

Enquiry into the Violations of various Provisions of Panchayat Extension into Schedule Areas Act, 1996 in Raigarh District of Chhattisgarh.

26-28 July 2006

A Report

**Planning Commission
Land Resources Department of Ministry of
Rural Development
Ministry of Panchayati Raj**

Committee Members:

**Shri P.V. Rajagopal
Shri Subhash Lomte
Shri Balaji Pandey
Shri Ramesh Chandra Sharma**

On 13 April 2006, the Land Resources Department of Ministry of Rural Development and the Planning Commission constituted a Land Committee for providing inputs into the formulation of the 11th Five Year Plan. During the course of a meeting of Land Committee on 9 July 2006, an “Enquiry Committee” comprising of Shri Rajgopal P.V., Shri Subhash Lomte, Shri Balaji Pandey and Shri Ramesh Sharma was formed for the purpose of investigating the violations of PESA provisions in Raigarh district of Chhattisgarh.

Brief for the “Enquiry Committee”

- To document instances and cases of PESA violations
- To dialogue with and interview concerned local residents and administrative officials
- To provide suggestions for solution of identified violations

The members of the “Enquiry Committee” along with Shri Markandya and Shri Suresh Parmar, undertook a field survey of selected villages in Raigarh district from 26-28 July 2006.

Program followed by the “Enquiry Committee”

26 July Jan Samvad (dialogue with public) on the violations of PESA Act 1996. Over 150 participants from local NGOs, News media, citizens groups attended the Jan Samvad organized in Raigarh district. They placed their opinions, experiences and problems before the committee.

Meeting with the Collector, Raigarh for sharing the ‘brief’ and handing over the list of required documents for the purpose of the enquiry.

27 July Field Visits to Ujwalpur, Taraimal, Poonjipathra, Donga Mauha, Khadiapara, Tamnar and Rabo villages for the purpose of situation assessment through meetings with residents. Revenue Officer and Tehsildar of Gharghoda accompanied the team.

28 July Field Visits to Singhanpur, Saraipal and Kalmi villages of Kharsia tehsil, accompanied by Revenue Officer, Raigarh and other officials. Dialogues were held with the present villagers.

At 5 p.m. in a meeting at the Collector’s office in Raigarh discussions were held with prominent citizens of Raigarh and concerned officials of the revenue, forest, minerals and environment departments of the state.

The Collector, Raigarh informed the committee members that the information sought by them would be furnished within 15 days. Annexure I. The prominent citizens of Raigadh also made some documents available.

Limitations

The villages selected for field visit were decided on the basis of problems raised during the course of Jan Samvad and prior intimation of problems and issues.

The committee was entirely dependent on the villagers for primary information and on the Collector's office for secondary information.

The Panchayats (Extension to the Scheduled Areas) Act, 1996

The Panchayats (Extension to the Scheduled Areas) Act, 1996 (PESA, 1996) was enacted and came into operation on 24 December 1996. This Act extends Panchayats to the tribal areas of nine States, namely, Andhra Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Maharashtra, Madhya Pradesh, Orissa and Rajasthan, which intends to enable tribal society to assume control over their own destiny to preserve and conserve their traditional rights over natural resources. The PESA Act, 1996 enables tribal societies to assume control over their lives and to preserve and conserve their traditional rights over natural resources. However, several State Governments have passed laws not fully in conformity with the Central Law whose implementation has been severely hampered by the reluctance of many state governments to make laws and rules that conform to the spirit of the law. All states, which had Scheduled Areas within their geographical boundaries, were mandated to amend their existing Panchayati Raj acts, incorporating the provisions of PESA within a year, i.e. by 24th December 1997.

The State of Chhattisgarh came into existence on 1 November 2000 (earlier part of the state of Madhya Pradesh). Since then new provisions, for enabling effective implementation of the PESA Act, 1996, have been added to the Chhattisgarh Panchayati Raj Act, 1993.

Under the overall goals of the PESA Act 1996, the following things are possible:

- Gram Sabhas can be held at the para, majra and tola levels.
- Gram Sabhas are empowered to protect the traditions, beliefs and culture of the tribal communities.
- Gram Sabhas have the powers to manage and protect common properties based on their traditional systems of management and protection.
- Local disputes can be resolved by the Gram Sabha through its traditional systems.
- In case of land acquisition the administration will seek permission from the gram sabhas for the rehabilitation of affected families.
- The Gram Sabhas will have the rights over minor forest produce, powers to restore land to tribals, control over money lending to tribals, control over social organizations working for the welfare of tribals and control over the local plans and sub-plans developed for the development of tribal areas and communities.

- The Gram Sabhas will exercise control over local markets and melas held within their jurisdiction.
- Gram Sabhas will have the rights to control the distillation and prohibition related to manufacture of liquor.
- The district panchayats will have rights and powers similar to the district panchayats falling under Sixth Schedule.

The basic provisions of the PESA were aimed at facilitating participatory democracy in tribal areas by empowering the Gram Sabha to manage and control its own resources. The Gram Sabhas were given special functional powers and responsibilities to ensure effective participation of tribal communities in their own development in harmony with their culture so as to preserve/conservate their traditional rights over natural resources. The Act restored primary control over natural resources including land, water, forest and minerals and bestowed ownership rights over minor forest produces to the Gram Sabha.

However, in the ten years since this act came into existence, its implementation on the ground has been full of problems and confusions. Instances of violations of its provisions have been on the increase especially in the states where natural resources are abundant and primarily located in the tribal areas. These natural resources are viewed as central to the economic growth of the state and as such acquired at the cost of the tribal communities living in the area. The question now is whether the gram sabhas have any power to intervene in subjects where there is a conflict of interest between the state and the local communities? How far reaching are the powers and rights vested in the gram sabhas, specially when they often collide with the powers and rights vested in the revenue and forest departments of the center and state? Are the decisions taken by the gram sabhas binding on the state departments? Today these and many more issues are facing the tribal communities and various state departments and governments.

In this report an attempt has been made to document the experiences of gram sabhas in Gharghoda and Kharsia tehsils of Raigarh district in Chhattisgarh. Both tehsils fall within the Scheduled Areas list. Examination of these experiences often leads one to the realization that the decisions of the gram sabhas and the actions of the administration are in conflict of each other. Therefore some solutions and means of moving forward are long over due.

Raigadh District: An Introduction

Gharghoda, Lailoonga and Dharamjaigadh tehsils in Raigarh district fall fully within the Scheduled Areas list while Raigarh and Kharsia are partially within the Scheduled Areas (As per the Madhya Pradesh State Gazette dated 20 July 1981). Raigarh district has huge potential for industrial growth and mineral excavation specially coal. As a result the state is focusing on vast industrial expansions in the district.

In a large expanse of Gharghoda tehsil (Scheduled Area), coal mining is rampant. Details of these coalmines are given below:

Name of Patta holder	Mineral	Village	Area	Duration
South Eastern Coal Field Ltd., Raigadh	Coal	Barod	72.043	01.05.1973 to
Messers Jindal Steel and Power Ltd., Raigadh	Coal	Dogamauha and others	705.556	10.12.1997 to 18.12.2027
Messers Monet Ispat Ltd., Raipur	Coal	Meelupara and others	830.000	07.06.02 to 06.06.2032
Messers Jindal Power Ltd., Raigadh	Coal	Dogamauha and others	964.650	07.10.05 to 06.10.2035
Messers Raipur Alloys and Steel Ltd.	Coal	Karwahi and others	335.736	25.10.05 to 24.10.2035
Messers Jaiswal Niko Ltd., Nagpur	Coal	Kodkel and others	884.846	10.04.06 to 12.04.2026

For the purpose of this report the findings and experiences of the Enquiry Committee have been documented based on the committee's visit to villages, meetings with residents and discussions with various groups of stakeholders. An attempt has been made to record the submissions and decisions taken by various gram sabhas, actions initiated by the administration and applications, protests and complaints registered by local citizens groups. Details of administrative actions have been requested from the District Collector. A comparative analysis of the two sets of information is only possible once this information has been received by the Committee. Till such time the present report can only be seen as an interim report awaiting further information for validation.

Instances in which actions and proceedings are unclear

In the opinion of the Enquiry Committee the following instances/facts/processes have been found to be in violation of the provisions of PESA Act, 1996.

Village: Singhanpur

Tehsil: Kharsia

21.03.03 The State Investment Enhancement Board through Notice No. 366/I.E.P.V. Dated 21.03.03 directs the gram sabha of Singhanpur to submit its objections on acquisition of land (Singhanpur 1.967 hectare, Neharpali 16.212 hectare and Salihabhata 12.022 hectare) by 29.05.03. The land thus marked for acquisition falls under the category of administrative land (grazing land).

28.05.03 The gram sabha of Singhanpur submitted its objection to the proposed acquisition through resolution No. 1.

As per the de-notification information issued by the Sub Divisional Officer on 09.05.04 the gram sabha on 23.01.04 through application no. 32 gave its consent to land acquisition for establishing a factory. However according to the chairperson of the gram sabha, Shri Asharam Manjhi, in the said gram sabha discussions were only held on issues ranging from 1-29 and objections against land acquisition for factory were once again registered through resolution No. 19.

09.07.04 the Collector of Raigarh dispatched a letter to the Sub Divisional officer of Kharsiya granting permission to Monet Company to undertake survey of administrative land and private land (after seeking due permission from the owner).

04.01.05 Collector of Raigarh issued orders under Land Acquisition Procedure No. 37-A-82/2004-05 for acquisition of 19.816 hectares of land in Singhanpur as under Section 6 of Land Acquisition Act, 1984.

05.01.06 Gram Sabha of Singhanpur presented an application before the Chief Justice of Chhattisgarh High Court citing reference to Section 13 of Encyclopedia Britannica where in the Singhanpur Murals is mentioned as a World Heritage Site. These are located at a distance of mere 500 meters from the Monet Plant and are likely to be destroyed through pollution.

Till 03.05.06, the administration had not given any information through public announcement/notification for the acquisition of 1.453 hectares of grazing land Khasra No. 180. Never the less the said land was acquired.

Letter No. 1566 dated 27.02.06 of the District Trade and Industries Center; Raigarh states that 19.186 hectares of private land was acquired in Singhanpur on 11.11.2005. However

the affected farmers have neither received written information of this fact nor have they given their consent for the acquisition. They have not received any compensation either.

16.05.06 Villagers of Singhanpur informed the officer that Monet Company has laid claim to the path leading to the Nistar land of the village, the village cremation ground and the path leading to their traditional place of worship (Dev Sthan).

Village: Tamnar
Tehsil: Gharghoda

A Brief No. 1/20 dated 06.03.06 issued by the Collector's Office for the District Planning Committee, Raigarh states that the villagers of Tamnar, Salihabhata, Godhi, Northern Regaon, Southern Regaon, Kunjemura, Pata etc. registered angry protests after a public announcement for the acquisition of 29.595 hectares of land in these villages. The acquisition was intended for Jindal Steel and Power Limited. The land marked for acquisition includes main pathway of the village, religious site and a talab. It also includes nistar land such as cremation ground, cemetery and gothan. Along with this 0.769 hectares of land is chote jhad ke jungle. The concerned gram panchayats and villagers have objections to the acquisition of this land. However all these protests and objections have been put aside by the Madhya Pradesh Government in favour of economic development of the area.

