

A report submitted by Sri Damodar Sarangi, Special Rapporteur (East Zone- 1) NHRC on the allegations contained in the complaint petition filed by Delhi Forum regarding acquisition of land in Jagatsinghpur district of Orissa, by the state govt for setting up a steel plant by *POHANGA STEEL COMPANY (POSCO)*, the resistance of the affected villagers to such acquisition, and the alleged atrocities committed on them by anti socials engaged by *POSCO*, with the tacit approval of the state government.

INTRODUCTION

A. This matter relates to the acquisition of land by the govt of Orissa for setting up a steel plant by Pohang Steel Company Ltd (POSCO) in Jagatsinghpur district of Orissa, and the resistance of the local residents to the same.

The Commission took cognizance on 6.12.07, of a complaint received from Delhi Forum, F12 Malviya Nagar, New Delhi to the effect that

- A strong people's resistance movement has been going on in parts of Jagatsinghpur district of Orissa against acquisition of land for establishing a steel plant there by Pohang Steel Company Ltd (POSCO), right from the time a Memorandum of Understanding was signed between the company and the state govt.
- The protests grew louder after the Prime Minister of India asked the state govt to expedite the project.
- The state govt is hesitant to use the police force of the state directly against the agitators, and has instead been encouraging the local mafia and criminals to create lawlessness in the area, which would offer them a pretext to deploy the police and paramilitary forces to crush the movement.
- On 25.11.2007, armed supporters of the pro POSCO local M.L.A and former minister Sri Damodar Rout launched an attack on the procession of villagers opposing the POSCO project.
- On 21.11.2007, the employees of the Hyderabad based Dharitri Company attempted to hold puja before starting dredging work in river Jatadhari, claiming that they have been given a contract for the work by the IOC. The local villagers

asked them to leave the place. But the chief of the local Mahaveer peeth, who was to conduct the puja, entered into an altercation with the agitators which led to a clash, in which members of both the groups sustained injuries. On 23.11.2007, he (the priest) led a procession of his followers, who broke the check gate erected by the anti POSCO agitators to prevent the entry of POSCO officials, police and the administration to the area.

- The agitating villagers convened a meeting at Balitutha, decided to reconstruct the gate and marched in a procession towards Nolia Sahi, but they were assaulted by armed miscreants led by Raju Babu. Two leaders of the anti POSCO movement were critically injured and shifted to SCB Medical College Hospital for treatment. 6 others were admitted in the local hospital at Balitutha.
- The leaders of the movement have shown admirable restraint and have been trying to diffuse the situation. But they apprehend that taking advantage of the violence created by anti socials, the state police will move in.
- The anti POSCO activists have created self sacrifice brigades and a clash with the govt forces and local anti socials will have serious repercussions, and incidents like those reported from Nandigram may be replicated. They requested the Commission to advise the state govt to initiate action for stopping such planned violence and also to apprise the Prime Minister, whose office is allegedly taking extra interest in mobilizing all administrative support to the project, regarding the situation.
- With the complaint petition, the Forum enclosed the following two documents.
 - i) 'A Fact Finding Report' by an 'Independent fact finding Team' that visited the area from 19th to 22nd April 2007.
 - ii) An analysis of the memorandum of understanding by Dr Usha Ramnathan, claimed to be a 'legal researcher' of international repute.

The first document, as its name suggests, is a report on the prevailing situation in the area. The report highlights:

- a) The dependence of the project affected people on govt land, proposed to be acquired for the project, for their livelihood and the govt's failure to acknowledge the same.

b) The loss of revenue and the threat to the security of the country that the grant of SEZ status to the project, may imply.

c) The uncertainties that prevails in the matter of rehabilitation of the project affected people.

d) The govt's failure/ reluctance to consult the affected people regarding the project.

e) The failure of the state govt to maintain law and order, and the alleged implication of the local people, opposed to the project, in false cases.

f) The undesirability of permitting POSCO to develop a private port, that may compromise the security of the country.

g) The adverse impact upon environment and ecology that may result from the establishment of the steel plant etc.

In the concluding paragraph of the report the 'Independent Fact Finding Committee' has recommended, interalia, that :

a) The project should not be allowed to come up against the wishes of those affected by it.

b) The tenural rights of the affected people on govt land be permanently recognized.

c) Police and paramilitary forces, currently deployed in the surrounding areas should be withdrawn immediately.

d) The detailed project report must be published in local language immediately.

e) Political dialogue should be initiated between the govt and the local people in a conducive atmosphere etc.

In the other document they have analysed the MOU and discussed why they consider the MOU to be against public interest and how the state govt has compromised its regulatory authority and the authorities of other statutory bodies by undertaking to facilitate the grant of all relevant licenses and permits to the Company, and how, by undertaking to diligently defend its recommendations in any litigation at any stage, it has obligated itself to defend such recommendations even in cases that may involve dereliction or misdeeds by the Company.

B. On receipt of the petition, the Commission in their proceedings dated 6.12.2007 called for a report from the Chief Secretary, Orissa. In response to the Commission's proceedings, the special secretary home, govt of Orissa, under his memo no 354/c dated 18.1.08, sent the copy of an order issued by the revenue department in May 2006, in which it was declared that in addition to the benefits available in Orissa Resettlement and Rehabilitation Policy, 2006, persons engaged in betel vine cultivation in govt land will be compensated @ Rs 6000/- per decimal subject to the maximum of Rs 10,000/- per unit of betel vine. With this report he also enclosed the copy of a TP message received from SP Jagatsinghpur dated 10.1.08 wherein the SP had alerted the state govt regarding the determination of the majority of the local people to prevent the district administration from conducting any socio economic or topographical survey of the proposed project, and the possibility of clashes between pro POSCO and anti POSCO villagers.

The Commission found the report to be silent on preventive action, if any, taken by the authorities against the criminal elements who had allegedly assaulted peaceful demonstrations. In their proceedings dated 14.2.08, the Commission therefore directed SP Jagatsinghpur and the home secretary Orissa to send further reports in the matter. In response to the same, it was reported by the superintendent of police Jagatsinghpur that survey work has been smoothly completed in all the villages falling under the project areas, except Dhinkia and Badpatna and that other allegations in the complaint petition were found to be baseless.

After consideration of these reports, the Commission, in their proceedings dated 30.5.2008, directed that the case be sent to the Special Rapporteur in Orissa for a detailed report.

2. Modalities of the Enquiry

As desired by the Commission I visited the project affected villages on 02.07.2008 and 03.07.2008 and interacted with the villagers. I met them in open meetings at Dhinkia, Nuagaon, Noliassahi and the POSCO transit camp at Badagabapur, where villagers from Dhinkia, allegedly driven away by anti POSCO agitators, are accommodated. I also met them individually and in groups, in course of my movement in the area. I examined a number of them and recorded their statements, the gists of which are enclosed at Annexure-1.

The representatives of the Criminal Bar Association, Kujang met me at Kujang and submitted a copy of the petition they had earlier submitted to the Chairperson SHRC Orissa (Annexure-2), in which they had related how the pro and anti POSCO activists have been engaged in violent confrontations in and around the project areas and how the local police has failed to take any action against the miscreants in any of the 38 cases formally registered in the

police station, and how the district administration has failed to hold Panchayat elections in Dhinkia G.P, thereby denying the residents their political rights.

Shri Bibhu Prasad Tarai, President Displaced Families and Land Losers Labour Welfare Co operative Society, whose statement has separately been recorded at SL xi) of Annexure 1, also furnished a copy of the representation they had submitted to the R.D.C Cuttack (Annexure-3) in which they have related how the IOC, for whose refinery they have surrendered their land have failed to honour the promises they gave for their rehabilitation at the time of acquisition of their land.

I met the district and local officers both at the district hqs and in the field during my tours, for their views and responses to the grievances highlighted in the complaint petition and as presented to me by the affected villagers. I collected and perused all available documents relevant to the matter in issue. In particular, I collected copies of notices issued under the Land Acquisition Act, copies of the police records relating to the agitations organized by rival groups over the project, and the clashes that took place between them from time to time.

On return from Jagatsinghpur I met the Chief Secretary to the govt of Orissa at the state secretariat, the ADG Hqs and IG Intelligence at the Police Hqs at Cuttack and took their views on the matter.

At Bhubaneswar the representatives of Nabanirman Samity Orissa, the Revolutionary Movement on Public Interest Issues, and the Rastriya Yuba Sangathan (Sarvodaya) met me and expressed their views in the matter. They are all opposed to the project which they feel is one more step towards globalisation of the economy against which they have been putting up symbolic fights at various levels. They also argued that the grant of SEZ status to the company and permission to construct a private port may compromise the sovereignty and the security of the country. The Nabanirman Samity and the Rastriya Yuba Sangathan had in addition organized mass movements in the area in protest against the project. They pleaded that they are Gandhians and their movements were absolutely peaceful. But the supporters of POSCO assaulted them and the local police implicated them in false cases to break their movement. They also alleged that the Pollution Control Board of Orissa was pressurized by the govt for giving environmental clearance to the project.

Having carefully considered the statements of the witnesses, the related documents, and the views of the district and state administration, I proceed to record my findings as follows:

3. Brief History of the Project

A. On 22 June 2005 the govt of Orissa signed a memorandum of understanding with Pohang Steel Company (POSCO) for the establishment of an integrated steel plant near Paradeep in district Jagatsinghpur, Orissa. A copy of the MOU is enclosed. (Annexure-4)

As mentioned in the MOU, "the govt of Orissa, desirous of utilizing its natural resources and rapidly industrializing the state, so as to bring prosperity and wellbeing to its people, has been looking for suitable promoters to establish new integrated steel plants in the state in view of the rich iron ore and coal deposit of the state", and they have found POSCO, a company having its registered office in the republic of Korea, to be desirous of developing and operating such a plant in Orissa.

For this purpose POSCO was to establish an Indian company through their relevant subsidiaries, related companies or third parties nominated by them to invest in the state of Orissa in:

- a) Steel manufacturing
- b) Infrastructure necessary for integrated Steel Plant and related projects and
- c) Related mining of iron ore and other ores.

For this purpose the Company was to invest around 12 billion US dollars (approximately Rs 51000 crores)
The company was also desirous of developing and maintaining the following related infrastructure.

- i) Mining facilities in the areas allocated by govt of Orissa/ govt of India (the "Mining Project");
- ii) Road, rail and infrastructure (the "Transportation Project") including the dedicated railway line from the mine belt to Paradeep;
- iii) Integrated township
- iv) Water supply infrastructure (the "Water Project").

iv) The steel project will be located at Paradeep. The mining project will be established at the mining site(s) that are identified as the mineral resources for the Company.

In their turn the state govt promised to provide them the following facilities.

- i) 20 to 25 acres of land at Bhubaneswar for the company's registered office.

ii) 4000 acres of land for setting up the steel plant and associated facilities including the port facilities, and a storage yard for coking coal.

iii) 2000 acres of land for town ship development, of which 1500 acres would be identified near the steel project and another 500 acres near the mining project.

iv) Additional land as would be required for development of the 'transport project' the 'water project' and any other project related infrastructure facilities.

v) Grant of prospecting license and captive mining lease for 600 million tons of iron ores.

vi) Drawal and use of water from Mahanadi barrage at Jobra in Cuttack or any other suitable source.

vii) 25 MW of power during the construction stage.

viii) Permission to the Company to establish a captive power plant.

ix) Facilitate the obtaining of NOC from the state Pollution Control Board.

x) Facilitate granting of SEZ status to the company.

xi) Rly's & road link from the mines to the plant, upgradation of the Highway from Cuttack to Paradeep, completion of NH between Chandikhol and Paradeep.

xii) Permission to the company to develop a new minor port adjacent to the major port at Paradeep etc.

The state govt also agreed to permit the company to export iron ore up to 30% of the total requirement for the Paradip Plant annually, against equivalent quantity of ores with higher ferrous content which it will have to import for production of better quality steel and for saving consumption of power.

In pursuance of these promises the state govt decided to allocate approximately 4000 acres of land falling under Dhinkia, Nuagaon and Gada Kujang GPs, for establishment of the steel plant. A copy of the revenue map showing the land earmarked for the plant site and its classification is enclosed (Annexure-5)

B. The project invited loud protests from the local residents as also from the civil society even before the ink on the MOU had dried. Those who opposed the project gave the following reasons for such opposition.

- For the first time in independent India a foreign company has been permitted to construct a private port. It was argued that the major port of Paradeep is only next door and is capable of handling iron ores required for the plant as also the finished products. Besides, such a captive port, won and managed by an alien company may compromise the security and the sovereignty of the country.
- The proposed port will render the Jatadhari estuary out of bounds for fishermen, who are presently earning their living by fishing in the river.
- In the MOU, POSCO has been permitted to extract 600 million tons of iron ore. This will result in stripping the state of all its iron ore reserves in 20/30 years.
- POSCO will require millions of litres of water, which is proposed to be drawn from Jobra and Naraj barrages. This will very severely affect irrigation facilities in Cuttack, Jagatsinghpur and Kendrapada Districts. as also water supply to the twin cities of Cuttack and Bhubaneswar.
- The govt proposes to sale iron ores to POSCO at a rate which is cheaper than the prevailing price in the international market. This will result in huge loss of revenue .
- 30,000 people will be directly affected by the project and another 1, 00,000 will be indirectly affected.
- The state govt can not be trusted on their promises in regard to the rehabilitation of the affected villagers, as they have failed to keep similar promises given to the people displaced by Rourkela Steel Plant, Hirakud Dam, Nalco and other such projects including the IOC refinery next door, for which many people from Dhinkia village had surrendered their land. (The representatives of the villagers displaced by IOC met me and presented their grievances which have already been discussed at para 2 above)
- Grant of SEZ status to the project will lead to loss of revenue, besides compromising the sovereignty of the country. Some argued that POSCO has partnership with the Bank of New York, and America may utilize this nexus to the detriment of our national interest.

- The project areas are vulnerable to cyclones. The super cyclone of 1999 had devastated the area. One of the reasons for such wide spread damage was the felling of mangroves and casuarina trees in the coastal region. The POSCO project is bound to result in the felling of existing casuarina forests which will further disturb the ecological balance.
- The local people will be marginalized and take to such illegal activities like prostitution, illicit distillation, drug peddling etc for survival.
- The contract between the POSCO and the state govt is for 30 years. If POSCO quits after this period, the entire area will be reduced to a junk yard.
- The immediate fear of the local people was that they will not only lose part of their own land, but will lose control over vast tracts of govt land on which they have developed betel vines and prawn 'bheris' and grown cashew nut, coconut and other trees and crops. This land is under their possession for generations and they have always thought that settlement of the same in their names would be a mere formality. (Photograph of one such betel vines is enclosed at Annexure 6)

C. The govt had proposed to hand over 4004.24 acres of land for the establishment of the steel plant and the port, in 8 maujas falling under three Grampanchayats i.e. Dhinkia, Nuagaon and Gadkujanga. The status of the land proposed for acquisition / alienation is as follows.

Sl.No	Name of the Village	Forest (In Ac)	Gochar (In Ac.)	Communal (In Ac.)	Leasable (In Ac.)	Total land (Col.5+7) (In ac.)	Private land (In Ac.)	Grand Total (in.Ac)
1	2	3	4	5	6	7	8	9
1	Dhinkia	791.67	2.05	2.71	141.52	937.95	284.97	1222.92
2	Gcvindpur	854.55	12.58	2.09	24.74	893.96	73.26	967.22
3	Nuagaon	666.55			66.14	732.69	3.42	736.11
4	Bhuanapal	29.79	9.31	5.14	5.32	49.56	2.02	51.58
5	Polanga	325.08	2.54	0.49	0.30	328.41	53.85	382.26
6	Bayanal Kandha	52.03				52.03	2.41	54.44
7	Nolia Sahi		2.90	1.85	10.22	52.67	17.75	70.42
8	Jatadhar			322.55	7.50	519.29		519.29
Total		2946.61	29.38	334.83	255.74	3566.56	437.68	4004.24

As would appear from the above table, of the 4004.24 acres of land proposed to be acquired for the plant, 3566.56 acres belong to the govt and only 437.68 acres is private land. Out of the govt land 812.96 acres of land was initially identified as forest land but it was subsequently revised to 2958.80 acres. It appears the govt had expected that there would be no problem in transferring the govt land to the company and the only problem would be the acquisition of private land.

Had the govt cared to hold a field verification of the physical status of this land before deciding to locate the project at the above site, they would have come to know that the bulk of this govt land is under the effective possession of the villagers for generations. Fisheries, betel vines, cashew nuts, coconut and other cash crops have been grown in this land over the years, which is the sole source of livelihood of many of the affected families. As per information gathered from the local revenue officials there are 1903 betel vines in govt land alone in the project area. For the last twenty years, govt have not realised any fee or tax from them in respect of this land. No wonder, some of the villagers have come to believe that the settlement of the govt land in their favour would be a mere formality. Though it may be easy to transfer this land to the company on paper, it will neither be practicable nor desirable to take away this land from the possession of the local villagers without taking adequate measures for their rehabilitation.

No socio economic or topographical survey was held either by the govt or any other agency to verify the economic status of the villagers or the physical status of the land before it was decided to locate the plant in the designated site. The district officials pleaded that they were not consulted in the matter. The affected people were also not consulted. The MOU was signed on 22.06.2005 and requisition for bulk of the land was submitted by IDCO in October 2005. The local officers are totally in the dark if any agency held any survey in the intervening period to verify the suitability or availability of the land in question, before the submission of the requisition. Some villagers claimed that the then divisional commissioner, Sri Suresh Mohapatra had visited the area and had submitted a report advising the shifting of the project to somewhere north of Paradeep. During my meetings with the Chief Secretary I tried to verify if this was true. He talked to Sri Mohapatra over phone in my presence and learnt from him that he did visit the area and the local people had requested him that the project should be shifted elsewhere. He has reported as much to the govt. He had not given any specific recommendation for shifting the project site.

4. Rehabilitation and compensations

For the determination of the market value of the private land to be acquired, the state govt have relied on recent sale deeds executed for transfer of land between private parties. The sale price quoted in these deeds have been accepted as the bench mark for fixing the compensation amount. Based on this bench mark the compensation for agricultural land and homestead land has been proposed at the following rates for the affected villages.

Polang	Rs 2,00,000/-	Rs 8,00,000/-
Nolia Sahi	Do	Do
Bhuyanpala	Rs 1,00,000	
Nuagaon	2,20,000	Rs 8,00,000
Bayanal Kandha	Rs 1,00,000	
Dhinkia	Between 1,05,000/- to 3,35,000/-	Rs 3,75,000
Gobindpur	Rs 2,00,000	Rs 5,43,750

The govt proposes to compensate the villagers at the rate of Rs 2 lakh per acre of agricultural land wherever the market value has been assessed to be less than the said amount, in keeping with the provisions of the RR policy, 2006. The price of prawn 'Bheris' has been estimated to be around Rs 3 lakhs per acre. The market price of the huts, structures, wells, tanks and standing trees is proposed to be separately assessed. In their order dated 3rd May 2006 the state govt have further announced that persons who are engaged in betel vine cultivation in govt land, proposed to be acquired for the project would be compensated @ Rs 6,000/- (Rupees six thousand only) for decimal of such vines, subject to minimum compensation of Rs 10,000/- per unit of betel vine. The farmers will also be entitled to get 30% of the land value as solatium and 12% interest from the date of notification. The state govt have estimated the number of displaced families at 471 and the number of extended families at 803. The local people place the number at 3000. Prima facie it appears that the govt have not reckoned the likely displacement of those living in govt land. The state govt proposes to rehabilitate the displaced persons in terms of Orissa Resettlement and Rehabilitation Policy 2006. Assistance to be extended to families displaced by industrial project is spelt out in Para 8(1) of the Resettlement and Rehabilitation Policy 2006, extracts from which are enclosed. (Annexure-7)

This policy speaks of preference to the displaced families for employment in the project, one time cash assistance in lieu of employment, training for self employment, convertible preference share up to a maximum of 50% of onetime cash assistance, provision for home stead land, assistance for self relocation, house building assistance and providing them shops and service units.

On the face of it the rehabilitation assistance and the compensation for land lost may appear to be attractive. But a closer look will reveal that such assistance may not reach many villagers, who are in possession of govt land, whether homestead or otherwise. As has already been discussed, of the 4004.24 acres of land to be acquired for the steel plant as much 3566.56 acres are govt land and only 437.68 acres, that is less than 11%, is private land. In case of industrial projects displaced families have been classified as follows.

- i) Displaced families losing all land including homestead land.
- ii) Displaced families losing more than 2/3rd of agricultural land and homestead land.
- iii) Displaced families losing more than 1/3rd of agricultural land and homestead land.
- iv) Displaced families losing only homestead land but not agricultural land.
- v) Displaced families losing all agricultural land but not homestead land.

In the peculiar case of this project, not many will fall under categories (i) (ii) and (iii), as the land lost will be mostly govt land. They will at best fall under category (iv) and (v) and may be eligible for Rs 1 lakh as compensation in lieu of employment.

As regards compensation against acquisition of land, they will not be eligible to get any, in respect of the govt land under their occupation except for Rs 6000/- per one decimal of betel vine. As per the model scheme on betel vine, prepared by the Horticulturist Jagatsinghpur (Copy enclosed at Annexure-8) the income from decimal of betel vine during the 1st 10 years ranges from Rs 1900/- to Rs 8,000/- per annum. One time compensation of Rs 6000/- would obviously be too inadequate to offset the loss of this important prop to their livelihood.

During my enquiry, I came across two unsigned leaflets which are under circulation in the area. The first (Annexures-9) relates to the demands of the local villagers regarding their rehabilitation and the payment of compensation to the land losers. These demands include -

- i) Compensation @ Rs 45 lakh per acre of homestead land and Rs 25 lakh for agricultural land lost to the project.
- ii) Compensation @ Rs 25 lakh per acre of govt land presently under occupation of the villagers, which is proposed to be acquired.
- iii) Jobs for every educated young man and woman of the area.

iv) The company has to give an undertaking that all boys and girls of the affected villages now in schools and colleges, will also be given jobs as and when they complete their education in future, and that they should be able to pass on these jobs to their descendants.

v) The company must take adequate measures for protecting the environment and must ensure that the temperature of the area does not rise following establishment of the steel plant etc.

The other leaflet (Annexure-9A) contains the rehabilitation package proposed by POSCO which include.

i) 10 decimals of land and house in the rehabilitation colony to the displaced families including those displaced from the govt land.

ii) During construction, one nominated member of each project affected family will be engaged for work in the project through the contractors. After the commissioning of the plant one nominated member of each displaced family and 100% land losing family will be provided training and employment.

iii) In regards to the govt land under occupation by the villagers compensation @ Rs 7000/- per decimal of betel vine, Rs 1 lakh per acre of prawn pond, Rs 75,000/- per acre of paddy field will be provided. Compensation for fruit bearing trees will be paid as per govt valuation.

From a comparative analysis of these leaflets it would appear that there are wide gaps between the expectations of the people and the promises given by POSCO. As has already been mentioned these are not authenticated documents, but they have created considerable confusion in the minds of the project affected people, regarding the nature and quality of rehabilitation and the quantum of compensation. The state govt are yet to make the valuation of homestead and agricultural land public.

5. History of the agitation by local villagers against the project

Notices for acquisition of private land, as required under section 4(1) of the LAA 1894 were issued in November-December 2005.

This move by the govt contributed to the intensification of the movement against the project. As many as 6069 objection petitions were filed with the Land Acquisition officer in response to these notices. The people of the affected villages took to the streets. Besides organizing protest marches and demonstrations, they forcibly prevented POSCO and govt officials from entering the affected areas for taking up any work which they suspected to be in the furtherance of the project. Between 22.2.2006 and 21.4.2008, 20 criminal cases were registered on the complaints of govt and POSCO officials over the incidents in which they were allegedly restrained, abducted, wrongfully confined, assaulted etc by the affected villagers.

It is interesting to note that in 19 of these 20 cases not a single accused person (most of them were named in the FIRs) was arrested. That the police could not arrest a single of these accused persons leads to the irresistible conclusion that public resentment against the project was intense and the police were hesitant to use force even for the limited purpose of maintenance of law and order.

While the local villagers were almost unanimous in their resentment against the project at the early stages, difference cropped up with the passage of time. Some of them changed their minds and started supporting the project and came to be known as pro POSCO. The reasons for this change of heart are not readily comprehensible. In the meetings I took with the villagers, some anti POSCO activists asked the pro POSCO sections, why they, who were at one stage leading the agitations against the project, became 'pro POSCO' overnight. The pro POSCO villagers' response to such questions was half hearted and not very convincing. Some said that their support is only conditional subject to the payment of compensation @ Rs 35 lakhs for acre of private land Rs 25 lakh for acre of govt land under occupation of the villagers, a job to one member of each family (3000 in all) etc. They know for certain that these claims are absurd. The govt proposes to pay them @ Rs2 lakhs for acre of agricultural land Rs8 lakh at the most for acre of homestead land and Rs 6000/- per one 'Gachha' of betel vine. Neither POSCO nor the govt have given them any assurance for paying them compensation at the rates projected by them. In the circumstances, it appeared to me that the reasons for such change of heart lie elsewhere. Some anti POSCO agitators believe that these people changed their stance due to inducements given by POSCO. But they could not provide any evidence in support of such allegations. On their part, the pro POSCO villagers claimed that some Indian companies like the TATAs are financing the agitations against POSCO. But they too could not furnish any evidence in support of such claims. The differences between the pro and anti POSCO villagers gradually turned into rivalry and finally to bitter hostilities. The local political outfits soon took positions in support of one group or the other. While Shri Abhay Sahoo of the CPI led the local resistance against the project, the workers of the ruling Biju Janata Dal aligned with the pro project villagers with the full support of the local BJD MLA and former minister Dr Damodar Rout. The role of the Congress remained rather ambivalent. While some of their leaders opposed the project from open platforms, their local workers started supporting the project.

Very soon the ranks of the pro POSCO group swelled. It was left to Abhay Sahoo of the CPI to carry on the local protest against POSCO. As opposition to him grew in strength he took recourse to strong arm methods to retain support. He camped at Dhinkia, the strong hold of the anti POSCO agitators. Barricades were raised around the village over which the villagers kept watch round the clock in shifts. Those of Dhinkia, who had started supporting the project were abused and

assaulted, their property was damaged and they were finally forced to leave the village.

They repeatedly appealed to the police for redress and blocked the Cuttack - Paradip road to draw attention of the district authorities and the state govt to their plight. They wanted to go back to their village and requested the district administration to provide them adequate security at the village. The police and the district administration failed to provide any such security on the ground that they themselves were in no position to visit the village. Instead they arranged to keep them in camps. Between July 2007 and Feb 2008 they were accommodated at the Damodar Mahila Mahavidyalay at Bhutmundai. In February they were shifted to the POSCO Transit camp where they are presently living. (A photograph of the camp is enclosed at Annexure 10). POSCO has also been paying for their maintenance. At present 52 such families comprising of 207 members are staying in these sheds. POSCO is paying Rs 4000/ per day for their maintenance besides running a primary school and providing the inmates clothes, fuel etc.

The supporters of Abhay Sahoo also periodically raided the nearby Govindpur village where both the groups had a support base. Govindpur has practically become the battle field between the warring groups. There are times when Abhay Sahoo's men get the better of pro POSCO activists and drive them away from the village. At other times Abhay's men are at the receiving end. Whoever remains in control of the village realizes fines from the other group and loots their property. The pro POSCO Govindpur villagers have been taking shelter in the POSCO camp as and when they have to flee the village hounded by Abhay Sahoo's supporters.

They have also been using this camp for assembly before mounting counter attacks. On the day of my visit 40 villagers from Govindpur were living in this camp besides the 207 from Dhinkia. As reported by the inmates, POSCO is not paying for their maintenance. In my considered opinion the decision to shelter these people in POSCO camp has been highly imprudent. By doing so, the administration has effectively branded them as POSCO supporters. It was for the administration to protect them from depredations by Abhay Sahoo's supporters. If they were unable to do so, they could give them shelter in camps raised by the administration instead of pushing them to POSCO's lap.

The writ of Abhay Sahoo however did not run in Nuagaon or Noliasahi, where his support base is weak.

Between 11.04.2006 and 20.06.2008, as many as 71 criminal cases were registered at the local police station over violent incidents, threats and intimidations reported from the area. These include assaults and intimidation of POSCO and public officials by anti POSCO activists, assault on pro POSCO supporters by them, booth capturing and rigging during the panchayat elections by both the groups, clashes between rival groups etc. The gists of the facts of

these cases and the present status of investigation are enclosed (Annexure-11A, 11B & 11 C) As would appear from the texts of the FIRs, except for case nos 237 dt 29.11.2007 u/s 147/148/323/336/337/324/341/294/427/436/506/149 IPC and 9(b) I.E Act and case no 101 dt 21.06.08 u/s 147/148/149/323/336/341/307/302 IPC 9(b) IE Act, the victims of these incidents were either public and POSCO officials or pro POSCO villagers. In almost all of these cases, the accused are named in the FIR. But in 51 of these cases not a single accused has been arrested nor has there been any progress in the investigation. Except for 7 cases no meaningful investigation has been held in any of the remaining cases.

The area has practically become out of bounds for the police and the district administration. On the date of my visit to Dinkia, the DM and the SP Jagatsinghpur, who were accompanying me from the district hqs stayed back at Balitutha, as they were sure that they would not be permitted entry into the village. I was myself stopped at the check gate by the villagers for 20 minutes and was permitted to enter into the village only after I was able to contact Abhay Sahoo over phone and convince him that I have come for an independent enquiry into a complaint petition filed on their behalf.

The DM and the SP told me candidly that they have been verbally instructed not to come into any confrontation with the agitating villagers. They further admitted that Dinkia and Badpatna villages are practically out of bound for the police, which is why they have not been able to investigate the cases registered over the violent incidents mentioned above. The helplessness of the police is best explained from the circumstances of case no 101 dated 21.6.08. This incident, in which an anti POSCO activist died in group clash on 20.6.08, occurred around 1700hrs that day. The anti POSCO activists kept 68 of their rivals confined in the village for several hours and did not permit the police to visit the P.O. Finally after prolonged negotiations they allowed the DM and the SP to come to the spot, only for the limited purpose of arresting their opponents as identified by them. The FIR in the case could be recorded only at 1630hrs the next day. Many villagers of Nuagaon and Noliassahi, who are in favour of the project told me that they do not have the freedom of movement in the areas under the control of Abhay Sahoo and questioned why the sovereign authority of the state does not extend to Dinkia and Badpatna villages. During my tour of the area I got an impression that while dissenting views in favour or against the project could be freely expressed in Nuagaon and Gadkujanga GPs, the same is not the case in Dinkia, where the will of Abhay Sahoo holds away. Abhay Sahoo is himself wanted in many criminal cases, but the local authorities are reluctant to take any action against him.

6. The Progress of Land Acquisition Proceedings

The MOU was signed on 22.06.2005. Public notices u/s 4(1) of the Land Acquisition Act were issued in November – December 2005. As many as 6069 objection petitions were received in response to the above notices. No personal hearing was given in any of these cases. Even before the period for objections was over, the Collector furnished certificates to the effect that the interest of the public and private individuals have been duly considered and that the land proposed for acquisitions is so selected as to incur minimum expenditure and annoyance. (Specimen copies of these certificates are enclosed at Annexures 12&12A)

In respect of land proposed for acquisition in Dinkia and Gobindpur it was further mentioned in the certificates that "there was some objections to the acquisition of land on specific ground. The inclusion of building, temples, graveyards, tanks, orchards etc could not be avoided. The interests of the public and private individual have been duly considered as per the R & R policy of the govt" In respect of Bhuiyanpal, Polanga, Bayanalakandha and Nuagaon villages it was certified that "there was no objection to the acquisition of land on general or specific ground". This is factually incorrect. As per information furnished by the LAO, as many as 1551 objections were received from Nuagaon, 167 from Bayanalakandha, 1198 from Polang and 219 from Bhuiyanpal.

The state govt took long two years after the 4(1) notifications to make the mandatory declaration that the land is required for public purposes. The first such declaration was issued in October 2007.

During my discussions with revenue officials including the Collector, I was told that since these land acquisition proceedings have been initiated in exercise of the special power vested in the Collector and the govt u/s17 of the LA act 1894, the provisions of section 5A (i.e. hearing of the objections) do not apply and as such no such hearings were taken. Section 17 is invoked, in cases of urgency. When the state govt took two years after the publication of the notice u/s 4(1) of the Act, to declare that the land is required for public purpose, it is difficult to justify the application of section 17 of the Act to the instant proceedings. Had the collector given opportunities to the villagers of being heard and forwarded the records of the proceedings of such hearings to the govt along with his recommendations, as provided for in section 5A (1) of the Act, the govt could have made a proper assessment of the situation on the ground, before making a declaration under section 6 of the Act.

It is however likely that the govt was otherwise aware of the unwillingness of the villagers to part with their land and therefore delayed the issue of the declaration u/s 6 of the Act for two years. But in the intervening period it did nothing to enter into meaningful dialogue with the affected people to address their grievances. It is also apparent that the Collector under played the objections in his certificates. In respect of land to be acquired in some of the villages like Nuagaon, Polang etc he clearly misled the govt by reporting that

there was no objection to the acquisition of land on general or specific ground.

So far the govt have not been able to take possession of any private land in the project area. They have also not been able to get permission for conversion of any part of the 2958.79 acres of forest land proposed to be acquired for the project. They have so far been able to hand over 7 acres of govt land (other than forest land) to the Company at Paradip for the HRD Training Centre and permissive possession over 20.23 acres of govt land at Badagabapur where POSCO has opened a transit centre.

7. The facts of the three incidents mentioned in the complaint petition and the status of the cases registered over the same

In the complaint petition the following three incidents have been specifically mentioned.

- i) The alleged clashes between anti POSCO villagers and the supporters of the Chief Priest of the local Mahaveer peetha on 21.11.07 over the 'puja' organized by 'Dharitri' before taking of dredging of the river Jatadhari.

This incident took place on 22.11.2007 and not on 21.11.2007. On this day the employees of 'Dharitri' a Hyderabad based dredging company had organized a puja in the banks of river Jatadhari before taking up dredging work assigned to them by the IOC for reclamation of their project site. They had invited the priest of the local Mahaveer peeth to conduct the puja. While the 'puja' was about to commence, 30/35 anti POSCO activists from Noliasahi and Nuagaon, who suspected the function to be related to the POSCO Project, reached the spot and assaulted the priest and others who had come to attend the puja inflicting injuries on some of them. Two of the victims i.e. Ramesh Swain and Sruti Ranjan Swain had sustained grievous injuries, Over the incident, Kujanga PS case no 235 dt 23.11.2007 u/s 147/ 148/ 341/323/ 294/307/379 and 149 IPC has been recorded. No one has been arrested so far.

Attempts to prevent the POSCO officials, police and administration, by the supporters of the priest on 23.11.2007 and the attack on anti POSCO agitators on 25.11.2007, when they were proceeding to erect this gate.

It is true that the anti POSCO agitators had erected check gates at many places to prevent POSCO officials, the police and other officers, whose visits they suspected to be in the furtherance of the interest of the project, entry into the area. This was causing serious inconvenience to the local people and their friends and relatives who came to visit them. Finally the local people mobilized themselves and dismantled the check gates at Nolia Sahi and Balitutha. As regards the alleged assault on anti POSCO agitators on 25.11.2007, no

report has been submitted at the police station, nor did any one complained to me about any such incident. It appears the petitioner is referring to the incident of 29.11.2007, when villagers of Nuagaon, Gadakuja & Govindpur dismantled and burnt the check gates & tents of the Anti POSCO activists erected at Balitutha. Over this incident a case has been registered at Kujanga police station on the complaint of SI Biswajit Mohanty who had been to Balitutha on duty that afternoon. This refers to Kujanga PS case no 237 dated 29.11.07u/s 147/148/323/336/337/324/341/294/427/436/506/149 IPC and 9(6) IE Act. In this incident some anti POSCO agitators were seriously injured. Their statements are recorded in Annexure-1 (Sl. ii, iii, iv, v, vi, vii, and ix) As per their statement they were manning the check gate at Balitutha for long 62 days, round the clock. On 29.11.2007 pro POSCO villagers from Gobindpur, Nuagaon and the adjoining areas armed with deadly weapons including bombs and swords pounced upon them, set fire to their tents and injured many of them, including women. They also said that a strong police picket was posted nearby but did not intervene. Some of the injured could not be taken to hospital for treatment for fear of further assault by pro POSCO activists on the way.

Like in other cases, the police have not been able to arrest a single person in this case, which they would like to present as a clash between the two warring groups, rather than an one sided attack by pro POSCO activists. This incident was clearly an organized and pre meditated effort by the accused to forcibly dismantle the check gates.

8. A brief account of other anxieties of the civil society

Besides the displacement and rehabilitation of the project affected persons, there are many other issues associated with the setting up of the steel plant by POSCO, that continue to disturb a large section of the people of the state. Their concerns have been briefly mentioned at para 4B above, and include:

i) Likely hazards to the environment that will follow the denudation of forests, the diversion of the water for the plant from the Mahanadi, the laying of pipelines etc.

ii) The adverse effect on irrigation in the districts of Cuttack, Jagatsinghpur and Kendrapara due to the drawal of water from the Mahanadi for the plant.

iii) The speedy depletion of the iron ore reserves of the state, that will result from the permission granted to the company to mine 600 million tons of ore.

iv) Loss of revenue and threats to the national security, which, in the opinion of a large section of the people of the state, could emanate

from the establishment of a private port by the company and the grant of SEZ status to the project.

It will require thorough analysis of each of these issues with the assistance of the experts in the respective fields to take a proper view on the merits of these concerns.

I took up this matter with the Chief Secretary in my meeting with him on 1.09.08.

He suggested that the copies of the enclosures to the complaint petition, where these issues have been discussed, be sent to him so that he can call a meeting of the concerned secretaries to examine the same and submit a further report to the Commission. I informed him that these might already have reached him along with the complaint petition, which was sent to him much before the commission called for a report from me and that the response from the state govt did not touch these issues. As requested by the CS, I have furnished him another copy of the complaint petition along with the enclosures for submitting such further reports and clarification to the Commission as considered appropriate by him.

Based on available material and the discussions I had with the Chief Secretary, I am attempting to analyse these concerns from a layman's point of view.

a) The concerns about environmental impact of the project on the locality are genuine. The project area has borne the brunt of devastating cyclones in the past. Almost all major cyclones hit the Orissa coast at and around Paradeep. In the last super cyclones 1999, this area was badly damaged. There are rows of casurina trees along the coast line on the govt land proposed to be acquired for the project. Other plants and trees like cashew nut, coconut, kewra etc are also standing on this land. A number of sand dunes are present on this land. These serve as barriers against tidal waves and help in tempering the wind speed. These dunes have to be leveled and the trees felled for the setting up the plant and to fill up the low lands. Many of the villagers pleaded that these dunes have tempted POSCO to locate the plant here as they would save crores of rupees that would have been required for reclamation of agricultural land, had they selected any other area in the coastal belt. The denudation of trees and the leveling of the dunes will make the area even more vulnerable to cyclones and tidal waves. In their turn, POSCO have been informally assuring the people that they would raise high concrete walls along the coast to prevent tidal waves from inundating the area in future.

The matter of diversion of forest land for the POSCO project is presently pending in the Hon'ble Supreme Court, who have issued an interim order directing the MOEF to take an appropriate decision in this regard. Subject to the decisions of the MOEF, the Hon'ble Court has given conditional clearance to the project. A copy of the record of

proceedings of the Hon'ble Court in I.A.No 2166 in 1413 in W.P.(C) No.202/1995 dated 8.8.2008 is enclosed (Annexure 13).

The matter regarding the overall impact of the project on the environment was taken up by the Pollution Control Board of the state and they, according to the Chief Secretary have cleared the project.

b) There are conflicting reports on the quantity of iron ore reserves in the state which is estimated to be anything between 3000 to 5500 million tons. Permission to POSCO to mine 600 million tons of the same in less than thirty years means that 15 to 20% of the iron ore reserves of the state will be depleted by POSCO alone during this period. There is already a public sector steel plant in Orissa at Rourkela. Many other companies like the Tatas, the Vedant group, Essar Steel etc have lined up their own projects which will also require continuous supply of ores. As late as in August 2008 the Steel and Mines minister of the state has been quoted to have said that "All the steel plants would require 200 millions tons of iron ore per annum to run the plants when they achieve full capacity and the total iron ore reserves in Orissa is assessed till date to be 5300 millions tones.(Reference news report in the Hindu dated 27th August 2008)".In the light of the above, the apprehension that the iron ore reserves will be substantially depleted in less than next 30 years, prima-facie appear to be genuine.

c) As regards the private port, the Chief Secretary said the company has to import and export 15 million tons of ores and finished goods per annum and Paradeep port would not be able to handle this. With the growing industrialization of the state pressures on available port facilities is going to mount. That is why the state govt have taken initiatives for setting up a new port at Dhamara and upgrading the existing minor port at Gopalpur. An objective view on this matter could only be taken in consultation with Paradip Port Trust and the surface transport ministry. It is however apparent that the establishment of the private port will affect the ecology of the area and adversely affect the fishermen who depend on the Jatadhari river for catches.

d) When commissioned to full capacity the plant will require large quantities of water (to the tune of 3 to 4 cubic meters per second). Drawal of water required for the plant from Jobra, besides affecting water supply to the cities of Cuttack and Bhubaneswar, may reduce supply of water to the canal system in the Mahanadi delta which in turn may affect the Irrigation facilities in the adjoining districts. During our discussions the Chief Secretary also acknowledged the problem but said that the exact nature and extent of the impact could only be analysed by experts in the field.

e) There are diverse opinions on whether the establishment of SEZ is in the national interest, as on the issue of acquisition of farm land for the establishment of industries. The Commission has its own views in the matter. As such, I do not intend to dwell on this issue in this report, except that even many of the pro POSCO villagers are against the grant of SEZ status to the project.

9. Summary and recommendations

The state govt, in their eagerness to invite investment to the state, signed an MOU on 22.6.2005 with POSCO for setting up a steel plant in Jagatsinghpur District of Orissa.

ii) For this purpose the govt decided to lease out 4000.24 acres of govt land (including forest land) and 437.68 acres of private land located in contiguous GPs of Dinkia, Nuagaon and Gadkujang to the company.

iii) Notices u/s 4(1) of the Land Acquisition Act 1894 were issued in November-December 2005, for acquisition of private land.

iv) No field survey to verify the physical status of the land was conducted before the decision to locate the plant at the proposed site was taken. The local revenue officials were not consulted to verify the status of the land prior to the decision to locate the plant in the locality. Nor was any socio economic survey held to verify the nature and level of displacement of the local residents that would be caused by the project and the assistance required for their rehabilitation. It was only in February 2008, that the first such survey was attempted. But by this time resistance to the project had already peaked and a large section of the affected people have already become deeply suspicious of the govt's intentions.

v) It was presumed by the govt that there will be no problem in making over the govt land to the company, except for obtaining the mandatory clearance from the govt of India. It appears that either the govt did not know that bulk of this govt land is under the occupation of the villagers for generations and a large number of families are dependent on this land for their sustenance, or they consciously ignored this from consideration.

vi) Right from the time of signing of the MOU, the local residents and many public spirited persons and organizations have been protesting against the decision of the govt to permit POSCO to set up a steel plant in the state and the mining rights proposed to be given to the company.

vii) To forestall the govt from handing over their land (including govt land under their possession) the local people, besides leading processions and demonstrations had physically barricaded their

villages to prevent POSCO and govt officials from entering into the area. On many occasions they had wrongfully confined and harassed these officials.

viii) Initially all most all the villagers were against the project. In course of time a major section of the villagers started supporting the project. The reasons for such change of heart are difficult to comprehend. The pro POSCO villagers argued that they were promised handsome compensation by the company and that their support is only conditional subject to the award of such compensation. The anti POSCO activists however accuse them of being won over by the company and the govt by questionable means.

ix) In course of time clashes between the pro POSCO and anti POSCO villagers started taking place.

x) Several criminal cases were registered in the local police station over these incidents of assault on POSCO and public officials, as also other incidents of violence involving the rival groups.

xi) In most of these cases the police failed to conduct any meaningful investigation. No arrests were made even in cases where public officials were assaulted. The police plead that since they had no access to the area, they were in no position to investigate these cases. In effect the project areas became out of bounds to the law & order authorities. It appears the police were informally advised by the govt not to use force against the agitating villagers even if they resorted to wanton violence. The outcry over police firings in Kalinga Nagar in the years 2005-06, over acquisition of land for the Tata Project, appears to have deterred the govt from using force in such cases.

xii) As a large section of villagers from Nuagaon and Gadkujang Panchayats became pro POSCO in course of time, the villagers of Dhinkia under the leadership of Abhaya Sahoo, a CPI leader from Erasama, took control of the movement.

xiii) As more and more villagers of the adjoining Panchayats gave up their anti POSCO stance, Abhay Sahoo and his supporters took recourse to strong arm methods to keep their flocks together. Meanwhile the panchayat elections came and Dhinkia panchayat was politically polarized between supporters of the CPI and the Congress. Both the groups rigged the elections, which were counter mounded. As Abhay Sahoo, the CPI leader was anti POSCO and continued to be so, those who supported the Congress candidates were branded by his supporters as pro POSCO. Some of them were forced to leave their homes due to continuous harassment by Abhaya Sahoo's men. They approached the police and the district administration who failed to provide them security inside the village.

52 of these families were sheltered in a camp raised by POSCO, who also bore the expenses for their upkeep.

xiv) While these 52 families (comprising of 207 members) have been staying in POSCO camp continuously from February 2008, other pro POSCO villagers have been using this camp periodically for shelter as and a when the anti POSCO villagers attack them or when they decide to launch counter attacks.

xv) As per the MOU, phase 1 of the project for production of 3MTPA crude steel was to be completed within 3 years of taking possession of land or by July 2010 whichever is later. The second phase for production of additional 3 MPTA crude steel was to be commissioned by 24 months of the commissioning of phase 1. More than three years have passed since the signing of the MOU, but the govt have not been able to complete the land acquisition proceedings. Till now the state govt has not been able to take possession of any private land. They have merely been able to hand over 7 acres of govt land at Paradip for the Training centre and to give permissive possession over 20.23 acres of govt land to the Company at Badagabapur on which POSCO has raised a transit centre.

The valuation of private land has not been made public. The govt have so far not announced, if they are going to provide any compensation to the project affected villagers for losing the govt land presently under their occupation. Various rumors are afloat regarding the compensation POSCO is reportedly willing to give. Some POSCO supporters are assuring the local people that they are going to get fabulous amount as compensation from POSCO. The state govt is maintaining a studied salience in this matter and not doing anything to discount such rumours. It appears they have left it to the warring groups to settle the matter among themselves. The continued strife between the rival groups has seriously affected social harmony in the affected villages.

xvi) Many people in the state, including the project affected people have serious misgivings regarding the likely impact of the project on the environment, existing irrigation facilities in Cuttack, Kendrapada and Jagatsinghpur districts, the security of the country, and the availability of minerals for indigenous industries in future. Not all their apprehensions are without basis. The state govt have not done enough for dispelling these doubts. In fact much of their activities in regard to the implementation of the project has lacked transparency.

xvii) The physical environment and livelihood pattern of the affected areas are unique in nature and it will be almost impossible to replicate or substitute the same, no matter what amount of compensation is granted to the project affected people.

xviii) Bulk of the land proposed to be acquired is govt land. Major portion of this land is under effective possession of the project affected persons for generations. Unless the govt compensates them adequately in respect of the loss of govt land, many of them particularly the landless and the marginal farmers, whose number has been estimated to be approximately 57% of the population, run the risk of being destituted. The past records of the govt in the matter of providing compensation and alternative means of livelihood have not been such, as would inspire confidence.

Recommendations

A. The state govt must immediately restore the rule of law in the area. All the cases registered over the violent incidents must be properly investigated and the culprits brought to book. For this purpose, a special team headed by at least an officer of Dy SP level should be constituted.

B. Those families of Dhinkia who are presently sheltered at the POSCO camps should be provided adequate security enabling them to return to their village. Till peace is restored, a strong police picket should be placed in the village for their protection.

C. The residents of Dhinkia, Patna and Govindpur villages, whose properties have been damaged, and who have been injured in the violent incidents must be adequately compensated as the govt have failed to take even elementary steps for their protection. The dependents of Dualal Mandal who was killed in the clash on 20.6.08 should be adequately compensated.

D. The state govt should immediately announce the compensation package to scotch rumours regarding the nature and quantum of compensation and rehabilitation, that are presently doing the rounds.

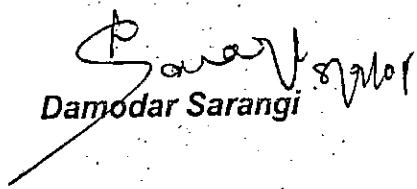
E. The state govt should acknowledge the special circumstances of this case (where bulk of the project affected people depend on govt land, now proposed to be acquired, for their sustenance), and consider compensating them at a scale comparable to what is proposed to be granted to those losing private land.

F. The govt may immediately enter into a dialogue with the representatives of the local people to fully appreciate the reasons for their resistance to the project, and take necessary measures to allay their doubts and fears over the same.

G. Panchayat election in Dhinkia G.P. must be immediately held so that the elected representatives could be associated with such dialogues.

H. The MOU, signed by the govt with POSCO is strikingly similar to the one they had signed with the TATAs for setting up a steel plant at Gopalpur. In that case more than 3000 acres of private land was acquired and made over to the Company. Various promises were given to the displaced persons which were not honoured. TATAs did not set up the steel plant on the ground that the state govt failed to provide ancillary facilities like rail and road links, water, power etc. The state govt could not force the TATAs to set up the plant, but allowed the company to retain the land. It has now been decided to allow TATAs to develop an SEZ on the said land. The villagers displaced for the proposed plant have been left in the lurch. Many of them have become destitutes. In connection with that case an exhaustive report is available in the commission's case file (Case No. 703/18/23/07-08).

To prevent the repetition of such misery to the displaced persons, the govt must ensure their full rehabilitation before handing over possession of the land to POSCO, should it decide to proceed with the project.


Damodar Sarangi

Gists of the statements of the project affected persons, examined during the enquiry

- i) Manjulata Samantrai
w/o Babaji Samantrai of village Dhinkia.

For long 62 days they were guarding the check gate at Balitutha to prevent officials of POSCO and the district administration from entering into their village. At each shift about 100/150 villagers, including women were detailed for duty at the check gate. On 29.11.2007 about 500 to 700 anti socials, hired by Damodar Raut, attacked the post using bombs, swords and lathis. Many of their supporters were injured in the attack. Their personal properties like cycles, tiffin boxes were either looted or damaged. The local police was present in strength but did not intervene. Many of the injured could not be sent to hospitals for fear of further attacks by POSCO supporters.

- ii) Smt Tulasi Das
C/o Guna Das of village Dhinkia

Corroborating the statement of Smt Manjulata Samantrai, she added that she was beaten with lathis by 'pro POSCO miscreants, and fractured her left upper arm which was operated at Cuttack.

- iii) Smt Guna Das.
C/o Chali Das of village Dhinkia.

She was beaten up with lathis and thrown into the river. Her left upper arm was fractured in the attack. She was taken to Balitutha Primary Health Centre and then to 'Khursia', a local quack for treatment. Her fractures have still not been repaired.

- iv) Smt Gunilata Swain.
W/o Sachi Swain of village Dhinkia.

She sustained head injury due to brick batting by the assailants and was treated at Paradeep Hospital.

- v) Parikhit Mallick
S/o Late- Ganesh Mallick of village Dhinkia.

He was attacked with a sword and sustained bleeding injuries below the left elbow which were stitched at Paradeep Hospital.

vi) Puni Sethi
W/o Nishakar Sethi

She sustained injuries in her right heel and was treated by the village quack.

vii) Shanti Mallick.
W/o Raju Mallick

She sustained injuries on his left waist and was treated by the village quack.

viii) Akshya Das

On 20.6.2008 about 5000 people for Dhinkia and the adjoining villages had been to the mouth of river Jatadhari to renovate and open the river mouth to facilitate drainage of excess water from their land, to the sea. They worked till 1500 hrs. While returning home, they were confronted by a mob of armed pro POSCO activists at Gobindpur, near the upper primary school, who lobbed bombs at them. In the incident three villagers i.e. Kalandi Jena, Subha Sahani and Dulal Mandal were badly injured. Dulal Mandal subsequently succumbed to the injury. The police arrested 26 of these miscreants, who were all from Gobindpur.

ix) Indramani Mallick
s/o late Shyam Mallick

He is 60 years old. In the incident dated 29.11.2007 at Balitutha he fell down and broke his right upper arm. For fear of pro POSCO activists he is not able to move out of the village for his treatment and requests for assistance from the administration for his treatment.

x) Sisir Mohapatra.
s/o Late Balaram Mohapatra.

He does not think that the establishment of POSCO plant in the area will help the local farmers in any manner. In support of his opinion, he gave the example of the IOC experience. 62 acres and 40 decimals of land belonging to villagers of Dhinkia was acquired in the year 2000 for the establishment of the Oil refinery by the IOC. The govt compensated them at the rate of Rs 80,000/ per acre. This compensation was soon spent up as the villagers did not know how to profitably invest the amount. The incomes they were making from betel vines, cashew trees and kewra flowers, grown in their own land as also in govt land dried up, with the acquisition of their land. Many of them have become paupers. The govt did not offer them any job in the IOC as was promised to them at the time of acquisition.

xi) Bibhu Prasad Tarai

s/o Late Dinabandhu Tarai

President of IOC Displaced Families and Land Losers Labour Welfare Co operative Society.

He corroborated the statements of Sisir Mohapatra and added that despite the decision taken in the RAC meeting on 22.02.99 that those farmers who have lost 100% of their land to the IOC should be treated as displaced persons, the IOC has not honoured its commitments. The IOC has failed to provide dwelling units to the displaced families though it had promised to do so. Though construction of the refinery has started, the displaced persons have not been engaged in such works by the company or the contractors. Not even petty contracts have been awarded to the displaced persons. He demanded that the provisions of the RR policy, 2006 should be made applicable to them. He furnished a copy of the petition he had submitted to the R.D.C Central division on behalf of the displaced families which is enclosed at (Annexure-3)

xii) Mathuni Patra

S/o- Late Bisnu Patra of village Gobindapur.

He owns approximately .75 acres of paddy land. He has a sixty 'Gachha' betel vine, 100 cashew nut, 6 coconuts, 7 jackfruit, and 10 'Akashia' trees and two bamboo groves in govt land, encroached by his forefathers over the years. All this land is proposed to be acquired for Posco Project. The district collector has assured him that apart from compensation for his agricultural land, he will be given Rs 5 lakhs, a job for one of his family members in the plant, compensation for betel vines @ Rs 10,000/ to Rs 15000/ per decimal, Rs 5000/- for each cashew nut tree, Rs 10,000/- for each jackfruit tree and Rs 5,000/- for each coconut tree that he will lose to the project. He is not prepared to spare his land for anything less.

He is also anti POSCO in a way and will resist acquisition unless compensated at the above scale. The dispute between Gobindpur and Dhinkia is not so much over the project as over their political leanings. Dhinkia is dominated by the CPI, where as they are Congress supporters. In the last panchayat elections they supported the congress candidate Sabita Nayak, whereas villagers of Dhinkia fielded Sisir Mohapatra as their candidate. Of the 523 households in Gobindapur village, 400 supported the Congress and 123 the CPI. Both the parties rigged the elections in their respective strongholds. The elections were finally cancelled. Re elections are yet to be held. Since then the villagers of Dhinkia with the assistance of a section from Gobindpur are harassing them. They are being forced to pay fines. Their homes are being frequently looted. A group of CPI cadres led by Ashok Bardhan, Dhruva Sahani, Ranjit Swain, Babuli Rout and Bana Jena is collecting fines from them. He himself has paid Rs 2200/- in two

instalments. He is an eye witness to the incident that took place on 20.06.2008. A group of about 60 villagers from Gobindpur who were chased away by anti POSCO supporters had come to the village that day, determined to regain their homes. The anti POSCO agitators who were returning from Jatadhari mouth came face to face with them at Gobindpur UP School. In the clash Dulal Mandal was badly injured and died. The anti POSCO supporters, including Dulal Mandal were also carrying bombs.

xiii) Babuli Raut

S/o Abhimanyu Rout of village Gobindapur.

His father and the younger brother are living separately from him. Together, they own about 2 acres of land. They have 100 'Gachha' betel vines (70 belong to his father and 30 to him) all in govt land. He opposes POSCO as he fears that he will lose his livelihood and would not get enough compensation. He accepted that he and his supporters have realized fines from pro POSCO villagers, who had damaged the property of their supporters. The pro POSCO activists have also realized fines from them. After the Balitutha incident pro POSCO activists realized as much as Rs 97000/- from their supporters. He himself paid Rs 200/-. One Prafulla Mohanty, a POSCO supporter is promising the villagers that every family, irrespective of the quantum of land he loses, shall be given Rs 5 lakh as compensation, besides what he will get as compensation for losing his land, betel vines and other identifiable assets. But when the district magistrate came to the village in connection with the socio economic survey he did not give any such assurance. Prafulla Mohanty is spreading such disinformation to mislead the people.

xiv) Chandan Mohanty

S/o Brundaban Mohanty of village Dhinkia Patna.

He and 206 others from Dhinkia Panchyat were driven out from their homes by supporters of Shri Abhaya Sahoo after the panchyat elections in which they had voted for the congress candidate. They too were against the setting up of the plant in their land, but they had political differences with Abhya Sahoo. They repeatedly approached the Officer in Charge, Kujanga police station, Shri Amarendra Patra, for protection. The OIC not only failed to take any action against Abhaya Sahoo's men, but informed Abhaya regarding the complaints which further infuriated Abhaya, whose men became even more aggressive. Finally they blocked the Paradip - Cuttack Highway demanding security and protection from the govt. They were persuaded to return to the village by senior district officers who assured them of adequate protection. The administration did not keep their promise. When they returned home, they were again beaten up by Abhaya's men who sprinkled rice on them to humiliate them. Finally they (52 affected families with 207 members) shifted to a

temporary shelter at Damodar Mahila Mohavidyalaya at Bhutmundai where they lived up to 22nd February 2008, the day they were shifted to the POSCO transit camp. To start with, all of them were anti POSCO. But now they are being branded pro POSCO as they are accommodated in the POSCO camp. POSCO pays for their upkeep @ Rs 4000/- a day. An improvised school has been opened by POSCO in the transit camp where 64 students are studying at present in class I & II. Two teachers have also been provided. Stoves, kerosene and clothes have also been supplied by POSCO. They have no work. They are just idling. He has about 2 acres of land and three betel vines of 60, 45 and 53 'Gachhas' respectively. All these vines are in govt land.

xv) Dhruba Charana Mohanty
S/o Late Bauri Mohanty of village Gobindpur.

He has two acres of land and 100 'gachha' betel vines in the project affected area. All these vines are in govt land. 40 of them from Gobindpur are presently in the camp, but they are not getting any aid from POSCO. People from Gobindpur are forced to take shelter in this camp whenever they have to flee their village, harassed by the Abhaya's men.

xvi) Prakash Mohanty
S/o Prafulla Mohanty
@ Baina Mohanty of Govindpur.

In April 2008 Manindra Rout of Govindpur was assaulted by Abhaya's men. Following the incident, 17 villagers from Gobindpur fled the village and took shelter in POSCO camp for 8/10 days. On 14.5.2008 Natabar Khatua's palm was chopped off. That led to an exodus of residents of Govindpur, some of whom took shelter in POSCO camp. At present 40 of them are in this camp.

xvii) Narayan Parida
S/o Batakrushna Parida of village Govindpur.

Abhaya's men are falsely accusing him of burning the betel vines of one Sudhir Sahoo and have imposed a fine of Rs 20,0000/- on him. Out of fear he has taken shelter in POSCO camp.

xviii) Pragyan Parambita Padhiary
D/o Pankajini Gantayat
Head Mistress, Govindpur M.E School.

She along with her mother, who is a teacher in Govindpur UP school was driven out from Govindpur by anti POSCO activists. Since June 2008 they are staying in this camp. Sangram Kumar Padhiary is her brother who is believed to be a POSCO supporter. That is why her family is being harassed by anti POSCO activists.

xix) Anadi Charan Rout

S/o Late Gangadhar Rout of village Nuagaon.

He is a retired assistant teacher. The population of his village (Nuagaon) is about 6000. From his village 736 acres of govt land and 3 acres 42 decimals of private land is being acquired. They were also anti POSCO at one time, but have since changed their mind. But even now they can not be branded as pro POSCO. They have only extended conditional support with the hope that they will get Rs 25 lakh for every acre of agricultural land lost, Rs 20000/- per decimal of betel vines, jobs in the steel plant and adequate compensation for cashew nut and other trees.

xx) Nishakar Rout

S/o Late Sadananda Rout of village Nuagaon.

He has about three acres of land. He has 150 'Gachha' betel vines, cashew nut, coconut and other trees which are partly in govt land. He is against the setting of the plant which will cause environmental hazards besides causing loss of livelihood particularly of those who live on govt land by growing betel, cashews and by fishing in the 'Bheris'. Quality of betel grown in this area is the best in the state. Every month they raise two crops. People from other districts of Orissa come here to collect 'pan' and transport them to other places in the country. The project will not only render the local people destitutes, but will also affect those small traders. Pointing at Anadi Charan Rout, he said, all these people were anti POSCO. They staged demonstrations locally and at Bhubaneswar against the project. What has now happened that these people have turned pro POSCO over night? POSCO enjoys American support and patronage. If we also provide a port to POSCO the defence of the country will be compromised.

xxi) Sarbeswar Bhuyan

S/o Late Krushna Chandra of village Nuagaon.

Earlier he was working in 'Crown Utensils Company' in Kolkata from 1967 to 1978. In 1978 he returned home and raised two beetle vines with the hope that he will earn more than what he was getting in Kolkata. Soon he discovered that expenses surpassed income. He had to dismantle two of these vines. He has three sons and three daughters. He could not educate them. One son is working as a bonded labourer along with 3000 other youths from his locality in Maharastra. It will not be correct to presume that the local people are earning a decent livelihood from 'Dhan, pan and Min' (i.e. paddy, betel and fish), as is being made out by the anti POSCO activists. He welcomes the establishment of the plant which will bring employment and prosperity to the area.

xxii) Sarada Rout.

S/o Siba Rout of village Nuagaon.

He has very little land and has no betel vine. He earns a living by catching fish. If they lose the environment to the plant he will most certainly lose his livelihood.

xxiii) Ghanashyam Swain

S/o Late Fakir Charan Swain.

He has about 1 ½ acres of land and 150 'Gachha' betel vines. As per his information, the former revenue divisional commissioner had submitted a report to the govt to the effect that the plant should not be set up in the proposed location. But he was overruled. The residents of all three Panchayats had gone to Bhubaneswar and participated in demonstrations against the project. He fails to comprehend what brought about the change of heart of these people, who have now become pro POSCO. The MOU permits POSCO to abandon the plant after 30 years. What will happen there after? The entire area will be reduced to a junk yard, which will cause severe environmental hazards.

xxiv) Satyabrata Rout

S/o Nishakar Rout of village Nuagaon.

Contrary to his father's view, 'Pan' is no longer profitable. His father belongs to a different age when the rural folks did not have ambitions and were satisfied with simple living. On his part he will welcome the project.

xxv) Bhaskar Swain

S/o Batakrushna Swain

Sarapanch of Nuagaon Grampanchayat.

He had fought elections on the anti POSCO agenda and won. No socio economic survey was held by the administration or POSCO before the decision to acquire land was taken. The administration has not given any definite assurance till to day regarding the nature and quantum of compensation, they propose to award. The administration, the Congress party and POSCO are all responsible for dividing the rural population over the project.

xxvi) Dhirendra Palai

S/o- Late Bharat Chandra Palai

Ex- Sarapanch of Nuagaon Grampanchayat.

The local people were not taken into confidence before the decision to locate POSCO in their land was taken. The govt and the police have failed to maintain the rule of law in the area. The clashes between pro POSCO and anti POSCO activists, erection of check gates by anti POSCO activities to prevent the entry of their rivals and the officers of the govt into the area, are the outcome of the govt's reluctance to discharge its constitutional duty.

xxvii) Sarada Prasanna Swain
S/o Late Biswanath Swain

Incomes from betel vines are no longer adequate to support their families. The advent of POSCO may improve their standard of life.

xxviii) Basudev Behera
S/o - Late Khetrabashi Behera of village Nolia Sahi, Gada Kujanga.

There are in all 165 families in their village. The population of the village is 875. The entire village will come under acquisition of land for POSCO. Fishing and cultivation of betel leaves is their main source of livelihood. Most of the betel vines are in govt land. More than 60% of the population are landless and live on govt land. He himself has three acres of land and about 100 cashew nut trees in govt land. He is opposed to POSCO as he is convinced that the compensation will soon be exhausted, after which they will become paupers.

xxix) Jiban Lal Behera
S/o Late Bidyadhar Behera of village Nolia Sahi.

90% of their villagers support the project. Earlier they were also opposed to the project. But after the RR Policy of 2006 was announced they are hopeful that they will be fully rehabilitated and adequately compensated by the govt.

xxx) Ratnakar Behera
S/o Late Chamei Behera

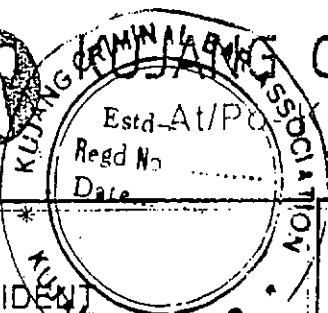
They have only given conditional support to the project. Unless POSCO compensates them adequately they would not part with their land.

xxxi) Nrusingh Behera
S/o Brundaban Behera.

For two and half years he too opposed POSCO. But now he has understood his mistake. He gave the Paradeep example where all residents who lost land have according to him, managed to prosper. They too will prosper after the plant is set up.

xxxii) Biswanath Behera
S/o Late Nalu Behera

He is a fisher man. He also has betel vines on govt land. He is against POSCO. He gives the example of the people who lost land to IOC and are now penniless.



CRIMINAL BAR ASSOCIATION, KUJANG

Kujang, Dist- Jagatsinghpur, Orissa, Pin- 754141

Regd. No.-

PRESIDENT

A.N.D. YADAV S. PUR

VICE-PRESIDENT

SURESH CH. DAS

SECRETARY

BIPIN BIHARI RAYPALUIR

ASST. SECRETARY

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4. ABHAYA BEHERA
5. PRANAYA KUL BEHERA

ADVISIORS

1. JYOTI PRAKASH PATTANAIK
2. GOVINDA CHANDRA NAYAK
3. BIKASH DAS
4. BHARAT BHUSAN DAS

BEFORE HON'BLE JUSTICE R.K. PATRA, CHAIRMAN,
ORISSA HUMAN RIGHTS COMMISSIONER,
BHUBANESWAR.

Sub: For imparting fair justice to the inhabitants of
Dhinkia Panchayat under Kujang Police Station,
Dist: Jagatsinghpur.

Esteemed Sir,

With due respect, we the following signatories beg to state the plights of inhabitant of Dhinkia G.P. and consequent violation of their fundamental human rights consequent to the inaction of District Administration to restore and secure proper justice, peace and tranquility.

That, the Govt. of Orissa in order to promote industrialization in the area signed memorandum of understanding with POSCO India to have its project at Dhinkia G.P., Nuagan G.P. and Gada Kujang G.P and necessary process were taken up. Some of the person of Dhinkia G.P. supported the advent of posco India and some other groups opposed the same. The differences among the groups led to violent struggles resulting initiation of hundred of criminal cases at Kujang Police Station out of which the petitioners annex here with references of 38 criminal cases involving human body and property persons and public tranquility. But in all cases neither the District Administration nor the police took any action for relieving the grievance of the affected persons. The criminal activities of Anti Posco Group raised day by day and (77) families lost their home and hearth and leading a nomadic life, other inhabitants are feeling unsecured and there is a lawlessness situation in the area. The inhabitants of the area even lost their rights to caste vote, in as much as the Panchayat Election could not be held in Dhinkia G.P. and

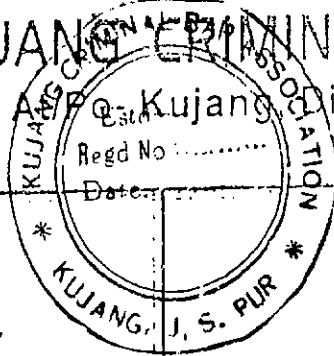
KUJANG CRIMINAL BAR ASSOCIATION, KUJANG

Kujang, Dist- Jagatsinghpur, Orissa, Pin- 754141

Regd No.

