



Subject: POSCO

April 14th, 2011:

On January 31st 2011, I had issued a “speaking order” on the proposed project of POSCO in Jagatsinghpur district of Odisha comprising of (i) an integrated steel-cum-captive power plant; and (ii) a captive minor port. The decisions contained in the speaking order were as follows:

- Environmental clearance had been accorded to the integrated steel-cum-captive power plant with 28 additional conditions over and above that stipulated in the original environmental clearance of July 19th, 2007.
- Environmental clearance was also accorded to the captive minor port with 32 additional conditions over and above stipulated in the original environmental clearance of May 15th, 2007.
- Forest clearance for the project complex was made conditional on getting a categorical assurance from the state government that at least one of the three conditions enshrined in the Forest Rights Act, 2006—two in Section 2(o) and another in Section 4(3)—is not fulfilled in the case of those claiming to be dependent on or cultivating land in the POSCO project area.

On April 13th, 2011, the MoE&F received a communication from the state government which is at Annex-I. On the face of it, it would appear that the state government has provided an assurance along the lines sought for in my speaking order. However, just two days earlier on April 11th 2011, I had received an email representation from the POSCO Pratirodh Sangram Committee which is in Annex-II. I immediately forwarded a copy of this new representation to both the Chief Minister and Chief Secretary of Odisha. The representation talks about Palli Sabha Resolutions of the villages of Dhinkia and Gobindapur that have not been considered by the state government authority concerned.



Ministry of Environment and Forests
GOVERNMENT OF INDIA

While it is true that the state government had earlier categorically denied the authenticity of documentation submitted by the POSCO Pratirodh Sangram Committee, I do believe that these two Resolutions have to be disposed off by the appropriate authority in accordance with the Forest Rights Act, 2006, especially keeping in mind the provisions of Section 4(5) of the Act which states:

“Save as otherwise provided, no member of a forest dwelling Scheduled Tribe or other traditional forest dweller shall be evicted or removed from forest land under his occupation till the recognition and verification procedure is completed.” [Emphasis Added]

After receiving information from the state government that the appropriate authority has completed the process of recognition and verification procedure for all the villages from where forest land is to be transferred for non-forestry purposes, a final decision regarding forest clearance will be taken.

Ignoring these two Palli Sabha Resolutions and not allowing them to be subjected to a due process of law as enshrined in the Forest Rights Act, 2006 would be tantamount, in my considered opinion, to violating the very essence of this legislation passed unanimously and with acclaim by Parliament.

Jairam Ramesh
MOS(I/C)E&F
April 14th, 2011

ANNEX-I

Most urgent

GOVERNMENT OF ORISSA
FOREST & ENVIRONMENT DEPARTMENT

No. 10F (Cons) - 561/2011(p)- 6356^{***} / F&E, Dated: 2-4-11

From: B.P. Singh, IFS
Special Secretary to Government

To: The Assistant Inspector General of Forests,
Govt. of India, Ministry of Environment & Forest,
(F.C. Division), Paryavaran Bhawan,
C.G.O. Complex, Lodhi Road,
New Delhi - 110003

Sub: Diversion of 1253.225 Ha. of forest land for establishment of
Integrated Steel Plant & Captive Port by POSCO-India Pvt.
Ltd. in Jagatsinghpur District, Orissa

Sir,
I am directed to invite reference to the order dated 31.1.2011 of Hon'ble Union Minister, Environment & Forest and your letter F. No. 8-63/2007-FC dated 10.2.2011 in which the categorical assurance of the State Government was sought for in the matter of ensuring and guaranteeing compliance with the Forest Rights Act, 2006 in the POSCO Project area in Jagatsinghpur district of Orissa in order to take a final decision on diversion of forest land by the Ministry of Environment & Forests, Government of India. Later - Hon'ble Union Minister, Environment & Forests in his letter dated 22.2.2011 addressed to the Hon'ble Chief Minister, Orissa had also drawn the attention regarding violation of Forest Rights Act in the POSCO project area as alleged by Sri Prasant Paikray.

Since the issues raised above are about ensuring implementation of Forest Rights Act and alleged violation of the said Act in the POSCO Project area, the ST & SC Development Department, which is the Nodal department for implementation of the Forest Rights Act in the State and

08/04/2011
S.O (FO)
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Collector, Jagatsinghpur, who is the Chairperson of the District Level Committee constituted under the provisions of the Forest Rights Act, were asked to look into the matter and submit compliance.

