

GOVERNMENT OF ODISHA
ST & SC DEVELOPMENT DEPARTMENT

No. _____16704_____/SSD, Bhubaneswar the Dated:- 29th August, 2018.
STSCD-TPR-COMMT-0004-2014

From,
Shri R. Raghu Prasad,
Commissioner-cum-Secretary to Govt.

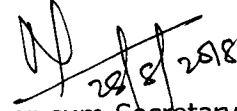
To,
The All Members,
Tribes Advisory Council

**Sub.: Proceedings of the meeting of the Tribes Advisory Council held on
28.06.2018.**

Madam/ Sir,

I am to enclose herewith a copy of the proceedings of the meeting of the Tribes Advisory Council held under the Chairmanship of the Hon'ble Chief Minister, Odisha on 28.06.2018 at 11.45 AM in the 3rd Floor Conference Hall of the Secretariat for favour of information.

Yours faithfully,


Commissioner-cum-Secretary to Govt.

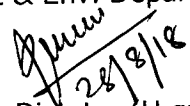
Memo No. _____16705_____/ SSD, Dt. 29.08.2018.

Copy along with copy of the proceedings of the meeting of the Tribes Advisory Council held on 28.06.2018 forwarded to Addl. Chief Secretary to Chief Minister / Private Secretary to Minister, ST & SC Dev. and M & BCW for kind information of Hon'ble Chief Minister and Hon'ble Minister.


Asst. Director (H.qrs.)

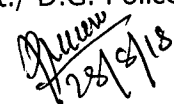
Memo No. _____16706_____/ SSD, Dt. 29.08.2018.

Copy along with copy of the proceedings of the meeting of the Tribes Advisory Council held on 28.06.2018 forwarded to O.S.D to the Chief Secretary / Private Secretary to DC cum ACS/ Private Secretary to A.C.S. Finance /P.S.to ACS, Home/ P.S. to ACS, MSME/ P.S. to ACS, Forest & Env. for favour of kind information of the Chief Secretary/ DC cum ACS/ A.C.S. Finance/ACS, Home/ ACS, MSME/ACS, Forest & Env. Department.


Asst. Director (H.qrs.)

Memo No. _____16707_____/ SSD, Dt. 29.08.2018.


Copy along with copy of the proceedings of the Meeting of Tribes Advisory Council held on 28.06.2018 forwarded to all Principal Secretaries to Govt., / all Commissioner-cum-Secretaries to Govt./ EIC-cum-Secretary to Govt. Works Deptt./ D.G. Police for favour of information and necessary action.


Asst. Director (H.qrs.)

Contd.

Memo No. _____16708_____ / SSD, Dt. 29.08.2018.

Copy along with copy of the proceedings of the Meeting of Tribes Advisory Council held on 28.06.2018 forwarded to the Asst. Director and Regional Head, National Commission for STs, At : N/ 1 - 297, IRC Village, Bhubaneswar for information and necessary action.


Asst. Director (H.qrs.)

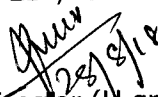
Memo No. _____16709_____ / SSD, Dt. 29.08.2018.

Copy along with copy of the proceedings of the Meeting of Tribes Advisory Council held on 28.06.2018 forwarded to the Private Secretary to the Commissioner-cum-Secretary to Govt., ST & SC Dev. Deptt/ P.A. to Director (ST)-cum-Spl. Secretary to Govt.,/ P.S. to Spl. Secretary to Govt. SSD / P.A to Director (SC Welfare),/ P.As. to Adl. Secretary to Govt.SSD / P.A. to Director, OBC/All other Officers of the ST & SC Dev. Deptt. for information and necessary action.


Asst. Director (H.qrs.)

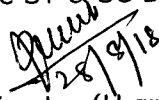
Memo No. _____16710_____ / SSD, Dt. 29.08.2018.