01.05.2000 Shri Prem Singh Sardar, MLA from Lailoonga sent a written letter to the District Collector of Raigarh, Government of Madhya Pradesh asking for the cancellation of the Jindal Project.

04.03.2004 In a written complaint lodged with the Thana Incharge, the villagers have stated that the no objection letter dated 01.02.03 claimed as being issued by the Gram Panchayat with the seal of the Sarpanch and submitted before the Raigarh Collector by Jindal Steel and power Company on 29.01.04 is false. They state that on 01.02.03 there was no discussion in the gram sabha regarding the issuance of no objection certificate to Jindal Steel and Power Company and no such certificate was issued. That the submission by JSPL is false is proven by the fact that in the gram sabha meeting of 01.02.03 only 1-14 resolutions were discussed and passed. Resolution No 14 deals with the selection of Antodaya beneficiaries and after its passage there are no signatures in the register denoting the passage of any other resolution. It is clear from the submitted document that the letter was issued by the gram panchayat and the word has been changed to sabha after the use of white ink to rub out the real word that is 'panchayat'. Therefore the submission by the Company is unconstitutional and false. The villagers demand action against the guilty and the company.

Prior to the acquisition, during the process under Section 4 (1) of Land Acquisition Act, 1894, after notification, the villagers registered their protest through a number of written complaints and objections. However the Land Acquisition Officer has not recorded no

information pertaining to action taken on the written complaints of the villagers. Instead the next step in the acquisition process was started.

31.07.04 On the objections presented by the villagers and Gram Sabha, the Collector, Raigarh stated, “on the subject of ‘no objection’ by the Gram Sabha, there is no question as the Gram Sabha is only consulted in the process and is not required to give a no objection certificate”. He further added “ where the question of rehabilitation and employment of the affected farmers is concerned it has to be mentioned in the Award Notice. The compensation for acquired land is awarded on the basis of irrigated and un-irrigated land quality. This is done as per administrative guidelines. The land acquisition proceedings are being done on the orders of the government and are mandatory in nature. As per the Act and law the objections raised by the villagers and gram sabha cannot be accepted”.

Village: Rabo
Tehsil: Gharghoda

25.11.04 The villages of Rabo, Aamapali, Dokramuda, Vilaskhar, Harradih, Gadgaon, Charratagar, Dehradih, Barbhona and Pakhadraha passed Gram Sabha resolutions objecting to the dam construction on Kurkut River.

Separate Gram Sabha resolutions, objecting to the dam on Kurkut river, of the following villages were presented to the District Magistrate, Raigarh and Chief Minister of Chhattisgarh:

07.11.04	Gram Sabha resolution from Charratagar
08.11.04	Gram Sabha resolution from Gadgaon
09.11.04	Gram Sabha resolution from Darradih
12.11.04	Gram Sabha resolution from Dehradih
12.11.04	Gram Sabha resolution from Pakhadraha
12.11.04	Gram Sabha resolution from Vilaskhar
13.11.04	Gram Sabha resolution from Aamapali
14.11.04	Gram Sabha resolution from Dokramuda
17.11.04	Gram Sabha resolution from Rabo

08.10.04 Jindal Steel and Power Limited started the construction of a dam on Kurkut River even before they had obtained permission and clearance from the Government of Chhattisgarh and Ministry of Forests and Environment, GoI.

2.11.04 Construction of the dam on Kurkut River was stopped after a direct order from the CM of Chhattisgarh. Gram Sabhas of the affected villages also filed a criminal case against JSPL and asked for justice.

18.01.03 In a letter issued by the Chief Conservator of Forests, Raipur it is stated – (1) 116.70 hectares of forestland and 60.842 hectares of revenue forestland has been

asked for diversion for construction of dam. At the same time is it within the law and orders of the state to grant, one river (Kurkut River) that is a common property resource and that is managed by the administration as public property, permission to a private company for the purpose of building a dam and using the water for their personal consumption? (2) prior to handing over a common property resource to a private company decision should be taken on the affect it would have on the people who depend on it for their needs. (3) How can such permission be given without the recommendation of the Department of Water Resources? (4) Does the required diversion have the permission from the State Water Use Committee?

06.12.04 The A.I.G. Forests, Government of India granted permission for the diversion of 177.542 hectares of forestland required for the construction of dam. At the same time it was recommended that for the purpose of compensatory forestry land be given for tree plantation in Forest Compartment No. 729 (296 hectares) and 60 hectares in the Orange Area land (un-demarcated protected forest). Permission was also given for limited and conditional fishing in the resevoir that would be created through the construction of the dam. Further was recommended that the land that would go under water as a result of the dam would be declared a reserved forest.

10.12.04 JSPL presented a letter to the Collector, Raigarh stating there in “ JSPL has taken financial loans from various money lending institutions for the purpose of its electric supply scheme. Therefore it is necessary to pledge our properties to these institutions so as to be able to borrow money. This is the primary condition placed before us by the financial institutions. Thus it is not possible for us to accept the condition of the State Government that requires us to hand over the ownership rights to the dam on Kurkut river to them,

20.12.04 In a meeting held by the Chief Secretary of Chhattisgarh in his capacity as the coordinator of State Investment Enhancement Board a decision was taken that states “The ownership of the dam on Kurkut river will lie with the State Government and left over water from the dam will be distributed to industrial units by the State. This information should be given to the local residents. Thereafter on obtaining consent from all concerned parties the future course of action be decided”.

Ujwalpur, Taraimal
Tehsil: Gharghoda

2001-02 Messers Nalwa Sponge Iron Limited asked for 17.440 hectares of land in Patwari Halka No. 36 of Ujwalpur village.

18.11.02 The Sarpanch of Gram Panchayat Taraimal submitted a written objection stating that the nistar land in the village that has 2271 small and large trees shrubs and trees should not be given for industrial use as this would cause disturbance in the nistar rights of the people and harm the environment. Later many residents of the village submitted their written objections alongside the Sarpanch’s letter.

04.04.03 Nayab Tehsildar, Taraimal in a submission mentioned the negative outcomes that would emerge from the disturbance in people's nistar rights. This submission was accepted by the court and the Collector, Raigarh on 19.05.03. Based on this the application for grant of land by Messers Nalwa Sponge Iron Limited was rejected.

21.07.04 In an order in the case by the Collector's court it was made clear that keeping in mind the public interest and protection of environment, land should not be transferred to Messers Nalwa Sponge Iron Limited.

21.02.05 Reverting the earlier decision, the Raigarh Collector's Court through its order stated that according to the order by Revenue Department of Chhattisgarh Government of 03.02.05, Messers Nalwa Sponge Iron Limited are granted land for their industrial unit and it would be transferred to them provided they agree to certain conditions placed upon them in the order. (Revenue Process No. A-19-3/2003/2004).

According to the information provided by the District Trade and Industries Department, Raigadh, Taraimal is a Gram Panchayat where 29 industrial iron units are operational. In many cases actions against the units on various grounds including objections by the residents and gram sabhas of the concerned villages are pending. The names of the units are given below:

Nalwa Steels	Jagdamba Steels
Anjani Steels	Sriram Hightech Steels
Saleno Steels	Mamta Electro Casting
Shyam Steels	Siddhi Vinayak Oxygen Plant
Vandana Energy and Power	Shobha Steels
Siddhivinayak Steels	Orien Fero Alloys
B.S. Steels	Epic Alloys
Harsh Steels	Sarvodaya Steels
Ambika Steels	Consultation Steels
Raigadh Steels	Banke Bihari Steels
Balaji Alloys	Radhe Govind Steels
R.S. Steels	Uroka Steels
East-West Steels	Gyan Steels
Banjari Steels	G.P. Global Steels

Kalami
Tehsil: Raigarh

18.11.05 In separate affidavits submitted by villagers it has been stated that no resolution was passed with the intent of giving land to Jindal Industries for industrial development in the area. The otherwise presented resolution No. 10 of 12.06.04, claiming an agreement to give land for industrial development, is therefore false.

Currently the administrative grazing land (5.6 acre) in Kalami village has been encroached upon by the Jindal Company. The gram sabha of the village has not given them any

permission to do so. They have planted trees on the land and the nistar path has been blocked through digging. The administration has not taken cognizance of the objections lodged by the Gram Sabha of Kalmi.

Poonjipathra
Tehsil: Gharghoda

11.311-hectare land belonging to Veronica Ekka, Patwari Halka No. 34, has been forcefully taken over by Jindal Group of Companies. In this context, the owner moved the High Court of Chhattisgarh and got a stay order W.P. No.-1901/2004 (28 August 2004) Order No. I. A. 4459/2004. However the encroachment has still not been removed. Instead the land has been fenced using barbed wire.

Jindal Group of Companies was involved in the illegal felling of trees on the following dates:

Date	Village	Khasra No.	Trees felled
22.11.03	Tumidih	303, 304, 309, 306/1, 306/3, 308	60 trees of mixed species
10.08.04	Poonjipathra	Patwari Halka No. 34, Khasra No. 216/1, 216/2	Case of illegally felling 72 trees registered by the Revenue Inspector of Tamnar
16.11.03	Tumidih	Patwari Halka No. 21	Case of illegally felling 36 Mahua, 14 Sal and 10 other trees. Panchnama made in the presence of the Revenue Inspector of Gharghoda.

Saraipali
Tehsil: Raigarh

29.01.05 In a Public Hearing called by the administration for the purpose of giving clearance for JSPL Expansion Scheme, objections submitted by the concerned villagers and citizens groups raised some critical issues – that the Singhanpuri Archeological Site falls within the 25 k.m. radius of the JSPL expansion scheme and is likely to be destroyed; that many water bodies and sources critical to the survival of local people such as Mand river, Tipakhhol reservoir, Karbala talab, Gangaram talab, Bilaspur reservoir, Bhujbandha talab, Ganesh talab, Bagh talab, Kaidimuda talab and Ram Jharna will be impacted and possibly destroyed; that Borai Dadar Sanctuary, reserved forest Indira Vihar and Bhoopdev Sanctuary also fall within 25 k.m. radius of the proposed expansion. Given the socio-economic, cultural, historical and environmental value of these places, the JSPL expansion scheme should not be given administrative permission to operate in the area.

30.04.98 Enquiry petition by the district dandadhikari Letter No. 2544/Nya Li/98 dated 30/04/98 states that tribal revolutionary Satyabhama Saura died due to the

insensitivity of Jindal Strips Limited. The company has no history of seeking a relationship of mutual trust with the local people of the area and as such should not be granted permission for expansion. (Taken from a submission made by the Lawyers Forum for Legal Rights during the course of the Public Hearing on 29.01.05)

There are a number of questions, pertaining to JSPL's plans for expansion in the area, that need an urgent answer: How much land, private, forest and revenue, has been acquired for the purpose of Jindal Steel Industry's establishment in Raigarh district? What actions have been initiated on the objections and complaints submitted by the local people and gram sabhas of Tamnar, Rabo and other Scheduled areas where 'land Acquisition' has been undertaken for Jindal Steel Industries. Where, When and how have the affected villagers been rehabilitated? Many cases against JSPL are still pending before various administrative and judicial tribunals in the state and until these are settled permission for future expansion should not be granted. The mandatory EIA report submitted by the company fails to take into account the health and environmental cost to the people in the area.