After necessary examination of the matter, the Commissioner-cum-Secretary to Government, ST & SC Development Department in his letter No. 9770 dated 7.3.2011, based on the report of Collector, Jagatsinghpur, has confirmed that no one satisfies the conditions laid down under Section 2(o) of the Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 to be treated as "other traditional forest dwellers" in the forest land involved in the POSCO project area, who has for at least three generations prior to 13th day of December, 2005 primarily resided in and who depend on the forest land for bonafide livelihood needs. **This observation of the Nodal department of the State Government clarifies that at least one of the three stipulations prescribed in para 19 of the order of Hon'ble Union Minister for Environment & Forests regarding eligibility of an applicant to be regarded as Other Traditional Forest Dwellers for settlement of individual/community forest rights as per provisions of the Forest Rights Act is not fulfilled in respect of any person in the POSCO project area.** The copies of the letters of the Commissioner-cum-Secretary to Government, ST & SC Development Department and the Collector, Jagatsinghpur district are enclosed for reference.

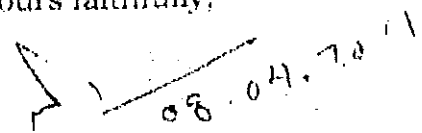
Further, Hon'ble Union Minister, Environment & Forests in his letter dated 12.3.2011 had drawn the attention of Hon'ble Chief Minister, Orissa to the resolutions passed by Dhinkia and Gobindapur villages of Dhinkia GP appended with another representation of Sri Prasanta Paikray indicating their opposition to setting up of Steel Plant Project by POSCO India Pvt. Ltd. in their area along with their eligibility to be treated as Other Traditional Forest Dwellers under the provisions of Forest Rights Act. The matter has been thoroughly enquired/examined by the Collector, Jagatsinghpur district (Chairperson of the District Level

Committee constituted under the Forest Rights Act) and the ST &SC Development Department (Nodal department for implementation of the Forest Rights Act in the State).

The Commissioner-cum-Secretary, ST &SC Development Department vide his letter No. 11807 dt. 31.3.2011, based on the latest report of the Collector, Jagatsinghpur, has again reiterated the earlier position that no one satisfies the conditions to be treated as "other traditional forest dwellers" in the forest land involved in the POSCO project area. The copies of letter of Commissioner-cum-Secretary to Government, ST&SC Development Department dated 31.3.2011 and the copy of letter dated 27.3.2011 of the Collector, Jagatsinghpur are enclosed herewith for kind reference.

In view of the factual position, Government of India, MoEF may allow diversion of 1253.225 ha. of forest land for establishment of the Steel Plant.

Yours faithfully,

 08.04.2011

Special Secretary to Government

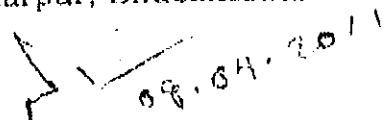
Memo No.

6357

/F&E Dt.

8-4-11

Copy with copy of the enclosures forwarded to the Chief Conservator of Forests (Central), A/3, Chandrasekharpur, Bhubaneswar for information and necessary action

 08.04.2011

Special Secretary to Government

Memo No. 6358 /F&E Dt. 8-4-11

Copy forwarded to the Commissioner-cum-Secretary, ST & SC Development Department for information with reference to his letter No. 9770 dt. 7.3.2011.

08.04.2011

Special Secretary to Government

Memo No. 6359 /F&E Dt. 8-4-11

Copy forwarded to the Pr. CCF, Orissa/Pr. CCF(WL)&CWLW, Orissa for information and necessary action.

08.04.2011

Special Secretary to Government

Memo No. 6360 /F&E Dt. 8-4-11

Copy forwarded to the Chairman-cum-Managing Director, IDCO, Bhubaneswar for information and necessary action.

08.04.2011

Special Secretary to Government

Memo No. 6361 /F&E Dt. 8-4-11

Copy forwarded to the RDC, Central Division, Cuttack/Collector, Jagatsinghpur/RCCF, Bhubaneswar/Divisional Forest Officer, Rajnagar(WL)Division for information and necessary action.

08.04.2011

Special Secretary to Government

Memo No. 6362 /F&E Dt. 8-4-11

Copy forwarded to the Principal Resident Commissioner, Government of Orissa, Orissa Bhawan, 4, Bardoloi Marg, Chanakyapuri, New Delhi-110021 for information and necessary action.

08.04.2011

Special Secretary to Government

23/8

OFFICE OF THE COLLECTOR & DISTRICT MAGISTRATE
JAGATSINGHPUR

No.772/ Dt. 27.3.2011

To

The Commissioner-cum-Secretary
ST & SC Development Department
Government of Odisha, Bhubaneswar

Sub: Diversion of 1253.225 hec. of Forest Land for establishment of Integrated Steel Plant for captive port by POSCO India Pvt. Ltd. in Jagatsinghpur District, Orissa.

Ref: Letter No.11044/SSD dtd 23.03.2011

Sr.

