

Government of Orissa
S.T. & S.C. Development Department.

No. 22334 /SSD., Dated Bhubaneswar, the 21st July, 2000.
TAC-7/2000.

From

Shri Aurobindo Behera, I.A.S.,
Commissioner-cum-Secretary to Government.

To

All Members of T.A.C.

Sub:-

Proceedings of the meeting of the Tribes Advisory Council held on 26.6.2000 at 11.00 A.M. in the 3rd Floor Conference Hall of Secretariat.

Sir,

I am directed to enclose herewith a copy of the proceedings of the meeting of the Tribes Advisory Council held on 26.6.2000 at 11.00 A.M. in the 3rd Floor Conference Hall of the Secretariat under the Chairmanship of Hon'ble Chief Minister, Orissa for favour of your kind information and necessary action.

Yours faithfully,

Aurobindo Behera
20.7.2000
Commissioner-cum-Secretary to Government.

Memo No. 22335 /SSD., Dated 21.7.2000

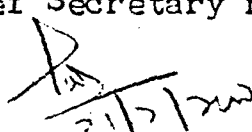
Copy alongwith a copy of the proceedings of the meeting of the Tribes Advisory Council held on 26.6.2000 forwarded to the Commissioner-cum-Secretary to Chief Minister, Orissa/P.S. to Minister, S.T. & S.C. Development and Minorities and Backward Classes Welfare/P.S. to Minister(S), Commerce and Transport/P.S. to Minister(S), Planning & Co-ordination for kind information of Hon'ble Chief Minister, Orissa/Minister, S.T. & S.C. Development & Minorities and Backward Classes Welfare/Minister(S), Commerce & Transport and Minister(S), Planning & Co-ordination respectively.

Aurobindo Behera
20.7.2000
Commissioner-cum-Secretary to Government.

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Memo No. 22336 /SSD., Dated 21-7-2000

Copy alongwith a copy of the proceedings of the meeting of the T.A.C. held on 26.6.2000 forwarded to the P.S. to Chief Secretary, Orissa/P.S. to Chief Administrator (Spl. Area Development) & Special Chief Secretary to Government and Ex-Officio Member, Board of Revenue, Orissa/P.S. to Agrl. Production Commissioner, Orissa and P.S. to Addl. Chief Secretary and Addl. Development Commissioner, Orissa ~~for~~ with a request for submission of the same for kind information of Chief Secretary, Spl. Chief Secretary, A.P.C. & Addl. Chief Secretary respectively.


21/7/2000
Deputy Secretary to Government.

Memo No. 22337 /SSD., Dated 21-7-2000


Copy alongwith a copy of the Proceedings of the meeting of the T.A.C. held on 26.6.2000 forwarded to the Joint Secretary to Government of India, Ministry of Tribal Affairs, Sastri Bhawan, 2nd Floor, 'D' Wing, New Delhi/ Director, National Commission for SCs & STs, Government of India, Sahid Nagar, Bhubaneswar for information and necessary action.


21/7/2000
Deputy Secretary to Government.

Memo No. 22338 /SSD., Dated 21-7-2000

Copy alongwith a copy of the proceedings of the meeting of the T.A.C. held on 26.6.2000 forwarded to the P.S. to the Principal Secretary to Government, Revenue & Excise Department/ P.S. to Principal Secretary to Government, Industries Department/ P.S. to Principal Secretary to Government, Steel & Mines Department/ P.S. to Principal Secretary to Government, Co-operation Department/ P.S. to Principal Secretary to Government, Agriculture Department/ P.S. to Commissioner-cum-Secretary to Government, Water Resources Department/ P.R. Department/ Labour & Employment/ Health and Family Welfare/ Higher Education/ School & Mass Education Department/ R.D./ F.S. & C.W./ Forest & Environment/ Home and Law Department for information and necessary action. This may be brought to the kind notice of Principal Secretaries and Commissioner-cum-Secretaries concerned.

The concerned Principal Secretaries/ Commissioner-cum-Secretaries are requested to furnish a report on the follow up action taken on the recommendations of the T.A.C. to this Department for placement before next meeting of T.A.C.


21/7/2000
Deputy Secretary to Government.