15.04.05 In a letter issued by the Assistant Ground Water it is stated – taking into account the permitted limits on ground water harvesting in the area it is certain that if JSPL is given permission for 40 tube wells then it will severally

06.05.05 In Letter No. 2176/Industry/2005, issued by the Collector, Raigarh to interdepartmental officer, Raigarh, Area Environment Officer, Raigarh and Mahaprabandhak District Industries and Trade Center, Raigarh; referring to JSPL's expansion scheme it has been stated that "on 05.05.05 I made a visit to Saraipal village in connection with a murder and found that JSPL has begun construction activities in many areas of the village including its cremation ground. Possibly this construction activity is related to the company's expansion plans. JSPL aims at an industrial expansion worth 2000 crores and a Public Hearing in its connection has been recently held. The expansion plan is yet to receive sanction from MoEF, Government of India. Therefore construction activities on such a large scale cannot be permitted. In this connection you are asked to make an enquiry into the matter and give notice to the offending party under applicable procedures of law. The ongoing work should be stopped with immediate effect and JSPL should be directed to cease all its activities in the areas till such time as the GoI gives it permission".

An appeal filed by Ekta Parishad and Lok Shakti, against JSPL's expansion scheme, is pending hearing in the National Environmental Appellate Authority, New Delhi.

Detailed Description of the Enquiry Process

Village	Singhanpur
Gram Panchyat	Neharpali
Tehsil	Kharsia
District	Raigadh
Total Population	554
Schedule Caste Pop	110
Schedule Tribe Pop	223
Others and BC Pop	94
HH below Poverty Line	52
Total land Area	180 Hectare
Area as per records	147 Hectare

The world famous Singhanpur Paintings were discovered by an English railway engineer named Robert Anderson in 1916. These paintings were later given the status of a World Heritage site and as such are mentioned in the 13th Chapter of Encyclopedia Britannica. Recently an American archaeologist, Dr Gerald V. Foster, has said that these paintings are 2090 years old and are therefore older than the paintings found in South Africa and Spain. These paintings also find mention as “ prehistoric man’s heritage” in the Social Sciences textbook of Class VI.

Sequence of Events

The Collector, Raigadh received written orders for the transfer of administrative land in village Singhanpur infavour of Industries Department for the purpose of a steel plant by Monet Steel Limited through Letter No. 366/I.I.P.B.-10/02 dated 21/03/03. In this letter he was also asked to inform the villagers that they should submit their objections to the said transfer before 29.05.03.

This letter was then issued as an advertisement for public notice No. 12819-3 on 12.05.03 and the day for appearance was fixed as 09.05.03. In a letter issued by the tehsildar it was informed that as per the above-cited order acquisition proceedings will be initiated for a total of 30.201 hectares of land in Patwari Halka No. 16. The name of the villages and the total amount of land in each, to be acquired, is given below:

Village Singhanpur	1.967 hectare
Village Neharpali	16.212 hectare
Village Salihabhati	12.022 hectare

On 28.05.03 the villagers called a Gram Sabha and passed resolution no. 1 on the subject of land acquisition in their villages. The Gram Sabha resolution stated (1) land is our mother and we will not give our land to any company at any cost (2) opening of the factory will destroy the environment and our culture therefore we object to the acquisition of any kind of land in our village – private or administrative. This resolution was then handed over to the District Industries Officer and Chief Manager.

A group of Singhanpur village elders in the leadership of Shri Chamar Singh met the C.M. of Chattisgarh and submitted an application objecting to the acquisition of land in their village. Order No. 13332 dated 17/02/2004, issued from the C.M.'s residential office gave directives to the Collector, Raigadh that appropriate measures in the case be taken and he be appraised of the issue within 15 days.

On 20.05.04 Shri Asharam Manjhi of village Neharpali made a written complaint to the Collector, Raipur that the administration had organized Gram Sabhas in his village on 28.05.03 and 17.07.03 on the subject of land acquisition for a factory by Monet Steel Ltd. The Collector, Raigarh was present in the Gram Sabha organized on 17.07.03 and in both these Gram Sabhas resolutions were passed that land will not be given for a factory.

In another Gram Sabha on 21.01.04 the subject of land for the factory was discussed and once again a resolution was passed against the possibility of giving land for a factory.

On 09.05.04 notification for starting the land acquisition proceedings was given in the local newspaper by the Sub Divisional Officer of Kharsia. According to his office sources Gram Sabha resolution no. 32 dated 23.01.04 gave the villagers consent for land acquisition for the proposed factory. However the chairperson of the said Gram Sabha, Shri Asharam Manjhi, refutes this information and claims that the villagers had opposed any kind of land acquisition.

On 20.05.04 In a letter addressed to the Collector, Raigarh Shri Asharam Manjhi draws attention to three points – (1) Notice for a Gram Sabha should be given 7 days in advance but in this case the notice given was a mere 3 days, (2) In any Gram Sabha one issue is discussed only once but in the meeting register it shows that two resolutions nos. 19 and 32 were passed, (3) the no objection certificate allegedly given by the gram sabha is false. Given these facts, he demands that the Gram Sabha of 23.01.04 be declared null and void and the land acquisition proceedings be stopped.

On 27.05.04 Group of village elders in the leadership of Shri Kriparam met C.M. of Chhattisgarh at his residence and handed over their appeal against the acquisition of land. Thereafter Order No. 14661/C.M. Res/2004 was issued to the Secretary, Industries Department, Chhattisgarh directing his office to investigate the matter and appraise the C.M. within 15 days.

On 09.07.04 Letter No. Q/Reader/2004 issued from the Collector, Raigarh's office to Sub Divisional Officer, Revenue, Kharsia, asking permission for the survey of

government land in Neharpali, Salihabhata, Singhanpur and Bhudevpur; on the basis of which the concerned and Revenue Inspector have been asked to survey the government lands in the said villages. However for the survey on private land they have been asked to seek prior permission of the owners.

04.01.2005 letter No./37/A-822004 issued by the Collector, Raigarh for land acquisition for Public Purpose as under Section -6 of the Land Acquisition Act, 1994. Orders for acquisition of 19.186-hectare land in Village Singhanpur were made public through this letter.

07.02.05 Villagers of Singhanpur once again submitted a written petition to the C.M. of Chhattisgarh objecting to the acquisition of land for industrial use.

03.03.05 Villagers of Singhanpur submitted a petition to the Collector, Raigarh registering their protest against the acquisition of land in their villages.

11.03.05 In a petition to the Sub Divisional Officer, Kharsia, the people of Singhanpur reiterated their objections to the acquisition of land in their villages.

13.03.05 In another letter to the Collector, Raigarh the villagers of Singhanpur apprised the Collector of the fact that they were being harassed and threatened by local police and people related to the Monet Factory. On the same day the Collector made a visit to the village and appealed to the villagers on behalf of Monet, that they allow the acquisition proceedings to take place.

18.03.05 Villagers of Singhanpur sent a detailed letter to the P.M. of India with copies to the C.M. and Governor of Chhattisgarh. The letter contained details of the case and protest against the acquisition of land in their villages.

23.03.05 Villagers from Singhanpur submitted memorandums, against the proposed land acquisition, to the Chief Secretary, Finance Minister, Environment Minister and Home Minister of Chhattisgarh Government.

06.07.05 The villagers of Singhanpur, in a letter to the C.M of Chhattisgarh, asked for his intervention in the proceedings underway for land acquisition and the harassment and threats to the villagers from the local police and agents of Monet Company. The same letter was also submitted to the P.M. on 18.07.05.

Through letter No. 14661/29.03.05 to the Secretary Industries Department, Government of Chhattisgarh, orders were given by the C.M. for acquisition of land in Singhanpur village for the purpose of Monet Company's factory.

21.11.05 Public announcement was made by the village Kotwar informing the villagers that cheques had been prepared for the compensation amount due to the farmers who had lost their land and that these could be collected from the Sub Divisional Officer,

Kharsia. However at this time the farmers had received no written notice for the acquisition of their lands.

24.11.05 Shri Roop Singh Rathia, Punch, Singhanpur, through a letter to the Assistant Information Officer, Revenue Department, Kharsia, under the Right to Information Act asked for all documents pertaining to land acquisition for Monet Steel Plant and documents pertaining to land acquisition under Section 9.

05.01.06 In a Public Interest Litigation, filed in the Chhattisgarh High Court, the villagers of Singhanpur presented the sequence of events in the acquisition process and alleged insensitivity and lack of transparency in the functioning of the administration. The PIL further elaborates the fact that (1) Singhanpur Paintings lie at a distance of mere ½ k.m. from the site for the Monet Factory, (2) Jawahar Navodaya School lies at a distance of mere 1 furlong from the Monet factory site and (3) singhanpur village, tehsil Kharsia is a declared Scheduled Area. However inspite of these facts and repeated Gram Sabbha resolutions opposing the land acquisition, the proceedings for land acquisition have gone on. This in the opinion of the villagers is unconstitutional and a denial of their rights.

24.02.06 Villagers of Singhanpur, in the PIL filed in the Chhattisgarh High Court, informed the court that Monet Company has occupied 1.967 hectares of land in the village and it has been leveled. At the same time they continue to threaten and harass private owners so as to grab their lands. Villagers asked the court to protect them as their human rights were being violated.

27.02.06 According to a letter (Chhattisgarh Government, Minerals and Industries Department, Raipur letter No. F-11-10/2003/11/6 dated 29/9/2003) issued by Mahaprabandhak, District Trade and Industries Center, Raigarh, permission was given for land acquisition in Villages Neharpali, Salihabhata, Singhanpur and Bhudevpur. Details of the land to be transferred is given below:

Name of Village	Private Land (hectare)	Government Land (hectare)
Neharpali	96.050	17.446
Salihabhata	74.614	13.956
Singhanpur	19.186	1.967
Bhudevpur	10.902	-
Total	200.752	33.362

In the context of the above-cited land, the Land Aquisition Officer Officer, Kharsia, has completed land acquisition proceedings and award has been passed. The government land has been transferred to the Industries Department, Chhattisgarh by the Collector, Raigarh. The ownership of the Revenue Department over the cited land was transferred to CSIDC, Raipur on 23.04.03 and the ownership of private/government in village Singhanpur was handed over to CSIDC on 11.11.05. In turn CSIDC, Raipur has distributed 158.201-hectare private land and 21.453 hectare government land to Monet Steel Limited. After receiving permission from the Chhattisgarh Environment Protection Mandal, Monet Steel Limited, has begun work on the land.

23.03.06 Residents Phoolsai, Budhiarin, Samarin and Gorobai of village Singhanpur filed an appeal in the district court stating that Monet Steel Limited has started work in their land without paying the entire compensation amount.

02.05.06 In a letter submitted to the Environment Minister of Chhattisgarh, the residents of Singhanpur have stated that the Singhanpur Paintings (world heritage site) are in danger of being destroyed due to the proximity of Monet Steel Limited.

12.04.06 PIL filed in the High Court, Bilaspur raises objections (1) on the removal of the ban on diversion of non-tribal lands in Scheduled Areas by the Government of Chhattisgarh and (2) the establishment of Monet Steels Limited venture in the area. Request for prompt action in the matter has been pleaded.

In the PIL following issues have been raised:

Singhanpur is situated in de-notified land where as per Section 165 – sub section 6 G of the Land Revenue Code, land cannot be acquired. Never the less in 2003 land was acquired in Singhanpur, Neharpali and Salihabhata without diversion. Given this fact why shouldn't the Monet Steel Plant be considered unlawful?