Regd. No.-

Date:



PRESIDENT

A.N.D. YADAV

: 2 :

VICE-PRESIDENT

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4. BHARAT BHUSAN DAS

the District Administration completely failed to provide adequate protection to inhabitants for conducting the Panchayat Election in the area.

That, if such lawlessness situation continues in the area and District Administration is not suitable order to carry out its duties. The inhabitants of Dhinkia G.P. would loose their faith reposed on the state.

Under the above noted facts and circumstances your Lordship would be graciously pleased to look into the matter and pass suitable orders to restore as your Lordship deems fit and proper.

With Regards,

Yours Faithfully,

A.N.D. Yadav

PRESIDENT
Kujang Criminal Bar Association
Kujang



EAST COST OIL REFINERY PARADEEP
At - Fatepur, Po.- Gopiakud, Via - Kujang, Dist - Jagatsinghpur
Regd. 170 / 2000

Ref. No.....

Date

To,

The R.D.C. Central Division, Cuttack,
& Chairman R.P.D.A.C. for Oil Refinery Project, Paradip.

Sub: - Prayer for modification of " Rehabilitation and Relief Plan " meant for the
Oil Refinery Project at Paradip.

Honourable Sir,

With due respect, we the landlosers and displaced persons for the Oil Refinery Project at Paradip under the banner " Displaced families and Landlosers Labour Welfare Co-operative Society Ltd. " Put the following facts for your kind consideration and necessary action.

That in the year 1999-2000 the land in 17 revenue villages with an area of 3330 acres of land were acquired by the state Govt. for the Oil Refinery Project for which reason the people lost their traditional Cultivation of both paddy and Prawn. 143 families were displaced for this purpose.

On the otherhand , the people of fishermen community are going to be deprived of getting fishing opportunity due to inclusion of great portion of Haladipani river in this Project from where the fishermen earn more than one crore of rupees per year. The cultivation of bettleleaf and cashew nuts is in hazardous condition due to air pollution by the nearby industries basing on Paradip Port.

That, one Rehabilitation advisory committee was formed under the chairmanship of your honour to bring out an amicable solution for the acquisition of land and to expediate rehabilitation process some decisions were taken in the R.A.C meetings and one Rehabilitation and Relief plan was prepared ignoring various demands of landlosers and displaced persons.

That one decision was taken by R.A.C dated on 22.02.99 that the hundred percent landlosers would be treated as displaced persons and they would be



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eligible to avail the facilities meant for displaced persons . Accordingly, to workout the same yours honour wanted to seek the permission of Orissa Govt. through the Revenue Deptt, Orissa. But till today no action was taken in this regard.

That, from the very beginning we had/have been demanding to provide the dwelling houses for the displaced persons. In one R.A.C meeting it had been discussed and decided and I.O.C.L had given consent to construct the houses for displaced families but it was not reflected in the minutes.

That, now out of 143 displaced families only 52 families have opted for permanent employment and they have not received the cash meant for self employment. In the R.R. Plan it had been mentioned that they would be given priority instead of job guarantee which we had been demanding.

That, the construction of Refinery Project has already been started , where the landloosers are deprived of getting opportunity of temporary employment and small contractory works for their livelihood.

That the " Rehabilitation Policy" of Orissa of 2006 has guaranteed that the 100% landloosers will take privileges like displaced persons in respect of employment or cash grant of 1 lakh of rupees for each towards self employment. On the otherhand, this policy has guaranteed the dwelling houses with a cost of one lakh and fifty thousand for each displaced family and also this policy has also given the Job guarantee to the displaced families opted for employment .

That, this policy of 2006 is applicable to the affected farmers and displaced families for the steel plant at Kalinganagar project who had lost their land in the year 1992 and it will also be implemented for the proposed " POSCO" " ESSAR Steel Plants " at Paradip,

That, on the otherhand, the refinery Project work has been started in this year , so logically the Rehabilitation Policy of 2006 should be implemented in favour of affected farmers and displaced families for the refinery project.



EAST COST OIL REFINERY PARADEEP
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Therefore, we pray your honour to take necessary steps to implement "The Rehabilitation Policy of 2006" modifying the pervious Rand R Plan for the Oil Refinery Project so that :-

1. 100% landloosers will be treated as displaced families.
2. The displaced families will be provided the dwelling houses.
3. The job guarantee will be given to the displaced families.
4. The land losers will be provided temporary employment facilities and small contractory works.
5. The 8.4 clause meant for displaced families be implemented properly.

And for the act of your kindness we shall ever pray.

Yours faithfully

Bibhu Prasad Tarai
Bibhu Prasad Tarai
President
Displaced Families and
Landloosers Labour welfare
Co-operative Society.

Cuttack

Dt. .12.07



EAST COST OIL REFINERY PARADEEP
 At - Fatepur, Po.- Gopiakud, Via - Kujang, Dist - Jagatsinghpur
 Regd. 170 / 2000

Ref. No.....

Date

Prabhat Kumar Lenka

ଜଣାଣେ କୁଞ୍ଜ ଚନ୍ଦ୍ର

Kumar Bar Pradhan

କିଶୋର ପ୍ରଧାନ

ମନ୍ମଥ ପ୍ରଧାନ

ବାବୁଲ ପ୍ରଧାନ

ଗର୍ବଜ ପ୍ରଧାନ

ଅନୁପ୍ରଧାନ

ନାଥପ୍ରଧାନ

ଅନୁପ୍ରଧାନ

ସୁଧାକର ପ୍ରଧାନ

ଶ୍ରୀରାମ ପ୍ରଧାନ

ଅନୁପ୍ରଧାନ

ମନ୍ମଥ ପ୍ରଧାନ

ଗୋବିନ୍ଦ ପ୍ରଧାନ

ସୁଧାକର ପ୍ରଧାନ

Raja Kishore Das

Sulochana Pradhan

ସୁବର୍ଣ୍ଣା ମାତା

ନିଧି ପ୍ରଧାନ

ସୁଧାକର ପ୍ରଧାନ

ମନ୍ମଥ ପ୍ରଧାନ

ଶ୍ରୀମତୀ ସୁମିତ୍ରା

ବିନୟ ପ୍ରଧାନ

ପ୍ରଧାନ

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ନାରାୟଣ ପ୍ରଧାନ

Narahari Prad

ବିନୟ ପ୍ରଧାନ

Bi Vinay Pradhan

ବିନୟ ପ୍ରଧାନ

ବିନୟ ପ୍ରଧାନ

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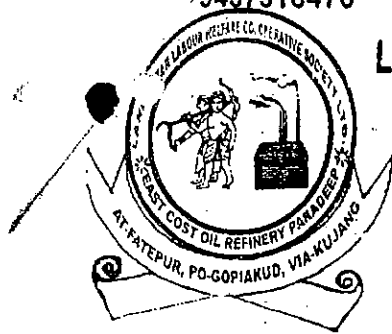
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EAST COST OIL REFINERY PARADEEP
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 Regd. 170 / 2000

Ref. No.....

Date

ଶ୍ରୀମତୀ ସୁଷମା

ଗଜେନ୍ଦ୍ର ପ୍ରସାଦ

Subash Lenka

ବିନୟ ଚନ୍ଦ୍ର ଆଚାର୍ଯ୍ୟ

ଭୁବନେଶ୍ୱର ପ୍ରଦୀପ

ସୁରେନ୍ଦ୍ର ପ୍ରସାଦ

ସୁରେନ୍ଦ୍ର



ବିନୟ ଚନ୍ଦ୍ର ଆଚାର୍ଯ୍ୟ

ବି. କି. ପ୍ରଦୀପ

ସୁରେନ୍ଦ୍ର ପ୍ରସାଦ

ଗା. ପ୍ରା. କର୍ମ - ସା - ନିମ୍ନ ସ୍ତର
ପ୍ରଶାସନିକ କର୍ମଚାରୀ/ମାନ୍ୟତା

କାର୍ଯ୍ୟ କାର୍ଯ୍ୟକାରୀ ନାହିଁ

ବିନୟ ଚନ୍ଦ୍ର

ସୁରେନ୍ଦ୍ର ପ୍ରସାଦ

Akshaya Samal

ନିମ୍ନ ସ୍ତର

କୃଷି ମିଶ୍ର

ଫା. ବି. ରାଉଟ

Gouranga Routray

ପ୍ରଦୀପ ଗଜେନ୍ଦ୍ର

Subash Samal

ନିମ୍ନ ସ୍ତର

ଗଜେନ୍ଦ୍ର ପ୍ରସାଦ

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Ramesh Lenka

Gajendra prasad

ସୁରେନ୍ଦ୍ର ପ୍ରସାଦ

ଗା. ପ୍ରା. କର୍ମ

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Subash Samal

ନିମ୍ନ ସ୍ତର

Subash Ray

ନିମ୍ନ ସ୍ତର

Nibedita Pradhan

ନିମ୍ନ ସ୍ତର

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Chhatrambari



EAST COST OIL REFINERY PARADEEP
 At - Fatepur, Po. - Gopiakud, Via - Kujang, Dist - Jagatsinghpur

Regd. 170 / 2000

Ref. No.....

Date

Ranjana Das Mahapatra,
 Poralovan Majhi,
 ବାବୁ ଚନ୍ଦ୍ର
 Chandrasekhar Panda
 Sudama Behera
 Anjuna Rout
 Nirbhay Behera

Ramesh Behera
 Manash Tanna
 Pobanta Swain,
 Susanta Behera,
 ବିନୟ ମହାପାତ୍ର
 ମହାପାତ୍ର ବନେଶ୍ୱରୀ
 Tapak Tanna
 ସମାଜନ ଶ୍ରୀ

ଶ୍ରୀ ନିକାଶ ଦେବୀ

ପ୍ରଶାନ୍ତ ସ୍ୱାଇଁ

ସୁଧାଂଶୁ ମହାପାତ୍ର

ଜାକି ପ୍ରମୋଦ ଦାଶ

ଦୁଗନ୍ଧ ଦାଶ
 Deepak Tanna
 Prasanta Tanna
 Prabbeswar Swain
 Prasanta Behera
 ବାବୁ ଶ୍ରୀ

ବିନୟ ଦେବୀ

ଶ୍ରୀ ବିନୟ

ବେନାମ ଦାଶ
 Basanta Majhi
 Nagendra Panda
 Rakesh panda

Bijay Behera

ବିନୟ ଦେବୀ

ଅଶ୍ରୁକିର ଦାଶ

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ସୋନାଲ ସ୍ୱାଇଁ

Pravesh Panda

b. - 9437318470

DISPLACED FAMILIES AND Ph - (06722) 237067
LAND LOOSERS LABOUR WELFARE CO. OPERATIVE SOCIETY LTD



EAST COST OIL REFINERY PARADEEP
At - Fatepur, Po. - Gopiakud, Via - Kujang, Dist - Jagatsinghpur
Regd. 170 / 2000

Ref. No.....

Date

ବନ୍ଧୁ ପ୍ରଦାନ

Banshi Kumar Pradhan

ଶ୍ରମ ସଂଗ୍ରହୀତା

ସୁବର ଯୁ ପ୍ରଧାନ

କମଳାକାନ୍ତ

ସମାଜ ସେବା

ସୁବର ଯୁ ପ୍ରଧାନ



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MEMORANDUM OF UNDERSTANDING BETWEEN THE GOVERNMENT OF ORISSA AND M/s POSCO FOR ESTABLISHMENT OF AN INTEGRATED STEEL PLANT AT PARADEEP.

This Memorandum of Understanding is made on the Wednesday day of June 22, 2005, between the Governor of Orissa on the one part and M/s POSCO on the other part.

1. M/s POSCO having its registered office at 1 Koidong-Dong, Nam-Ku, Pohang-City, Kyungsanbuk Province, Republic of Korea, (hereinafter referred to as POSCO, which expression shall, unless repugnant to the context or meaning thereof, include its successors, executors, administrators, representatives and permitted assignees), is proposing to set up an Integrated Steel Plant of a total capacity of 12 million tonnes per annum in the State of Orissa at Paradeep, in Jagatsinghpur district.
2. The Government of Orissa, desirous of utilizing its natural resources and rapidly industrializing the State, so as to bring prosperity and wellbeing to its people, has been making determined efforts to establish new industries in different locations. In this context, the Government of Orissa have been seeking to identify suitable promoters to establish new Integrated Steel Plants in view of the rich iron ore and coal deposits in the State.
3. POSCO will establish an Indian company (hereinafter referred to as the "Company") through their relevant subsidiaries, related companies or third parties nominated by POSCO to invest in the State of Orissa in :
 - (A) steel manufacturing;
 - (B) infrastructure necessary for the Integrated Steel Plant and related Projects; and
 - (C) related mining of iron ore and other ores.
4. (1)The Company is desirous of developing and operating the following facilities on the basis described in this MoU in the State of Orissa with proposed investment of around US\$ 12 billion or Rs.51,000 crores (approximately). The details of the facilities are given in the table below :

ect	Phase No.	Capacity in MTPA	Project Details	Project cost in Rs. Crore (Approx.)	Time Schedule	Finished products
nit with EX / BF, ng with facilities ke Lime g Plant, n Plant, e Power t, Steel op with verters, Rolling lils etc. ctively,	Phase-1	6 (in two modules of 3 MT each)	1st Module Crude Steel - 3 MTPA Finished Steel - 2.82MTPA	10,100	To be commissioned by July 2010 or 36 months from the date of (i) taking title to and possession of land. (ii) registration of the executed prospecting licence, whichever is later	Slabs (3MT)
			2nd Module Crude steel - 3MTPA Finished	11,800	To be commissioned by July 2012 or 24 months from Commissioning of Phase- 1,	Hot rolled Coil (4.5MT), Plate (1.5MT)

1 "Steel Project" & Port			Steel - 2.82MTPA		Module - I, whichever is later	etc.*
	Phase-2	6 (in two modules of 3 MT each)	1 st Module Crude Steel - 3MTPA Finished Steel - 2.82MTPA	9,500	To be commissioned by July 2014 or 24 months from commissioning of Phase - 1, Module - 2, whichever is later	Slabs (3MT)
			2 nd Module Crude steel - 3MTPA Finished Steel - 2.82MTPA	12,000	To be commissioned by July 2016 or 24 months from commissioning of Phase - 2, Module - 1.	Hot Rolled Coil (4.5MT), Plate, Cold rolled coil (1.5MT) etc.**

Note: Detailed time schedule for the commissioning of each phase will be determined pursuant to Clause 18.

* Cumulative of Phase-1;

** Cumulative of Phase-2.

- (2) The Company is also desirous of developing and operating the following related infrastructure based on the needs of the "Steel Project", on the basis described in this MoU :
- mining facilities in the areas allocated by Government of Orissa/Government of India (the "Mining Project");
 - road, rail and port infrastructure (the "Transportation Project"), including the dedicated railway line from the mine-belt to Paradeep;
 - integrated township; and
 - water supply infrastructure (the "Water Project").
- (3) The Steel Project will be located at Paradeep. The Mining Project will be established at the mining site(s) that are identified as the mineral resources for the Company.
- (4) To achieve the foregoing purposes, the Government of Orissa and the Company agree to be "Partners in Development" and have, therefore, come together to record their intentions through this MoU.

5. LAND :

- The Company will establish their registered office and national headquarters in the State of Orissa, in the city of Bhubaneswar. The Government of Orissa will identify, acquire and transfer a suitable tract of land between 20 and 25 acres for this purpose, in accordance with the specifications provided by the Company.
- The Company will require approximately 4,000 acres of land (hereinafter referred to as the "Land") for the purpose of setting up the Steel Project and associated facilities, including the port facilities and a storage yard for coking coal.
- In addition, the Company will require approximately 2,000 acres of land for township development, recreational activities and all related social infrastructure development (collectively, the "Integrated Township Development"). Out of this, approximately 1,500 acres would be identified adjacent/near to the Steel project and another 500 acres (approx.) near the Mining Project.

State Government will facilitate all clearances and approvals of the Central Government, if required.

- In addition to the land required for the core activities of the Overall Project, the Company may require additional land pockets for development of the "transportation

project", the "water project" and any other project-related infrastructure facilities.

(v) The Government of Orissa agrees to acquire and transfer all the above-mentioned land required for the Overall Project, free from all encumbrances through Orissa Industrial Infrastructure Development Corporation (IDCO) on payment of the cost of land.

(vi) The Company shall pay to the relevant authority (ies) the cost of such land. For private land, the Company shall pay the cost as determined under the provisions of the Land Acquisition Act and incidental charges as mutually agreed upon. For Government land, the Company shall pay as per the rates determined by the prevailing Industrial Policy Resolution on this date. For forest land, the Company shall pay the rates determined under the applicable Rules.

(vii) On its part, the Government of Orissa will expeditiously and within a reasonable time frame, hand over to the Company non-forest Government land for which the Company has completed all formalities. Acquisition of private land will be taken up on priority.

(viii) For rehabilitation of displaced families, Rehabilitation and Resettlement Package would be implemented as per prevailing guidelines and practices.

6. RAW MATERIALS :

(i) **Coal :** The State Government agrees to recommend to the Government of India for allotment of suitable coal blocks for captive coal mining for the project either directly or through a PSU. Further, the State Government will assist the Company to get the allocation of coal linkage of suitable grade in the desired quantity to meet its requirement until it is ready for mining of its coal block.

(ii) **Iron Ore :** The Company will need the equivalent of 600 million tonnes of iron ore of an average Fe content of 62%, to meet the requirements of the proposed Steel Project of 12 million tonnes per annum. The Company may swap certain quantities (not exceeding 30% of the total requirement for the Paradeep Plant annually) of such iron ore which have high alumina content with equal quantity of low alumina content iron ore of equivalent or better Fe content imported for blending, in order to produce better quality steel in the Paradeep Project and conserve energy. Any export of iron ore by way of swap will be allowed only after an equivalent quantity of ore has been imported for the plant. The extent of the above quantity of iron ore by way of replacement for equal quantity of import of higher grade iron ore, will be within the framework of the Export-Import Policy of the Government of India applicable from time to time. It is clarified that no export of iron ore will be allowed from the captive mine except by way of full replacement through import of equal quantity of high grade ore and within the limits mentioned above.

(iii) The Government of Orissa agrees to grant prospecting licenses and captive mining leases for 600 million tonnes of iron ore to the Company after following prescribed procedures and completion of required milestones including approvals of Government of India. For this purpose, the Government of Orissa shall recommend to the Central Government and use its best efforts to obtain the Central Government's approval within the minimum possible time for the grant of prospecting licenses and the captive mining leases for the iron ore mines.

(iv) The Government of Orissa will recommend grant of the Prospecting Licences only after the following milestones have been achieved :

- Formation of the Indian Company referred to in Clause - 3 has been done;
- Feasibility study has been started and a Detailed Project Report has been commissioned (July - November, 05);

- c) Additional Soil test and site survey has been started ;
 - d) Preparation of Port Development Plan has been commissioned (July,05 - January,06);
 - e) Preparation of Industrial Water Development Plan has been commissioned (July, January,06);
 - f) Preparation of Township Master Plan has been commissioned (August,05 - March 06);
 - g) Preparation of Environment Impact Assessment Study has been commissioned (July,05 - January,06);
 - h) Requisition has been submitted to the Orissa Industrial Infrastructure Development Corporation (IDCO) for acquisition of land for the steel plant as well as the port;
 - i) The Indian Company is provided with paid up equity to the tune of at least US\$ 50 million to enable it to undertake all the preparatory work required for setting up the plant.
- (v) The Government of Orissa will recommend such areas as are free from litigation as well as encumbrances. In the event of litigation at any stage, Government of Orissa will diligently defend their recommendations made in favour of the Company in the appropriate judicial, quasi judicial fora.
- (vi) Prior to recommending the case of the Company for Mining Lease, the State Government will ensure that the following milestones have been achieved :
- a) The Company has submitted the Detailed Project Report;
 - b) The Company has submitted the Port Development Plan ;
 - c) The Company has submitted the Industrial Water Development Plan ;
 - d) The Company has submitted the Township Master Plan ;
 - e) The Company has ensured that application for Environment Impact Assessment Study has been submitted to the Government of India ;
 - f) The Company has filed necessary requisition for land for different components of the project with IDCO and has deposited necessary funds;
 - g) The Company has submitted the rehabilitation and re-settlement package for the oustees to the competent authority and received the approval of Government of Orissa;
 - h) The Company has submitted the proposal with requisite details for diversion of forest land which the Government of Orissa will recommend to the Government of India;
 - i) The Company has applied for Coastal Regulation Zone (CRZ) clearance.
- (vi) The Indian Company is provided with paid up equity to the tune of at least US\$ 200 million to enable it to undertake adequate investment connected with the setting up of the plant.
- (vii) Recommendation for the mining lease will be made in two phases, commensurate with the first two modules and the last two modules of 3 million tonnes each. The recommendation will, however, be subject to suitable adjustment of mining blocks. State Government will take a decision pertaining to the first phase after the following milestones have been achieved for the first phase of 6 million tonnes :
- a) Award of 50% of orders for civil and structural contracts in terms of value.
 - b) Placement of 20% of firm orders for machinery in terms of value.
- (viii) State Government will make recommendation pertaining to the second phase after :
- a) Commissioning of the first module of 3 million tonnes of the first phase has been achieved ;
 - b) Award of 50% of orders for civil and structural contracts in terms of value for the second phase of 6 million tonnes ;
 - c) Placement of 20% of firm orders for machinery in terms of value for the second phase of 6 million tonnes.

- (ix) The State Government agrees to assist the Company in making a firm arrangement with the Orissa Mining Corporation (OMC) along with other private iron ore lessees in the State, to meet a substantial portion of the requirement of iron ore of suitable grade for initial period of steel making under mutually agreeable terms and conditions, if required by the Company.
- (x) All iron ore Mining Leases and Prospecting Licenses shall be clean and free of any encumbrances.
- (xi) Before the grant of mining lease, the Company would submit a detailed progress report of all components of the project with reference to the agreed implementation schedule (referred to Clause 18 (ii) hereinafter). The mining lease would be granted subject to the satisfaction of the Government of Orissa that adequate progress has been achieved in all critical parameters.
- (xii) The iron ore mining leases shall be granted to the Company initially for a period of 30 years and will be considered for renewal on an application by the Company before expiry, for another 20 years.
- (xiii) The Government of Orissa will assist the Company in obtaining all clearances, including forest and environment clearance and approval of the State Pollution Control Board, and the Ministry of Environment and Forest, Government of India under Forest (Conservation) Act, 1980 and Environmental (Protection) Act, 1986 for opening up the iron ore mines, laying roads, constructing township etc.
- (xiv) The Government of Orissa agrees to provide all possible assistance to the Company for acquiring mineral concession for limestone and dolomite, within the ambit of the MMDR Act and MC Rules.
- (xv) Govt. of Orissa will make best efforts and provide all possible assistance to POSCO for expeditious clearance of applications relating to mining lease and related matters, such as forest, environment etc. so as to enable POSCO to start its mining operations in time to synchronize with the commissioning of its steel plant.

POSCO have requested to source an additional 400 MT of Iron ore from India for their existing steel plants in South Korea. This can be done through a long-term commercial supply arrangement from the open market. Any such trading arrangement shall fall entirely within the domain of the Government of India and will be regulated by the prevailing Export - Import Policy of the Country. No mine-able reserves can be provided by Government of Orissa purely for the purpose of direct exports beyond what has been indicated for value addition in the steel plant of the Company in Orissa in the preceding paragraphs. However, Government of Orissa will assist POSCO in establishing suitable contacts and interfaces with Government of India for this purpose.

- (xvi) **Chrome Ore :** State Government will facilitate suitable long term arrangement with OMC and other lessees for supply of chrome ore to meet the requirement of the plant.
- (xvii) **Manganese Ore :** The State Government would consider assigning appropriate priority to an application of the Company for mineral concession for manganese ore in the State as and when available within the ambit of MMDR Act and MC Rules.

7. WATER :

- (i) The Government of Orissa will permit drawal and use of water from the Mahanadi barrage at Jobra in Cuttack or any other suitable source for construction and operation of the Overall Project as per the prevailing rates and appropriate terms and approval of the Water Allocation Committee, subject to availability.
- (ii) The Company shall prepare and inform the Government of Orissa within a short period of time, the water requirement for each phase and the total water requirement for each component. The Government of Orissa will facilitate meeting these water requirements.
- (iii) The Government of Orissa will permit implementation of a suitable water supply scheme prepared jointly by the Company and the Department of Water Resources, Government of Orissa. The Government of Orissa will allow the Company to operate and maintain necessary infrastructure including creation of water bodies, laying on

pipelines etc. to pump required quantity of water for the development and operation of the Project.

- (iv) The Government of Orissa will facilitate the process of obtaining various approvals expeditiously for the Company.

8. DRAINAGE AND SEWERAGE :

- (i) The Government of Orissa shall assist the Company to provide adequate drainage and sewerage off-take facilities for each component project during both the construction and operation stages prior to commencement of construction after following all prescribed procedures and obtaining required approvals.
- (ii) The Government of Orissa shall facilitate grant of all necessary approvals for provision of such facilities and the discharge of drainage and sewerage into such facilities.

9. POWER :

- (i) The Government of Orissa have agreed to ensure that about 25 MW of power is made available to the Company to meet the construction power requirements of the steel plant, port, township and also the mining project. During the operation phase, the Government of Orissa will make best efforts to meet the power requirement of all components of the project including each of its components.

The details of the requirement of power during the construction phase of the Overall Project including each of its components and year-wise requirement thereafter for the operation of the project, will be prepared by the Company and the Government of Orissa or agency designated by it and will be duly informed in good time.

- (ii) The Government of Orissa will facilitate the execution of an agreement for the Transmission line from the sub-stations to their project sites, under the supervision of GRIDCO.

10. CAPTIVE POWER PLANT :

- (i) The Company will establish a Captive Power Plant (CPP) to meet the power requirement in full or part of the overall project including its components.
- (ii) The Government of Orissa will facilitate grant of approvals, if any, required for setting up of this CPP and also execution of necessary Power Purchase Agreement or Agreement for wheeling of electricity or both, with GRID Corporation of Orissa or any other agency designated by the Government of Orissa.
- (iii) The Government of Orissa will facilitate the establishment of fuel linkages, if any, for the CPP.
- (iv) The Company will offer to sell any surplus power to GRIDCO or to any other corporation so designated by the Government at a tariff to be mutually agreed between the Company and GRIDCO/ any other corporation so designated by the Government and approved by OERC.

11. ENVIRONMENT:

- (i) The Government of Orissa agrees to facilitate and use its best efforts to enable the Company to obtain a "No Objection Certificate" (NOC) through the State Pollution Control Board in the minimum possible time for the development and operation of the Project.
- (ii) The Company will conduct a rapid Environment Impact Assessment ("EIA") and prepare a detailed EIA Report and an Environment Management Plan ("EMP") for the Project. The Government of Orissa agrees to provide any assistance requested by the Company during the time the EIA is conducted and the EMP is prepared.
- (iii) The Government of Orissa agrees to use its best efforts to procure the grant of all environmental approvals and forest clearances from the Central Government within the minimum possible time for the Project.

12. INCENTIVES AND CONCESSIONS :

- (i) The State Government would consider granting to the Company such incentives and concessions as are provided in the relevant Industrial Policy Resolution (IPR) in force on this date.
- (ii) The Government of Orissa shall recommend to the Central Govt. and facilitate granting of "Special Economic Zone" (SEZ) status as required by the Company. This would include granting to the various aspects of the Project, the status of "SEZ Developer" or "SEZ Unit", as the case may be, so as to receive the same incentives and benefits as an SEZ (as permissible under the policy of Central Government).
- (iii) If the Company makes an application for setting up its different facilities under the SEZ scheme of the Government of India, the Government of Orissa would recommend their case to the Government of India and accord necessary facilitation with regard to the approved scheme of the Government of India as modified from time to time.

13. RAILWAYS, ROADWAYS & PORT:

(1) Railways :

- (i) The Government of Orissa shall coordinate with the Ministry of Railways to ensure expeditious completion of Daitari - Banspani broad gauge rail link.
- (ii) Haridaspur - Paradeep broad gauge rail link is proposed to be developed through public private partnership by the Rail Vikas Nigam Ltd., an instrumentality of the Ministry of Railways. The Government of Orissa will actively pursue with the Ministry of Railways and Rail Vikas Nigam Ltd. for expeditious completion of this project. The Company shall explore the possibility of participating in the SPV for this project. The Government of Orissa shall facilitate all assistance in this connection.
- (iii) Banspani - Paradeep broad gauge rail link based on the transportation capacities available and project economics, the Company may develop a dedicated railway line from the site of the Mining Project to the Steel Project. This development may be undertaken by the Company or jointly with RVNL or third parties in consultation with the Ministry of Railways. All assistance in this regard will be provided by the Government of Orissa.
- (iv) In this connection, the Government of Orissa shall extend all possible support for securing the cooperation of the Ministry of Railways, East Coast Railways & Rail Vikas Nigam Ltd. etc. to facilitate necessary clearance from the Ministry of Railways.
- (v) The Government of Orissa shall facilitate the Steel Project and Mining Project to make appropriate commercial arrangements for use of the railroads mentioned above as per existing laws and procedures.

(2) Roads :

- (i) The Government of Orissa shall provide all support to facilitate the early completion of the National Highway between Haridaspur (Chandikhol) and Paradeep and for upgradation of the State Highway from Cuttack to Paradeep to a two lane road.
- (ii) The Government of Orissa shall actively consider construction of two lane, free access, public roads connecting the Steel Project, the Mine Project and the Integrated Township Development to the nearest National Highway or State Highway.

(3) Port :

- (i) The Company may :
 - a) develop a new minor port adjacent to the existing Major Port of Paradeep and/or,
 - b) develop a dedicated berth at the Major Port of Paradeep and/or
 - c) make use of the existing port facilities at the Major Port of Paradeep.
- (ii) In connection with subparagraphs (b) & (c) of (i) above, Government of Orissa shall facilitate cooperation between the Paradeep Port Trust and the Company.
- (iii) In case the Company decides to develop a new minor port, the Government of Orissa will consider granting the Company necessary permission under its existing policy for development and operation of such a port as per standard concessions prescribed.
- (iv) The Government of Orissa agrees to provide all necessary infrastructure and logistic

support required for setting up of the minor port by the Company.

- (v) Such minor port or berth will be constructed and operated on the basis of BOO/BOOT/BOOST.
- (vi) The Government of Orissa shall facilitate drawal of power and water for the port project.
- (vii) For this purpose, the Government of Orissa subject to fulfillment of prescribed procedures and requirements shall grant necessary approvals within its power and facilitate grant of all approvals from the Central Government and other relevant agencies including clearance by the Central Government, the Ministry of Environment and Forest under the Coastal Regulation Zone Notification [S.O.114 (E)] of 1991 pursuant to the Environment (Protection) Act, 1986.

14. PROJECT FACILITATION :

- (i) A dedicated High Powered Committee shall be constituted jointly by the Government of Orissa and the Company to ensure that the Project proceeds as per the planned schedule. The High Powered Committee shall include as permanent members, senior officers of the departments of Steel & Mines, Industries, Energy, Water Resources, Works, Commerce and Transport, Forest and Environment and representatives from the Company. The Government of Orissa shall arrange for representatives of other departments to be present for each meeting as required.
- (ii) The High Powered Committee shall meet from time to time to review the progress of the Project.
- (iii) The High Powered Committee will also have regular interactions with the Chief Minister and the Chief Secretary of the Government of Orissa to apprise them of the progress made on the Overall Project and each component project.

15. SINGLE WINDOW :

The Government of Orissa shall establish a special "Single Window Clearance Committee" to ensure clearances under State laws from agencies / departments within specified time limits.

16. NODAL OFFICER :

- (1) The Government of Orissa shall appoint a senior officer to be the Nodal Officer for the Project.
- (2) All applications made by the Company for all relevant clearances, permits, approvals, licenses, consents and the like or facilitation for the Project shall be routed through the Nodal Officer. The Nodal Officer shall diligently pursue the granting of all such approvals/clearances within the minimum possible time and update the Company at regular intervals on the status of these applications.
- (3) An Officer reporting to the Nodal Officer would be designated by the Government of Orissa to assist in obtaining necessary approvals from the Central Government as well as its agencies as quickly as possible.

17. SECURITY :

The Government of Orissa will take action to provide overall security as per applicable law, as may be required to all parts of the Project during the operation phase. All necessary steps in this regard including setting up of police stations, if required, would be taken by Government of Orissa.

18. NEXT STEPS

- (i) Immediately following the execution of this MoU, the Government of Orissa shall second (at its own cost) to the Company's Project office in Bhubaneswar, an Officer

of the appropriate level to be dedicated to the facilitation of the Project.

- (ii) Within 6 months from the formulation of the Company, (i) a detailed project schedule will be prepared by the Company and submitted to the Government of Orissa, (ii) a detailed implementation plan will be prepared by the Company and submitted to the Government of Orissa and (iii) Agreement will be signed between the Government of Orissa and the Company along the lines of this MoU.

19. GENERAL CLAUSES

- (i) The Government of Orissa appreciates that the Company will be a responsible corporate house with a high involvement in employees' welfare and social development. The Government of Orissa, therefore, anticipates that the Company will bring this philosophy to the steel plant project being set up in the district of Jagatsingpur and other district(s) where captive mines linked to the project are located to ensure the well being of these districts in particular and the people of Orissa in general. In terms of employment, preference will be given to the people of Orissa subject to need and their possessing the necessary qualifications. The Company will make every effort to improve their skill levels, if necessary, through specialized training. For this purpose State Government will nominate a nodal Agency/Officer to coordinate with the Company.
- (ii) The Government of Orissa appreciates that the Company will be entitled to induct suitable foreign and/or Indian Joint Venture partners, choose appropriate financial options, suppliers, credit options and technologies in the best interests of the project.
- (iii) The Company shall effect sale of all its products in the domestic tariff area (including inter-state sales) in the State of Orissa and shall not effect any branch transfer of its products to out side the State. These stipulations are not, however, applicable to export of finished products outside the country.
- (iv) The Company shall comply with all applicable laws and policies of the Republic of India and the State of Orissa including more specifically those relating to environment, mining, rehabilitation and socio-economic development in the periphery of the project and also including the Orissa Government Notification No.375 dated 15th January, 2004.
- (v) The MoU shall remain valid for a period of five years from the date of signing. Further extension, if necessary, shall be made as per mutual agreement. However, no such extension shall be considered unless the Company has made substantial progress on implementation of the project in terms of construction, erection of plant and machinery and investment at site to the satisfaction of the State Government in these five years in implementing the first phase as envisaged in this MoU.
- (vi) The Company understands that the offers and special considerations of the State Government indicated in this MoU are for the overall Steel project
- (vii) The Company while implementing the project undertakes to comply with all statutory requirements/clearances in respect of laws, regulations and procedures governing establishment and operation of Industries.
- (viii) In the event of non-implementation of the project or part thereof, the corresponding support/commitment of the State Government indicated in the MoU with regard to Iron ore Mines/Coal Block, incentives and concessions of the State Government in particular shall be deemed to be withdrawn.

Signed on the date mentioned herein above at Orissa Secretariat, Bhubaneswar by the authorized representatives of the parties to this Memorandum of Understanding.

**For and on behalf of the
Government of Orissa**

For and on behalf of POSCO

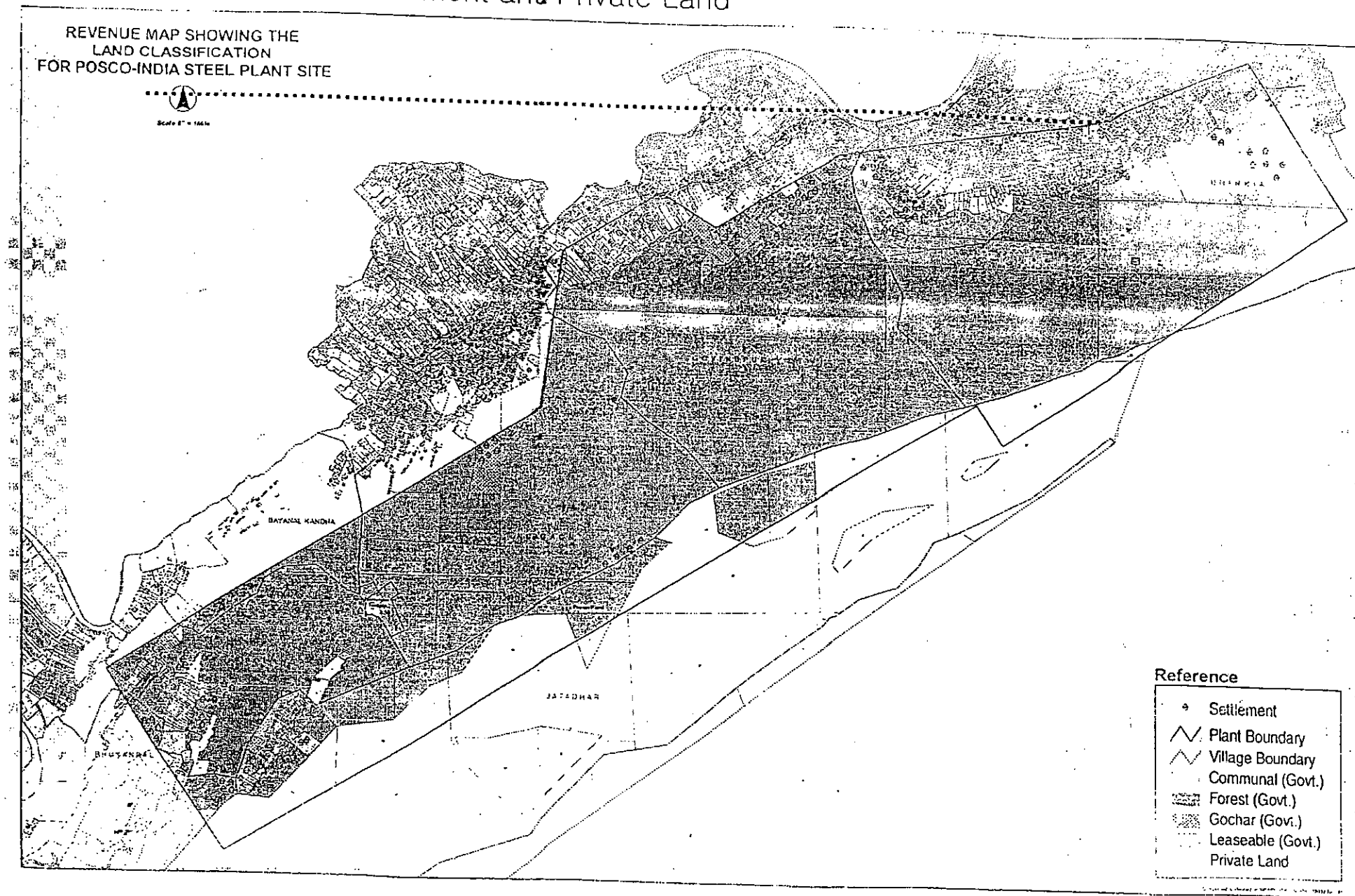
(Mr. Bha
Chatterjee)
Principal Secretary to Government
Department of Steel & Mines

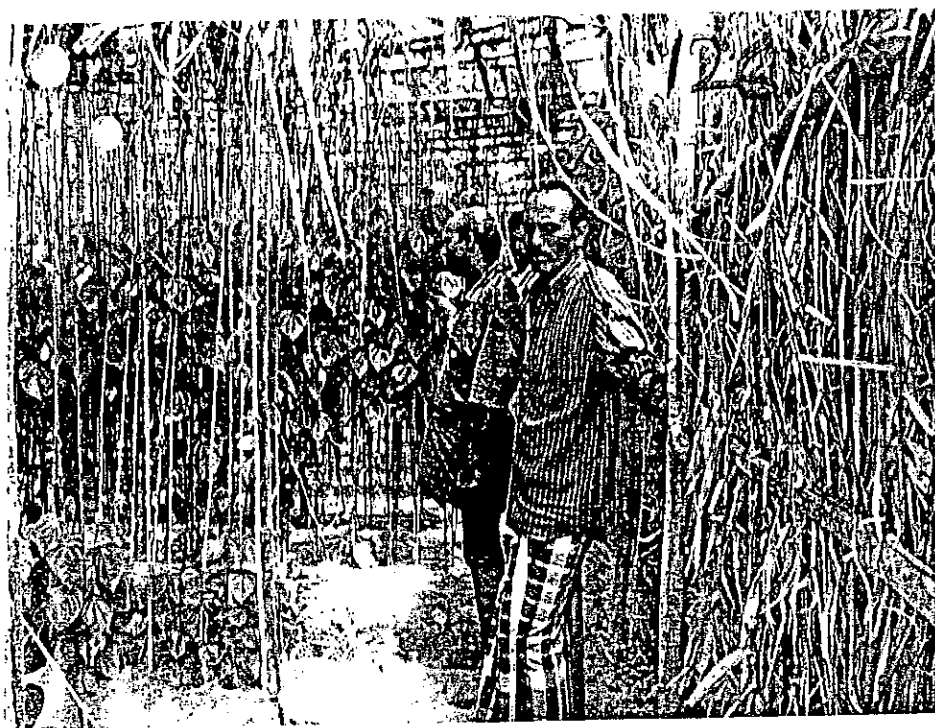
(Mr. Soung Sik Cho)
Senior Executive Vice President

0000200

○ Distribution of Government and Private Land

REVENUE MAP SHOWING THE
LAND CLASSIFICATION
FOR POSCO-INDIA STEEL PLANT SITE





after due consultation with displaced communities in the manner determined by the Government. Such plan should address the specific needs of the women, vulnerable groups and indigenous communities. The same will be placed before the RPDAC for approval.

While preparing the plan, the following aspects should be taken into consideration:

- (i) Site for resettlement habitat shall be selected by the RPDAC in consultation with the displaced families.
- (ii) No physical displacement shall be made before the completion of resettlement work as approved by the RPDAC. The certificate of completion of resettlement work will be issued by the Collector.
- (iii) Gram Sabha shall be consulted.
- (iv) Where there is multiple displacement additional compensation amounting to 50 % of the normal compensation payable, shall be paid to each displaced family over and above the normal compensation in form of ex-gratia.
- (v) Provisions relating to rehabilitation will be given effect from the date of actual vacation of the land.
- (vi) Project Authority shall abide by the provisions laid down in this Policy and the decisions taken by RPDAC from time to time provided they are within the ambits of the approved Policy of the Government.
- (vii) District Administration and Project Authorities shall be jointly responsible for ensuring that the benefits of R & R reach the target beneficiaries in a time bound manner.
- (viii) Record of Rights of the land and house allotted to the

displaced persons should be handed over to them by District Administration while resettling them in the Resettlement habitat. The District Administration shall take steps for immediate declaration of the new Resettlement habitat as a Revenue Village if it is not a part of an already existing Revenue Village.

- (ix) Steps will be taken by the Project Authorities for acclimatization of the resettled people in new habitat including development of cordial social relationship between the host and resettled communities and to ensure as far as practicable overall improvement of standard of living of the displaced families.
- (x) Subject to the details regarding provision of employment as enunciated elsewhere in the Policy the project authorities shall give preference in the matter of employment, both direct and indirect as well as through contractors employed by them, for execution, operation and maintenance of the project, to local persons as per the detailed guidelines issued by the State Government from time to time.

8. Rehabilitation assistance:

Rehabilitation Assistance will be specific to the 'type' of project as mentioned at para 5 above, because of difference in nature of projects, their source(s) of funding and magnitude of displacement / impact.

I. Type A: Industrial Projects:-

- (a) **Employment:** Families shall be eligible for employment, by the project causing displacement or loss of all agricultural land. For the purpose of employment, each original family will nominate one member of such family.

However, the families as mentioned at para 2 (f), (i), (ii), (iii), (iv), or (v) will not be considered separately for employment. Any one from among these categories may, subject to eligibility, be nominated by the family as defined in para 2 (f) for the purpose of employment. The project proponent will give preference to the nominated members of the displaced / other families in the matter of employment. The order of preference will be as follows:

- (i) Displaced families losing all land including homestead land;
- (ii) Displaced families losing more than 2/3rd of agricultural land and homestead land;
- (iii) Displaced families losing more than 1/3rd of agricultural land and homestead land;
- (iv) Displaced families losing only homestead land but not agricultural land;
- (v) Families losing all agricultural land but not homestead land.

The Project authority will make special efforts to facilitate skill up-gradation of the nominated member of each displaced / other family make him/her 'employment' in their project.

1. In case of nominees of displaced / other families eligible for employment otherwise, the upper age limit shall be relaxed by five years.
2. Project authorities should notify their employment capacity sufficiently in advance.
3. As far as practicable, the objective shall be to provide one member from each displaced / other family as mentioned above with employment in the project.

However, where the same cannot be provided because of reason to be explained in writing, cash compensation as mentioned below shall be provided to the displaced / other families. Displaced / other families, who do not opt for employment / self-employment as mentioned in sub para (a) and (b) below, shall be provided by the Project authority with one time cash assistance in lieu of employment at the scale indicated below.

Categories of families referred to in clauses (i) to (v) of para 2 (f) shall not be considered separately for employment in the project. However, they will be paid one time cash compensation in lieu of employment.

Provided that if any industry is willing to offer employment to more than one member of a family, it may do so in lieu of one-time cash assistance.

Displaced / other families who are eligible to be considered for employment and families defined under clause (i) to (v) shall be provided with one time cash assistance in lieu of employment / self-employment in the scale indicated below:

Sl.No.	Families under category as per sub-para (a) above	Amount of one time cash assistance (Rs. In Lakhs.)
(i)	Displaced Families coming under Category (i)	5.00
(ii)	Displaced Families coming under Category (ii)	3.00
(iii)	Displaced Families coming under Category (iii)	2.00
(iv)	Displaced Families coming under Category (iv) & (v)	1.00

- (b) **Training for Self-employment:** Project authority under the guidance of the Collector concerned will make adequate arrangement to provide vocational training to at least one member of each displaced / other family so as to equip him/her to start his/her own small enterprise

Model Scheme on Betel Vine (Baroj)

Size- 90 Gacchha X Ahuda,
67.5 x 17.85m

Project area-45Cents /45 dml
Baroj area-30cents/30dml
No. of vines(25,000)
(Amount in Rs)

Slno	Particulars	Qty	Price per piece	Amount
A	Materials			
1	Bamboo for chunchnna(no)	375	20	7500
2	Bamboo for gada(no)	1620	6	9720
3	Split bamboo for vinchana(no)	882	5	4410
4	Oil wine(kg)	120	40	4800
5	Solid bamboo for Adia(60*4+60)	450	12	5400
6	Split bamboo for Potha	360	5	1800
7	Chai(hundles)	120	50	6000
8	Side walls (Thara)	40	mm	4000
9	Trying Materials L.S			2700
10	Inkad (Kahan)	30	150	4500
11	Planting materials	27500	0.50	13500
12	Mustard cake @ 10/KG/gachha/month LS	130qt/50kg	1000/qt	13500
13	Fertilisers (Gromar 28.28:0+mop kg/gachha/month) L.S	150kg	100	1500
14	Pond mod (cartloads) L.S	12TL	500/TL	6000
15	Fuel cost for irrigation (Diesel/Kerosene) L.S			4500
	SubTotal			90,080
B	Infrastructure			
1	Digging of a pond(9cents of 6ft depth or swallow tube well 60ft depth* 4inch dia)			12000
2	2.5HP diesel/kerosene pump set			12500
3	Plastic pipe for watering (300ft)			3000
4	Misc. equipment			750
	SubTotal			28,250
C	Labour & Operations			
1	Land preparation During 1st year and spreading of pond silt during subsequent years(4times/year)	75MD@Rs55		4125
2	Planting	36MD		1980
3	Construction & Repair of Baroj	135Md		7425
4	Irrigation with pump set Two Numbers.- 2.5hr/day	120Md		6600
5	Vine tying with inkad and lowering of vines	135MD		7425
6	Application of oilcake and fertilizer	18Md		990
7	Plucking of leaves	75MD		4125
	Misc.			500
	SubTotal			33,170
	SubTotal(A+B+C)			151,500

ED	Sub Total (A+B+C)			151500
D	Land Reclamation & Filling upland with 1.5ft height topsoil of Baroj area(L.S)			15000
	Grand Total(A+B+C+D)			166500

Abstract:-

Cost of cultivation for 30 cent Baroj in 45 cent/dmt of land ..-Rs-1,66,500/-
Hence cost of cultivation for 60cent land Baroj area will be-

(1,66,500 x 2)

Rs- 3,33,000/-

Cost of land

Rs-80,000/-

Total - Rs- 4,13,000/-

Yield and Income (30 cent area)

Year	1 st year	2 nd year	3 rd year	4 th year	5 th year	6 th year	7 th year	8 th year	9 th year	10 th year
Yield of leaves (in lakhs)	5885	11767	14,715	17,850	18,900	20,400	21,450	22500	24600	2490
YLAvg. price/1000leaves(Rs)	100	100	100	100	100	100	100	100	100	100
Net-developmental income	58850	1,17,670	1,47,150	1,78,500	1,89000	2,04,000	2,14,500	225000	246000	2490
Pre-developmental income	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000
Incremental income	57850	1,16,670	1,46,150	1,77,500	1,88000	2,03,000	213500	224000	245000	2480

NB:- After 10th year, the leaf quality will deteriorate and production will not be profitable.

K. K. Singh
Horticulturist,
Jagatsinghpur.

ମିଳିତ କ୍ରିୟାନୁଷ୍ଠାନ କମିଟି

ଜିଲ୍ଲା, ନୂଆଗାଁ, ଗଡ଼ ଜୁଜରା ଗ୍ରାମ ପଞ୍ଚାୟତ

ପୋଷାକ ପରିପୋଷିରେ ଆମର ଗାଦି

୧. ନିୟୁତ୍ତି-

(କ) ଏହି ଚିକିତ୍ସାୟତର ବାସ ଜମି ସାମିତ, ପ୍ରାୟ ୧୩୫୦ ଏକର । ଏହି ଚିକିତ୍ସାୟତ ଲୋକମାନେ ପ୍ରତ୍ୟାହତମାନେ ସରକାରୀ ଜମିରେ ଜାତିକା ନିର୍ବାହ କରିଥାଉଥିବାକୁ ପ୍ରତି ପରିବାରକୁ ବିକାଶିତର ସ୍ୱାଧୀନ କରିଥାନ୍ତା ।

(ଖ) ଏ ଚିକିତ୍ସାୟତରେ ଥିବା ପ୍ରତ୍ୟେକ ଶିକ୍ଷିତ ଯୁବକ ଓ ଯୁବତୀଙ୍କୁ କାରଖାନାରେ ନିୟୁତ୍ତି ଦେବାକୁ ବ୍ୟବସ୍ଥା କରାଯାଇ ପ୍ରତି ପରିବାରକୁ ଅନ୍ୟ ନ ଗୋଟିଏ ନିୟୁତ୍ତି ପାଇବା ଆବଶ୍ୟକ ।

(ଗ) ପ୍ରତ୍ୟେକ ଚାକିରୀ ବ୍ୟାପାରୀଙ୍କୁ ବେତନ ଦେବା ଓ ସମସ୍ତ କାର୍ଯ୍ୟକାରୀ ପୋଷାକ ଉପରେ ଆୟନରେ ଦେବା କରାଯାଇ ।

(ଘ) ପରବର୍ତ୍ତୀ ସମୟରେ ଯେଉଁ ଲୋକମାନେ ଉଚ୍ଚିତ ଯେତେ କାର୍ଯ୍ୟକାରୀ ସେବାରେ କାରଖାନାରେ ଯିବେ ନିୟୁତ୍ତି ଦେବା ପାଇଁ ବ୍ୟବସ୍ଥା କରାଯାଇ ।

(ଙ) ସାମାଜିକ କ୍ରିୟାକୁ କାରଖାନା ନିର୍ବାହ ସମୟରେ ନିୟୁତ୍ତି ଦେବା ପାଇଁ ବ୍ୟବସ୍ଥା ଦେବା କରାଯାଇ ।

(ଚ) ସମସ୍ତ ନିୟୁତ୍ତି କାରଖାନା ନିର୍ବାହ କରାଯାଇ ପ୍ରତି ପରିବାର ଆବଶ୍ୟକ ।

୨. ଯୁକ୍ତି ପ୍ରମାଣ -

(କ) ଯେଉଁ ପରିବାର ବିକାଶିତ ହେବେ ଓ ବାସ ଜମି ସରକାରଙ୍କ ସେ ପରିବାରକୁ ଘର ଡିଏ ବାବଦରେ ଏକର ପ୍ରତି ୪୦ ଲକ୍ଷ ଓ ତାହା ଜମି ପାଇଁ ୨୫ ଲକ୍ଷ ଟଙ୍କା ଦିଆଯାଇ । ଘର ସଜାଡ଼ିବା ପରିବାରକୁ ଆକର୍ଷଣ ଅନୁଯାୟୀ ଘରର ଉଚ୍ଚିତ ମୂଲ୍ୟ ଦିଆଯାଇ ।

(ଖ) ଯେଉଁମାନେ ଘର ଡିଏ ଓ ଘର ସଜାଡ଼ିବା ଯେଉଁ ପରିବାରର ସାବାଜନ ବ୍ୟୟକୁ ୨୦ ଟିପ୍ପିଲି ଘର ଡିଏ, ଚିକିତ୍ସା ବ୍ୟୟ ପ୍ରାୟତଃ ଓ ପାଠଶାଳା ଯୋଗାଇ ଦିଆଯାଇ । ପରିବାରର ସମସ୍ତ ସଦସ୍ୟଙ୍କୁ ଗୋଟିଏ ଯାଗାରେ ଏକାଠି ଯାଆ ଦିଆଯାଇ । ଏହି ପରିବାର ବିକାଶ ୨୦୦୮ ମସିହାଠାରୁ ଲାଗୁ କରାଯାଇ ।

(ଗ) ବିକାଶିତ ପ୍ରତ୍ୟେକ ପରିବାରର ନିତିଆ ଗଛ ପାଇଁ ୧୦ ହଜାର ଟଙ୍କା ଓ ଅନ୍ୟାନ୍ୟ ଗଛ ପାଇଁ ଉଚ୍ଚିତ ମୂଲ୍ୟ ପ୍ରଦାନ କରାଯାଇ ।

(ଘ) ଏ ଚିକିତ୍ସାୟତର ଲୋକେ ପୋଷାକ ନେତୃତ୍ୱ ମୋଡ଼ ୩୫୭୭.୯୯ ଏକର, ସରକାରୀ ଜମି ଉପରେ ପ୍ରତ୍ୟାହତମାନେ ଜାତିକା ନିର୍ବାହ କରିଥାଉଥିବା ଏବଂ ଏ ସମସ୍ତ ସରକାରୀ ଜମି ଏ ଅଞ୍ଚଳ ଲୋକଙ୍କର ବ୍ୟବହାରରେ ଅଛି, ଏ ସମସ୍ତ ଜମି ପାଇଁ ଏକର ପ୍ରତି ୨୫ ଲକ୍ଷ ଟଙ୍କା ଯୁକ୍ତି ପ୍ରମାଣ ପ୍ରଦାନ କରାଯାଇ ।

(ଚ) ପ୍ରଥମେ ବିକାଶିତରୁ ନିଜ ପଞ୍ଚାୟତରେ ଅବସାନ ନଦି ପରେ ସେମାନଙ୍କୁ ଜମି ନେବାକୁ ବ୍ୟବସ୍ଥା କରାଯାଇ ।

(ଙ) କାରଖାନା ପ୍ରତି ପରିବାରକୁ ଚାଉ ଲୋକମାନଙ୍କୁ ପ୍ରତି ବର୍ଷ ଉତ୍ତରଣ ଓ ପ୍ରଦାନ କରୁ ।

... 9 ...

୩. ପରିବେଶ ପ୍ରଦୃଶ୍ୟ- (କ) ଏ ଅଞ୍ଚଳରୁ ପରିବେଶ ପ୍ରଦୃଶ୍ୟରୁ ଉଦ୍ଧାରିବା ପାଇଁ କଂପାନୀ ପର୍ଯ୍ୟାୟ ବ୍ୟବସ୍ଥା ଗ୍ରହଣ କରୁ । (ଖ) ଏ ଅଞ୍ଚଳରୁ କର୍ତ୍ତାମାନଙ୍କ ସହଯୋଗ ଉପରେ ନିର୍ଭର କରିବା ପାଇଁ କଂପାନୀ ଗ୍ୟାରେଣ୍ଟି ଦେବ ।

୪. ସାମାଜିକ କାର୍ଯ୍ୟକ୍ରମ- (କ) କଂପାନୀ ଏ ଅଞ୍ଚଳରୁ ବାହାରିବା ପ୍ରୟୋଗରୁ ଉଦ୍ଧାରିବା ପାଇଁ ଏକ ସି-ଡ୍ରାଲ୍ (Seawall) ଜରିଆରେ ବ୍ୟବସ୍ଥା କରୁ । (ଖ) କଂପାନୀ ତିନି ପଞ୍ଚାୟତର ଉପ କମିଟି କମିଟି ନିୟମାବଳୀ ବ୍ୟବସ୍ଥା କରୁ ଏବଂ ଉକ୍ତି କମିଟିରୁ ଜଳ ସେଚନର ବ୍ୟବସ୍ଥା କରୁ । (ଗ) ସ୍ଥାନୀୟ ବାସିନ୍ଦାଙ୍କ ବିନା ମୂଲ୍ୟରେ ଚିକିତ୍ସା ନିମିତ୍ତ କଂପାନୀ ଏକ ବଡ଼ ଧରଣର ଚାନ୍ଦିନୀ ଗ୍ରହଣ କରୁ । (ଘ) ଏ ଅଞ୍ଚଳର ପ୍ରସିଦ୍ଧ ପାଠ ଛନ୍ଦମାନ ପାଠକୁ ସାମାଜିକ କରାଯାଉ । ଛନ୍ଦମାନ ପାଠର ବିକାଶ କରାଯାଉ ଏବଂ ଏହାକୁ ପର୍ଯ୍ୟାୟରେ ଶେଷର ମାନ୍ୟତା ଦିଆଯାଉ । (ଙ) ଗତ କୁଳଜ ଛନ୍ଦମାନ ମଧ୍ୟରେ କଂପାନୀ ପ୍ରସାରିତ କରୁ ଏବଂ ଏହାର ପାରିପାରିତ ବିକାଶ କରାଯାଉ । ଏ ଅଞ୍ଚଳରେ ଥିବା ଅର୍ବ ନିର୍ମିତ ମନ୍ଦିର ଗୁଡ଼ିକୁ ପ୍ରସାରିତ କରାଯାଉ । (ଚ) ଅସହାୟ ପରିବାର, ଯେଉଁ ପରିବାରରେ କେହି ଲୋକଙ୍କର ଯମ ବ୍ୟତି ନାହିଁ କଂପାନୀ ସେ ପରିବାରକୁ ମାସିକ ୩ ହଜାର ଟଙ୍କା ପ୍ରଦାନ କରୁ । (ଛ) ପାଠ୍ୟ ବର୍ଷରୁ ଉର୍ବ ବ୍ୟତିରୁ କଂପାନୀ ଉପକ୍ରମ ମାସିକ ଏକ ହଜାର ଟଙ୍କା ଉପାଦାନ କରାଯାଉ । (ଜ) ଏ ତିନି ପଞ୍ଚାୟତର ଗୁଡ଼ି ପରିବାରକୁ କଂପାନୀ ପୋଷ୍ୟ ପରିବାର ନୂପେ ଗ୍ରହଣ କରୁ । (ଝ) ବିସ୍ଥାପିତ ମତ୍ୟ ବିନା ପରିବାରକୁ କଂପାନୀ ଉପକ୍ରମ ଉପରେ ମାନ୍ୟତା ଦେଇ ଓ ଜାଲ ଯୋଗାଇ ଦିଆଯାଉ ଏବଂ ମାଛ ଧରିବା ପାଇଁ ଏକ ମାଛ ଧରା ଡେଇଁ ନିର୍ମାଣ କରାଯାଉ । ପୋଷ୍ୟ ବୟସରେ ମାଛ ମାରିବା ଅଧିକାର ମାସିକ ବିକାଶ ପରିବାରରୁ ଗ୍ରହଣ କରାଯାଉ ।

୫. ଅନ୍ୟାନ୍ୟ- (କ) କଂପାନୀରୁ ଯାହା ଦେବା ପରେ ଆଉ କୌଣସି ଗ୍ରାମାଞ୍ଚଳ ନାହିଁ ବୋଲି ସରକାର ଗ୍ୟାରେଣ୍ଟି ଦିଅନ୍ତୁ । (ଖ) ସ୍ଥାନୀୟ ବାସିନ୍ଦାଙ୍କୁ କାରଖାନା ନିର୍ମାଣ ସମୟରେ ଚିକିତ୍ସା ଉଦ୍ଧାରିବା ପାଇଁ ନିର୍ଦ୍ଦିଷ୍ଟ ବ୍ୟବସ୍ଥା ଗ୍ରହଣ କରାଯିବ ବାବଦ୍ୟରୁ । (ଗ) ସ୍ଥାନୀୟ ବାସିନ୍ଦାଙ୍କୁ ବ୍ୟବସାୟ ଜରିଆରେ କଂପାନୀର ଗାଡ଼ଜା ସିପରେ ବୋଲାନସର ଅନ୍ତର୍ଭୁକ୍ତ ଶିଳ୍ପରେ ଯୋଗାଇ ଦେବା ବରକାର । (ଘ) ବିରୋଧ ଗୋଷ୍ଠିଦ୍ୱାରା ନିର୍ଦ୍ଦିଷ୍ଟ ଓ ଶତ୍ରୁତ୍ୱ ଯୋଗୁଁ ପରିବାରମାନଙ୍କୁ ଉଚିତ ଶକ୍ତି ପ୍ରଦାନ ପ୍ରଦାନ କରାଯିବ ବାବଦ୍ୟରୁ । (ଙ) ଏ ତିନି ପଞ୍ଚାୟତର ଲୋକମାନଙ୍କ ନିମନ୍ତେ ଯୋଗ୍ୟ ସମସ୍ତ ସମସ୍ତ ମାମଲା ଗ୍ରହଣ କରାଯାଉ । (ଚ) ସ୍ୱତନ୍ତ୍ର ଅର୍ଥନୈତିକ ଲୋକ ସଂପର୍କରେ ସଂପୂର୍ଣ୍ଣ ତଥ୍ୟ ନ ଲାଭିବା ପର୍ଯ୍ୟନ୍ତ କମିଟି ଏହାକୁ ବିରୋଧ କରୁଅଛି ।

ଏ ଉପରେ ଉକ୍ତ ଉପକ୍ରମ ଲୋକଙ୍କୁ ବାହାରିବା ପ୍ରୟୋଗରୁ ଉଦ୍ଧାରିବା ପାଇଁ କଂପାନୀରୁ କରାଯାଉ । ଯଦି ସରକାର ଶତ୍ରୁତ୍ୱର ପରିବାରର ଆଶ୍ରୟ ନେଇ ପାରିବେ ।



POSCO-India: R & R Package

May, 2008

POSCO-India will not only comply with all the provisions of Orissa R & R Policy, 2006, in letter and spirit but will also go beyond the policy by extending the scope and quantum of compensation to displaced and affected families.

I. HOUSE FOR DISPLACED FAMILIES

- ✓ 10 decimal land, house in the rehabilitation colony /compensation and assistance to the displaced families will be provided as per Orissa State R&R policy.
- ✓ Going beyond Orissa R & R Policy, POSCO-India will also provide house in the rehabilitation colony to the displaced families from government land
- ✓ Displaced families will be given a three room house with kitchen, verandah and cattle shed in the rehabilitation colony which will have common facilities like school, community centre, market complex etc.
- ✓ Displaced families who opt to build their own house will be paid equivalent cash compensation

II. MAINTENANCE ALLOWANCE

- ✓ POSCO-India will give a monthly allowance of Rs 2,000/- per displaced family both from own and Government land for one year from date of vacation along with 'Transportation Allowance' of Rs 2,000/- per displaced family.

III. TRAINING & EMPLOYMENT

- ✓ During construction one nominated member of each project affected family will be engaged through the contractor. The job would be mandated by suitable provision in the contracts. The engagement will have the following order of preference.
 - Landless labour family working in betel vines
 - Displaced family from private land
 - Displaced family from government land
 - 100 % land losing family
 - Partial land losing family
 - Other left out families in the 3 Gram Panchayats who are not directly affected by the project.
- ✓ The scope of direct employment will arise after commissioning of the plant. One nominated member of each displaced family and 100% land losing family will be provided training and employment.

- ✓ One nominated member of other land affected families will be provided training free of cost for gaining employment in outsourced jobs which would be mandated by suitable provision in the contracts.
- ✓ Training will be provided to one member of other left out families from the 3 Gram panchayats to enhance their skill for employment /self-employment.
- ✓ Displaced fisherman families who opt for self employment in lieu of job will be provided motor boat and net for fishing.

IV. CASH COMPENSATION

- ✓ One time cash compensation, between 1 lakh to 5 lakhs, depending on the percentage of land loss will be given to the separate families who are not nominated by the displaced families for employment

V. COMPENSATION PACKAGE TO FREE ENCROACHMENT OF GOVT LAND

Sl.	Item	Quantum
i	Betel vine Owners	<ul style="list-style-type: none"> • Rs. 7,000 per decimal.
ii	Betel vine Workers (Landless & Marginal farmers) <i>* (To be jointly identified by POSCO-India and Government)</i>	<ul style="list-style-type: none"> • 15% of the amount payable to vine owners will be paid for equal distribution among workers. • Workers who will be rendered jobless after dismantling of vine structure will be paid unemployment allowance of Rs.1500/- per month for a period of 1 year or till they get wage employment under the contractor whichever is earlier.
iii	Prawn Pond	Rs. 1 Lakh per acre
iv	Paddy Field	Rs. 75,000/- per acre
v	Fruit bearing Trees	As per Government valuation.

(Disbursement procedure will be decided after land is alienated in favour of POSCO-India)

VI. FISHING JETTY

- ✓ A jetty will be constructed for the fisherman community.

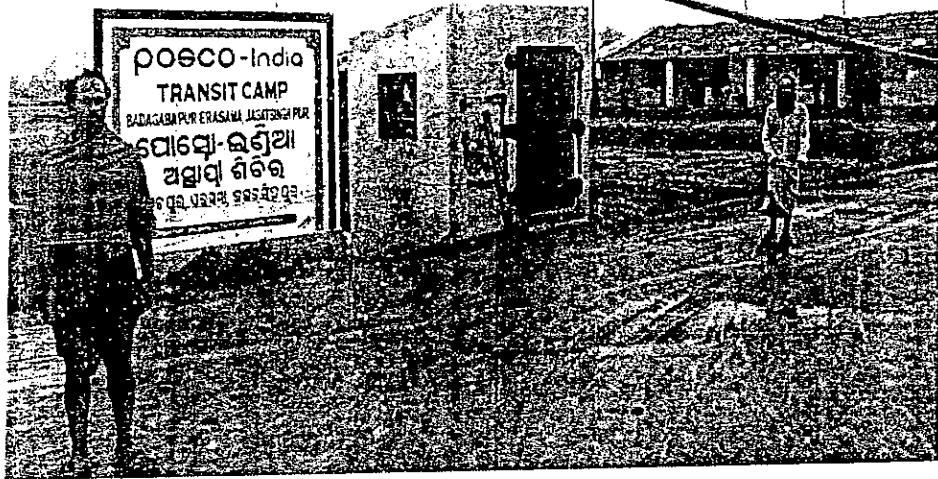
VII. ACQUISITION OF PRIVATE LAND

- ✓ POSCO-India will offer fair price for private land and there will be no forceful displacement / acquisition.