In inviting a reference to the letter on the subject cited above I am to say that on earlier occasion, in his letter addressed to the Hon'ble Minister, Environment & Forest, Govt of India, New Delhi Mr. Prasanta Kumar Paikaray had raised the issues of violation of the provisions of Forest Right Act in POSCO project area and refusal of consent for diversion of forest land for POSCO project by the Gram Sabhas of Gobindapur & Dhinkia villages. The response on the matter has been submitted to the ST & SC Development Department vide letter No.542 dtd.01.03.2011. With the present letter two resolutions have been appended purportedly passed by the Pali Sabha of Dhinkia village on 21.02.2011 and that of Gobindpur village on 23.02.2011 extending the period of filing of Individual and Community claims under F R Act. for another three months & asserting dependence of people on the forest land for three generations. The B.D.O. Erasama vide his letter No.513 dtd 26.02.2011 has reported that the date for convening of Pali Sabha of Dhinkia village was fixed to 26.02.2011 and that of Gobindapur on 12.02.2011 as decided in the monthly Dhinkia G.P. meeting held on 26.01.2011. Notices to that effect were served in the respective villages under the seal and signature of Sri Sisir Kumar Mohapatra the Sarpanch of Dhinkia G.P. which would be well evident from the Notice Book maintained separately for different villages of Dhinkia G.P. Resolutions of Pali Sabha of these two villages have also been passed on the appointed dates. It is surprising to find that the so called resolutions the extracts of which have been appended to the

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Letter of Mr. Paikray have not been recorded in the Pali Sabha Registers of the villages in question. If the Pali Sabha of these two villages were so sure about non implementation of Forest Rights Act in their villages they might have extended the period of filing of individual and community claims beyond the period of 3 months in any of a series of Resolutions they claim to have passed on different occasions. The individual as well as community claim of any of the villagers could have been discussed and resolution to that effect passed in those meetings. However, Rule 5 of the Orissa Gram Panchayat Rules, 1968 provides that the Sarpanch after obtaining approval of the Sarpanch shall issue notice of the meeting in this case the established procedure and practice has not been followed. Instead of allowing the GP Secretary to issue the notice and record proceedings for the purpose in Pali Sabha Register of the GP, the Sarpanch which well known anti POSCO activist and functioning as Secretary of the POSCO Pratiroadha Sangram Samiti, has simply asked the Secretary to attend the meeting. But the fact remains that the special meeting of the Pali Sabha of the villages Dhinkia and Gobindpur were never convened and no resolution have been passed within the meaning of section-6 of the Orissa Gram Panchayat Act, 1964 read with Rule 5 of Orissa Gram Panchayat Rules, 1968 and Rule-11(6) of the Forest Rights Rules, 2008. On a close scrutiny of the Pali Sabha Notice Book of village Dhinkia and Gobindpur it is evident that notices for the Special Pali Sabha meeting do not find mention in the Notice Book and the alleged Pali Sabha resolutions recorded in the Resolution Book. Extracts of the Notice Book and Resolution Book of both the villages are enclosed herewith for proper appreciation of fact. It is therefore sufficient to hold that the so called Pali Sabha Resolutions relating to Gobindpur and Dhinkia village appended to the letter of Mr. Paikray are forged and fabricated documents manufactured by Mr. Mohapatra with the sole intention of stalling the process of diversion of forest land for POSCO project. In this case the Sarpanch of Dhinkia GP has misused his official position to mislead the MoEF.

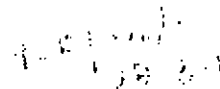
In this connection it is submitted that similar type of resolutions were submitted earlier before the visiting Forest Rights Act Committee Members with ulterior motive to stall the process of diversion of forest land. However the MoEF&F has cleared the proposal on conditions of categorical assurance from

5/3/11

the Govt. of Orissa to the effect that non of the people claiming to be dependent on or cultivating land in the POSCO project area fulfill at least one of the three conditions essential to qualify as other Traditional Forest Dwellers (OTFDs). The alleged Pali Sabha Resolutions dt.21.02.2011 & 23.02.2011 in village Dhinkia & Gobindpur respectively are nothing but a well-thought-out master attempt to constrict development of the locality in general and obstruct POSCO project work in particular.

It is further submitted that a detailed information on the matter has been submitted to the ST & SC Development Department vide the letter under reference. A copy of our earlier response is enclosed herewith for your kind appreciation and necessary action.

Yours faithfully,


Collector & District Magistrate
Jagatsinghpur

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8/3/2011

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GOVERNMENT OF ORISSA
ST & SC DEVELOPMENT DEPARTMENT

No. 9770 /SSD., Dated Bhubaneswar the 7.3.2011
TD-II (FRA) - 02 / 2011 (P-I)

From

Shri Santosh Sarangi, IAS
Commissioner-cum-Secretary to Govt.

To

The Principal Secretary,
Forest & Env. Department.

Sub: Diversion of 1253.225 ha of Forest Land for establishment of
Integrated Steel Plant and captive port by POSCO-India Ltd. in
Jagatsinghpur District, Orissa.