The survey order given by the Collector, Raigarh on 9.07.04 is a violation of Section 165 of Scheduled Areas Act. Therefore the notice for land acquisition issued by the Collector, Raigarh on 04.01.05 in favour of a non-resident is unconstitutional.

Its clear from the letter issued by District Trade and Industries Center (dated 27.02.06) that in Neharpali and Salihabhata villages private land was acquired on 23.04.05 and thereafter handed over to CSIDC, Raipur for distribution to Monet steel Limited for the purpose of establishing a steel plant. Till 20.12.2005 this land was under the purview of Section 165 of the Scheduled Areas Act. So why shouldn't the Monet Plant be considered illegal?

In Scheduled Areas, in case tribal land is transferred to non-tribals then the non-tribal party has to use the land for only agricultural purpose for a minimum of 10 years. On this ground alone the Monet Steel Plant should be shut down.

The chimni and kiln of Monet Steel Plant is located on land belonging to tribals – Faguram, Gudgudin Sidarin and Purushottam. Private talab of Gudgudin has been covered to make space for the kiln but he had not received any compensation till 12.04.06. The bill that was passed in the state legislature for the diversion of tribal land on 20.12.05 became operational from 01.01.06. in this context, The land that has been acquired for Monet Steel Plant was acquired before the bill became an operational law, therefore the Monet Steel Plant should be declared an unlawful activity.

17.04.06 In the PIL before Bilaspur High Court, villagers testified that Monet Steels Limited was occupying tribal lands through the use of force. They pleaded that the court

should put a stop to forceful buying of tribal lands and close down the plant that has been established by Monet Steels Limited.

03.05.06 In the PIL before Bilaspur High Court, the villagers pleaded that:

Grazing land, Khasra No. 180, area 1.453 hectare, be taken back from Monet Steel Limited and handed back to the villagers of Singhanpur. The honourable court was informed on 25.02.06 that Monet Steel Limited had forcefully occupied this land in Singhanpur. The Gram Sabha of Singhanpur had passed a resolution on 28.05.03 stating that the mentioned will not be given to Monet Steel Limited.

09.07.04 Collector, Raigadh issues orders for demarcating the land that is to be acquired. Till 03.05.06 no information regarding the acquisition of grazing land (Khasra No. 180) was issued in a public notice by the administration. Without the consent of the Gram Sabha the acquisition of this land is illegal.

In March 2006, under the 'Humara Chattisgarh Scheme' Singhanpur village was declared an "Ideal Village". The government has promised an agricultural center, artificial insemination center and veterinary care center in the village for the growth of cattle wealth and agriculture. However what is the point of all this when the grazing land in the village has been taken over for industrial purpose. Grazing land is critical for the nistar rights of the villagers and as such should not be acquired for industrial purpose.

According to Section 56 (2) of the Panchayati Raj Act, 1993 grazing land of a village is reserved for the nistar rights of its residents. Therefore grazing land (khasra no. 180) should be returned to the villagers.

11.11.05 19.186 hectares of private land was acquired in Singhanpur village (letter no. 1566 dated 27.02.06). However the farmers whose lands have been acquired have received no written notice of this acquisition. Their consent has not been taken and they have not received compensation for their lands. In this context on 17.04.06 the affected farmers filed an appeal in the High Court. They seek appropriate action for the protection of their rights.

10.05.06 The villagers submitted an application to Managing Director.

Put a stay on acquisition and buying and selling of land for Monet Steel Limited

Tamnar
Tehsil: Gharghoda

Case 1 Praful Kumar Patnayak's Fight for Justice

- 03.03.04** Praful Kumar Patnayak submitted a letter to the Collector, Raigarh stating his objections to the acquisition of his private land for a thermal power plant. In his letter he stated; in the context of the notice (Land acquisition Procedure No. 01/A-82/2003-2004 dated 7/02/2004) in a local newspaper I have come to know that 107.356 hectares of land will be acquired in Tamnar for the purpose of establishing a 1000 MW Thermal Power Plant. My personal land (Khasra No. 156) of 0.546 hectare is also part of this acquisition plan. My land is the sole livelihood of my family. It has 104 trees (mahua, cashew, jamun, neem, palash, tamarind, lemon, bamboo etc) and these trees are also a source of income. I object to my livelihood being taken away and ask you to dismiss the acquisition notice that has been issued in this context.
- 23.08.04** Notice Issued by Sub Divisional Officer and Land Acquisition Officer, informing the local residents and farmers of Tamnar (Patwari Halka No. 38) that private land will be acquired for public purpose. Therefore as under Section 9 of the Land Acquisition Act, 1894 the concerned persons should submit their objections on the day of the public hearing (06.09.04) or before the date of the hearing.
- 31.08.04** The above-mentioned notice displayed on the notice board of Tamnar Gram Panchayat's Building.
- 31.08.04** Gram Sabha of Tamnar passed a resolution stating that the basis of land acquisition in Tamnar is a fraudulent Gram Sabha proposal; therefore the acquisition should be immediately halted.
- 04.09.04 Public announcement (munadi) undertaken in the village of Tamnar.
- 04.09.04** Praful Kumar Patnayak submitted a written letter to Anuvibhagiye Officer, Gharghoda. In this letter he said that his consent was not taken for acquiring his land and even on 23.07.04 my statements were not recorded during the hearing. The Gram Sabha of Tamnar hasn't passed any resolution giving their consent for the proposed thermal power plant. Therefore the land acquisition proceedings underway are based on a false Gram Sabha resolution. The Gram Sabha passed a resolution on 31.08.04 demanding the cancellation of land acquisition therefore these proceedings should be immediately stopped.

12.09.04 Praful Kumar Patnayak told the Sub Divisional Officer that on 04.09.04 I had submitted a letter stating my objections to the acquisition proceedings. Previously land acquisition was for the purpose of “Jindal Thermal Power Plant’ and now it is being advertised as ‘Raigadh Thermal Power Plant Tamnar’; this is misleading.

05.05.05 Praful Kumar Patnayak submitted a complaint petition in the Human Rights Commission (letter no. R.A.H./28/04).

05.05.05 Praful Kumar Patnayak submitted an appeal letter to Group Leader, Gram Swaraj Abhiyan, Padyatra Dal, Tamnar; asking for compensation for the land acquired and the trees lost.

27.05.05 Nayab Tehsildar, Tamnar informed the people that land acquisition proceedings had been completed in Tamnar.

Case 2 Shyam Sundar and Krishanlal Sav’s Struggle for justice

17.05.05 Shyam Sundar and Krishanlal Sav submitted a letter to the Police Station Incharge of Tamnar asking that a criminal case be registered against the Director and Field Officer of Jindal Power Limited. In their complaint they alleged that Jindal Power Limited had occupied their land (khasra nos. 169/2 and 170/3) by force, erecting a wired fence around the land and thereafter filling it with soil and erecting 20 iron poles in the premises. Workers and security guards of the company threatened and abused them.

20.07.05 In a submission (Section 250 of Land Revenue Code, Chattisgarh) in the court of Nayab Tehsildar, Tamnar the petitioners pleaded that D.P. Saravagi, Managing Director, Jindal Power Plant should be asked to give up the illegal possession of their ancestral land Khasra Nos. 169/2 and 170/3, Patwari Halka No. 38.

17.04.06 In another submission to Sub Divisional Officer, Gharghoda, the complainants once again requested that the company’s illegal possession of their land be removed.

Case 3 Raghunath Chowdhry’s Struggle for his land

26.01.05 Shri Raghunath Chowdhry, in a written letter to the Manager, Jindal Power Limited, stated that his ancestral land khasra no. 445 (0.709 acres) has been illegally occupied by the company.

17.04.06 In a written complaint to Anuvibhagiye Officer, Gharghoda, Shri Raghunath Chowdhry stated that Jindal Power Limited has illegally occupied his private land – khasra no. 201/1 (0.405 hectare), 201/2 (0.474

hectare), 203 (0.587 hectares) and 167/1 (0.347 hectares). The company has started construction activities on his land and he and his family are being threatened. He is unable to access his land as a result he and his family are on the verge of starvation. Therefore the applicant should be given back his land.

17.05.05 Shri Raghunath Chowdhry, in a written complaint to District Magistrate, Raigarh asked for the return of his land and registration of a criminal case against the officials of Jindal Power Limited.

02.06.06 Shri Raghunath Chowdhry registered a written complaint with the Police Station Incharge, Tamnar. In his complaint he alleged that D.P. Sarawagi, Managing Director of Jindal Power Limited, Tamnar threatened to kill him therefore the police should provide him protection. He also referred to the previous complaint registered by him on 17.05.05.

Case 4 Bharatlal Chowdhry's struggle for justice

25.03.05 In a complaint registered with the Police Station Incharge, Tamnar, Shri Bharatlal Chowdhry asked for appropriate action against the workers and field officers of Jindal Power Limited for having illegally occupied his land.

04.04.05 In an application to the Sarpanch and Gram Sabha of Tamnar, Shri Raghunath Chowdhry asked for action against Jindal Power Limited for having illegally occupied his land.

17.05.05 Through a petition before the District Magistrate, Tamnar, Shri Raghunath Chowdhry asked for the registration of a criminal case against D.P. Sarawagi, Managing Director, Jindal Power Limited. He also asked for the return of his land khasra no. 167/7 (0.283 hectare).

02.06.05 Asked the Police Station Incharge, Tamnar to register a criminal case against Jindal Power Limited.

20.07.06 Through a petition in the court of Nayab Tehsildar, Tamnar asked for the removal of illegal occupation of his land and return of ownership rights over his land.

Case 5 G.S. Thakur and Alok Singh Thakur

05.06.05 In an application submitted to the Police Station Incharge, Tamnar Shri G.S. Thakur and Alok Singh Thakur asked for immediate action against guilty persons involved in the sale of their land khasra no. 138/1, Patwari Halka No. 38. They allege that their land has been sold (to Rakesh Jindal)

on a false deed emerging from the connivance of Patwari Bandram Patel and Deputy Registrar, land.

Case 6 Omkar Singh

05.07.04 In an objection petition, before the court of District Collector, Tamnar, Shri Omkar Singh Sidar has raised the following issues and in their context asked for cancellation of acquisition proceedings:

- Applicants land is included in the list of lands to be acquired as per the notice of 16.06.04 announcing the acquisition of lands in Patwari Halka No. 38 – khasra nos. 197/1 B, 197/2 A, 197/3 B, 197/4 A, 196/6,, 197/9 A, 197/10 A, 229/44 A, 221/22 B and 352/7 A.
- The law pertaining to Scheduled Areas has not been applied in the land acquisition process, even though the Gram Sabha of Tamnar has passed a resolution opposing the acquisition of land for a proposed power plant.
- People whose lands are to be acquired have not been informed about the compensation and other benefits that they may be entitled to in lieu of loss of land.
- In public interest, it is essential that the plant be located at a safe distance from residential areas. However the present site of the plant is in close proximity to the residential areas of Tamnar, Budia, Bagbadi, Jhikabahal, Kujemuda, Saliabhata, Regaon and Basanpali.