Copy with copy of the proceedings of the Meeting of Tribes Advisory Council held on 28.06.2018 forwarded to the Director & Spl. Secretary, SCSTRTI / P.D. OPELIP / Member Secretary, ATLC / MD, TDCCOL / M.D. OSFDC / G.M. TRIFED / G.M. NAFED for information and necessary action.


Asst. Director (H.qrs.)

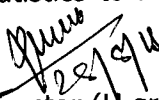
Memo No. _____16711_____ / SSD, Dt. 29.08.2018.

Copy along copy of the proceedings of the Meeting of Tribes Advisory Council held on 28.06.2018 forwarded to all Desk Officers / Section Officers of the ST & SC Dev. Deptt. for information and necessary action.


Asst. Director (H.qrs.)

Memo No. _____16712_____ / SSD, Dt. 29.08.2018.

Copy along copy of the proceeding of the Meeting of Tribes Advisory Council held on 28.06.2018 forwarded to Sri Sujit Mukherjee, Special Officer, Statistics to incorporate the proceeding in the website of this Department.


Asst. Director (H.qrs.)

**PROCEEDING OF THE MEETING OF THE TRIBES ADVISORY COUNCIL
HELD ON 28.06.2018 AT 11.45 AM IN THE 3RD FLOOR CONFERENCE
HALL OF STATE SECRETARIAT**

The meeting of the Tribes Advisory Council (TAC) was held under the Chairmanship of Hon'ble Chief Minister, Odisha on 28th June 2018 at 11.45 AM in the 3rd floor Conference hall of State Secretariat. The list of members and officers present in the meeting is enclosed at **Annexure-I**.

The Commissioner cum Secretary, ST&SC Development, Minorities & Backward Classes Welfare Department welcomed all the members and officers to TAC meeting. Hon'ble Minister, ST&SC Development, Minorities & Backward Classes Welfare Department emphasised that the State Government is committed towards welfare of the tribal population of the state and have been proactively implementing various schemes including distribution of Forest Right titles, providing residential schooling facility for around 5.5 lakh ST students and constitution of Special Development Councils.

Thereafter discussions were held Agenda wise and following decisions were taken.

Agenda No. 1: *Confirmation of the proceedings of the Tribes Advisory Council Meeting held on 14.05.2015.*

The proceedings of the last Tribes Advisory Council meeting held on 14.05.2015 were communicated to all members vide ST&SC Development, Minorities & Backward Classes Welfare Department letter No. 16617 dated 18.08.2015. No suggestions were received from members for modification of the proceedings. Hence the proceedings were confirmed.

Agenda No. 2: *Compliance on the decisions taken in the last Tribes Advisory Council Meeting held on 14.05.2015.*

The Action Taken Report on the decisions taken in the last TAC meeting held on 14.05.2015 was placed before the Council and after detailed discussion the same was approved.

2.1 *Implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.*

As per the decisions taken in the last Tribes Advisory Council meeting the R&DM Department & ST&SC Development Department had instructed all Collectors to take up the demarcation and correction of RoRs for the individual Forest Rights distributed. Accordingly demarcation of 2.64 lakh titles have been completed.

The Hon'ble members observed that the demarcation of balance FRA titles needs to be completed in a time bound manner.



2.2 Status of Implementation of the ORV Act, 1975

The Hon'ble members were appraised that the Orissa Reservation of Vacancies in Posts and Services (For Scheduled Caste and Scheduled Tribes) Act, 1975 is being meticulously followed to ensure adequate representation of ST and SC community in posts and services under the State Government. The Hon'ble members were informed that currently, the principle of Post Based Reservation has been introduced instead of vacancy based roster, based on the Judgments of Hon'ble Supreme Court Writ Petition (civil) 61 of 2002, M. Nagraj Vs Union of India.

Hon'ble TAC members recommended that Special Recruitment drive should be conducted by departments for filling up of the backlog ST&SC vacancies.