VIII. CORPORATE SOCIAL RESPONSIBILITY (CSR)

- ✓ All the villages of the 3 GPs will be adopted by POSCO-India for carrying out development work in phases to support education, health, rural development, sports and culture.
- ✓ POSCO-India will construct 6m high surge protection embankment which will protect the adjoining villages from cyclone and high tidal waves
- ✓ POSCO-India will train the local population on scientific farming to enhance the land yield, cattle & goat rearing, poultry farming, pisi-culture so as to provide sustainable livelihood and improved standard of living.
- ✓ POSCO-India will conduct entrepreneurial skill development programme for the educated unemployed youths of the area to enable them to acquire the requisite entrepreneurial skill so that they will be able to form co-operative societies & take up jobs to be outsourced by POSCO-India as well as build manufacturing / trading centre.
- ✓ POSCO-India will establish State-of-the-Art training centre in Paradeep
- ✓ POSCO-India will participate in formation of SHGs and co-operative societies for providing self-employment to local people.

POSCO-India will strive to better the quality of life of people in the neighborhood.



CASES RELATING TO CLASHES BETWEEN VARIOUS GROUPS IN PROPOSED POSCO AREA

Sl. No.	Case Reference and Section of law	Name of the Complt. with address	Name and address of the accused	Gist of the F.I.R.	Arrest made if any	Present stage of investigation / Trial
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	Kujanga P.S. case No.40, DT.11.04.2006 u/S 147 / 148 / 341 / 323 / 325 / 294 / 354 / 427 / 379 / 365 / 367 / 332 / 336 / 307 / 506 / 149 IPC / 27 Arms Act.	Smt. Sabita Mohapatra, Zilla Parishad Chairperson.	1) Abhaya Sahoo of Kirilo (Jirilo), PS: Erasama. 2) Sisir Mohapatra of Dhinkia 3) Akhaya Kumar of Sasislo, PS; Mahanga, Cuttack 4) Biswajit Roy of Thoriasahi, Cuttack. 5) Chita Swain 6) Sanata Satpathy of Gadakujanga 7) Manorama Khatua 8) Basanta Gochhayat of Dhinkia 9) Jyoshnarani Mohanty of Dhinkia 10) Chandan Mohanty of Patana Dhinkia 11) Bairagi Dalei of Patana Dhinkia and 46 others.	On 11.04.2006 the accused persons noted in Col.4 being armed with deadly weapons formed and unlawful assembly and assaulted the supporters of Ex-Minister Dr. Damodar Rout, while they were going to village Dhinkia to attend a public meeting which was held on official programme.	Arrest - Nil	P.I.

2.	Kujanga P.S. case No.43, dt.03.03.2007 U/s 147 / 148 / 341 / 323 / 324 / 294 / 364 / 342 / 442 / 427 / 307 / 395 / 506 / 149 IPC / 27 Arms Act/9 (b) I.E Act	Prafulla Mohanty, s/o late Purusottam Mohanty, Vill: Gobindapur, PS: Kujanga, Dist: Jagatsinghpur	<div>1) Abhaya Sahoo of Kirilo (Jiriolo), PS: Erasama</div> <div>2) Subash Mohapatra</div> <div>3) Paji Mantry</div> <div>4) Suresh Swain</div> <div>5) Pravakar Das</div> <div>6) Nanda Lenka</div> <div>7) Babaji Samantaray</div> <div>8) Akhaya Das</div> <div>9) Jogi Mallick</div> <div>10) Abhaya Mallik</div> <div>11) KunaLenka</div> <div>12) Sura Mohapatra</div> <div>13) Sisira Mohapatra</div> <div>14) Jagabandhu Das</div> <div>15) Baishnab Das Sl. No. 1 to 15 of Dhinkia</div> <div>16) Prakash Jena</div> <div>17) Dhurba Sahoo of Gobindapur</div> <div>18) Subash Sahoo and others.</div> <div>19) Niranjan Behera and others.</div>	On 03.03.2007 the accused persons noted in Col.4 formed an unlawful assembly being armed with deadly weapons attacked the complt. and his members kidnapped one among them committed dacoity in respect of motorcycle and cash and threw bombs to the complt. and his fellow man.	Arrest - Nil	P.I
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3.	Kujanga P.S. case No.235, dt.23.11.2007 U/s 147 / 148 / 341 / 323 / 294 / 307 / 379 / 149 IPC.	Suresh Ch. Swain, S/o Uttam Ch. Swain Vill: Nuagan, PS: Kujanga, Jagatsinghpur.	1) Nanda Behera 2) Pahali Behera 3) Sachi Mohapatra 4) Braja Behera 5) Patitapaban Behera 6) Fagu Behera 7) Madan Behera 8) Kusa Behera 9) Bhima Behera 10) Prakash Behera 11) Benudhar Behera 12. Gagan behera 13. Sudarsan Behera, all are of Nolisahi. 14. Nrusingha Mallick 15. Akhaya Mallick, all are of Nuagan.	On 22.11.2007 at 5 P.M. while the complt. alongwith staff of Dharitri Dredging Company had been to Jatadhari confluence point with priest of Mahaveer temple to offer puja the accused persons noted in Col.4 being armed with deadly weapons attacked the complt. and others assaulted the priest and caused g serious injury to Ramesh Swain and others.	Arrest - Nil	P.I.
4.	Kujanga P.S. case No.237, dtd.29.11.2007 U/s 147 / 148 / 323 / 336 / 337 / 324 / 341 / 294 / 427 / 436 / 506 / 149 IPC / 9 (b) I.E. Act.	S.I. B. Mohanty of Kujanga P.S.	1) Some people of Nuagan, Gadakaujanga, Govindapur and Anti-POSCO activists.	On 29.11.2007 at 5 P.M. there was group clash between the anti-POSCO activists and the villagers of Govindapur, Gadakaujanga and Nuagan during which the tent was burnt and persons of both the groups sustained injuries.	Arrested- Nil	P.I.

5.	Kujanga P.S. case No.49, dt.21.04.2008 U/s 143 / 341 / 323 / 294 / 506 / 149. IPC / 9 (b) I.E. Act.	Gunanidhi Rout, S/o late Ajodhya Rout, Vill: Gobindapur, PS: Kujanga	1) Hunda Ojha 2) Saran Ojha 3) Manindra Rout 4) Barida Rout 5) Prafulla Mohanty 6) Kalia Mohanty 7) Dora Mohanty 8) Sangram Padhiary 9) Jatin Burdhan, all are of vill: Govindapur	On 20.04.2008 at 7 P.M. the accused persons noted in Col.4 formed an unlawful assembly wrongfully restrained the complt. assaulted him, abused in obscene language threw bombs causing injury and threatened against dire consequence.	Arrested-05	P.I.
6.	Kujanga P.S. case No.50, dt.21.04.2008 U/s 147 / 148 / 341 / 323 / 365 / 307 / 149. IPC / 9 (b) I.E. Act	Suryanarayan Behera, S/o Bira Behera Vill: Govindapur, PS: Kujanga, Dist: Jagatsinghpur.	1) Ashok Burdhan 2) Prakash Jena 3) Ranjan Swain 4) Babuli Rout 5) Bhanja Mohanty 6) Subha Sahani 7) Shyama Jena 8) Chitta Ranjan Swain 9) Pandaba Swain 10) Ramesh Mantry 11) Panchanan Swain 12) Sarada Rout and 150 others of Govindapur	On 20.04.2008 at 7 P.M. the accused persons noted in Col.4 committed rioting being armed with deadly weapons brutally assaulted one Manindra Rout kidnapped him to Dinkia and confined there threw bombs, due to assault Manindra Rout sustained fracture on his hand and bleeding injury on head, back and leg.	Arrested- 01	P.I.

7.	Kujanga P.S. case No.51, dt.21.04.2008 U/s 452 / 147 / 148 / 341 / 323 / 342 / 379 / 427 / 149 IPC / 9 (b) I.E. Act	Pramod Burdhan , S/o late Basudev Burdhan of Govindapur, PS: Kujanga	1) Abhaya Sahoo of Kimilo (Jireilo), PS: Erasama 2) Sisir Mohapatra of Dhinkia 3) Prakash Jena 4) Ashok Burdhan 5) Babuli Rout, Sl. No.3 to 5 of Gobindapur. 6) Sura Das of Patana 7) Jitua Das 8) Gunia Rout 9) Ranjan Swain 10) Shyama Jena and others, all are of Gobindapur.	On 20.04.2008 at 7 P.M. the accused persons noted in Col.4 formed unlawful assembly being armed with deadly weapons entered into the house of complt, assaulted his family members looted away the household articles damaged the betel vine and threw bombs.	Arrested-01	P.I.
8.	Kujanga P.S. case No.76, dt.15.05.2008 U/s 147 / 148 / 341 / 323 / 336 / 326 / 307 / 149 IPC / 9 (b) I.E. Act.	Nirmal Khatua, S/o Natabar Khatua, Vill: Govindapur, PS: Kujanga	1) Gunia Kandi 2) Ashok Bardhan 3) Prakash Jena 4) Dhurba Sahani 5) Ranjan Swain 6) Suba Sahani 7) Babuli Rout and others all are of Gobindapur.	On 14.05.2008 at 10:30 P.M. the accused persons noted in Col.4 formed unlawful assembly being armed with deadly weapons attacked the father of the complt. and to her with an attempt to commit murder and chopped of palm of Natabar Khatua, pelted stones and exploded bombs.	Arrested- 01	P.I.

9.	Kujanga P.S. case No.101, dt.21.06.2008 U/s 147 / 148 / 323 / 336 / 341 / 307 / 302 / 149 IPC / 9 (b) I.E. Act.	Sabita Mandal, W/o late Dula @ Tapan Mandal Vill: Govindapur, PS: Kujanga	1) Baina @ Prafulla Mohanty 2) Kalia Mohanty 3) Dora Mohanaty 4) Hunda Ojha 5) Tanara Ojha 6) Badi Padhiary 7) Bhajia Sahoo 8) Pramod Burdhan 9) Karunakar Patra 10) Salua Patra 11) Chandan Parida 12) Raina Mohanty 13) Bijaya Burdhan 14) Mathuri Patra 15) Hrusikesh Dalai 16) Prabira Sahani 17) Hemanta Swain 18) Basanta Swain 19) Basanta Burdhan 20) Sura Burdhan 21) Nilakantha Khatua 22) Dibakar Mohanty 23) Nanda Swain 24) Abhi Dalai 25) Babuli Rout 26) Lachhman Das 27) Prasanna Das 28) Baina Burdhan 29) Samira Behera 30) Sudhira Pal 31) Sarbeswara Burdhan 32) Akhaya Patra 33) Mina Patra 34) Pradip Swain 35) Maguni Nayak 36) Daitari Khunita 37) Kelu Barik 38) Bansidhar Dalai 39) Narayan Parida and others all are of village Govindapur.	On 20.06.2008 at about 6 P.M. the accused persons noted in Col.4 being armed with deadly weapons attacked the anti-POSCO supporters to Govindapur by throwing bombs causing injuries to one Dula @ Tapan Mandal, Subash Sahani and Kalandi Jena and injured Dula @ Tapan Mandal succumbed to injuries on his way to S.C.B. Medical College, Cuttack.	Arrested - 26	P.I.
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ANNEXURE - B

OTHER CASES RELATING TO VILLAGE RIVALRY / GROUP RIVALRY / POLITICAL RIVALRY IN PROPOSED POSCO AREA:

Sl. No.	Case Reference and Section of law	Name of the Complt. with address	Name and address of the accused	Gist of the F.I.R	Arrest made if any	Present stage of investigation / Trial
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	Kujanga P.S. case No.44, dt.14.04.2006 U/s 341 / 323 / 294 / 379 / 34 IPC	Gandharb Mallik, s/o late Mali Mallik, Vill: Dhinkia, PS: Kujanga, Dist: Jagatsinghpur	1) Dibakar Nayak, Vill: Pokhariapada, PS: Kujanga, Dist: Jagatsinghpur. 2) Ramesh Ch. Parida, s/o Premananda Parida vill: Badagabapur, PS: Kujanga, Dist: Jagatsinghpur.	On 13.04 2006 at 4 P.M. the accused persons noted in Co.4 wrongfully restrained the complt. abused him in obscene languages, assaulted him and snatched away his bicycle and battery.	C.S. against both the accused persons.	Subjudice in the Court.
2.	Kujanga P.S. case No.45, dt.14.04.2006 U/s 341 / 323 / 379 / 427 / 34 IPC.	Maguni Sahani, S/o Jadumani Sahani, Vill: Dhinkia, PS: Kujanga, Dist: Jagatsinghpur	1) Dibakar Nayak, S/o Padan Nayak, of Popkhariapada 2) Sarat Mohanty, S/o Dhuna Mohanty Vill: Kankardia, PS: Kujanga, Dist: Jagatsinghpur.	On 14.04.2006 at 4 P.M. the accused persons noted in Col.4 assaulted the complt. restrained him wrongfully, abused in obscene language and took away cash of Rs.5,000/-	C.S. against both the accused persons	Subjudice in the Court
3.	Kujanga P.S. case No.53, dt.24.04.2006 U/s 341 / 323 / 294 / 379 / 506 / 34 IPC	Ranjan Ku. Swain, s/o Netrananda Swain, Vill: Govindapur, PS: Kujanga, Dist: Jagatsinghpur	1) Ajit Rout 2) Gouranga Guru 3) Prasanta Jena 4) Babaji Mohanty all are of vill Nuagan.	On 24.04.2006 at 7 A.M. the accused persons noted in Col.4 wrongfully restrained the complt. abused and assaulted him.	Arrested - 1 Surrendered - 3	Subjudice in the Court.

4.	Kujanga P.S. case No.55, dt.25.04.2006 U/s 342 / 427 / 109 / 294 / 506 / 34 IPC	Anadi Ch. Rout, S/o Gangadhar Rout, Vill: Nuagan, PS: Kujanga, Dist: Jagatsinghpur	1) Akshaya Kumar of Sasilo, Mahanga, Cuttack. 2) Abhaya Sahoo of Kimilo PS: Erasama 3) Dhurba Ch. Sahani of Gobindapur and others..	On 25.04.2006 the accused persons noted in col.4 gheraoed the house of the complt. and caused mischief in his house with common intention.	Arrested - Nil	P.I.
5.	Kujanga P.S. case No.68, dt.14.05.2006 U/s 341 / 323 / 294 / 354 / 506 / 34 IPC.	Kalpana Nayak, W/o Abhiram Nayak. Vill: Gadakujanga, PS: Kujanga, Jagatsinghpur.	1) Kalandi Das, S/o Kartik Das 2) Kartik Das both of Gadakujanga.	On 14.05.2006 the accused persons noted in Col.4 had abused assaulted the complt. with common intention.	C.S against both the accused persons.	Subjudice in the Court.
6.	Kujanga P.S. case No.92, dt.09.07.2006 U/s 147 / 148 / 452 / 323 / 294 / 506 / 149 IPC	Suresh Ku. Das. S/o Purna Ch. Das. Vill: Patana, PS: Kujanga. Dist: Jagatsinghpur	1) Karuna Patra 2) Salua @ Ajit Patra 3) Tulia Mohanty 4) Sukanta Mohanty 5) Dipak Bardhan 6) Pradip Swain 7) Mathuri Patra 8) Dama Jena 9) Dhakudi Dalai 10) Banaj Khatua 11) Balua Patra 12) Ranjan Behera all are of Gobindapur.. 19) Mania Rout @ Mandra	On 09.07.2006 at 6 P.M. the accused persons noted in col.4 being armed with deadly weapons attacked the complt. and his brother causing simpe and grievous injury, abused him in obscene language and threatened dire consequence.	Arrest-12	Subjudice in the Court.

	<p>7. Kujanga P.S. case No.185, dt.25.11.2006 U/s 341 / 323 / 294 / 506 / 387 / 34 IPC.</p>	<p>Sanjaya Mandal, s/o late Bhagaban Mandal vill: Dhinkia, PS: Kujanga Dist: Jagatsinghpur.</p>	<p>1) Jogendra Mallik 2) Akhaya Das 3) Bibhuranjan Mohapatra 4) Basanta Gochhayat 5) Babajee Jena 6) Abhaya Mallik all are of Dhinkia 7) Abhaya Sahoo 8) Sisir Mohapatra 9) Babaji Samantaray</p>	<p>On 25.11.2006 the accused persons noted in Col. 4 abused, assaulted and committed extortion in respect of the complt. and threatened to kill.</p>	<p>Arrested - Nil</p>	<p>P.I.</p>
<p>8.</p>	<p>Kujanga P.S. case No.214, dt.23.12.2006 U/s 147 / 148 / 452 / 294 / 342 / 427 / 354 / 307 / 395 / 149 IPC</p>	<p>Bljaya Kumar Das S/o Sanatan Kandi Vill: Dhinkia PS: Kujanga, Dist: Jagatsinghpur.</p>	<p>1) Abhaya Sahoo of Kimilo, PS: Erasama 2) Sisir Mohapatra 3) Susil Mohapatra 4) Babaji Samantaray 5) Basudev Samantaray 6) Akhaya Das 7) Basanta Gochhayat 8) Butu Swain 9) Biswaranjan Mohapatra and 15 others. 10) Subash Mohapatra, all are of dhinkia</p>	<p>On 13.12.2006 the accused persons noted in Col.4 formed an unlawful assembly armed with deadly weapons entered into the house of the complt. abused, assaulted, outraged the modesty of inmates damaged the house hold articles, committed dacoity in respect of valuable property.</p>	<p>Arrested - Nil</p>	<p>P.I.</p>
<p>9.</p>	<p>Kujanga P.S. case No.27, dt.16.02.2007 U/s 341 / 323 / 294 / 379 / 354 / 34 IPC</p>	<p>Smt. Sanjulata Mallik, W/o Jogindra Mallik Vill: Dhinkia, PS: Kujanga Dist: Jagatsinghpur</p>	<p>1) Sabitri Mallik 2) Manguli Mallik 3) Murali Mallik 4) Ramesh Mallik 5) Kailash Mallik, all are of village Dhinkia.</p>	<p>On dt.16.02.2007 the accused persons noted in Col.4 abused assaulted and outraged the modesty of the complt. and committed theft of gold ornaments, from the complt. on the public road.</p>	<p>C.S. against all the five accused persons.</p>	<p>Subjudice in the Court.</p>

10.	Kujanga P.S. case No 30, dt.22.02.2007 U/s 143 / 452 / 294 / 323 / 379 / 506 / 149 IPC	Manas MOhanty, s/o Madha Mohanty, Vill: Patana, PS: Kujanga, Dist: Jagatsinghpur	1) Basanta Gochhayat 2) Bibhuna Mohapatra, Sl. No.1 to 2 of Dhinkia. 3) Sura Das 4) Sankar Nayak 5) Bairagi Mohanty 6) Babula Rout all are of Patana Dhinkia. 7) Dhurba Swain 8) Jagabandhu Dalei 9) Chhabhi Ojha of Dhinkia 10) Bairagi Dalei 11) Santosh Dalei	On. 22.02.2007 the accused persons noted in Col.4 forcibly entered into the house of the complt. and abused. assaulted. committed the house hold articles and threatened to kill in life with common object.	C S. against 10 accused persons	Subjudice in the Court.
11.	Kujanga P.S. case No.31. dt.22.02.2007 U/s 135 (i) / 131 / 136 (i) (c) (f) R.P. Act	Muralidhar Swain E/o Erasama Block	Unknown	On 21.02.2007 at 8 A.M some antisocial elements indulged in Booth capturing and rigging and did not allow free and fair polling in Booth No.17 to 23 at Govindapur.	Arrest - Nil	P.I
12.	Kujanga P.S. case No.32. dt.22.02.2007 U/s 143 / 149 / 431 / 353 / 171 / 283 IPC / 131 / 135 R.P. Act	Muralidhar Swain E/O Erasama Block. Dist: Jagatsinghpur.	Unknown	On the day of poll i.e. 21.02.2007 the anti-POSCO people of Dhinkia did not allow to conduct free and fair poll in the booth No 10 to 16 at Dhinkia and prevented entry of Election observer and senior officers.	Arrest - Nil	P.I

13.	Kujanga P.S. case no.33, dt.22.02.2007 U/s 143 / 431 / 283 / 353 / 149 / 171 (C) IPC	Muralidhar Swain, BDO-Cum-E/O Erasama Block.	Unknown	On 21.02.2007 at about 6 P.M. villagers of Gadakujanga obstructed the road and did not allow the polling parties to proceed with Ballot box after poll.	Arrest - Nil	P.I.
14.	Kujanga P.S. case No.34, dt.22.02.2007 U/s 135 / 136 (f) R.P. Act.	Muralidahr Swain, BDO-Cum-E.O. Erasama	Ranjan Swain, S/o late Narendra Swain Vill: Gobindapur, PS: KUjanga Dist: Jagatsinghpur	On 21.02.2007 at 8 AM the accused noted in Col.4 took away the ballot box from Booth No.23 at Dhinkia and there by prevented free and fair poll.	Arrest - Nil	P.I.
15.	Kujanga P.S. case No.35, dt.22.02.2007 U/s 135 (i) / 136 (f) R.P. Act	Muralidahr Swain, BDO-Cum-E.O. Erasama	Prakash Jena, S/o Kalandi Jena Vill: Gobindapur, PS: Kujanga	On 21.02.2007 at 7 A.M. the accused noted in Col.4 took away the ballot box booth No.22 of Dhinkia G.P. and polling was postponed	Arrest-Nil	P.I.
16.	Kujanga P.S. case No.36, dt.22.02.2007 U/s 135 / 136 (f) R.P. Act.	Muralidahr Swain, BDO-Cum-E.O. Erasama	Unknown	On 21.02.2007 at 8 A.M. anti-POSCO activists took away the ballot box from Booth No.16 of Dhinkia G.P. i.e. Patana.	Arrested -Nil	P.I.
17.	Kujanga P.S. case No.37, DT.22.02.2007 U/s 143 / 144 / 294 / 323 / 427 / 506 / 149 IPC / 3 (X) SC & ST (POA) Act.	Soubhagya Behera, s/o Gadadhar Behera Vill: Jaganathpur, PS: Kujanga,	1) Nakulananda Sahoo 2) Chhabhi Sahoo 3) Dhurba Mohanty 4) Prafulla Biswal 5) Ashok Das 6) Asama Das 7) Dillip Biswal, all of Gadakuijanga and others.	On 22.02.2007 the accused persons noted col.4 performed an unlawful assembly abused, assaulted destroyed the vehicle of the complt. who is Zillaparishad candidate for the 3-tier G.P. election with common object.	Arrested - Nil	P.I.

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18.	Kujanga P.S. case No.46, dt.06.03.2007 U/s 147 / 148 / 294 / 323 / 324 / 395 / 436 / 427 / 506 / 149 IPC / 27 Arms Act.	Babaji Rout S/o late Muralidahr Rout Vill: Dhinkia, PS: Kujanga	1) Abhaya Sahoo of Kirilo, PS: Erasama 2) Basanta Gochhayat 3) Akhaya Das 4) Sibhu Mohapatra 5) Jogi Mallik 6) Akhaya Mallik 7) Babu jena 8) Ajodhya Swain 9) Subash Mohapatra 10) Chhabindra Ojha 11) Sisira Mohapatra 12) Charan Samal 13) Babu Swain 14) Indramani Swain 15) Mina Mallik 16) Sachidananda Behera 17) Sukadev Parida 18) Bhramarbar Sethi 19) Kumar Mallik 20) Mathuri Das 21) Baban Nayak, all are of Dhinkia	On 06.03.2007 the accd. persons noted in col.4 performed an unlawful assembly being armed with deadly weapons abused, assaulted the complt. destroyed the betel vines and committed dacoity of articles of the complt. and threatened the complt. to kill in life. The accd. persons also set fire in the grocery shop of the complt. and committed dacoity of grocery articles.	Arrest - Nil	P.I.
19.	Kujanga P.S. case No.60, dt.30.03.2007 U/s 506 / 507 IPC	Gopinath Sahoo. S/o Ekadasi Sahoo Vill: Nuagan, PS: Kujanga	1) Suspect son of Abhaya Sahoo of Kimilo, PS: Erasama	On 30.03.2007 the accd. persons noted in Col.4 is suspected to give threaten call to the complt. over the telephone.	Arrested - Nil	P.I.
20	Kujanga P.S. case No.61, dt.30.03.2007 U/s 506 / 507 IPC.	Dhirendra Das, Vill: Balitutha, PS Kujanga	Unknown	On 30.03.2007 the accd. persons noted in col.4 is suspected to give threatening call to the complt. over telephone	C.S against 03 persons.	Subjudice in the Court.
21.	Kujanga P.S. case No.64, dt.05.04.2007 UU/s 341 / 294 / 354 / 379 / 506 / 34 IPC	Mathuri Behera S/o Dinabandhu Behera Vill: Gadakujanga PS: Kujanga	1) Rabi Behera 2) Chakradhar Behera 3) Anjali Behera, all are of Gadakujanga.	On 04.04.2007 the accd. persons noted in col.4 abused the son of complt. outraged the modesty of his inmates committed theft of vegetables from the bari land to kill him in life.	F R. False	F.R False.

22.	Kujanga P.S. case No.73, dt.25.04.2007 U/s 143 / 452 / 379 / 427 / 323 / 506 / 149 IPC	Pabitra rout, s/o Uchhab Rout Vill: Dhinkia PS: Kujanga	1) Chaina Samal 2) Indramani Swain 3) Ananta Nayak 4) Kumar Mallik 5) Bhramarbar Sethi, all are of Dhinkia and others	On 25.04.2007 the accused persons noted in col.4 performed unlawful assembly to enter into the house of the complt. damaged the household articles committed theft of the house hold articles. assaulted them and threatened to kill in life.	Arrested - Nil	P.I.
23.	Kujanga P.S. case No.74, dt.26.04.2007 U/s 294 / 323 / 379 / 506 / 34 IPC.	Narahari Rout, S/o Muli Rout Vill: Dhinkia PS: Kujanga	1) Prafulla Sahoo 2) Ekan Das 3) Santosh Dalai 4) Sura Das 5) Basanta Gochhayat 6) Meghua Dalai 7) Kalia Dalai 8) Jatia Das 9) Dhruba Swain 10) Baina @ Prafulla Mohanty 11) Sanjaya Sahoo 12) Nira Das 13) Amina Sahoo 14) Kangali Sahoo and others, all are of Dhinkia.	On 26.04.2007 the accd. persons noted in Col.4 abused his son assaulted him committed theft of fish from his pond and threatened to kill in his life.	Arrested - 01	P.I.
24.	Kujanga P.S. case No.112, dt.07.06.2007 U/s 341 / 323 / 294 / 379 / 34 IPC / 25 Arms Act.	Nilakantha Khatua S/o Natabar Khatua Vill: Gobindapur, PS: Kujanga Dist: Jagatsinghpur.	1) Ajit Pasayat of Gobindapur 2) Sankar Nayak 3) Sura Das both of Patana, PS: Kujanga	On 05.06.2007 at 8 P.M. the accd. person threatened the complt. on the point of revolver, assaulted and abused him and took away cash gold chain and one Bajaj Platina motorcycle.	Arrested - Nil	P.I.

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<p>25. Kujanga P.S. case No.123. dt.17.06.2007 U/s 147 / 148 / 323 / 427 / 379 / 294 / 506 / 149 IPC/27 Arms act.</p>	<p>Rabindra Sahoo, s/o Damei Sahoo Vill: Dhinkia PS: Kujanga</p>	<p>1. Dhurba Swain 2. Suresh Das 3) Kailash Mohanty 4. Sankar Nayak 5. Bamadev Mohanty 6. Tapan Rout 7. Sarbeswsar Das 8) Rajendra Dalai 9) Ekan Das 10 Prakash Sahoo. 11. Santosh Dalei 12. Sanjaya Sahoo 13. Tapan Mohanty all are of Dhinkia 14. Abhaya Sahoo of Kimilo, PS: Erasama</p>	<p>On 22.05.2007 at 7 P.M. the accd. persons noted in col.4 being armed with lethal weapons damaged the fence and tube well and again on 04.06.2007 they assaulted the complt. Abused him in obscene languages took away pipes from him and threatened against dire consequence.</p>	<p>Arrested - Nil</p>	<p>P.I.</p>
<p>26. Kujanga P.S. case No.128. dt.26.06.2007 U/s 147 / 148 / 341 / 323 / 294 / 307 / 354 / 452 / 395 / 109 / 149 IPC / 27 Arms Act.</p>	<p>Kalpna @ Kausaiya Dalai, W/o Sribachha Dalai Vill: Dhinkia</p>	<p>1. Sankar Nayak 2. Tapan Mohanty 3. Kailash Mohanty 4. Ramakanta Muduli 5. Sarbeswar Das 6. Rajendra Dalai 7. Suryakanta Dalai 8 Achuta Das 9. Subas Das. 10. Prakash Sahoo and 13 others, all are of Dhinkia 11) Abhay Sahoo of Kimilo, PS: Erasama.</p>	<p>On 26.06.2007 at 8 A.M. the accd persons noted in col.4 being armed with deadly weapons assaulted the complt. abused him and family members outraged the modesty of his wife, looted away household articles and valuable from his house and thereby committed dacoity.</p>	<p>Arrested- Nil</p>	<p>P.I.</p>
<p>27. Kujanga P.S. case No.129. dt.27.06.2007 U/s 147 / 148 / 341 / 323 / 294 / 452 / 395 / 109 / 149 IPC / 27 Arms Act.</p>	<p>Parbati Muduli W/o Kasinath Muduli Vill: Dhinkia PS: Kujanga</p>	<p>1. Abhaya Sahoo of Kimilo, PS: Erasama 2. Suresh Das 3. Sankar Nayak 4. Kailash Mohanty 5. Bamadev Mohanty 6. Pradip Swain 7. Jagabandhu Dalai 8) Raghu Dalai 9) Maguli Sethi 10 Santosh Dalai and others all are of Dhinkia.</p>	<p>On 26.06.2007 at about 8 A.M. the accd. persons noted in col.4 being armed with deadly weapons trees passed with the house of complt. abused her and other family members in obscene language assaulted them outraged her modesty and committed dacoity in respect of household articles and goats.</p>	<p>Arrest - 01</p>	<p>P.I.</p>

28.	Kujanga P.S. case No.139, dt.11.07.2007 U/s 341 / 323 / 294 / 506 / 34 IPC	Susila Muduli W/o late Bhagaban Muduli Vill: Patana Dhinkia PS: Kujanga	1. Ramakanta Muduli 2. Pari Rout 3. Amita Mohanty 4. Rina Muduli 5. Laxmi Nayak 6. Santosh Dalei 7. Sarbeswar Das	On 09.07.2007 at 7 P.M. the accd. persons noted in col.4 wrongfully restrained the complt. assaulted and abused her in obscene languages and threatened against dire-consequences.	Arrest- Nil	P.I.
29.	Kujanga P.S case No.156, dt.23.07.2007 U/s 147 /148 / 323 / 294 / 506 / 149 IPC.	Bansidhar Dalai, s/o Bata Dalai Vill: Gobindapur. PS: Kujanga	1. Sura Das 2. Khira Das 3. Prasanta Das 4. Dhurba Das 5. Pradipa Das 6. Dhurba Sahani 7. Narahari Sahoo, all are of Gobindapur	On dt.23.07.2007 at 4.30 P.M. the accd. persons noted in col.4 being armed with deadly weapons assaulted the complt. abused her in obscene language and threatened against dire consequence.	Arrest - Nil	P.I.
30.	Kujanga P.S. case No.181, dt.23.08.2007 U/s 341 /323 / 294 / 379 / 34 IPC	Suresh Sahoo S/o Batakrushna Sahoo Vill: Nuagaon PS: Kujanga	1) Manguli Muduli 2. Sabita Muduli 3. Bhaganu Dalai 4. Upana Das, all are of Nuagaon	On 20.08.2007 at 7 P.M. the accd. persons noted in col.4 assaulted the complt. abused him in obscene language and took away cash of Rs.700/- from his pocket.	Arrest- Nil	P.I.
31.	Kujanga P.s. case NO.188, dt.05.09.2007 U/s 457 / 341 / 323 / 294 / 379 / 506 / 34 IPC	Karunakar Muduli S/o Kanduri Muduli Vill: Patana PS: Kujanga	1. Arakhita Muduli 2. Bairagi Dalei 3. Ramesh Mohanty 4. Suresh Das 5. Dhruba Swain 6. Rabi Das 7. Ramesh Muduli and 11 others, all are of Patana.	On 15.08.2007, the accd. persons noted in col.4 trespassed into the house of complt. by breaking the wall wrongfully restrained him, abused in obscene language, took away the cow and tree of the complt and threatened against dire-consequence.	Arrested - Nil	P.I.

32.	Kujanga P.S. case No.189, dt.05.09.2007 U/s 147 / 148 / 452 / 341 / 323 / 294 / 379 / 506 / 149 IPC	Khirode Behera S/o Sahadev Behera Vill: Gobindapur	<ol style="list-style-type: none"> 1. Santosh Dalai 2. Kailash Mohanty 3. Sankar Nayak 4. Suresh Das 5. Sarbeswar Das 6. Dhurba Swain 7. Manguli Sethi 8. Tapan Mohanty 9. Prakash Sahoo and others all are of Patana Dhinkia. 	On 20.08.2007 at 10 P.M. the accd. persons noted in col.4 being armed with deadly weapons entered into the house of complt. assaulted him abused in obscene language looted away household articles with criminal intimidation.	Arrest- Nil	P.I.
33.	Kujanga P.S. case No.202, dt.02.10.2007 U/s 447 / 341 / 427 / 379 / 506 / 34 IPC	Duryodhan Mohanty s/o Krushna Mohanty Vill: Dhinkia PS Kujanga	<ol style="list-style-type: none"> 1) Manguli Kandi 2. Maguni Mohanty 3 Kabindra Gochhayat 4. Subash Behera 5. Kailash Biswal 6. Akhaya Das 7. Ajodhya Swain 8. Babaji Samantaray 9. Sudhir Mohapatra 10. Srikanta Das all are of Dhinkia. 	On 30.09.2007 at 1 P.M. the accd. persons noted in col.4 entered the betel vine of complt. damaged in betel vine and trees and took away the bamboo sticks etc. and threatened against dire consequence.	Arrest - Nil	P.I.
34.	Kujanga P.S. case NO.210, dt.17.10.2007 U/s 341 / 323 / 294 / 354 / 506 / 34 IPC	Smt. Urmila Bhoi W/o Pramod Bhoi Vill: Gobindapur PS; Kujanga	<ol style="list-style-type: none"> 1. Bipin Mohanty 2. Bhramar Das 3. Anil Das 4. Renu Das 5. Balaram Das 6. Pagala Das 7. Samir Das 8. Kalandi Das 9. Aabali Das 10. Benu Das, all are of Gobindapur 	On 15.10.2007 at 9 A.M. the accd. persons noted col.4 wrongfully restrained the complt. assaulted her abused in obscene language entered her modesty with criminal intimidation.	Arrest - Nil	P.I.

35.	Kujanga P.S. case No.238, dt.01.12.2007 U/s 147 / 148 / 451 / 341 / 323 / 294 / 427 / 379 / 506 / 149 IPC	Nirbhaya Samantaray, S/o late Kasinath Samantaray, Vill: Dhinkia, PS: Kujanga	1) Abhaya Sahoo of Kimilo, PS; Erasama 2) Akhaya Das 3) Subash Mohapatra 4) Jogendra Mallik 5) Pradip Swain SI. No.2 to 5 all of Dhinkia. and 20 others.	On 1.12.2007 at 5.30 P.M. the accd. persons noted in Col.4 being armed with deadly weapons entered into the house of the complt. assaulted his family members, took away chair and table abused in obscene language with criminal intimidation.	Arrest- 01	P.I.
36.	Kujanga P.S. case No.52, dt.21.04.2008 U/s 147 / 148 / 451 / 379 / 427 / 294 / 536 / 506 / 149 IPC	Narayan Parida, S/o late Bata Parida Vill: Govindapur, PS: Kujanga	1) Babuli Rout 2) Ramesh Rout 3) Laxmidhar Rout 4) Suresh Rout 5) Tutu Mohanty 6) Duryodhan Mohanty 7) Sumanta Bhoi and 100 others, all are of Gobindapur.	On 20.04.2008 at 11 P.M. the accused persons noted in Col.4 committed rioting being armed with deadly weapons entered the grocery shops of the complt. ransacked and looted away the articles abused and threatened the complt. against dire consequence.	Arrested - Nil	P.I.
37.	Kujanga P.S. case No.55, dt.22.04.2008 U/s 341 / 323 / 294 / 506 IPC.	Prasanta Dalai, S/o Rasananda Dalai, Vill: Dhinkia, PS: Kujanga	1) Surendra Mallik, s/o Banamali Mallik Vill: Dhinkia, PS: Kujanga, dist: Jagatsinghpur.	On 21.04.2008 at 9 P.M. the accd. Persons noted in col.4 wrongfully restrained the complt. abused him in obscene language assaulted him with criminal intimidation.	Arrest - Nil	P.I.

38.	Kujanga P.S. case No.87, dt.05.06.2008 U/s 147 / 148 / 451 / 294 / 379 / 506 / 149 IPC	Karunakar Patra, s/o Ite Haladhar Patra Vill: Govindapur, PS: Kujanga	1. Ashok Bardhan 2. Dhurba Sahani 3. Subha Sahani 4. Ajaya Bardhan 5. Ranjit Swain 6. Baina Jena 7. Judhistir Mohanty 8. Narahari Sahoo, all are of Govindapur	On 04.06.2008 at 12 P.M. the accd. persons noted in col.4 being armed with deadly weapons trespassed in the house of complt. abused him and other inmates looted away betel and other household articles and threatened to kill him.	Arrest - Nil	P.I.
39	Kujanga P.S. case No.88 dt.05.06.2008 U/s 147 / 341 / 342 / 323 / 294 / 451 / 354 / 427 / 506 / 149 IPC	Smt. Pankajini Gantavat W/o Sudhir Padhiary Vill: Govindapur PS: Kujanga	1. Dhurba Sahani 2. Narahari Sahoo 3. Prakash Jena 4. Khira Das 5. Dhain Mohanty 6. Sishu Sahu 7. Daitari Jena 8. Gunia Rout 9. Babuli Rout 10. Ashok Bardhan 11. Hemalata Sahoo 12. Chhabilata Swain 13. Pusalata Gochhayat 14. Swati and 50 others.	On 04.06.2008 at about 11 noon the accd. persons noted in col.4 formed unlawful assembly trespassed into the house of complt. abused her damaged and looted away the household articles cash and ornaments outraged her modesty and confined her with criminal intimidation	Arrest - Nil	P.I.
40.	Kujanga P.S. case No.89, dt.07.06.2008 U/s 147 / 148 / 341 / 451 / 323 / 294 / 354 / 506 / 149 IPC.	Smt. Jhuni Das W/o Naran Das Vill: Govindapur PS: Kujanga	1. Dhurba Sahani 2. Ashok Bardhan 3. Yudhistir Mohanty 4. Narahari Sahoo 5. Prakash Jena 6. Ranjit Swain 7. Gaura Behera 8. Saura Behera 9. Rabindra Pasayat and others, all are of Gobindapur	On 06.06.2008 at 8 P.M. the accd. persons noted in col.4 being armed with deadly weapons trespassed into the house of the complt. abused in obscene languages assaulted and outraged her modesty with criminal intimidation	Arrest - Nil	

41	Kujanga P.S. case No.102, dt.22.06.2008 U/s 147 / 148 / 341 / 323 / 294 / 354 / 451 / 379 / 506 / 149 IPC	Pankajini Gantayat, W/o Sudhir Padhiary Vill: Govindapur, PS: Kujanga, Dist: Jagatsinghpur	<ol style="list-style-type: none"> 1. Abhay Sahoo of Kimilo, PS: Erasama 2. Dhurba Sahani 3. Prakash Jena 4. Ashok Bardhan 5. Narahari Sahoo 6. Prasanta Das 7. Dhaina Mohanty 8. Ranjan Behera 9. Hada Baral Si. No.3 to 9 are of Gobindapur. 10. Akshaya Das 11. Suresh Swain 12. Babaji Samantaray 13. Sisir Mohapatra 14. Huria Kandi 15. Dillip Das and others.. all are of Dhinkia 	On 21.06.2008 at 8 P.M. the accd. persons noted in col.4 being armed with deadly weapons abused the complt. in obscene language. assaulted her entered her house outraged her modesty, looted away household articles, gold and silver ornaments and cash with criminal intimidation.	Arrest- Nil	P.I.
42	Kujanga P.S. case NO.103, dt.23.06.2008 U/s 147 / 148 / 341 / 323 / 294 / 354 / 451 / 342 / 379 / 506 / 149 IPC	Bhanu Pal W/o Sudhir Pal Vill: Govindapur PS: Kujanga	<ol style="list-style-type: none"> 1. Gunia Rout 2. Bijaya Kandi 3. Dhurba Sahani 4. Subas Sahani 5. Babuli Rout 6. Nachhia Paramanik 7. Rama Bardhan 8. Subhas Pani 9. Hada Jena all are of Govindapur 10. Abhaya Sahoo of Kimilo. PS: Erasama 	On 22.06.2008 at 10 P.M the accd persons noted in col 4 in armed with deadly weapons entered into the house of complt. abused her in obscene language. outraged her modesty, assaulted her and looted away household articles with criminal intimidation	Arrest - Nil	P.I.

CASES RELATING TO OTHER INCIDENTS.

Sl. No.	Case Reference and Section of law	Name of the Complt. with address.	Name and address of the accused	Gist of the F.I.R	Arrest made if any	Present stage of investigation / Trial
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	Kujanga P.S. case No.16, dt.22.02.2006 U/s 143 / 283 / 353 / 34 IPC / 7 Cr. A. Act.	Amarendra Panda, S.I. of Police, Kujanga P.S.	1) Sisir Mohapatra, 2) Manorama Khatua 3) Maheswar Mohapatra 4) Sarada Rout of Nuagan 5) Bijaya Sahani 6) Govinda Mallick 7) Deepak Swain 8) Hemalata Mallick 9) Bibhuranjan Nayak 10) Pravakar Das and others, all are of Dhinkia except Sl. No.4.	On 22.02.2006 the accused persons noted COI.4 obstructed the public road at Balitutha and did not allow the Minister to go to village Gadakujanga to hold a public meeting on official programme.	Arrested- Nil	P.I.
2	Kujanga P.S. case No.17, dt.22.02.2006 U/s 143 / 452 / 353 / 506 / 34 IPC.	Golekha Bihari Sahu, R.I. Nuagan	1) Biswajit Roy of Thoriasahi, Cuttack 2) Aakshaya Kumar 3) Kunu 4) Bichitra Biswal 5) Narayan Biswal 6) Snehasu Jena 7) Umakanta 8) Balaram, Sl. No.3 to 8 are of Erasama P.S. area. 9) Rasmiranjan Swain 10) Seta Rout and 35 others, all are of Nuagan.	On 22.02.2006 the accused persons noted Col.4 locked the R.I. office at Nuagan and threatened the official staff of the said office.	Arrested- Nil	P.I.

3.	Kujanga P.S. case No.42, dt.14.04.2006 U/s 143 / 341 / 342 / 294 / 353 / 506 / 113 IPC / 7 CrI. LA Act.	Inspr. S. Sahoo, C.I of Police, Tirtol	1) Abhaya Sahoo of Kirilo (Jirilo), PS: Erasama. 2) Maheswar Mohapatra 3) Shanti Sethi and others. All are of Dhinkia.	On 14.04.2006 the accused persons noted in Col.4 detained the Police team while they had been to perform patrolling duty in the area.		
4.	Kujanga P.S. case No.88, dt.07.07.2006 U/s 143 / 342 / 332 / 294 / 506 / 379 / 149 IPC.	Abhaya Kumar Parida S/o Dharanidhar Parida Vill: Dandamira, PS: Tirtol, A/P Kujanga , Tahasil	1) Basudev Khandual 2) Nityananda Behera 3) Satrugana Mallik 4) Nisakar Pradhan 5) Japahari Lenka 6) Ramesh Rout 7) Nari Das all are of Mathsahi. 8) Abhaya Sahoo and others ,	On 07.07.2006 the accused persons in noted in Col.4 with common object formed and unlawful assembly and obstructed , abused, assaulted the Tahasil office staff, while they had been to serve notices regarding POSCO plant.	Arrested - Nil	P.I.
5.	Kujanga P.S. case No.96, dt.11.07.2006 U/s 143 / 341 / 342 / 353 / 294 / 506 / 149 IPC / 7 CrI. Act.	Inspr.S. Sahoo, C.I. of Police, Tirtol	1) Akhaya Das. 2) Babaji Samantaray 3) Manorama Khatua 4) Santi Sethi 5) Khulana Mohapatra 6) Susama Das and others 7) Kanchan Mallik 8) Sanjukta Mantri and others.	On 11.07.2006 the accused persons noted in Col.4 formed an unlawful assembly and detained abused the Police official, while they had been to investigate into case No.96/06 on the report of one Pro-POSCO people.	Arrested - Nil	P.I.

6.	Kujanga P.S. case No.124, dt.10.08.2006 U/s 143 / 342 / 379 / 149 IPC	Rabindra Patsahani, S/o Somanath Patsahani, Vill: Nizagarha, PS: Pipili, Dist: Puri	Accused unknown	On 10.08.2006 the accused persons noted in Col.4 detained the Korean Press people alongwith POSCO officials and committed theft of cash, camera etc with common object.	Arrested- Nil	P.I.
7.	Kujanga P.S. case No.128, dt.12.08.2006 U/s 143 / 341 / 342 / 353 / 283 / 149 IPC / 7 CrI. A. Act.	SI A.Panda, OIC, Kujanga P.S.	<div>1) Biswajit Ray</div> <div>2) Akshaya Sarangi</div> <div>3) Satrughana Mallick</div> <div>4) Nrusingha Mallick</div> <div>5) Soumendra Nayak</div> <div>6) Ajit Swain</div> <div>7) Madhusudan Das</div> <div>8) Satyabhama Sutar</div> <div>9) Pramila Swain</div> <div>10) Hemalata Rout, all of Nuagan.</div>	On 12.08.2006 the accused persons noted in Col.4 formed an unlawful assembly detained and ghareoed the Police men while they had been to village Nuagan to formed L/O duty in connection with opening of R.I. office Nuagan by the Pro-POSCO people.	Arrest- Nil	P.I.

8.	Kujanga P.S. case No.147, dt.13.09.2006 U/s 147 / 148 / 353 / 323 / 332 / 395 / 307 / 427 / 506 / 342 / 294 / 149 IPC.	Ranjan Das, S/o Niranjan Das, Vill: Balisahi, PS: Balikuda A/P Range Office, Kujanga.	<div>1) Nrusingha Behera of Noliyasahi.</div> <div>2) Tuna Parida of Gadakujanga.</div> <div>3) Basudev Khandual of Nuagan</div> <div>4) Khira Das</div> <div>5) Sira Das</div> <div>6) Bishnu Sahoo</div> <div>7) Uchhab Bhoi</div> <div>8) Tulu Das</div> <div>9) Dhuna Das and others of Gadakujanga.</div>	On 13.09.2006 the accused persons noted in Col.4 formed an unlawful assembly armed with deadly weapons had detained the Forest officials assaulted them, abused them and committed theft of cash of Rs.10,000/- from the Forest official while they had been to village Gadakujanga on official work.	Arrested - Nil	P.I.
9.	Kujanga P.S. case No.29, dt.21.02.2007 U/s 143 / 341 / 427 / 353 / 294 / 283 / 506 / 149 IPC / 7 CrI. A. Act	Biswajit Mohyanty, SI of Police, Kujanga, Dist: Jagatsinghpur	<div>1) Mihira Das</div> <div>2) Khira Das</div> <div>3) Pramod Bhoi</div> <div>4) Tapan Samal</div> <div>5) Nanda Das</div> <div>6) Subash Mohanty</div> <div>7) Chandramani Sahoo</div> <div>8) Mata Bhoi</div> <div>9) Susama Das</div> <div>10) Bidyadhar Das</div> <div>11) Babaji Mohanty</div> <div>12) Ranjan Sahoo</div> <div>13) Ramesh Nayak</div> <div>14) Tulu Das</div> <div>15) Ballabha Das</div> <div>16) Tina Samal</div> <div>17) Sarat Das all of village Gadakujanga and others.</div>	On 21.02.2007 the accused persons noted in Col.4 performed unlawful assembly and abused, assaulted the Police officials used criminal force and damaged the vehicle while the Police officials were performing mobile patrolling duty 3-tire G.P. election.	Arrested - Nil	P.I.

10.	Kujanga P.S. case No.41, dt.02.03.2007 U/s 395 IPC.	Sujaya Ku. Rana, Sr. Survey Engineer, S.M. Consultant BBSR, A/P: POSCO Area, PS: Kuanga.	<div>1) Nrusingha Mallik</div> <div>2) Tkina Mallik</div> <div>3) Baina Mallik</div> <div>4) Mandar Mallik, all are of Nuagan, Mathasahi, PS: Kujanga and others.</div>	On 02.03.2007 the accused persons in col.4 committed dacoity of Survey equipments from the Survey Team who had been to village Nuagan to conduct survey for the POSCO project.	Arrested- Nil	P.I.
11.	Kujanga P.S. case No.54, dt.19.03.2007 U/s 341 / 353 / 109 / 34 IPC	C/267 Nityananda Swain of Kujanga P.S.	<div>1) Santi Sethi</div> <div>2) Manjulata Samantaray</div> <div>3) Manguli Kandi</div> <div>4) Jogi Mallik</div> <div>5) Basanta Gochhayat</div> <div>6) Akhaya Das</div> <div>7) Ajodhya Swain</div> <div>8) Abhaya Sahoo of Kimilo (Jirilo), PS: Erasama and others. and rest are all of Dhinkia, PS: Kujanga</div>	On 19.03.2007 the accused person noted in Col.4 obstructed the Policemen in discharging their lawful duty and did not allow them to enter into the village to serve notice.	Arrested- Nil	P.I.
12.	Kujanga P.S. case No.76, dt.26.04.2007 U/s 294 / 506 / 34 IPC	Manoranjana Nayak, S/o Batakrushna Nayak Vill; Nuagan, PS: Kujanga, Jagatsinghpur.	1) Biswajit Ray and two others workers of Nabanirmana Samittee.	On 26.04.2007 the accused persons noted in Col.4 abused the persons who were organizing a health camp from POSCO India at village Nuagan and threatened to kill them in life.	Arrested- Nil	P.I.

13.	Kujanga P.S. case No.89, dt.12.05.2007 U/s 147 / 148 / 341 / 294 / 427 / 342 / 395 / 365 / 149 IPC	Amjad Khan, S/o Satar Khan, Vill:Balarampur, PS: Kujanga	1) Abhaya Sahoo of Kimilo (Jirilo), PS: Erasama 2) Prakash Jena of Gobindapur. 3) Biswajit Roy 4) Akhaya Kumar of Nabanirman Samitee.	On 11.05.2007 at 6 P.M. the accused person noted in col.4 being armed with deadly weapons attacked the complt. and staff of POSCO India Ltd., kidnapped them to Dhinkia and confined them. They also committed dacoity in respect of cash, Tape recorder etc. damaged the car.	Arrested - Nil.	P.I.
14.	Kujanga P.S. case No.134, dt.02.07.2007 U/s 143 / 427 / 149 IPC / 174 Railway Act.	Sanjaya Ku. Swain, Insp. Of R.P.F, Cuttack	Dillip Behera, s/o late Shyamasundar, Vill: Trilochanpur and 60 others.	On 23.07.2007 at 4 :30 P.M. the accused person noted in col.4 with other resorted to Rail Roko near Fatepur in protest against the criminal activities of anti-POSCO groups.	Arrested - Nil.	P.I.
15.	Kujanga P.S. case No.176, dt.17.08.2007 U/s 143 / 186 / 341 / 294 / 149 IPC	Nirmala Pradhan, Executive Engineer Mahanadi South Division, Cuttack	1) Basudev Behera of Gadaakujanga. 2) Bhaskar Swain Sarapanch of Nuagan G.P. and others.	On dt.14.08.2007 at 3 P.M. the accused person alongwith other obstructed the Executive Engineer Mahanadi South Division and his staff.	Arrested - Nil	P.I.
16.	Kujanga P.S. case No.205, dt.13.10.2007 U/s 147 / 148 / 341 / 342 / 294 / 323 / 365 / 427 / 395 / 506 / 149 IPC	Dipak Ojha Asst. Construction Architect POSCO India	1) Akhaya Das 2) Tukuna Sutar 3) Purna Das 4) Maguli Kandi 5) Babaji Samantaray 6) Baishnab Das and others, all are of Dhinkia. 7) abhaya Sahoo of Kimilo (Jireilo), PS: Erasama	On 13.10.2007 at 10.30 AM the accused persons noted in Col.4 being armed with deadly weapons assaulted the complt and POSCO officials abused them in obscene language kidnapped them to village Dhinkia and confined them committed dacoity in respect of laptop, camera and cell phone from the complt. and other POSCO officials.	Arrested - Nil	P.I.

17.	Kujanga P.S. case NO.207, dt.14.10.2007 U/s 147 / 148 / 294 / 365 / 149 IPC	Agani Mallick, S/o Dibakar Mallik Vill: Odangipur PS: Salipur, Dist: Cuttack	Unknown	On 11.10.2007 at 5 P.M. the accused persons noted in col.4 kidnapped the complt. and innocent labourers from Balitutha to Dinkia and confined them.	Arrested - Nil	P.I.
18.	Kujanga P.S. case No.228, dt.08.11.2007 U/s 143 / 431 / 506 / 149 IPC / 25 Arms Act/7 CrI. A.Act.	S.I. B.Mohanty of Kujanga P.S.	<div>1) Babaji Samantaray</div> <div>2) Akhaya Das</div> <div>3) Subash Mohapatra</div> <div>4) Basanta Gochhayat</div> <div>5) Jogendra Mallik</div> <div>6) Manorama Khatua</div> <div>7) Santi Sethi</div> <div>8) Tukuna Sutar, all are of vill. Dinkia.</div> <div>9) Manguli Kandi</div> <div>10) Ajodhya Swain and others.</div>	Since 24.09.2007 to 08.11.2007 the accused persons noted in col.4 formed unlawful assembly being armed with sword, bhujali etc and obstructed the road near Balitutha bridge by not allowing the govt. officials and terrorized the Pro-POSCO people and common people.	Arrested - Nil	P.I.
19.	Kujanga P.S. case No.234, dt.23.11.2007 U/s 147 / 341 / 323 / 365 / 379 / 149 IPC	Sarat Ch. Jena, S/o Bhagyadhar Jena, Vill: Rangigarh, PS: Paradeep	<div>1) Basanta Behera</div> <div>2) Fakira Behera</div> <div>3) Gagan Behera</div> <div>4) Fagu Behera</div> <div>5) Sashi Mohapatra</div> <div>6) Binaya Behera</div> <div>7) Patitapaban Behera, all are of Noliassahi, PS: Kujanga and others.</div>	On 22.11.2007 at 3 P.M. the accused persons noted in Col.4 formed unlawful assembly wrongfully restrained the complt. and staff of Dharitri Dredging company who had been to Jatadhari confluence point for IOCL work assaulted and abused them kidnapped them to Dinkia and confined there and snatched away their cell phones.	Arrested - Nil	P.I.

20.	Kujanga P.S. case No.53, dt.21.04.2008 U/s 143 / 341 / 431 / 186 / 506 / 149 IPC / 4 P.D.P.P. Act	Insp. A.K. Mishra, IIC, Kujanga P.S.	1) Ashok Burdhan 2) Babuli Rout 3) Prakash Jena 4) Ranjan Swain and 30 others all of Govindapur.	On 20.05.2008 at 8 P.M. the accused persons noted in Col.4 formed unlawful assembly deterred the Police personnel including IIC, Addl. S.P. and others from discharging their lawful duties damaged the public road and threatened dire consequence.	Arrested - 01	P.I.
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**OFFICE OF THE COLLECTOR & DISTRICT MAGISTRATE
JAGATSINGHPUR**

Dr. Arabinda Kumar Padhee, I.A.S
Collector & District Magistrate
Jagatsinghpur

No. 811 /Dt. 15.12.05

To

The Joint Secretary to Govt.
Revenue & Excise Department
Orissa, Bhubaneswar.

Sub : Acquisition of land by IIDCO for establishment of proposed integrated Steel plant project of M/s. POSCO.

Sir,

As per requisition submitted by Chief General Manager (P & A), office of IDCO, Bhubaneswar for an area of more or less Ac. 284.97 is to be acquired in village Dinkia for the above purpose.

Draft notification under section 4(1) of Land Acquisition Act 1894 along with land plan and land schedule and true copy of R.O.R are sent herewith for issue and publication of notification as per provision of L. A. Act.

Necessary certificate are furnished below

Yours faithfully,

[Signature]
Collector & District Magistrate
Jagatsinghpur

CERTIFICATE

1. Possession has not been taken in respect of land proposed for acquisition and requiring officer has given under taking to the effect.
2. The project for which the land proposed for acquisition has been administratively approved in letter No. 11037 dt.02-11-05 of department of Steel & Mines for proposed integrated steel plant project of M/s. POSCO
3. No Govt. land has been included in the proposed acquisition.
4. No Gochar Land has been included in the proposed acquisition.

There is some objection to the acquisition of land on specific grounds. The inclusion of building, temples, graveyard roads, tanks, orchards etc. could not be avoided. The interest of public and private individuals have to duly considered as per R & R policy of Govt. The land proposed for acquisition is so selected to incur minimum expenditure and to cause minimum annoyance, less compatible with attainment of the object for which land is required.

6. This land acquisition proceeding has been taken under emergency proceeding as per provisions u/s 17(4) of L.A. Act for establishment of proposed integrated steel plant project of M/s. POSCO at Paradeep for general development of the state of Orissa and interest of public as a whole.

Out of 10% of approximate compensation amount for Seven Villages have been deposited by R.O towards L.A Contingency and Establishment charges. 5% amount of Rs.3181928.00 has been credited to public account No. "0029-Land Revenue-800-other receipt" vide Challan No.96 Dt. 19.11.2005 and 0.05% of balance amount Rs.1,59,096.00 has been paid to R.D.C (C.D) Cuttack through B.D No. 033304 Dt. 19.11.2005 and the balance amount of Rs. 3022832.00 has been kept in UCO Bank Ac. No. 1400, Collectorate Building, Jagatsinghpur to meet the contingency and expenditure of villages as per instruction of Revenue Department.


Collector & District Magistrate
Jagatsinghpur

Memo No. 812⁽²⁾ / Dt. 15.12.05

Copy along with copy of Draft Notification u/s 4 (1) along with Land Plan, Land Schedule forwarded to Joint Secretary to Govt., Department of Steel & Mines, Orissa, Bhubaneswar/A.F.A-cum-Under Secretary to R.D.C (CD), Cuttack for information and necessary action.


Collector & District Magistrate
Jagatsinghpur.


Memo No. 813 / Dt. 15.12.05

Copy to the Under Secretary to Govt. Industries Department, Orissa, Bhubaneswar for information


Collector & District Magistrate
Jagatsinghpur.

Memo No. 814 / Dt. 15.12.05

Copy along with the copy of Draft Notification u/s 4 (1) along with land plan, Land Schedule forwarded to the General Manager (P & A) office of IIDCO, Orissa, Bhubaneswar for information and necessary action.


Collector & District Magistrate
Jagatsinghpur.



OFFICE OF THE COLLECTOR & DISTRICT MAGISTRATE
JAGATSINGHPUR

Dr. Arabinda Kumar Padhee, I.A.S
Collector & District Magistrate
Jagatsinghpur

No. 739 /Dt. 22.11.05

To
The Joint Secretary to Govt.
Revenue & Excise Department
Orissa, Bhubaneswar.


Sub : Acquisition of land by IIDCO for establishment of proposed integrated
Steel plant project of M/s. POSCO.

Sir,
As per requisition submitted by Chief General Manager (P & A) office of IDCO,
Bhubaneswar for an area of more or less Ac. 17.75 is to be acquired in village Noliasahi for
the above purpose.

Draft notification under section 4(1) of Land Acquisition Act 1894 along with land plan
and land schedule and true copy of R.O.R are sent herewith for issue and publication of
notification as per provision of L. A Act.

Necessary certificate are furnished below

Yours faithfully,



Collector & District Magistrate
Jagatsinghpur
22/11/05

CERTIFICATE

1. Possession has not been taken in respect of land proposed for acquisition and requiring officer has given under taking to the effect.
2. The project for which the land proposed for acquisition has been administratively approved in letter No. 11037 dt.02-11-05 of department of Steel & Mines for proposed integrated steel plant project of M/s. POSCO
3. No Govt. land has been included in the proposed acquisition.
4. No Gochar Land has been included in the proposed acquisition.


5. There is no objection to the acquisition of land on general or specific ground, building, temples, graveyard roads, tanks, orchards etc. could not be avoided. The interest of public and private individual were duly considered. The land proposed for acquisition is so selected to incur minimum expenditure and to cause minimum annoyance, less compatible with attainment of the object for which land is required.
6. This land acquisition proceeding has been taken under emergency proceeding as per provisions u/s 17(4) of L.A. Act for establishment of proposed integrated steel plant project of M/s. POSCO at Paradeep for general development of the state of Orissa and interest of public as a whole.

Out of 10% of approximate compensation amount for Seven Villages have been deposited by R.O towards L.A Contingency and Establishment charges. 5% amount of Rs.3181928.00 has been credited to public account No. "0029-Land Revenue-800-other receipt" vide Challan No.96 Dt. 19.11.2005 and 0.05% of balance amount Rs.1,59,096.00 has been paid to R.D.C (C.D) Cuttack through B.D No. 033304 Dt. 19.11.2005 and the balance amount of Rs. 3022832.00 has been kept in UCO Bank Ac. No. 1400 ,Collectorate Building ,Jagatsinghpur to meet the contingency and expenditure of villages as per instruction of Revenue Department.


Collector & District Magistrate
Jagatsinghpur


Memo No. 740(2) / Dt. 22.11.05

Copy along with copy of Draft Notification u/s 4 (1) along with Land Plan, Land Schedule forwarded to Joint Secretary to Govt., Department of Steel & Mines, Orissa, Bhubaneswar/A.F.A-cum-Under Secretary to R.D.C (CD), Cuttack for information and necessary action.


Collector & District Magistrate
Jagatsinghpur.

Memo No. 741 / Dt. 22.11.05

415 to 417
Copy to the Industries Department, Orissa, Bhubaneswar for information


Collector & District Magistrate
Jagatsinghpur.

Memo No. 742 / Dt. 22.11.05

Copy along with the copy of Draft Notification u/s 4 (1) along with land plan, Land Schedule forwarded to the General Manager (P & A) office of IIDCO, Orissa, Bhubaneswar for information and necessary action.


Collector & District Magistrate
Jagatsinghpur.

22.11.05

Annexure 13
ITEM NOS. 301, 302, 303

57/1159/2-1
18.8 COURT NO.1

POSCO SECTION PIL

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

209983

SS
18/8/08
I.A.No.2166 in 1413 in W.P.(C)No.202/1995

T.N. GODAVARMAN THIRUMULPAD

VERSUS

UNION OF INDIA & ORS
(3rd Report of CEC for POSCO)

Certified to be true copy

Petitioner(s)

Assistant Registrar (Judl.)
12/8/08

Respondent(s)

Supreme Court of India

AND

I.A.Nos.2310 in I.A.NO.2269 in W.P.(C)No.4677/1995
(For Intervention/direction)

AND

I.A.NOS.2273-2274 IN W.P.(C)NO.202/1995
(For impleadment & permission)

AND WITH

I.A.NOS.2293-2294, 2298 AND 2331-2332 IN I.A.NO.2167
IN W.P.(C)NO.202/1005

Date: 08/08/2008 These Applns./Petitions were called on for hearing
today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE DR. JUSTICE ARIJIT PASAYAT
HON'BLE MR. JUSTICE S.H. KAPADIA

Mr. Harish N. Salve, Sr.Adv. (A.C.)
Mr. Uday U. Lalit, Sr.Adv. (A.C.) (NP)
Mr. Siddhartha Chowdhury, Adv. (A.C.)
Mr. A.D.N. Rao, Adv. (A.C.)

A
SWR
18-08-08
in W.P.(C)4677/85 Mr.Ranjit Kumar, Sr.Adv.(A.C.)

Mr.Kamal Gupta, Adv.(A.C.)

For Petitioner(s) Mr. P.K. Manohar, Adv.

In person

For Respondent(s)/
Applicant(s)

Mr. G.E.Vahanvati, Sol.Genl.of India
Mr. Harris Beeran, Adv.
Mr. P. Parmeswaran, Adv.

Mr.M.P.S.Tomar, Adv.
Mr.D.S.Mahra, Adv.

Mr.K.K.Venugopal, Sr.Adv.
Mr.Jana Kalyan Das, Adv.
Mr.Aviyeet Bhujabal, Adv.

Mr.Soli Sorabjee, Sr.Adv.

Mr.Vijay Panjwani, Adv.

Mr.D.N.Goburdhun, Adv.
Ms.Pinky Anand, Adv.

Mr.Mukul Rohtagi, Sr.Adv.
Ms.Shruti Chaudhary, Adv.
Ms.Swati Sinha, Adv.
For M/s.Fox Mandal & Co., Adv.

Mr.R.Gopalakrishnan, Adv.

Mr.L.N.Rao, Sr.Adv.
Mr.Nikhil Goel, Adv.
Ms.Sheela Goel, Ad.
Mr.Sayid Marsook Bafaki, Adv.

Mr.Vijay Panjwani, Adv.

Mr.Manjit Singh, AAG.
For Mr.T.V.George, Adv.

Mr.Aruneshwar Gupta, Adv.

Mr.B.S.Banthia, Adv.

Mr.K.R.Sasiprabhu, Adv.
Mr.M.K.Sreegesh, Adv.

UPON hearing counsel the Court made the following
O R D E R

The matters which are listed for 29th August, 2008 are
adjourned. List the same on 1st September, 2008.

I.A.No.2166 in 1413:

ORISSA
POSCO
M/s.POSCO, a Company registered in the Republic of Korea,
proposes to start an integrated steel plant in the State of Orissa.
The C.E.C. has examined the project and has recommended for
diversion of 1253.225 ha. of forest land. It is stated that about
2.8 lacs trees are to be cut and removed from this area. The Forest
Advisory Committee (F.A.C.) has also examined the project and has

[Handwritten mark]

given its report. The MoEF may take an appropriate decision in this regard and subject to the decision of the MoEF, this project is cleared. As regards mining operations, the matter is pending with the Orissa State Authorities and we are told that the matter has already heard by the appropriate authority. The decision may be taken within a period of four weeks.

As there is involvement of cutting of a large number of trees, especially from the coastal side, examination of mitigating measures to be taken to protect this area from cyclone and other natural calamities is necessary. We appoint a Committee consisting of Shri S.K.Patnaik, presently acting as a Member of C.E.C., as Chairman. The Tribal Welfare Department of the State of Orissa will nominate a Member and also the MoEF will nominate another Member to this Committee. The Forest & Environment Department of State of Orissa may also nominate another Member to this Committee. The Committee shall examine the steps to be taken as mitigating measures. It may be noted that this part of the order is as an interim measure.

I.A.Nos.2310 in I.A.NO.2269:

List on 1st September, 2008. Meanwhile, reply/counter if any, may be filed.

I.A.NOS.2273-2274:

Issue notice to C.E.C. C.E.C. will examine the matter and file its reply within a period of six weeks.

I.A.NOS.2293-2294, 2298:

List on 26th September, 2008.

I.A.Nos.2331-32:

These applications relate to the mining area in Hospet in Karnataka. C.E.C. has already examined and filed its report and has stated that the mining operation was not there for a long time i.e. 1994 and all of a sudden its renewal was granted in 2006. We are not aware of the circumstances under which the renewal was granted. We would like this matter to be examined by the Lok Ayukta of Karnataka which is also seized of a similar matter.

We request the Lok Ayukta of Karnataka to give a report within a period of six weeks.