Case 7 Venudhar Vaishnav

12.09.04 In an appeal, to the Sub Divisional Officer, Gharghoda, related to the issuance of public notice, Shri Venudhar Vaishnav has said:

- The residents of Tamnar have individually and collectively objected to the acquisition of land in their village but their objections have been ignored.
- Farmers land has been acquired without their consent.
- On 31.08.04 the Gram Sabha of Tamnar passed a resolution asking for a ban on the illegal occupation of their lands by Jindal Power Limited. A copy of this resolution was also given to the Sub Divisional Officer, Ghadghoda but no action has been taken.

Case 8 B.D. Vaishnav

03.02.05 In a letter to the Sub Divisional Officer, Gharghoda, Shri B.D. Vaishnav of Tamnar stated that his private land (case no. 1/A 82/03-04) has been shown as tikra whereas his land is khar (agricultural land). Even the trees on the bunds of the land have not been shown. In this context the

concerned authorities should investigate the matter and take appropriate action. Details of the land are given below:

Khasra No.	Area (in Hectare)
178	2.120
189	0.178
179	0.174
229/46/2 A	0.393
329/30 A	0.441
231/14	0.316
Total	3.633 hectare

**Brief Issued by the Office of the Collector for District Planning Committee, Raigadh
1/20 (6 March 2000)**

An agreement dated 21/10/1994 has been made between Madhya Pradesh Electricity Board, Government of Madhya Pradesh and Messers Jindal Power Limited. According to this agreement Jindal Power Limited will establish, operate and maintain one 1000 MW Thermal Power Project in Raigadh district. For this purpose Jindal Power Limited shall receive full support for the activation of the project. At the same time appropriate land will be acquired and transferred to Jindal Power Limited. In this context Messers Jindal Power Limited have applied for 40.962 hectares of land in 7 villages of Tamnar Development Block.

After completion of all formalities for the distribution of the above-mentioned land, official case notice no. 774/Reader/94 (31 January 1997) was sent to Revenue Department, Bhopal. As per notice no. 6-197/97/7/2/B (dated 7/5/1999) of Revenue Department, Bhopal this case was returned for placement as an order before the District Planning Committee. Land from the following villages in Tamnar Block should be distributed:

Name of Village	Area (in hectare)
Tamnar	7.032
Salihabhata	1.117
Tamnar	4.188
Godhi	2.428
North Regaon	2.057
South Regaon	1.359
Kujemuda	7.950
Pata	3.464
Total	29.595 hectare

A Public notice announcing the distribution of above-mentioned land was made in the villages. Gram Panchayat of each village passed a resolution condemning and objecting to the acquisition of land. The stated reasons for objections were – (1) after observing the

activities and results of Jindal Steel Factory in nearby village Patrapali, peace in the villages will be disturbed and insecurity will increase, (2) people's sentiments will be hurt because the land has the main pathway of the village, religious places of worship and a common talab, and (3) cremation ground of the village, burial ground and gothan land are nistar lands of the villages.

Among other things in the land that has been applied for 10.303 hectare belongs to private owners and there is a forest in 0.769 hectare of the land.

All formalities for the distribution of land have been completed. The value of the trees in the land has been assessed by the forest department and found to be Rs 64,414. The value of the road has been assessed by the Rural Technical Services Department and found to be Rs 76,868. The assessment of premium and land cess has been done as per the orders of the revenue department. There are 3 ponds in the land and their total value is Rs 7,50,000. Other points worth considering are:

29.595 hectare land will be distributed for the establishment of one 1000 MW Thermal Power Plant. The total cost of the ponds, road and trees found on the land will be taken from the industrial unit.

The Gram Panchayats and residents of the villages have raised objections to the distribution of land.

In the light of the agreement made by the Government of Madhya Pradesh and benefit to the area, objections raised by the villages and villagers are set aside. Permission is granted for allotment of 29.595 hectares of land in Tamnar, Salihabhata, Godi, North Regaon, South Regaon, Kunjemuda and Pata to Messers Jindal Power Limited for the establishment of one 1000 MW Thermal Power Plant and the premium is set at Rs 20,94,062 while land cess is set at Rs 1,57,054 per annum. (Order of the additional collector, Raigarh dated 16 March 2000)

01.05.2000 MLA from Lailoonga, Shri Prem Singh Sidar in his letter to the Collector, Raigarh asked for cancellation of agenda No. 4 that was passed on 27.04.2000. He stated that the proposal for the thermal plant is unconstitutional as it impacts negatively on the villagers and their lives.

In response to the public notice issued by Collector, Raigarh on 07.02.04 regarding the establishment of 1000 MW Thermal Power Plant in Tamnar, the Sarpanch, Panches and Gram Panchayat of Tamnar in a letter dated 04.03.04 stated that they have not given any no objection letter in this context. The act of issuing a public notice for land acquisition in this context is against the procedures of land acquisition in scheduled areas. Therefore the process of land acquisition should be cancelled.

04.03.04 Villagers of Tamnar, in a written letter to the Police Station Incharge, Tamnar stated that the resolution dated 1.02.03 and presented by Jindal Power Limited to the Collector, Raigadh on 29.01.04 is completely false as no such resolution was passed by the Gram Sabha and the signatures of the Sarpanch on the resolution are also false.

Therefore a criminal case should be initiated against Jindal Power Limited. This should be done at the earliest else the villagers may become agitated.

07.05.04 Gram Sabha held in the Tamnar Panchayat Bhawan in the Chairmanship of Onkar Singh Sidar. Agenda – Discussion on the false ‘no objection’ certificate claimed to have been issued to Jindal Power Limited on 1.02.03. The following facts were placed before the Gram Sabha:

- The Gram Sabha of Tamnar did not issue any ‘No Objection Certificate’ on 01.02.03.
- That the said ‘No Objection Certificate’ is false is proven on the grounds that on 01.02.03 the Gram Sabha passed resolutions ranging from 1 to 14. Resolution No. 14 dealt with the selection of beneficiaries for Antodaya and other schemes. After this resolution the meeting register does not have signatures of the villagers who attended the Gram Sabha. The register only shows the signatures of the Chairperson. By looking at the said resolution one can see that it had the word ‘Panchayat’ which has been substituted with the word ‘sabha’. This is claimed to have had the signatures of Gram Panchayat members 1-12. In any Gram Sabha meeting the signatures of Gram Panchayat members are not recorded separately. Therefore this resolution is unconstitutional and false.
- On 27.02.04, a group of village leaders met the District Collector, Raigarh and presented before him all the facts and paper proofs pertaining to the case. They requested him to postpone the land acquisition process. However the land acquisition process continues and the villagers are being harassed.

Today in the Gram Sabha dated 07.05.04 once again we pass a resolution stating that unless an enquiry is made into the false ‘no objection certificate’ case and the guilty persons are punished we will boycott all future activities related to land acquisition. We pass a resolution that ‘no objection certificate’ has never been issued to Jindal Power Plant. Stern action should be taken against the person who issued a false certificate. It is also our demand that unless the gram sabha issues a ‘no objection certificate’ to Jindal Power Plant they should not be allowed to carry out any activity – survey, construction or mining – in our village. A written complaint regarding the false ‘no objection certificate’ was registered in the police station of Tamnar on 04.03.04 but till date the authorities have undertaken no action. We demand appropriate action in the case.

This resolution is passed on receiving agreement from all present and the Secretary, Gram Panchayat Tamnar and all the residents of the village sign it. Copies of the resolution are presented to all concerned departments.

30 September 2004 (Award Passed)

Ignoring the objections of the villagers and various resolutions of the Gram Sabha, on 30.09.04 it was awarded that – the compensation for the land acquired (89.535 hectare) in village Tamnar, Gharghoda tehsil is fixed at Rs 1,26,24,171. Compensation for trees on the said lands is fixed at Rs 2,66,894 and the compensation for crops on private lands is fixed at Rs 6,32,815. In this way total compensation amount of Rs 1,35,23,880 is fixed. According to the information given by Rehabilitation Department, Bhopal (25 Sept 1991)

in the Gazzette of Madhya Pradesh Government (November 1999), award is passed after receiving signatures from the District Collector, Raigarh on 25/09/04.

Village: Rabo, Tehsil: Gharghoda, District: Raigadh

28.06.95 Residents of 22 villages through their respective Sarpanchas presented memorandum to Collector, Raigarh. Through this memorandum they expressed their opposition to the proposal of Jindal Company's operations in Charratangar region. Copies of the memorandum were also sent to P.M., Chief Parliament Secretary (New Delhi), C.M. (Madhya Pradesh), Pushpa Singh (Parliamentarian from Raigadh), Urvashi Devi (Chairperson, District Panchayat), Chaneshram Rathia (MLA, Dharamjaigadh), Prem Singh Sidar (MLA, Lailoonga), P.L. Ajmera (Company Chief, Jindal Steels, Hissar), Anuvibhagiye Officer (Gharghoda), Police Inspector (Gharghoda) and Shri Atal Bihari Vajpai (leader of Opposition in the Lok sabha).

Names of Some Gram Panchayats that signed the memorandum: Navapara, Chote Tumdi, Charratangar, Bagachwa, Rumkera, Tumidih, Bhengari, Chotiguda, Baramkela, Kudumkela, Kosamghat, Porda, Kanchanpur, Barhaguda, Barod Raikela, Bhendra, Dharkodi, Amlidih etc.

20.10.04 Residents of Barbhona Gram Panchayat passed a Gram Sabha resolution (no. 4) expressing their opposition to activities underway for building a dam on Kurkut River by Jindal Steel and Power Limited. The Gram Sabha resolution was submitted to the C.M. of Chhattisgarh.

25.10.04 The Regional Kisan Sangharsh Samiti of Rabo submitted a letter to the C.M. of Chhattisgarh, expressing their objections to the dam on Kurkut river. In their letter they expressed their thanks for the C.M.'s intervention in getting the construction work on the dam stopped (Letter No. 11529/2004) and reiterated that the order sanctioning the construction of the dam should also be cancelled.

29.10.04 Resolution passed in the regional Gram Sabha of Rabo declaring that the local residents of the area will not allow the dam on Kurkut River.

02.11.04 Letter submitted to C.M. after a regional meeting of people of Rabo – informing him of their continuous struggle against the dam on Kurkut river. In their letter the following points were raised:

- After a general meeting on 28.06.95, 22 Gram Panchayats of the area submitted a letter to the P.M. expressing their opposition to the dam on Kurkut River.
- 24.09.95 - Objection letter from the Gram Sabha of Rabo sent to the Government of Madhya Pradesh through the Collector, Raigarh.

- 25.10.96 – Letter objecting to Land Acquisition sent to Government of Madhya Pradesh through Collector, Raigarh.
- 15.02.98 – Letter sent to Government of Madhya Pradesh through Sub Divisional Officer, Gharghoda; expressing people's opposition to the dam.

29.11.04 – Resolution passed in the regional general meeting, expressing opposition to dam, sent to the Government of Chattisgarh.

Brief information on the Gram Sabha resolutions against the dam on Kurkut river:

Gram Sabha date	Resolution Info
07.11.04 (Gram Sabha of Charratangar)	Resolution No. 1 opposing the construction of dam on Kurkut river in Rabo
08.11.04 (Gram Sabha of Gadgaon)	Resolution No. 1 asking for halt on the dam construction on Kurkut river in Rabo.
09.11.04 (Gram Sabha of Harradih)	Resolution opposing the dam on Kurkut river
12.11.04 (Gram Sabha of Dehridih)	Resolution opposing the dam on Kurkut river.
12.11.04 (Gram Sabha of Pakadraha)	Resolution opposing the dam on Kurkut river
12.11.04 (Gram Sabha of Vilaskhar)	Resolution opposing the dam on Kurkut river
13.11.04 (Gram Sabha of Aamapali)	Resolution No. 1 opposing the dam on Kurkut river because of its negative impact on the nistar rights of the villagers.
14.11.04 (Gram Sabha of Dokramuda)	Resolution opposing the dam on Kurkut river for the purpose of building a power plant by JSPL.