Agenda No. 3: Approval of Annual Report on Administration of Scheduled Areas of the State for 2013-14, 2014-15 & 2015-16.

The Annual Report on Administration of Scheduled Areas of the State for the FY 2013-14, 2014-15 and 2015-16 were approved.

Agenda No. 4: Proposal for Amendment of Regulation 2 of 1956. (Agenda proposed by R & DM Department)

The proposal of Revenue and Disaster Management Department for considering certain amendments in the provisions in the Regulation 2 of 1956 was earlier placed before an Inter-Ministerial Committee under the Chairmanship of Hon'ble Minister, R&DM Department for detail examination and deliberations. The recommendation of the Inter-Ministerial Committee was discussed and approved by the TAC as follows:

- i. The Section 3 (1) of the Odisha Scheduled Areas Transfer of Immovable Property (by Scheduled Tribes) Amendment Regulation, 2000 shall be read as "(1) Notwithstanding anything contained in any law for the time being in force any transfer of immovable property by a member of Scheduled Tribe, except by way of exchange for public purpose or mortgage executed in favour of any public financial institution for securing loan granted by such institution for the purpose of agriculture, construction of residential house, higher studies of children, self-employment, business or establishment of small-scale industry with the prior permission in writing by the Sub-Collector, shall be absolutely null and void and of no force or effect whatsoever, unless such transfer is made in favour of another member of Scheduled Tribe."
- ii. There will be no restriction of sale of land by a Scheduled Tribe in rural and urban areas provided the annual income of the Scheduled Tribe who want to sell the land is Rupees six lakh and above and after sale of such land he / she does not become home-steadless or land less.
- iii. The minimum extent of land remaining with a Scheduled Tribe after sale in the urban area which is classified as Municipal Corporation and



Municipality and Notified Area Council will be 4 decimal, 10 decimal and 0.5 acres respectively.

- iv. The minimum extent of land remaining with a Scheduled Tribe after sale in rural area will be 1.5 acres for an irrigated area and 3 acres of land for non-irrigated area.
- v. The auction of Scheduled Tribe land mortgaged shall be sold by public auction in favour of a member of Scheduled Tribe by giving wide publicity while inviting application from the willing person belonging to Scheduled Tribe to purchase the property so put to auction. In case of non-settlement of the said land through auction, it should be taken to Government Khata by means of payment in bench mark valuation and would be provided to landless tribal families or used for public purpose for them.
- vi. The appeal period will be enhanced from 1 (one) month to 1 (one) year. Period of revision will remain as 5 (five) years.

AGENDA No.5 : *Proposal for inclusion of RAJUAL/RAJUAD communities in the ST list of Odisha as the phonetic variations of the listed community RAJUAR at Sl. No.57.*

As RAJUAL, RAJUAD community of Mayurbhanj and Balasore districts fulfill all the criteria prescribed by Government of India for determination of Scheduled Tribes, the Council unanimously decided to recommend the proposal to Government of India for inclusion of RAJUAL, RAJUAD community as a phonetic variation of the listed community RAJUAR at Sl. No.57.

Further, the Council also decided that BAGAL may not be recommended to be included in the ST list because they do not possess tribal characteristics.

Agenda No. 6 : *Identification of the Blocks where ST Population is more than 50% for its inclusion in the TSP Area.*

As per the 2011 census the ST population of three blocks, namely Kirimera and Laikera blocks of Jharsuguda district and Jujumora block of Sambalpur district is more than 50%. The Hon'ble TCA members were informed that, based on the guidelines of the Ministry of Tribal Affairs, GoI these three blocks have already been proposed to the Ministry for inclusion in the TSP Area of the State, wherein the ST population is more than 50%.

Agenda No. 7 : *Rationalization of Scheduled Areas of Odisha*

The Scheduled Areas of Odisha was notified vide "The Scheduled Areas (State of Bihar, Gujarat, Madhya Pradesh and Orissa) Order, 1977 dated 31.12.1977". In the meantime district administration areas of Odisha has been re-organized in the year 1993 and 1995 and the erstwhile districts including the districts coming under Scheduled Areas have been bifurcated and new districts have been created.