Memo No. 22339 /SSD., Dated 21-7-2000

Copy alongwith a copy of the proceedings of the meeting of the T.A.C. held on 26.6.2000 forwarded to the Director, SC&STR&TI, Bhubaneswar/M.D., OSFDC/M.D., TDCCOL/ Director-cum-Secretary, ATDC, Bhubaneswar for information and necessary action.

[Handwritten Signature]
21/7/00

Deputy Secretary to Government.

Memo No. 22340 /SSD., Dated 21-7-2000

Copy alongwith a copy of the proceedings of the meeting of the T.A.C. held on 26.6.2000 forwarded to All Officers of the Department/Emp.I/TD-III/Statistics/Edn.-I/Edn.-II/Edn(Building)/Scholarship/TD-I/TD-II Section(5 spare copies) for information and necessary action.

They are requested to furnish a report on the follow up action taken on the recommendations of the meeting of T.A.C. held on 26.6.2000 to TD-II Section for placement before the T.A.C. in its next meeting.

[Handwritten Signature]
21/7/00

Deputy Secretary to Government.

Mohapatra-20/7

[Handwritten Signature]
20/7

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PROCEEDINGS OF THE MEETING OF THE TRIBES ADVISORY COUNCIL HELD ON 26TH JUNE 2000 AT 11.00 A.M IN THE 3RD FLOOR CONFERENCE HALL OF SECRETARIAT

The meeting was held under the Chairmanship of Hon'ble Chief Minister. List of Members present is shown at **Annexure-"A"**.

Smt. Sumani Jhodla, nominated member of the Tribes Advisory Council took oath of allegiance to the Constitution of India before the Chairman as per Rule No.11 of the Orissa Tribes Advisory Council Rules.

In his brief welcome address the Chief Minister affirmed Govt's commitment for the all-round development of the Scheduled Tribe population of Orissa. He mentioned about the new Pro-tribal policy, initiatives of Govt. in the matter of Minor Forest Produce, restoration of alienated Tribal land to its rightful owners, regularisation of pre-80 forest habitations and the transfer of 7 nos. of tree born oil seeds to the Grampanchayats in terms of the provision of Panchayats (extension to scheduled areas) Act 1996. As regards the periodicity of the meeting the Chief Minister assured the house that the meeting would be conducted regularly in future.

The meeting proceeded as per the agenda items.

1. Agenda No.1: - Confirmation of the proceedings of the meeting of the Tribes Advisory Council held on 20.11.1997.

The proceedings of the meeting of the Tribes Advisory Council held on 20.11.1997 were read out and confirmed by the Council.

2. Agenda No.2: - Follow up action taken on the proceedings of the TAC held on 20.11.1997.

The follow up action taken on the proceedings of the last meeting of Tribes Advisory Council held on 20.11.1997 was discussed and following decisions taken: -

Item 2(c) : Inclusion of Routla & Roverla in the Schedule Tribe List. It was decided that the matter would be pursued with Government of India for early inclusion of the communities in the list of Scheduled Tribes of the State.

Item 2(d) : - Inclusion of Kondha Lohara, Kutla Kondha, Dongria Kandha, and Manidora & Anetidora in the Scheduled Tribe List. The SC & ST RTI, Bhubaneswar will expedite submission of the enquiry report on ethnic status of Kondha Lohara, Manidora & Anetidora and submit their reports within three months.

Paragraph-4: To provide rights of Dongar cultivation or Kuduki cultivation in Forest areas up to 5 acres to the land less Kutla Kandhas & Dongirla Kondhas in the undivided Koraput, Kalahandi & Phulbani districts. The Principal Secretary, Revenue, informed the house that Govt. have taken steps for regularizaton of pre-80 encroachments and habitations on forest land after due verification at the earliest and that a target has been fixed for regularizaton of 50% of such cases by the 2nd Oct'2000, the date of Mahatma Gandhi's birthday.

Paragraph 5: Restoration of such ancestral lands of the STs & SCs of undivided Kalahandi, Koraput & Phulbani districts alienated illegally to the industrialists or inhabitants of Andhra Pradesh through illegal means. Collectors of the concerned districts have been instructed by the Revebue Department to act in terms of Regulation 2 of 1956. The R.D.C. (S.D.) has been requested to furnish enquiry report on undivided Katahandi & Phulbani districts.