12.09.04 Resident of Rabo, in a letter to Secretary, Government of Chhattisgarh, asked for a copy of the order giving permission for land acquisition (for 1000 MW Thermal Plant by Jindal Power Limited).

17.11.04 Sarpanch of Rabo Gram Panchayat submitted a letter to Sub Divisional Officer, Gharghoda giving details of Gram Sabha resolutions opposing the dam on Kurkut river:

Name of Gram Panchayat	Previous Resolution (Date)	Present Resolution (Date)
Rabo	23/8/2004	10/11/2004
Charratangar	-	7/11/2004
Aamapali	-	13/11/2004
Dehridih	7/9/2004	12/11/2004
Dokramuda	7/10/2004	14/11/2004
Gadgaon	-	8/11/2004
Vilaskhar	7/9/2004	12/11/2004
Pakadraha	8/9/2004	12/11/2004

Similar letters (dated 19.11.04) were also sent to C.M. of Chattisgarh, Parliament Secretary, Chattisgarh, Managing Director, District Trade and Industries Center, Raigadh and Collector, Raigadh.

- 29.01.05 Residents and Sarpach of Rabo submitted a letter to the Collector, Raigarh expressing their opposition to the dam on Kurkut River.
- 15.03.05 In a letter to the collector, Raigarh residents and Sarpach of Rabo state that on 12.03.05 the Collector of Raigarh announced that the Dam on Kurkut river is the order of Government of Chhattisgarh while in a letter from the C.M. to Secretary it is said that the Government of Chhattisgarh did not give any permission for a dam on Kurkut river.
- 29.04.05 In a letter from Regional Majdoor Kisan Sangharsh Morcha to the Chief Secretary, Parliament Secretary and Collector, Raigarh, following points have been made:
- People of Rabo and neighboring Gram Panchayats oppose the dam on Kurkut River.
 - On 26.04.05 the officials of Jindal Power Limited have given wrong information to the administration in which they claim that 100 residents (who will be affected by the dam) have given their permission for the dam. We contend that this information is false and completely wrong.
 - Complaints and resolutions, opposing the dam on Kurkut river, from villagers, gram sabhas and gram panchayats are pending at various levels.
 - People are not aware of the impact of the dam and the concerned departments have failed to furnish any information on the subject.
 - In spite of active opposition from the Gram Panchayats and Gram Sabhas, land acquisition proceedings continue. This should be stopped with immediate effect.
 - Jindal Power Limited started building the dam on Kurkut River without receiving any permission from the Government of Chhattisgarh and MoEF, Government of India. Their work on the dam was halted after a direct order from the C.M. on 02.11.04. For this reason the administration should register a criminal case against Jindal Power Limited and punish them in accordance with law.
- 09.05.05 Memorandum, by residents of Rabo, opposing the dam on Kurkut River submitted to the Collector, Raigarh.
- 15.4.05 Residents of Rabo, in an appeal in the court, appeal for the cancellation of private land acquisition case no. 001/A-82/2004-05. They also appeal that they are not willing to accept the compensation that has been fixed as per the survey of land for immovable property (Ganana Patrak – 17) and request that appropriate action be taken for a halt on land acquisition.
- 21.04.05 Residents of Rabo submit a letter to the C.M. Chhattisgarh asking for a halt on land acquisition process (01/A-82/2004-05) and cancellation of the dam scheme.
- 29.04.05 Letter from Regional Majdoor Kisan Sangharsh Morcha to the Chief Secretary, Government of Chhattisgarh and Collector, Raigarh, opposes the dam on Kurkut River.

Administrative Processes and Actions

31.01.02 Permission granted, for 54-million cubic meter annual consumption of water by Jindal Power Limited for the purpose of 1000 MW Thermal Power Plant, by the Deputy Secretary, Water Resources Department, Government of Chhattisgarh.

18.02.03 The Chief Conservator of Forest, Raipur, in his letter, to the Secretary, Water Resources Department, Govt. of Chhattisgarh raised the following questions in context of the proposed dam on Kurkut river and construction of a reservoir by Jindal Power Limited:

- Permission for diversion of forestland, reserved forest compartment no. 853 P and 448 P (116.70 hectare) and revenue forest (60.842 hectare) has been requested. After undertaking a survey of the mentioned forestland it has been found that this land also contains a river that is a common property resource. It is managed by the administration as public property. Is it within the current laws and orders of the state to grant a private concern the right to construct a dam on such a property?
- It is mandatory that prior to giving any such permission to a private concern adequate decisions be taken with regard to the rights of the villagers.
- In the proposal no mention has been made of whether the Water Resources Department, Chhattisgarh is in agreement with this proposal or not? Permission from the Water Resources Department is mandatory.
- There is a Water User Committee in the state. The chairperson of this committee is also the Secretary of Water Resources Department. Has this proposal of diversion received the consent from this committee?

03.07.03 Letter issued by Deputy Secretary, Forests and Culture Department, Chhattisgarh (letter no. F7/19/2003/10-2/1308) to A.I.G. (F.C.) MoEF, Government of India. Referring to the letter (letter no. 11/Land Survey/1036, dated 28 May 2003) of Conservator of Forests, Chhattisgarh. In his letter the following comments have been made regarding the proposal for diversion of forestland (as under Conservation of Forest Act 1980):

- Density of the forestland proposed for diversion is 0.1-0.4 and from 0.4-0.5. Trees belonging to Sal/Beeja/Sheesham/mixed species trees cover the land. The total number of trees on the forestland amounts to 67,279 and the site quality of the forest is 4/A and 4/B.
- No other alternative non-forest land is available for the proposed non-forestry work.
- A minimum amount of land has been asked for diversion.
- No Objection Certificates from the concerned District Panchayats, where this proposal will be implemented, are attached with the proposal.

- In the proposal, applicant has provided the promissory note for bearing the cost of alternative tree plantation on twice the amount of diverted land i.e. tree plantation on 355.084 hectare of land.
- The applicant has prepared and attached the budget for alternative tree plantation at the cost of Rs 3, 156 per hectare.
- There are no sites or statues of historic importance near the proposed site of diversion.
- The cost benefit ratio of the proposed scheme is 1:4.38.
- The proposed site is within the 5k.m. Sensitive area perimeter.
- The proposed site (forestland) is not part of any National Park or Wild Life Sanctuary nor is there a reserved forest within the 5k.m. Radius.
- Environmental permission is required for the proposed non-forestry scheme.

06.12.2004 Permission of diversion of 177.54 hectare of forestland for building a dam on Kurkut River is given through a letter (8-93/2003 – AFC MoEF, GoI) from A.I.G. Forest, Government of India to Forest Secretary and Chief Conservator of Forest, Government of Chhattisgarh. Permission for compensatory forestation in forest compartment no. 725 (296 hectare of Orange Area land) and 60 hectare in protected forest area was also recommended in the same letter. Permission was also given for declaring as reserved forest the land that would go under water as a result of the reservoir. Permission for fishing in the reservoir was also given provided the applied conditions are fulfilled.

22.06.2004 The Deputy Secretary Minerals and Industries Department, Govt. of Chhattisgarh referring to letter 8554A/Land Acquisition/2003, dated 9/12/2003 informed the Collector, Raigarh through a letter that – Permission in principle is given, for acquisition of private land in Gharghoda tehsil of district Raigarh for a 1000 MW Thermal Power Plant by Ms Jindal Power Limited, on the condition that the interests of the affected families are protected.

Name of Village	Land Area (in hectare)
Dehridih	83.519
Rabo	163.545
Dokramuda	61.876
Pakadraha	9.571
Bilaskar	8.028
Total	322.539 Hectare

11.08.04 Managing Director, District Trade and Industries Center, Raigarh issued a letter (letter no. DTIC/Land Acquisition/2004/4282) to Sarpanch, Rabo Gram Panchayat stating – Permission has been given by the Minerals and Industries Department of Government of Chhattisgarh for acquisition of private land in village Rabo, tehsil Gharghoda, Therefore kindly conduct a Gram Sabha for passing a resolution in the village.

- 20.09.04 Public notice issued by the Additional Tehsil Court, Gharghoda (B-121/03-04) informing the residents of Rabo village that – Ms Larsen and Tubro Limited, Raigarh has been given permission to use explosives for the removal of large stones for the purpose of building a dam on Kurkut river (for the purpose of water supply) as part of their agreement with Jindal Power Limited. In this context they will also build a tank for storing diesel. In this context the residents can bring their claims to the additional tehsil court by 25.09.04.
- 29.09.04 The Sarpanch of Rabo Gram Panchayat in an appeal before the court of additional tehsildar, Gharghoda pleaded that in the above mentioned case permission should not be given to the company because they have failed to specify the meaning of the term ‘negative impact’.
- 21.10.04 Letter sent by the Sarpanch of Rabo to the Managing Director, Minerals and Industries Center, Raigarh stating – You have taken immediate action on the application of Jindal Power Limited but the information asked by us regarding the copy of permission order in this case has been received after prolonged delays. Secondly in the guise of an order issued by you the residents of Rabo have been harassed and threatened ceaselessly therefore we have no option but to move an appeal in the court against you. Please respond to our letter within 7 days or else we will file a case against you in the court.
- 26.09.04 Copy of the in principle permission for private land acquisition by Government of Chhattisgarh sent to the Sarpanch of Rabo by Managing Director, District Trade and Industries Center, Raigarh.
- 02.11.04 Letter issued by the residential office of C.M. Chhattisgarh to Collector, Raigadh asking for immediate action in the case regarding the objection letter pertaining to the dam on Kurkut river.
- 04.11.04 Collector, Raigarh through a letter (letter no. 2/Collector’s Residence/Land Acquisition/04) to an unknown address informed;
- (i) Ms Jindal Steel and Power Limited received permission, to build dam on Kurkut river, from Water Resources Department (letter no. 488/29/01/91/01/31//OJOPRA/2001/D-4 Raipur dated 31/11/2002).
- (ii) In 1996 Ms Jindal Steel and Power Limited had prepared the proposal of the dam scheme worth 50 crores in which the following land would be required:

Agricultural Land	338.18 Hectare
Government Land	174.92 Hectare
Forest Land	44.0 Hectare
Land around rivers and channels	123.9 Hectare
Total land	681 Hectare

The Company had given an application for the transfer of above-mentioned land. The district administration is taking action in this context and after viewing the proposal has come across the following faults:

- i. The cost of the scheme was fixed at Rs 50 crores in 1996 depending on the rates at that time. Land Acquisition is at the rate of 10-20 per Hectare. 261 Households would loose their land because of the reservoir; the amount set aside for their rehabilitation is very small. Today the whole scheme will cost around Rs 300 crores therefore this proposal requires corrections and the whole scheme should be reassessed once again.
- ii. According to this scheme the Water Resources Department has only been given the responsibility of technical management whereas the department should have the ownership rights. Besides this the left over water (after industrial use) should be free for distribution to other irrigation schemes and the Water Resources Department should have the responsibility of managing this for the benefit of farmers in the area.
- iii. The households that will loose their land and buildings due to submersion should be entitled to jobs in Jindal Steel and Power Limited along with other benefits as part of their permanent rehabilitation. All these conditions should be written in the proposal.
- iv. The proposal must have clearance from MoEF and Government of India prior to its implementation. Land acquisition proceedings can also be started only after such permission has been given else it will be a violation of government laws. The concerned departments should be given appropriate orders in this context.