Sir,

I am directed to invite a reference to your letter No. 3465, dated 23.02.2011 in which the ST & SC Development Department was asked to give a factual report on the allegation of Shri Prashant Paikaray and also to give clarification on implementation of the Forest Rights Act in the Project area.

In continuation to the ST & SC Development Department letter No. 5048, dated 5.2.2011, I am to inform you that the issues relating to implementation of FRA 2006 have been examined in the Department. The constitution of the Forest Right Committees have been done in villages like Dhirkia, Gobindpur, Nuagaon and Polang and applications were invited as per the provision of the Sch. Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Rules, 2007. Subsequently, FRCs have also been constituted in Bhuyanpal and Noliyasihi villages and applications were invited. However, no applications were received from these villages. It is clear from the letter No.303, dated 4.2.2011 of Collector, Jagatsinghpur that all due procedures under the FRA, 2006 have been followed and none of the Other Dwellers satisfies the

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condition of 3 generations (75 years) of continuous dependence on the aforementioned forest area.

So far as the allegation received from Shri Prashant Paikaray is concerned, the Collector, Jagatsinghpur was requested to send a factual report and the report of the Collector with letter No 542, dated 1.3.2011 is enclosed here with. The letter clarifies issues raised by Shri Paikaray.

Considering the earlier report of the Collector and the present clarification submitted by Collector, Jagatsinghpur it is clear that none of the OTFD satisfies the conditions given at Section 2(O) of the Forest Rights Act 2006 which is " Other Traditional Forest Dwellers means any member or community who has for at least 3 generations prior to the 13th day of December, 2005 primarily resided in and who depend on the forest or forest land for bonafide livelihood needs".

For the purpose of this clause "generation" means a period comprising of 25 years.

Thus, the ST & SC Development Department would like to reiterate its earlier stand that none of the OTFD in the aforementioned 1253.225 Ha. of forest land satisfies the conditions laid down under section 2(o) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition Of Forest Rights) Act, 2006.

Yours faithfully


Commissioner-cum-Secretary

OFFICE OF THE COLLECTOR & DISTRICT MAGISTRATE,
JAGATSINGHPUR

No. 542 / Dt. 13.2011

To

The Commissioner-cum-Secretary
ST & SC Development Department,
Government of Odisha, Bhubaneswar

Subj: Forwarding of complaint petition received by PCCF, Orissa-regarding violation of Forest Right Act in POSCO Project area.

Ref: Letter No 8848/SSD dt.22.02.2011

Sir

This has a reference to the letter addressed to the Hon'ble Minister, Environment & Forest by one Sri Prasant Paikray regarding violation of forest rights in POSCO Project area. In this connection, it is submitted that district administration, Jagatsinghpur has played a proactive role in implementing the provisions of Forest Right Act 2006. It has undertaken extensive measures to educate the public, P.R.I. members & Public Officers about individual rights and community right of Tribals & Other Traditional Forest Dwellers (OTFDs) over the forest land under their occupation for their bonafide livelihood needs. Accordingly, Forest Rights Committees (FRC) have been formed in all the villages of the district including the villages under POSCO project area. In respect of Dhinkia & Gobindpur village Palli Sabha were held on 23.03.2008 as per schedule and FRCs formed on the same day. Details of the provisions of the above Act, & Rules and benefits available for the Tribals and Other Traditional Forest Dwellers were discussed in the meeting and explained to the people. The villagers were also explained the procedure for filing claims for individual and community rights with relevant documents, if any within a period of three months w.e.f 23.03.2008. No such claim pertaining to individual right or community right has been received from the people of Dhinkia village within the said period. It is worth mentioning that Sri Sisir Kumar Mohapatra who is an active member of the POSCO Pratirodha Sangram Samiti and acting as the Secretary of the organization and at present the Sarapancha of Dhinkia G.P has signed the Palli Sabha and FRC proceedings of Dhinkia village on 23.03.2008. (Copy of the proceeding is enclosed as ANNEXURE-I). Similarly the Palli Sabha of Gobindapur village was held on 23.03.2008, the FRC was constituted and the participants were explained in detail about the FR act and rules and benefits available for the people under different provisions and the procedure for filing claims if any pertaining to individual and community rights within three months. (Copy of the proceeding is enclosed as ANNEXURE-II). Nobody in these villages filed any claim within the stipulated period, nor the Gram Sabha, by resolution, considered it necessary to extend such period of three months by recording the reasons for not filing of any claim.