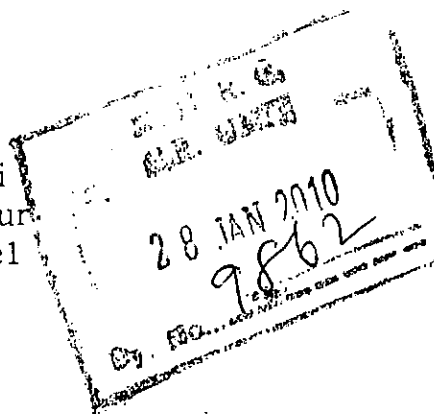
Registry will send all the relevant/connected records in a sealed cover to the Lok Ayukta, Karnataka.

So.
(G.V.Ramana)
Court Master

Se
(Madhu Saxena)
Court Master

Case no. 703/18/23/07-08

From
Damodar Sarangi
Special Rapporteur
NHRC, East Zone1



Aurobindo Villa
Anant Vihar
Plot no-217/4
Pokhariput,
Bhubaneswar-751020

DS/ Spl. Rptr / NHRC 07/ 1-10 Dt.20.1.2010

To
The Secretary General
National Human Rights Commission
Faridkot House, Copernicus Marg,
New Delhi - 110001

Sub- Complaint from Delhi Forum, South Delhi, Delhi -- Case no 703/18/23/07-08

Kindly refer to the proceedings of the Commission dated 11.12.2009 in the above case, communicated to me by Asst Registrar (Law) in his letter dated 11.12.2009, and the letter addressed by him to the Chief Secretary, Orissa the same day.

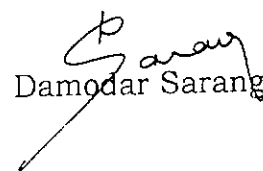
2. Following the directions of the commission, I met Sri Taruna Kanti Mishra, Chief Secretary, Orissa on 8.1.2010 and requested him to convey the comments of the state government on my report, and the recommendations made therein, to the Commission expeditiously. The principal secretaries of the home, steel & mines, and revenue departments of the state government were also present in the meeting.

During the course of the meeting I was informed that the Commission's directions along with my report have been circulated to the concerned departments for formulating the comments of the state government. I was assured that the response of the state government will be sent to the Commission as early as possible keeping in mind the deadline fixed by the Commission. I briefed the secretaries regarding the ground situation and shared with them the contents of my report with the hope that it will help them in formulating an objective and reasoned response to the Commission's letter under reference.

3. During the discussions, I was told that the central government is pressing hard for the setting up of the steel plant by POSCO, without any further delay and the state government is in no position to take an unilateral decision in the matter. The chief secretary requested that the

Commission may consider conveying its findings and concerns also to the central government and call for their response in the matter.

4. In this connection, I would like to draw the attention of the Hon'ble Commission to the fact that out of the 3566.56 acres of government land proposed to be handed over to the company, as much as 2958.82 acres is forest land. As highlighted in page 10 of my report, bulk of this land is under the effective possession of the villagers for generations. With the passing of the Forest Rights (Protection) Act 2006, many of the occupants of the forest land have become eligible to lay claim for the settlement of such land in their favour. In fact many of them have already preferred such claims. It may no longer be possible for the government to treat this section of the villagers differently from private land owners while finalizing the compensation package for loss of homestead and other lands by them. This point may kindly be taken into consideration before the Commission finalises its recommendations in the case.


Damodar Sarangi 20/11/16

From

Damodar Sarangi

Special Rapporteur

NHRC, East Zone I

Aurobindo Villa

Anant Vihar

Plot no-217/4

Pokhariput,

Bhubaneswar- 751020

23526/02

10/1/11

DS/ Spl. Rptr / NHRC 05/ 1-11 Dt.10.1.2011

To

Shri K.S. Money, IAS

Secretary General

National Human Rights Commission

Faridkot House, Copernicus Marg,

New Delhi - 110001

Ref- Government of Orissa, Home department memo no HRPC(N)106/07, 22039/C & HR dated 14.5.10, a copy of which was mailed to me by Assistant Registrar (Law), NHRC

Sub- Complaint from Delhi Forum, South Delhi, Delhi -- Case no 703/18/23/07-08-- Compliance report on the Recommendations of the Special Rapporteur NHRC.

<https://mail.nic.in/uwc/webmail/print.html>

10-Jan-1

My comments on the Compliance Report referred to above are given para wise as under.

Para-A

The Special Secretary reports that of the 100 cases registered against anti POSCO group charge sheet has been submitted in 94 cases. In all 18 persons have been arrested from anti POSCO groups. I had gone through the FIRs of some of these cases. In each case there were more than 1 accused. In some cases the accused numbered more than 20 to 30. The fact that the police have arrested only 18 persons in 94 charge sheeted cases would suggest that they have not been able to arrest most of the accused persons. Prima-facie, it appears that they have submitted charge sheets showing most of the accused as absconders. The scrutiny of the charge sheets will reveal the actual position.

The area is apparently peaceful now not because of any concrete step being taken by the government to restore order, but due to the directions of the Ministry of Environment and Forest for keeping the project on hold till it is decided by the Ministry whether or not the statutory forest and environmental clearances are to be given to the Project or not. Violence and lawlessness are likely to resurface once project activities resume.

Para-B

I had interacted extensively with the families sheltered at the POSCO camp. They want to go back to their village. The 'Compliance' report submitted by the state government only confirms that these families continue to remain in the camp and the government has not been able to shift them to their homes. Providing them security at the existing camp is not relevant to the recommendations under reference.

Para-C

As would appear from page 16 (Para-3) of my report the state government nearly abdicated its responsibility to maintain law and order in the area and verbally instructed the district administration not to come into any confrontation with the agitating villagers. The area was rendered out of bound for the administration. The responsibility for the breakdown of law and order should rest largely with the

ate government. The state government should therefore be liable to pay compensation to all the dead and the injured, and the families whose property was damaged. It appears from the Compliance Report, that they have compensated only one family i.e. the family of Dulal Mandol who was killed in the violence on 20.6.2008. The injured in that clash have been given Rs10,000/- each by the Red Cross and not the government. This incident is only one of the many clashes reported from the area. The government must compensate all these victims after assessing the loss/damage caused to them. Rs50,000/- is not considered adequate compensation for the death of the bread earner of the family. This requires enhancement.

Para- D

The compensation fixed by the government is too little compared to the market price of agricultural and home stead land in the coastal belt (which has sky rocketed in recent years).

Para-E

The Forest Right Act 2006 envisages that members of the tribal communities occupying forest land prior to 2005 and non tribal communities occupying such land since the year 1930 should be conferred right on that land. Many of the encroachers claim that they are in possession of forest land proposed to be given to POSCO, for generations. In case any member of ST is occupying such land prior to 2005 and any other person is in occupation of such land prior to 1930, they should automatically be entitled to compensation at the rate granted to private land owners.

ii. The state government has reportedly requested POSCO to be liberal in granting compensation package to the project affected people. POSCO India has reportedly declared an R&R package which has been published in news papers. Declaration by POSCO is of no consequence. It is the government which is acquiring the land and it is for the government to provide the compensation package directly to the project affected persons. There is no scope for any understanding between POSCO and the project affected persons. The government may extract such 'additional benefits' from POSCO and deliver the same directly to the project affected persons before acquiring their land.

Para- F

It is for the government and not POSCO to enter into any dialogue with the affected people. It is not clear from the 'Compliance Report' if the government has entered into any dialogue with the representatives of the affected people.

Para- G

The Compliance Report is ambiguous. It has not been confirmed if the elected representatives have been associated with any dialogue regarding the future of the project.

Para- H

As has been mentioned at paragraph E(ii) above, the state government must undertake to deliver the agreed package of benefits directly to the project affected persons and not rely on the promises of POSCO. In the past the government has left the Project Affected Persons at the mercy of the companies and have not done enough to ensure that the companies honour their commitmentst. The case of TATA's Goplapur project is a pointer.

Damodar Sarangi



Case no.- 703/18/23/07-08

From
Damodar Sarangi
Special Rapporteur
NHRC, East zone1

Aurobindo Villa
Anant Vihar
Plot no-217/4
Pokhariput,
Bhubaneswar- 751020

DS/ Spl. Rptr / NHRC – 05/ 06- 11

Date: 11.06. 2011

To
The Secretary General,
National Human Rights Commission
Faridkot House, Copernicus Marg,
New Delhi – 110001

16.06.2011
Dy. No. 902-26

Sub: - Acquisition of land by the government of Orissa in Dinkia, Nuagaon and Gada Kujanga GPs in Jagatsinghpur district, for the establishment of a steel plant by Pohanga Steel Company Ltd. (POSCO) and the resistance movement by the local people, likely to be affected / displaced by the project.

28-8-11
DR
17/6
This is to inform you that on receipt of a complaint from Delhi Forum, regarding alleged atrocities on the project affected persons perpetrated by anti social elements, engaged by POSCO, with the tacit approval of the state government, the Commission had directed me to submit a report on the facts of the matter. Based on my field enquiry, I had submitted a detail report to the Commission with my letter no DS/ Spl. Rptr / NHRC-05/09-08, dated 08.09.2008. The summary of the facts of the case, as transpired in the said enquiry and my recommendations were given at pages 22-26 of the said report.

OR
28/9/11
20/6/11
2. On the eve of the camp sitting of the Commission held at Bhubaneswar from 18.01.11 to 19.01.11, I had submitted a note to you with my letter no. DS/Spl. Rptr/NHRC-04/01-11 Dt. 06.01.2011, on various Human Rights issues emanating from Orissa which could be taken up by the Commission with the Chief Minister of the State in the course of their visit to Bhubaneswar. A copy of the above letter along with extracts from the said note on the proposed land acquisition for POSCO, is enclosed herewith for ready reference (**Annexure-1**).

3. You may also kindly refer to my letter no. DS/ Spl. Rptr / NHRC- 05/01-11 dt. 10.01.2011 (copy enclosed with this letter at **Annexure-2**) in which I had given my comments on the Compliance Report received from Govt. of Orissa, under their memo no. HRPC (N) 106/07, 22039/C & HR dated 14.05.10, a copy of which was mailed to me by the Asst. Registrar (Law), NHRC. As would appear from the said letter, the ATR was found incomplete and ambiguous, and did not fully address the grievances of the project affected families. The matter was briefly discussed in the Commission's camp sitting. It is not known if any further clarification has been received from the state government.

4. Meanwhile the state government has renewed the process of land acquisition. The affected families, under the banner of POSCO Pratirodh Sangram Samiti, continue to agitate against "forcible" acquisition of their land. Various political parties and social organisations have been appealing to the government to show restraint and take them into confidence before

renewing the MOU with POSCO and proceeding with the acquisition of land for the Company. The affected villagers have barricaded the approach roads to prevent the entry of government officials to the proposed project site. Women and children have been mobilized to form a human chain surrounding the area. The state government has deployed large contingents of security personnel to deal with these protests. The possibility of violent clashes between the protesters and the police, taking place in the near future cannot be ruled out. As has been discussed in my report, one section of the villagers is supporting the project and violent clashes between the two groups had frequently broken out in the past. Enclosed herewith (**Annexure-3**) are the clippings of some of the recent news reports published in the New Indian Express covering the land acquisition efforts of the government as also the resistance movements, which will offer some insight into the prevailing situation .

5. In the light of the above, you may consider placing the case file before the Commission for review, and the issue of such further orders, as may be considered fit and proper, for the compliance of its recommendations, to avoid further violence and bloodshed in the area. You may also consider requesting the Commission to place my field enquiry report, and the proceedings of the Commission, issued in the case from time to time, in its website for the information of the affected families as also the public in general. The field enquiry report, is more than 33 months old, and has already been perused and considered by the Commission. There should not be any procedural constraint in publishing the report.

Thanking you,

Yours faithfully,


DAMODAR SARANGI 4/6/11

Annexure - I



From
Damodar Sarangi
Special Rapporteur
NHRC, East zone 1

Aurobindo Villa
Anant Vihar
Plot no-217/4
Pokhariput,
Bhubaneswar- 751020

DS/ Spl.Rptr / NHRC 04/ 01- 11

Date: 06.01. 2011

To
Shri K.S. Money, IAS
Secretary General
National Human Rights Commission
Faridkot House, Copernicus Marg,
New Delhi - 110001

Sub- Identification of Human Rights issues to be taken up for discussion
with the Chief Minister, Orissa.

Kindly refer to our telephonic discussions on the above subject. As desired, I am enclosing herewith a note listing major Human Rights issues and concerns that could be taken up by the Commission for discussions with the Chief Minister of Orissa during the interactions the Commission proposes to have with him during the course of their visit to the state. The cases/matters discussed in the note are those with the facts of which I am reasonably well acquainted. Many other cases listed for discussions in the camp court were dealt directly by the commission. The commission may decide if any of such case/ issue should be taken up during their interactions with the Chief Minister.

Damodar Sarangi

A Note on Human Rights issues which could be taken up by the Commission with the Chief Minister of Orissa during the course of their visit to Bhubaneswar from 18.01.11 to 19.01.2011.

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iii. Proposed acquisition of land by the state government in Dhinkia, Nuagaon and Gada Kujanga GPs in Jagsinghpur district for the establishment of a steel plant there by Pohanga Steel Company Ltd (POSCO) and the resistance movements by the local people likely to be affected /displaced by the project.

On receipt of a complaint from Delhi Forum relating to the atrocities committed on the project affected persons by anti socials engaged by POSCO, allegedly with the tacit approval of the state government, the Commission took cognizance of the matter (Case no 703/18/23/07-08) and directed me to hold a field enquiry to verify the allegations. Based on my field enquiry I submitted a detail report under my memo no DS/ Spl. Rptr / NHRC 05/09-08, dated 08.09.2008. The summary of the facts of the case as transpired in the said enquiry and my recommendations are given at pages 22-26 of my report which are reproduced below for ready reference,

a) The state govt., in their eagerness to invite investment to the state, signed an MOU on 22.6.2005 with POSCO for setting up a steel plant in Jagatsinghpur District of Orissa.

b) For this purpose the govt. decided to lease out 4000.24 acres of govt. land (including forest land) and 437.68 acres of private land located in contiguous GPs of Dhinkia, Nuagaon and Gadkujang to the company.

c) Notices u/s 4(1) of the Land Acquisition Act 1894 were issued in November-December 2005, for acquisition of private land.

d) No field survey to verify the physical status of the land was conducted before the decision to locate the plant at the proposed site was taken. The local revenue officials were not consulted to verify the status of the land prior to the decision to locate the plant in the locality. Nor was any socio economic survey held to verify the nature and level of displacement of the local residents that would be caused by the project and the assistance required for their rehabilitation. It was only in February 2008, that the first such survey was attempted. But by this time resistance to the project had already peaked and a large section of the affected people have already become deeply suspicious of the govt.'s intentions.

e) It was presumed by the govt. that there will be no problem in making over the govt. land to the company, except for obtaining the mandatory clearance from the govt. of India. It appears that either the govt. did not know that

bulk of this govt. land is under the occupation of the villagers for generations and a large number of families are dependent on this land for their sustenance, or they consciously ignored this from consideration.

f) Right from the time of signing of the MOU, the local residents and many public spirited persons and organizations have been protesting against the decision of the govt. to permit POSCO to set up a steel plant in the state and the mining rights proposed to be given to the company.

g) To forestall the govt. from handing over their land (including govt. land under their possession) the local people, besides leading processions and demonstrations had physically barricaded their villages to prevent POSCO and govt. officials from entering into the area. On many occasions they had wrongfully confined and harassed these officials.

h) Initially all most all the villagers were against the project. In course of time a major section of the villagers started supporting the project. The reasons for such change of heart are difficult to comprehend. The pro POSCO villagers argued that they were promised handsome compensation by the company and that their support is only conditional subject to the award of such compensation. The anti POSCO activists however accuse them of being won over by the company and the govt. by questionable means.

i) In course of time clashes between the pro POSCO and anti POSCO villagers started taking place.

j) Several criminal cases were registered in the local police station over these incidents of assault on POSCO and public officials, as also other incidents of violence involving the rival groups.

k) In most of these cases the police failed to conduct any meaningful investigation. No arrests were made even in cases where public officials were assaulted. The police plead that since they had no access to the area, they were in no position to investigate these cases. In effect the project areas became out of bounds to the law & order authorities. It appears the police were informally advised by the govt. not to use force against the agitating villagers even if they resorted to wanton violence. The outcry over police firings in Kalinga Nagar in the years 2005-06, over acquisition of land for the Tata Project, appears to have deterred the govt. from using force in such cases.

l) As a large section of villagers from Nuagaon and Gadkujang Panchayats became pro POSCO in course of time, the villagers of Dinkia under the leadership of Abhaya Sahoo, a CPI leader from Erasama, took control of the movement.

m) As more and more villagers of the adjoining panchayats gave up their anti POSCO stance, Abhay Sahoo and his supporters took recourse to

strong arm methods to keep their flocks together. Meanwhile the panchayat elections came and Dhinkia panchayat was politically polarized between supporters of the CPI and the Congress. Both the groups rigged the elections, which were counter mounted. As Abhay Sahoo, the CPI leader was anti POSCO and continued to be so, those who supported the Congress candidates were branded by his supporters as pro POSCO. Some of them were forced to leave their homes due to continuous harassment by Abhaya Sahoo's men. They approached the police and the district administration who failed to provide them security inside the village. 52 of these families were sheltered in a camp raised by POSCO, who also bore the expenses for their upkeep.

n) While these 52 families (comprising of 207 members) have been staying in POSCO camp continuously from February 2008, other pro POSCO villagers have been using this camp periodically for shelter as and a when the anti POSCO villagers attack them or when they decide to launch counter attacks.

o) As per the MOU, phase 1 of the project for production of 3MTPA crude steel was to be completed within 3 years of taking possession of land or by July 2010 whichever is later. The second phase for production of additional 3 MPTA crude steel was to be commissioned by 24 months of the commissioning of phase 1. More than three years have passed since the signing of the MOU, but the govt. have not been able to complete the land acquisition proceedings. Till now the state govt. has not been able to take possession of any private land. They have merely been able to hand over 7 acres of govt. land at Paradip for the Training centre and to give permissive possession over 20.23 acres of govt. land to the Company at Badagabapur on which POSCO has raised a transit centre.

The valuation of private land has not been made public. The govt. have so far not announced, if they are going to provide any compensation to the project affected villagers for losing the govt. land presently under their occupation. Various rumors are afloat regarding the compensation POSCO is reportedly willing to give. Some POSCO supporters are assuring the local people that they are going to get fabulous amount as compensation from POSCO. The state govt. is maintaining a studied salience in this matter and not doing anything to discount such rumours. It appears they have left it to the warring groups to settle the matter among themselves. The continued strife between the rival groups has seriously affected social harmony in the affected villages.

p) Many people in the state, including the project affected people have serious misgivings regarding the likely impact of the project on the environment, existing irrigation facilities in Cuttack, Kendrapada and Jagatsinghpur districts, the security of the country, and the availability of minerals for indigenous industries in future. Not all their apprehensions are without basis. The state govt. have not done enough for dispelling these doubts. In fact much of their activities in regard to the implementation of the project has lacked transparency.

q) The physical environment and livelihood pattern of the affected areas are unique in nature and it will be almost impossible to replicate or substitute the same, no matter what amount of compensation is granted to the project affected people.

r) Bulk of the land proposed to be acquired is govt. land. Major portion of this land is under effective possession of the project affected persons for generations. Unless the govt. compensates them adequately in respect of the loss of govt. land, many of them particularly the landless and the marginal farmers, whose number has been estimated to be approximately 57% of the population, run the risk of being destituted. The past records of the govt. in the matter of providing compensation and alternative means of livelihood have not been such, as would inspire confidence.

Recommendations

a. The state govt. must immediately restore the rule of law in the area. All the cases registered over the violent incidents must be properly investigated and the culprits brought to book. For this purpose, a special team headed by at least an officer of Dy. SP level should be constituted.

b. Those families of Dinkia who are presently sheltered at the POSCO camps should be provided adequate security enabling them to return to their village. Till peace is restored, a strong police picket should be placed in the village for their protection.

c. The residents of Dinkia, Patna and Govindpur villages, whose properties have been damaged, and who have been injured in the violent incidents must be adequately compensated as the govt. have failed to take even elementary steps for their protection.
The dependents of Dualal Mandal who was killed in the clash on 20.6.08 should be adequately compensated.

d. The state govt. should immediately announce the compensation package to scotch rumours regarding the nature and quantum of compensation and rehabilitation, that are presently doing the rounds.

e. The state govt. should acknowledge the special circumstances of this case (where bulk of the project affected people depend on govt. land, now proposed to be acquired, for their sustenance), and consider compensating them at a scale comparable to what is proposed to be granted to those losing private land.

f. The govt. may immediately enter into a dialogue with the representatives of the local people to fully appreciate the reasons for their resistance to the project, and take necessary measures to allay their doubts and fears over the same.

g. Panchayat election in Dhinkia G.P. must be immediately held so that the elected representatives could be associated with such dialogues.

h. The MOU, signed by the govt. with POSCO is strikingly similar to the one they had signed with the TATAs for setting up a steel plant at Gopalpur. In that case more than 3000 acres of private land was acquired and made over to the Company. Various promises were given to the displaced persons which were not honoured. TATAs did not set up the steel plant on the ground that the state govt. failed to provide ancillary facilities like rail and road links, water, power etc. The state govt. could not force the TATAs to set up the plant, but allowed the company to retain the land. It has now been decided to allow TATAs to develop an SEZ on the said land. The villagers displaced for the proposed plant have been left in the lurch. Many of them have become destitutes. In connection with that case an exhaustive report is available in the commission's case file (Case No. 703/18/23/07-08).

To prevent the repetition of such misery to the displaced persons, the govt. must ensure their full rehabilitation before handing over possession of the land to POSCO, should it decide to proceed with the project.

xxx

xxx

xxx

xxx

Annexure - II

Case no. 703/18/23/07-08

From
Damodar Sarangi
Special Rapporteur
NHRC, East Zone I

Aurobindo Villa
Anant Vihar
Plot no-217/4
Pokhariput,
Bhubaneswar- 751020

DS/ Spl. Rptr / NHRC 05/ 1-11 Dt.10.1.2011

To
Shri K.S. Money, IAS
Secretary General
National Human Rights Commission
Faridkot House, Copernicus Marg,
New Delhi - 110001

Ref- Government of Orissa, Home department memo no HRPC(N)106/07, 22039/C & HR dated 14.5.10, a copy of which was mailed to me by Assistant Registrar (Law), NHRC

Sub- Complaint from Delhi Forum, South Delhi, Delhi - Case no. 703/18/23/07-08-- Compliance report on the Recommendations of the Special Rapporteur, NHRC.

My comments on the Compliance Report referred to above are given para wise as under.

Para-A

The Special secretary reports that of the 100 cases registered against anti POSCO group charge sheet has been submitted in 94 cases. In all 18 persons have been arrested from anti POSCO groups. I had gone through the FIRs of some of these cases. In each case there were more than 1 accused. In some cases the accused numbered more than 20 to 30. The fact that the police have arrested only 18 persons in 94 charge sheeted cases would suggest that they have not been able to arrest most of the accused persons. Prima-facie, it appears that they have submitted charge sheets showing most of the accused as absconders. The scrutiny of the charge sheets will reveal the actual position.

Ministry of Environment and Forest for keeping the project on hold till it is decided by the Ministry whether or not the statutory forest and environmental clearances are to be given to the Project or not. Violence and lawlessness are likely to resurface once project activities resume.

Para-B

I had interacted extensively with the families sheltered at the POSCO camp. They want to go back to their village. The 'Compliance' report submitted by the state government only confirms that these families continue to remain in the camp and the government has not been able to shift them to their homes. Providing them security at the existing camp is not relevant to the recommendations under reference.

Para-C

As would appear from page 16 (Para-3) of my report the state government nearly abdicated its responsibility to maintain law and order in the area and verbally instructed the district administration not to come into any confrontation with the agitating villagers. The area was rendered out of bound for the administration. The responsibility for the breakdown of law and order should rest largely with the state government. The state government should therefore be liable to pay compensation to all the dead and the injured, and the families whose property was damaged. It appears from the Compliance Report, that they have compensated only one family i.e. the family of Dulal Mandol who was killed in the violence on 20.6.2008. The injured in that clash have been given Rs10,000/- each by the Red Cross and not the government. This incident is only one of the many clashes reported from the area. The government must compensate all these victims after assessing the loss/damage caused to them. Rs50,000/- is not considered adequate compensation for the death of the bread earner of the family. This requires enhancement.

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The compensation fixed by the government is too little compared to the market price of agricultural and home stead land in the coastal belt (which has sky rocketed in recent years).

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The Forest Right Act 2006 envisages that members of the tribal communities occupying forest land prior to 2005 and non tribal communities occupying such land since the year 1930 should be conferred right on that land. Many of the encroachers claim that they are in possession of forest land proposed to be given to POSCO, for generations. In case any member of ST is occupying such land prior to 2005 and any other person is in occupation of such land prior to 1930, they should

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Para- F

It is for the government and not POSCO to enter into any dialogue with the affected people. It is not clear from the 'Compliance Report' if the government has entered into any dialogue with the representatives of the affected people.

Para- G

The Compliance Report is ambiguous. It has not been confirmed if the elected representatives have been associated with any dialogue regarding the future of the project.

Para- H

As has been mentioned at paragraph E(ii) above, the state government must undertake to deliver the agreed package of benefits directly to the project affected persons and not rely on the promises of POSCO. In the past the government has left the Project Affected Persons at the mercy of the companies and have not done enough to ensure that the companies honour their commitmentst. The case of TATA's Goplapur project is a pointer.

Damodar Sarangi

Cops Return from Dhinkia After Five-hour Wait

Express News Service

Paradip: Tension prevailed in Dhinkia panchayat and nearby areas on Friday when police tried to enter Gobindpur village to acquire land for the Posco steel plant. At least 2,000 anti-Posco villagers of Dhinkia prevented 20 platoons of police force from entering their village. The police team, led by SP S. Debatta Singh, and District Collector Nayan Chandra Jena faced stiff resistance from women and children who have been guarding the outskirts of Gobindpur by

forming a human barricade for the last few days. The team had to return after a five-hour wait.

Posco Prathibha Sangram Samiti (PPSS) president Abhaya Sahu said if the district administration and police use force to enter Dhinkia panchayat, then they will be held responsible for any untoward incident.

Meanwhile, sources said the administration could manage to acquire 11 betel vines in Gobindpur despite stiff opposition by agitators.

While Rs 6.25 lakh was

given as compensation to three beneficiaries — Jagu Biswal, his son and Kailash Lenka of Nuagion village — no beneficiary from Gobindpur turned up to collect cheques.

Gobindpur is the entry point to the proposed plant site, where protesters have been blocking roads for the last five years to prevent entry of police and officials. They have also erected wooden barriers at Gobindpur, Patana and Dhinkia, which are manned by a handful of men, who scrutinise all visitors. **Pic 5**



FOR LAND'S SAKE: Children and women lie down to form a human barricade on the road to prevent the entry of government officials for land acquisition on Friday. Express photo

The New Indian Express dt. 11/6/2011

Refrain from Forcible Land Acquisition for Posco: Cong

Express News Service

Bhubaneswar: The OPCC on Friday asked the State Government to refrain from forcible land acquisition for the Posco steel plant and extended its support to those unwilling to give their land for the project.

The Congress sent a four-member team to Dhinkia area where about 600 policemen had been deployed for land acquisition. The four members are chief of the media cell Kailash Acharya, chief spokesperson Arjya Kumar Gyanendra, former MLA Umesh Chandra Swain and BK Tripathy.

Gyanendra said though the State Government had announced that force would not be used for acquiring land for industries, Friday's incident had proved otherwise. Stating that Congress was totally opposed to the use of force for setting up industries, Gyanendra alleged that people were not consulted before their betel vines were acquired.

The Congress team criticised the State Government for following no law for acquiring land for the project. It also raised questions on land acquisition for a company with which the State Government is yet to renew the MoU for the project.

While the district administration of Jagatsinghpur claimed that it acquired 11 betel vines in Gobindpur village on Friday, the Congress team

alleged that no beneficiary had turned up to receive compensation. "This indicated that betel vines were acquired without consent of people and by use of force," Gyanendra said.

The team will submit its report to the OPCC president Niranjan Patnaik on Saturday.

Meanwhile, five political parties - CPI, CPM, Forward Block, RJD and SP - in a statement issued here warned the government of serious consequences if it continued to use force for acquiring

THE CONGRESS SENT A FOUR-MEMBER TEAM TO DHINKIA AREA WHERE ABOUT 600 POLICEMEN HAD BEEN DEPLOYED FOR LAND ACQUISITION

land for the Posco project. Leaders of the five parties met here on Friday.

The five parties threatened of launching a Statewide agitation against the forcible land acquisition. It was decided that a team comprising members of the five political parties will visit Dhinkia area on Saturday to have an on-spot assessment of the situation. The parties had staged a dharna in front of the Raj Bhavan on May 6 and staged demonstration in front of the Secretariat on June 6 against forcible land acquisition for Posco project.

Dated - 11/6/2011

Join Human Chain or Pay Fine'

Express News Service

Paradip: My father has forcibly sent me to watch the boundary to avoid the penalty fixed by anti-Posco activists, said a 12-year-old girl who is part of the human barricade on the outskirts of Gobindpur. She is among the 500 children, in the age group of 5 to 15, of the Bal Sangharsha Bahini which has formed by the Posco Pratirodha Sangram Samiti to protest the land acquisition process at Gobindpur and Dhinkia.

The anti-Posco activists who intensified their agitation against the land acquisition at Gobindpur also issued a diktat to the villagers of Dhinkia and Gobindpur on the day. They threatened to im-

pose a penalty of ₹ 1,000 on the villagers not joining the human barricade. The PPSS has also asked the villagers, supporting Posco, to either join the protests or face ostracisation.

The threat was issued at a meeting convened at Gobindpur village under Dhinkia panchayat on Thursday to discuss the future course of the agitation. Nearly 2,000 villagers, including Posco supporters, joined the human barricade at Gobindpur on Wednesday. The PPSS men form the inner ring of the human barricade, behind children and women, fearing attacks by police.

Reminded of the ostracisation, the pro-Posco villagers of Gobindpur

faced two years back, a villager said, "After being ostracised for two years I entered the village with my family by paying a fine ₹5,000 and committing to abide by the dictates of the PPSS. Now we cannot afford to go against their fatwa".

Secretary of United Action Committee, a pro-Posco outfit, Nirvay Samantray criticised the administration for not providing security to the pro-Posco villagers.

Meanwhile, 20 platoons of force are stationed at Kujang, Balitutha, Nuagaon Paradip, Trilochanpur and other areas awaiting further instructions from the State Government to start the land acquisition operation at Gobindpur.

Land Acquisition at Gobindpur Today

Express News Service

Paradip: The district administration has decided to go ahead with the land acquisition process in trouble-torn Gobindpur on Friday. This was decided at a meeting attended by District Collector Narayan Jena and SP held late on Thursday night.

DIG DS Kuttay is camping here and will be monitoring the acquisition process on Friday.

Earlier in the day the district administration had put up notices at panchayat office and pub-

lic places in Dhinkia and Gobindpur villages asking the Posco Pratirodha Sangram Samiti (PPSS) to

PPSS ACTIVISTS ASKED TO COOPERATE

cooperate in the land acquisition at Gobindpur.

In the notice, the District Collector stated that a majority of villagers of Dhinkia and Gobindpur have shown interest to hand over their betel vines, prawn gheries, fruit-bearing trees during land acquisition process.

The New Indian Express dt. 10/6/2011

Express News Service

Land Acquisition Completed in 2 GPs, Gobindpur Tense

Paradip: The land acquisition process has been completed at Nuagaon and Gadkujang panchayats, while the Government's go-ahead on resuming the process in the trouble-torn Gobindpur and Dhinkia villages is awaited, said Kujang Tehsildar Basudev Pradhan.

The land acquisition process which was disrupted on Tuesday due to non-availability of police force was re-started at Nuagaon panchayat on Wednesday amidst tight security. Revenue officials pulled down as many as 17 betel vines and disbursed a compensation of ₹ 13.50 lakh among betel vine losers.

Besides, revenue and horticulture officials have been pressed into service to chop off such trees from the proposed Posco site at Nuagaon and Gadkujang panchayats. Around 250 fruit-bearing trees were chopped in Gadkujang panchayat on Wednesday.

Meanwhile, it is learnt that the Forest Department has imposed restrictions on chopping trees from revenue land which has affected work in the two panchayats.

Divisional Forest Officer of Rajnagar Manoj Kumar Mohapatra said the restriction had



Kids Join Human Barricade

Paradip: Thousands of village children, including children under the banner of Posco Pratirodha Sangram Samiti joined to form a human barricade on the outskirts of Gobindpur. The barricade will be maintained round the clock to prevent entry of officials, said Sishu Mohapatra, PH general secretary.

Meanwhile, Bharat Jan Adalan leader BD Sharma visited Dhinkia and interacted with anti-Posco leaders and affected villagers on Tuesday boosting confidence of PP activists.

been imposed as there is no permission from the administration in this regard. Special Land Acquisition officer Nrusingha Swain clarified that restrictions which were imposed by local forest officials have been lifted after the intervention of the Chief Conservator of Forests. He has already given permission to IDCO to axe trees from the project site. IDCO officials will go ahead with the work in about three days added.

The Kujang Tahsildar's district administration is awaiting a directive from State Government to acquire land at Gobindpur.

The New Indian Express dt. 9/6/2011

RENEWAL OF POSCO MoU

Govt Elicits Views of Depts

Express News Service

Bhubaneswar: The State Government on Tuesday asked various departments to give their views in 15 days on possible deletion and addition of new points in the MoU to be renewed with the South Korean firm Posco for establishment of the proposed steel plant near Paradip, including the controversial iron swapping clause.

Chief secretary Bijay Kumar Patnaik chaired a high-level meeting to discuss renewal of MoU with the South Korean company. No decision was taken at the meeting. The Chief Secretary said that the secretaries of concerned departments have been asked to give their

opinion on different subjects, including swapping clause within 15 days. Chief Minister will take a final decision on the issue.

The state government which had earlier announced to renew the MoU with Posco-India by end of June, had a detailed discussion on the swapping clause, water sources for the project, mandatory

reservation

of jobs for local youths and other subjects.

Though the MoU with the South Korean steel major lapsed on June 21 last year, the State Government is yet to renew it. The swapping clause in the lapsed MoU had also been criticised by the Union Minister of State for Environment and Forests Jairam Ramesh while according the final forest clearance for Posco's greenfield mega steel project.

Official sources said the State Government was examining the suggestion given by Ramesh. The view of this will be given by the Commerce Department in 15 days. Though Ramesh had raised the issue, the Ministry of Commerce did not ban export of iron ore.

Meanwhile, a delegation of Posco on Tuesday met the Chief Secretary and held discussion on the renewal of the MoU and other matters.

The delegation thanked the State Government for progress in the land acquisition process for the Posco project, a senior official said.

NO POLICE AT POSCO SITE

Govt up to a game plan?

Express News Service

Bhubaneswar: Even as the State Government held talks with Korean steel major Posco for renewing the MoU on Tuesday, the ground situation remained volatile. A team of anti-displacement activists which visited Dhinkia said not a single policeman was found at the village which was utterly surprising although only a day before, the security forces had conducted a flag march to instil a sense of fear among the locals.

Anti-displacement activist BD Sharma, who led the team, said 24 platoons of force had been mobilised to the proposed plant site to stand guard to the land acquisition drive but when he visited, there was none. The administration is apparently planning something big for the future, he warned.

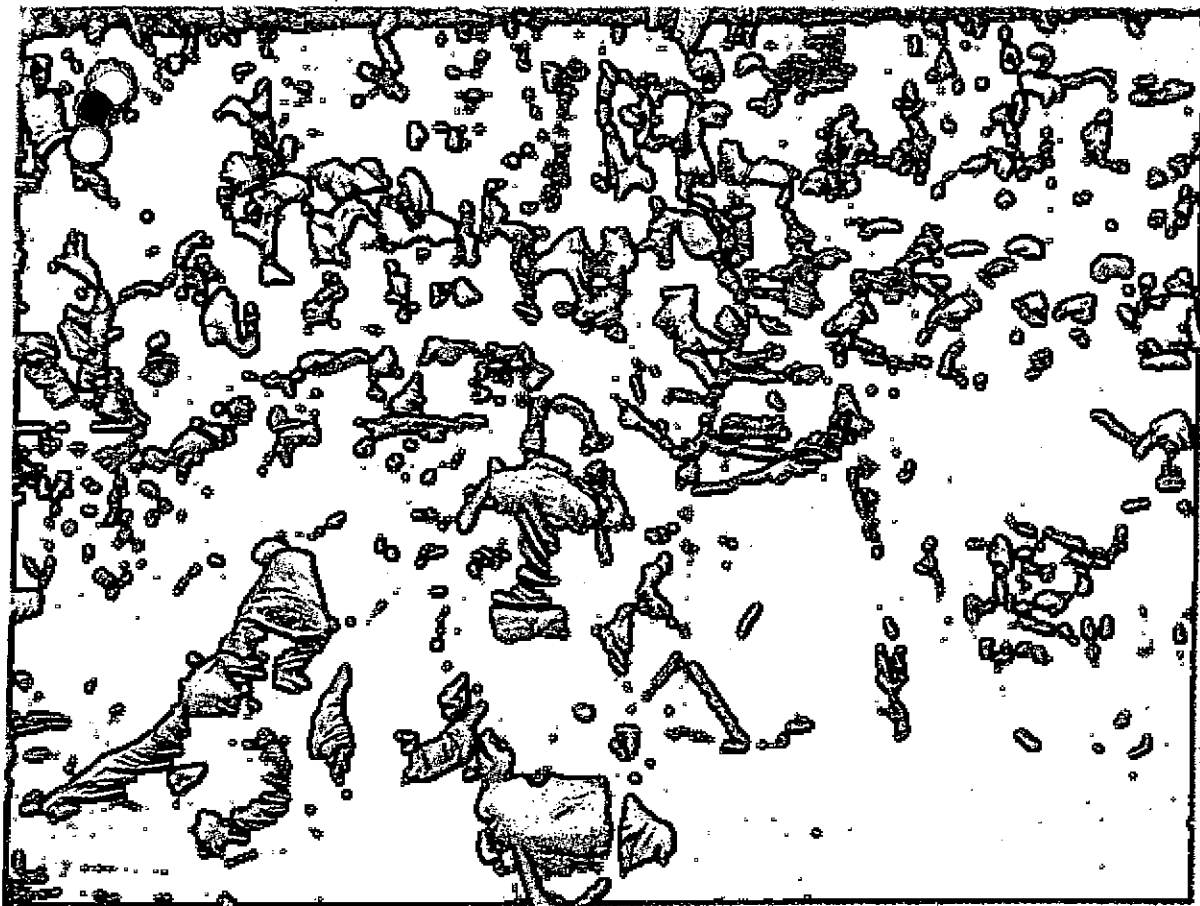
The announcement by the Government that people are voluntarily ceding their land to the administration is a myth. "We found out that public address systems are being used to direct people to part with their land or face force. Despite such intimidating tactics thou-

sands are protesting in a peaceful manner," said Sharma, who heads Bharat Jan Andolan.

Prof Banwari Lal Sharma, national convenor of Azadi Bachao Andolan and coordinator of Jan Sansad said Chief Minister Naveen Patnaik condemned in strong words the use of force by police on people gathered at Delhi's Ramlila Maidan during Baba Ramdev's agitation against corruption and black money. "Why is he using force to acquire land at Jagatsinghpur?" he wondered.

By crushing the peaceful movement of the people, Banwari Lal said, the Government is forcing them to resort to violence. If one looks at the tribal belts where Maoists had spread, one will find that most of the MoUs with the corporates are meant for those areas, he said adding state violence is giving an impetus to violence among the people.

The anti-displacement activists said the anti-Posco movement would not remain confined to Orissa alone. Plans are afoot to hold a national-level people's parliament where the agitation will be featured.



Activists of five parties breaking police cordon in Bhubaneswar on Monday protesting forcible land acquisition for proposed Posco steel plant near Paradip - Express Photo

Forcible Land Acquisition: Five Parties Stage Demo

Express News Service

Bhubaneswar: Activists of the five political parties, opposing the proposed steel project of Posco near Paradip, today staged a demonstration against the 'forcible' land acquisition for the plant in front of the State Secretariat.

A large number of activists of the CPI, CPM, Forward Bloc, Rashtriya Janata Dal (RJD) and Samajwadi Party courted arrest by breaking the police cordon. A rally from the Master Canteen Square to the lower PMG Square was also taken out.

The New Indian Express dt. 7/6/2011

Dated - 9/6/2011

Take Oppn into Confidence: BJP

Express News Service

Bhubaneswar: The BJP on Wednesday demanded consultation with the Opposition political parties before finalising the revised MoU with South Korean steel major Posco.

Since many provisions in the lapsed MoU are against the interest of the State, the revised MoU should be prepared keeping the interests of the State as well as the public opinion

In view, Senior BJP leader and former Industries minister BB Harichandan held a media conference here.

"Under no circumstances Posco should be allowed to swap 30 per cent of iron ore, establish captive port within the purview of the special economic zone (SEZ) and draw water from the Mahanadi for the steel plant," he said and warned that his party will oppose tooth and nail if the

Government surrendered before the company.

Alleging that the ongoing land acquisition for the company is illegal, the BJP leader said the company had no existence without any agreement or understanding. The MoU between the Government and Posco for setting up 12-million tonne capacity steel plant lapsed on June 22 last year.

REVISED MOU WITH POSCO

How could the Government acquire land for a non-existing company, he wondered.

The people of Orissa had great hope that the Centre would take some concrete action on the Posco project. But the way the project got clearance from the Environment and Forests Ministry with certain conditions, sacrificing the interest of the State, had clearly indicated that the Centre had

shown undue favour to the company and the Naveen Patnaik government had surrendered to the company, he remarked.

"From day one the BJP has been opposing permission to the company to have a captive port at Jatadhari confluence close to the Paradip Port. This will have adverse impact on Paradip port and will affect the environment as the Jatadhari confluence is witnessing soil and sea erosion over the years," he said. The captive port, the BJP leader said, would operate within the SEZ boundary and the State Government would have no control over the imports and exports from the port.

The Government should find water source other than the Mahanadi for the steel project as water from the river is essential for irrigation and drinking water purposes.



Police taking out a flag march in Gobindpur on Monday | Express photo

Flag March in Gobindpur

Express News Service

Paradip: A flag march was conducted by 10 platoons of police force at Gobindpur village under Dhinkia panchayat on Monday.

The security personnel came face to face with armed members of Posco Pratirodha Sangram Samiti (PPSS) who have for the last five days formed a human chain here to prevent entry of officials for the land acquisition work inside the village. However, no untoward incident was witnessed.

After the flag march, a meeting was organised by PPSS leader Abhaya Sahu where the

WITH THE LAND ACQUISITION BEGINNING IN THE VILLAGE ON TUESDAY THE FLAG MARCH WAS TO ENSURE A PEACEFUL PROCESS

members reiterated that they would not cede their land for the project.

Project Director, Rehabilitation and Resettlement, Surjeet

Das said police conducted the flag march to ensure that the land acquisition begins in the village on Tuesday on a peaceful note.

SP S Debadutta Singh said that police were keeping an eye on the anti-Posco activists to thwart any incident and all security measures had been put in place ahead of the work at Gobindpur.

Meanwhile, as many as 50 betel vines were demolished in Nuagaon on Monday and a compensation of ₹ 84 lakh was disbursed.

The New Indian Express dt. 7/6/2011

GOVT WAS ASKED TO MAINTAIN RESTRAINT

Jagatsinghpur MP Bibhu Prasad Tarai, CPI State secretary Dibakar Nayak, assistant secretary Asish Kanungo, CPI MLA from Chhatrapur Adikand Sethi, former MLA Narayan Reddy, CPM State secretariat members Santosh Das, Dusmanta Das, Suresh Panigrahi and Nabakishore Mohanty, Forward Bloc State secretary Santosh Mitra, RJD State secretary Arun Jena and Samajwadi Party State secretary D He-man Kumar were arrested while breaking the police cordon.

Leaders asked the State Government to maintain restraint during land acquisition for the Posco plant.

They said that next course of action would be announced soon.

7/6/11 Posco Steel Project: On a roll now...

The ball has been set rolling. The re-commencement of land acquisition, following the Ministry of Environment and Forests (MoEF)'s approval for forest diversion, has given the 12 million tonne greenfield steel project of Posco-India a much-needed fresh impetus.

The Memorandum of Understanding (MoU) between the Orissa Government and the Korean steel giant is all set to be renewed and it will give a whole new direction to the Rs 52,000 crore project which promises to usher in a wave of economic activity not only in Jagatsinghpur district, where it is proposed, but also across the State.

For India's biggest FDI which has been awaiting statutory clearances, this spells a new beginning, a defining chapter. It will now be in a position to implement the unique compensation package which follows in Posco-India's language, "minimum displacement—maximum rehabilitation" policy.

In fact, the steel major has gone beyond the Rehabilitation and Resettlement Policy 2006 of Orissa Government to offer the project displaced a sense of social security while protecting their livelihood.

"We want the local villagers to understand the impact the project will bring to their economy in the long run. We will persuade them and hope they will come round to our view." In his

tries Minister Raghunath Mohanty says.

While guaranteeing livelihood for every family which loses its homestead land or farmland, Posco-India has also offered employment for families which are residing on government land. The company has been following a policy of "creating scope of work for everyone"—for landless labour family working in betel vines to families in three gram panchayats which are not directly affected by the project.

The result is showing on the ground zero. More and more families have come forward to accept the compensation package from the Jagatsinghpur district administration after the land acquisition re-started. While the Government has been able to acquire more land in Gadakujanga in the last one week, the resistance to the project is slowly but surely dissipating.

Encouraged by the developments, the steelmaker has also made swift changes to its earlier policies to push forward. It has agreed to the State Government's mandatory clause of job reservation for local people.

The company, despite facing cost escalation in its project, has stuck to its commitments for the State and charted an inclusive growth path for the local community. Its objective has been to match community development with the growth of the company as it

created a win-win situation for both sides.

The Korean giant's integrated steel plant project looks to leave a ripple effect on the Orissa economy in terms of development of ancillary industries, employment and overall output of industries sector. The projected investment of Rs 52,810 crore is annually expected to create an output of Rs 12,610 crore and make an additional value addition of Rs 3,530 crore. However, the impact of the annual output will have a significant impact on the industries of the State and it is expected to stimulate an output to the tune of Rs 29,760 crore and a value addition of Rs 12,100 crore. In turn, the huge investment will boost the GDP growth of the State.

One of the major implications of the investment will be the employment it will generate. The company estimates creation of employment for a whopping 8.7 lakh persons a year in sectors such as agro-based business, iron and steel, mining, manufacturing, trade and services.

Good economics apart, the Posco Steel Project also looks to build the quality of life by investing in education, health, skill development and training and livelihood support programmes. Once on stream, it promises to bring a change to the Orissa's industrial scenario which was hitherto unheard of.

The New Indian Express dt. 7/6/2011

Bardhan: Stop Forcible Land Acquisition for Posco Project

Express News Service

Bhubaneswar: General Secretary of the CPI AB Bardhan on Friday criticised the State Government for acquiring land for the proposed Posco steel plant, in what he termed, in a forcible manner and demanded that it should be stopped forthwith.

Addressing the State Executive of the CPI, which started here, Bardhan said the land acquisition for the Posco goes against the announcement of Chief Minister Naveen Patnaik that the government will go forward in a peaceful manner.

Bardhan said eight families of Noli-sahi in the Posco plant site did not agree to hand over betel vines for the project on Friday. He alleged that 17 persons were arrested and several persons of Gada Kujang nanchavat samiti including one of

its members Basudev Behera, were injured when the administration wanted to forcefully acquire land.

The CPI decided that a joint action plan will be finalised in consultation with the allies like CPM, Samajwadi Party and Rashtriya Janata Dal on Saturday.

Analysing the results of the Assembly elections in five states, Bardhan said the Left and democratic forces are the only alternative to check the Congress and the BJP. He announced that the Left parties will continue with their efforts to cobble together a viable alternative. Bardhan also dwelt on the contemporary political situation in the country.

It was decided that all the branch and zone conferences of the party will be con-

cluded by July. An action plan was finalised to make the State-level Gobindchandra Mohanty Memorial Education Camp, to be held in Cuttack from June 4, a success.

State secretary Dibakar Nayak, assistant secretary Asish Kanungo, secretariat members Gourahari Nayak, Dutkrushna Panda, Prashant Patjoshi, Banalata Jena, Prabhat Mishra, Sourib-

andhu Kar, national council member Ramakrushna Panda and party legislator



AB Bardhan at the CPI State Executive in Bhubaneswar

58 More Betel Vines Demolished

Express News Service

Paradip: After Friday's protests by anti-Posco activists which led to arrest of 17 of their members at Noliassahi in Gadkujang panchayat, the district administration on Saturday went ahead with the land acquisition drive for the proposed Posco steel plant. As many as 58 betel vines were demolished at Nuagaon panchayat and a compensation of ₹ 75 lakh was disbursed.

Besides, 46 villagers of Nuagaon were paid ₹ 5,500 per decimal of betel vine demolished by the administration. In 2008, the Posco company had disbursed ₹ 6,000 per decimal as compensation to these 46 persons.

They, however, had demanded ₹ 11,500 per decimal which was approved in the last Rehabilitation and Peripheral Development Advisory Committee (RPDAC) meeting.

THE 17 ANTI-POSCO ACTIVISTS WHO WERE ARRESTED ON FRIDAY HAVE THREATENED TO MOVE THE COURT.

The United Action Committee too had demanded payment of the differential amount of ₹ 5,500 to the villagers in its recent meeting with the Revenue Divisional Commissioner (Central) P K Mohapatra to which the RDC had

agreed.

Special Land Acquisition Officer Nrusingha Swain said a total of ₹ 30 lakh had been paid to the 46 villagers.

Meanwhile, panchayat samiti member Basudev Behera and Sarat Behera who were arrested along with 15 of their family members on Friday for protesting the administration's move to demolish their betel vines, have threatened to move court as they are yet to be paid compensation for their demolished betel vines. They said that the demolished vines were worth ₹ 50 lakh.

Kujang Tehsildar Basudev Pradhan, however, said that they would be paid on Sunday.

The New Indian Express dt. 5/6/11

Dated - 6/6/2011

Land Acquisition in Gobindpur From Tomorrow

Express News Service.

Paradip: The district administration will begin land acquisition in the troubled Gobindpur village on Tuesday.

In a meeting on Friday, the district administration

had sought cooperation from the people of Gobindpur for demolition of betel vines and the latter had agreed.

Special Land Acquisition Officer Nrusingh Swain said that the land acquisition in the village would continue for two days and subse-

quently, construction of boundary wall in the Gadkujang site will be completed in a week. Elaborate security arrangements are being put in place in the village to avoid any untoward incident during the acquisition process.

Meanwhile, Posco Prat-

irodha Sangram Samiti secretary Sisir Mohapatra said that the anti-Posco activists would continue with the human chain that was formed on the boundary of Gobindpur to bar the entry of officials to start the land acquisition work.

Posco Land Issue: 5 Parties to Resort to 'Gandhigiri'

Express News Service

Bhubaneswar: Alleging forcible land acquisition for Posco steel project near Paradip, five political parties on Saturday resolved to go for a civil disobedience agitation in front of the Secretariat on Monday.

The leaders of CPI, CPM, Forward Bloc, RJD and Samajwadi Party in a joint meeting condemned the State Government's alleged use of force to acquire land from the residents of the three gram panchayats under Ersama block in Jagatsinghpur district for the project.

CPI State secretary Dibakar Nayak said though Chief Minister Naveen Patnaik had earlier committed not to use force for the land acquisition, the police on Friday beat up people unwilling to cede their betel vines for the steel

been earning their livelihood by undertaking cultivation on forest land in Ersama block for generations, a joint statement issued by the five parties said accusing the State Government of violating provisions of the Forest Rights Act, 2006, and setting aside interest of farmers for the Posco project.

Demanding shifting of the proposed plant site from fertile land of the three gram panchayats, they pointed out that earlier the IOC's refinery project was relocated at Paradip from Dhinkia area.

This apart, the five parties also slammed the State Government for allegedly threatening villagers to demolish their betel vines within 48 hours or face forcible land acquisition. They also defended the villagers, identified as 'encroachers' by the State Government, for undertaking cultivation on govern-

Dated 5/6/2011

Anti-Posco Activists Form Human Chain

Express News Service

Paradip: The land acquisition process ran into rough weather again on Thursday with villagers of Dhinkia panchayat, under the banner of Posco Pratirodha Sangram Samiti (PPSS), forming a human chain on the outskirts of Gobindapur to prevent the entry of officials.

About 2,000 villagers, protesting the illegal land acquisition process, resolved to keep a round-the-clock vigil on the outskirts of Gobindapur and pledged not to part with their land.

The PPSS activists had alleged that the administration had already demolished over

400 betel vines at Nuagaon and Gadkujang panchayats and 50 per cent of them were demolished without the owner's consent. An anti-Posco activist quoted two such incidents.

THEY ALSO RESOLVED TO KEEP 24-HOUR VIGIL ON THE OUTSKIRTS OF GOBINDAPUR

"We formed a human chain to prevent the entry of officials to Gobindapur protesting land acquisition process," PPSS leader Abhaya Sahu said.



PPSS activists gather at Gobindapur under the leadership of PPSS leader Abhaya Sahu on Thursday | Express photo

Betel Vine Set Afire

Express News Service

Paradip: Betel vine of an anti-Posco activist of Bayanalkand village under Kujang police limits was allegedly set afire by pro-Posco supporters on Wednesday night.

Sources said the pro-industry activists tried to convince Somanath Samal of the village to allow demolition of his betel vine. When Samal did not pay any heed, they allegedly set afire the vine over 53 decimal land. The vine was worth ₹ 60 lakh,

Samal claimed. ADM Sarojkant Chaudhary said Samal had submitted a written complaint to him and an investigation would be carried out accordingly.

Secretary of United Action Committee, a pro-Posco outfit, Nirbhaya Samantray, however, denied the allegation. Special Land Acquisition Officer Nrusingh Swain said the incident had not affected the land acquisition in any way. On Thursday, 49 betel vines were demolished and ₹ 60 lakh paid to owners as compensation.

The New Indian Express dt. 3/6/2011

Posco Land Acquisition Continues Amidst Protests

4/6/11
Gadkujang PS member and PPSS leader along with 16 others rounded up

Express News Service

Paradip: Amidst fresh round of protests by some anti-Posco activists, the district administration on Friday went ahead with the land acquisition drive for the steel plant. Before the acquisition, police arrested anti-Posco leader and Gadkujang panchayat samiti member Basudev Behera and 16 other

villagers, including four minors, at Noliashai in Gadkujang panchayat.

Police swung into action when Behera, a prominent leader of the Posco Pratirodha Sangram Samiti, protested the administration's move to demolish his betel vine and prevented officials from doing so. The arrested were released later on PR bonds.

Sources said, the district

administration on Friday morning asked the villagers of Noliashai, Bhuiyanpal, Bayanalkanda and Polang in Gadkujang panchayat to hand over the betel vines. Tension mounted when the revenue officials led by Paradip ADM Sarojkant Chaudhary and Tahasildar of Kujang, Basudev Pradhan started demolishing betel vines of Behera and another

villager Sarat Behera.

Basudev, his wife Laxmi and her daughter-in-law Sabita protested and allegedly assaulted the officials which led to a clash between the officials and villagers.

Kujang police led by IIC Gupteswar Bhoi rushed to the spot and arrested 17 anti-Posco activists.

Kujang Tahsildar said the administration had served

notices to encroachers 24 hours before eviction. The incident, he said, did not affect land acquisition process. While 41 betel vines were pulled down, ₹ 66 lakh was disbursed towards compensation besides another ₹ one lakh towards chopping of five trees.

Jagatsinghpur S.P.S. Deb, datta Singh said the arrests were made to avert tension.

dt. 4/6/2011

Posco Project: Govt may Renew MoU by Month-end

Express News Service

Bhubaneswar: The State Government is likely to renew the memorandum of understanding (MoU) with the South Korean company Posco by end-June for establishment of the steel plant near Paradip as the land acquisition work has picked up slowly.

"I hope that the State Government will renew MoU with Posco before end of June," Steel and Mines Minister Raghunath Mohanty told mediapersons here.

The State Government has decided to hold a meeting soon to take a decision on the MoU renewal with Posco-India, official sources said. The next meeting between the State Government officials and Posco-India executives, is significant as decisions on some key matters like

iron ore swapping, possible change in the water source for the steel plant and reservation of jobs for local youths will be taken.



The swapping clause in the previous MoU considered as an important point likely to be excluded in the renewed MoU. In his May 2 order according the final forest clearance to the Posco steel project, Union Minister of State for Environment and Forests Jairam Ramesh had advised the State Government to renegotiate the terms of the MoU to avoid export of raw material which was in the original MoU.

The MoU between the State Gov-

ernment and Posco-India had lapsed on June 21, 2010. It was signed on June 22, 2005. After the Centre accorded final forest clearance to the project, the biggest foreign direct investment (FDI) in the country, the land acquisition work has started in right earnest.

The renewal of the MoU is most essential as many people have raised questions on the legality of land acquisition by the State Government without having a valid memorandum of understanding. Non-existence of an MoU generates suspicion among the local people, many supporters of the project said.

Meanwhile, the Jagatsinghpur district administration on Tuesday, on 10th day of land acquisition, took 67 betel vines into possession and gave compensation worth ₹ 4.11 crore to the farmers.

the New Indian Express dtd. 1/6/2011

Posco: Tension Over Betel Vine Demolition



Hemlata, mother of one of the land losers who was nabbed by police for refusing to part with his betel vine during acquisition, protests by sleeping in front of the police van | Express

Express News Service

Paradip: Tension prevailed at Nuagon following alleged forcible demolition of betel vine of one Subhendu Baral by officials on Tuesday.

Sources said during land acquisition, Baral - an anti-Posco activist - refused to pull down his betel vine. However, the land acquisition officials did not pay heed

and forcibly demolished the vine leading to an argument between Baral and the officials.

Irrked, Baral attacked an IDCO officer who was a part of the land acquisition team. Receiving information, police rushed to the spot and took him into custody. Hearing Baral's screams, his 65-year-old mother Hemlata tried to oppose the cops, but

in vain.

Kujang tehsildar Basudev Pradhan said the betel vine did not belong to Baral but he was claiming compensation for it. "He was taken into custody to avert disturbances in the area," he said. Kujang police station IIC Gupteswar Bhoi said Baral was released after a few hours of detention and no case has been registered.

Dated - 2/6/2011

POSCO PROJECT

Admn Blinks, Concedes Four Demands of UAC

Express News Service

Paradip: The United Action Committee (UAC), a pro-Posco outfit, on Monday agreed to support the district administration in the land acquisition for the Posco project. The decision was taken in the meeting between the UAC and the district administration led by RDC (central) P K Mohapatra.

The UAC had earlier opposed the land acquisition demanding fulfilment of its six-point charter of demands.

The RDC said out of the UAC's six demands, the ad-

ministration had conceded four. The administration will consider stay-to-stay measurement of betel vines and 30 per cent hike in compensation amount to betel vine workers.

The other demands are hike in prices of agricultural and homestead land, priority to locals in the construction and contract work, inclusion of betel vines demolished in 2008 in the enumeration exercise and jobs for the affected families. These have been agreed to by District Collector Narayan Chandra Jena and the RDC.

Mohapatra said a recruitment committee had been constituted to give employment to the affected families and the Collector is a member of the committee.

Former agriculture minister Damodar Rout, present in the meeting, said settlement of issues between UAC and the administration was necessary for the Posco project to proceed.

Meanwhile, as many as 42 betel vines were demolished in Noliassahi, Polang, Govindpur and Bhuiyanpal villages and a compensation of ₹ 52 lakh was disbursed on Monday.

The New Indian Express dtd. 31/5/2011

POSCO STEEL PROJECT

Land Acquisition Picks Up

Express News Service

Paradip: With support of the United Action Committee (UAC), land acquisition by the State Government for the ₹ 52,000-crore Posco steel project has gained momentum.

Betel vines of 36 persons in Polang, Nuagaon, Noliassahi and Bhuiyanpal villages under Gadkujang and Nuagaon panchayats were demolished and ₹ 57 lakh was disbursed on Tuesday. The land is being acquired by four teams comprising officials of the district administration, departments of revenue and forest and IDCO.

The UAC decided to cooperate with the administration following talks with senior officials on Monday. "As the government responded positively to our

**BETEL VINES OF
36 PERSONS WERE
DEMOLISHED ON
TUESDAY AND ₹ 57
LAKH DISBURSED**

demands, we are extending cooperation in land acquisition. We are not against the Posco project," UAC president Anadi Rout said.

Rout was hopeful that the outfit's major demands, including hike in compensa-

tion and jobs to members of the affected families would be considered favourably at a meeting to be convened by the Revenue Divisional Commissioner (central) on May 30.

Though UAC gave up its opposition, some members of Posco Pratirodh Sangram Samiti (PPSS) did not allow the teams to go ahead with the land acquisition at Noliassahi. As a result, 15 betel vines could not be acquired in this village.

Ersama BDO Muralidhar Swain confirmed the incident and said that efforts would be made to acquire these betel vines on Wednesday.

Dated - 25/5/2011



From

168492
Damodar Sarangi
Special Rapporteur
NHRC, East Zone-1

Aurobindo Villa
Anant Vihar
Plot No.-217/4
Pokhariput
Bhubaneswar- 751020

DS/ Spl. Rptr / NHRC - 01/11-11 Date- 15.11.2011

To

The Deputy Registrar (Law)
National Human Rights Commission
Faridkot House, Copernicus Marg,
New Delhi - 110001

Sub: Issues related to the proposed POSCO project in Jagatsinghpur.

Kindly refer to your letter dated 26.08.2011 on the above subject.

2. I went through the parawise Action Taken Report submitted by Collector Jagatsinghpur on the recommendations given in my earlier report submitted to the Commission in my letter no. DS/Spl Rptr/NHRC 05/09-08, dated 08.09.2008. I also went through the extracts of the socio-economic survey report submitted by XIM, Bhubaneswar, received with your letter under reference.

3. On 20.10.2011 and 21.10.2011, I visited Dinkia, Gobindpur, Nuagaon, Nolia Sahi, Polang and other project affected villages and interacted extensively with the residents to verify on ground the status of implementation of the recommendations. I also interacted with the Collector, the Superintendent of Police, the Land Acquisition Officer and other senior functionaries of the district administration both before and after my field visits to elicit their views in the matter. Besides, I consulted the reports submitted by various committees instituted by the Ministry of Environment and Forest to verify the likely impact of the project on the environment, the implementation of the Forest Rights Act 2006 etc.

4. Based on the information collected in course of my field visits, my interaction with the district officers and from the various documents mentioned above. I have prepared a report on the present status of implementation of my earlier recommendations.

5. The Report enclosed with this letter may be placed before the Commission for their perusal and further orders.


DAMODAR SARANGI 15/11/2011

A report on the status of implementation of the recommendations of the Special Rapporteur (East Zone - 1), NHRC for the rehabilitation of villagers, likely to be displaced/affected in consequence of the acquisition of their land for setting up a steel plant by *POHANG STEEL COMPANY (POSCO)*, near Paradip in Jagatsinghpur district of Odisha.

INTRODUCTION:

This matter relates to the acquisition of land by the government of Odisha for setting up a steel plant by Pohang Steel Company Ltd. (POSCO) in Jagatsinghpur district of the state, and the resistance of the local residents to the same.

The Commission had taken cognizance of this matter based on a complaint dated 06.12.2007, received from Delhi Forum, F-12, Malviya Nagar, New Delhi, to the effect that;

- i. A strong people's resistance movement has been going on in parts of Jagatsinghpur district of Odisha against acquisition of land for establishing a steel plant there by Pohang Steel Company Ltd. (POSCO), right from the time a Memorandum of Understanding was signed between the company and the state govt.
- ii. The protests grew louder after the Prime Minister of India asked the state government to expedite the project.
- iii. The state govt. is hesitant to use the police force of the state directly against the agitators, and has instead been encouraging the local mafia and criminals to create lawlessness in the area, which would offer them a pretext to deploy the police and paramilitary forces to crush the movement.
- iv. On 25.11.2007, armed supporters of the pro POSCO local MLA and former minister Sri Damodar Rout launched an attack on the procession of villagers opposing the POSCO project.
- v. On 21.11.2007, the employees of the Hyderabad based Dharitri Company attempted to hold puja before starting dredging work in river Jatadhari, claiming that they have been given a contract for the work by the IOC. The local villagers asked them to leave the place. But the chief of the local Mahaveer Peeth, who was to conduct the puja, entered into an altercation with the agitators which led to a clash, in which members of both the groups sustained injuries. On 23.11.2007, he (the priest) led a procession of his followers, who broke the check gate erected by the anti POSCO agitators to prevent the entry of POSCO officials, police and the administration to the area.
- vi. The agitating villagers convened a meeting at Balitutha, decided to reconstruct the gate and marched in a procession towards Nolia Sahi, but they were assaulted by armed miscreants led by Raju Babu. Two leaders of

the anti POSCO movement were critically injured and shifted to SCB Medical College Hospital for treatment. 6 others were admitted in the local hospital at Balitutha.

- vii. The leaders of the movement have shown admirable restraint and have been trying to diffuse the situation. But they apprehend that taking advantage of the violence created by anti socials, the state police will move in.
- viii. The anti POSCO activists have created self sacrifice brigades and a clash with the govt. forces and local anti socials will have serious repercussions, and incidents like those reported from Nandigram may be replicated.

They requested the Commission to advise the state government to initiate action for stopping such planned violence and also to apprise the Prime Minister, whose office is allegedly taking extra interest in mobilizing all administrative support to the project, regarding the situation.

2. With their complaint petition, the Forum had enclosed the following documents.

- i) 'A Fact Finding Report' by an 'Independent fact finding Team' that visited the area from 19th to 22nd April 2007.
- ii) An analysis of the memorandum of understanding by Dr. Usha Ramnathan, claimed to be a 'legal researcher' of international repute.

The first document, as its name suggests, is a report on the prevailing situation in the area. The report highlighted:

- a) The dependence of the project affected people on govt land, proposed to be acquired for the project, for their livelihood and the govt's failure to acknowledge the same.
- b) The loss of revenue and the threat to the security of the country that the grant of SEZ status to the project, may imply.
- c) The uncertainties that prevailed in the matter of rehabilitation of the project affected people.
- d) The govt's failure/ reluctance to consult the affected people regarding the project.
- e) The failure of the state govt. to maintain law and order, and the alleged implication of the local people, opposed to the project, in false cases.
- f) The undesirability of permitting POSCO to develop a private port that may compromise the security of the country.
- g) The adverse impact upon environment and ecology that may result from the establishment of the steel plant etc.

In the concluding paragraph of the report the 'Independent Fact Finding Committee' had recommended, inter alia, that:

- a) The project should not be allowed to come up against the wishes of those affected by it.
- b) The tenural rights of the affected people on govt. land be permanently recognized.
- c) Police and paramilitary forces, currently deployed in the surrounding areas should be withdrawn immediately.
- d) The detailed project report must be published in local language immediately.
- e) Political dialogue should be initiated between the govt. and the local people in a conducive atmosphere etc.

The other document offered an analysis of the MoU and explained why the MoU was considered to be against public interest and how the state govt. had compromised its regulatory authority and the authorities of other statutory bodies by undertaking to facilitate the grant of all relevant licenses and permits to the Company, and how, by further undertaking to diligently defend its recommendations in any litigation at any stage, it had obligated itself to defend such recommendations even in cases that may involve dereliction or misdeeds by the Company.

3. On receipt of the above petition, the Commission, in their proceedings dated 06.12.2007 called for a report from the Chief Secretary, Odisha. In response to the Commission's proceedings, the Special Secretary Home, Govt. of Odisha, under his memo no. 354/C dated 18.01.2008, sent the copy of an order issued by the revenue department in May 2006, in which it was declared that in addition to the benefits available in Odisha Resettlement and Rehabilitation Policy, 2006, persons engaged in betel vine cultivation in government land will be compensated @ Rs. 6000/- per decimal subject to the maximum of Rs. 10,000/- per unit of betel vine. With this report, he also enclosed the copy of a TP message received from SP Jagatsinghpur dated 10.01.2008 wherein the SP had alerted the state govt. regarding the determination of the majority of the local people to prevent the district administration from conducting any socio economic or topographical survey of the proposed project, and the possibility of clashes between pro POSCO and anti POSCO villagers.