Accordingly the proposal for reorganization of the scheduled areas of the State based on the reorganized administrative units, was approved by the TAC for submission to Government of India. The approved proposal for reorganization of the scheduled areas is enclosed in **Annexure-II**.

Agenda No. 8: Framing of State Specific PESA Rules

In order to protect the customs, rights and livelihood of the people living in scheduled areas, the PESA Acts was enacted by Government of India in 1996, which provided emphasis on creating people centric governance and peoples control over community resources and their life with vital role to be played through Grama Sabhas.

The provisions of Part IX of the Constitution relating to the Panchayats have been applied to the Grama Panchayats and Panchayat Samities of Scheduled Areas since 22.04.1994 and to the Zilla Parishads of Scheduled Areas since 22.12.1993 by means of Government Notifications. After enactment of PESA Act in 1996, all the three tier PRI Acts (Odisha Grama Panchayats Act, 1964, Odisha Panchayat Samiti Act, 1959 and Odisha Zilla Parishad Act, 1991) have been suitably amended for implementation of the Act in Scheduled Areas since 1997.

In order to make a clear frame work, a model Odisha PESA Rule was prepared by Panchayati Raj and Drinking Water Department.

The Commissioner cum Secretary, Panchayati Raj and Drinking Water Department informed the Council that the revised rule prepared under the advice of the Law department shall be submitted to the Law department again for vetting.

Hon'ble Chief Minister in his address emphasized the commitment of the State Government towards providing economic empowerment, enhanced livelihood opportunities, education and skill development for the tribal population of the State. Hon'ble Chief Minister stressed that the State government will continue to ensure that every tribal child gets the best possible education. Hon'ble Chief Minister stated that Special Development Councils have been constituted in nine tribal dominated districts for the development of tribal areas, welfare of the tribal people and preservation & promotion of their cultural heritage.

The meeting ended with vote of thanks to the chairman and all Hon'ble members.

By Order of Chief Minister


29/8/2018
Commissioner cum Secretary

Annexure-I

**Members present in the Tribes Advisory Council Meeting Held on
28.06.2018 in the 3rd Floor Conference Hall, Secretariat.**