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the allegation of Sri. Paikaray that Sri Sisir Kumar Mohapatra, the Sarpanch of [redacted] has not received any information, documents or records from the state Govt. at any time up to the Forest Right Act, is not correct. Initially, he was the Secretary of the FRC of [redacted] and has passed resolution inviting claims from interested persons. As the people of the project area are fully convinced that none of them qualifies to constitute O.T.F.D. in [redacted] that there was no forest in the project area and the land is covered by casuarina [redacted] only after 1971 cyclone for protection of sea coast. The land within the project area [redacted] a forest land, but was waste land which has been declared by State Govt. as forest only on 4th October, 1961 Under Section 29 of Indian Forest Act.

cover dependant on betel vines and cashew trees for seasonal collection of leaf or [redacted] not constitute community claims. Cashew and betel vines being non-forest activities [redacted] on such crop, if any, for less than 75 years should not qualify to be treated as forest [redacted] early non-filing of claims within the stipulated period and filing of the claims at a [redacted] with an ulterior motive is not tenable in law should not be encouraged to block the [redacted] development. If we speak the truth, there is nothing new in the allegations made by Sri [redacted] and the Hon'ble Minister, Environment & Forest. The aforesaid allegations have been [redacted] in recent forums at different time on behalf of POSCO Pratirodha Sangram Samiti and [redacted] position thereof has been clearly explained to the satisfaction of everybody.

regard to allegation by Sri Paikray that Pali Sabha of Dhinkia and Gobindapur [redacted] resolutions on February 5th and 6th of 2010 asserting their eligibility under [redacted] Forest Right Act, and rejecting consent to proposed diversion of forest land for [redacted] project, it is submitted that no such resolution has been made in the Pali Sabha in [redacted] official members, nor any such resolution have been handed over to any authority. [redacted] only brought to the notice of the Sub-Collector, Jagatsinghpour at Dhinkia village on [redacted] during the discussion held with the Forest Right Act. committee members by Sri Sisir [redacted] Mohapatra Sarpancha of Dhinkia G.P who handed over the English translation copy of [redacted] mentioned Pali Sabha to him. The Pali Sabha Resolution of Dhinkia and Gobindapur [redacted] to have been passed on 05.02.2010 and 06.02.2010 respectively are not passed in [redacted] at all but must have been manufactured at later stage with ulterior motive only to [redacted] Committee and to create confusion in the process of land acquisition by Sri Sisir [redacted] Mohapatra, the Sarpanch, a strong supporter of POSCO Pratirodha Sangram Samiti by [redacted] official position knowing very well that no person in the POSCO project area [redacted] the O.T.F.D. On a thorough search from the District office, Block office and Gram [redacted] office records it is ascertained that these resolution were never received at any [redacted] copy of such resolution has been sent to District Office nor Block Office nor it is [redacted] in the G.P. Office with the Executive Officer who is the Secretary of the Gram Sabha [redacted] (a) of the Forest Right Rules 2007 and custodian of official records including the [redacted] original Pali Sabha resolutions.

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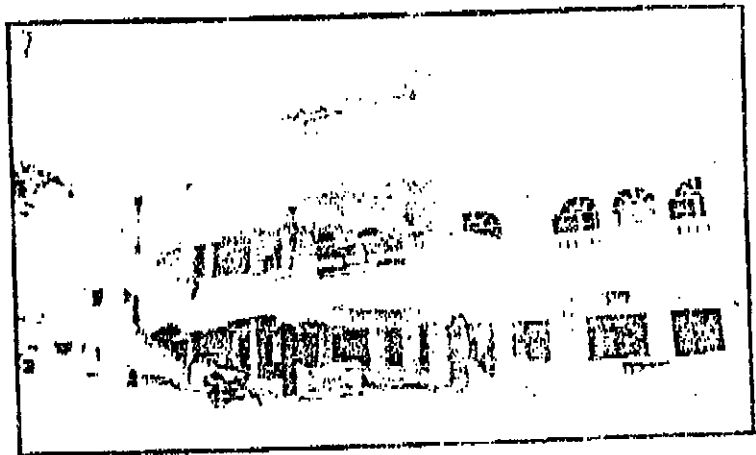
Moreover, the Forest Rights Act does not provide for any such mandatory provision for completion of the process before diversion of any forest land or consent of Gram Sabha. The Forest (Conservation) Act, 1980 also does not provide for mandatory completion of the process of FRA before diversion of forest land. The FC Act, guidelines only provides for submission of "Gram Sabha Resolution" along with the forest diversion proposal with many exceptional clauses. Even the PESA Act lays down that "the Gram Sabha or the Panchayat Samiti at the appropriate level shall be consulted before making the acquisition of land in the scheduled areas for development projects and before resettling or rehabilitating persons affected by such projects in the scheduled area. The actual planning and implementation of the project in the scheduled areas shall be coordinated at the State level". Thus it may be observed that in case of development project the PESA Act. Prescribes for prior consultation with Gram Sabha before making land acquisition in the scheduled areas only. In this background, obtaining the consent of Gram Sabha for the proposed diversion of forest land outside scheduled areas does not appear to have any legal basis.