10.12.04 Jindal Power Limited presented a letter to Collector, Raigadh in which they also commented on the subject of 'ownership over the dam'. They stated that Jindal Power Limited has had to raise money from various monetary institutions for the purpose of the proposed electricity supply scheme. In order to raise this money they have had to pledge various assets and in this context the condition of giving ownership right over the dam to Government of Chhattisgarh cannot be fulfilled.

20.12.03 Letter No. 09/SIPB/2004.1348 issued by the Chief Secretary to the Collector, Raigarh informing him of the decisions taken in a meeting of the State Investment Enhancement Board:

- a. There is a silk producing unit on 22.913 hectares of land in Tumidih village. This village is also part of the area that is proposed for the industry by JSPL. Therefore the Company should present a proposal that uses least amount of land and this strip of land in Tumidih village should be developed as a green belt.

- b. In the context of land acquisition in Raigarh district for the proposed scheme, it is directed that the Environment Department give clarity and the Collector of Raigarh proceed according to the given clarification.
- c. The proposed dam on Kurkut River will be in the ownership of the Government of Chhattisgarh and the government shall distribute the spare water from the dam. This information should be given to the residents of the region and future action should only be initiated after receiving their consent.

30.03.05 Announcement made, by the land Acquisition Sub Divisional Officer, Gharghoda, under Section 9 of Land Acquisition Act informing the people that all government land in Patwari Halka No. 21, Khasra No. 41 is to be acquired for public purpose. It is proposed that all land in this context will handed over to the government. Therefore if anyone wants to present a claim on the said land than it should be done in the court before 15 April 2005.

Similar announcements were also issued for the residents of Bilaskhar and Rabo villages.

06.09.05 In a meeting with affected villagers in the presence of Parliament Secretary, CM's office, District Collector, Raigarh, Police Chief and Director, Jindal Power Limited, the following decisions were taken:

- 1) Jindal Management will provide employment to at least one member of each of the families affected by the dam.
- 2) Jindal Management will provide employment to at least one member of every landless family in the affected villages.
- 3) Those farmers who have not received compensation for well, pond, tube well and trees on their land will benefit according to rules after survey has been done on their lands.
- 4) Consent given for making the irrigation facility on the river permanent. The cost of this activity would be borne by Jindal Company.
- 5) The right, to farm the land released from submersion, will be given to affected farmers.
- 6) Jindal Management will establish home based industries for weaker sections of the society and make available appropriate and timely work to women earlier engaged in agricultural activities.
- 7) Jindal Power Limited will make arrangements for educational, health and drinking water facilities in the villages affected by the dam.

On the basis of agreement on the above-mentioned conditions we the people of Rabo, Dehridih, Bilaskhar, Domibuda, Pakadraha and other affected villages give our consent for building a dam.

Ujjwalpur, Taraimal, Gharghoda Tehsil, Raigadh

From Government Records

2001-02 Ms Nalwa Sponge Iron Limited prepared a proposal for the establishment of a Sponge Iron and Captive Power Plant in Taraimal, Raigadh at the cost of Rs 45 Crores. Thjs was then submitted to the District Trade and Industries Center, Raigarh along with an application for the allocation of following government land in Patwari Halka No. 36 of Ujjwalpur village in Gharghoda tehsil:

Khasra No.	Area (in Hectare)	Type of land
34	0.250	
38	4.300	
39	2.030	
40	4.460	
Total	17.440	

Source: Collector, Raigarh Administrative Letter No. 5/01-19(3)/2003-2004

Objections raised by residents of Ujjwalpur:

- 3/10/2002 By Ganpatram Kesar
- 8/10/2002 By Shanti Devi Aggarwal
- 6/1/2003 By Johrilal Malakar and others
- 18/11/2003 By Sarpanch and Gram Panchayat of Taraimal
- 10/2/2003 By Ravi Aggarwal onn behalf of Shanti Devi Aggarwal
- 10/2/2003 By Ravi Aggarwal onn behalf of Kesardev Aggarwal
- 10/2/2003 By Ganpatram Kesar and others

In their objection petitions all petitioners contended that the government should not be given to Nalwa Sponge Iron because the said land is essential for the nistar rights of the villagers. The villagers are dependent on this land for grazing, firewood and forest produce. In a headcount of trees on the land it was found that there are 2271 trees on the land.

Khasra No.	Area (in Hectare)	No. of Trees
34	0.250	5
38	4.300	395
39	2.030	603
40	4.460	449
49	6.400	819
Total	17.440	2271

Based on the above information from the Nayab Tehsildar, Tamnar the Anuvibhagiya Officer contended that incase of privatization of government land serious obstacles will emerge in the way of nistar rights of the villagers and the felling of so many trees will also have an impact on the environment. (from the hearing proceedings on Collector, Raigadh's Letter No. 37/A-19/1/2001-2002)

7.03.2003 Case presented before the Nayab Tehsildar, Tamnar. Facts in brief are that government land (khasra nos. 34,38,39,40 and 49) located in Patwari Halka No. 36 and amounting to a total of 17.440 Hectare is registered in the name of the company. For the purpose of transfer of land the application is presented before the Collector, Raigarh. And consequently has reached the court through the Sub Divisional Officer for investigation and clearance.

This case was then presented before the Collector, Raigarh.

4.04.2003 After reviewing the case, Sub Divisional Office, Gharghoda noted that – villagers of Ujjawalpur and the Gram Panchayat of Taraimal have objections to the transfer of land to Nalwa Sponge Iron. From their objections it is clear that the said land has 2271 trees and its transfer will cause problems to the nistar needs of the villagers and felling of the trees will have an adverse impact on the environment. In this context the application is submitted to the Collector for appropriate action.

19.05.2003 The Judicial Collector in an order (37/A-19/1/2001-2002) against the Director, Nalwa Sponge Iron Limited stated that – applicant's industry is located in Patwari Halka No. 36, Khasra No. 141/7-B of Taraimal village. The applicant wants to expand the industry and had therefore asked for land in Ujjawalpur (Patwari Halka No. 36, Khasra Nos 34,38,39,40 and 49). In exchange for this land the applicant is willing to give up land registered in the company's name - Poonjipathra (Khasra No. 63), Tumidih (khasra No. 126/1 and 133/1), Amlidih (Khasra No. 31/3 044), Jamadbari (Khasra No. 51/1), Charratangar (Khasra No. 873). Therefore transfer is requested.

I have reviewed this application and find that the total government land in Ujjawalpur village for which the applicant wishes transfer is 17.440 hectare. This land is covered with trees such as Amla, Char, Harra, Jamun, Bahera and Tendu. The residents of Ujjawalpur are dependent on these

trees for their fodder and food needs. The land also has many other trees that keep environmental balance. If such a land is given to the company it will have an adverse impact on the lives of the villagers and the environment of the village. The company on the other hand is giving up land in five different villages, which will have no use for the villagers of Ujjwalpur. Therefore in clear terms if the government land (17.440 hectare) of village Ujjwalpur is transferred to the Company it will cause obstacles in the nistar rights of the villagers. It will cause a problem of grazing land. Therefore the transfer is not appropriate and the applicant's application for transfer is cancelled. (From the Order issued by Collector's court on 19/05/2003)

21.07.2004 In an order (No. 5/A-19 (3)/2003-2004) issued by Collector's Court, Raigarh it is stated – on the basis of an application from the company the Nayab Tehsildar conducted an investigation and found that no objections have been received from anyone in Ujjwalpur regarding the transfer of land to the Industries Department. The Gram Panchayat of Taraimal had passed a resolution giving their full consent for the transfer of land. There is no residential land near the land asked in transfer. Therefore it will not cause any problems to the villagers. There is no temple, mosque or cemetery near the said land. The land also does not come within the purview of Conservation of Forest Act, 1980. Following table gives the details of assessment of trees undertaken by the Forest Department:

Khasra No.	Area (in hectare)	No. of trees	Cost (in Rs)
34	0.250	3	1414
38	4.300	117	33861
39	2.030	249	27327
40	4.460	140	25423
49	6.400	291	54962
Total	17.440 Hectare	800	1,42,987

According to the guidelines 2004-05, the per hectare price of land in Ujjwalpur is fixed at Rs 103500. The mentioned land in Ujjwalpur does not come under the submergence area of Kelo Scheme therefore the department has no objection to the transfer of this land. The Gram Panchayat also does not have any objection to the transfer. Therefore the land can be transferred to the Industries Department. The total cost of the land, Rs 1805040, will be deposited in the government treasury by the industrial unit. In case the trees have to be cut, permission from appropriate authorities under the law will have to be taken.

5.10.2004 Collector, Raigarh issued a letter (No. 5790/Reader/2004) to Secretary, Government of Chattisgarh recommending the cancellation of permission for grant of revenue land in Ujjwalpur village (revenue department letter no. 1718/1895/2/0/04 dated 31/8/2004). In this letter the Collector notes – In the context of transfer of land Vinod Kumar pleads that the transfer of

land to an industrial unit will lead to the felling of 2271 trees causing damage to the environment and violation of Conservation of Forest Act, 1980. Previously the application of Nalwa Sponge Iron was cancelled on these grounds (dated 19/5/2003). In February 2004 the Industries department once again asked for the same land to be transferred to Nalwa Sponge Iron Limited. In this context once again a case was made (case 5/A-19 (3)/2003-2004) and the concerned revenue officers undertook investigation. On these occasions it was reported that the said land has only 800 trees. Since there was huge difference in the number of trees on the land another investigation was ordered. The Sub Divisional Officers of revenue and forest departments of Gharghoda tehsil jointly undertook this investigation. In the joint investigation report they stated that 1441 trees were found on 17.440 Hectares of land in Ujjwalpur. Since three different investigations had resulted in three different accounts I (Collector, Raigarh) decided to undertake a site inspection. I did not count the trees but from my observation of the site I can say that it was a forest of trees. It will not be appropriate to transfer such land for a industrial purpose as the loss of trees will damage the environment.

On 21/7/2004 the land was transferred into the control of Industries Department. Upon receiving the above complaint I immediately wrote a letter to the Managing Director, District Trade and Industries Center, Raigarh, instructing him that the above-mentioned land should not be transferred to Nalwa Sponge Iron Limited. I recommend cancellation of transfer in the interest of the public and protection of environment.

21.02.05 In a reversed order (case no. 5/01-19-3/2003-2004) the Collector, Raigarh states – since Nalwa Sponge Iron Limited did not get possession of the above-mentioned land; they entered a new application claiming that currently they have 42 hectares of land. They want the government land for the purpose of building houses for their workers and for providing health and education facilities for the villagers. This has been depicted in the outlay for the proposed unit. In the interest of the environment they will only fell 49 trees from the 3000 trees present on the land. In addition they will develop a green belt with 3000 trees around the government land. **Therefore land transfer order (dated 21/7/2004) in favour of applicants Messers Nalwa Sponge Iron Limited is passed. The land will be transferred to the Industries Department for allocation to the applicant. This order is based on the order (dated 3/2/2005) issued by the Revenue Department, Government of Chhattisgarh, Raipur. The order of transfer of land (21/7/2005) will be maintained under the following conditions:**

- The industrial unit will pay Land transfer fee of Rs 18,05,040 to the Industries Department, Government of Chhattisgarh.
- The industrial unit to the government of Chhattisgarh will pay the cost of trees –Rs 1,86,873 –.