| Sl. No. | Name of the Members / Officers | Designation |
|----------------|---|--|
| 1 | Sri Naveen Patnaik | Hon'ble Chief Minister, Odisha, Chairman |
| 2 | Sri Ramesh Chandra Majhi | Hon'ble Minister, ST & SC Development, Minorities & Backward Classes Welfare Department, Deputy Chairman |
| 3 | Smt Sarojini Hembram, Hon'ble M.P., Rajya Sabha | Hon'ble Member, TAC |
| 4 | Sri Jhina Hikaka, Hon'ble M.P. Koraput | Hon'ble Member, TAC |
| 5 | Dr. Prafulla Majhi, Hon'ble MLA, Talsara | Hon'ble member, TAC |
| 6 | Sri Abhiram Naik, Hon'ble MLA, Keonjhar | Hon'ble member, TAC |
| 7 | Sri Mangal Singh Mudi, Hon'ble MLA, Jashipur | Hon'ble member, TAC |
| 8 | Sri Sananda Marndi, Hon'ble MLA, Baripada | Hon'ble member, TAC |
| 9 | Sri Bhujabal Majhi, Hon'ble MLA, Dabugam | Hon'ble member, TAC |
| 10 | Sri Trinath Gomango, Hon'ble MLA, Gunupur | Hon'ble member, TAC |
| 11 | Sri Kailash Chandra Kulesika, Hon'ble MLA, Laxmipur | Hon'ble member, TAC |
| 12 | Sri Lal Bihari Himirika, Hon'ble MLA, Rayagada | Hon'ble member, TAC |
| 13 | Sri Bedabyasa Nayak, Hon'ble MLA, Telkoi | Hon'ble member, TAC |
| 14 | Sri Bhadav Hansdah, Hon'ble MLA, Saraskana | Hon'ble member, TAC |
| 15 | Sri Sudam Marndi, Hon'ble MLA, Bangiriposi | Hon'ble member, TAC |
| 16 | Sri Rajib Patra, Hon'ble MLA, Balliguda | Hon'ble member, TAC |
| 17 | Sri Chandra Sekhar Majhi, Hon'ble MLA, Kotpad | Hon'ble member, TAC |
| 18 | Sri Manas Madkami, Hon'ble MLA, Malkangiri | Hon'ble member, TAC |
| 19 | Sri Aditya Prasad Padhi | Chief Secretary |
| 20 | Dr. R.P. Sharma | D.G. & I.G. of Police |
| 21 | Sri Suresh Chandra Mahapatra | ACS, Forest & Environment Deptt. |
| 22 | Sri Asit Tripathy | ACS, Home Deptt. |
| 23 | Sri T.K. Pandey | Principal Secy. Finance Deptt. |
| 24 | Mrs. Anu Garg | Principal Secy. W & CD and Labour & Employment Deptt. |
| 25 | Dr. Chandra Sekhar Kumar | Principal Secy. Rev. & D.M. Deptt. |
| 26 | Dr. D.K. Singh | Principal Secy. P.R & D.W Deptt. |
| 27 | Sri Pradeep Kumar Jena | Principal Secy. Water Resources Deptt |
| 28 | Sri N.B. Dhal | Principal Secy. Excise, I & PR Deptt |
| 29 | Sri Saurabh Garg | Principal Secy. Agriculture & Farmers |

| Sl. No. | Name of the Members / Officers | Designation |
|---------|--------------------------------|---|
| | | Empowerment Deptt |
| 30 | Sri M.R. Panigrahy | Principal Secy. OLL & C Deptt |
| 31 | Ms. Shubha Sarma | Commissioner-cum-Secretary, HTH Deptt. |
| 32 | Ms. Ranjana Chopra | Commissioner-cum-Secretary, Co-operation Deptt. |
| 33 | Sri G. Mathivathan | Commissioner-cum-Secretary, H & UD Deptt. |
| 34 | Dr. Pramod Meherda | Commissioner-cum-Secretary, Health & Family Welfare |
| 35 | Sri Bishnupada Sethi | Commissioner-cum-Secretary, Higher Education |
| 36 | Sri V. Gagan | Commissioner-cum-Secretary, F & ARD Deptt. |
| 37 | Sri S.K. Singh | Commissioner-cum-Secretary, SD & TE Deptt. |
| 38 | Sri N.K. Pradhan | Secretary, Works Deptt. |
| 39 | Sri R. Raghu Prasad | Commissioner-cum-Secretary, ST & SC Dev. Deptt. |
| 40 | Sri M. Pratap | ADGP, HRPC |
| 41 | Prof. Dr. A.B. Ota, | Director, SCSTRTI |
| 42 | Sri G.K. Bhuyan | Director, Geology |
| 43 | Ms. Manish Nimbhal | MD, TDCC |
| 44 | Sri S.K. Popli | Spl. Secy. Steel & Mines |
| 45 | Sri Biswanath Pradhan | Spl. Secy. S & ME. |
| 46 | Sri Pabitra Mandal | Spl. Secy. ST & SC. |
| 47 | Sri R.N. Palai | Spl. Secy. E & IT |
| 48 | Sri Manoj Mishra | Spl. Secy. Science & Technology |
| 49 | Sri S. Das | Spl. Secy. Energy |
| 50 | Sri L. Mohanty | Director, I & PR. |
| 51 | Sri Raja Parija | Director, SC, Welfare |
| 52 | Sri Madhab Ch. Bariha | Director, OBC |
| 53 | Sri A. Mallick | Chief Engineer, Planning R & W. |
| 54 | Sri B.D. Behera | Addl. Secretary, R.D. |
| 55 | Sri J.K. Lakra | Addl. Secretary, Food Supply & Consumer Welfare |
| 56 | Sri U.K. Mahapatra | I.O. to Chief Secretary |
| 57 | Sri Manoj Ku. Padhi | Joint Secretary, Sports & Youth Service |
| 58 | Sri Ashok Ku. Rath | Deputy Secy. S & ME. |
| 59 | Sri Ramesh Ch. Behera | DD-cum-DS, SSD. |
| 60 | Ms. Pranati Patra | DD-cum-DS, SSD. |
| 61 | Sri Sarat Mohanty | SCSTRTI |