4. The Commission found the report to be silent on preventive action, if any, taken by the authorities against the criminal elements who had allegedly assaulted peaceful demonstrations. In their proceedings dated 14.02.2008, the Commission therefore directed SP Jagatsinghpur and the Home Secretary Odisha to send further reports in the matter, in response to which it was reported by the superintendent of police Jagatsinghpur that survey work had been smoothly completed in all the villages falling under the project areas, except Dinkia and Badpatna and that other allegations in the complaint petition had been found to be baseless.

5. After considering these reports, the Commission, in their proceedings dated 30.05.2008, directed that the case be sent to the Special Rapporteur in Odisha for a detailed report. On receipt of the above directions, I had visited the project affected villages on and from 02.07.2008 to 03.07.2008 and had interacted extensively with various sections of the Project Affected Persons to acquaint myself with their problems and their apprehensions over the proposed Project. I had also widely interacted with the district officers of the line departments, to elicit their views in the matter. Based on the information gathered in course of my field visits, my interactions with the PAPs and the district officers and the examination of relevant documents, I had submitted a detailed report to the Commission with my letter no. DS/ Spl. Rptr. /NHRC 05/09-08 dated 08.09.2008.

Paragraph 9 of the said report, in which my findings and recommendations were recorded, is reproduced below for ready reference.

“9. Summary and recommendations:

The state govt, in their eagerness to invite investment to the state, signed an MoU on 22.06.2005 with POSCO for setting up a steel plant in Jagatsinghpur District of Odisha.

ii) For this purpose the govt. decided to lease out 4000.24 acres of govt land (including forest land) and 437.68 acres of private land located in contiguous GPs of Dhinkia, Nuagaon and Gadakujang, to the company.

iii) Notices u/s 4(1) of the Land Acquisition Act 1894 was issued in November-December 2005, for acquisition of private land.

iv) No field survey to verify the physical status of the land was conducted before the decision to locate the plant at the proposed site was taken. The local revenue officials were not consulted to verify the status of the land prior to the decision to locate the plant in the locality. Nor was any socio economic survey held to verify the nature and level of displacement of the local residents that would be caused by the project and the assistance required for their rehabilitation. It was only in February 2008, that the first such survey was attempted. But by this time resistance to the project had already peaked and a large section of the affected people have already become deeply suspicious of the govt's intentions.

v) It was presumed by the govt. that there will be no problem in making over the govt land to the company, except for obtaining the mandatory clearance from the govt of India. It appears that either the govt did not know that bulk of this govt land is under the occupation of the villagers for generations and a large number of families are dependent on this land for their sustenance, or they consciously ignored this from consideration.

vi) Right from the time of signing of the MoU, the local residents and many public spirited persons and organizations have been protesting against the decision of the govt. to permit POSCO to set up a steel plant in the state and the mining rights proposed to be given to the company.

vii) To forestall the govt. from handing over their land (including govt. land under their possession) the local people, besides leading processions and demonstrations had physically barricaded their villages to prevent POSCO and govt. officials from entering into the area. On many occasions they had wrongfully confined and harassed these officials.

viii) Initially almost all the villagers were against the project. In course of time a major section of the villagers started supporting the project. The reasons for such change of heart are difficult to comprehend. The pro POSCO villagers argued that they were promised handsome compensation by the company and that their support is only conditional subject to the award of such compensation. The anti POSCO activists however accuse them of being won over by the company and the govt. by questionable means.

ix) In course of time clashes between the pro POSCO and anti POSCO villagers started taking place.

x) Several criminal cases were registered in the local police station over the incidents of assault on POSCO and public officials, as also other incidents of violence involving the rival groups.

xi) In most of these cases the police failed to conduct any meaningful investigation. No arrests were made even in cases where public officials were assaulted. The police plead that since they had no access to the area, they were in no position to investigate these cases. In effect the project areas became out of bounds to the law & order authorities. It appears the police were informally advised by the govt. not to use force against the agitating villagers even if they resorted to wanton violence. The outcry over police firings in Kalinga Nagar in the years 2005-06, over acquisition of land for the Tata Project, appears to have deterred the govt from using force in such cases.

xii) As a large section of villagers from Nuagaon and Gadakujang Panchayats became pro POSCO in course of time, the villagers of Dhintia under the leadership of Abhay Sahoo, a CPI leader from Ersama, took control of the movement.

xiii) As more and more villagers of the adjoining Panchayats gave up their anti POSCO stance, Abhay Sahoo and his supporters took recourse to strong arm methods to keep their flocks together. Meanwhile the panchayat elections came and Dhintia panchayat was politically polarized between supporters of the CPI and the Congress. Both the groups rigged the elections, which were countermanded. As Abhay Sahoo, the CPI leader was anti POSCO and continued to be so, those who supported the Congress candidates were branded by his supporters as pro POSCO. Some of them were forced to leave their homes due to continuous harassment by Abhay Sahoo's men. They approached the police and the district administration who failed to provide them security inside the village. 52 of these families were sheltered in a camp raised by POSCO, who also bore the expenses for their upkeep.

xiv) While these 52 families (comprising of 207 members) have been staying in POSCO camp continuously from February 2008, other pro POSCO villagers have

been using this camp periodically for shelter as and when the anti POSCO villagers attack them or when they decide to launch counter attacks.

xv) As per the MoU, phase 1 of the project for production of 3 MTPA crude steel was to be completed within 3 years of taking possession of land or by July 2010 whichever is later. The second phase for production of additional 3 MPTA crude steel was to be commissioned by 24 months of the commissioning of phase 1. More than three years have passed since the signing of the MoU, but the govt. has not been able to complete the land acquisition proceedings. Till now the state govt. has not been able to take possession of any private land. They have merely been able to hand over 7 acres of govt. land at Paradip for the Training centre and to give permissive possession over 20.23 acres of govt. land to the Company at Badagabapur on which POSCO has raised a transit centre.

The valuation of private land has not been made public. The govt. have so far not announced, if they are going to provide any compensation to the project affected villagers for losing the govt land presently under their occupation. Various rumours are afloat regarding the compensation POSCO is reportedly willing to give. Some POSCO supporters are assuring the local people that they are going to get fabulous amount as compensation from POSCO. The state govt. is maintaining a studied salience in this matter and not doing anything to discount such rumours. It appears they have left it to the warring groups to settle the matter among themselves. The continued strife between the rival groups has seriously affected social harmony in the affected villages.

xvi) Many people in the state, including the project affected people have serious misgivings regarding the likely impact of the project on the environment, existing irrigation facilities in Cuttack, Kendrapada and Jagatsinghpur districts, the security of the country, and the availability of minerals for indigenous industries in future. Not all their apprehensions are without basis. The state govt. have not done enough for dispelling these doubts. In fact much of their activities in regard to the implementation of the project has lacked transparency.

xvii) The physical environment and livelihood pattern of the affected areas are unique in nature and it will be almost impossible to replicate or substitute the same, no matter what amount of compensation is granted to the project affected people.

xviii) Bulk of the land proposed to be acquired is govt. land. Major portion of this land is under effective possession of the project affected persons for generations. Unless the govt compensates them adequately in respect of the loss of govt land, many of them particularly the landless and the marginal farmers, whose number has been estimated to be approximately 57% of the population, run the risk of being destitute. The past records of the govt in the matter of providing compensation and alternative means of livelihood have not been such, as would inspire confidence.

Recommendations:

A. The state govt must immediately restore the rule of law in the area. All the cases registered over the violent incidents must be properly investigated and the

culprits brought to book. For this purpose, a special team headed by at least an officer of Dy. SP level should be constituted.

B. Those families of Dhinkia who are presently sheltered at the POSCO camps should be provided adequate security enabling them to return to their village. Till peace is restored, a strong police picket should be placed in the village for their protection.

C. The residents of Dhinkia, Patna and Gobindpur villages, whose properties have been damaged, and who have been injured in the violent incidents must be adequately compensated as the govt have failed to take even elementary steps for their protection.

The dependents of Dulal Mandal who was killed in the clash on 20.06.2008 should be adequately compensated.

D. The state govt. should immediately announce the compensation package to scotch rumours regarding the nature and quantum of compensation and rehabilitation, that are presently doing the rounds.

E. The state govt. should acknowledge the special circumstances of this case (where bulk of the project affected people depend on govt land, now proposed to be acquired, for their sustenance), and consider compensating them at a scale comparable to what is proposed to be granted to those losing private land.

F. The govt. may immediately enter into a dialogue with the representatives of the local people to fully appreciate the reasons for their resistance to the project, and take necessary measures to allay their doubts and fears over the same.

G. Panchayat election in Dhinkia G.P. must be immediately held so that the elected representatives could be associated with such dialogues.

H. The MoU, signed by the govt. with POSCO is strikingly similar to the one they had signed with the TATAs for setting up a steel plant at Gopalpur. In that case more than 3000 acres of private land was acquired and made over to the Company. Various promises were given to the displaced persons which were not honoured. TATAs did not set up the steel plant on the ground that the state govt failed to provide ancillary facilities like rail and road links, water, power etc. The state govt could not force the TATAs to set up the plant, but allowed the company to retain the land. It has now been decided to allow TATAs to develop an SEZ on the said land. The villagers displaced for the proposed plant have been left in the lurch. Many of them have become destitutes. In connection with that case an exhaustive report is available in the commission's case file (Case No. 703/18/23/07-08/FC).

To prevent the repetition of such misery to the displaced persons, the govt must ensure their full rehabilitation before handing over possession of the land to POSCO, should it decide to proceed with the project".

6. The above report and recommendations were sent to the state government, who, in their response dated 23.04.2011, forwarded to the Commission, a report, received from Collector Jagatsinghpur titled '**Compliance on the**

Recommendations of the Special Rapporteur, NHRC relating to district administration’. With the above ‘Compliance Report’ was enclosed a copy of the report on socio-economic survey of the Project Affected Villagers in Gadakujanga, Nuagaon and Dhinkia GPs of Ersama block, Jagatsinghpur district, Odisha, conducted by XIM Bhubaneswar for POSCO-India Project.

On perusal of these reports the Hon’ble Commission directed that the project report as well as the report of the Collector be sent to me for my response/comments.

7. More than three years have passed since the report and recommendations, mentioned at paragraph 5 above, were submitted to the Commission. In the intervening months many developments have taken place, with which I would like to acquaint the Hon’ble Commission before submitting my comments on the Compliance Report received from the Collector.

i. On September 28th, 2008, MoE&F granted Stage-I clearance for diversion of forest land for the project. Final clearance for diversion of forest land was granted on 29th December, 2009.

ii. On January 8th, 2010, MoE&F clarified to government of Odisha that the clearance, earlier given for the diversion of forest land in favour of POSCO, is conditional on the settlement of rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

iii. The Palli Sabhas of Dhinkia, Gobindpur and Nuagaon met in February 2010 and resolved against the diversion of forest land in favour of POSCO project. (Citing certain procedural irregularities the state government treated these resolutions as invalid and did not act upon them)

iv. On March 16th, 2010, the Forest and Environment Department of Government of Odisha informed the MoE&F that there are no tribal people or traditional forest dwellers residing in the forest area being diverted to POSCO.

v. On 06.07. 2010 the RPDAC, chaired by the RDC, substantially enhanced the rate of compensation admissible to the PAPs losing land and other assets to the Project.

vi. On April 13th, 2010, the MoE&F and the Ministry of Tribal Affairs, jointly constituted a Committee with Dr. N.C. Saxsena and Dr. Devendra Pandey as Chairmen, to study the implementation of FRA 2006. The Committee, in its report, held that there was non-compliance of the required process under the Forest Rights Act, 2006, and recommended that the MoE&F should withdraw the forest clearance earlier granted by it to the project. It also advised MoE&F to ask the state govt. to stop all work till the required processes under the FRA are completed and till the consent of Palli Sabha is obtained.

vii. Based on the Committee’s report, MoE&F on 5th August, 2010, asked the government of Odisha to stop transferring forest land till all the processes under FRA 2006 are satisfactorily completed.

viii. Meanwhile, on 25th July, 2010, a four members committee was constituted by MoE&F, based on the recommendations of the Forest Advisory Committee (FAC), to examine all issues relating to diversions of forest land for the POSCO project.

ix. On 18.10.2010 the Committee came up with two separate reports, one submitted by three members i.e. Dr. Urmila Pingle, Dr. Devendra Pandey and Dr. V. Suresh and the other by the Chairman of the Committee Smt. Meena Gupta. Smt. Meena Gupta and the majority members differed on the following points;

a. While Smt. Gupta thought that the R&R package finalised in the RPDAC meeting was a 'good one' the other three members felt that higher compensation should be paid for loss of betel vines. Besides they felt that forest land should not be diverted at all.

b. The majority members insisted that the forest clearance, earlier granted, should be revoked as **'the MoE&F has overlooked serious violation of their own directions and the procedure prescribed by law'**. It was also of the view that the environmental clearance given by the MoEF on 15.05.2007 for the minor port, and for the steel plant on 19.07.2007, should be revoked forthwith. because of lapses in the studies and shortcomings in the clearance granted. Smt. Gupta however felt that these issues should be revisited, and clearances could be granted afresh, if necessary with additional conditions.

On the issue of implementation of the Scheduled Tribe and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, the members were unanimous in their findings that the *"efforts made to implement the FRA in the POSCO project area, in 2008 and 2009, suffered from some shortcomings and inadequacies. This, as well as the circumstances prevailing in the area at the time, with many of the villages opposed to POSCO, might have resulted in the people of the area not submitting their claims for recognition of forest rights. To debar such people permanently from filing their claims and getting their forest rights recognised, seems to be a violation of forest rights"*

The full Committee therefore recommended that "the exercise of Recognition of Forest Rights be undertaken in the project villages afresh. Gram Sabhas be convened again, the Forest Rights Committees of the Gram Sabhas/ Palli Sabhas be re-formed, claims be re-invited by them, and a resolution passed within the time limit specified under the rules. The Sub Divisional Level Committee (SDLC) and the District Level Committee (DLC) should thereafter meet and complete the exercise. Since this exercise is being done for the second time and also because the handing over of the forest land earmarked for the POSCO project cannot proceed until a final decision is taken on the claims, a time limit should be specified and adhered to. There was broad agreement in the Committee that the procedure to recognise forest rights should be redone in the project villages"

The executive summaries of both the reports are enclosed at **Annexure - 1** to this report for ready reference.

x. On 31.01.2011, the Hon'ble Minister of Environment & Forest, Sri Jayram Ramesh, on consideration of these and other reports, accorded final clearance

for the steel-cum-captive power plant with 28 additional conditions, over and above that stipulated in the original environmental clearance of July 19th, 2007. The most significant of these additional conditions are as follows;

- ❖ The National Ambient Air Quality Standards issued by the MoE&F on November 16th, 2009 will be followed.
- ❖ Sustainability study of water requirement (for the ultimate steel production capacity of 12 million tonnes per year) will be carried out by an institute of repute. Should there be a shortfall of water at the Jobra Barrage for irrigation purposes, the company will voluntarily sacrifice water intake for facilitating irrigation.
- ❖ The total green area within the plant will be 25% of its area as per the guidelines of the Central Pollution Control Board (CPCB).
- ❖ Risk and disaster management plans due to plant operation and natural hazards such as floods, cyclones and earthquakes along with mitigation measures shall be prepared and submitted to the MoE&F.
- ❖ In addition to fulfilling the R&R obligations mandated by the state government's package and while also implementing CSR- related programmes in the construction phase, 2% of net annual profit should be devoted to corporate social responsibility in the region where the project is located.

Likewise, the Ministry gave environmental clearance for the captive minor port with 32 additional conditions, over and above what was stipulated in the original environmental clearance of May 15th, 2007. The most important of these conditions are as follows;

- ❖ No construction shall be undertaken in the "high erosion" zone identified by the Institute of Ocean Management.
- ❖ Shoreline protection measures to counter erosion on the northern side of north breakwater shall be undertaken.
- ❖ The shoreline shall be protected to ensure that no further erosion occurs on the northern side of the Northern Breakwater up to Paradip Port.
- ❖ A MoU shall be signed between NIO and POSCO will include works relating to monitoring of the shoreline, sand bypass system, beach nourishment and any other activity that has an impact along the coast/coastal waters. The Institute for Ocean Management will monitor the progress periodically on behalf of the MoE&F.
- ❖ POSCO shall ensure that no industrial activity shall be carried out within CRZ area other than those permissible under the Notification.
- ❖ POSCO shall submit detailed Marine Environment Conservation Plan (including mangrove regeneration and conservation of turtles and horse

shoe crabs). The implementation of conservation plan should start before commencing of construction of port.

- ❖ The location and size of the fishing jetty intended to compensate the loss of fishing activity arising out of development of the port at JMC shall be carried by POSCO in consultation with the local people to their satisfaction and requirement. Separate clearance under Coastal Regulation Zone Notification, 2011 for the proposed fishing jetty shall be obtained.
- ❖ POSCO shall make a detailed assessment of the impacts on fishing communities and resultant economic losses covered in R&R package along with requirement of fishing jetty and identified beneficiaries, location identified for the jetty (and alternative options considered).

Forest clearance for the Project Complex was also given by the Hon'ble Minister in the said order subject to a categorical assurance from the Govt. of Odisha to the effect that those among the PAPs claiming to be dependent on forest land are not entitled to the rights guaranteed under FRA, 2006.

In granting this conditional clearance the Hon'ble Minister has accepted the claims of the state government that *"There are no tribals in occupation nor residing within the POSCO Project area and no traditional forest dwellers are also there in occupation more than 75 years" and that "... no claims were received from any of the villages (Dhinkia, Gobindpur, Nuagaon, Polang, Nolia Sahi and Bhuyanpal)... nor has a single person claimed redressal under the definition of other traditional forest dwellers"*.

(As has been discussed elaborately in the Majority Report of the Meena Gupta Committee, the above claims are factually incorrect. The Socio-Economic Survey Report submitted by XIM, Bhubaneswar and the information gathered by me during my field visits support the findings of the Majority members).

A copy of the Hon'ble Minister's Order under reference is enclosed at **Annexure - 2** to this report, for ready reference.

xi. On 13th April, 2011 the state government communicated to the MoE&F, the "assurances" which the Hon'ble Minister had asked for in his order dated 31.01.2011, referred to in the previous paragraph. The very next day the MoE&F received from the PPSS, two Palli Sabha Resolutions (one from Dhinkia and the other from Gobindpur), in which the proposal for diversion of forest land for the POSCO project were rejected. The Hon'ble Minister referred the matter back to the state government for their comments.

xii. On 29th April, 2011 the government of Odisha sent its reply, in which it was claimed that the Resolutions of the Palli Sabhas are invalid and can neither be relied on nor be acted upon. The Hon'ble Minister accepted these claims and on 02.05 2011 gave his final clearance to the project, ignoring the findings and recommendations of the Committees constituted by his own Ministry. The Hon'ble Minister justified the decision on the spacious ground that **"Faith and trust in what the state govt. says is an essential pillar of co-operative federalism"**. In the said order the Hon'ble Minister further observed that **"I would expect that the revised MoU between the state and**

POSCO would be negotiated in such a manner that exports of raw material are completely avoided'.

A copy of the final order is enclosed at **Annexure - 3** to this report, for ready reference. The final decision of the Hon'ble Minister invited loud protests from the Project Affected Persons and informed members of the civil society. At the same time it bolstered the resolve of the state govt. to go ahead with the project, ignoring the ongoing protests.

xii. The MoU with POSCO lapsed on 22.06.10 and has not been renewed till today. The state government, after getting the final clearance from the Ministry, renewed the land acquisition process in May 2011. While they were successful in dismantling betel vines and felling trees in the government land in Nuagaon and Gadakujang Panchayats, they met with stiff resistance in Dinkia GP, from where they were forced to retreat. On 10th & 11th May, 2011 the district administration demolished 31 betel vines in Gobindpur village. Getting news of the demolitions, PAPs from Dinkia and part of Gobindpur rushed to the spot and protested against the same. The district administration, not willing to enter into any confrontation with PPSS supporters, withdrew from the area. 25 of the 31 vine owners have not received their compensation till today. Those loyal to the PPSS refused to receive the amount, as they continue to be against the project and would resist any attempt at land acquisition irrespective of the quantum of compensation offered by the administration. Some of them have already reconstructed their vines. Some vine owners from Gobindpur, who are willing to accept compensation, have not been paid the same, as the district administration is unable to visit the area for taking the necessary measurements, required for deciding the compensation amount.

So far the district administration has dismantled 643 betel vines, acquired 52.50 acres of prawn ponds and felled 14054 fruit bearing and other trees from the proposed project areas. They have also acquired about 7 acres of private land.

xiii. On 26.09.2011, POSCO attempted to construct a coastal road with the help of an agency named Paradip Paribahan, own by Mr. Pravat Nandi and patronised by Mr. Bapi Circle, a known tough from Paradip. The supporters of PPSS resisted, which led to a clash between the two groups. Over the incident two criminal cases have been registered at the local police station.

xiv. Between 01.10.2008 and 27.09.2011, 26 additional cases of rioting, criminal intimidation and assault on public officials, and clashes between the rival groups, have been reported from the area.

xv. A section of the PAPs, earlier supporting the project, have, in the meanwhile, turned against the project. The landless betel vine workers are highly aggrieved for non-payment of the compensation and unemployment allowance promised to them in the rehabilitation package announced 15 months back. Agricultural labourers are aggrieved as they have been totally excluded from the rehabilitation package, which is also silent on the issue of compensation for homestead land. PAPs owning private land in the project area have moved the Hon'ble Odisha High Court with a prayer for restraining the state government from acquiring their land for the project. The Hon'ble Court

in their order dated 09.09.2011 have stayed further acquisitions. (Ref. W.P. (C) No. 8071 of 2011).

xvi. The Hon'ble Odisha High Court has also struck down the allocation of the Khandadhar Iron ore mines to POSCO. The government of Odisha have filed an appeal against the order which is still pending in the Supreme Court.

xvii. Even before the land acquisition process is complete, the district administration has started encouraging POSCO to deal directly with the PAPs to manage dissent. The Company has been dealing with the matter in the way best known to them i.e. by dividing the PAPs in one manner or the other. At every village I visited (except Dhinkia) the PAPs quarrelled in front of me, accusing each other of deceit and collusion with the company.

8. On receipt of the directions of the Hon'ble Commission, mentioned at paragraph 6 above, I visited Jagatsinghpur on and from 19.10.2011 to 22.10.2011, interacted extensively with the project affected persons in their respective villages/hamlets and later at the district headquarters. Some of them submitted written petitions highlighting their grievances. Those in occupation of govt. land produced documents which, they asserted would support their claim that they are in possession of govt. land (including forest land) for generations. The gists of their statements are reproduced below;

i. Narahari Das, Bansidhara Majhi,

Duryodhan Pradhan, Sarveswar Bhuyan & 65 others

Since 1970 they have been in occupation of 25.82 acres of govt. land in which they were cultivating paddy. Following natural disasters and inundation of the area by saline sea water, they have switched over to prawn cultivation in the said land. The land is now being acquired for the proposed POSCO project. The district administration has paid Rs. 55 lakh as compensation for the loss, to some influential people who had nothing to do with the land and fisheries under reference. In support of their claims that they were in possession of the 'bhedi', they produced copies of notices issued to some of them by Tahasildar, Kujanga in the year 1980 and money receipts in support of payment of fines/rents payable for unauthorised occupation of the said land. They request for verification of the facts of the case so that they are not deprived of their legitimate dues.

A copy of their written petition together with copies of notices issued by Tahasildar Kujang, in encroachment case nos. 9/80, 10/80 and 11/80 and receipts in support of payment of rent and fines in the year 1996 and 2004, is enclosed at **Annexure P-1** to this report.

ii. Duryodhan Pradhan, Narahari Das,

Dhirendra Das & Khirod Das

vill - Nuagaon

They had betel vines in government land measuring 60, 30, 25 and 96 decimals respectively. On 06.06.2011 these vines were forcibly removed by the district administration for making over the land to POSCO. They have not received any compensation despite appeals to the district administration and

the Chief Minister. Their pecuniary conditions are miserable. Request for compensation. A copy of their written petition is enclosed at **Annexure P-2** to this report.

iii. Smt. Sanjukta Rout
w/o – Sri Fakir Rout
vill – Nuagaon

She has been occupying 1.80 acres of govt. land in Polang Mouza (khata no. 135, plot no. 196) before 1991 and had been living in the house constructed by her on the same land. The house was damaged in the super cyclone of 1999. She had raised some trees over the same land. Men engaged by POSCO for surveying the area have cut and taken away these trees without any compensation to her. She is a landless person. Requests for proper compensation. In support of her claim, she produced copies of the order sheets issued by Tahasildar, Kujanga from time to time in an encroachment case instituted against her under the provisions of O.P.L.E. Act 1972, from which it would appear that she was in possession of the said land (homestead) prior to 25.02.1991 when encroachment case no. 745/91 was instituted against her. The case was dropped on 19.11.1997 by Tahasildar Kujanga based on a report from the RI that she had vacated the land in the year 1992-93. She however claims to be in possession of the land till now. A copy of her written petition together with a certified copy of the order sheets mentioned above is enclosed at **Annexure P-3** to this report.

iv. Dipti Ranjan Chowdhury s/o – Jagannath Barik
vill – Nuagaon

He had 50 '*gachha*' of betel vines on forest land which was dismantled in the year 2008. No compensation has been paid to him till now. A copy of his written petition is enclosed at **Annexure P-4** to this report.

v. Tusarkanta Bhuyan s/o – Sarveswar Bhuyan
vill – Nuagaon

He had 60 '*gachha*' of betel vines on forest land which was taken over for the project in the year 2008. No compensation has been paid to him till now. A copy of his written petition is enclosed at **Annexure P-5** to this report.

vi. Jagannath Barik,
Dolagobinda Sahoo & 273 others
vill – Nuagaon

They are in possession of a large tract of govt. land touching river Jatadhari for generations in which they were cultivating prawn. They were maintaining their families out of the income generated from the prawn '*bhedi*' and fire wood collected from the jungles on the said land which they have been zealously guarding round the clock. This area is being handed over to POSCO. 40 influential group leaders are however planning to appropriate the entire compensation money depriving the rest. They request that the amount be distributed among all the 217 families. A copy of their written petition is enclosed at **Annexure P-6** to this report.

vii. Anambar Padhiary
vill - Nuagaon

He and some other villagers had dismantled their betel vines in the year 2007. They were assured that after the RPDAC meeting, POSCO will pay them compensation at the approved rate. The company however didn't honour its commitments, for which they demonstrated in front of the POSCO office on 14.07.2009. They have not received any compensation till today. Along with his written petition, he submitted the copy of a letter from POSCO-India dated 14th July, 2009, in which the Dy. General Manager of the company, had informed him that they appreciate his good will for the project, but the company is unable to meet his demands 'in the present form and situation.' A copy of his written petition along with a copy of the letter he received from POSCO- India, is enclosed at **Annexure P-7** to this report.

viii. Harihar Sahoo s/o - Alekh Saho
vill - Sanagabapur, P.S. - Kujanga

In the course of a clash between the anti POSCO activists and the police on 15.05.2010, near Balitutha bridge, his house, shop and household articles were gutted. On his complaint Kujanga police registered case no. 126 dated 15.05.2010 u/s 436 IPC and took up investigation. According to the written FIR submitted by him, anti POSCO activists had forcibly stored bombs in his shop, which they were hurling at the police. Some of these bombs exploded inside his shop as a result of which his shop was gutted. In a petition addressed to the Hon'ble Chairperson of the Commission he has claimed that the loss incurred by him in the incident would be more than Rs. 40 lakh. Requests for compensation. With his petition he has enclosed a copy of the FIR and copies of previous petitions he and his brothers had submitted to RDC Cuttack and the Hon'ble CM, Odisha seeking compensation for the loss. A copy of his written petition is enclosed at **Annexure P-8** to this report.

ix. Hemanta Patra s/o - Janamu Patra
vill - Balia, P.S. - Kujanga

He was running a fabrication unit near Balitutha Bridge. In a clash between the police and anti POSCO agitators on 15.05.2010, his house and shop rooms along with household articles, equipments and machineries worth about Rs. 2 lakh were completely gutted. Requests for proper compensation. A copy of his written petition is enclosed at **Annexure P-9** to this report.

x. Akhaya Kumar Mohanty s/o - Pranab Chandra Mohanty

He is one of the sons-in-law of Sri Natabar Khatua s/o - Late Anam Khatua. On 14.05.2008 anti POSCO activists chopped off Natabar Khatua's left palm from the wrist onwards. The left hand (from the wrist onwards) had to be amputated at Shanti Hospital & Research Home (A private nursing home located at Cuttack). Subsequently he received treatment at NIRTAR, Olatpur. On 24.04.2010, the District Medical Board of Cuttack issued a Disability Certificate to him certifying 60% Disability. Natabar belongs to a BPL family. Except for Rs. 10,000/- granted to him from the Red Cross no help has been received by him from the government or any other source. Natabar is still

under treatment. On the date of my visit to the village he was receiving treatment in some nursing home at Cuttack as an indoor patient. Copies of the Discharge certificate and the Disability certificate issued to Natabar Khatua are enclosed at **Annexure P-10** of this report.

- xi. Aditya Bardhan s/o – Abhay Bardhan
Sudarsan Das s/o – Kanduri Das
Sudhir Behera s/o – Satrughna Behera
Buchi Rout s/o – Rajkishore Rout
Ramesh Ch. Bardhan s/o – Niranjan Bardhan
All of Dhinkia GP

They complained that on 10th & 11th May 2011, the district administration forcibly dismantled 31 betel vines (including their vines), in Gobindpur without their consent. They have not been paid any compensation.

- xii. Sabita Mandal w/o – Late Tapan @ Dulal Mandal
vill – Patna, Dhinkia

Her husband, Tapan @ Dulal Mandal died in an attack launched by POSCO supporters on 20.06.2008. Tapan was about 33 years old at the time of his death. He is survived by his wife (Sabita), one son and two daughters. The family is landless. Sabita does not even have any homestead land. She lives in a hut raised on government land. She has 40 'gachha' of betel vines. She and her 16 years son work in the vine. Her two daughters are going to school. Following her husband's death she has received Rs. 10,000/- from the Red Cross and Rs. 50,000/- from the CM's Relief Fund.

- xiii. Khirod Behera s/o – Dhaneswar Behera
Akhaya Behera s/o – Sudhakar Behera
Pramod Behera s/o – Dharmendra Behera
all of Nolia Sahi

They were working in betel vines as labourers. The vines in their villages have been dismantled more than a year back. The vine owners have been compensated. So far, none of the betel vine labourers has received the promised compensation or unemployment allowance.

- xiv. Sri Jiban Lal Behera
Member of RPDAS, Vill – Nolia Sahi
and Basudev Behera
Member of Panchayat Samiti

The vine owners of Nolia Sahi, who were requested by the district administration for furnishing names and particulars of labourers working in their vines, had submitted a list of 236 such labourers. The district administration arbitrarily struck off the name of 65 of them. Till now not a single labourer has been granted any compensation or unemployment allowance. A number of their villagers were living in houses raised on govt. land. The district administration has not valued the homestead land they are

in occupation, and has refused to compensate for the loss of such land. They have also not announced the rate of compensation for the loss of fruit bearing and other trees felled for the purpose of the project. No Palli Sabha has been held for verifying whether the villagers are in favour of diverting forest land for the project. On 22.10.2011, he along with fellow villagers, met me at Jagatsinghpur circuit house and handed over a petition in which the following demands/grievances were highlighted.

- a. Unemployment allowance to vine workers, which has fallen due from August 2010, has not been paid.
- b. Compensation in respect of betel vines, which had been abandoned/damaged before 2010, has not been paid.
- c. Many members of Project Affected Families, who were minors at the time of the 2006 survey have attained 21/22 years of age. Their eligibility for compensation should be considered based on their present age.
- d. A list of all families occupying govt. land should be drawn in a fresh survey.
- e. The unemployment allowance payable to the betel vine labourers should be enhanced.
- f. Other problems faced by villagers should be settled through discussions with the affected villagers.
- g. Government land given on lease should be converted to free hold and compensation reassessed.

A copy of their petition is enclosed at **Annexure P- 11** to this report.

He also submitted copies of some *pattas*, encroachment notices and related records in support of his claim that a large number of PAPs from Nolia Sahi are in occupation of govt. land and depending on the same for their sustenance for generations. A list of these documents is enclosed at **Annexure P-12** to this report. Copies of the documents are enclosed at **Annexure P-12.1 to P-12.14**.

xv. Durjan Pradhan

- a. Naba Das s/o – Babuni Das
 - b. Khira Das s/o – Dhadi Das
 - c. Dhira Das s/o – Dhadi Das
 - d. Rabi Swain s/o – Khetrabasi Swain
 - e. Prasanta Dalei s/o – Krushna Dalei
- all of village of Nuagaon

Their betel vines have been dismantled as per the direction of the district administration. They have not been compensated.

- xvi. Golekh Das s/o – Pitadhan Das
Patitapaban Behera s/o – Narayan Behera
Fagu Behera s/o – Jayaram Behera
Ananta Charan Behera s/o – Mani Behera
Basanta Behera s/o – Pari Behera
All of Nuagaon

They had voluntarily removed their betel vines at the behest of POSCO in the year 2008. But POSCO is now refusing to compensate them.

- xvii. Chandan Mohanty s/o – Late Brundaban Mohanty
vill/Po – Gobindpur, presently at Transit Camp, Badagabpur

They are still languishing in the transit camp despite repeated requests to the district administration to send them to their village. The monthly stipend they receive from POSCO is utterly inadequate to support their families. The one room shed provided to each family is too small to accommodate all the members. They have to collect drinking water from nearby villages. They are unable to give their grown up sons in marriage for want of living accommodation for the bride. In view of their present situation they are finding it difficult to find suitable grooms for their grown up daughters. POSCO authorities are treating them with contempt and condescension. The district administration had sanctioned the construction of a community centre in the camp for training members of SHGs for self employment. They have already incurred an expenditure of Rs. 2 lakhs for the construction of the building. Neither POSCO nor the district administration has paid them any money and work has been abandoned half way. They have moved the Hon'ble Odisha High Court for directing the state government for facilitating their return to their ancestral homes in Dhinkia, where from they have been ousted by their opponents. Sri Mohanty furnished a copy of the representation he and other aggrieved families had submitted to His Excellency, the Governor of Odisha, which is enclosed at **Annexure P-13** to this report.

- xviii. Ramu Murmu s/o – Late Siba Murmu (Family size – 7 members)
Rajendra Hembram s/o – Kishan Hembram (Family size – 7 members)
Barendra Murmu s/o – Narayan Murmu (Family size – 5 members)
Muni Murumu w/o – Late Mani Murmu (Family size – 2 members)
Narayan Murmu s/o – Chunu Murmu (Family size – 7 members)

They along with a few other tribal families from Baliapal in Baleswar district had migrated to Polang around 30 years back. While some of these families left Polang after the 1999 super cyclone, they have continued to live here. Their houses are located in the margin of the perimeter of the project area. Ramu Murmu and Rajendra Hembram had betel vines in forest land, which have been dismantled for the project. They had received Rs. 1, 49,500/- and Rs. 1, 66,750/- respectively towards compensation for the loss of the vines. The compensation money has already been spent in the marriages of their daughters. Four of these five families have now been granted *pattas* for 4 decimals of land each in Bhuyanpal mouza for shifting their houses there.

From copies of these *pattas*, enclosed at **Annexure P-14** to this report, it is crystal clear that all of them belong to the *Santhal* tribes.

They complained that the land allocated to them in Bhuyanpal mouza is low and gets waterlogged by saline water all through the monsoon and beyond. They are not willing to shift there. The LAO informed that the houses they are presently residing are located in 'Gochar' land and not forest land. While on the one hand the administration intends to evict them from the homestead land they are in occupation for long 30 years, it appears to have turned a blind eye to private *pucca* constructions coming up unauthorisedly also in 'Gochar' land next to their houses, apparently for the purpose of being let out to contractors and workers likely to be engaged by POSCO in times to come. The photographs of the head of the above tribal families standing in front of their houses are enclosed at **Annexure P-14.1** to this report. Photographs of the *pucca* constructions coming up in adjacent 'Gochar' plots are enclosed at **Annexure P-14.2** to this report.

xix. Baishnab Barik, s/o Parsuram Barik

He is in occupation of 3 acres of government land in the Project area for more than the last 30 years. A photograph of his house standing on the said land is enclosed at **Annexure P-15** to this report. Encroachment case no. 1434/87 is pending against him in the Tahasildar's Court. He has paid penalty and rents for the encroached land but continues to occupy the same. He also has about 5 acres of additional land outside the project area. Requests for compensation for the 3 acres of government land and the trees and plants he has raised over the same which will eventually be acquired for the Project.

xx. Nata Samal and Uda Samal, both sons of Babaji Samal.

They are living in houses raised on one acre of encroached government land within the project area for the last 30 years. They are landless and had migrated from nearby Nuagaon village. They cultivate the adjacent land belonging to landlords from Nuagaon as share croppers. They have raised trees and plants in the encroached government land. Photographs of their houses standing on government land are enclosed at **Annexure P-16** to this report. They were found adding two additional *pucca* rooms to their house to accommodate their families which are growing in size.

xxi. Anjana Beura w/o - Late Ramakanta Beura
vill - Nuagaon

She had two betel vines in govt. land which she dismantled in 2008 at the behest of POSCO. She has not received any compensation till now.

xxii. Abhay Sahoo

President of POSCO Pratirodh Sangram Samiti

He met me at Patna village with a large assembly of villagers from Dhinkia, Patna and Gobindpur, and presented their grievances as follows;

That a large section of the residents of the project affected villages are living in houses built by them on govt. land including forest land, for generations. They have raised betel vines, fish ponds, cashew nut and other fruit bearing trees in the forest land under their occupation and have been eking out their living from the income generated there from. The private land own by them are also full of such vines, trees and ponds.

The state govt. has not discussed with them the matter of alienation of their land (including govt. land) in favour of the project, before deciding to hand over the same to POSCO. Individual claims of entitlement to rights under FRA 2006 have not even been acknowledged let alone being considered. The villagers, he claimed, are determined to resist the take over of their land (including forest land under their possession) even at the risk of losing their lives.

He further submitted that issues relating to the nature and quantum of compensation are irrelevant to them as they are not prepared to part with their land at any cost. He complained that on 10/11.05.2011 the district administration forcibly demolished the betel vines of 31 farmers in Gobindpur. While protesting against the demolition, he didn't explicitly demand for compensation as they are against the very idea of acquisition of land in lieu of compensation.

He further complained that to avoid public outcry against the use of police and security forces for crushing dissent, the district administration has tacitly been encouraging POSCO to use hired 'goons' to intimidate the protesters. In support of his claims he cited the incident dated 26.09.2011 in which POSCO, with the help of armed personnel mobilised by Paradip paribahan, under the leadership of Pravat Nandi and Bapi Circle had attacked and injured their supporters, who were protesting against the construction of a coastal road by POSCO, close to their village. 30 of their supporters, including six women were allegedly injured in the attack. The police, who had prior knowledge of the incident and were waiting behind the lines of the attackers, didn't take any action to prevent the assault. When the victims went to the local police station to file FIRs over the incident, the IIC abused them in filthy language. Finally an FIR was accepted but the IIC, he alleged, has been attempting to remove the names of the ring leaders i.e. Pravat Nandi and Mr. Bapi Circle from the list of the accused. He further informed that a complaint has been filed on 30th September 2011 with the NHRC over the incident. A copy of the petition addressed to the Chairperson NHRC, by Sri Ranjan Kumar Swain of Gobindpur was handed over to me in course of the meeting. Copy of the said petition is enclosed at **Annexure P-17** to this report.

Sri Abhay Sahoo handed over copies of certain land records and rent receipts, issued by officers of the erstwhile Kujang estate, in support of his claims that the Project Affected Families of Dinkia and Gobindpur are residing in the proposed POSCO project area and depending on government land (including forest land) for their sustenance since the late 19th Century. The documents he produced were issued between the years 1889 and 1933. These records are very old and written in 'Karani' script and are not fully intelligible but appear to be genuine. A list of these documents, together with gist of their contents (to the extent deciphered) is enclosed at **Annexure P-18** to this report. Copies of the documents are enclosed at **Annexure P-18.1 to P-18.11**.

xxiii. Sri Arun Kumar Parida
s/o – Anirudha Parida
vill – Abhaychandpur, Dhinkia

In a written petition he complained that;

- a. In the wake of the agitations over the project, the post office in Dhinkia has been closed since long, causing serious inconvenience to the residents.
- b. The office of the RI in Kujanga, has also been closed causing serious inconvenience to the farmers and students who have to travel 12 km to Kujanga to meet him.
- c. Labourers who were working in betel vines have been rendered jobless after the dismantling of the vines by IDCO. They have not been paid compensation and unemployment allowance till now. A copy of his written petition is enclosed at **Annexure P-19** to this report.

xxiv. Office bearers of Kunjabihari Gramya Surakhya Committee:

They claimed to represent the project affected people of Gadakujanga Panchayat. In a written petition, they presented the following grievances.

- a. IDCO has fully destroyed the forests in the project area from where they were collecting construction and maintenance material for betel vines in the village, including those falling outside the project areas. They are afraid that in the near future betel vines from the area will disappear. They demand for compensation for the loss of the forests in their neighbourhood.
- b. Betel vines located in the margins of the project areas should be taken over as they are bound to be adversely affected by the project.
- c. A dyke for resisting tidal waves may be constructed along the beach.
- d. Some private agencies have purchased land in their panchayat at throw away prices for making over the same to POSCO for the purpose of locating the rehabilitation colony. The land losers should be covered by the R & R policy.
- e. All false cases registered against anti POSCO agitators from their panchayat should be withdrawn etc.

A copy of their representation is enclosed at **Annexure P-20** to this report.

xxv. Sri Suresh Chandra Mohapatra
President FRC, Nuagaon

He furnished a copy of the representation submitted to the 'Chairman Central Enquiry Committee on FRA' on 22.08.2010 along with the minutes of the Palli Sabha dated 03.02.2010, in which it was categorically resolved that they are against the diversion of forest land for the POSCO project. Copies of his letter addressed to the Chairman Central Enquiry Committee on FRA, and the minutes of the Palli Sabha proceedings dated 03.02.2010 are enclosed at **Annexure P-21** to this report.

I also had extensive discussions with the Collector, the Superintendent of Police, the Land Acquisition Officers and other line officers before my visit to the Project Area and after my return from the field, to obtain their views in the matter. The Land Acquisition Officer accompanied me all through my field visits and produced relevant documents for my scrutiny.

9. Based on the information gathered in course of my field visits, my interactions with the district officials and the scrutiny of documents received from the project affected people as well as the district administration, I now proceed to record my views/comments on the Action Taken Report, submitted by the Collector, paragraph wise, as follows.

Paragraph – A

Recommendation of the Special Rapporteur	<i>The State Government must immediately restore the rule of law in the area. All the cases registered over the violent incidents must be properly investigated and the culprits brought to book. For this purpose, a special team headed by at least an officer of Dy. SP level should be constituted.</i>
Compliance Report Submitted by the Collector	In order to protect human rights of the affected persons, as reported by the SP, Jagatsinghpur in his letter no.174 dated 14.02.2011 as many as 100 cases have been registered against self styled Anti-POSCO group between 2006-09, out of which in 96 cases investigation have been completed. In year 2010 another 10 cases have been registered. Total 38 persons, involved in several cases, have been arrested so far. The leader of these law violator group namely Abhay Sahoo was also arrested and at present in on Court bail granted by Hon'ble High Court, Odisha, Cuttack after remaining in judicial custody for around 08 months. NBWs have been obtained against absconding persons and also 20 NBWs have been executed meanwhile. The Hon'ble Court has also been prayed by the police to initiate proceeding u/s 82, 83 CrPC against these persons evading arrest. Further to uphold rule of law in the area a group of villagers who caused obstruction at Balitutha for industry supporter villagers were removed on 15.05.2010 from Balitutha with legitimate and lawful use of force in protection of human rights of the persons mentioned in the observation of the NHRC Rapporteur.
Comments of the Special Rapporteur on the Compliance Report	<i>On 21.10.2011, the Superintendent of Police, Jagatsinghpur furnished to me a list of 137 criminal cases registered by the local police over various POSCO related incidents of crime and violence reported from the project areas between 2006 and 2011 (upto 27.09.11). 120 of these cases were registered in the years 2006 to 2009, 9 in the year 2010 and 8 during the current year. These figures are in variance with those mentioned in the Action Taken Report. More importantly, the law and order situation does not appear to have significantly improved, in the intervening period. Dhinkia and part of Gobindpur are still out of bounds for public officials. The SP however claimed that there has been an improvement in the situation to the extent that officials, not connected with the implementation of the project, are no longer prevented entry into the area. It may be of interest to note that 3 of the 8 cases registered during the year 2011 relate to wrongful confinement and abuse and intimidation of public officials including the taking of 8 police personnel as hostage in</i>

	<p>Patna village on 28.05.11. According to the SP, the police have submitted charge sheet in 116 of the 136 cases, 7 cases have been returned in FR false. 2 in FRT and the rest are pending investigation. In most charge sheeted cases, the majority of the accused persons have been shown absconding. In 39 charge sheeted cases not a single accused persons has been taken into custody.</p> <p>Of the 1317 accused persons named in the FIRs of the 116 charge sheeted cases, only 209 have so far been taken into custody. It is likely that many of the FIR named accused might have been named in multiple cases. The same should however be true in the case of those taken into custody. The accused are not professional criminals and are likely to be found in their village houses. The reasons why the police are not able to investigate these cases objectively are not far to seek. The local police are in no position to enter Dinkia and parts of Gobindpur village to investigate registered cases or to execute processes issued by the Courts. Nor are they able to enter the area for the purpose of maintaining law and order. The arrest and detention of Abhay Sahoo, highlighted in the Collector's report, has not changed the situation in any significant manner, as has been amply demonstrated in the cases relating to the aborted attempts to demolish betel vines in Dinkia on 10th and 11th of May 2011 and the construction of coastal road by POSCO on 26.09.11. In the above situation it is not unlikely that the investigation of some of the charge sheeted cases might have been perfunctory. Summary charge sheeting of FIR named accused persons, showing them as absconders, without adequate effort for their examination/apprehension, may lead to undue harassment of those who might have been maliciously implicated, besides adversely affecting the law and order situation which is already bad. It is with this in mind I had recommended for constituting a special team headed by a Dy. SP ranking officer, for investigating these cases. No such team appears to have been constituted.</p>
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Paragraph - B

Recommendation of the Special Rapporteur	Those families of Dinkia who are presently sheltered at the POSCO camps should be provided adequate security enabling them to return to their village. Till peace is restored, a strong police picket should be placed in the village for their protection.
Compliance Report Submitted by the Collector	The families sheltered in the transit camp outside their village have been provided with adequate security with deployment of one platoon force nearby the camp. Besides, as above mentioned, the person causing hindrance to these villagers at Balitutha were removed from Balitutha main rasta on 15.05.2010 with lawful use of force and 3 of them were arrested at the spot on 15.05.2010. A copy of the letter no. 174 dated 14.02.2011 of the SP, Jagatsinghpur is enclosed as Annexure - I.
Comments of the Special Rapporteur on the Compliance Report	The response of the state government is deceptive. The families sheltered in the transit camp are not interested in the deployment of security forces near their camp. They do not want to continue living in the camp on doles received from POSCO. They want to return to their homes and hearth. The state government was requested to provide adequate security enabling them to return to their village. It was also requested that a strong police

	<p>picket be placed in the village for their protection till peace is restored. The state government has done nothing towards this end. POSCO is treating them condescendingly. Exasperated with the continued indifference of the state government to their problem, they have moved a writ petition (No.17505 of 2011) before the Hon'ble High Court with a prayer to issue directions to the state government to facilitate their return to their village homes. In the last RPDAC meeting held on 08.07.2010, the Minister for Agriculture, Cooperation, Fishery & Animal Husbandry had requested the Collector and the SP to take necessary steps to restore peace and tranquillity in the area so that these people can go back to their villages, to identify their betel vines and avail the benefits of rehabilitation and live in peace in their own village. Though more than 15 months have passed since, the district administration has not been able to ensure the return of these families to their homes.</p> <p>The report of the Collector that the "persons causing hindrance to these villagers at Balitutha were removed from Balitutha on 15.05.2010" has no particular relevance to the question of their return to their village. As has been discussed above, their village remains out of bound for public officials. In this situation, it is absurd to imagine that these hapless families are now in a position to return to their village, which is still under absolute control of their opponents, on their own.</p>
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Paragraph - C

Recommendation of the Special Rapporteur	The residents of Dhinkia, Patna and Gobindpur villages, whose properties have been damaged and who have been injured in the violent incidents must be adequately compensated as the govt. have failed to take even elementary steps for their protection. The dependents of Dulal Mandal who was killed in the clash on 20.06.2008 should be adequately compensated.
Compliance Report Submitted by the Collector	The next of the kins of Dulal Mandal, who was killed in the clash on 20.06.2008, has been given Rs. 50,000/- from CMRF and Rs. 10,000/- from the district Redcross. Besides she has been given a pucca house under the scheme 'Mo Kudia' and she has been covered under Widow Pension Scheme receiving Rs. 200/- per month. The order of the Collector, Jagatsinghpur for payment and receipt of ex-gratia by the widow of the deceased is enclosed as Annexure - II of this report. The injured persons have also been given Rs. 10,000/- each from district Redcross. Apart from this, police patrolling in the area has been strengthened to maintain peace and contain further clashes between the groups. The 52 self displaced families of Patna hamlet of Dhinkia village who have been given shelter in the transit camp have been provided with all the basic amenities including food, supply of safe drinking water & medical facilities. Steps are been taken to get them back in their village.
Comments of the Special Rapporteur on the Compliance Report	<p>The administration has not done a proper survey to identify the victims who have been injured and/or lost properties in the violent incidents, let alone giving them suitable compensation.</p> <p>ii. The Collector mentioned that in the prevailing charged atmosphere a</p>

field survey to identify the victims may be difficult to organise. It may be mentioned here that the local police has submitted charge sheet in most of the cases registered over these violent incidents. Investigation in many of these cases might have been perfunctory. Even so, it may be possible to verify from the records of these cases, as to who among the victims have been grievously injured or have lost valuable property in these incidents. The state govt. may constitute a district level committee with members from the revenue, police, forest and other concerned departments, under the chairmanship of the Collector, to identify the victims and assess the losses sustained by them for award of proper compensation to them.

iii. In course of my field visit to the district, representations were received on behalf of three such victims i.e. Sri Natabar Khatua s/o – Late Anam Khatua, Sri Harihara Sahoo s/o – Alekh Sahoo and Sri Hemant Patra s/o – Janamu Patra. While Natabar's left palm was chopped off, the houses and property of the other two were gutted during clashes between the police and anti POSCO activists. The details of their cases are mentioned at **Annexures – P-8, P-9, and P-10** to this report. While Natabar Khatua has received Rs. 10,000/- from the local BDO for meeting treatment expenses, no compensation has been paid to the other two.

iv. The LAO informed me that another person namely Sri Manindra Rout s/o Chandramani Rout of Village Gobindpur has been paid Rs 10,000/- by BDO Ersama for meeting expenses for treatment of the fracture and other injuries inflicted on him by PPSS supporters on 21.04.2008.

Rs. 10,000/- is too miserly a sum to compensate the damage done to Natabar Khatua and Manindra Rout. Both had sustained grievous injuries. One of them has been severely disabled. The Commission may consider recommending to the state government to pay at least Rs. 1 lakh to Natabar Khuntia as compensation. Compensation for Manindra Rout may be suitably enhanced after examining the injury report.

v. Rs. 60, 000/- (Rs. 50, 000/- from the CM Relief Fund and Rs. 10, 000/- from Redcross) given to the widow of Dulal @ Tapan Mandal, who was killed in one of these violent incidents, is too meagre. Dulal was hardly 33 years of age when killed. He has left behind his wife and three children to fend for themselves. The family is landless and reside in a hut constructed in government land. They do not have a BPL card. The Commission may consider recommending to the state government to grant at least Rs. 5 lakh as compensation to the family.

vi. As regards the 52 displaced families, the government has done nothing to assess the losses they have suffered in the intervening period. Their abandoned houses have been damaged. Their betel vines have been damaged or occupied by the opposite group. Their animals have been taken away. As regards the amenities provided to them at the transit camp, they continue to curse them for the same and cry for their return to their native place. The state govt may be advised to assess the cumulative losses they have suffered and consider compensating them accordingly.

Paragraph - D

Recommendation of the Special Rapporteur	<i>The state government should immediately announce the compensation package to scotch rumours regarding the nature and quantum of compensation and rehabilitation that are presently doing the rounds.</i>
Compliance Report Submitted by the Collector	<p>The state govt. has declared its package for all industries vide its R & R Policy-2006 which is also binding on POSCO. Leaflets have been distributed in the POSCO Project area to educate the general public about the R & R Policy-2006 of the government. A copy of the leaflet distributed by the district administration in POSCO project area is enclosed as Annexure – III. The Rehabilitation & Periphery Development Advisory Committee (RPDAC) in its meeting dated 08.07.2010 has sanctioned an attractive package for govt. land as well as private land in POSCO project area after series of discussion held with the stake holders, people's representatives, P.R.I members etc. The salient feature of the package so declared is as follows;</p> <ol style="list-style-type: none"> Rs. 17,00,000/- per acre including solatium & interest for private land anywhere of the POSCO project area regardless their classification and location. Rs. 11,50,000/- per acre of betel vine in govt./forest land. 20% of the above compensation amount is payable to the labourers engaged in betel vines. Unemployment allowance of Rs. 2, 250/- per month to each labourer up to one year or till he is engaged by the company through contractors in the project or ancillary project. Rs. 2,00,000/- per acre for prawn ponds. Rs. 1,00,000/- per acre for encroachers of agricultural land. Ac. 0.10 decimal of homestead land to each family displaced either from govt. or private land. A three roomed pucca house with veranda, kitchen, bathroom & toilet (743 sqf.) & cattle shed (203 sqf.) to nucleus family. Rs. 5,000/- towards transportation allowance. Rs. 2,300/- for 12 months towards maintenance allowance. Compensation for fruit bearing and non-fruit bearing trees as per govt. norm. Employment to one nominated member of each displaced family or cash in lieu of job to other members. Training for self employment and assistance for setting up of shops and service units. Employment to 100% land losers in preferential order. Actual displacement shall be effected on extending all the benefits decided in the RPDAC meeting to the displaced families. Besides POSCO has resolved to extend the following benefits;

	<p>1. Construct a 6 mtr. high surge protection embankment which will protect adjoining villages from cyclone and saline water.</p> <p>2. Construct a Jetty for fisherman community of Nolia Sahi village in order to provide them with an access to the sea.</p> <p>3. Supply net and boat to the fishing communities of the village Nolia Sahi.</p> <p>4. Adopt all the villages of the 3 GPs for carrying out development work to support education, health, rural development, sports and culture.</p> <p>A comparative statement of the benefits prescribed in the R & R Policy-2006, the package declared by POSCO earlier & package approved in RPDAC is enclosed in a separate sheet as Annexure – IV.</p>
<p>Comments of the Special Rapporteur on the Compliance Report</p>	<p><i>A. Following is the nature and quantum of compensation so far granted to the project affected persons.</i></p> <p><i>i. A sum of Rs. 9, 32, 64,404.00 has been paid to 643 betel vine farmers spread over Nolia Sahi, Polang, Bhuyanpal, Nuagaon, Bayanalkandha, Gobindpur and Gadakujanga villages. All but one of these vines was located in encroached govt. land. Not a single vine has been dismantled in Dhinkia village due to the resistance of the farmers.</i></p> <p><i>ii. A sum of Rs.1, 05, 00,000.00 has been paid to 8 farmers who have lost 52.50 acres prawn ponds in Nuagaon village. These ponds were also located in encroached govt. land.</i></p> <p><i>iii. A sum of Rs.1,61,61,093/- has been paid to 249 farmers, who together have lost 14054 fruit bearing and other trees in Nuagaon, Bhuyanpal, Polanga, Nolia Sahi villages. All these trees were located in encroached government land. The villagers complained that they were not quite clear how the quantum of compensation was calculated.</i></p> <p><i>iv. 6.88329 acres of private land has so far been acquired. As reported by the LAO they have all been compensated at the enhanced rate of Rs. 17 lakh per acre. Further acquisition of private land has been stayed by the Hon'ble High Court.</i></p> <p><i>B. Gaps/inadequacies in the Rehabilitation package and its implementation</i></p> <p><i>i. The rehabilitation package is silent on the issue of compensation for homestead land.</i></p> <p><i>ii. Labourers working in the betel vines, which have since been demolished, have not received any compensation or unemployment allowance as promised in the rehabilitation package.</i></p> <p><i>iii. The rehabilitation package does not provide for any relief for agricultural labourers, (other than betel vine workers) and share croppers who will lose their livelihood as a result of acquisition of agricultural land for the project.</i></p> <p><i>iv. Compensation for loss of encroached agricultural land has been fixed at Rs. 1, 00,000/- per acre which is too low in comparison to the</i></p>

	<p>compensation fixed for of Rs. 17, 00,000/- per acre of private land. This will very adversely affect the interests of the landless families in occupation of homestead as well as cultivable government land for generations in the project area.</p> <p>v. Of the 3578 PAPs, only 466, including 232 families whose dwelling houses stand on government land, have been identified as displaced families. The rehabilitation package does not provide for alternative livelihood support to the other PAPs. The Rehabilitation Policy of 2006 does treat families losing 100% of agricultural land but not homestead land as displaced families for the purpose of providing employment/ onetime cash compensation of Rs. 1 lakh in lieu thereof. No such family has been identified in the socio economic survey. What then will happen to the rest 3112 displaced families? In its present form the rehabilitation package does not offer any viable livelihood option for them.</p> <p>vi. While compensation for the loss of betel vines has been enhanced in the rehabilitation package, no such compensation has been provided for the land on which such vines were standing. The enhanced compensation for loss of betel vines is still not considered adequate. According to the information furnished by the horticulture officer of the district during my 2008 visit, the income from one acre of betel vine during the first ten years, could be anything between Rs. 1,90,000/- and Rs 8 lakh per year. The one time compensation of Rs. 11.5 lakh for the loss of one acre of vine, by no stretch of imagination could be considered fair and adequate.</p> <p>vii. In his Compliance Report the Collector has assured that 'Actual displacement shall be effected on extending all the benefits decided in the RPDAC meeting to the displaced families'. In giving such assurances he has not taken into account the loss of livelihood support that has already afflicted a large section of the PAPs following the demolition of betel vines, felling of trees and the acquisition of agricultural land, fish ponds/ bhedies etc.</p>
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Paragraph - E

Recommendation of the Special Rapporteur	The state government should acknowledge the special circumstances of this case (where bulk of the project affected people depend on govt. land, now proposed to be acquired, for their sustenance), and consider compensating them at a scale comparable to what is proposed to be granted to those losing private land.
Compliance Report Submitted by the Collector	The Collector has not specifically responded to the above recommendations. However, in the next paragraph of his report (Paragraph-F) he has touched upon the issue of applicability of the Forest Rights Act, 2006 to the PAPs, which has a bearing on these recommendations.
Comments of the Special Rapporteur on the Compliance Report	Comments given in the next paragraph (Paragraph – F).

Paragraph - F

Recommendation of the Special Rapporteur	<p><i>The government may immediately enter into a dialogue with the representatives of the local people to fully appreciate the reasons for their resistance to the project, and take necessary measures to allay their doubts and fears over the same.</i></p>
Compliance Report Submitted by the Collector	<p>District Administration is holding regular meetings formally and informally with the project affected people to find out an acceptable solution.</p> <p>The RDC (CD), Cuttack has also held discussion with the members of POSCO Pratirodha Sangram Samiti led by the Hon'ble MP Jagatsinghpur.</p> <p>Taking the initiative to end the impasse over acquisition of land, the Hon'ble Chief Minister of Odisha has held discussions with the representatives of POSCO Pratirodha Sangram Samiti, members of United Action Committee representing Nuagaon; Gadakujanga and Dhinkia GPs. The Hon'ble Chief Minister has also discussed with the Hon'ble MP and MLAs of the district.</p> <p>A fact finding enquiry on the actual loss of the people due to POSCO project has been conducted in the POSCO project area with the co-operation and active participation of the people. A village wise list of betel vines, prawn ponds, fruit bearing and non-fruit bearing trees are enclosed as Annexure - V.</p> <p>It is pertinent to mention here that 96 betel vines owners have surrendered Ac. 11.85 of land after voluntarily demolishing their betel vines and accepting Rs. 1,36,21,200/- towards compensation/ex-gratia.</p> <p>Regarding implementation of the provisions of Forest Rights Act 2005 in the POSCO project area it is worth mentioning that sustained campaign has been made in the three GPs of Nuagaon, Dhinkia and Gadakujanga to identify Schedule Tribe & Other Traditional Forest Dwellers in possession of forest land for livelihood needs. But no application either from the members of Schedule Tribe or Other Traditional Forest Dwellers was received within the stipulated period. It is ascertained that they are no Schedule Tribes in occupation of forest land in POSCO project area. Similarly there are no Other Traditional Forest Dwellers in occupation of and dependant on forest land for their livelihood needs for three generations i.e. 75 years.</p> <p>Government is also encouraging POSCO India authorities to have discussion with the affected people so as to allay doubts from their minds and to contain the spread of unfounded rumour.</p>
Comments of the Special Rapporteur on the Compliance Report	<p><i>At each of the villages visited by me, the PAPs complained that the district administration has not held any discussion at the village level to ascertain the views of the PAPs. Many complained that the only time the district officers visit the area is when they have to accompany members of various Committees and Commissions. At Dhinkia and Nuagaon, the PAPs complained that in the Palli Sabhas held by the FRCs in their respective villages it was unanimously resolved that they are not in favour of</i></p>

diversion of forest land for the POSCO Project, but the state government did not even recognise their dissent. Individual complaints sent to the SDLC were not accepted. At Dhinkia, Mr. Abhay Sahoo, President of PPSS mentioned that every time their representatives have met senior functionaries of the state administration they have categorically registered their protest against the very idea of setting up the steel plant, which according to them will bring untold misery to the affected people, besides adversely affecting the interest of the state. They had requested the Hon'ble CM of Odisha to visit the area once, to acquaint himself with the problems they are likely to face. Their request has not been acceded to.

ii. It is unfortunate that despite overwhelming evidence to the contrary the state government is holding on to the position that **'there are no scheduled tribes in occupation of forest land in POSCO project area and that there are no other traditional forest dwellers in occupation of and dependent on forest land for their livelihood needs for three generations i.e. 75 years'**.

According to the socio-economic survey conducted by XIM, Bhubaneswar in December 2007, of the 466 families likely to be displaced by the project as many as 232 (48.93%) are residing in houses standing on encroached govt. land. In Bhuyanpal, Polang and Nuagaon the percentage of such houses is above 80.

According to the said survey report, four tribal families (one each in Dhinkia and Trilochanpur and two in Polang) were identified who will be losing lands to the project. According to the same survey report, of the 3578 PAPs, 1980 (55.34%) have been cultivating encroached govt. land. 1965 of them claimed to be doing so since the time of their forefathers. 2299 (64.67%) of the PAPs grow betel vines in encroached lands for generations. 1374 PAPs (38.04%) are having fishing related activities or prawn culture in encroached land. 1367 of them are doing so for generations. 1101 PAPs (30.77%) have been collecting cashew nuts from encroached govt. land for several years. From these reports it is apparent that bulk of the project affected persons were depending on govt. land including forest land for their survival. 232 of them are actually living in houses standing on encroached govt. land.

iii. The POSCO enquiry committee constituted by the Ministry of Environment and Forest, has in its majority report, categorically mentioned that both documentary and oral evidence in support of the presence of forest dwelling STs and OTFDs in the proposed POSCO project area, was found by it, in course of the enquiry. The Committee has unequivocally held that the state government has already violated the Forest Right Act 2006 in the process of taking over forest land from betel vine cultivators in Gadakujang Gram Panchayat. Paragraphs 7,8,9,10,11,12,13,14,15 and 16 of the executive summary of the report are reproduced below for ready reference:

"7. As per land cover analysis with high resolution satellite imagery of 2006/2007 by Odisha government about 70% area of the forest land is covered with various kinds of forest and trees

and the remaining area is sandy, covered with betel vine, agriculture and other miscellaneous activities, as also water bodies. The areas under casuarinas plantation which occupies the major portion of forests in the coastal areas were earlier covered with mangroves and were destroyed either during super cyclones or illegal cutting.

8. A large number of documentary and oral evidences have been found to support the presence of forest dwelling STs and OTFDs in the proposed POSCO project area contrary to the claim made by the district administration and the Odisha government that there are none. The voter list of 2006 mentions 21 names of ST community living in one of the villages Polang, included in the project area. A number of non tribal people living in project affected villages have produced documents of 1920s showing their relationship, dependence on forests/forest land thereby clearly establishing the existence of OTFDs and STs in the project area.

9. The district administration of Jagatsinghpur has not been fair and democratic in implementing the FRA in the project affected villages perhaps for two reasons (i) a number of villagers, specially of Dinkia, have been opposing setting of POSCO steel plant from the day (June 2005) when MOU was signed between Odisha government and POSCO and (ii) the district administration wanted the project area to be free from such rights for smooth taking over.

10. There has been lack of adequate publicity, awareness campaign, training as required to the people and the Palli Sabha specially, in the project affected villages, about various provisions of the Forest Rights Act and the process which forms the first link of the FRA implementation.

11. When the Gram/Palli Sabhas were called for the first time in these villages on 23rd March 2008, the required quorum in many cases was not complete to constitute the Forest Rights Committee (FRC). The district administration also did not fulfil its obligations to assist, support and provide records as a part of the process. The government should have made more serious and genuine efforts to call for the Palli Sabha with proper quorum. This committee searched for panchayat registers, especially of Dinkia village, to verify the proceedings but the same was not made available. It is therefore not verified if the Palli Sabha called for claims after constitutions of FRC and waited for claims for three months from date of calling of such claims as provided in Rule 11 of FRA.

12. The district administration imposed an artificial and arbitrary deadline in an attempt to prevent the filing of claims. In fact the power to extend the period of filing claims rests with Palli Sabha as per FRA Rule 11. Gram Sabha, if it considers necessary,

may extend such period of three months after recording the reasons thereof in writing. This provision has not been followed by the district administration.

13. Recognizing the role of Gram Sabha in implementation of FRA as well as in diversion of forest land for non-forestry purpose the MoE&F in its circular dated 3rd August 2009 made it clear that a letter from each of the concerned Gram Sabha indicating completion of the process of the FRA and of prior informed consent for any diversion of the forest land is a pre-condition that must be satisfied before final forest clearance is granted. Instead of obtaining certificate from Gram Sabhas, Odisha government vide letter dated 16th March 2010 forwarded certificate of the Collector of Jagatsinghpur enclosing proceedings of the Sub-Divisional Level Committee of FRA. This is clearly not in compliance with but actually in violation of the conditions imposed by the MoE&F.

14. The takeover of forest land from 96 betel vine cultivators in Gadakujang gram panchayat, amounting to 11.85 acres, in July 2010 by the Odisha government violated the Forest Rights Act, 2006.

15. Recommendation - The committee therefore feels that the final forest clearance dated 21.12.2009 of the MoE&F has overlooked serious violations of their own directions and the procedures prescribed by law. Imposing additional conditionalities as in the clarification given by MoE&F in January, 2010 while allowing the clearance to stand does not remedy the illegalities. The Committee thereof strongly recommends that the final forest clearance referred above be revoked forthwith.

16. Recommendation - Odisha government must initiate implementation of the FRA process afresh in the project area in a transparent and democratic way and ensure setting of individual and community rights as per the provisions of the Forest Rights Act and Rules made there in".

iv. In course of my field visits, I located five tribal families in Polang, two of whom were in occupation of forest land. The rest depended on forest land for one purpose or the other.