3. Agenda No.3: - Approval of the Draft Annual Administration Report on Scheduled Areas.

After deliberations, the Draft Annual Administration Report on Scheduled Areas for the year 1996-97 and 1997-98 was approved at the first instance. The draft Annual Administration report for 1998-99 was included in the Agenda with the permission of the Chair and after discussion it was approved.

It was suggested by Hon'ble members that the Annual Reports on Administration of Scheduled Areas should be circulated to members in advance so that detailed discussion could be held in the Council.

4. Agenda No-4: - Amendment of Orissa Scheduled Areas Money Lenders Regulation 1967 (Regulation 2 of 1968).

The proposed amendment was discussed and approved for recommendation to His Excellency, the Governor of Orissa.

5. **Agenda No-5: - Amendment to Orissa Scheduled Areas Transfer of Immovable Properties (by Scheduled Tribes), Regulation, 1956 (Orissa Regulation 2 of 1956).**

The proposed amendment to the Orissa Scheduled Areas Transfer of Immovable Properties (by Scheduled Tribes) Regulation, 1956 (Orissa Regulation 2 of 1956) was approved for recommendation to His Excellency, the Governor of Orissa.

It was recommended that in the third proviso to sub-section (1) of section 3 of the Regulation, the word and expressions "one standard acre" may be substituted by the following words and expressions "Two acres of irrigated land or five acres of unirrigated land". The term "irrigated land" shall mean 'such land which gets irrigation at least for one crop in a year'.

The Council recommended that necessary amendments to this effect as aforesaid may be brought into the third proviso to sub-section (1) of section 3 of Orissa Regulation 2 of 1956.

6. **Agenda No-6: Agrarian problems between Pano Christians and Scheduled Tribes of Gajapati, Kalahandi & Rayagada Districts.**

The Principal Secretary to Revenue Department informed the house that a task force under the Chairmanship of R.D.C. (S.D) is already examining the issues and it is expected that with the amendment of the Regulation the problems can be addressed to adequately.

7. **Agenda No.7:-Inclusion of Duria & Naxia/Nakasia community in the S.T. list of presidential order.**

The proposal for inclusion of Duria & Naxia/Nakasia Communities in the S.T list of Presidential order was approved. It was decided to move Government of India for inclusion of these communities in the Presidential List of S.Ts for the State of Orissa.

8. **Agenda No.8: -Any other item with permission of the Chair.**

It was decided that

- (a) The SCST&RTI will cause an enquiry on ethnic status & socio cultural background of Kuda, Matla, Mirdha, Batura & Batuda communities for inclusion in the State list of S.Ts. If there were genuine cases of communities having been left out; the Department would get the necessary inquiry

conducted after receipt of proposals from honourable Members.

(b) New primary /upper primary educational institutions will be opened to cater to the educational needs of the ST community. Expeditious steps will be taken to fill up the vacancies in the educational institutions under the ~~administrative control of the Department.~~

(c) The problem of relocation of ST communities residing in National Parks/Reserved Forests etc was discussed. It was decided that displacement of tribal habitations may be taken recourse to only as a last resort and that the resettlement and rehabilitation plans for displacing tribal families should be processed with the concurrence of the ST & SC Development Department, and Revenue Department.

(d) Concern was expressed by some Hon'ble Members about the manner of holding Pallsabhas and Gramsabhas in Scheduled Areas. It was decided that adequate publicity would be given by the Panchayat Raj Department about the function of the Pallsabhas and Gramsabhas and the manner in which the meetings of the Pallsabhas and Gramsabhas would be held in order to make them genuine participatory forums.

(e) The matter of status of migrant STs was discussed. The relevant provision of the Constitution of India was read out for clarification of doubts in the matter. In terms of these provisions, migrant STs shall not get the status of STs in the state to which they migrate.

(f) It was recommended that the provisions laid down in Orissa Freedom of Religion Act should be meticulously implemented so as to maintain communal harmony in the State.

The meeting ended with a vote of thanks to the Chair.

Sd/- Aurobindo Behera
COMMISSIONER-CUM-SECRETARY
ST & SC DEVELOPMENT DEPARTMENT