ANNEXURE-II

STATEMENT INDICATING THE PROPOSED REVISION TO BE MADE IN THE "SCHEDULED AREAS DECLARATION ORDER, 1977" FOLLOWING DISTRICT REORGANIZATION AND CREATION OF NEW TAHASILS

| EXISTING STATUS OF SCHEDULED AREAs IN ODISHA | | PROPOSED REVISION OF SCHEDULED AREAs IN ODISHA | |
|---|---|---|---|
| Sl | Name of the erstwhile districts as per the Scheduled Areas Notification Order, 1977 | Sl | Name of the districts after re-organisation (by 1995 end) of districts in the State of Odisha |
| 1. | Mayurbhanj | 1. | Mayurbhanj district |
| 2. | Sundergarh | 2. | Sundergarh district |
| 3. | Koraput | 3. | Koraput district |
| | | 4. | Rayagada district |
| | | 5. | Nawarangpur district |
| | | 6. | Malkangiri district |
| 4 | Khondmals Tahasil of Khondmals Subdivision & Balliguda and G. Udaygiri Tahasils of Balliguda Subdivision in Boudh Khondmals district. | 7 | Kandhamal district |
| 5 | R. Udaygiri Tahasil and Gumma and Rayagada Block of Parlakhemundi Tahasil of Parlakhemundi Subdivision and Suruda Tahasil excluding Gazalbadi and Gochha Gram Panchayats of Ghumsur Subdivision in Ganjam district. | 8. | Rayagada, R.Udaygiri, Mohana, Gumma & Nuagada Blocks of Parlakhemundi Sub-division in Gajapati district. |
| | | 9. | Suruda Block (excluding Gazalbadi and Gochha Gram Panchayats), Balarampur, Saba, Manikyapur and Machhakote Gram Panchayats of Dharakote Block and K. Karadakana, Bandhaguda, Baramundali and Kumarpani GPs of Sheragada Block of Bhanjanagar Sub-division in Ganjam district. |
| 6 | Kuchinda Tahasil of Sambalpur district | 10. | Kuchinda, Bamra & Jamankira Blocks of Kuchinda Sub-division in Sambalpur district. |
| 7 | Keonjhar, Telkoi tahasil of Keonjhar Subdivision & Champua and Barbil Tahasils of Champua Subdivision in Keonjhar district | 11. | Keonjhar Sadar, Telkoi, Ghatgaon, Harichandanpur, Patna, Banspal & Saharpada Blocks of Keonjhar Sub-division and Joda, Champua & Jhumpura Blocks of Champua Subdivision in Keonjhar district |
| 8 | Thuamul Rampur Block of Kalahandi Tahasil and Lanjigarh Block falling in Lanjigarh and Kalahandi Tahasils in Bhawanipatna Subdivision in Kalahandi district. | 12. | Thuamul-Rampur Block and Lanjigarh Block of Bhawanipatna Sub-division in Kalahandi district. |
| 9 | Nilgiri Community Development Block of Nilgiri Subdivision in Balasore district. | 13. | Nilgiri Block of Nilgiri Sub-division in Balasore district. |