Yours faithfully,

[Signature]
1.3.2011
Collector & District Magistrate
Jagatsinghpur

ଗ୍ରାମ ପଞ୍ଚାୟତ : ବିଜିଆ

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ଗୋବିନ୍ଦପୁର	ତା. ୨୩.୦୩.୨୦୦୮ ରିଖ	23.03.08
ବିଜିଆ	ତା. ୨୩.୦୩.୨୦୦୮ ରିଖ	23.03.08
ଶ୍ରୀକାନ୍ତନଗର	ତା. ୨୩.୦୩.୨୦୦୮ ରିଖ	23.03.08



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ଏରସମା, ଜଗତସିଂହପୁର

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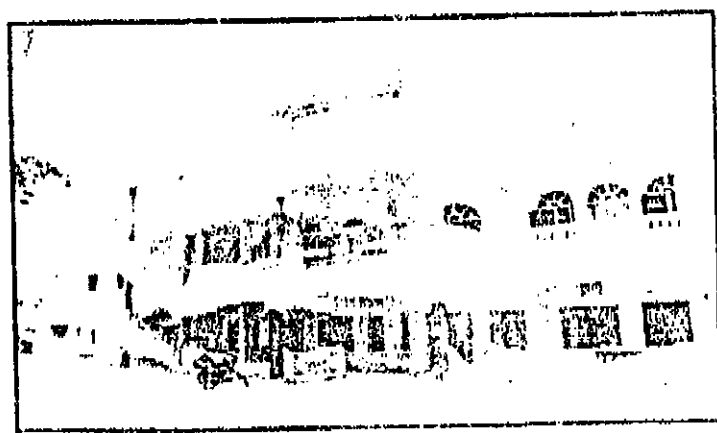
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ଓଡ଼ିଶା ସରକାର

ଗ୍ରାମ ପଞ୍ଚାୟତ : ଜିଙ୍କିଆ

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ଏରସମା ପଞ୍ଚାୟତ ପ୍ରମିତି
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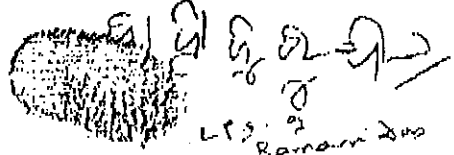
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ଏହା ଉପରେ ଉପରୋକ୍ତ ଭାଗ ବିବରଣୀ ଜଙ୍ଗଲ ଅଧିକାର ପ୍ରାପ୍ତି ପରେ ଏହାର
 ସମସ୍ତ ଅଧିକାର **ସୁରେଶ ଚନ୍ଦ୍ର ବିହାରୀ** କୁ
 ମିଳୁଥିବ ଯୋଗୁଁ । ଅନୁଗୋଚରୀ ଜଙ୍ଗଲର ଅଧିକାରୀ ବୃତ୍ତେ ରେଭେନ୍ସାଙ୍କ ନାମରେ ଅଧିକାର
ସୁରେଶ ଚନ୍ଦ୍ର ବିହାରୀ କୁ ଜମିପତ୍ର ପ୍ରଦାନ କରିବା ପାଇଁ ଅନୁରୋଧ କରାଯାଉଅଛି ଏବଂ
ସୁରେଶ ଚନ୍ଦ୍ର ବିହାରୀ କୁ ଜମିପତ୍ର ଉପରେ ପୁନଃ ନିର୍ଦ୍ଧାରଣ କରାଯାଇଛି ।
 ଏକ ନକଲ ଉପସ୍ଥର ହରାଇ ଜଙ୍ଗଲ ଅଧିକାରୀ ଜମିପତ୍ର ପ୍ରଦାନକାରୀ ଠାରେ ଦିଆଯାଇ ନିଆଯାଇଛି ।

ଉପରୋକ୍ତ ଉପାଦାନ / ଉପାଦାନ ନାମ	ସାମଗ୍ରୀ
୧୫୧୧୧ ମୁକ୍ତ ଲାଟ୍	Surah Road
୧୫୧୧୧ ମୁକ୍ତ ଲାଟ୍	Surah Road
୧୫୧୧୧ ମୁକ୍ତ ଲାଟ୍	Surah Road
୧୫୧୧୧ ମୁକ୍ତ ଲାଟ୍	Surah Road
୧୫୧୧୧ ମୁକ୍ତ ଲାଟ୍	Surah Road
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୧୫୧୧୧ ମୁକ୍ତ ଲାଟ୍	Surah Road
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୧୫୧୧୧ ମୁକ୍ତ ଲାଟ୍	Surah Road
୧୫୧୧୧ ମୁକ୍ତ ଲାଟ୍	Surah Road