It may be of interest to note that these two families (headed by Rama Murmu and Rajendra Murmu) have been paid Rs. 1,49,500/- and Rs. 1,66,750/- by the district administration for losing betel vines, standing on forest land measuring 0.130 and 0.145 acres respectively.

In course of my field visits a number of project affected persons produced before me documents in support of their claims that they were in occupation of govt. land for years. Some of these documents are listed at **Annexure P-12** and **Annexure P-18** to this report.

v. The state govt. has already compensated 642 PAPs whose betel vines

located on forest land has been dismantled. Likewise, they have compensated more than 250 PAPs for loss of 14054 fruit and non-fruit bearing trees which were standing on govt. land (including forest land) before these were felled for clearing the area for the project.

This, coupled with the findings of the XIM team (which was engaged by POSCO itself for conducting a socio-economic survey of the project affected persons), should be enough proof that bulk of the PAPs have been depending on forest land for their sustenance and survival.

The state govt. continues to argue that no one belonging to the Scheduled Tribes is in occupation of forest land in POSCO project area and there are no other Traditional Forest Dwellers in occupation of and dependant on forest land for their livelihood needs for three generations i.e. for 75 years. This view is in conflict with the socio-economic survey report in which it has been mentioned that the vast majority of the Project Affected Families growing betel vines on the encroached land, are doing so from the time of their forefathers. No other field survey has been held by the state govt. which could support the position they have taken in the matter. Insistence on documentary evidence in such cases is both absurd and unfair. Entitlement to the right under FRA 2006 has to be decided largely on the basis of oral and circumstantial evidence, as the Act is primarily intended to cover forest dwellers who do not have any title to the land.

The government argues that individual claims were invited but no such claim was received, within the stipulated time. The villagers with whom I interacted disputed this claim. Those in Dhinkia complained that the local authorities refused to receive their claim petitions.

It is difficult to believe that in the coastal area of Odisha, that too in the close vicinity of an urban centre like Paradip, not a single PAP would come forth to place his legitimate claim before the authorities, even after receiving a notice to that effect.

Even if one accepts the claims of the state government, it does not take away the fact that the bulk of the PAPs have been depending on forest land for their sustenance from the time of their forefathers.

vi. It may be of interest to note here that the Principal Chief Conservator of Forests, Odisha, in his letter dated 25th February, 2010 had advised all the DFOs that, claims of non-tribals which can't be settled under the ST and OTFD (FRA) Act, 2006, may be taken up under pre-25-10-80 forest encroachment for regularisation under the Forest Conservation Act, 1980. No such exercise appears to have been taken up in relation to the forest land proposed to be handed over to POSCO.

vii. Even if it is presumed that the PAPs are not entitled to the rights guaranteed under FRA 2006, there is no escape from the irrefutable fact that bulk of the PAPs have been depending on government land (including forest land) for their sustenance much before the Project was conceived. According to the Minutes of the RPDAC all other benefits provided in the R&R Policy-2006 shall be applicable mutates mutandis to the displaced

	families of the POSCO project irrespective of private/ government land. According to the Socio economic survey report, of the 3578 PAPS, 1980 depend on government land for livelihood support. Only 232 of them will qualify to be treated as displaced families. The minutes of the RPDAC does not specify what will then happen to the remaining 1748 families. It is a pity that the state government have decided to hand over government land to the company at throw away price that is Rs. 25,000/- per acre., without providing for alternative livelihood support to such a large number of affected families
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Paragraph - G

Recommendation of the Special Rapporteur	<i>Panchayat election in Dhinkia GP must be immediately held so that the elected representatives could be associated with such dialogues.</i>
Compliance Report Submitted by the Collector	<i>Panchayat election in Dhinkia GP has been held on 05.05.2009 peacefully. Development works are also being undertaken in that GP through elected body.</i>
Comments of the Special Rapporteur on the Compliance Report	<i>Panchayat Elections for Dhinkia GP were held in the year 2009. Sri Sisir Kumar Mohapatra, a strong PPSS activist was elected as Sarpanch. He has since been placed under suspension. Sri Abhay Sahoo, President of the PPSS, claimed that the state government has suspended Sri Mohapatra out of malice to blunt their movement against POSCO. Sri Mohapatra echoed the sentiment. The district authorities however maintained that he has been suspended for financial and other irregularities.</i>

Paragraph - H

Recommendation of the Special Rapporteur	<i>The MoU, signed by the govt. with POSCO is strikingly similar to the one they had signed with the TATAs for setting up a steel plant at Gopalpur. In that case more than 3000 acres of private land was acquired and made over to the Company. Various promises were given to the displaced persons which were not honoured. TATAs did not set up the steel plant on the ground that the state govt failed to provide ancillary facilities like rail and road links, water, power etc. The state govt could not force the TATAs to set up the plant, but allowed the company to retain the land. It has now been decided to allow TATAs to develop an SEZ on the said land. The villagers displaced for the proposed plant have been left in the lurch. Many of them have become destitute. In connection with that case an exhaustive report is available in the commission's case file (Case No. 703/18/23/07-08/FC).</i> <i>To prevent the repetition of such misery to the displaced persons, the govt must ensure their full rehabilitation before handing over possession of the land to POSCO, should it decide to proceed with the project.</i>
Compliance Report Submitted by the Collector	<i>No response has been received from the state government to the recommendation made at this paragraph.</i>

**Comments of the
Special
Rapporteur on
the Compliance
Report**

The state government has already started taking possession of the assets of the PAPs raised on govt land. Acquisition of private land for the proposed project has also started. As many as 643 betel vines have been dismantled/demolished. 14054 fruit bearing and other trees under the possession of the PAPs have been felled. Casuarina and other trees from forest land have also been felled in large scale. Though the owners of the betel vines have been compensated, the labourers working in the vines are yet to get the compensation and unemployment allowance spelt out in the rehabilitation package. In Nuagaon and Dhinkia Panchayats they are yet to be identified. The rehabilitation package does not provide for alternative livelihood support to 3000 odd Project Affected Families who would not qualify to be treated as displaced families. Compensation proposed in the Rehabilitation Package for the loss of encroached government land is too meagre.

Land for the rehabilitation colony is yet to be acquired. It is gathered, the Company is planning to purchase land for the colony in Gadakujang Panchayat area, through intermediaries. Two private parties have already started purchasing land in Gadakujang for transferring the same to POSCO. The consideration money paid to them is much lower than the amount finalised for payment to PAPs, whose land is being acquired by the government for the Project. The local people are already protesting against the deceitful transfer of their land to POSCO through intermediaries and demanding compensation at higher rates. Part of the land required for the rehabilitation colony belong to members of the SC communities. A purchaser from Cuttack also belonging to SC community has purchased this land with the intention of transferring the same to POSCO. It is doubtful if such a transfer will be legally tenable. Part of the land in the centre of the cluster is still held by the locals who may not be willing to part with the same. The land being purchased for the rehabilitation colony is low and gets water logged for the greater part of the year. Most PAPs I interviewed said that they are not willing to shift there and that at no stage they were consulted in the matter.

The MoU between POSCO and the state government has already lapsed and is yet to be renewed. Matters relating to the availability of Ores and Water for the project are yet to be settled. The MoE&F have ruled out the proposal for swapping of Ores. Popular resistance against the Project has further intensified. Many in Nuagaon and Gadakujang GPs, who earlier were in favour of the project, have started questioning the desirability of the Project. Large tracts of the Project areas, particularly in Dhinkia Panchayat are out of bound for public officials. The state government appears to be oblivious to these problems and has been pressurising POSCO to proceed with the Project, even without waiting for the renewal of the MoU. As has been recommended in my earlier report the state government must not hand over possession of land to POSCO before ensuring full and adequate rehabilitation of all the PAPs.

10. Conclusions:

The fate of the project continues to hang in the balance, notwithstanding the final clearance received from the MoE&F. MoU for the project is yet to be renewed. It is to be seen if POSCO agrees to accept all the conditions imposed by the MoE&F, particularly those relating to the drawal of water from the Mahanadi and the swapping of iron ores.

(The ban on export of raw material will be bound to affect the core interests of the company. The stipulation that the company will voluntarily sacrifice water intake, for facilitating irrigation should there be a shortfall of water at Jobra Barrage, may seriously affect production).

ii. The allocation of the Khandahar iron ores mines in favour of the company has been struck down by the Hon'ble Odisha High Court, which has also stayed the acquisition of private land for the project.

iii. There is no sign of any let up in the protests against the project by the PAPs as well as the civil society who have been accusing the MoEF to have accorded final clearance to the project under pressure. A number of PAPs, who earlier favoured the project, have turned against it. Others have become restless as they are not sure if the project will at all come up. Dhinkia and part of Gobindpur continues to be out of bounds for the district administration and the police.

iv. Land for the rehabilitation colony is yet to be acquired.

In short, the future of the project remains uncertain.

v. It is a matter of serious concern that even before the renewal of the MoU, the state govt. has started destroying the assets of the PAPs. 643 betel vines have already been dismantled, 14054 trees, raised by the PAPs on govt. land have been felled, 52.50 acres of fish ponds in government land and 6.9 acres of private land has been acquired. Levelling of the sand dunes and felling of trees in the forest land is also in progress.

vi. As would appear from the discussions at paragraph 9 of this report, most of the recommendations given in my earlier report, particularly those relating to the restoration of the rule of law, the rehabilitation of the families ousted from Dhinkia GP, compensations to the families affected by the various incidents of violence, compensations to the PAPs losing government land under their occupation, and dialogue with the affected people, remain unimplemented. The Commission may consider taking such further action in the matter as considered fit and proper.

vii. The Rehabilitation Package approved by the RPDAC suffers from certain inadequacies already discussed in paragraph 9 of this Report. For the sake of convenience these are being re-stated below.

- ❖ According to the minutes of the meeting of the RPDAC, *an un-employment allowance of Rs. 2250/- per month to each labourer will be payable up to 1 year in case no engagement is made available to him or till he is engaged by*

the company through contractor in the project or ancillary project. In its present form this decision may be interpreted to limit the payment of such allowance to one year only even if no employment is made available to him in the mean time.

- ❖ The Package does not provide for any compensation or unemployment allowance for agricultural labourers engaged in cultivation of private and/or government land. Nor does it provide for any relief to share croppers.
- ❖ Compensation for encroachers of government land for paddy cultivation has been fixed at Rs. 1 lakh per acre which is way below the rate fixed for private land.
- ❖ Compensation for loss of homestead land has been fixed at par with agricultural land. This is arbitrary and would severely jeopardise the interest of those losing homestead land to the project.
- ❖ No provision has been made for compensating the loss of encroached homestead land. This will adversely affect the 232 families actually residing in houses built on government land.
- ❖ The rehabilitation package is silent on the issue of livelihood support to the PAPs other than those qualifying to be treated as displaced families. As per the socio economic survey report out of the 3578 PAPs only 466 will qualify to be treated as 'displaced'.

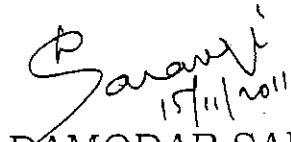
The Commission may consider asking the state government to review the rehabilitation package to ensure that required relief (including compensation and livelihood support), commensurate with the loss suffered, is made available to all sections of the PAPs including landless labourers, share croppers and those occupying and depending on government land for their sustenance.

The Commission may also consider asking the state government to submit a consolidated list of all the PAPs together with their socio economic profile and a family wise break up of compensation/livelihood support the government/the company proposes to reach them. This will help the Commission to verify the adequacy of the compensation, besides enabling it to monitor, in times to come, whether the state government and the Company have lived up to their promises.

viii. To prevent the repetition of the misery that has befallen the land losers of other unexecuted projects like the once proposed TATA Steel Plant in Gopalpur, and the small car factory at Singur in West Bengal, the state government may be advised not to hand over possession of the acquired land including government land to POSCO, before resolving all the outstanding issues, including full and satisfactory rehabilitation of all the PAPs. The Commission may also consider advising the state government to stop, in the intervening period, the felling of trees and the levelling of the sand dunes in the project area. Once lost, it will be impossible to recreate the unique environment of this area.

ix. Individual grievances of the PAPs, listed at paragraph 8 of this report, may be referred to the state government for verification and redressal.

x. The various recommendations given in this as well as in my previous report, for the rehabilitation of the PAPs, should not in any way be construed to suggest that the setting up of the proposed steel plant at the designated site would be in the greater interest of the country. The Hon'ble Commission may, should they so desire, take a view on the broader issue of the desirability of setting up a steel plant in the area taking into consideration all aspects of the matter, some of which have been discussed in my reports. On my part, I have only suggested steps the government must take to rehabilitate the PAPs, should it decide to go ahead with the project, overruling the apprehensions of the civil society, the opinion of eminent persons appointed by the union government to examine outstanding issues relating to the project, and the protests from a large section of the PAPs.


15/11/2011
DAMODAR SARANGI

ANNEXURES

Majority Report of the Committee
Constituted to Investigate into the proposal submitted by POSCO India
Pvt. Limited for establishment of an Integrated Steel Plant and Captive
Port in Jagatsinghpur District, Orissa

October 18, 2010

By
Dr. Urmila Pingle
Dr. Devendra Pandey
Dr. V. Suresh

Submitted to the
MINISTRY OF ENVIRONMENT AND FORESTS
Government of India
New Delhi

Majority Report of the POSCO Enquiry Committee
(Dr. Urmila Pingle, Dr. Devendra Pandey, Dr. V. Suresh)

Executive Summary

1. The Government of Orissa and Pohang Steel Company (POSCO), Republic of Korea signed a Memorandum of Understanding (MOU) on June 22, 2005 for setting up an Integrated Steel Plant of a total capacity of 12 million tonnes per annum in Orissa at Paradeep, in Jagatsinghpur district. By establishing an Indian Company as POSCO- India, it would develop and operate the Steel Plant to produce a total of 12 MT starting 4MT in first Phase with a proposed investment of Rs 51,000 crores or 12 billion US\$. The integrated steel plant includes captive power plant and a captive minor port. The plant would be located on the northwestern bank of the Jatadharmohan river creek 12 km south of the Paradeep Port requiring a total of 1620.496 hectares of land of which 1253.225 hectares is forest land and would affect 8 villages of three Gram Panchayats of Erasama block, Kujang Tahsil. The MOU also envisaged that the company would develop and operate , (i) Mining Project in areas allocated by the government of Orissa / Government of India (ii) Transportation Project which includes a dedicated railway line, road and Port (iii) Integrated township and (iv) Water Supply infrastructure or the Water Project
2. After the MOU, POSCO-India commissioned studies on rapid environment impact assessment (REIA) of steel plant (only for 4 MT) along with captive power plant and separately for captive minor port. The studies were completed in two-three months along with survey for demarcating CRZ areas during August to November 2005 and got environment management plan (EMP) prepared through M/s M.N. Dastur & Company (P) ltd. The Ministry of Environment and Forests, Government of India gave CRZ and Environment Clearance for the Captive Minor Port on 15 may 2007 and that of Integrated Steel Plant with Captive Power Plant on 19 July 2007. The Ministry also granted in-principle (stage I) clearance for diverting 1253.225 ha forest land for the project on 19 September 2008 under Forest Conservation (FC) Act 1980 stipulating a set of conditions for compliance before final clearance.
3. In the mean time Forest Rights Act 2006 for the Scheduled Tribes (ST) and other Traditional Forest Dwellers (OTFD) became operational from January 2008. The Ministry of Environment and Forests (MoEF) issued circular on 3 Aug 2009 to all the States/UT mandating compliance with Forest Rights Act (FRA) 2006 where proposals for diverting forest land for non-forestry purpose are processed. State

governments were asked to provide certificates about the completion of the FRA process in the concerned areas along with supporting letter from each Gram Sabha as well as letter of consent or rejection from the Gram Sabha about the proposed project. In the case of POSCO-India, after receiving the letter of compliance of conditions of stage I clearance the MoEF issued final forest clearance under FC Act 1980 on 29 Dec 2009 with a condition that rights of the ST/OTFD should be settled before implementation of the project. Though Orissa government furnished a certificate to the MoEF about the completion of FRA process, there was no certificate from the Gram Sabha.

4. From the day the MOU was signed there has been large scale protests against the project by local inhabitants whose livelihood is going to be adversely affected due to displacement. The number of petitions to the Central Government increased after the approval of the project because besides livelihood, the Orissa government reportedly violated the FRA in the project area as mentioned by Mr. D. Raja, Member of Parliament and a large number of NGOs. In July, 2010 some members of the FRA monitoring committee jointly constituted by MoEF and Ministry of Tribal Affairs visited the villages to be affected by the project in Jagatsinghpur district, Orissa. They submitted a report dated 24th July, 2010 highlighting violations of the FRA in the POSCO project area.
5. The MoEF appointed this four member committee on 28 July 2010 to enquire into the status of implementation of FRA in and around forest land of the POSCO project and rehabilitation and resettlement provisions. Subsequently, the committee was asked to review the environment, CRZ and other clearances also given by MOEF and state and local authorities. In the mean time MoEF directed the Orissa government on 5 Aug 2010 to stop all the works undertaken in the project area.
6. This committee conducted intensive enquiry by consulting a large number of documents, field visits and meeting a large number of people (including officials of Orissa government, local affected inhabitants, NGOs and civil society and experts in concerned fields). The findings of the committee are mentioned in the following paragraphs.

A. Implementation of the Forest Rights Act 2006

7. As per the land cover analysis with high resolution satellite imagery of 2006/ 2007 by Orissa government about 70% area of the forest land is covered with various kinds of forest and trees and the remaining area is sandy, covered with betel vine, agriculture and other miscellaneous activities, as also water bodies. The areas under casuarina plantation which occupies the major portion of forests in the coastal areas were earlier covered with mangroves and were destroyed either during super cyclones or by illegal cutting.
8. A large number of documentary and oral evidences have been found to support the presence of forest dwelling STs and OTFDs in the proposed POSCO project area contrary to the claim made by the district administration and the Orissa government that there are none. The voter list of 2006 mentions 21 names of ST community living in one of the villages Polang, included in the project area. A number of non tribal people living in project affected villages have produced documents of 1920s showing their relationship, dependence on forests/forest land thereby clearly establishing the existence of OTFDs and STs in the project area.
9. The district administration of Jagatsinghpur has not been fair and democratic in implementing the FRA in the project affected villages perhaps for two reasons (i) a number of villagers, specially of Dinkia, have been opposing setting of POSCO steel plant from the day (June 2005) when MOU was signed between Orissa government and POSCO and (ii) the district administration wanted the project area to be free from such rights for smooth taking over.
10. There has been lack of adequate publicity, awareness campaign, training as required to the people and the Palli Sabha specially, in the project affected villages, about various provisions of the Forest Rights Act and the process which forms the first link of the FRA implementation.
11. When the Gram/ Palli Sabhas were called for the first time in these villages on 23 March 2008, the required quorum in many cases was not complete to constitute the Forest Rights Committee (FRC). The district administration also did not fulfill its obligations to assist, support and provide records as a part of the process. The government should have made more serious and genuine efforts to call for the Palli Sabha with proper quorum. This committee searched for panchayat registers, especially of Dinkia village, to verify the proceedings but the same was not made available. It is therefore not verified if the Palli Sabha called

for claims after constitution of FRC and waited for claims for three months from date of calling of such claims as provided in Rule 11 of FRA.

12. The district administration imposed an artificial and arbitrary deadline in an attempt to prevent the filing of claims. In fact the power to extend the period of filing claims rests with Palli Sabha as per FRA Rule 11. Gram Sabha, if it considers necessary, may extend such period of three months after recording the reasons thereof in writing. This provision has not been followed by the district administration.
13. Recognizing the role of Gram Sabha in implementation of FRA as well as in diversion of forest land for non-forestry purpose the MoEF in its circular dated 3 Aug 2009 made it clear that a letter from each of the concerned **Gram Sabha** indicating completion of the process of the FRA and of prior informed consent for any diversion of the forest land is a pre-condition that must be satisfied before final forest clearance is granted. Instead of obtaining certificate from **Gram Sabhas**, Orissa government vide letter dated 16 March 2010 forwarded certificate of the Collector of Jagatsinghpur enclosing proceedings of the Sub-Divisional Level Committee of FRA. This is clearly not in compliance with but actually in violation of the conditions imposed by the MoEF.
14. The takeover of forest land from 96 betel vine cultivators in Gadkujang gram panchayat, amounting to 11.85 acres, in July 2010 by the Orissa government violated the Forest Rights Act, 2006.
15. **Recommendation-** *The committee therefore feels that the final forest clearance dated 29.12.2009 of the MoEF has overlooked serious violations of their own directions and the procedures prescribed by law. Imposing additional conditionalities as in the clarification given by MoEF in January, 2010 while allowing the clearance to stand does not remedy the illegalities. The Committee therefore strongly recommends that the final forest clearance referred above be revoked forthwith.*
16. **Recommendation:** *Orissa government must initiate implementation of the FRA process afresh in the project area in a transparent and democratic way and ensure settling of individual and community rights as per the provisions of the Forest Right Act and Rules made there in.*

B. Status of Rehabilitation and Resettlement Implementation

17. The rehabilitation and resettlement program has yet to take off fully. As on date only 11.85 acres of government / forest land has been taken from 96 betel vine growers. Ex-gratia compensation was paid as per the RPDAC package. The committee feels that mere land compensation however big it may be, will not compensate the loss of sustainable livelihoods and *the best way would be to genuinely give equivalent land for land compensation so that they continue eking a sustainable livelihood*. Of course this means the whole process should involve all PAFs and their people's representatives in a transparent, inclusive and just negotiation. If the people feel it is a better option than what they already have, they will be willing to give it a chance. *There have been more failures than successes in R&R in the past*. People are displaced in a hurry even before the resettlement or rehabilitation process is in place. Many times the promises to the people are not kept and displaced people live in greater destitution than before displacement. The whole process of R&R implementation should also look at improving the lives of women and older people and provide them with suitable livelihood options.
18. It appears that a large number of fishing communities depend on fishing in the Jatadharmohan creek area in which the project is located. They have old and recognized customary rights of fishing in the area which have been overlooked and left out of the R & R scheme. The State Government needs to examine the rights of such communities and ensure that their livelihood rights are protected while covering them in the R & R scheme.
19. Landless agricultural and other labourers have not been included in the list of affected persons and no benefits have been given to them (except for those working in betel vine cultivation and those compensated for their homesteads on government land). Since landless workers constitute economically the most vulnerable social section, they need to be included in R & R scheme and compensated for their loss of livelihood.
20. Finally, as the socio economic survey of XIMB mentions, 'displacement amounts to uprooting them from their soil that belonged to them for generations, which can be psychologically a traumatic event'. This requires a lot of empathy while handling the process of shifting and relocation. We would like the State Government to bear this in mind and engage organizations (reputed NGOs) who

have worked with people, to help in the process of relocation, so as to make the relocation less traumatic.

- 21.** *Recommendation - Though the R & R scheme has not yet started fully, the Committee feels that the rehabilitation package should take into account the loss of livelihoods, provide for land for land compensation, account for vulnerable sections including women, labourers and old people and decided upon through a transparent and democratic process.*

C. Environmental Clearance of Steel Plant and captive Port

- 22.** It is important to stress that the EIA process is governed by the EIA Notification (first issued in 1994 and subsequently revised and issued anew in 2006) which has statutory status under the Environment Protection Act, 1986, the main legislation governing EIAs. Thus any infringement of the prescribed standards amount to a statutory violation. Central to the EIA process is therefore the quality of the data and information collected, presented and analysed in the EIA which are the essential substratum for the decision makers to decide over whether to grant environmental clearance to the project or not.
- 23.** Considering the scale of the project (12 MTPY) which is almost equal to combined production capacity of 6 steel plants of India (Bhilai, Bokaro, Durgapur, Rourkela, Burnpur and Salem put together) there was a critical necessity of having a comprehensive environment impact analysis (EIA) for both the steel plant as well as the captive port. The MoEF ought to have insisted on a comprehensive EIA by collecting full year data which was also pointed out by various state agencies and the Regional Office of MoEF.
- 24.** The MoEF should not have granted environment clearance on the basis of rapid EIA for port which was based on one season data. Even in case of the port, the data was collected during September to November 2005, which is the monsoon period. It should be noted that data collection during monsoon period is prohibited by EIA Notification.
- 25.** The entire POSCO project is an integrated project encompassing different components like the township, pipeline, road and transportation etc. which have

been left out of the scope of REIA and other baseline data. As a result of partial EIA, the full environmental impact of the entire project has been undermined.

On a clarification sought by one of the committee members (Dr Suresh), the Director of POSCO (Mr. Kim) confirmed that comprehensive EIA both for steel plant and captive port was completed by July, 2007. The Regional office of MoEF, Bhubaneswar as well as the Orissa Government informed that copies of the comprehensive EIA were delivered by hand only in October 2010 after the clarification from the member of this committee. Submitting such a basic and critical report three years after the clearances is only an empty formality.

26. The committee members are of the strong view that MoEF should not have given environment clearance for part of the project (4 MTPY) when all other components and infrastructure of the project such as land, displacement of people, ecological destruction, port construction etc have aimed for full project, that is, 12 million tons. This is especially so when the expansion plans are not sometime in the distant future but contemplated at the rate of increase of 4 million tonnes every two years. POSCO should have been asked to apply for clearance of total capacity. Otherwise, the logical step would have been to restrict the requirement of land and the size of the port to the requirements of a 4 MTPY capacity plant. It puts a question mark on the scientific and technical prudence of the MoEF.

27. In a recent report the MoEF has come out with an environmental pollution index called as Comprehensive Environmental Pollution Index (CEPI) to help in categorising the industrial clusters in terms of priority of planning needs for interventions. Under this report Paradeep has a CEPI score of 69.26 which shows that it is a severely polluted area, just bordering on the CEPI of a critically polluted industrial cluster. The concern that the Paradip area is already polluted from existing industries was also raised during the public hearing but unfortunately it was never addressed by any of the decision making authorities.

28. The Technical Committee of the Orissa State Pollution Control Board raised many issues of substantial importance specially related to air pollution which curiously have not been followed up to its logical end. The records supplied to us do not reveal that these issues were ever addressed before the clearances were given. However, even before these queries have been satisfactorily answered by the project proponent, the company has been recommended for clearances and issue of Consent to Establish. This is a serious abdication of statutory responsibility by the Orissa State Pollution Control Board.

29. Concerns regarding the impact of the POSCO captive port on the existing Paradip Port have been repeatedly voiced by the authorities as well as by the public. The Ministry of Shipping, Road Transport and Highways, Government of India appears to have a different view. A question about adverse effect of this captive private port was raised in the Lok Sabha to the Ministry of Shipping, Road Transport and Highways during December 2005. The then Minister in charge had replied "the proposed minor port for POSCO steel plant may lead to severe erosion along the coastline posing a threat to the port facilities at Paradeep". The Minister also stated that the Orissa Government has been urged to undertake a detailed study regarding erosion if they decide to develop a minor port for POSCO and should associate Government of India and Paradeep port with such studies. Unfortunately the EAC and MoEF did not call for the study report before giving clearance in 2007.

30. The Committee is of the firm view that the Public Hearing held on 15.4.2007 was not in compliance with the rules. The authorities failed to provide copies of the EIA to panchayats; all the project affected persons were not given opportunity to be heard. It was held in Kujanga about 15 km away from the affected villages. During the hearing, many people complained that because of the prohibitive distance, many villagers could not travel to participate in the Public Hearing. The committee was informed that there was presence of a strong police force at the venue of the public hearing a day prior to the hearing itself. This served as a deterrent to free participation by local villagers, who were opposing the project. Other project affected people like traditional fishing community and farmers were not covered by the public hearing. The social impact of the project was also not discussed. Project proponent has failed to answer all the objections raised during the public hearing. The EAC has failed to apply its mind to the objections raised by various authorities and the public and have also failed to consider the available material on record. The EAC has also failed to record any reasons in respect of accepting or rejecting the objections raised but instead gave clearance. Such mechanical clearance makes a mockery of rule of law and procedural safeguards.

31. The integrated steel plant has a huge water requirement. As per the Rapid EIA, the water requirement will be met from Jobra Barrage over the Mahanadi River by laying an 86 kilometer long pipeline. POSCO has already taken an approval from the Department of Water Resources, Government of Orissa, for

withdrawal of 10 MGD water from the Jobra Barrage. The existing competing use of the water resources from the Jobra Barrage are drinking water for Cuttack and Bhubaneswar cities, irrigation water for agriculture in four districts (Cuttack, Jagatsinghpur, Khurda and Kendrapada) and several industries, and these have not been taken into account. The public representatives who met the committee members expressed concern about the existing scarcity of water due to use by the already established industries. In fact, the Water Resources Department has allocated additional water from Hansua nalla for construction purposes which has not been disclosed in the EIA amounting to suppression of the information. The REIA has not addressed the widespread impact that will adversely affect a large population spread in a number of big towns as well as districts.

32. *Recommendation- The Committee strongly feels that there have been many serious lapses and illegalities in the EIA process. The EIA for such a megaproject is rapid, based on one-season data without taking into account all the components of the project like the township project, water project, railroad and transport facilities etc. Moreover it is limited only to Phase I of the project. There are serious violations in the public hearing process where many communities have been left out. The imposition of additional conditions to the existing ECs will not at all remedy the lapses and illegalities. The Committee therefore strongly recommends that the Environmental Clearance given by the MoEF dated 15.5.2007 for minor port and 19.7.2007 for the steel plant should be immediately revoked.*

D. Compliance of Coastal Regulation Zone (CRZ)

33. The Coastal Zone Management Plan (CZMP) of Konark -Paradip stretch submitted by the Government of Orissa in 1995 to the MoEF includes the belt of Jatadharmohan creek. Because the area falls under estuary zone and is ecologically sensitive, barrier spits and channel bars occurring near the estuarine mouth has been categorized as CRZ-I. Only the areas studded with agriculture fields and settlements are to be categorized as CRZ-III near the Dinkia village. The NIO report has not specifically indicated the extent of area/ length along the creek/shore line falling under CRZ I and CRZ III.
34. Further, the limits of the CRZ lines drawn on 1:5,000 scale maps by NIO at 500 m towards the northern portion of POSCO site and at 150 m on the creek side are not very clear. The limits and extent upto which these lines exists should have been well defined by the geo-coordinates in the maps as well as in the text. But it has not been mentioned in either of the documents. In the absence of such geo-

coordinates it would be impossible to draw lines on the ground. The main worry is who is going to verify these lines and distances from the HTL on the ground? No permanent marking has been done on the ground. Orissa state government was not associated in the CRZ survey of the POSCO site and NIO depended on the land use map and geo-coordinates provided by POSCO.

- 35.** Except for port, any activity relating to steel plant, be it storage of raw material, cannot be allowed within the CRZ (500 m from HTL) as per CRZ Regulations. On the other hand NIO has recommended for establishing coal/ore and slag yard which are parts of steel plant in the CRZ I (i) & CRZ III areas facing open coast in northern side (page 18 of the NIO-DCRZ Report). This amounts to violation of the CRZ regulations.
- 36.** The State Coastal Management Zone Authority while discussing the port proposal of POSCO-India on 7 Aug 2006 found a mismatch between CRZ maps prepared by ORSAC and NIO. This was to be reconciled by the POSCO-India but no document for such reconciliation has been provided to the committee.
- 37.** Dressing or altering of sand dunes, hills, natural features including landscape changes for beautification, recreational and other such purpose are prohibited , except as permitted under the notification. During the visit of the committee on 21 Sep 2010, the representative of the POSCO-India Mr. S.N. Singh informed the members that the existing mouth of the Jatadharmohan creek will be used as an approach channel for one lane for vessels and will be progressively widened to 500 m. The map provided by POSCO, however, shows that existing mouth will be filled and sandy barrier spit at about 500 m away towards south will be cut to make the approach channel. Such a cutting and filling of sand bars amounts to change of the natural course of the creek and are in contravention of the CRZ notification. In a clarification sought from the POSCO it was replied that the mouth of the Jatadharmohan creek originally existed at the proposed site in 1998 and in last 10 years the Jatadhar Mouth has shifted towards north and has acquired the present form. The site of the old mouth has been therefore chosen for making approach channel. The committee did not find such explanation convincing. Further, in the common clearance/approval dated 15.05.2007 given for CRZ and EIA for the port Condition B(vii) stipulates that the sand dunes and mangroves, if any, on the site should not be disturbed in any way. It is not clear

how it is possible to dredge through the sand pits and reclaim land for the port as well as steel plant without disturbing the sand dunes.

38. As per the REIA report for the steel plant, a common effluent treatment plant (CETP) will be set up to take care of untreated effluents from the production process and treated plant sanitary wastewater. After partial use of the treated water, the rest of the water will be let into the sea by a submarine pipeline at 18-20 meters depth by jet diffusion. POSCO-India has not applied for CRZ clearance for this pipeline which amounts to suppression of facts and is a serious violation.

39. *Recommendation: In view of the above observations the committee feels that POSCO-India Pvt. Ltd has not been able to address all the issues relating to CRZ notification. There are a number of serious lapses and violations, including suppression of facts. The environment clearance given by the MoEF vide letter dated 15 May 2007 should therefore be revoked forthwith.*

Dr. Urmila Pingle

Dr. Devendra Pandey

Dr. V. Suresh

Delhi

18.10.2010

Report of the Committee Constituted to Investigate into
the proposal submitted by POSCO India Pvt. Limited for
establishment of an Integrated Steel Plant and Captive
Port in Jagatsinghpur District, Orissa

October 18, 2010

Submitted to the
MINISTRY OF ENVIRONMENT AND FORESTS
Government of India
New Delhi

Executive Summary

Over the approximately two and a half months of the existence of the POSCO Enquiry Committee, the four members of the Committee spent a considerable amount of time studying documents and reports relevant to the POSCO enquiry, some obtained by us through our own efforts, some, papers submitted to us by various stakeholders and interested parties; meeting a large number of people, viz. persons belonging to the affected villages in Jagatsinghpur district, organisations and persons concerned about the environment, wildlife, livelihoods and displacement, officials of the State Govt of Orissa, members of political parties, representatives of POSCO, and sundry others; visiting several of the affected villages and the site of the proposed captive port of POSCO; and deliberating at length among themselves.

While the Committee was looking into various aspects of the POSCO issue, another committee headed by Mr. NC Saxena, set up to look into the implementation of the Forest Rights Act and several other issues connected with a proposed bauxite mine lease (linked to M/s Vedanta Alumina Ltd) in the Niyamgiri hills of Kalahandi district of Orissa, submitted its report. That report was a scathing indictment of the Govt of Orissa's poor implementation of the Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act in the area, its neglect of the rights of tribals belonging to the Primitive Tribal Groups, and its turning a blind eye to major violations of the Environment Protection Act and the Forest Conservation Act. Acting on this report, the Ministry of Environment and Forests rejected the application for forest clearance of the Orissa Mining Corporation which would have led to the mining of bauxite in the Niyamgiri hills. Since both the POSCO and the Vedanta projects are located in Orissa, both are mineral based industries, and both have a major chunk of forest land within its area, there was an immediate assumption that POSCO too would be treated similarly by the Committee and the MOEF.

It is important to point out that POSCO and Vedanta are very different projects and operate in different environs and circumstances. Vedanta's alumina plant (and the bauxite mine for which lease was applied for by the Orissa Mining Corporation), is located in the less developed western part of Orissa, in a Scheduled Area which is home to two Primitive Tribal Groups (PTGs). These tribes are forest dwellers whose livelihood and culture depend on the dense forests in the area; displacing them would destroy their lives. Scheduled Tribes enjoy an important Constitutional status, and disturbing or displacing them stands on a different footing from displacement of other people. POSCO's plant, on the other hand is to be located in a coastal district, in the more developed eastern part of Orissa; the area is not a Scheduled Area and has virtually no Scheduled Tribe people. The people to be displaced are mostly agricultural and fishermen families (about 700 families); several are Scheduled Castes. Though POSCO is also to be located on forest land (for which clearance under the Forest Conservation Act is necessary), the area recorded as forest is mainly sandy

waste, with some scrub forest, apart from the casuarina plantations in the area. A very important difference also is that while the construction of the Vedanta project is almost complete (including unauthorised construction of the expanded portion for which no environment clearance had been taken), construction on the POSCO project is yet to start, the land not having been handed over to the company by the State Government, so far.

It is indicative of the complex nature of the problem that the committee members during their examination of the project, formed very different impressions and came to very different conclusions. Despite efforts to arrive at a consensus, members of the Committee could not agree on the conclusions on several of the issues. On some of the issues there was agreement on what the conclusion should be, but not on the reasons leading to the conclusion. Basically, there were two divergent views, one held by three members (viz. Dr. Urmila Pingle, Dr. Devendra Pandey and Dr. V Suresh), and one held by a single member, myself. Attempts were made to combine both views in a single report, but no agreement could be reached on the best way to do that. Therefore it was finally decided to present the two different sets of findings in two separate reports – not a very happy solution, but in the circumstances, unavoidable. In this summary, which is of the findings of my report, I will, nevertheless, attempt to mention the few areas of agreement and of some areas of disagreement between the views held by me and those held by the other three members (which will be presented in a separate report).

On the issue of implementation of the Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, (henceforth referred to as the Forest Rights Act or FRA), it was felt that the efforts made to implement the FRA in the POSCO project area, in 2008 and 2009, suffered from some shortcomings and inadequacies. This, as well as the circumstances prevailing in the area at the time, with many of the villages opposed to POSCO, might have resulted in the people of the area not submitting their claims for recognition of forest rights. To debar such people, permanently, from filing their claims and getting their forest rights recognised, seems to be a violation of natural justice. It is therefore recommended that the exercise of recognition of forest rights be undertaken in the project villages afresh: Gram Sabhas be convened again, the Forest Rights Committees of the Gram Sabhas/ Palli Sabhas be re-formed, claims be re-invited by them, and a resolution passed within the time limit specified under the rules. The Sub Divisional Level Committee (SDLC) and the District Level Committee (DLC) should thereafter meet and complete the exercise. Since this exercise is being done for the second time and also because the handing over of the forest land earmarked for the POSCO project cannot proceed until a final decision is taken on the claims, a time limit should be specified and adhered to. There was broad agreement in the Committee that the procedure to recognise forest rights should be re-done in the project villages.

As far as resettlement and rehabilitation is concerned, while nothing can compensate for the trauma of displacement, the finding is that the R and R package is a good one,

better than the norms laid down in the Orissa Govt's Resettlement and Rehabilitation Policy, and the villagers who are not opposed to the project are satisfied with it. The process of discussing the benefits and the list of displaced persons/ beneficiaries at the RPDAC meetings where representatives of the affected villages are present is a good one and ensures transparency. However landless labourers seem to have got very limited benefits even though their livelihoods will be affected, and this is worth looking into. It needs also to be ascertained whether fishermen, other than those of Nolia Sahi village, have fishing rights along the coast and in the area of the POSCO project, and if it is so, they need to be compensated. The other Committee members disagreed to some extent. They felt that higher compensation should be paid for the paan plots, but basically they felt that the forest land should not be diverted at all.

On the issue of compliance with the environment and CRZ clearances, it was found that the work to establish either POSCO's steel plant or the captive port had not yet started. In fact the required land had also not been handed over to the company as several essential statutory clearances had not yet been obtained by the State Government. Therefore the issue of assessing compliance at this point of time was premature. However while studying the EC and talking to various stakeholders several matters that cause concern emerged. Important among them is the issue of water supply to the plant from the Jobra barrage, and the stress and deprivation it could cause at the source; the issue of the Paradeep industrial area fast developing into a critically polluted area and the need to take mitigative action; the issue of having a captive port at Jatadhar Muhan, so close to Paradeep, causing environmental damage and affecting estuarine fauna and flora; the issue of several ports coming up on the Orissa coast causing changes to the shoreline and threatening endangered species; etc. There are thus a number of issues relating to EC and CRZ which need to be looked at afresh. The MOEF should consider doing this at the earliest by requiring a comprehensive EIA to be prepared both for the steel plant and for the port and asking the Expert Appraisal Committee concerned to examine various aspects, so that additional conditions, if required, can be imposed on the project before it construction starts. The other members of the Committee did not agree with this. Their view was that the EC granted for the steel plant and EC and CRZ clearance granted to the captive port should be cancelled forthwith, because of flaws in the studies, and shortcomings in the clearances granted.



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I. FINAL ORDER OF MOS (I/C) E&F



Subject: POSCO

I. Background

1. The Government of Orissa and Pohang Steel Company (POSCO) signed a MoU on June 22, 2005 for setting up an integrated steel plant with the total capacity of 12 million tonnes per annum (with 4 million tonnes in the first phase) at Paradip in Jagatsinghpur district. The integrated steel plant includes a captive power plant and a captive minor port. The entire project complex requires about 1621 hectares of land of which about 1253 hectares is forest land.
2. The application for environmental clearance for the captive minor port was received in the MoE&F on September 14th, 2006. The environmental clearance was granted by the MoE&F on May 15th, 2007.
3. The application for environmental clearance for the captive power-cum-steel plant was received in the MoE&F on April 27th, 2007. The environmental clearance for the captive power-cum-steel plant was granted by the MoE&F on July 19th, 2007.
4. On June 26th, 2007, Government of Orissa sought approval from the MoE&F for diversion of about 1253 hectares of forest land. On September 28th, 2008, Stage-I clearance for diversion of forest land was granted by the MoE&F. Final clearance for diversion of forest land was granted by the MoE&F on December 29th, 2009.
5. On January 8th, 2010, MoE&F clarified to the Government of Orissa that the final approval of diversion of forest land in favour of POSCO is conditional on the settlement of rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 also known as Forest Rights Act (FRA), 2006.
6. On March 16th, 2010, the Forest and Environment Department of Government of Orissa wrote to the MoE&F conveying that there are no tribal people or traditional forest dwellers residing in the forest area being acquired by POSCO.



7. On June 29th, 2010, the Forest and Environment Department of Government of Orissa sent copies of translated versions of entire proceedings of the settlement of Rights under the Forest Rights Act, 2006 as requested by the MoE&F in its letter of April 15th, 2010.
8. On April 13th, 2010 the MoE&F and Ministry of Tribal Affairs jointly constituted a Committee under the Chairmanship of Dr. N.C.Saxena and Dr. Devendra Pandey to study the implementation of the Forest Rights Act, 2006, particularly from the point of view of sustainable forest management. On August 4th, 2010 a report was received in the MoE&F submitted by a sub-committee of this joint committee which said that there was non-compliance of the required processes under the Forest Rights Act, 2006.
9. On August 5th, 2010, MoE&F based on sub-committee's report asked the Government of Orissa to stop transferring forest land till all the processes under the FRA 2006 had been satisfactorily completed.
10. Meanwhile, on July 25th, 2010 a four-member committee had been constituted by the MoE&F based on a recommendation made by the Forest Advisory Committee (FAC) to examine all issues relating to diversion of forest land for the POSCO project. This was done considering the substantial amount of forest land being diverted and in view of the representations that the FAC had received.
11. The report of the four-member Committee was submitted on October 18th, 2010. The Committee was not unanimous in its recommendations, with one member submitting one set of findings and recommendations and three others taking a different view both in terms of findings and recommendations.
12. The reports of this four-member committee were considered by three statutory bodies of the MoE&F--(i) the Forest Advisory Committee (for diversion of forest land); (ii) the Expert Appraisal Committee for Industry (for the captive power-cum-steel plant); and (iii) the Expert Appraisal Committee for Infrastructure (for the captive minor port).



13. I have (i) carefully considered the recommendations of these three committees; (ii) carefully considered the representation made by the state government to the FAC; and (iii) had detailed discussions with the state government, Union Ministry of Tribal Affairs and various other stakeholders. The following are my decisions.

II. Environmental Clearance for Steel-cum-Captive Power Plant

14. *Environmental clearance for the steel-cum-captive power plant is being accorded with 28 additional conditions over and above that stipulated in the original environmental clearance of July 19th, 2007.* Of these the most significant are the following:

- The National Ambient Air Quality Standards issued by the MoE&F on November 16th, 2009 will be followed.
- Sustainability study of water requirement (for the ultimate steel production capacity of 12 million tonnes per year) will be carried out by an institute of repute. Should there be a shortfall of water at the Jobra Barrage for irrigation purposes, the company will voluntarily sacrifice water intake for facilitating irrigation.
- The total green area within the plant will be 25% of its area as per the guidelines of the Central Pollution Control Board (CPCB).
- Risk and disaster management plans due to plant operation and natural hazards such as floods, cyclones and earthquakes along with mitigation measures shall be prepared and submitted to the MoE&F.
- In addition to fulfilling the R&R obligations mandated by the state government's package and while also implementing CSR-related programmes in the construction phase, 2% of net annual profit should be devoted to corporate social responsibility in the region where the project is located¹.

¹ This is in keeping with the "Guidelines on Corporate Social Responsibility for Central Public Sector Enterprises" brought out by the Department of Public Enterprises, Government of India, March 2010.



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III. Environmental Clearance for Captive Minor Port

15. Over the last few weeks, the MoE&F has received the results of the shoreline study being carried out in different states by the Institute of Ocean Management, Anna University, Chennai. This study is based on satellite imagery for 1972, 1990, 2000 and 2010. ***The study for Orissa and more particularly for that 3.48 km stretch of the Orissa coast from Gopalpur to Paradip where POSCO's captive port is proposed reveals the following:***

<i>Erosion Characteristics</i>	<i>Distance (m)</i>
High erosion ²	200
Medium erosion	2000
Low erosion	940
Stable coast	340
Low accretion	Nil
Medium accretion	Nil
High accretion	Nil
<u>Total</u>	<u>3480</u>

16. In view of this finding and also keeping in mind concerns raised on impacts on the marine environment raised by many civil society groups, ***the environmental clearance for the captive minor port is being accorded with 32 additional conditions over and above***

² High Erosion means that the shoreline is moving towards the landward side by more than 5 metres/year; medium erosion movement is between 2 and 5 metres per year and low erosion movement is between 0.5 and 2 metres per year. Accretion is when the shoreline is moving towards the seaward side. Erosion is the issue.



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stipulated in the original environmental clearance of May 15th, 2007. The most significant of these are:

- No construction shall be undertaken in the "high erosion" zone identified by the Institute of Ocean Management.
- Shoreline protection measures to counter erosion on the northern side of north breakwater shall be undertaken.
- The shoreline shall be protected to ensure that no further erosion occurs on the northern side of the Northern Breakwater up to Paradip port
- A MOU shall be signed between NIO and POSCO which will include works relating to monitoring of the shoreline, sand bypass system, beach nourishment and any other activity that has an impact along the coast/coastal waters. The Institute for Ocean Management will monitor the progress periodically on behalf of the MoE&F.
- POSCO shall ensure that no industrial activity shall be carried out within CRZ area other than those permissible under the Notification.
- POSCO shall submit detailed Marine Environment Conservation Plan (including mangrove regeneration and conservation of turtles and horse shoe crabs). The implementation of conservation plan should start before commencing of construction of port.
- The location and size of the fishing jetty intended to compensate the loss of fishing activity arising out of development of the port at JMC shall be carried by POSCO in consultation with the local people to their satisfaction and requirement. Separate clearance under Coastal Regulation Zone Notification, 2011 for the proposed fishing jetty shall be obtained.
- POSCO shall made a detailed assessment of the impacts on fishing communities and resultant economic losses covered in R&R package – along with requirement of fishing jetty and identified beneficiaries, location identified for the jetty (and alternative options considered).



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IV. Forest Clearance for Project Complex

17. In a communication to the Ministry of Tribal Affairs, Government of India dated August 24th, 2010, the SC&ST Development Department of the Government of Orissa stated that:

"There are no tribals in occupation nor residing within the POSCO project area and no traditional forest dwellers are also there in occupation more than 75 years".

In this communication the state government has also stated that some claims submitted by the POSCO Prathirodha Sangram Samiti on June 1st, 2010 were, upon enquiry, found to be forged.

18. A communication from the Forest and Environment Department of the Government of Orissa to the MoE&F dated October 21st, 2010 stated that:

"...no claims were received were received from any of the villages (Dhinkia, Gobindpur, Nuagaon, Polanga, Nolia Sahi and Bhuyanpal)...nor has a single person claimed redressal under the definition of "other traditional forest dwellers".

19. It is clear that the POSCO project site is not a part of a Fifth Schedule Area and is, in fact, far away from the nearest Fifth Schedule Area. However, according to the Forest Rights Act, 2006 non-tribals have to fulfill three conditions before their claims as other traditional forest dwellers (OTFDs) for rights under FRA, 2006 can be recognized. These are:

- They should have primarily resided in the forest for 75 years prior to the 13th day of December, 2005. (Section 2(o))
- They should be, at present, dependent on the forest or forest land for bona fide livelihood needs. (Section 2(o))
- They should have been in occupation of the forest land before the 13th day of December, 2005. (Section 4(3))



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20. Non-tribals who meet the above three conditions constitute OTFDs regardless of whether they file any individual claim for land or not. All these three conditions have to be fulfilled for the recognition and vesting of forest rights for the OTFDs. Even if one of them is not fulfilled, then the applicants will not be eligible as OTFDs (individually or as a community) for the recognition and vesting of forest rights under the FRA, 2006.

21. Furthermore, regarding what constitutes "primarily residing in", the Union Ministry of Tribal Affairs in its circular of June 9th, 2008 has clarified that the interpretation of the phrase "primarily resided in and who depend on" includes persons "who are not necessarily residing in the forest but are depending on the forest for their bona fide livelihood needs" or "who are working on such patches of land in such areas irrespective of whether their dwelling houses are outside the forest or forest land".

22. As regards the phrase "bona fide livelihood needs", Rule 2(b) of the Rules made under FRA, 2006 implies that a person either living in or cultivating a parcel of forest land or a person collecting firewood, fodder, non-timber forest produce, fish, etc from forest lands qualifies as a bona fide user.

23. Against this background and in view of the observations of the FAC and of the four-member committee (paras 11 and 12), ***before a final decision can be taken on diversion of forest land, since the state government has the primary responsibility for ensuring and guaranteeing compliance with the Forest Rights Act, 2006, I would like the Orissa government to***

- ***give a categorical assurance to the MoE&F that at least one of the above three conditions is not fulfilled in the case of those claiming to be dependent on or cultivating land in the POSCO project area³.***

³ This would make it clear that there are no legally-tenable claims of non-tribals wanting recognition as OTFDs under the Forest Rights Act, 2006.



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Final approval for diversion of 1253 hectares of forest land for the POSCO project would be granted as soon as this assurance of the state government is received by the MoE&F.

V. A Final Word

24. Undoubtedly, projects such as that of POSCO have considerable economic, technological and strategic significance for the country. At the same time, laws on environment and forests must be implemented seriously. Every such case presents its own unique set of circumstances and requires a distinctive solution. *In this case,*

(i) the 28 additional conditions imposed as part of the environmental clearance for the steel-cum-captive power plant;

(ii) the 32 additional conditions imposed as a part of the environmental clearance for the captive minor port; and

(iii) the pointed assurance sought from the state government in keeping with its obligations under the Forest Rights Act, 2006

do provide a comprehensive package of measures to ensure that this project will not be detrimental from an ecological and local livelihood perspective. In any case, the conditions imposed are going to be closely monitored.

25. Projects like POSCO also raise broader issues of our capacity to conduct comprehensive, coordinated and combined environmental and forestry-related impact assessments and appraisals for mega projects and for projects that cut across a number of sectors, traditionally defined. The MoE&F has taken up this issue for review and improvement.



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26. Finally, in keeping with the MoE&F's steadfast commitment to transparency and accountability, all documents referred to in this note and not already in the public domain are being made available on www.moef.nic.in.

Jairam Ramesh
MOS (I/C), E&F
31/1/11



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Subject: POSCO

I

1. On January 31st, 2011 I had announced that final forest clearance for the POSCO project in Orissa would be given after the receipt of certain categorical assurances from the state government. This is at Annexure-I.
2. On April 13th, 2011 the state government communicated these assurances to MoE&F. On April 14th, 2011 because of two supposed Palli Sabha Resolutions I received from the POSCO Pratirodha Sangram Samiti, I referred the matter back to the state government. This is at Annexure-II.
3. On April 29th, 2011, the state government responded to my letter of April 14th, 2011. This latest reply is at Annexure-III.

II

4. The Government of Orissa in its latest reply dated April 29th 2011 has stated the following:
 - i. The two Palli Sabha Resolutions—of Dhinkia dated February 21st, 2011 and of Gobindpur dated Feb. 23rd, 2011—are not valid documents in terms of mandatory provisions of law under the Orissa Grama Panchayat Act, 1964 and Forest Rights Act, 2006. Such resolutions can neither be relied on nor be acted upon.
 - ii. Out of a total of 3445 voters of Dhinkia, only 69 persons have allegedly signed the so-called Palli Sabha Resolution of Feb. 21st, 2011, and of 1907 voters of Gobindpur, only 64 persons have allegedly signed the Palli Sabha Resolution of Feb. 23rd, 2011. This clearly shows that the “resolutions” are invalid.
 - iii. The two “resolutions” purported to have been passed by the Palli Sabha are **not** available in the book (recorded by the gram panchayat secretary and signed by the sarpanch) and are therefore fake ones.
 - iv. Stringent action for violation of provisions of Orissa Grama Panchayat Act, 1964 will be taken against Shri Sisir Mohapatra, Sarpanch Dhinkia who has over-stepped the jurisdiction vested in him and mis-utilised his official position to serve the interest of POSCO Pratirodha Sangram Samitee (PPSS) of which he is the Secretary.

III

5. I have gone through various provisions of the Orissa Grama Panchayat Act, 1964, Forest Rights Act, 2006 and Forest Rights Rules, 2007. The main issue here is whether the two supposed Palli Sabha Resolutions that I received from the POSCO Pratirodha Sangram Samiti, and that were sent on April 14th to the Orissa government for disposal according to law, are legally valid documents or not.
6. According to Rule 4(2) of the Forest Rights Rules, 2007, the quorum of the Gram Sabha¹ meeting shall not be less than two thirds of all members of such Gram Sabha. As per the report of the Orissa government (see ii. in Para 4 above) the number of members was far less than the prescribed quorum.
7. Further, according to Rule 3(1) of the Forest Rights Rules, 2007, the Gram Sabhas should be convened by the Gram Panchayat, where as in this case these seem to have been convened by the Sarpanch without the authority of the Gram Panchayat. Rule 20(a) of the Orissa Grama Panchayat Rules 1968 has also authorised only the Gram Panchayat to convene the palli sabha.
8. Lastly, as per the requirements of Rule 26 of the Orissa Grama Panchayat Rules, the proceedings of the palli sabha should be recorded in a book specially maintained for this purpose. In the instant case, as per the report of the District Collector, the resolutions under question are not available in that book.
9. For these reasons, and based on the information provided by the state government, I have no option but to come to the conclusion that there has been no legally valid resolution of the Gram Sabha claiming recognition of forest rights as required under section 6(1) of the Forest Rights Act, 2006.

¹ Which for Orissa means palli sabha

IV

10. I now have three options available to me.

- Seek further legal opinion on what the state government has stated.
- Institute an independent inquiry into the claims and counter-claims being made by the state government and the PPSS.
- Repose trust in what the state government has so categorically asserted.

11. I have already examined the legal issues in section III, and therefore there is nothing to be gained by seeking further legal opinion. Similarly the facts of the case, in particular the lack of signatures of two-thirds of the village adult population on the resolution passed by the Sarpanch, are too obvious to require any further enquiry or verification.

12. I have therefore decided to follow the third route because the primary responsibility for implementing the Forest Rights Act, 2006 is that of the state government through the institutions of the Gram Sabha, SDO, and the District Collector. I must respect the reports from the SDO and the Collector. Their views and also of the state government must prevail unless there is overwhelming and clinching evidence to the contrary². Therefore I hold that there has been no valid claim for recognition of forest rights in Dhinkia and Gobindpur as required under the Forest Rights Act, 2006.

13. *Faith and trust in what the state government says is an essential pillar of cooperative federalism which is why I rejected the second option.* Beyond a point, the bona fides of a democratically elected state government cannot always be questioned by the Centre.

14. I am conscious of the fact that the MOU between the state government and POSCO expired last year and has yet to be renewed. This MOU had provisions for the export of iron ore which made me deeply uncomfortable with this project. *I would expect that the revised MOU between the state and POSCO would be negotiated in such a manner that exports of raw material are completely avoided.* In addition, the appeal of the state government against the decision of the Orissa High Court striking down the allocation of the Khandadhar iron ore mines to POSCO is still pending in the Supreme Court. I could well have waited for the MOU to be renewed and for a final decision of the Supreme Court. But that would have smacked of filibustering. I would now hope that the new MOU would be negotiated by the state government in such a way that exports of iron ore are completely avoided.

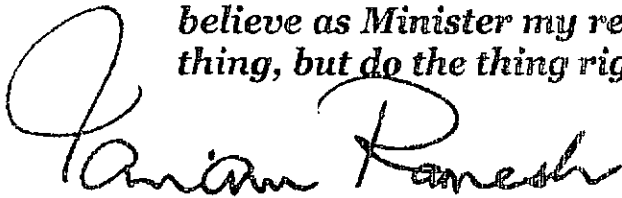
² This notwithstanding the fact that the state government has been actively canvassing for the project in question.

15. Therefore, in view of the state government's latest communication of April 29th, 2011, final approval is accorded to the state government for diversion of 1253 hectares of forest land in favour of POSCO. This approval would, however, be subject to the condition that, in addition to the conditions already imposed on compensatory afforestation, payment of NPV etc, POSCO would also bear the cost of regeneration of an equivalent amount of open, degraded forest land in a district to be determined and indicated by the state government.
16. I also expect that the state government would immediately pursue action, under the Orissa Grama Panchayat Act, 1964, against the Sarpanch, Dhinkia for what it has categorically said are "fraudulent" acts. If no action is taken forthwith, I believe that the state government's arguments will be called into serious question.

V

17. I want to address the question of whether my decision will weaken the implementation of the Forest Rights Act, 2006. To these critics I would answer that it was at my personal insistence that in August 2009, the Ministry of Environment and Forests made adherence to the Forest Rights Act, 2006 an essential pre-requisite for allowing diversion of forest land for non-forestry purposes under the Forest Conservation Act, 1980. I was under no obligation or pressure to do so except my own commitment to FRA, 2006. The implementation of both the FRA, 2006 and the August 2009 guideline is a learning and an evolving process since we are still in largely uncharted territory. The Ministry of Environment and Forests will continue to upgrade and improve the process to ensure compliance with the law in letter and in spirit.
18. The environment and forest clearance process for the POSCO project has generated huge interest both in India and abroad. As I had pointed out in my decision of January 31st, 2011, the POSCO project itself has considerable economic, technological and strategic significance for both the state and the country. At the same time, laws on the environment and forests must be implemented seriously. ***In this case, the 60 conditions imposed as part of my decision of January 31st, 2011 provide a package of measures to ensure that the project will not be detrimental from an ecological and local livelihoods point of view. I would expect both the state and POSCO to be extra-sensitive on this score.***

19. This has not been an easy decision to take and it will, I know, be both welcomed and criticised³. That is perhaps inevitable given the complex nature of the issues involved. But what I want to be clearly appreciated is that all along I have tried to uphold the principle of due process. ***I believe as Minister my responsibility is not just to do the right thing, but do the thing right.***



Jairam Ramesh
MOS(I/C)E&F
2nd May, 2011

³ Just as I am releasing this decision, PPSS has sent me another representation which, in the interests of full transparency, is at Annexure IV.

ਸਾਨੀਸ਼ਵਰ, ਸ਼ੀਸ਼ੁਕੁ ਗਰੀਸ਼ੁ ਸਾਨਕਾਪੁਕਾਕੁ ਕਸਿਸ਼ਨ. ਸਰਾਵਸੁ

କଳ୍ପ:- (କମଳାକାନ୍ତ ପରିଚୟ)

ମହାଶୟ, ସାତୁ ଚନ୍ଦ୍ର ସାବର କରୀ ଗଣ ମାୟା-ଦିବାଦା-ହା-ହୁକ୍ତ

୨- ଗଗନେନ୍ଦ୍ରପୁର, ଚିଟ୍ଟାକୃତ, କଟକରୁ ଏହି ପାଠକର ଦୃଷ୍ଟି ପାକିଷ୍ଟାନୀ କରୁ ପଡ଼ି
ଏହିକି, ଶେଷର ପାଠକେ ମସିହା ୦୧ରୁ ଆରମ୍ଭ ମାଲ

ନାମୁନିକାମ ତଥ୍ୟ ଶୁଦ୍ଧିପାଠନ ନିମ୍ନତପସ୍ୟା କ୍ଷମା ଦୟାକରି ପାନପୁର

କଟି ପାଷ୍ଟୁରାଇଜେସନ୍, କେନ୍ଦ୍ରୀୟୀକରଣ, ଚାନ୍ଦୁବାହୁପାଲେଇ କାର୍ଯ୍ୟକ୍ରମ ଇତ୍ୟାଦି

ପାଞ୍ଚୁ ମାଳ ଯଦି ଚିତ୍ରାବତୀ ଗ୍ରାମ କରୁ ପଢ଼ି । କହୁମାନି ହୁଅନ୍ତି ନମି ପ୍ରସାନ୍ନିତ

ପୋଲିକା ଏକାକୀ ପ୍ରକାରର ଗୁଣାଗୁଣ, ଗୁଣାଗୁଣାଗୁଣା ପ୍ରକାରର ଗୁଣାଗୁଣା

ସମ୍ପୂର୍ଣ୍ଣ ମାଲ, ପାମ ଦଳିଆରେ, ଏକ ଦୁର୍ଗାମା କାର୍ଯ୍ୟ ଗଳ୍ପକର ନିର୍ଦ୍ଦେଶିକା
ପ୍ରକାଶିତ ହୋଇ ଉପର ଉପର ଉପର ଉପର କରୁଥିଲା । ଏ ଉପର ଉପର ଉପର

ଉତ୍ତମ ପୁରୁଷ ବାସୁ ଗଣିତାଦି ପ୍ରଜାପତିଙ୍କ ପ୍ରାୟୋଗ କୃତ୍ୟାଦିର ପାତ୍ର

ପ୍ରାୟ ୧୫ ପ୍ରତିଶତ ପର୍ଯ୍ୟନ୍ତ ପ୍ରାୟ ୧୫ ପ୍ରତିଶତ ପର୍ଯ୍ୟନ୍ତ ପ୍ରାୟ ୧୫ ପ୍ରତିଶତ ପର୍ଯ୍ୟନ୍ତ

ଉପରୋକ୍ତ ନୀତି ପାସ୍ତ୍ର ବିକ୍ରିପାଇଁ ପ୍ରତିପାଳନ କରି ପାସ୍ତ୍ର ଗଣିତ ସମାପ୍ତ ପାସ୍ତ୍ରମାନଙ୍କୁ
ଉପରୋକ୍ତ କରାଣ ଦିଆଯିବା କାରଣରୁ କରାଣ ଦିଆଯିବା କାରଣରୁ କରାଣ ଦିଆଯିବା କାରଣରୁ

2. ପ୍ରତି କ୍ଷେତ୍ର ପ୍ରଶାସନ କାର୍ଯ୍ୟାଳୟକୁ ଅନୁରୂପ ଚକ୍ରାବଳୀ ଚଳେ ପ୍ରଦାନ କରାଯିବ ।

ଉତ୍କଳ ଉପାଧିକାରୀ ପାଣ୍ଡୁ ବାହୁଡ଼ି ନାମ. ବି. କଷ୍ଟପାତ୍ର ତତ୍ତ୍ୱେ ଶ୍ରୁତ୍ୱାଦିନୀ ନାମକ

ମନେ ପକେଇବା ପଦାର୍ଥର ଗୁଣ $\frac{P_0}{P_0}, \frac{P_0}{P_0}, \frac{P_0}{P_0}$ ଅର୍ଥାତ୍ ପରି, ପରିମାଣ

ସ୍ତ୍ରୀ ମାନବ ସମ୍ବଳର ମୂଳ ସମ୍ପଦ ।

ପଦ୍ମଶ୍ରୀ ପ୍ରଭାକର ପ୍ରାଣ କୁମାର, ପାଣ୍ଡୁ

प्रमत्त अर्थात् कर्म कर्म, प्रमत्त न्याय प्रदान करी, प्रमत्त उपकृत करी।

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ਦਿਖਾਈ

4/7/2022

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Am 18. und 19. 23

ମନୀ-ପ୍ରତିଷ୍ଠା ଆଦି ପାଖ - ୨୦୫-୮୦
- ୨୬ - ୧୦୭-୪୦

செய்த - செய்து, எழுதி - 26 - 50 - 59

नाम-कठायोदय ए. ७ - १३-५९

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ସୁବେଶ୍ୱର ଚରଣ
ପଦ୍ମି ୦୨/୧୨

ଶ୍ରୀମତୀ ମାଳା
ବୋମ୍ବେ କାର୍ଯ୍ୟ
ନିର୍ଦ୍ଦେଶ ଦାମ୍

ନିର୍ଦ୍ଦେଶ ପଦ୍ମା

ପ୍ରୋ/ପାମ୍ ମାଳା
Pravara Malek

କର୍ମାଳୀନା
ମାଳା ମାଳା

ପ୍ରୋ/ପାମ୍ ମାଳା
ପ୍ରୋ/ପାମ୍ ମାଳା
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ପ୍ରୋ/ପାମ୍ ମାଳା
ପ୍ରୋ/ପାମ୍ ମାଳା

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ପ୍ରୋ/ପାମ୍ ମାଳା

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ପ୍ରୋ/ପାମ୍ ମାଳା
Abhaya Pole

ପ୍ରୋ/ପାମ୍ ମାଳା

ପ୍ରୋ/ପାମ୍ ମାଳା

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ମାଧବ ପଣ୍ଡା

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ମାଳତୀଙ୍କୁ ଶ୍ରୀମୁଖ୍ୟ ଗଣିତ ମାଳବୀୟଙ୍କୁ ଜଣାଇ. . . ସହାୟତା . .

ଉତ୍ତର: - (ସାମାଜିକ ସୁସଜ୍ଜିତ ସମ୍ପ୍ରଦାୟ)

ପ୍ରମାଣ, ନିକଟତମ କାରୀ ଏ - ଦୁଇପାଦେ ମୂଳ. ଗ. ଶ୍ରୀନାଥ. ଓ. ନରସିଂହ.

१. समूह २. समूह ३. समूह ४. समूह ५. समूह ६. समूह ७. समूह ८. समूह ९. समूह १०. समूह

୧) ମୁଖ୍ୟ ମନ୍ତ୍ରୀ - ଦିନାକାର - କୁଳଦେବ. ବି-କଟାବିହାରୀ. ଚିନ୍ତା.

