of the deceased persons in the year of 2006 to 2008.

Responding to the replies by the District Collector and the Superintendent of Police, Jajpur, the Petitioner stated that the non-submission of ATR by the Authorities prove the attitude of the Administration towards the incident more specifically the present condition of the Affected ST families and the severed palms. The admission of the SP regarding stealing of severed palms and recovery of the same except one still put question marks on the issue of rights after death and dignity of the STs who sacrificed their lives.


जाटोतु हुसैन / Jatothu Hussain
सदस्य / Member
भारत सरकार / Government of India
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
नई दिल्ली / New Delhi

4. The Commission observed the issue seriously and noted the negligent attitude of the Authorities in submission of the ATR. The stealing of severed palms and missing of one Palms. It could not be clarified to the Commission as to under what compelling circumstances, the severed palms of dead bodies are preserved for such a long time.. The exact figures of the ST people affected and rehabilitated properly with Constitutional safeguards could not be answered by the Authorities during the Course of hearing of the matter.

5. After discussion with the officers of District Administration and petitioner, the Commission recommends —

a) The District Collector to send a detailed ATR including the reports of the Inquiry Commission.

b) The Superintendent of Police to send ATR explaining in detail about the FIRs registered in the cases and the progress of investigation and Compensation (if any) paid. He may also send a report on the severed Palms , the present condition of their family members and how long such palms shall be preserved with reasons.

c) A copy of the Minutes of the Commission may be sent to the Chief Secretary and the DGP for information and necessary action.

The Authorities shall submit the Action Taken Reports (ATRs) within 15 days for further perusal of the Commission.

(Jatothu Hussain)

Member

जाटोतु हुसेन / Jatothu Hussain

सदस्य / Member

भारत सरकार / Government of India

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