ଉପରୋକ୍ତ ନକଲ ଉପସ୍ଥର ହରାଇ ଜଙ୍ଗଲ ଅଧିକାରୀ ଜମିପତ୍ର ପ୍ରଦାନକାରୀ ଠାରେ
 ନିର୍ଦ୍ଧାରିତ ସେକ୍ସନ୍‌ରେ ପଞ୍ଜୀକରଣ କରାଯାଇଥିବା ଅଧିକାରୀଙ୍କ ଅଧିକାର ଓ ବିଚାର କାର୍ଯ୍ୟକୁ
 ନିଚେ ପ୍ରେରଣ କରାଯାଇଛି ।


✓ **Surah Road**
 ରେଭେନ୍ସା ଜଙ୍ଗଲ ଅଧିକାରୀ ଜମିପତ୍ର

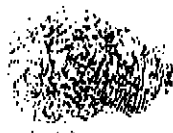

ଉପରୋକ୍ତ ନକଲ ମଧ୍ୟରେ ଅଧିକାରୀ / ଉପରୋକ୍ତ ନକଲ / ଏହା ଉପରେ ଅଧିକାରୀ ଓ ବିଚାର
 କାର୍ଯ୍ୟକୁ ନିଚେ ପ୍ରେରଣ କରାଯାଇଛି ।

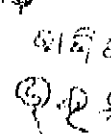
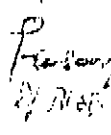
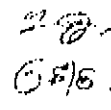
✓ **Surah Road**
 ରେଭେନ୍ସା ଜଙ୍ଗଲ ଅଧିକାରୀ ଜମିପତ୍ର

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 ଚଳେଇ ଚାଲେଇର ମାଂସ
 ଚଳେଇ ଚାଲେଇର ମାଂସ

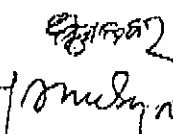
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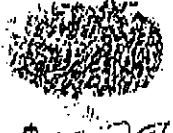
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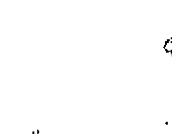
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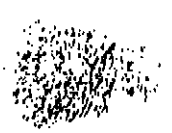
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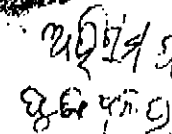
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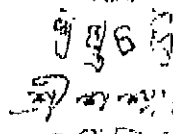
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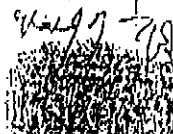
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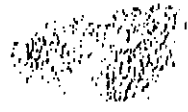
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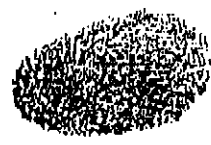
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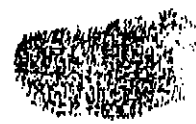
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ବିନୟ କୁମାର



ବିନୟ କୁମାର
ମୁଖ୍ୟ ଅଧିକାରୀ



ବିନୟ କୁମାର
ଅଧ୍ୟକ୍ଷ



ବିନୟ କୁମାର
ଅଧ୍ୟକ୍ଷ



ବିନୟ କୁମାର
ଅଧ୍ୟକ୍ଷ



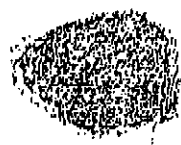
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ଅଧ୍ୟକ୍ଷ

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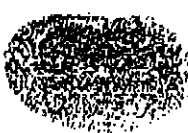
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Handwritten text in Odia script



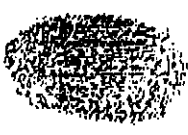
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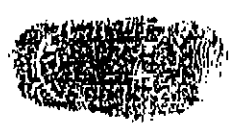


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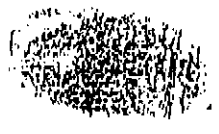


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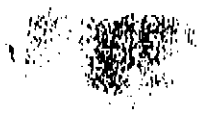
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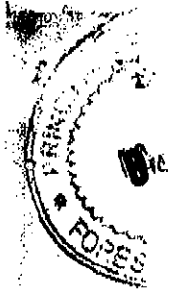
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GOVERNMENT OF ORISSA
FOREST DEVELOPMENT DEPARTMENT

Dated Bhubaneswar the 31st March, 2011
(9-1)

Sarang, IAS
Secretary to Govt.

Secretary to Government,
Forest Development Department.

Subject: **Acquisition of Forest Land for establishment of Integrated Steel Plant by POSCO-India Ltd. in Jagatsinghpur District, Orissa.**

Reference: **Letter No. 5776 dtd. 07.03.2011 of Forest & Environment Department.**

In response to the aforementioned letter, I am directed to inform you that the Forest Development Department, regarding implementation of FRA, 2006 vide Letter No. 5776 dtd. 07.03.2011. The Collector's report dated 04.02.2011 had indicated that all due procedures under FRA, in the villages within the proposed project area including the village where the proposed project area including though applications under FRA were received and settled in the villages where the proposed project area were received from the proposed project area.