ଶ୍ରୀମତୁଳା ଚୋପ୍ରାୟେ ନମଃ ପୂଜିତ, ଏତଦ୍ ଚାହିଦ ସଂସ୍କାରମ୍

ଆରମ୍ଭ ପରିମା ପ୍ରତ୍ୟାବର୍ତ୍ତନ ନିମନ୍ତେ ପାଳନ କରି ଚଳୁ ଥାଉ ।

ସାମୁଦ୍ରିକ ପରିବହନ ସହଜତା ବୃଦ୍ଧି କରି ପୃଥିବୀର ସୁଖକୁ

ନୀଳମ୍ବର ମହାପାତ୍ର କବି ପ୍ରାଣ ପ୍ରାଣ x ପ୍ରାଣ ପ୍ରାଣ ପ୍ରାଣ ପ୍ରାଣ ପ୍ରାଣ

ପ୍ରସ୍ତାବିତ ଯୋଜନା ପ୍ରକାଶନ କରାଯାଇ ପାରୁଥିବାରୁ ଏହା ଗ୍ରହଣ କରାଯାଉଅଛି।

ଆମ୍ଭମାନଙ୍କୁ ନିକଟୀତ ଜଣକ୍ରିୟାଶୀଳ ଶିକ୍ଷାପ୍ରଣାଳୀର ପ୍ରୟୋଗକୁ ଉତ୍ସାହରେ

ପ୍ରକୃତ ମାନ ସାଧୁ ଶାନ୍ତଚରଣଙ୍କ ଗୌରବରାସ୍ତି ସ୍ତୋତ୍ର ଶୁଣି ଶୁଣୁଛି ।

ପ୍ରାୟ ୧୫୦ କି.ମି. ଦୂରରେ ପ୍ରାୟ ୧୫୦ କି.ମି. ଦୂରରେ

ପଞ୍ଚମୀ ମାସେ ପବନ କଟୁ ନାହିଁ, ଚାମୁ ମଧ୍ୟ ଧାତୁ କଟୁ ନାହିଁ

ମଧ୍ୟସ୍ଥ ସମ୍ପର୍କିତ ନା କୌଣସି ମାତ୍ର ଶତପୁରଣ ଗୋଟିଏ ହୁଏ କିମ୍ବା କେତେଗୁଡ଼ିକ ।

අනුමත වූ ප්‍රාදේශීය සභා, පාලන සභා

ગામના બધા જ શ્રેણીના લોકો
 આજે રજાના દિવસે, બહાર

உதாரணம் 2

96

ॐ ॐ ॐ

എ/കെ/ജി

20/12/2021

ਪ੍ਰਭੂ ਦਾਸ

कृपावाँ

5/22/2022



प्रतिलिपि के लिए आवेदन की तारीख Date of application for the copy.	स्टाम्प और फोलियो की अपेक्षित संख्या सूचित करने की निश्चित तारीख Date fixed for notifying the requisite number of stamps and folios.	अपेक्षित स्टाम्प और फोलियो देने की तारीख Date of delivery of the requisite stamps and folios.	तारीख, जबकि देने के लिए प्रतिलिपि तैयार थी Date on which the copy was ready for delivery.	आवेदक को प्रतिलिपि देने की तारीख Date of making over the copy to the applicant.
6208	6.208	6208	21.2.08	21.2.08

IN THE COURT OF THE TAHASILDAR: KUJANG.

Enc. case No 745/91

Srimati Sanjukta Rout W/O Fakir Rout,
Vill. Nuagan, P.S. Kujang, Dist. Cuttack.....Petitioner.

ORDER

25.2.91

Perused the report of the Rev. Inspector Nuagan,
in form 'G' Srimati Sanjukta Rout W/O Fakir Rout village
Nuagan District Cuttack has unauthorised occupied Govt. land
as schedule below by way of construction/Cultivation.

Land Schedule.

Mouza.	Khata	Plot.	Area: KISSAM
Polang.	135	156	A1.80

Start an encroachment case. Issue notice to the
encroacher show cause as to why action will not be taken
against him for unauthorised occupation as per the provision
of O.P.L.E. Act. 1972.

Case to 20.3.91.

sd/-

Tahasildar, Kujang.

RECORD KEPT
KUJANG TAHASIL

COPIED TO THE FILE

Shri Chaman Mohan
21/2/08



प्रतिलिपि के लिए आवेदन की तारीख Date of application for the copy.	स्टाम्प और फोलियो की अपेक्षित संख्या सूचित करने की निश्चित तारीख Date fixed for notifying the requisite number of stamps and folios.	अपेक्षित स्टाम्प और फोलियो देने की तारीख Date of delivery of the requisite stamps and folios.	तारीख, जबकि देने के लिए प्रतिलिपि तैयार थी Date on which the copy was ready for delivery.	आवेदक को प्रतिलिपि देने की तारीख Date of making over the copy to the applicant.

: 2 :

20399 This case is put up to day. The encroacher is present on call. He admits the fact of encroachment. He states that he has been occupying the land by way of homestead purpose and obtaining no permission from the competent authority. There fore the encroacher is liable to pay penalty of Rs-90.00 assessment of Rs-18.00 @Rs-50/- and Rs-10/- per acre payable respectively payable from the year 1990-91 .

Issue demand in 'G' form to the R.I.concerned for relaxation of Govt. dues.
Identified by.

Sd/-
Tahasildar, Kujang.

Sd/-
Tahasildar, Kujang.

17.6.95

Case is put up to day. Ask R.I.Nuagan to report regarding present position of the encroachment.

p/3

RECORD KEEPER
KULANG TAHASILDAR

Stamp: 21/6/95
Signature: [Handwritten Signature]
Under [Handwritten Signature]

: 3:

sd/ =

The case is put up to day. Seen the

sd/-

Typed by me.

Compared by me.

RECORD KEEPER
KIJANG TAHASIL

SECRETED BY THE NATIONAL ARCHIVES

Shirazi Chakranigali

Authorized Under Section 7061 of 1964

୨୭-୨୮
 ଶ୍ରୀମଦ୍ଭଗବତ୍ ଗୀତା
 ଶ୍ରୀକୃଷ୍ଣାୟ ନମଃ
 ଶ୍ରୀମଦ୍ଭଗବତ୍ ଗୀତା
 ଶ୍ରୀକୃଷ୍ଣାୟ ନମଃ

CA 638/08

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...	795
...	325
...	11.75
Elev & Per	
Sentry Jan	
Boon	
21.2.08	

[illegible]

90902 90902

[illegible]

दिने शुभ २०२१

ମାନ୍ୟମାନଙ୍କୁ - ଶ୍ରୀମୁଖ୍ୟ ଉପରାଜ୍ୟ ମାନଙ୍କ ଆପଣଙ୍କୁ କମିସନର

ମାନ୍ୟମାନଙ୍କୁ ନିମ୍ନୋକ୍ତ ଆଦେଶ ପ୍ରଦାନ କରାଯାଉ

ଶ୍ରୀମତୀ ଉତ୍କଳା କାନ୍ତ ଦେବୀଙ୍କୁ ସୁରକ୍ଷା ଦେବା ପାଇଁ ଶ୍ରୀମତୀ

ଆ. କୁମାରୀ ଦେବୀଙ୍କୁ ସୁରକ୍ଷା ଦେବା ପାଇଁ ଶ୍ରୀମତୀ

ଦେବୀଙ୍କୁ ସୁରକ୍ଷା ଦେବା ପାଇଁ ଶ୍ରୀମତୀ

ଦେବୀଙ୍କୁ ସୁରକ୍ଷା ଦେବା ପାଇଁ ଶ୍ରୀମତୀ

ଦେବୀଙ୍କୁ ସୁରକ୍ଷା ଦେବା ପାଇଁ ଶ୍ରୀମତୀ

ଦେବୀଙ୍କୁ ସୁରକ୍ଷା ଦେବା ପାଇଁ ଶ୍ରୀମତୀ

ଦେବୀଙ୍କୁ ସୁରକ୍ଷା ଦେବା ପାଇଁ ଶ୍ରୀମତୀ

ଦେବୀଙ୍କୁ ସୁରକ୍ଷା ଦେବା ପାଇଁ ଶ୍ରୀମତୀ

ଦେବୀଙ୍କୁ ସୁରକ୍ଷା ଦେବା ପାଇଁ ଶ୍ରୀମତୀ

ଦେବୀଙ୍କୁ ସୁରକ୍ଷା ଦେବା ପାଇଁ ଶ୍ରୀମତୀ

Pradeep K. Das

Brundaban Swain

Gopi Nath Swain
babaji Chandra

Gouranga Saha

ଦେବେନ୍ଦ୍ର ଚନ୍ଦ୍ରମାଳ

କହନ୍ତି ତାହା

Kantik Maitra

ଶ୍ରୀ ଶ୍ରୀ

ବିଭବନା ନିକଟସ୍ଥ

ନିକଟସ୍ଥ

ମାତ୍ରାତ୍ର ଶ୍ରୀ

ନାମ ନିକଟସ୍ଥ

ଶ୍ରୀ ଶ୍ରୀ

Pradeep K. Das

ଦୁଇ ଚନ୍ଦ୍ର

ଦୁଇ ଚନ୍ଦ୍ର

ଦୁଇ ଚନ୍ଦ୍ର

Structural Analysis

Sanjay Kumar

ଶ୍ରୀ ଶ୍ରୀ

ଦୁଇ ଚନ୍ଦ୍ର

How to Read

ଦୁଇ ଚନ୍ଦ୍ର

ଦୁଇ ଚନ୍ଦ୍ର

How to Read

ଦୁଇ ଚନ୍ଦ୍ର

ଦୁଇ ଚନ୍ଦ୍ର

Chaitanya Swain

ପ୍ରଫୁଲ୍ଲ ସ୍ୱାଇଁ

ସିଦ୍ଧାନ୍ତ କୁମାର

ଚିତ୍ରାବିହାରୀ

ଉଷା କୁମାର

Raj Kishore Jena

Sasmita Rout

Rashmi Ranjan Korum

ଶ୍ରୀମତୀ ରମ୍ୟା

Makar Biswal

ସୁଶ୍ରୀମତୀ

Subash Ch Jena

ସିଦ୍ଧାନ୍ତ କୁମାର

Kalpatarey Sahoo

ସୁଶ୍ରୀମତୀ

ରାମଚନ୍ଦ୍ରା

Ramachand Jaha

Kedar Nath, Swain

Chittakanyam Das

Suman K. Sahoo

ଜିତା କୁମାର

ଶ୍ରୀମତୀ

କେଶବୀ

Boman Das

ଶ୍ରୀମତୀ

ସୁଶ୍ରୀମତୀ

ସିଦ୍ଧାନ୍ତ କୁମାର

ନାଥ କୁମାର

ସୁଶ୍ରୀମତୀ

ସୁଶ୍ରୀମତୀ

Harajan Das

Pradeep K. Das
Bhambhani Swain
Gopi Nath Swain
babaji Chandra
Gouranga Sahanji
ବେବେନୁ ବସନ୍ତ
ସହଦୁ ଗାନ୍ଧୀ
Rohit Mohanty

ଶ୍ରୀ ଶ୍ରୀ
ବିଷ୍ଣୁ ଶ୍ରୀ
ନିଳମଣି ସାହୁ
ମହାପ୍ରଭୁ ଶ୍ରୀ

ନାମ ସମ୍ପାଦକ

ସୁବିଜ୍ଞାନୀୟ

Ramachandra Das

ସୁବିଜ୍ଞାନୀୟ

ସୁବିଜ୍ଞାନୀୟ

Utpal Beha Das

Sudhakar Das

Sambhar Das

ସୁବିଜ୍ଞାନୀୟ

ସୁବିଜ୍ଞାନୀୟ

— Hemant Kumar Das

ସୁବିଜ୍ଞାନୀୟ

ସୁବିଜ୍ଞାନୀୟ

Asa Kanta Das

ସୁବିଜ୍ଞାନୀୟ

ସୁବିଜ୍ଞାନୀୟ

ଅ. ପା.

ଅ. ପା.

470155

Annexure P-12.3 contd...

ପ୍ରକାର ନଂ: ୪୭ ପ୍ରକାର ନଂ: ୫୦/୧୦
ସମ୍ପର୍କିତ ବ୍ୟକ୍ତିଙ୍କ ନାମ: ଶ୍ରୀ ରମେଶ ଚନ୍ଦ୍ର ମହାପାତ୍ର (ପାତା ଓ ପତ୍ନୀଙ୍କ ସହିତ) :-

କ୍ର. ସଂ.	ନାମ	ପିତାଙ୍କ ନାମ	ପୁରୁଷ ନାମ	ପ୍ରାପ୍ତ ବୟସ	ସ୍ତ୍ରୀଙ୍କ ନାମ	ସ୍ତ୍ରୀଙ୍କ ବୟସ
୧	ଶ୍ରୀ ରମେଶ ଚନ୍ଦ୍ର ମହାପାତ୍ର	ଶ୍ରୀ ରମେଶ ଚନ୍ଦ୍ର ମହାପାତ୍ର	ଶ୍ରୀ ରମେଶ ଚନ୍ଦ୍ର ମହାପାତ୍ର	୪୫	ଶ୍ରୀ ରମେଶ ଚନ୍ଦ୍ର ମହାପାତ୍ର	୪୫
୨	ଶ୍ରୀ ରମେଶ ଚନ୍ଦ୍ର ମହାପାତ୍ର	ଶ୍ରୀ ରମେଶ ଚନ୍ଦ୍ର ମହାପାତ୍ର	ଶ୍ରୀ ରମେଶ ଚନ୍ଦ୍ର ମହାପାତ୍ର	୪୫	ଶ୍ରୀ ରମେଶ ଚନ୍ଦ୍ର ମହାପାତ୍ର	୪୫



କ୍ର. ସଂ.	ନାମ	ପିତାଙ୍କ ନାମ	ପୁରୁଷ ନାମ	ପ୍ରାପ୍ତ ବୟସ	ସ୍ତ୍ରୀଙ୍କ ନାମ	ସ୍ତ୍ରୀଙ୍କ ବୟସ
୩	ଶ୍ରୀ ରମେଶ ଚନ୍ଦ୍ର ମହାପାତ୍ର	ଶ୍ରୀ ରମେଶ ଚନ୍ଦ୍ର ମହାପାତ୍ର	ଶ୍ରୀ ରମେଶ ଚନ୍ଦ୍ର ମହାପାତ୍ର	୪୫	ଶ୍ରୀ ରମେଶ ଚନ୍ଦ୍ର ମହାପାତ୍ର	୪୫
୪	ଶ୍ରୀ ରମେଶ ଚନ୍ଦ୍ର ମହାପାତ୍ର	ଶ୍ରୀ ରମେଶ ଚନ୍ଦ୍ର ମହାପାତ୍ର	ଶ୍ରୀ ରମେଶ ଚନ୍ଦ୍ର ମହାପାତ୍ର	୪୫	ଶ୍ରୀ ରମେଶ ଚନ୍ଦ୍ର ମହାପାତ୍ର	୪୫

୧. ସମସ୍ତଙ୍କର ନାମ ଓ ଠିକଣା (ଅନୁସନ୍ଧାନ) :-
୨. ସାହାଯ୍ୟର ନାମ ଓ ଠିକଣା :-
୩. ଯେଉଁ ଯେଉଁ ନାମ ଲେଖା :-
ସଂଖ୍ୟା: ୨୦୧୭/୨୦୦୭

E.No. 742/04

ଫାରମ 'କ'
ଧାରା 7 ଅନୁଯାୟୀ ନୋଟିସ୍

[ନିୟମ 9 (କ) ଦୃଷ୍ଟବ୍ୟ]

ପ୍ରାପକ

ଶ୍ରୀ

ପ୍ରମୋଦ କୁମାର
ପ୍ରମୋଦ କୁମାର
ପ୍ରମୋଦ କୁମାର
ପ୍ରମୋଦ କୁମାର

ଯେହେତୁ ପ୍ରତୀତ ହୋଇଅଛି ଯେ ଆପଣ ନିମ୍ନ ଅନୁସୂଚୀରେ ଦର୍ଶାଯାଇଥିବା ସରକାରୀ ଭୂମିକୁ ଅନୁମତି ବିନା ଦଖଲ କରିଅଛନ୍ତି, ଆପଣଙ୍କ ପ୍ରତି ଏତଦ୍ୱାରା ଏହି ଆଦେଶ ହେଉଅଛି ଯେ ଆପଣ ସ୍ୱୟଂ ବା ଆପଣଙ୍କର କ୍ଷମତାପକ ପ୍ରତିନିଧିଙ୍କ ଦ୍ୱାରା ତା ୩୧/୩/୨୦୦୪ ତାରିଖ ସମୟରେ ନିମ୍ନ ସ୍ୱାକ୍ଷରକାରୀଙ୍କ ସମ୍ମୁଖରେ ହାଜର ହୋଇ ଓଡ଼ିଶା ଭୂମି ଅନୁଧିକାର ଦଖଲ ନିବାରଣ ଅଧିନିୟମ, 1954ର ଧାରା 3, 5 ବା 6 ଅନୁଯାୟୀ କାହିଁକି ଆପଣଙ୍କ ପ୍ରତି କାର୍ଯ୍ୟାନୁଷ୍ଠାନ କରା ନ ଯିବ ତାହାର କାରଣ ଦର୍ଶାଇବେ ।

ଅନୁସୂଚୀ

ନାମ, ଆଧାର ନିର୍ଦ୍ଧାରିତ ନାମ	ଖସଡ଼ା ସଂଖ୍ୟା	ବିବରଣୀ	ପଞ୍ଜରେ ଦରଜ କରାଯାଇଥିବା ମୃତାବକ ଖସଡ଼ାର ସମୁଦାୟ ଚକ୍ରବା	ଅନୁମତି ବିନା ଦଖଲ କରିଥିବା ଭୂମିର ପରିମାଣ	ଦଖଲ କରିଥିବା ଭୂମି ବିଭାଜି ବ୍ୟବହୃତ ହୋଇଛି
1	2	3	4	5	6
କମଳା କୁମାର	୫୫-୧୩୫	୫୫-୧୩୫	୫୫-୧୩୫	୫୫-୧୩୫	୫୫-୧୩୫
	୫୫-୧୩୫	୫୫-୧୩୫	୫୫-୧୩୫	୫୫-୧୩୫	୫୫-୧୩୫

ନିକ୍ଷାପାଳ

କମଳା କୁମାର

କ.ପ.ପ
କୃଷି

ଜିଲ୍ଲା
ପୋଲିସ

2001-0001

537801

୧୩୫ ଡ. ଗୋବିନ୍ଦ ପ୍ରସାଦ

୦୭/୧୦୮

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୨୦୦୮

୨୦୦୮
୨୦୦୮

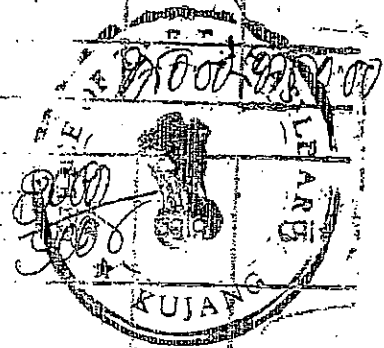
ସାମୁଦ୍ରିକ କୃଷି ଉପାଦାନ ଉପାଦାନ
କୃଷି

୩୫୦୦

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ଉପାଦାନ କୃଷି ଉପାଦାନ
କୃଷି

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ଉପାଦାନ କୃଷି ଉପାଦାନ
କୃଷି

୩୫୦୦

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୩୫୦୦/୩୫୦୦

(10/10/08)



ଓଡ଼ିଶା ସରକାରଙ୍କ ଦ୍ଵାରା, କୁଳକା

୧୪/୩୦/୫୯

ସାମ୍ବଲପୁର ଜିଲ୍ଲା, ଖୋର୍ଦ୍ଧା ଡିସ୍ଟ୍ରିକ୍ଟ

ପଞ୍ଜୀକରଣ

(ଅନୁମୋଦିତ ଲବ୍ଧି, ନୟାଗଡ଼ ଓ ଧାର୍ଯ୍ୟାସୀ)

୧. ଲକ୍ଷ୍ମୀ ନାମ—କଟକ

୨. ମୌଜାର ନାମ—କୋଳିଆପାଣି

୩. ପାଳାର ନାମ—

ଆକା ନଂ—୧୧୭

୪. ପାଳାର ନାମ—

ନାମ—କୋଳିଆପାଣି

୫. ପାଳାର ନାମ—

ଆକା—

୬. ପାଳାର ନାମ—

୪୭

୧୫୩

୦୦୦୪

୧୫୩

୭. ନମାବନ୍ତର ନାମ—କୋଳିଆପାଣି ନମାବନ୍ତ

୮. ଲକ୍ଷ୍ମୀ—

ପଥର—କୋଳିଆପାଣି ରେସୁ ।

୯. ଗ୍ରାମିଣଙ୍କ ନାମ—

ଗ୍ରାମିଣଙ୍କ ନାମ—କୋଳିଆପାଣି ନମାବନ୍ତ ।
 ଗ୍ରାମିଣଙ୍କ ନାମ—କୋଳିଆପାଣି ନମାବନ୍ତ ।
 ଗ୍ରାମିଣଙ୍କ ନାମ—କୋଳିଆପାଣି ନମାବନ୍ତ ।

ତାରିଖ—୨୧/୫/୫୯

ଓଡ଼ିଶା ସରକାର

ପାରମ୍ପରା 'କ'
ଧାରା 7 ଅନୁଯାୟୀ ନୋଟିସ୍
[ନିୟମ 9 (କ) ଦ୍ଵାରା]

Case No. 16/5
102

ପ୍ରାପ୍ତ

ଶ୍ରୀ ପି. ଚନ୍ଦ୍ରଶେଖର ରାଉତ
ସ୍ଵା. ଚଳାକାଳୀ

ଯେହେତୁ ପ୍ରତ୍ୟେକ ହୋଇଅଛି ଯେ ଆପଣ ନିମ୍ନ ଅନୁସୂଚୀରେ ଦର୍ଶାଯାଇଥିବା ସରକାରୀ ଭୂମିକୁ ଅନୁମତି ବିନା ଦଖଲ କରିଅଛନ୍ତି, ଆପଣଙ୍କ ପ୍ରତି ଏତଦ୍ଵାରା ଏହି ଆଦେଶ ହେଉଅଛି ଯେ ଆପଣ ସ୍ଵୟଂ ବା ଆପଣଙ୍କର କ୍ଷମତାପୂର୍ଣ୍ଣ ପ୍ରତିନିଧିଙ୍କ ଜରିଆରେ ତା 30/09/90 ରିଖ ସମୟରେ ନିମ୍ନ ସ୍ଵାକ୍ଷରକାରୀଙ୍କ ସମ୍ମୁଖରେ ହାଜର ହୋଇ ଓଡ଼ିଶା ଭୂମି ଅନୁସୂଚୀର ଦଖଲ ନିବାରଣ ଅଧିନିୟମ, 1954ର ଧାରା 3, 5 ବା 6 ଅନୁଯାୟୀ କାହିଁକି ଆପଣଙ୍କ ପ୍ରତି କାର୍ଯ୍ୟାନୁଷ୍ଠାନ କରା ନ ଯିବ ତାହାର କାରଣ ଦର୍ଶାଇବେ ।

ପି. ଚନ୍ଦ୍ରଶେଖର ରାଉତ
ଅନୁସୂଚୀ

ଗ୍ରାମ, ଥାନା ଓ ଜିଲ୍ଲା ନାମ	ଖସରା ସଂଖ୍ୟା	ବିବରଣୀ	ପତ୍ତାରେ ଉପର ଦରମାଦାଦାର ମୁତାବକ ଶାସନର ସମ୍ବନ୍ଧିତ ଉପର	ଅନୁମତି ବିନା ଦଖଲ କରିଥିବା ଭୂମିର ପରିମାଣ	ଦଖଲ କରିଥିବା ଭୂମି ବିବରଣୀ ବ୍ୟବହୃତ ହୋଇଛି
1	2	3	4	5	6
	୩୫୭	ଧା. ଡା. ୯	୩୦୦୦୦	୦ ୧୦	୩୫୭
	୫୫୭	ଧି. ୧୫୦୦୦୦			

ଜିଲ୍ଲାପାଳ

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ସ୍ଥାନ

2002-2003 V-8

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୧୯୫୫ ମସିହା ଜାନୁଆରୀ (୧୯୫୫) ଚନ୍ଦ୍ରବିହାରୀ/୧୫ ପ୍ରାଣୀ ମହତ୍ତ୍ୱା ଶ୍ରୀ

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90/49/2009

29/04/2018 09:15

701 681 691 701 711 721 731 741 751 761 771 781 791 801 811 821 831 841 851 861 871 881 891 901 911 921 931 941 951 961 971 981 991

1. *Chlorophyll a* and *Chlorophyll b* were determined by the method of Lichtenthaler and Whistler (1973).

07-986
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ପ୍ରାପକ

ଶ୍ରୀ ସୁବ୍ରହ୍ମଣ୍ୟ ଚନ୍ଦ୍ର ୨୧ ବି. ପୁରୁ ଗ୍ରା. ନା. ନା. ୨୩/୨/୭

ଅନୁସୂଚୀ

କ୍ର. ସଂ. ଓ ନିଧାନ ନାମ	ଖପଣ ସଂଖ୍ୟା	ବିବରଣୀ	ପଞ୍ଜର ଚଳା କରାଯାଇଥିବା ମୁଦ୍ରାବଦ୍ଧ ଖପଣର ସମୁଦାୟ ମୂଲ୍ୟ	ଅନୁମତି ଦିଆ ଦେଇ କରାଯାଇ ଥିବା ପରିମାଣ	ବକାୟାଦ ରହିଥିବା ମୁଦ୍ରା ବିବରଣୀ ବ୍ୟବହୃତ ହୋଇଛି
1	2	3	4	5	6
ନା.ସା.ସଂ. ୧୫-୪୭	୧୫-୪୭- ୧୫୭୮	୧୫. ୧୫. ୧୫	୧୦.୭୫	୧୦.୭୫ ୧୦.୭୫ ୧୦.୭୫	୧୫

2012. 8. 4

Annexure P-12.8 contd...

ମାଧ୍ୟମିକ
ମାଧ୍ୟମିକ

ମାଧ୍ୟମିକ
ମାଧ୍ୟମିକ

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ସୁଦ୍ଧା କୁମାରୀ

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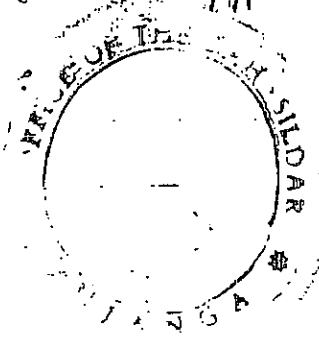
ଶ୍ରୀ. ମହାନ୍ତି ୧୦୫

୨୫

୨୫-୦

ମାଧ୍ୟମିକ

୨୫୦-୦



୧୦
୧୦

୨୫

୨୫-୦

୨୫-୦

ମାଧ୍ୟମିକ ୨୫୦-୦

୨୫୦-୦

୨୫୦-୦

ଶ୍ରୀ. ମହାନ୍ତି ଏବଂ କୁମାରୀ

୧୦୫

୧୦୫

ମାଧ୍ୟମିକ ଏବଂ କୁମାରୀ ୧୦୫

ମାଧ୍ୟମିକ ଏବଂ କୁମାରୀ ୧୦୫

ପ୍ରଥମ ସଂ. XII ରହିତ ପୁସ୍ତକ
(ନିୟମ ୬୭)

ଖଜଣା ପାତ୍ର



ଜିଲ୍ଲା

ସ୍ୱାକ୍ଷର

ସମ୍ବଳ

ମୁଦ୍ରା

ଥାନ

ତାରିଖ

ମୋଟ

୧ । ପ୍ରକାର ନାମ

ସୁବର୍ଣ୍ଣ ଚାନ୍ଦି

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୨ । ଜମାକରି ନମ୍ବର

ଜମିର ପରିମାଣ

୧୦୦୦

୩ । ବାର୍ଷିକ ପାତ୍ର, ଚଳିତ ବର୍ଷର ବଜେଟ୍ ଓ ହାଲ ପାତ୍ରଗଣା ବିବରଣ (ଟଙ୍କା ଓ ପଇସାରେ) :-

ଯୋଗି ବାବଦ ପାତ୍ରଗଣା	ବାର୍ଷିକ	ବଜେଟ୍				ମୋଟ ପାତ୍ରଗଣା
		୩ ବର୍ଷରୁ ଉର୍ଦ୍ଧ୍ୱ	ତୃତୀୟ ବର୍ଷ	ଚତୁର୍ଥ ବର୍ଷ	ଗତ ବର୍ଷ	
ଭୂମି କର ..		୧୫/୪୫୫				
ଜଳ କର ..					୧୦୦୦	୧୦୦୦
ବନ କର ..					୧୦୦୦	୧୦୦୦
ଅନ୍ୟାନ୍ୟ କର (ସେସ୍)					୧୦୦୦	୧୦୦୦
ବିବିଧ ..						
ସୁଧ ..						
ଗାଏ ମୋଟ					୧୦୦୦	୧୦୦୦
<p>୪ । ସର୍ବମୋଟ ଟାକ୍ସ ଟଙ୍କା (ଅକ୍ଷରରେ) ୧୦୦୦୦ ଟଙ୍କା</p> <p>୫ । ଯାହାଦ୍ୱାରା ଟାକ୍ସ ହେଲା</p> <p>୬ । ମୋଟ କେତେ ବଜେଟ୍ ରହିଲା</p> <p>୭ । ଅବଶିଷ୍ଟ ବକ୍ଷ ମଧ୍ୟରେ ଆଦାୟ ନ ହୋଇ ବଜେଟ୍ ଥିବା ଖଜଣା ଉପରେ ଶତକଡ଼ା ବାର୍ଷିକ ୧୨ ହାରରେ ଓ ବଜେଟ୍</p>						
ଭୂମି କର ..		୧୫/୪୫୫				
ଜଳ କର ..					୧୦୦୦	୧୦୦୦
ବନ କର ..					୧୦୦୦	୧୦୦୦
ଅନ୍ୟାନ୍ୟ କର (ସେସ୍)					୧୦୦୦	୧୦୦୦
ବିବିଧ ..						
ସୁଧ ..						
ଗାଏ ମୋଟ					୧୦୦୦	୧୦୦୦

୪ । ସର୍ବମୋଟ ଟାକ୍ସ ଟଙ୍କା (ଅକ୍ଷରରେ)

୧୦୦୦୦ ଟଙ୍କା

୫ । ଯାହାଦ୍ୱାରା ଟାକ୍ସ ହେଲା

୬ । ମୋଟ କେତେ ବଜେଟ୍ ରହିଲା

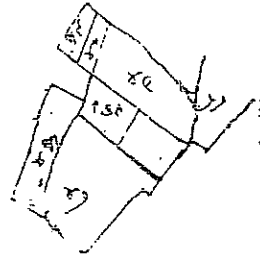
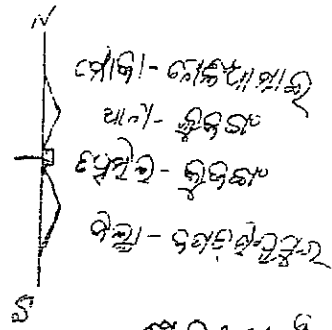
୭ । ଅବଶିଷ୍ଟ ବକ୍ଷ ମଧ୍ୟରେ ଆଦାୟ ନ ହୋଇ ବଜେଟ୍ ଥିବା ଖଜଣା ଉପରେ ଶତକଡ଼ା ବାର୍ଷିକ ୧୨ ହାରରେ ଓ ବଜେଟ୍

୮ । ଅବଶିଷ୍ଟ ବକ୍ଷ ମଧ୍ୟରେ ଆଦାୟ ନ ହୋଇ ବଜେଟ୍ ଥିବା ଖଜଣା ଉପରେ ଶତକଡ଼ା ବାର୍ଷିକ ୧୨ ହାରରେ ଓ ବଜେଟ୍

ଜଳକର ବାବଦରେ ଶତକଡ଼ା ବାର୍ଷିକ ୧୨ ହାରରେ ସୁଧ ଲାଗିବ ।

OGP (Forms) DTP-429-- 20,000Bks--10-03-2005

Annexure P-12.9 contd...



ମୂଳ ପୃଷ୍ଠା - ୧୩୩୨

ଶ୍ରୀମତୀ ଶ୍ରୀମତୀ ଶ୍ରୀମତୀ - ୧୩୩୩
 ଶ୍ରୀମତୀ ଶ୍ରୀମତୀ

ଉତ୍ତରୀ ନ କାନ୍ଦିଲେ, ଭୁକା

ନାମ, ଡେ. ଡେ. : ନାମ, ଡେ. ନଂ..... ୨/୩୦ ୩୫

ଉତ୍କଳପଦ୍ମ

(ଅନୁମୋଦିତ ଇନ୍ଦ୍ର ନିୟମାବଳୀର ୪ର୍ଥ ପାଞ୍ଜିକାଦ୍ୱାରା)

୧ । ଶିକ୍ଷାର ନୀତି-କଟକ

୨ । ମୌଜାର ନାମ- ମୋକ୍ତିଆ ସ୍ବାମୀ

॥ श्रीगणेशाय नमः ॥

ପ । ପକା ପାଉଁରା ବାନ୍ତିବା ନାମ ଓ ଠିକଣା

ଜାମ ୧- ୧୮ ଟଙ୍କା ଦେଖାଯାଇଛି-

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୭ । ଜମାବନ୍ଦର ବାବଦ- ଟ/୧୩୭୭ ବିଷୟ

୨। ଶରଣାଗତଙ୍କୁ ସ୍ଥାନିୟ ନିବାସରେ ରଖିବା ପାଇଁ ଆବଶ୍ୟକୀୟ ବ୍ୟୟକୁ ମଧ୍ୟ ସମ୍ଭାଳିବା ପାଇଁ ଅନୁରୋଧ କରାଯାଉଅଛି ।

ପ୍ରତିଦିନ - ପ୍ରାୟ ୧୦ଟି ଲୋକ ଗର୍ଭାବସ୍ଥାରେ ଆସନ୍ତି ।

ପଞ୍ଚମ - ପ୍ରଶ୍ନାବଳୀ କେବଳ ।

୮ । ମୈ ମଞ୍ଜୁର ବରହନା ଅଧିକାରୀଙ୍କ ଆଦେଶକୁ ନାଚାଏ

ବୁଦ୍ଧ ଉପାଦେୟାଣୀ; ବୁଦ୍ଧ ଶିଷ୍ୟପାଠାଣୀ; ଶ୍ରୀମତେ ସରଳାମାତା ଠାକୁ ପଣା ସ୍ତୁତି ଶାଳସୁଦା
ଭୂଷଣାନ୍ ଆଦର ୬ (କ) କଠ. ଚନ୍ଦ୍ରପାରେ ଲେଖନୀ । ପଞ୍ଚମସ୍କନ୍ଧ ବିଜ୍ଞାନ ମନ୍ତ୍ରରେ ୧୦ ଶ୍ଳୋକ
ମଧ୍ୟରେ ଶ୍ରୀମତେ ବାଦାଶ୍ରମ ବୁଦ୍ଧାବତାର ଚରଣାବଳୀ ଦର୍ଶନ ।

0/00 39/29/1

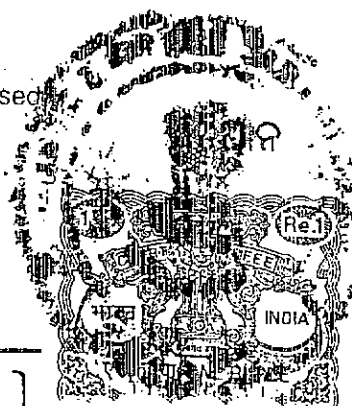
১৯৭৭ সালের ১২/১২/৭৭
 ১৯৭৭ সালের ১২/১২/৭৭
 ১৯৭৭ সালের ১২/১২/৭৭

Schedule I--Form No. 39-A (Revised)

ମୌଜା: ମୁକ୍ତସା

ଥାନା: ମୁକ୍ତସା

ଥାନା ନମ୍ବର: ୧୧୧



ପଞ୍ଜିକୃତ ମୂଲ୍ୟ

ପଞ୍ଜିକୃତ ନମ୍ବର: ୧୫୩

ଜିଲ୍ଲା: କଟକ-୨୩୨

କର୍ମଚାରୀଙ୍କ ନାମ

 ଖେତ୍ରାଟ ବା ଖତିଆନ ନମ୍ବର
 }

ଦେଶୀ ଅନୁସନ୍ଧାନ ନମ୍ବର-୧

୧। ଖତିଆନର କ୍ରମିକ ନମ୍ବର

୧୦୫

 ୨। ପୂଜାରୀଙ୍କ ନାମ, ପିତାଙ୍କ ନାମ,
 ଜାତି ଓ ବାସସ୍ଥାନ
 }

୨୩୩

୩। ସ୍ତମ୍ଭ

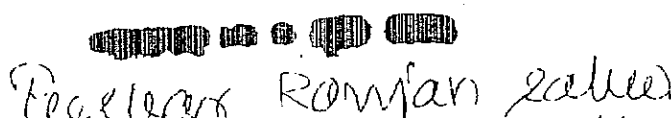
Binding Space

	ଜଳକର	ଖଜଣା	ସେସ	ନିଜର ସେସ ଓ ଅନ୍ୟାନ୍ୟ ସେସ, ଯଦି କିଛି ଥାଏ	ମୋଟ	୪। କ୍ରମିକ ନମ୍ବର ଖଜଣାର ବିବରଣୀ
୧। ଡେଇ		—	—		—	

 ୬। ବିଶେଷ ଅନୁସନ୍ଧାନ, ଯଦି କିଛି ଥାଏ
 }

30 MAR 1984

BLANK SPACE FOR STAMPING


 Ramesh Kumar
 H.C.
 14/9/11

(ମୃତ୍ୟୁ ମାନ୍ଦିତ ଗିରୁ ନିୟମାବଳୀର ୪ର୍ଥ ଅନୁସୂଚୀ)

- ୫- ପଟ୍ଟାଭିଧାନ ବାହାରି ନାହିଁ, ଓ ଟିକିଆ,

ଶ୍ରୀମଦ୍ଭଗବତ୍ପଦ୍ମାବତାରପୁରାଣ

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- ୮- ନିମ୍ନ ଶିକ୍ଷା ବିଭାଗ.

1936. 6. 8.

- ୯ - ଅମଳ ସିଂହ,

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- ୧୦- ସମା. ବଂଶୀର ବାଗିଚା.

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- ୧୧-ଶହଶାଂସି ।

ସଦସ୍ୟ ସ୍ୱ.ନ.

- ପଥକା.

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- ୧୨-ତମ ମଂସରା କରୁଥିବା ଅଧିକାରୀଙ୍କୁ ଆଦେଶର ପ୍ରାଧିକାରୀ,

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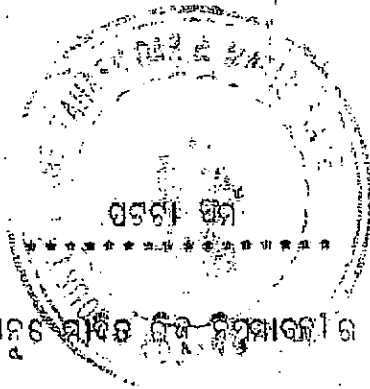
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ପଦ୍ମାବତୀ ଉପାଧୀର ଲେଖକ ୧ (୧) ବର୍ଷ ଅନୁସାରେ ଗୈର ଅପରାଧ ବିଚାରମଣିରେ

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ବିଷୟ ବିଷୟ, ବିଷୟ



କେସ ନଂ. ୨୨୨୨୨୨/୨୦୧୭

(ଅନୁବେଷିତ ବିଷୟ ନିମ୍ନଲିଖିତ ଧାରାମାନଙ୍କ ଦ୍ଵାରା)

୧- ଜିଲ୍ଲା ନାମ, କଟକ,

୨- ମୋଜାର ନାମ, ଚିଲିକା

୩- ଆକାର ନାମ,

୪-ଆକା ନଂ

୫- ପଟାପାଉଥିବା ବ୍ୟକ୍ତିଙ୍କ ନାମ ଓ ଠିକଣା, ଶ୍ରୀମତୀ ସୁମିତ୍ରା ଦାସ, ପ୍ଲଟ ନଂ ୧୨, ପଞ୍ଚବିହାରୀ, କଟକ-୭୫୧୦୦୧

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୬- ଖାତା ନଂ ୩୩

୭- ପ୍ଲଟ ନଂ ୧୨

୮- ଜିଲ୍ଲା ପରିଷଦ ନାମ,

୯- ପରିଷଦ ନାମ, ଚିଲିକା

୧୦- ପତା ବ୍ୟବସାୟ ନାମ,

୧୧-ଜିଲ୍ଲା

ପଞ୍ଚାୟତ,

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୧୭-ପରି ମାଧ୍ୟମ କରିଥିବା ଅଧିକାରୀଙ୍କ ଆବେଦନ ସାମାନ୍ୟ, ଶ୍ରୀମତୀ ସୁମିତ୍ରା ଦାସ, ପ୍ଲଟ ନଂ ୧୨, ପଞ୍ଚବିହାରୀ, କଟକ-୭୫୧୦୦୧

ଚାଷପତ୍ରପ୍ରାପ୍ତି / ମୁଦ୍ରାପତ୍ରପ୍ରାପ୍ତି / ନିମନ୍ତେ ପରବର୍ତ୍ତୀକ ଠାରୁ

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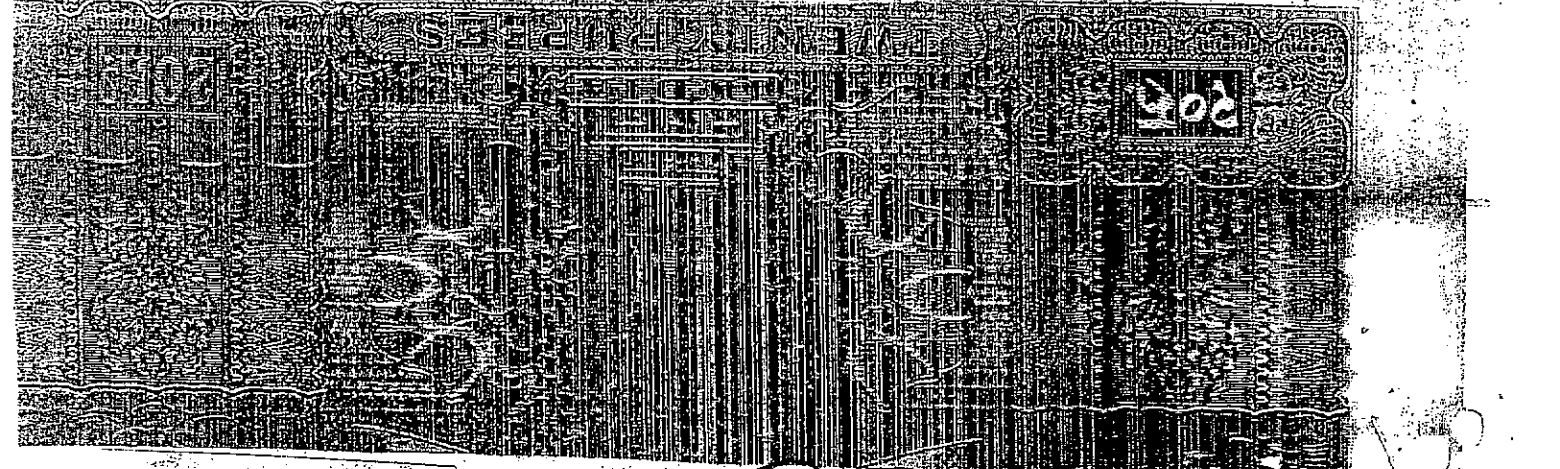
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10th May
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Rohida Sahoo
 Jaganta Ku Sahoo
 ବିଶ୍ଵାକର ସାହୁ
 Ganesh Palai
 Naban Palai
 ଅନୁପମ ମହାନ୍ତି
 ପ୍ରମୋଦ କୁମାର ମାବି
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Sasoj Nayak

Prakhalat

Kedar Nath Sengupta

Harendra Nath Das

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Sridhar Sahoo

Kashab Pandey

ବିଶ୍ୱାସୀ ସାମ୍ରାଜ୍ୟ

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Rabindra Nayak

Rabi narayan Osha

Kushal Ch Sahoo

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Gen.

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ଆଗରୁ କିମ୍ଭୀ

Anambare padbhakary

posco-India
building better tomorrow with steel

5th Floor, Fortune Towers
Chandrasekharpur,
Bhubaneswar 751023
Orissa, India
Ph. - 0674 - 2303690/91/92/93/94
Fax - 0674 - 2300058

14th July'09

To,

Sr. Anantbar Padhiary
Nuagam

Sub : Your letter dtd 7th July'09 for dismantling of Betel Vine

Dear Sir,

This has reference to the letter dtd. 7th July'09 given by you regarding compensation towards dismantling of your betel vine farm.

It seems you have acted of your own volition albeit with good intent, and your claim is based on a mistaken perception that the company would compensate you if you voluntarily dismantle your betel vine. The matter has long since been closed at our end, which is common knowledge.

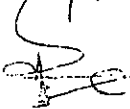
However, we appreciate your goodwill for our project with gratitude but would like to convey our inability to meet your demands in the present form and situation. On this issue we have clarified our stand several times that compensation against dismantling betel vine farm which is standing on encroached Government Land could only be considered after proper verification of proof and measurement along with authorized representatives of the Government of Orissa at the time of transfer of land and possession.

At this moment we do not have any locus standi or means to verify, measure and settle your claim. Therefore, we would request you to exercise patience and restraint and not to resort to any agitational course, which will not help the resolution of your issue in any practical way. We urge upon you to appreciate the situation and our constraints and desist from taking any precipitative action, as mentioned in your letter.

Let us work together for a better tomorrow and not lose our mutual faith for resolving all our perceptual differences through dialogue and discussion with a spirit of goodwill and understanding.

With best wishes to you & your family.

Yours truly,



(S.N.Singh)
Dy. General Manager

Cc: Collector / SP / IIC, Kujang PS

To

The Honourable Chairman,
Human Rights Commission,
New Delhi.

Sub:- Grievances for the damages due to house burning
dtd.15.05.2010 at Panigadia Kandha near
Balitutha Bridge.

Esteemed Sir,

///ith due respect I Sri Harihara Sahoo, S/O Alekha Charan Sahoo, of village Sanagabapur, P.S.Kujang. District Jagatsinghpur beg to lay the following few lines for your kind consideration and sympathetic order.

That my father has got one homestead land at village Panigadia Kandha under Dhinkia G.P., under Kujang P.S. within the district of Jagatsinghpur where in my father had constructed several houses, shop rooms thereon. and my parents my family members, some shop owners had been residing over that plot. My father also planted several trees over that plot and let out shop rooms to some local persons where in they were running their business in those shop rooms.

That on 15.05.2010 some people opposing POSCO project were gathered near my house towards Sourthern side of Balitutha Bridge and the district administration with help of police were present over the bridge towards Northern side of the bridge. On the same day at about 2.00 P.M while the agitation was going on all my houses were burnt and I sustained loss of my houses, trees, house hold articles, vehicles, machinaries, etc valued more than 40 lakhs.

That after the occurrence the police registered Kujang P.S. Case No.126 dt.15.05.2010 u/s 436 I.P.C. and I have sent representation in this regard to the Collector, Jagatsinghpur, Chief Minister of Orissa, and this matter also found place in the daily NewsPapers.

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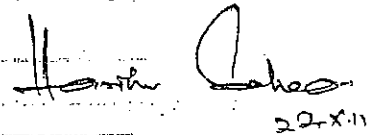
22.X.11

That due to such occurrence my parents ,my brothers, and the local business man who were running their business all sustained huge loss and the matter needs inquiry by your honour and necessary steps may kindly be taken .

Therefore I pray before your honour the above matter may kindly be enquired and necessary compensations be awarded in favour of my family, and infavour of the business men of that place who have sustained loss for which I shall be highly obliged .

Jagatsinghpur.
Dt.22.10.2011.

Yours faithfully,


22-10-11

Enclosures :-

1. Copy of F.I.R.
2. Copy of representation.
3. Copy of resolution.
4. Copy of New papers.
5. Photographs .
6. Copy ROR.

To

The Honourable Chairman,
Human Rights Commission,
New Delhi,

Sub:- Grivances for damages due to house burning
dtd.15.05.2010 near Balitutha Bridge .

Sir,

With due respect I, Sri Hemanta Patra S/O Janamu Patra of vill.Balia P.S.Kujang Dist.Jagatsinghpur beg to state that I have been running my fabrication unit near Balitutha Bridge at Village- Panigadia Kandha ,since 1999 and out of said business I had been maintaining my family and I along with my family had resided near my shop .

That on 15.05.2010 at 2.00 P.M. while the agitation was going on between the Police and public of the locality my shop room along with my dwelling house was burnt for which all my equipments ,Machinaries ,house hold articles were burnt for which I sustained loss of Rs-2,00,000/- . After the occurance I have not received any compensasion amount from Govt. or from any other source and since the date of occurance I have lost my business and I am maintaining my life and family with much difficulties .

Therefore I request your good self to enquiry in to the matter and necessary steps may kindly be taken at this end. for which I shall be highly obliged.

Jagatsinghpur.
Dt. 22.10.2011.

Yours faithfully,

Hemanta Patra

DISTRICT MEDICAL BOARD OF CUTTACK

Issue No. 705

Date: 24.4.10

DISABILITY CERTIFICATE

Issue under Rules-(2) of the persons with disabilities (equal Opportunities, Protection of Rights & Full protection) Rules, 1996 & as per the guidelines given by the Ministry of Welfare, Government of India, Gazetted Notification No-4-2/83, HW 111 dated 6th August 1986.

Sri/Kumari/Smt. Nataban Khater Age 60

S/o.D/o, W/o Anama Khater

Resident of AT Gobindapur PO Dhinkia

PS Kayanga Dist Jajpur is a Physically Handicapped

He/She suffers from computer through it wrist

His/Her Disability is / temporary / permanent

Mark of Identification Am on the wrist

He/She comes under the category of Ortho Disability

His/Her percentage of Disability is 60% (Specially)

Recommended for physical Restoration No

I declare that I have no appeared before any medical board & obtained Disability Centre.

Nataban Khater
Signature/LHTI of the Candidate.

24/4/10
Member of Medical Board
With Seal & Date

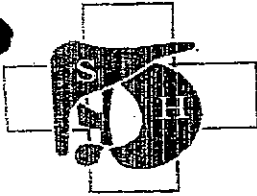
24/4/10
Member of Medical Board
With Seal & Date

24/4/10
Specialist Member
With Seal & Date

a) Write visually/Hearing/Locomotors/Mental/etc.

b) Specially Orthopedic/ENT/EYE/Psychiatry etc.

24/4/10
Chief District Medical Officer
Chief District Medical Officer
With Seal & Date



Shanti Hospital & Research Centre

Thoria Sahi, Patnaik Colony, Cuttack 753001
Ph: 0671-2415250/60, Fax: 2414550
www.shantihospital.com
(AN ISO 9001-2000 CERTIFIED HOSPITAL)



DISCHARGE SUMMARY

Patient ID	200805150004	IP No.	SHIP-4490
Name	NATABARA KHATUA	Date of Admission	15-05-2008
Address	S/O-LATE ANAM KHATUA, AT- GOVINDPUR, PO-DHINKIA, DIST-JAGATSINGHPUR	Date of Discharge	26-05-2008 11:24 AM
		Age	63Y 11D
		Sex	MALE

Primary Consultant - Dr. SREEJOY PATNAIK, MS

FINAL DIAGNOSIS:

Tra. Amputation of Lt. Hand at the Level of wrist with Scalp injury.

HISTORY:

The patient was admitted with complaints of H/O-Tussle in govindpur village / P.S kujanga took place at 9pm where the victim was man handled and beaten up with a sharp weapon leading to total secure at the level of metacarpal Jt line Lt. hand.

INVESTIGATIONS:

Hb-8.5%, PCV-28%, DC-N73, L20, M01, E06, TLC-10,000, BT/CT-2Min.
10Sec./4Min., FBS-106, Blood Urea-30, S.Creatinine-1.2, Urine Pus
Cells-2-3/hpf, Serum Na+127, K+3.7, ECG-WNL, HbS Ag-Negative,
HIV-Negative, Blood Group-B+ve.

SURGERY:

On 15/05/2008. Amputation of left hand done.

AT DISCHARGE:

Satisfactory.

ADVICE ON DISCHARGE:

- Tab Zostum-O 1Tab twice daily after food x 5days.
- Tab Razo 1Tab once daily x 10days.
- Tab Chymoral forte 1Tab thrice daily x 5days.
- Syp. Elixer neogardain 3tsf to continue.
- Next checkup after 7days.

Operator: ADMIN

Page 1 of 1

4/6/08

wound healed

Remove stitches

R₀ = Tab Aleipro 500 mg x 7d.
C = Tab Sibet 1 tab 500 mg x 7d
= consult at NIRTAR, Ghatp
for hearing a prosthesis
= Tab M2K 1 tab OD x 1m

26/5/08

c/o Pain & tenderness

of - wound healed

For

?

= Apply crepe Bandage

o/p = Cap. Lacom CV

(G25) 100 x 54

= Tab SIBET-P 1 tab 503

= Physiotherapy

= Apply Ellavert cream

= Consult at NIRTAR

ମାନ୍ୟତା ଦିଆଯିବ ନାହିଁ ମାନ୍ୟତା ଦେବା କମିଶନର ଦ୍ଵାରା
ସଂପାଦନ,

ମାନ୍ୟତା

ପାଞ୍ଜି କୋଳିଆମାନଙ୍କୁ ପ୍ରାମାଣିକରଣ କରାଯିବ
କି, ପାଞ୍ଜି ମାନ୍ୟତା ପ୍ରମାଣିତ ହୁଏ, କି ପ୍ରମାଣିତ ନାହିଁ
କେବଳ ପ୍ରମାଣିତ ପାଞ୍ଜି କରାଯିବ

ନଂ ୧ - ୨୦୧୦ ପ୍ରାମାଣିକରଣ, ମାନ୍ୟତା ଦେବା କମିଶନର ଦ୍ଵାରା
ନିର୍ଦ୍ଦିଷ୍ଟ

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ନଂ ୬ - ମାନ୍ୟତା ଦେବା କମିଶନର ଦ୍ଵାରା ପ୍ରମାଣିତ ହୁଏ, ମାନ୍ୟତା ଦେବା କମିଶନର ଦ୍ଵାରା
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ନଂ ୭ - ମାନ୍ୟତା ଦେବା କମିଶନର ଦ୍ଵାରା ପ୍ରମାଣିତ ହୁଏ, ମାନ୍ୟତା ଦେବା କମିଶନର ଦ୍ଵାରା
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୧୨/୧୧/୨୦୧୧

ମାନ୍ୟତା ଦେବା କମିଶନର ଦ୍ଵାରା
ମାନ୍ୟତା ଦେବା କମିଶନର ଦ୍ଵାରା

ପ୍ରମୁଦ ସେନେପା

ଦିବ୍ୟ ଲୁଗା ପିନ୍ଧା

କଳାକାର କେନ୍ଦ୍ରୀ

Feeturesy Behera

ପ୍ରମୁଦ ସେନେପା

ପ୍ରାଣୀମାନଙ୍କ ସେନେପା

A. Narendrakumar

ସମସ୍ତଙ୍କ ସ୍ତ୍ରୀ

ପ୍ରାଣୀମାନଙ୍କ ସେନେପା

ଗତିପ୍ରାଣୀମାନଙ୍କ ସେନେପା

ସମସ୍ତଙ୍କ ସେନେପା

List of documents produced by the PAPs of Nolia Sahi in support of their claims that they are in occupation of govt. land (including forest land) for generations.

- i. A certified copy of Form No. 39-A (revised) showing the occupation of 57 decimals of Jungle land (Dhada Jungle) by Gadadhar Behera s/o – Bhramar Behera of Nolia Sahi prior to 30.03.1984.
- ii. Copy of a notice u/s 7 of Odisha Land (Prevention of Land Encroachment) Act 1954 issued to Narendra Rao s/o – Maya, village Nolia Sahi in regard to unauthorised occupation of 11 decimals of jungle land for homestead land prior to the year 2002 and copy of receipt no. 470156 supporting the payment of Rs. 38.10 towards rent and fines.
- iii. Copy of a notice u/s 7 of OLR (Prevention of Land Encroachment) Act 1954 issued to Ganesh Rao s/o – Maya of Nolia Sahi in regard to unauthorised occupation of 10 decimals jungle land for homestead purpose prior to the year 2002, and copy of receipt no. 470155 in support of payment of rent and fine amounting to Rs. 345/- on 20.12.2002.
- iv. Copy of a notice u/s 7 of OLR (Prevention of Land Encroachment) Act 1954 issued to Jogendra Rao, Narendra Rao and Ganesh Rao all sons of Jangamaya of village Nolia Sahi in regard to the unauthorised occupation of 1.15 acre of govt. land prior to the year 2004 and copy of receipt no. 537801 in support of payment of rent and fines amounting to Rs. 380/- on 31.03.2004.
- v. Copy of 'Patta' issued by Tahasildar, Kujanga to one Dhadi Behera s/o – Charan Behera of Nolia Sahi on 22.12.1986 in respect of 4 decimals of govt. land under encroachment prior to 1970, for homestead purpose.
- vi. Copy of 'Patta' issued by Tahasildar, Kujanga to Pandab Behera s/o – Sanei Behera of Nolia Sahi on 02.01.1987 in respect of 4 decimals of govt. land under encroachment prior to 1970.
- vii. Copy of notice u/s 7 of OLR (Prevention of Land Encroachment) Act 1954 issued to Jogendra Rao s/o Jangamaya Rao of Nolia Sahi in regard to unauthorised occupation of 10 decimals of Jungle (Jhad Jungle) land for homestead purpose prior to the year 2002 and copy of receipt no. 470154 in support of payment of Rs. 34.50 towards rent and fine on 20.12.2002.
- viii. Copy of notice u/s 7 of OLR (Prevention of Land Encroachment) Act 1954 issued to Sanjay Behera s/o Dhruba Behera of Nolia Sahi in regard to unauthorised occupation of 25 decimals of govt. land prior to the year 2005 and copy of receipt no. 293049 dated 06.03.1999 in support of payment of Rs. 385/- as rent and fine in encroachment case no. 185/99 suggesting that the land was under his occupation prior to the year 1999.
- ix. Copy of receipt no. 686496 dated 01.12.2005 supporting the payment of Rs. 112/- as rent and fine in regard to 20 decimals of govt. land under unauthorised occupation by Sri Sanjay Behera prior to the year 2005 (ref. encroachment case no. 46/05).

x. Copy of 'Patta' issued to Sanei Behera s/o - Hari Behera of Nolia Sahi for 4 decimals of govt. land (under his occupation prior to 1970 for the purpose of homestead) by Tahasildar, Kujanga on 22.12.1986.

xi. Copy of Form No. 39-A in regard to forcible occupation of 33 decimals of govt. land (Patita) by Dhruba Charan Behera s/o - Charan Behera, Bidyadhara Behera s/o - Punei Behera and Baisnaba Behera s/o - Gurubari Behera, on behalf of Goddess Tarini at village Nolia Sahi prior to the year 1984.

xii. Patta issued by Tahasildar, Kujanga in favour of Dhruba Charan Behera and Nagu Behera, sons of Charan Behera and three others in respect of 1 acre 74 decimals of govt. land under encroachment prior to the year 1957 (Ref. encroachment case no. 673/74) for the purpose of agriculture.

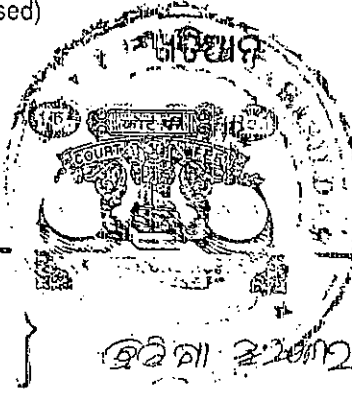
xiii. Patta issued in favour of Bidyadhar Behera s/o - Sunei Behera in respect of 1 acre 83 decimals of govt. land under their unauthorised occupation prior to 1959 for the purpose of agriculture (Ref. encroachment case no. 672/74).

xiv. Copy of the transfer deed dated 15.05.1989 in respect of 2 decimals out of the 4 decimals of govt. land for which the seller Sri Pitamber Behera had earlier obtained Patta from Tahasildar, Kujanga (Ref. encroachment case no. 11 of 1970/71).

.....

Schedule I-Form No. 39-A (Revised)

ମୌଜା ଚେନିଆସାହି
ଥାନା ଝୁରୀ
ଆବ୍ ନମ୍ବର ୧୧୭



ଚହରିଲ ଝୁରୀ
ଚହରିଲ ନମ୍ବର ୧୧୪
ଫିରା କାଥା

ଜମିଦାରଙ୍କ ନାମ

ଓ

ଖେଡ଼ାଟ ବା ଖତିଆନ ନମ୍ବର

କ୍ଷତିଗ୍ରା ୩୨୦୨ କାକ୍ତା ୧୮ ନମ୍ବର ୧

୧ । ଖତିଆନର କ୍ରମିକ ନମ୍ବର

୦୨

୨ । ପ୍ରଜାଙ୍କ ନାମ, ପିତାଙ୍କ ନାମ,
ଜାତି ଓ ବାସସ୍ଥାନ

ଆଦମ ଗୁରାମ୍ୟ ରାମାଜାୟି

୩ । ସ୍ୱତ୍ୱ

Binding Space

	ଜଳକର	ଖଜଣା	ସେସ୍	ନିଷ୍କାର ସେସ୍ ଓ ଅନ୍ୟାନ୍ୟ ସେସ୍, ଯଦି କିଛି ଥାଏ	ମୋଟ	୪ । କ୍ରମବର୍ଦ୍ଧନଶୀଳ ଖଜଣାର ବିବରଣୀ
୪ । ଦେଉ						

୬ । ବିଶେଷ ଅନୁସଙ୍ଗ, ଯଦି କିଛି ଥାଏ

30 MAR 1984

BLANK SPACE FOR STAMPING

Handwritten signature and stamp in Odia script.

ପୂର୍ବ ନମ୍ବର * ଓ ଚକ୍ର ନାମ	କ୍ଷେତ୍ର	କ୍ଷେତ୍ରର ବିସ୍ତାରିତ ବିବରଣୀ ଓ ଚୌକି	ରକ୍ତ				ମନ୍ତବ୍ୟ
			ହେ:	ବ: ମି:	ଏକର	ଡେସିମିଲ	
୭	୮	୯	୧୦		୧୧		୧୨
X ୭୨	X ଅଢ଼ିଆପାଣି				X ୦	X ୦୮	ଅଢ଼ିଆପାଣି ଗୋଦାମ ଗୋଦାମ ଗୋଦାମ ଗୋଦାମ ଗୋଦାମ ଗୋଦାମ ଗୋଦାମ ଗୋଦାମ ଗୋଦାମ
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୪୧	ଅଢ଼ିଆପାଣି				୦	୦୩	ଅଢ଼ିଆପାଣି ଗୋଦାମ ଗୋଦାମ ଗୋଦାମ ଗୋଦାମ ଗୋଦାମ ଗୋଦାମ ଗୋଦାମ ଗୋଦାମ ଗୋଦାମ
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copied by: *[Signature]*
 compared by: *[Signature]*
 RECORD. *[Signature]*
 KUJANG *[Signature]*

SHYAMA SUNDAR *[Signature]*
 ୩୦.୭.୧୭
 ୩୦.୭.୧୭

CA No. 37415/10

0.55
 2.45
 1.00

[Signature]
 ୩୦.୭.୧୭

ଫାରମ୍ 'କ'
ଧାରା 7 ଅନୁଯାୟୀ ନୋଟିସ୍
[ନିୟମ 9 (କ) ବ୍ରହ୍ମବ୍ୟାପକ]

E.No. 1617

02

ପ୍ରାପକ

ଶ୍ରୀ ଡ. ନରସିଂହ ରାଉତ ଗ୍ରା. ନମ୍ବର ୧୫୫

ଆ. କୋଷ୍ଠାଳୀ

ଯେହେତୁ ପ୍ରତୀତ ହୋଇଅଛି ଯେ ଆପଣ ନିମ୍ନ ଅନୁସୂଚୀରେ ବର୍ଣ୍ଣାୟାଯିବା ସରକାରୀ ଭୂମିକୁ ଅନୁମତି ବିନା ଦଖଲ କରିଅଛନ୍ତି, ଆପଣଙ୍କ ପ୍ରତି ଏତଦ୍ୱାରା ଏହି ଆବେଶ ହେଉଅଛି ଯେ ଆପଣ ସ୍ୱୟଂ ବା ଆପଣଙ୍କର କ୍ଷମତାପକ ପ୍ରତିନିଧିଙ୍କ ଜରିଆରେ ତା ୨୦/୧୨/୨୦୦୭ ରିଖ ସମୟରେ ନିମ୍ନ ସ୍ୱାକ୍ଷରକାରୀଙ୍କ ସମ୍ମୁଖରେ ହାଜର ହୋଇ ଓଡ଼ିଶା ଭୂମି ଅନୁସୂଚୀର ଦଖଲ ନିବାରଣ ଅଧିନିୟମ, 1954ର ଧାରା 3, 5 ବା 6 ଆନୁଯାୟୀ କାହିଁକି ଆପଣଙ୍କ ପ୍ରତି କାର୍ଯ୍ୟାନୁଷ୍ଠାନ କରା ନ ଯିବ ତାହାର କାରଣ ବର୍ଣ୍ଣାୟାକରିବେ । ଡ. ଗ୍ରା. ନମ୍ବର ୧୫୫

ଅନୁସୂଚୀ

ଗ୍ରାମ, ଥାନା ଓ ଜିଲ୍ଲାର ନାମ	ଖସରା ସଂଖ୍ୟା	ବିବରଣୀ	ପତ୍ତାରେ ଉତ୍ତର କରାଯାଇଥିବା ମୂଳାବଳ ଖସରାର ସମୁଦାୟ ରକର	ଅନୁମତି ବିନା ଦଖଲ କରିଥିବା ଭୂମିର ପରିମାଣ	ଦଖଲ କରିଥିବା ଭୂମି ବିରୁଦ୍ଧ ବ୍ୟବହୃତ ହୋଇଛି
1	2	3	4	5	6
ଶ୍ରୀ. କୋଷ୍ଠାଳୀ ଗ୍ରା. ୪୨ ଫ. ୫୨		ଧ. ଗ୍ରା. ୫ କ୍ଷମତା-ନିବାରଣ	୨୦୦୫.୧୧ ୨୦.୧୧		ଦରକାରୀ

ଜିଲ୍ଲାପାଳ

ତାରିଖ

କିମ୍ବ

Escudo 1616
02

ଶ୍ରୀ

ଗଢ଼େଇ ଗଢ଼ି. ଶ୍ରୀ. ୧୩୦୨/୧୫

21. 08/10/2022

82. 2:20 PM. 1/10/2

ଗ୍ରାମ, ଥାନା ଓ ଜିଲ୍ଲାର ନାମ	ଖସଡ଼ା ସଂଖ୍ୟା	ବିବରଣୀ	ପଞ୍ଜୀକୃତ ଚଳକ କରାଯାଇଥିବା ମୂଳାବଳ ଖସଡ଼ା ସମୁଦାୟ ରକମ	ଅନୁମତି ଦିବା ତଖଲ କରିଥିବା ଭୂମିର ପରିମାଣ	ତଖଲ କରିଥିବା ଭୂମି କିଲି ବ୍ୟବହୃତ ହୋଇଛି
1	2	3	4	5	6
କାଳିଆପାଣି	ଖା. ୪୨ କୃ. ୫୩	ଆ. ଚା. ୯ କିମ୍ବଦନ୍ତୀ- ୧୯୮୫ ୧୯୮୬	୦ ମି. ୩୫. ୦.୧୦		୧୨୭୭୧୨

জন্ম: ১৯৩৮

ପ୍ରତିଶ୍ରୁତି

စိမ့်

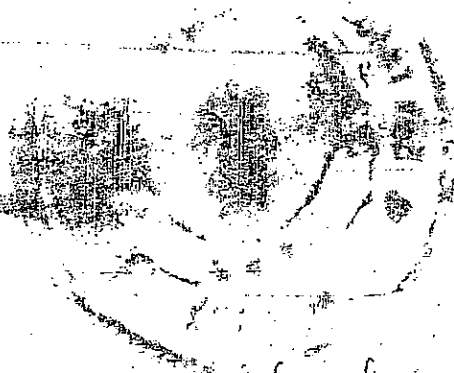
ଅନୁମୋଦିତ ଲେଖକଙ୍କ ଦ୍ଵାରା
ପ୍ରକାଶିତ
ପୃଷ୍ଠା ୧୫, ୧୬, ୧୭

ପ୍ରକାଶକ ଶ୍ରୀ ଶ୍ରୀ ଶ୍ରୀ
ପ୍ରକାଶନ

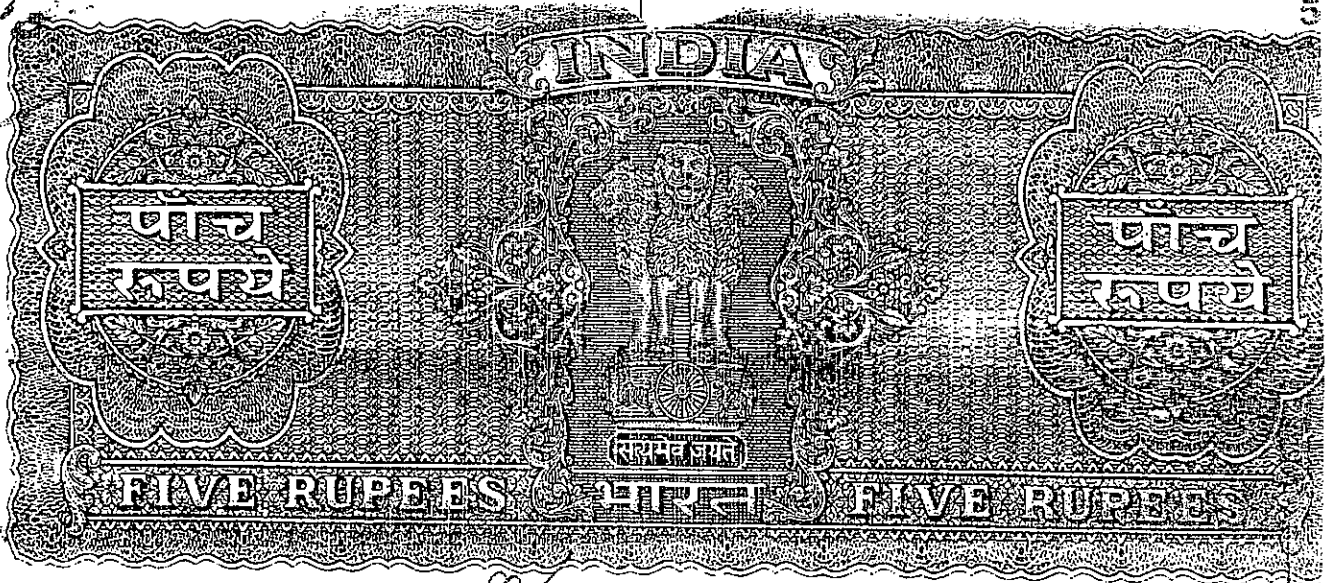
ପ୍ରକାଶକ
ପ୍ରକାଶନ

ପ୍ରକାଶକ

ପ୍ରକାଶକ
ପ୍ରକାଶନ
ପ୍ରକାଶନ



ପ୍ରକାଶକ



ହତହତକୃତ ୧୦୦୦ ଟଙ୍କା ଶୁଦ୍ଧି ମଂ. ୩୦ ୩୧ ୩୨ ୩୩ ୩୪ ୩୫ ୩୬ ୩୭ ୩୮ ୩୯ ୪୦ ୪୧ ୪୨ ୪୩ ୪୪ ୪୫ ୪୬ ୪୭ ୪୮ ୪୯ ୫୦ ୫୧ ୫୨ ୫୩ ୫୪ ୫୫ ୫୬ ୫୭ ୫୮ ୫୯ ୬୦ ୬୧ ୬୨ ୬୩ ୬୪ ୬୫ ୬୬ ୬୭ ୬୮ ୬୯ ୭୦ ୭୧ ୭୨ ୭୩ ୭୪ ୭୫ ୭୬ ୭୭ ୭୮ ୭୯ ୮୦ ୮୧ ୮୨ ୮୩ ୮୪ ୮୫ ୮୬ ୮୭ ୮୮ ୮୯ ୯୦ ୯୧ ୯୨ ୯୩ ୯୪ ୯୫ ୯୬ ୯୭ ୯୮ ୯୯ ୧୦୦

ପଦକ୍ଷେପଣାବଳୀ କରାଯାଇଥିବା ଟଙ୍କା ଶୁଦ୍ଧି ମଂ. ୩୦ ୩୧ ୩୨ ୩୩ ୩୪ ୩୫ ୩୬ ୩୭ ୩୮ ୩୯ ୪୦ ୪୧ ୪୨ ୪୩ ୪୪ ୪୫ ୪୬ ୪୭ ୪୮ ୪୯ ୫୦ ୫୧ ୫୨ ୫୩ ୫୪ ୫୫ ୫୬ ୫୭ ୫୮ ୫୯ ୬୦ ୬୧ ୬୨ ୬୩ ୬୪ ୬୫ ୬୬ ୬୭ ୬୮ ୬୯ ୭୦ ୭୧ ୭୨ ୭୩ ୭୪ ୭୫ ୭୬ ୭୭ ୭୮ ୭୯ ୮୦ ୮୧ ୮୨ ୮୩ ୮୪ ୮୫ ୮୬ ୮୭ ୮୮ ୮୯ ୯୦ ୯୧ ୯୨ ୯୩ ୯୪ ୯୫ ୯୬ ୯୭ ୯୮ ୯୯ ୧୦୦

ପଠନ ଚକ୍ରବର୍ତ୍ତୀ ଚକ୍ରବର୍ତ୍ତୀ
 ସ୍ୱ. Ramesh Chandra Rautan 15-5-89

ସ୍ୱ. Ramesh Chandra Rautan At Garipati
 Licence no 165 for 1979 Di. Cuttack

ପଠନ ଚକ୍ରବର୍ତ୍ତୀ ଚକ୍ରବର୍ତ୍ତୀ
 ସ୍ୱ. Ramesh Chandra Rautan 15-5-89
 ୧୫/୫/୮୯

Handwritten notes at the top of the page, including "1-1-1" and "1-1-1".