The petition filed by Sri. Prashanta Kumar Patikury suggested that the Gram Panchayat of Govindapur Gram Sabha on dtd. 21.02.2011 and the Collector, Jagatsinghpur was requested to cause an enquiry and enquiry, the Collector, Jagatsinghpur has informed that the meeting convened by the Gram Sabha on 21.02.2011 was attended by an activist protesting against the proposed project to be set up. In the meeting of notice as per the recording of Gram Sabha Resolution about involving the Secretary of Gram Panchayat as required in Panchayat Rules 1978 & the Clause 11(6) of the Scheduled Forest Dwellers (Recognition of Forest Rights) Rules 2007. The Collector, Jagatsinghpur is advised for the reference.

The objection of some people to be recognized as Other Traditional Forest Dwellers has already been considered by letter No. 5048(SSD), dated 07.02.2011.

Yours faithfully,

[Signature]
Commissioner-cum-Secretary

9/3/11

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B
SNR
02-4-11

ANNEX-II

POSCO PRATIRODH SANGRAM SAMITI

Gram Panchayats Dhinkia, Nuagaon, Gadkujang, Erasama Block, Jagatsinghpur District, Orissa.

April 11, 2011

To:
Shri Jairam Ramesh
Minister of State (I/C) for Environment and Forests
Paryavaran Bhavan, CGO Complex
New Delhi 110 003

Sub: Expected assurance from Orissa government related to POSCO project; facts already on record with your Ministry demonstrate that any such assurance will be false

Dear Sir,

We are the main organisation of the people who will be affected by the POSCO project's proposed steel plant in Jagatsinghpur District of Orissa. Since the Ministry's decision of January 31, 2011 in favour of the project, we have been forwarding documents, complaints and gram sabha resolutions from the area to the Ministry in order to demonstrate the utter illegality of any "assurance" from the Orissa government on the lines that the Ministry has requested.

As recent press reports indicate that such an assurance is expected this week, we wish to reiterate the submissions made to your Ministry recently:

1. Representation of the POSCO Pratirodh Sangram Samiti dated 03.02.2011, in which we have listed the official documentary evidence that proves that we are indeed other traditional forest dwellers and which is already on record with the Ministry as a result of the POSCO Enquiry Committee.
2. Complaint of the Forest Rights Committees of Dhinkia and Gobindpur villages dated February 11th, 2011, accompanied with sworn affidavits of the sarpanch of Dhinkia and the Panchayat Samiti member from Gadkujang village, and copies of resolutions passed by Dhinkia and Govindpur gram sabhas in February 2010. The affidavits and complaints clearly state that no records, forms or materials were provided to anyone in these villages relating to the Forest Rights Act, and further state that the Committees (which are the inquiry bodies under the Forest Rights Rules) hold that the people of the area are indeed other traditional forest dwellers and that their claims for community rights are pending before the Sub-Divisional Level Committee.
3. Gram sabha resolutions of the villages of Dhinkia and Gobindpur passed on February 21st and 23rd, 2011, respectively, which state that the people of the area are eligible as other traditional forest dwellers, that they enjoy both individual and community rights under the Forest Rights Act, and that they reject consent to the proposed diversion for the POSCO project. The palli sabhas also exercised their power under Rule 11 of the Forest Rights Rules to extend the deadline for receipt of claims. These resolutions complied with all technical requirements and are valid as palli sabha resolutions (the palli sabha being the gram sabha for the purposes of the Forest Rights Act in Orissa). These were forwarded to you on March 10th. These resolutions are also evidence under the Ministry's order of July 30th 2009 and show that that order was never complied with, in contravention of the Ministry's condition imposed on the final clearance of December 29, 2009.

We further wish to inform you that, without any assistance or statutorily required implementation steps

from the State government, and despite the intense police presence and constant threat of violence, the people of the area and in particular of Dhinkia and Gobindpur villages have been completing the process of filling out claim forms and verifying rights claims and that several hundred such claims are expected to be approved by the respective palli sabhas within the next fifteen days. It is also expected that these palli sabhas will be issuing notice under section 8 of the Forest Rights Act to the State government for its blatantly false statements over the past year, which constitute criminal offences under section 7 of the Act and sections 192 and 219 of the IPC.

Finally, Sir, we wish to note that as per recent press reports the Orissa government intends to argue that we cannot be other traditional forest dwellers as the land was not notified as forest land until 1961. This is a malicious and absurd distortion of law and has already been dealt with by the POSCO Enquiry Committee in depth. The fact is - as demonstrated by the Orissa government's own maps - that the area was forest as per section 2(d) of the Forest Rights Act in 1930, and this is the relevant definition.

In light of the above we wish to reiterate that any assurance from the Orissa government has been shown to be both false and illegal and that the evidence to demonstrate this is on record with the Ministry. We call upon the Ministry to reject any such false assurance.

Sincerely,

(Prashant Paikray)

Spokesperson