Handwritten notes in the middle left section, including "1-1-1" and "1-1-1".

Handwritten notes in the middle right section, including "1-1-1" and "1-1-1".

Handwritten notes in the lower left section, including "1-1-1" and "1-1-1".

Handwritten notes in the lower right section, including "1-1-1" and "1-1-1".

Handwritten notes at the bottom right, including "1-1-1" and "1-1-1".

Sire,

[illegible]

ଧାମ୍ ଲକ୍ଷ୍ୟରେ ୮୮ ବର୍ଷ ୦୮ ୨୮ ବର୍ଷ ପର୍ଯ୍ୟନ୍ତ ରୁଣ୍ଡ ୨୦ ଦଶନ୍ଧି
 ଦର୍ଶି ଯାଏ ଯୋଗ୍ୟରୁ ସମ୍ପାଦନା ବିକାଶ କେନ୍ଦ୍ରରେ ନାହିଁ ।
 ଏକ ୨୦/୨୨ କ୍ଷମା ମୁଦ୍ରକ ମାତ୍ର ଯାହା ନଥିବାରୁ ବିକାଶ କେନ୍ଦ୍ର
 ଧାମ୍ ମୁଦ୍ରକ । ଏହାପରେ କି ଅବସ୍ଥାରେ ଦର୍ଶି ଯାଏ ବିକାଶ କେନ୍ଦ୍ର
 ମୁଦ୍ରକ ମୁଦ୍ରାରେ ପଡ଼ିଛି । ସ୍ଥାନ କେନ୍ଦ୍ର ଧାମ୍ ଧାମ୍ ମାନ୍ୟତା
 ଗ୍ରାମ୍ୟରୁ ହିଁ କେନ୍ଦ୍ରରେ ଧାମ୍ ମାନ୍ୟତା ଗ୍ରାମ୍ୟରୁ ଗ୍ରାମ୍ୟରୁ ଧାମ୍ , କାହିଁକି
 ଧାମ୍ ଗ୍ରାମ୍ୟ , ଧାମ୍ କେନ୍ଦ୍ର ଧାମ୍ ଧାମ୍ କେନ୍ଦ୍ର କେନ୍ଦ୍ର କେନ୍ଦ୍ର କେନ୍ଦ୍ର
 କେନ୍ଦ୍ର । ଧାମ୍ ମାନ୍ୟତା ଧାମ୍ ଧାମ୍ ମୁଦ୍ରକ ଧାମ୍ ଧାମ୍ ଧାମ୍ ୧୦
 ଏ ମୁଦ୍ରାରେ ମୁଦ୍ରାକେନ୍ଦ୍ର କେନ୍ଦ୍ର ଧାମ୍ ମାନ୍ୟତା ଧାମ୍ କେନ୍ଦ୍ର
 କେନ୍ଦ୍ର ଧାମ୍ ଧାମ୍ ଧାମ୍ ଧାମ୍ କେନ୍ଦ୍ର କେନ୍ଦ୍ର କେନ୍ଦ୍ର କେନ୍ଦ୍ର
 ପଦକ୍ଷେପ ଏ ଧାମ୍ କେନ୍ଦ୍ର ନାହିଁ ।

ଧାମ୍ କେନ୍ଦ୍ର ଧାମ୍ ଧାମ୍ ଧାମ୍ ଧାମ୍ ଧାମ୍
 ଧାମ୍ ଧାମ୍ ଧାମ୍ ଧାମ୍ ଧାମ୍ ଧାମ୍ ଧାମ୍ ଧାମ୍ ଧାମ୍
 ଧାମ୍ ମାନ୍ୟତା ମୁଦ୍ରା କେନ୍ଦ୍ର କେନ୍ଦ୍ର ଧାମ୍ ମାନ୍ୟତା
 ଧାମ୍ କେନ୍ଦ୍ର କେନ୍ଦ୍ର ଧାମ୍ ମୁଦ୍ରାକେନ୍ଦ୍ର କେନ୍ଦ୍ର ଧାମ୍
 ୧୨ ପରିକାର କେନ୍ଦ୍ର କେନ୍ଦ୍ର କେନ୍ଦ୍ର । (କେନ୍ଦ୍ର)

ଧାମ୍ ଧାମ୍ ଧାମ୍
 ଧାମ୍ ଧାମ୍ ଧାମ୍
 ଧାମ୍ ୨୦/୧୦

- ଧାମ୍ କେନ୍ଦ୍ର କେନ୍ଦ୍ର
- ଧାମ୍ କେନ୍ଦ୍ର ୧୨ ପରିକାର
- Chander Mohanty
- Rebindra Choo
- ପ୍ରକାଶ ମୁଦ୍ରା
- Narahari Puri
- ନିହାର କେନ୍ଦ୍ର
- ଧାମ୍ ଧାମ୍
- Nirash Baral
- Indeepr Malla
- ଧାମ୍ କେନ୍ଦ୍ର
- Promod Kumar Das
- Sankar Malla

ମାମୁ ମାମୁ
ଶ୍ରୀମତୀ ସୁଜାତା

Mangali Rout
Kabinika Sahoo

Ranjan Madali
ବିନୟ ମାତା

ବାସନ୍ତୀ ସାହୁ
ସୁଶ୍ରୀମତୀ

ସମିତା ସାହୁ
Smita Sahoo

Sumya Ranjan Mohanty

କାର୍ତ୍ତିକ ମାତା
Kartik Madals

Kalina Mohanty

Turika Behera

ସରସ୍ୱତୀ ସାହୁ

ସମିତା ସାହୁ
Smita Sahoo

ସମାନ୍ତରା ସାହୁ
Samanta Sahoo

ସମିତା ସାହୁ
Smita Sahoo

ସମିତା ସାହୁ

ସମିତା ସାହୁ

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ସମିତା ସାହୁ
Smita Sahoo

ସମିତା ସାହୁ
Smita Sahoo

Murti Mohanty
ସମିତା ସାହୁ
Smita Sahoo

Arupamanda Mohanty
ସମିତା ସାହୁ
Smita Sahoo

Laxmi Priya Rout

Ambika Mohanty

ସମିତା ସାହୁ
Smita Sahoo

ସମିତା ସାହୁ
Smita Sahoo

ସମିତା ସାହୁ
Smita Sahoo

ଜୟୀ ସାହୁ

ସମିତା ସାହୁ

ସମିତା ସାହୁ

ସମିତା ସାହୁ

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ଅନିମିତ୍ତ

ଅନିମିତ୍ତ

ଅନିମିତ୍ତ

Lasyamayee Mohanty

ଅନିମିତ୍ତ

ଅନିମିତ୍ତ

ଅନିମିତ୍ତ

Surya Kanta Mohanty

ଅନିମିତ୍ତ

Sangram Mohanty

ଅନିମିତ୍ତ

ଅନିମିତ୍ତ

ଅନିମିତ୍ତ

ଅନିମିତ୍ତ

ଅନିମିତ୍ତ

ଅନିମିତ୍ତ

ଅନିମିତ୍ତ

ଅନିମିତ୍ତ

ଅନିମିତ୍ତ

ଅନିମିତ୍ତ

ଅନିମିତ୍ତ

ଅନିମିତ୍ତ

ଅନିମିତ୍ତ

ଅନିମିତ୍ତ

ଅନିମିତ୍ତ

Kalpana Dalai

ଅନିମିତ୍ତ

ଅନିମିତ୍ତ

ମୋକା ଭୁଞ୍ଜିବାଳ

ଢେଢ଼ାଆନ

କସ୍ତରୀଲ ଫୁଲିଆ

ଥ'ନା ୦୨ ମସିହା

କସ୍ତରୀଲ ନମ୍ବର

ଥାନା ନମ୍ବର ୧୦୨

ନଈ ବିଗତିପ୍ରାପ୍ତ

ନମ୍ବରାବଳୀ ନାମ

ଓ
ଢେଢ଼ାଆନ ବା ଢେଢ଼ାଆନ ନମ୍ବର

ବିଶିଷ୍ଟା ସ୍ୱାଧୀନତାଦିନୀ ନମ୍ବର-୧

୧। ଢେଢ଼ାଆନ କମିଟି ନମ୍ବର

୩୭/୧

୨। ପ୍ରକାଶ ନାମ, ପିତାଙ୍କ ନାମ,
ଜାତି ଓ ବାସସ୍ଥାନ

ସ୍ୱାଧୀନତାଦିନୀ ସ୍ୱାଧୀନତାଦିନୀ ନାମାବଳୀ
ନାମାବଳୀ ନାମାବଳୀ ନାମାବଳୀ
ନାମାବଳୀ ନାମାବଳୀ ନାମାବଳୀ
ନାମାବଳୀ ନାମାବଳୀ ନାମାବଳୀ

Binding Space

୩। ପ୍ରତି

ପଞ୍ଜୀକରଣ

କଳକର	କଳଣା	ସେଟ୍	ନମ୍ବରାବଳୀ ଓ ଅନ୍ୟାନ୍ୟ ସେଟ୍, ଯଦି କିଛି ଥାଏ	ମୋଟ୍	୪। ଅନୁବର୍ତ୍ତନୀୟ ଶିକ୍ଷାବଳୀ ବର୍ଣ୍ଣନା
୪। ଡେସ୍	୧୧.୦	୧୧.୦		୧୧.୦ ନୁହେଁ ମିଶ୍ରଣ	

୫। ବିଶେଷ ଅନୁବର୍ତ୍ତନୀୟ, ଯଦି କିଛି ଥାଏ

ନାମାବଳୀ ନାମାବଳୀ ନାମାବଳୀ
ନାମାବଳୀ ନାମାବଳୀ ନାମାବଳୀ
ନାମାବଳୀ ନାମାବଳୀ ନାମାବଳୀ
ନାମାବଳୀ ନାମାବଳୀ ନାମାବଳୀ

RECORD. TEEPER
STAMPING

KANAKILAR
KILANG

BLANK SPACE FOR STAMPING

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Schedule I—Form No. 39-A (Revised)

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କିମ୍ବା ବ୍ୟାପ୍ତିକ୍ରମ ୨

କମ୍ପାନୀର ନାମ ଓ ଫୋଟୋ ଓ ବା ଫୋଟୋର ନମ୍ବର	ବିଜ୍ଞାପନୀତ କେନ୍ଦ୍ର ୧୨-୧
୧। ଫୋଟୋର କମ୍ପାନୀ ନମ୍ବର	୩୭୮୪
୨। ଫୋଟୋ ନାମ, ଫୋଟୋ ନାମ, ନାମ ଓ ବାସସ୍ଥାନ	ମି. ଲୁଗା ମା. ଗୁରୁତ୍ୱପୂର୍ଣ୍ଣ, ଗୁରୁତ୍ୱପୂର୍ଣ୍ଣ ଲୁଗା ମା. ଗୁରୁତ୍ୱପୂର୍ଣ୍ଣ ଲୁଗା ମା. ଗୁରୁତ୍ୱପୂର୍ଣ୍ଣ ବା. ଗୁରୁତ୍ୱପୂର୍ଣ୍ଣ ବା. ଗୁରୁତ୍ୱପୂର୍ଣ୍ଣ

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୧୧। ଫୋଟୋର ନାମ, ଫୋଟୋ ନାମ, ନାମ ଓ ବାସସ୍ଥାନ	୧୨। ଫୋଟୋର ନାମ, ଫୋଟୋ ନାମ, ନାମ ଓ ବାସସ୍ଥାନ

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TAKASHIYAMA
10/11/11

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ଦେଖାନ

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କିଛି ଦାଖଲକରିବାକୁ

କମିଟିର ନାମ

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କେନ୍ଦ୍ରୀୟ ବା ଦେଖାନ ନମ୍ବର

କିଛି ମାଧ୍ୟମରେ ନମ୍ବର ୧

୧। ଦେଖାନର କମିଟି ନମ୍ବର

୩୫/୩

୨। ପ୍ରକାଶ ନାମ, ପ୍ରକାଶ ନାମ,
କାଳ ଓ ବାସ୍ତବ୍ୟସ୍ଥିତି ସ୍ଥିତି ସ୍ଥା: ମହାନ ସ୍ଥିତି ବା: ମାଧ୍ୟମ
ବା: ପୋଲିସ୍ ସ୍ଥା: ବା: ଦେଖାନ

୩। ଦେଖାନ

କାଳ ପାଠ

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ଅନ୍ୟାନ୍ୟ ସେଠା
ସହ କରୁ ଥାଏ

ମୋଟ

୪। ସମ୍ପର୍କିତ କର୍ମାଳ କାଳକା କେନ୍ଦ୍ରୀୟ

୫। ଦେଖାନ

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୬। କେନ୍ଦ୍ରୀୟ ସମ୍ପର୍କ, ସହ କରୁ ଥାଏ

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RECORDS

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MAHILDAK

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RECORDS

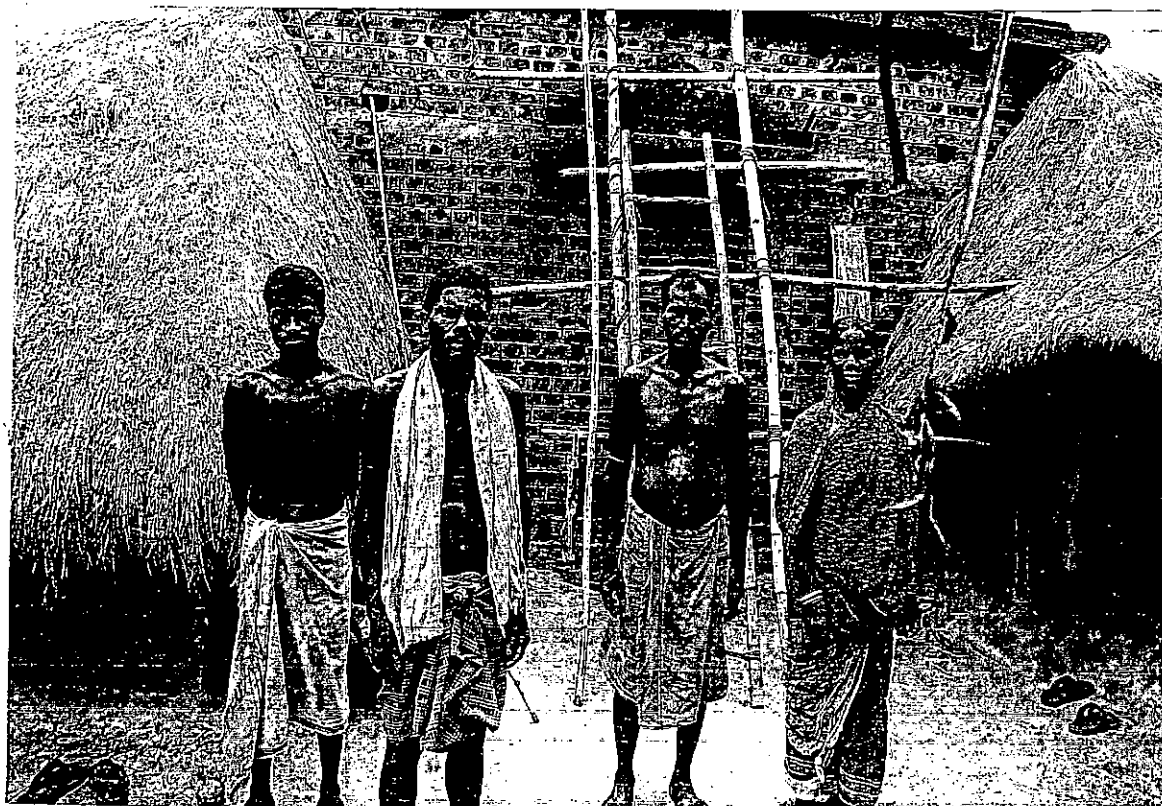
MAHILDAK

ପ୍ରତି ନମ୍ବର ଓ ଶେଷ କାମ	କାର୍ଯ୍ୟ	କାର୍ଯ୍ୟର ବିସ୍ତାରଣ ବିବରଣୀ ଓ ଗୋଟିଏ	ରକମ				ମୋଟ
			ହେକ୍ଟର	ବ. ମ.	ଏକର	ଡେସିମିଲ	
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Annexure P-14.1

Photographs of the houses of tribal residents of Polang village, with the heads of the families standing in front.



Contd...





Photograph of pucca constructions coming up in Gochar land close to the houses of tribal families at Polang village.



Photographs of the house of Baishnaba Barik s/o-Parsuram Barik standing on encroached govt. land at Polang village.



Photographs of the houses of Nata Samal and Uda Samal, both sons of Babaji Samal standing on encroachment govt. land in Polang village.

To
 The Chairperson,
 National Human Rights Commission,
 Faridkot House, Copernicus Marg,
 New Delhi, 110001,
 30th September 2011

Re: Violation of Human Rights and Fundamental Rights (Right to Dignified Life & Shelter), Illegal deprivation of habitat, forcible eviction and dispossession from source of livelihood - on resistance - cases of illegal detention and torture - police brutality on women
 Sir,

I am Ranjan Kumar Swain the complainant and son of one of the victim is a resident of village Gobindpur, Po-Dhinkia, Dist-Jagatsinghpur in the State of Odisha. As you would be aware that our lands (private as well as forest lands) are proposed to be acquired by the State of Odisha for the purposes of setting up a steel plant by a private company called POSCO-India Pvt. Ltd. The land acquisition which started in 2006 was halted due to huge public outcry and resistance from local people and the livelihood dependants. Now the government is forcibly taking away our land against our wishes. Women, Children and Men folk have been peacefully blocking the entry of the State Authorities (into the above mentioned villages and have determined not to give up their land and livelihood at any cost.

We would like to draw your immediate attention to the following actions and events, which clearly violate the UN Charter on Human Rights and the Fundamental Rights enshrined in the Constitution of India. We are writing this letter in despair and in fear of our lives and pray that it be treated as a petition.

On 26th September 2011, at 8.30 am, about 400 armed personnel entered our village area on the pretext of building a coastal road along the beach from the Indian Oil Refinery complex to the port close to our village for POSCO and attacked our villagers at Govindpur village with rod, sticks and hand-bombs. In this sudden attack, more than 30 villagers including 6 women have been injured; two of them are in critical condition. The injured are not able to go for treatment to the nearest hospital in fear of arrest as the police have already registered false cases against them in some earlier incidents. The police had prior knowledge about the planned attack on the people. The police were not far away from where the incident took place but they remained silent as anti-socials went about beating us. This is to inform you that police has not been arrested anyone till now.

On 27th September 2011, Ms. Satyabati Swain (age - 55, w/o - Late Narendra Swain and Mother of the present complainant) and Ms. Anita Sharma (age - 35), residents of Govindpur village of Dhinkia Panchayat went to file FIRs at Kujang Police Station. Instead of accepting the F.I.R, Mr. Gupteswar Bhoi, I.I.C. humiliated both of them by abusing in filthy language. He has detained Ms. Satyabati Swain in lieu of showing old false cases. The complaint of Ms. Anita

Sharma was accepted but the IIC is attempting to wipe out the name of the Principal Accused of the incident Mr. Pravat Nandi (owner of Paradeep Paribahan) and Mr. Bapi Circle.

There are number of instances where men and women who have resisted such action have been manhandled, assaulted and dragged to the police station and have had false charges and cases foisted upon them. The barbaric acts of the police on instructions and directions of higher officials of the State have clearly violated our fundamental and human rights. It is a case of a continuing wrong and a case of infringement of fundamental rights of citizens at the directions and dictates of the State. It is State sponsored terrorism at the behest of a private limited multinational company. The officials of the State are acting on extraneous and alien considerations and the actions are in contravention in blatant violation of our human and fundamental rights.

I, therefore pray that the Commission be pleased to take up the matter and recommended the following

- 1) A judicial inquiry into the clashes and the other violence taking place in the area in view of numerous complaints of human rights violations
- 2) Immediate Transfer of Superintendent of Police, Jagatsinghpur, Odisha;
- 3) Suspension of the local errant police officer for negligence of his duty;
- 4) Transfer of investigation of all offences relating to proposed POSCO Project Area from local police to State or Central Agency;

We hope that you will take personal cognizance of this matter to uphold the rights of our villagers and give justice to us.

Thanking you,

Yours sincerely

Ranjan Kumar Swain

Ranjan Kumar Swain

Gobindpur, Po-Dhinkia

District - Jagatsinghpur, Orissa

Date: 30.09.2011

List of documents (rent receipts land records etc) copies of which were furnished by Sri Abhay Sahoo in support of his claims that PAPs from Dhinkia and Gobindpur villages are living in the area and depending on the government land (including forest land) for their sustenance for generations.
.....

a. Rent receipt no. 28702 dated 09.01.1917 in respect of land held by Bhima Nayak in Gobindpur Mouza.

b. Rent receipt no. 276656 issued on 25.11.1933 in favour of Utsav Barik for occupation of forest land.

c. Rent receipt no. 12666 issued on 24.03.1912 in favour of Hadi Nayak of Gobindpur.

d. 'Baje Chalan' no. 14789 issued on 24.11.1928 in favour of one (Name illegible) Nayak of Gobindpur.

e. Rent receipt no. 38472 dated 29.08.1913, issued in favour of Bhima Nayak of Gobindpur.

f. Rent receipt issued in favour of Bhima Nayak of Gobindpur on 10.09.1910.

g. Rent receipt no. 54245 dated 13.04.1928, issued in favour of Mani Parida.

h. Rent receipt dated 20.09.1904, issued in favour of one Goti Nayak of Gobindpur.

i. Rent receipt no. 8820 dated 12.12.1910 in favour of Bhima Nayak of Gobindpur.

j. Rent receipt dated 09.04.1911, issued in favour of Bhima Nayak of Gobindpur.

k. Extracts from Kujanga Estate records showing the existence of the local Kaptaswar Mahadev Temple, Dhinkia as far back as in the year 1889.
.....

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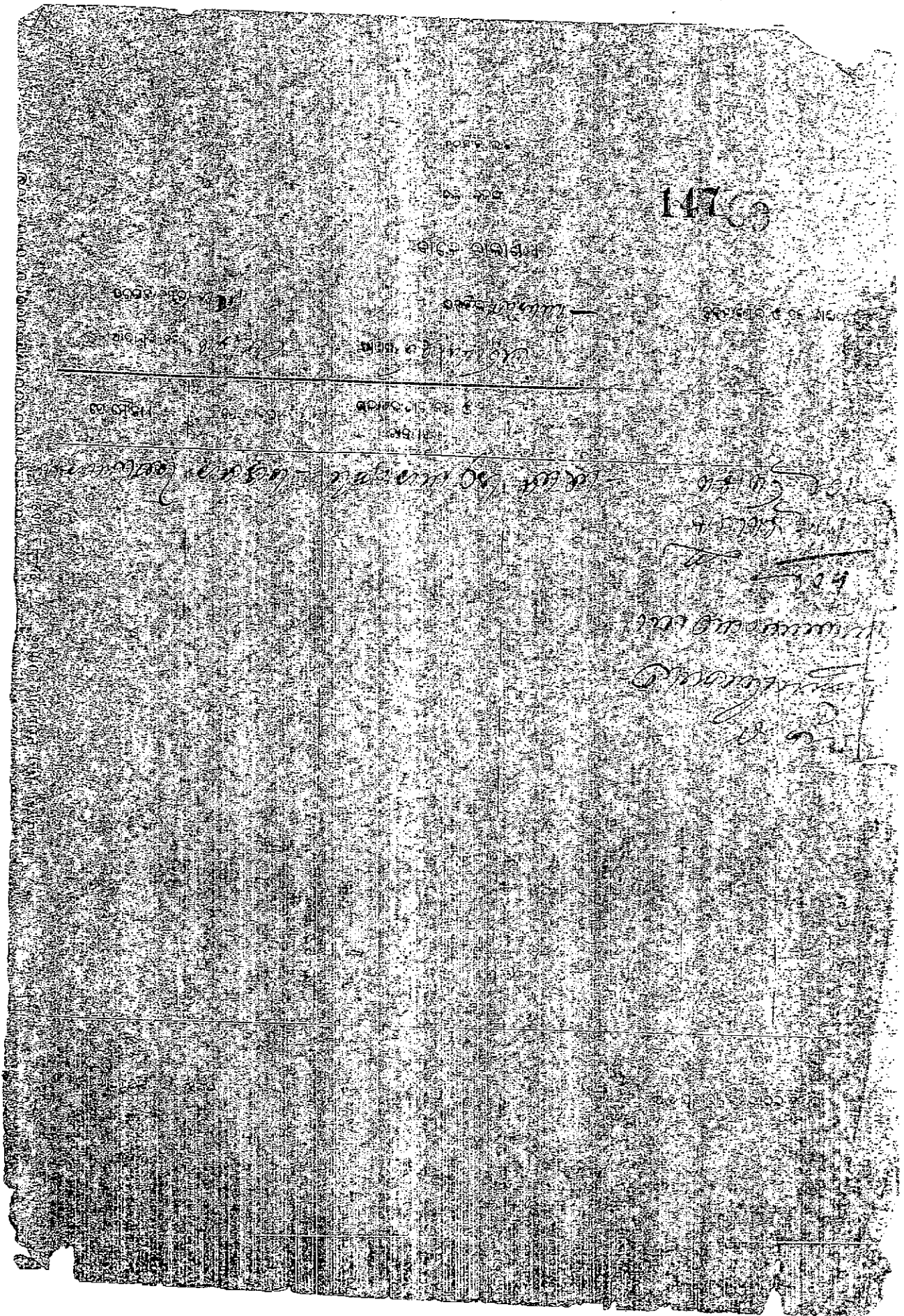
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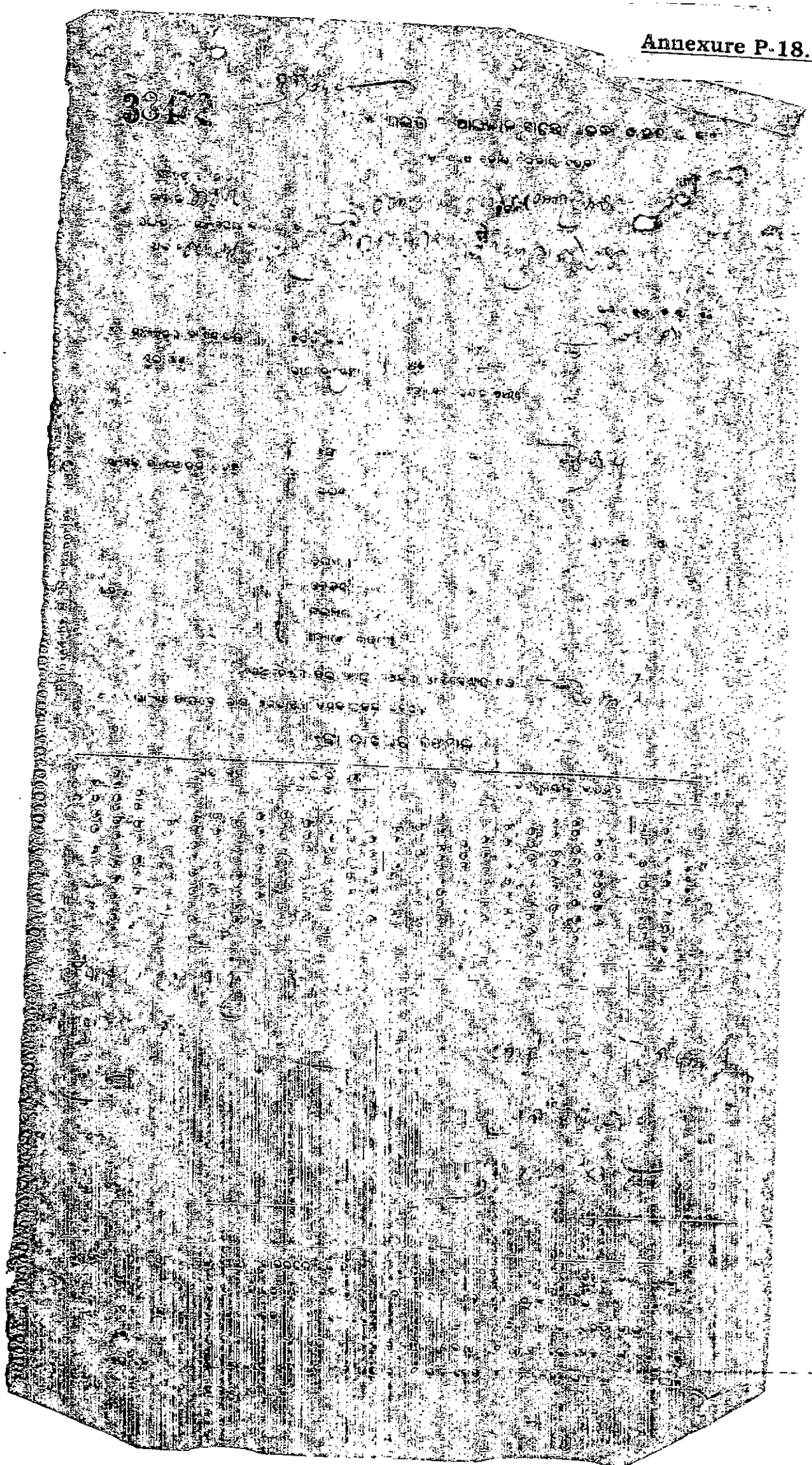
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॥ श्रीगणेशाय नमः ॥

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Sl. No.	Name of the Person	Age	Gender	Religion	Marital Status	Occupation	Address	Signature
1	[Illegible]	25	M	Hindu	Married	Teacher	[Illegible]	[Illegible]
2	[Illegible]	30	F	Hindu	Single	Homemaker	[Illegible]	[Illegible]
3	[Illegible]	28	M	Hindu	Married	Business	[Illegible]	[Illegible]
4	[Illegible]	35	F	Hindu	Married	Homemaker	[Illegible]	[Illegible]
5	[Illegible]	22	M	Hindu	Single	Student	[Illegible]	[Illegible]
6	[Illegible]	32	F	Hindu	Married	Homemaker	[Illegible]	[Illegible]
7	[Illegible]	27	M	Hindu	Married	Teacher	[Illegible]	[Illegible]
8	[Illegible]	33	F	Hindu	Married	Homemaker	[Illegible]	[Illegible]
9	[Illegible]	29	M	Hindu	Married	Business	[Illegible]	[Illegible]
10	[Illegible]	31	F	Hindu	Married	Homemaker	[Illegible]	[Illegible]

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Printed by E. N. Rangjee, 14-8-09.

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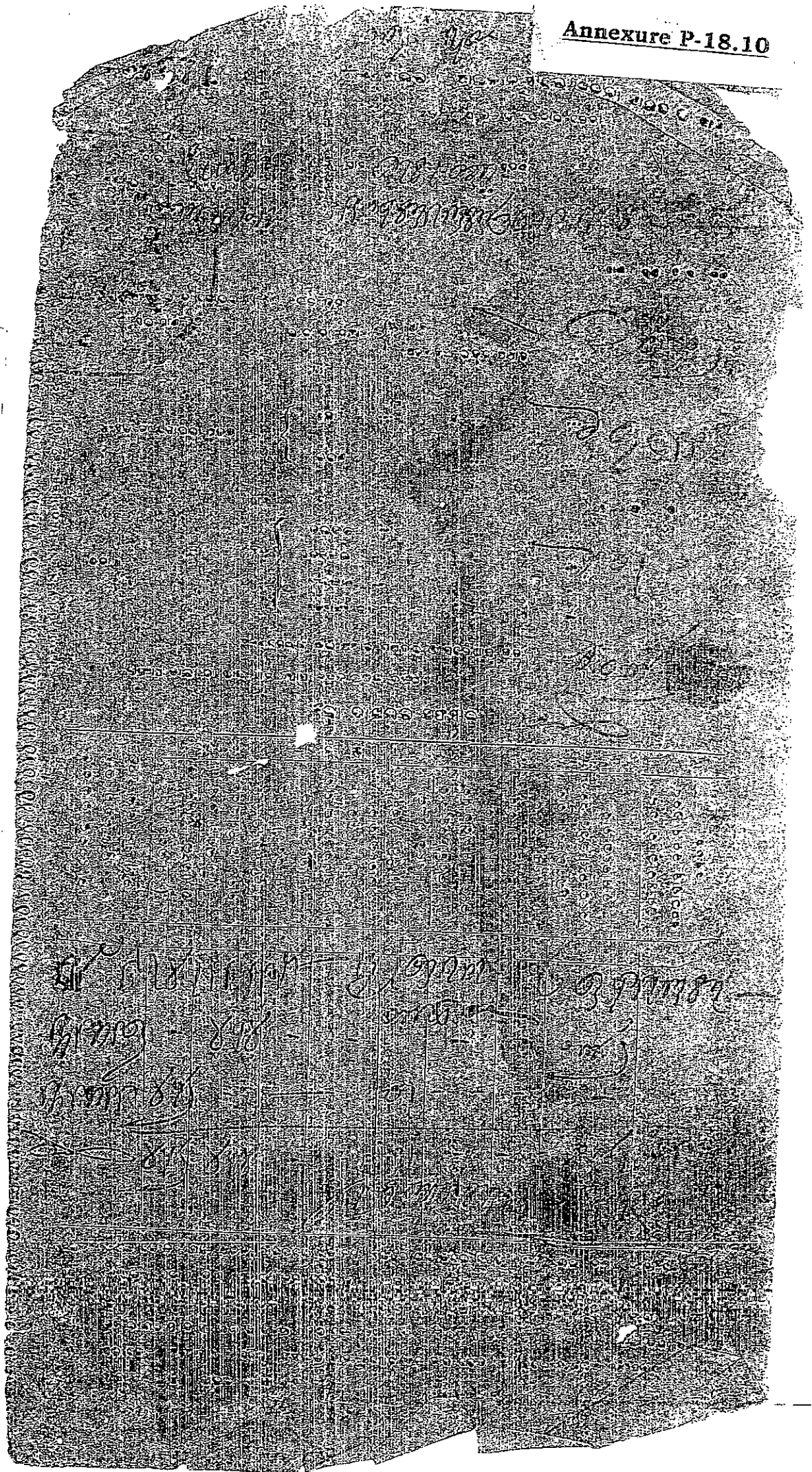
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ମାନବମାନୁ, ଶ୍ରୀମୁଖ ଶ୍ରୀମାନୁ ମାନବମାନୁ ଦମିଧନୁ, ଭବିଷ୍ୟା .

[illegible][illegible]

(କ) ଉକ୍ତଙ୍କ ଦ୍ଵାରା ଉକ୍ତ ଉପକ୍ରମବଦ୍ଧ ଶିକ୍ଷା ଦ୍ଵାରା ଉକ୍ତ (ପାଠକ) ଉକ୍ତ
ପାଠକଙ୍କର ଉକ୍ତ ସମ୍ପର୍କୀୟ ଉକ୍ତ କାମ କରୁଥିବା ଶିକ୍ଷକଙ୍କର -
ମାନ୍ୟତା କର୍ମ ସମ୍ପର୍କୀୟ ଉକ୍ତ ଉକ୍ତ ନି, ଉକ୍ତ ଉକ୍ତ ଉକ୍ତ ଉକ୍ତ
ଉକ୍ତ ମାତ୍ର କାଳୀୟ ଉକ୍ତ ଉକ୍ତ ।

ପଞ୍ଚ କଣିକା ଅନୁସାରେ କଲେକ୍ଟି, ଆଗର
 ଦୁଇପାଖି କିମ୍ବଦନ୍ତୀ ପ୍ରତି ସ୍ୱାକ୍ଷର କଲେକ୍ଟି ଆଗର ଦ୍ୱାପାଦ୍ୟ
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ସା-ଗଡକୁଜଙ୍ଗ, ପୋ-ନୁଆଗାଁ,
ଜିଲ୍ଲା- ଜଗତସିଂହପୁର, ପିନ୍-୭୫୪୧୪୧ (ଓଡ଼ିଶା)

ପ୍ରାଚୀନ,

ମହାଶୟା/ମହାଶୟା,

ଆମେ ନିମ୍ନ ସ୍ୱାକ୍ଷରକାରୀ ବୃନ୍ଦ “କୁଞ୍ଜବିହାରୀ ଗ୍ରାମ୍ୟ ସୁରକ୍ଷା କମିଟି” ସା-ଗଡକୁଜଙ୍ଗ, ପୋ-ନୁଆଗାଁ, ଜିଲ୍ଲା- ଜଗତସିଂହପୁରର କର୍ମ କର୍ତ୍ତା ଅଟୁ । ଆମ ଗଡକୁଜଙ୍ଗ ଗ୍ରା.ପ. ପ୍ରସ୍ତାବିତ ପୋଷ୍ଟା ପ୍ରକଳ୍ପ ଦ୍ୱାରା ପ୍ରତ୍ୟେକ ପ୍ରଭାବିତ ହେଉଥିବା ଯୋଗୁଁ, କେତେକ ମୌଳିକ ତଥା ଯଥାର୍ଥ ସମସ୍ୟା ଉତ୍ପତ୍ତିଅଛି । ଆମ ଗ୍ରା.ପ.ର ସମସ୍ତ ଅଧିବାସୀ ମାନଙ୍କର ସାମୂହିକ ସ୍ୱାର୍ଥ ସୁରକ୍ଷା ନିମନ୍ତେ ଟଦପା ଦାବି ସମ୍ବଳିତ ଏକ ଦାବିପତ୍ର ପ୍ରଦାନ କରିବା ସହିତ ଆଲୋଚନା ମାଧ୍ୟମରେ ଏହାର ଆଶୁ ସମାଧାନ କରିବା ପାଇଁ ଆପଣଙ୍କର ସଠିକ୍ ଉଦ୍ୟମ ଏବଂ ସହଯୋଗ ଆଶା କରୁଅଛୁ ।

ଉକ୍ତ ଦାବି ସମୂହ କର୍ତ୍ତୃପକ୍ଷଙ୍କ ଦ୍ୱାରା ଆଲୋଚନା ମାଧ୍ୟମରେ ସମାଧାନ ନ ହେବା ପର୍ଯ୍ୟନ୍ତ, ଆମେମାନେ ଚଳାଉଥିବା ଗଣତାନ୍ତ୍ରିକ ଆନ୍ଦୋଳନ ଚାଲୁ ରହିବା ସହିତ ଆମ୍ଭମାନଙ୍କର ଯଥାର୍ଥ ଦାବି ହାସଲ ହେବା ପର୍ଯ୍ୟନ୍ତ ଅନ୍ୟ ସମସ୍ତ ପଦକ୍ଷେପ ଗ୍ରହଣ କରିବାକୁ ବାଧ୍ୟହେବୁ ।

ଏଣୁ ଆପଣଙ୍କୁ ଅନୁରୋଧ ଆମର ଦାବି ସମୂହକୁ ବିଚାରକୁ ନେଇ ସମୁଚିତ ପଦକ୍ଷେପ ନେଇ ଆମେମାନଙ୍କ ଚିନ୍ତାପକୃତ ହେବୁ ।

(ଉଚ୍ଚି)

ଚି.ହୁ:- ଏଥି ସହିତ ଏକ ଟଦପା

ଆପଣଙ୍କର

ଦାବିପତ୍ର ସଂଲଗ୍ନ ରରାଗଲା ।

କୁଞ୍ଜବିହାରୀ ଗ୍ରାମ୍ୟ ସୁରକ୍ଷା କମିଟିର

ସଭ୍ୟବୃନ୍ଦ

“କୁଞ୍ଜବିହାରୀ ଗ୍ରାମ୍ୟ ସୁରକ୍ଷା କମିଟି”

ଶ୍ରୀଯୁକ୍ତ ଶ୍ରୀଚରଣ ପରିଡ଼ା (ସଭାପତି)

ଶ୍ରୀଯୁକ୍ତ ରମେଶ ଚନ୍ଦ୍ର ଜେନା (ଉପସଭାପତି)

ଶ୍ରୀଯୁକ୍ତ ସୁବାଷଚନ୍ଦ୍ର ମହାନ୍ତି (ସମ୍ପାଦକ)

ଶ୍ରୀ ସତ୍ୟଜିତ କୁମାର ଦାସ (ସଂଗ୍ରହକାରୀ)

ଶ୍ରୀଯୁକ୍ତ ଅକ୍ଷୟ ଦେବେଶ (କୋଷାଧ୍ୟକ୍ଷ)

“କୁଞ୍ଜବିହାରୀ ଗ୍ରାମ୍ୟ ସୁରକ୍ଷା କମିଟି”

ସା-ଗଡକୁଜଙ୍ଗ, ପୋ-ନୂଆଗାଁ,
ଜିଲ୍ଲା- ଜଗତସିଂହପୁର, ପିନ୍-୭୫୪୧୪୧ (ଓଡ଼ିଶା)



ଦାବିପତ୍ର

୦୧. ଗଡକୁଜଙ୍ଗ ଗ୍ରା.ପ.ର ପ୍ରତି ପରିବାରରୁ ଅନ୍ୟତମ ଦୁଇଜଣଙ୍କୁ ପୋଷ୍ୟୋ କମ୍ପାନୀ ସ୍ଥାପନା ନିୟୁକ୍ତି ଦେବା ପାଇଁ ଚୁକ୍ତିବଦ୍ଧ ହେବା ଆବଶ୍ୟକ । ପୋଷ୍ୟୋ ପ୍ରକଳ୍ପ କାର୍ଯ୍ୟାରମ୍ଭ ଠାରୁ କାର୍ଯ୍ୟକ୍ଷମ ହେବା ପର୍ଯ୍ୟନ୍ତ ପ୍ରତି ପରିବାରରୁ ଅନ୍ୟତମ ୨ ଜଣଙ୍କୁ ପରିଚୟ ପତ୍ର ଦେବା ସଙ୍ଗେ ସଙ୍ଗେ ବେକାରୀ ଭରା ଏବଂ ସେମାନଙ୍କୁ ବୈଷୟିକ ତାଲିମ ଦେବାର ବ୍ୟବସ୍ଥା କରାଯାଉ ।
୦୨. ଗଡକୁଜଙ୍ଗ ଗ୍ରା.ପ. ଅନ୍ତର୍ଭୁକ୍ତ ଯେଉଁ ସରକାରୀ (ଜଙ୍ଗଲ ଜମି)କୁ ପୋଷ୍ୟୋ କମ୍ପାନୀ ଅଧିଗ୍ରହଣ କରୁଅଛି, ଯଦ୍ୟପି ସେଥିରେ କୌଣସି ବଡ଼ ବଡ଼ ଗଛ ବା ଚିଙ୍ଗୁଡି ଘେରି ନାହିଁ କିନ୍ତୁ ସେଥିରେ ଥିବା ଝାଡ଼ି ଜଙ୍ଗଲ ଯାହାକି, ପାନ ବରଜର ଛାଇ ପାଇଁ ବହୁଳ ଭାବେ ବ୍ୟବହୃତ ହୁଏ ତାହା 1000 ଦ୍ଵାରା କଟାଯାଇ ସମ୍ପୂର୍ଣ୍ଣ ଧ୍ଵଂସ ହେବା ଯୋଗୁଁ ପାନବରଜ ଗୁଡ଼ିକ ପ୍ରଭାବିତ ହୋଇନିଅନ୍ତୁ ହେବାକୁ ବ୍ୟବସ୍ଥା । ଏଣୁ ଭବିଷ୍ୟତରେ ଗଡକୁଜଙ୍ଗ ଗ୍ରା.ପ.ର ପାନବରଜ ସମ୍ପୂର୍ଣ୍ଣ ଲୋପ ପାଇ ସମସ୍ତଙ୍କର ଜୀବନ ଜିବିକା ଉପରେ ପ୍ରତିକୂଳ ପ୍ରଭାବ ପକାଇବା ସୁନିଶ୍ଚିତ । ତେଣୁ ଅଧିଗ୍ରହଣ ହେଉଥିବା ଜଙ୍ଗଲ ଜମି ପାଇଁ କ୍ଷତିପୂରଣ ଆର୍ଯ୍ୟ କରାଯାଇ କମିଟି ମାଧ୍ୟମରେ ପ୍ରତି ପରିବାରକୁ ବ୍ୟବସ୍ଥା କରାଯାଉ ।
୦୩. ପୋଷ୍ୟୋ ପ୍ରାଚୀର ସାମା ନିକଟକୁ ଥିବା ଗ୍ରା.ପ. ଅଧିବାସୀ ମାନଙ୍କର ସମସ୍ତ ପାନବରଜ ଯାହାକି ପ୍ରଭାବିତ ହେଉଅଛି, ସେଗୁଡ଼ିକୁ ଅଧିଗ୍ରହଣ କରାଯାଇ କ୍ଷତିପୂରଣ ପ୍ରଦାନ କରାଯାଉ । ପାନବରଜ ଉପରେ ନିର୍ଭର କରି ପରିବାର ପ୍ରତିପୋଷଣ କରୁଥିବା କୃଷିଶ୍ରମିକ ମାନଙ୍କୁ କ୍ଷତିପୂରଣ ଦେବା ସହିତ ସେମାନଙ୍କର ରୋଜଗାରର ବିକଳ ବ୍ୟବସ୍ଥା କରାଯାଉ ।
୦୪. ବାଡ୍ୟା ତଥା ଲୁଆର ପ୍ରତିରୋଧକାରୀ ଜଙ୍ଗଲ କଟାଯିବା ଦ୍ଵାରା ଏହାର କୁ-ପ୍ରଭାବ ପଡ଼ିବା ଏବଂ ପରିବେଶ ଅସନ୍ତୁଳନ ହେବାର ସମ୍ଭାବନା ଥିବା ହେତୁ, ବ୍ୟାପକ ଜଙ୍ଗଲ ସୃଷ୍ଟି କରାଯିବା ସହିତ ଲୁଆର ପ୍ରତିରୋଧକାରୀ ବନ୍ଧ ନିର୍ମାଣ ହେବା ନିତାନ୍ତ ଜରୁରୀ ।

(P.T.O)

୦୫. ପୋଷ୍ଟା ପ୍ରକଳ୍ପ ପାଇଁ ଗତକୃତ୍ତ ଗ୍ରା.ପ.ରେ ହେବାକୁ ଥିବା ଭିତ୍ତିଭୂମି ବିକାଶ ଯଥା- (ବାଲି ଯୋଡ଼ାଇ, ରାସ୍ତା ନିର୍ମାଣ, ପ୍ରାଚୀର ନିର୍ମାଣ) ତଥା ଅନ୍ୟାନ୍ୟ ନିର୍ମାଣ କାର୍ଯ୍ୟ କମିଟିର ପ୍ରତ୍ୟକ୍ଷ ଅନୁମୋଦନ, ତତ୍ତ୍ୱାବଧାନ, ତଥା ସଂପୃକ୍ତ ଏବଂ ସହାୟତାରେ କରାଯାଉ ।
୦୬. ଚଞ୍ଚଳତା ପୂର୍ବକ ଚିରୁତି ଚାଷ ପାଇଁ ସ୍ୱଳ୍ପ ମୂଲ୍ୟରେ ଜମି କ୍ରୟ କରି ପରିବର୍ତ୍ତା ଅବସ୍ଥାରେ ତାହାକୁ "POSCO" କମ୍ପାନୀକୁ ହସ୍ତାନ୍ତର କରାଯାଇ, ସେଠାରେ ଅଭିଯାନ କଲୋନୀ ପାଇଁ କାର୍ଯ୍ୟାରମ୍ଭ ହେବାରୁ ସରଳ ବିଶ୍ୱାସରେ ଜମି ହରାଇଥିବା ମୂଳ ଜମି ମାଲିକମାନେ କମ୍ପାନୀ ମୂଲ୍ୟାୟନରେ ପ୍ରାପ୍ୟ ପାଇବାରୁ ବଞ୍ଚିତ ହେବା ସହିତ R&R Policy ର ଅନ୍ତର୍ଭୁକ୍ତ ହେବାରୁ ବଞ୍ଚିତ ହୋଇଛନ୍ତି । ଯେହେତୁ, POSCO ପାଇଁ MOU ବଳବତ୍ତର ଥିବା ସମୟରେ, ଚଞ୍ଚଳତା କରାଯାଇ ଜମି କ୍ରୟ ବିକ୍ରୟ ହୋଇଅଛି । ତାହାକୁ ବିଚାରକୁ ନିଆଯାଇ ମୂଳ ଜମି ମାଲିକଙ୍କୁ ଉପଯୁକ୍ତ ମୂଲ୍ୟ ଦେବା ସଙ୍ଗେ ସଙ୍ଗେ ସେମାନଙ୍କ ପରିବାରକୁ R&R Policy ରେ ଅନ୍ତର୍ଭୁକ୍ତ କରାଯାଉ ।
୦୭. ପୋଷ୍ଟା ବିରୋଧୀ ଆକରେ ଗତକୃତ୍ତ ଗ୍ରା.ପ.ର କେତେକ ଅଧିବାସୀଙ୍କ ନାମରେ ହୋଇଥିବା ସମସ୍ତ ମିଥ୍ୟା ମୋକଦ୍ଦମାକୁ ତୁରନ୍ତ ପ୍ରତ୍ୟାହାର କରାଯାଉ ।
୦୮. ପୋଷ୍ଟା ପ୍ରକଳ୍ପ ଦ୍ୱାରା ପ୍ରଭାବିତ ଗତକୃତ୍ତ ଗ୍ରା.ପ.ର ସାମୁହିକ ସ୍ୱାର୍ଥ ସୁରକ୍ଷା ପାଇଁ "କୁଞ୍ଜବିହାରୀ ଗ୍ରାମ୍ୟ ସୁରକ୍ଷା କମିଟି" ଗଠନ କରାଯାଇ କେତେକ ଯଥାର୍ଥ ତଥା ମୌଳିକ ସମସ୍ୟା ଉପସ୍ଥାପନ କରାଯାଇଅଛି । ତାହା ପ୍ରଶାସନ ତଥା କମ୍ପାନୀ କର୍ତ୍ତୃପକ୍ଷଙ୍କ ସହ ଆଲୋଚନା ମାଧ୍ୟମରେ ସମାଧାନ ନିମନ୍ତେ କମିଟିର କିଛି ସଦସ୍ୟଙ୍କୁ R.P.D.A.C. କମିଟିରେ ତୁରନ୍ତ ଅନ୍ତର୍ଭୁକ୍ତ କରାଯାଉ ।

“କୁଞ୍ଜବିହାରୀ ଗ୍ରାମ୍ୟ ସୁରକ୍ଷା କମିଟି”

ଶ୍ରୀଯୁକ୍ତ ଶ୍ରୀଚରଣ ପରିଡ଼ା	(ସଭାପତି)
ଶ୍ରୀଯୁକ୍ତ ରମେଶ ଚନ୍ଦ୍ର ଜେନା	(ଉପସଭାପତି)
ଶ୍ରୀଯୁକ୍ତ ସୁବାଷଚନ୍ଦ୍ର ମହାନ୍ତି	(ସମ୍ପାଦକ)
ଶ୍ରୀ ସତ୍ୟେଶ କୁମାର ଦାସ	(ସହସମ୍ପାଦକ)
ଶ୍ରୀଯୁକ୍ତ ଅକ୍ଷୟ ବେହେରା	(କୋଷାଧ୍ୟକ୍ଷ)

To

Annexure P-21

The Chairman Central Enquiry Committee on F.R.A

Sub- Implementation of F.R.A ,2006

Sir,

We the inhabitants of village Nuagan , Ps-Kujang , Block- Erasama , Dist- Jagatsinghpur in the state of Odisha beg to lay the followings for favour of your kind information and sympathetic consideration .

1. That this village is itself a Panchayat consisting of 16(Sixteen) wards with an approximate population of 5000 which comes under the POSCO -INDIA mega Project along with other two Gram Panchayat namely Dhinkia and Garhkujang About-70 % of the people of this locality are land less and are managing their livelihood by way of physical labour in betel-vine farms , selling of firewood, fish ,crab etc in the local market .

2. That the villagers of this locality are depending on the forest adjacent to the village since generations together : They are collecting fire wood , wood for thatched house-sheds . Forest products like medicinal herbs, pandanus flowers used for preparation of essence, using the forest field as the grazing ground for goats, cattle, buffaloes etc . Collecting fish and crabs from the nearby river Mahanga which meets the Bay of Bengal at Jatadhari Muoth .

3. After the declaration of F.R.A 2006 a F.R.C was constituted during the year 2008 as per the rules framed by the State Govt. which was also approved by the concerned authorities .

4. When the inhabitants prepared their demand papers in form 'A' and wanted to deposit the concerned officials did not accept those on the plea that no ST or 'Janajati' are living in the locality .

5. After the visit of Saxena Committee during last July 2010 we could ascertain that fresh demand application can be made with Pali Sabha resolution for extending of time limit .

6. We have submitted all the papers with relevant documents to the concerned official by this time ,total photo-copies of which is attached herewith for your kind information and appraisal .

7. As to the State Govt.'s objection that the inhabitant started to live in this area since 50 to 60 years back ,we draw your kind attention that the Xerox copies of 'Pattas' of 1931 have been submitted and also enclosed here with to as certain that the inhabitant started their living since 1920 & before .

8. As to the objection raised by the state Govt. that there were no natural forest over this area and only the plantation was made during the year 1962 , we would say that natural forest was there and the Burdwan state were issuing permits for forest products required for betel-vine plantations , the Xerox-copies of such receipts are also being attached here with which had also been submitted to the state Govt. .

9. This area is prone to cyclones and the super cyclone of 1999 hit this coast very badly , But the human live stock could be saved only for Jhaun ,forest and the sand rocks standing over forest land and Govt. land .

10. On the bank of river Mahanga prawn culture is being done by the people of this locality helping the Govt. to earn foreign exchange by means of export and the betel leaves are being sent to places like Mumbai, Gujarat and even to Pakistan through Indian Railways by which the Railways earning a lot on freight charges.

Under the above circumstances we beg to say that if the POSCO - India mega project will be setup here the common people shall be simply street-beggars without finding out the way for their lively hood. Mostly the labourers group will suffer a lot.

Hence we would request your highness to look in to the matter in positive way with proper inquiry and justice be given to these people residing in this locality.

Thanking You

Yours Faithfully

Bhaskar Chaudhary

22/8

Suresh Chaudhary

NUAGAN

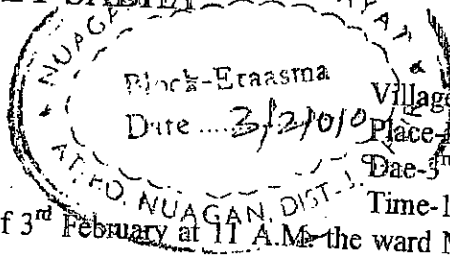
22/8/10

President, FRC Nuagan

On behalf of the villagers

Dated Nuagan

NUAGAN GRAM PANCHAYAT
PALLY SABHA



On this day of 3rd February at 11 A.M. the ward Members of 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16

Nuagan G.P. a meeting of Pally Sabha was presided by Sj. Bhagaban Das. As per the Notice No.164 dated 19.01.2010 issued by the B.D.O. Erasama and Notice No.,6 issued by the district collector Jagatsinghpur letter No.2933 dated 19.12.2009 about the acquisition of 271.135 hctrs and Jatadhar's 76.587 hectors of forest land habituated by the village people to be converted into non-forest land. The presence and signatures of the people presented at the Pally Sabha meeting are conducted:

At first the Sarpanch Sj. Bhaskar Swain read the notice No.164 dated 19.01.2010 served by the B.D.O. Erasama among the people presented in the meeting. As per the notice to setup POSCO project it was necessary for the Administration to convert 271.135 hectors and Jatadhar's 76.587 hectors of forest land into non-forest land. In order to do so the consent of the people presented in the Pally Sabha to be taken into consideration.

In the meeting Sj. Suresh Chandra Mohapatra retired High School headmaster, Nuagan said the forest land demanded for POSCO project is used by the people from their fore-fathers for the cultivation of Betel-vine, Cashew nut, paddy, pisciculture, coconut, drumstick, cereals and pulses. Ajay Swain said this particular coastal land is not an appropriate soil for industrialization as it gives ample scope for livelihood to many people. This forest land is granary and profitable place for agriculture. At the end Sarpanch Bhaskar Swain said the entire forest land demanded by the Administration to construct POSCO project is full of casurina forest, sweet sand, sweet underground water and high sand-dune creating a congenial basis for agricultural production.

After through discussion it was un-animiously passed in the meeting not to convert the occupied forest land into non-forest land(as per the Sec.210 of 2006 Forest Acquisition Right Act) and permanent Patta should be issued to the people residing on this land :

- 1) The forest situated from the coast line towards the village boundary protects the people of three panchyat from the super cyclone of October 1999. About 40fts of sea waves flows the entire Jagatsinghpur district.but the forests acts as a safe natural sea wall which is real mother.

2) About more than 300 years, the people of Nuagan are living in the forest land. As per the Sec.210 of 2006 Forest Acquisition Right Act we are non-contemporary forest dwellers.

3) We are using this land for cultivation of Betel-vine, Cashew nut, paddy, pisciculture, coconut, drumstick, cereals and pulses. The pasture land is also used for grazing domestic animals like cattle, goats, sheep and pigs. We have to oppose the forceful and illegal conversion of forest land into industrial purpose since used for our benefit by our ancestors.

4) Our right to acquire the forest land is not yet given recognition by the state issuing patta to us. Any act to obstruct our right without our consent is illegal.

5) As per the sec.3 (1) of the Forest Acquisition Right Act 2006 we have the right to protect the natural heritage, habitants of the forest animals, water-slides and environmental aspects that threaten us. We are protesting completely for construction of POSCO at our cost.

6) According to this act without the consent of the local people the forest land should not be converted into non-forest land which also clearly indicated by the Environment and Forest Ministry as per their guidelines issued on July 30 2009. The Ministry stated clearly that 51 % of the people presented in the Pally Sabha should given written consent in order to convert the forest land into non-forest land.

7) (i) This Pally Sabha has un-animously passed the right to acquire forest land and its related resources for the people's benefit and not to deliver it to the Administration to set-up POSCO forcefully and illegally.

(ii) As per the Forest Land Acquisition Act 2006 we are demanding before the government to issue Patta in order to respect to the people's mandate in this Pally Sabha.

At last thanks given to the president and other members presented in the meeting and the meeting is now over.

Bhaskar Chandra Swain
Bhaskar Chandra Swain
Sarpanch Nuagan G.P.

Bhagaban Das
Bhagaban Das
President
3/12/10

Date.

Copies of this resolution are given to the collector Jagatsinghpur, B.D.O. Erasama for immediate action and justice to the people of Nuagan.

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From
Damodar Sarangi
Special Rapporteur,
NHRC, East Zone - 1

Aurobindo Villa
Ananta Vihar
Plot No. 217/4
Pokhariput
Bhubaneswar - 751020

DS/ Spl. Rptr. / NHRC - 01/08-13 Dated - 01.08.2013

To
Sri Sunil Arora
Deputy Registrar (Law)
National Human Rights Commission
Faridkot House, Copernicus Marg
New Delhi - 110 001

Sub: Issues related to proposed POSCO Project in Jagatsinghpur.

Kindly refer to your letter no. 703/18/23/07-08/FC dated 13.06.2013 with which you had enclosed copies of the following representations for my comments.

i. Representation from Shivani Chaudhry, Associate Director, Housing and Land Rights Network.

In her representation, she has alleged that between 3rd and 5th February, district officers, accompanied by a posse of police force destroyed 50 betel vines and cut several trees in Gobindpur village. The police indiscriminately hit the protestors, including women and children with *lathi* injuring about 50 of them. A number of protesters were arrested. It has further been alleged in the petition that even though the MOU with POSCO has expired in 8th June 2010, the state government continues to acquire land for the company forcibly, in violation of various laws, norms and covenants, like the Forest Rights Act 2006, orders issued by the National Green Tribunal, the International Covenant on Economic, Social and Cultural Right etc.

ii. Representation from Arati Chokshi, People's Union for Civil Liberties,

In her petition, she has alleged that on 5th February 2013, the state police used brutal force in Gobindpur village, resulting in injuries to a

number of persons, including women and children, who were protesting against forcible acquisition of land for the company.

iii. Representation from Sri Sanjeev Kumar, Coordinator-Delhi Forum.

With his representation, he has enclosed a "Fact Finding Report on abuse of the criminal system to curb dissent against the POSCO steel plant in Odisha" released by Alternative Law Forum, Delhi, highlighting the "*Biased and arbitrary functioning of the police, Registration of false cases against persons resisting POSCO, Failure to take any action against hired goons and the police etc*".

2. In this connection, I would like to inform you that since December 2007, the Hon'ble Commission has been dealing with the grievances of the people of Dinkia, Gobindpur and Gadakujang Panchayats in Jagatsinghpur district of Odisha, emanating from the actions initiated by the state government for acquisition of their land/government land under their possession for generations, for the setting up of a steel plant by POSCO, a South Korea based multinational company.

Between July 2008 and April 2013, under directions from the Commission, I have paid four separate visits to the proposed project areas (including one in April 2012, when I accompanied Hon'ble Member Sri Satyabrata Pal in his visit to the area), interacted extensively with the project affected people and government officials of the line departments, and submitted exhaustive reports to the Commission, explaining the situation prevailing in the area, the grievances of the project affected people, and the status of implementation of the recommendations of the Commission.

In this connection, you may kindly refer to my memo nos. DS/ Spl. Rptr./NHRC-05/09-08 dated 08.09.2008, DS/Spl. Rptr./NHRC-05/01-11 dated 10.01.2011, DS/Spl. Rptr./NHRC-01/11-11 dated 15.11.2011, and DS/Spl. Rptr./NHRC-10/04-13 dated 29.04.2013 and the Commission's Proceedings dated 22.10.2012. (O-XV) → P-668-68C
Vol-I
P-71-17a
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P-345-38
Vol-II
Vol-III

Most of the grievances, highlighted in the representations quoted above, have already been addressed in these reports

3. I would further like to mention here that Hon'ble Member Sri Satyabrata Pal had visited the project area on 10.04.2012 and had exhaustive interactions with the project affected people, followed by detailed discussions with officers of the state government, including the Chief Secretary, in course of which he had issued certain directions for

implementation by the state government. This refers to the Commission's proceedings dated 12th April 2012.

Most of these directions/recommendations have not been implemented till date, as has been reported to the Commission in my letter no. DS/Spl. Rptr./NHRC-10/04-13 dated 29.04.2013.

4. As has been already reported to the Commission, the future of the project remains uncertain. The MOU, which lapsed in 2010, has not been renewed. The National Green Tribunal have stayed the felling of trees from the project areas. The availability of iron ores from Khandadhar Hills for the plant is embroiled in court cases. Issues relating to the availability of water for the steel plant are yet to be resolved. Going by the information available in the public domain, the likelihood of the project materializing in the foreseeable future appears to be very dim.

It is unfortunate that the state government has been dismantling betel vines and cutting down trees from the project areas with police help, without addressing the outstanding issues relating to the rehabilitation and the livelihood of the affected families, in utter disregard to the recommendations of various statutory and other authorities including the Hon'ble Commission. The situation in the project areas continues to remain tense. The project affected families are becoming restless on the one hand and cynical regarding the prospect of institutional redress on the other. In the above circumstances, the implementation of the outstanding recommendations of the Commission brooks no further delay. The Commission may consider taking appropriate coercive action for the implementation of its recommendations.

5. As directed by the Commission, I will remain present in the Full Commission's Meeting fixed for 12.08.2013.

Damodar Sarangi