- The industrial unit will be entitled to the felling of only 48 trees after due permission under Section 240-241 of Land Revenue Code, 1959.
- Out of a total of 1441 the unit can fell trees only 48 trees. Rest of the 1339 trees will remain in the ownership of the Revenue Department, Government of Chhattisgarh.
- According to the proposed outlay plan construction and buildings will be done in the area with fewer trees.
- 3000 trees will be planted for the development of green belt.
- All rules and laws as per the Master Plan and Conservation of Forest Act, 1980 will be followed.
- The Collector and other authorized personnel will have the right to inspect the site as and when necessary.

Village: Kalmi, Tehsil: Raigadh

People Vs Jindal Steel and Power Limited

18.11.05 Residents and Panches of Kalmi village – Gulabram, Suritram, Gayatri, Santulal, Puratan, Kewra Bai, Shyamkumar Dataram, Sundadas, Bhagwati, Rajkumar, Radheshyam, Sitaram, Bir Singh – in an affidavit, claim that on 12.06.04 the Gram Panchayat and Sarpanch of Kalmi did not organise any meeting nor did they pass any resolution. To our knowledge no resolution was ever passed regarding transfer of land to Jindal Steel and Power Limited. Their claim that they were given a resolution by the sarpanch and panches of Kalmi is completely false and fabricated.

24.03.06 According to a certificate issued by the Sarpanch and Panchayat Secretary of Kalmi – it is stated that the Gram Sabha of Kalmi never passed a resolution giving its consent for acquisition of land in Kalmi Patwari Halka No. 14 for the purpose of an industrial unit by Jindal Steel and Power Limited.

A case against the land acquisition in Kalmi village is pending before the Chhattisgarh High Court. While the case is ongoing, the Company has forcefully occupied land, belonging to a tribal - Narayan Singh Kanwar, in khasra nos. 19 (0.11 acre), 36/1 (0.20 acre), 31/1 (4.62 acre), 22 (0.66 acre). A total of 5.62 care land has been occupied and the owner is being threatened. No agricultural activity on the said land is currently possible due to its occupation by the company.

The company has also occupied 5-6 acre of village grazing land. No action has been taken on the complaints registered by the villagers. The pathway that is used by the villagers for their tractors and other agricultural works has been blocked through the digging of a large hole. The nistar rights of villagers are being obstructed.

Jindal Steel and Power Limited is involved in construction and other industrial activities on land that has been illegally and forcefully purchased by the company. Land has been purchased in the names of persons belonging to Schedule Tribes. Details of this transaction are given in the table below:

Khasra No. and Area	Purchased in the name of	Use of land
2/1 (1.525 hectare), 2/6 (0.226 hect), 2/7 (0.137 hect), 2/8 (0.263 hect), 2/11 (0.182 hect), 2/12 (0.97 hect)	Ashray Kumar Shadilya Bara S/o Nirdosh Bara, Urao caste, resident Patrapali	Construction of factory
2/13 (0.56 acre), 2/14 (0.26 acre), 2/15 (0.31 acre)	Ramu Atmaj Shivlal, caste Maina, resident of Rojamuda	
02/01 (12.14 acre)	Name of the person unknown but works in JSPL and belongs to ST	

In this way the company has purchased 16.07-acre land in the village and started its factory. The market price of land per acre is currently Rs 50,00000 but the company wants to pay only Rs 80,000 per acre for the land that is being acquired for its factory. The fact that JSPL has already begun its operations in the village is causing immense damage to the land and environment. Therefore the land acquisition proceedings should be immediately stopped.

Village: Poonjipathra, Tehsil: Gharghoda, Raigadh

Case 1: Veronica Ekka Vs Jindal Company

10.07.06 Letter to National Women's Commission stating that 11.311 hectare land in Patwari Halka No. 34, village Poonjipathra, Gharghoda is the private property of Veronica Ekka. The district administration has acquired this land without obtaining consent or informing the owner – its value fixed and award passed. Even after a objection application from the owner revaluation was done at a time when the owner was not present. Thereafter Jindal company took possession of the land and started felling the trees, removing the fence and erecting electricity poles.

Veronica went to the High Court, Bilaspur, Chhattisgarh and obtained a stay order against Jindal Company – W.P. No. 1901/2004 (28.08.04) Order No. I.A. 4459/2004. However Jindal Company, in violation of the stay order, continued constructing a road on the land and erecting electricity poles. The road and electric work was completed on 23/6/2004 and since than the Company is utilizing these facilities.

Veronica Ekka has given written complaints and applications to the Police Station Incharge, Gharghoda, Anuvibhagiye Officer, Gharghoda and Collector, Raigadh. On 7.07.06 she also sent a letter to the President of India. In this letter she said – I had agreed to give 3.5 acre of my land to Jindal Company for the purpose of a road but for that I have not received appropriate compensation. Besides this Jindal Company has occupied 14 acres of my land. This land is very fertile and yields two crops a year. It has 325 trees of Sagon, one 5H.P. submersible pump and is surrounded by a fence. I have asked for the return of this land and Rs 50,00,000 for the 3.5 acre that I gave them. However my pleas have borne no fruit and the Jindal Company has occupied my land.

Case 2: Chattisgarh Government Vs Messers Jindal Steel and Power Limited

Mauha trees in Khasra No. 216/1 and 216/2 (0.605 hectare) have been cut by Messers Jindal Steel and Power Limited. These trees have been cut without due permission. This land has been given to JSPL on lease for the development of Industrial Park. Safety and care of the forest property is the responsibility of this company. However the trees have been cut without permission, this is a clear violation of Sections 240-241 of the Land Revenue Code, 1959. Therefore as per Section 253 of the Code the Company has been fined Rs 2000 and the timber from the felled trees has been confiscated.

10.08.04, a case of illegal felling of 72 trees on Khasra Nos. 216/1 and 216/2 by Jindal Steels and Power Limited in Poonjipathra has been registered. Prompt action in the matter is recommended. Show Cause notice has been issued to Jindal Steel and Power Limited, in another case of illegal tree felling. Revenue Inspector, Gharghoda, has issued

the notice – you have felled 60 trees in Khasra Nos 303, 309, 306/1, 306/3 and 308 of village Tumidih. This is a violation of Sections 240-241 of Land Revenue Code, 1959. Therefore you are asked to appear in the court on 8.12.03 and explain as to why you shouldn't be fined Rs 5000 and the timber confiscated as under Section 253 of the Land Revenue Code.

Village: Saraipal, Tehsil; Raigadh

25.12.98 Secretary, Chhattisgarh Samta Manch submitted a letter to the Collector, Raigarh stating that Jindal Steels Limited, Patrapali has gained illegal possession of government road, cremation ground, government river etc in village Patrapali. At the same time they have taken possession of common forestland in villages of Khairpur, Saraipal, Kokditarai and Chiraipani.

Dec. 2004 Sub Divisional Officer, Raigarh issued a public notice for the local people stating – As per Environment Protection Act, 1986 for the purpose of E.I.A. notification (2/7/94) amended (10.4.97) a Public Hearing is scheduled for 4.1.2005. Jindal Steels and Power Limited, Patrapali call this Public Hearing for the purpose of an expansion scheme. If the residents of the area have any objections to this plan they can submit their written or oral petitions on 4.1.2005 or before 4.1.2005. According to the notice residents of the following areas were invited:

Villages and Population within the 3 k.m. radius:

Chiraipani (1162), Kokadi Tarai (4334), Kosampalli (2145), Barmuda (736), Jorapali (634), Kosamnara (833), Kalmi (1278), Bhagwanpur (1467), Gorka (1063), Bilaspur (745), Baikundpur and Jagatpur.

Villages and Population within 5 k.m. radius

Tipakhol (214), Parsada (732), Muraripali (509), Kirodimalnagar (1079), Ucchbhitti (1243), Gejamuda (1351), Rampur Chote (178), Baghanpur (790), Dhanagar (2310), Kenapali (280), Nansia (922), Amlimauna (2292), Sangitrai (1258), Govardhanpur (501), Lamidraha (410), Urdana (2659), Aamapala (331), Bhelwaticara (799), Barlia (809), Lakha (756), Mittumuda, Darogamuda and Rampur Badeka.

Villages and Population within 7 k.m. radius

Chiraipani (3332), Kerajhar (462), Pandaripani (1278), Kanshichua (1518), Banhar (422), Jampali (957), Kusmura (1722), Kotra (1313), Tarkela (1484), Chuhipal (619), Nansinpa (1431), Sehdevpali (1040), Chatamura (2200), Bojhardadar (2462), Regada (1276), Danauta (744), Bajinpali, Atarmuda Chte, Dongitarai, Khairpur, Doomarpali, Usraut, and Raigadh city – ward 1-40 (115908).

Objections registered during the Public Hearing on 29.01.05

According to the Lawyers Forum for Legal Rights

The proposed site for JSPL's expansion scheme will impact on a population of over four lakhs. It will also have an adverse impact on Mand River, Tipakhhol Reservoir, Bilaspur Reservoir, Karbala talab, Bhujbandha talab, Ganesh Talab, Bagh Talab, Kaidimuda talab and Gangaram talab.

Kamla Nehru Park in Raigadh, Childrens Park in Rajapada, Forest Park in Boraidadar, Reserved Forest Indira Vihar, Bhudevpur Forest Park and Reserved Forest, Ramjharna and Singhanpuri caves are also within the impact radius.

In the expansion outlay Khairpur, Gorka, Bhawanpur, Krishanpur, Jagatpur, Saraipal, Kalmi, Badmuda and Jampali villages are not mentioned. Chatamuda, Sehdevpali, Gadumaria, Bondatikra, Sangitrai, Bansimpa and Chuhipali are also not mentioned.

Bilaspur and Tipakhhol reservoirs have also been left out of the expansion outlay.

Currently the polluting waste emerging from the JSPL factory is being dumped in the talab near Kirodimal Basti. This has been hidden in the plan and it is being said that the expansion plan will not lead to any pollution or waste disposal in water sources.

In the expansion plan it is claimed that the company has planted 5.18 lakh trees. Where are these located and when were they planted?

It is claimed that Kelo and Mand rivers are at a distance of 12 k.m. from the expansion site. However this is not true, the distance is mere 5 k.m. and the arial distance a mere 2 k.m.

The claim that reserved forest and other sensitive areas are more than 25 k.m. away is completely false.

The claim that there is no plantation site within the expansion area is also completely false as green areas have been developed by the district Collector.

It is said that the temperature can reach a high of 45.9-degree celcius. Can the flora and fauna of the area survive in these temperatures?

It is also said that the Company will adopt 24 villages and provide them health and educational facilities. What are names of these villages and where are they located? No details on this subject have been given.

The environmental assessment presented in the expansion plan is meaningless because it makes no mention of the pollution that will emerge from the plant and the impact it is likely to have on the people and environment of the area. Previous record of JSPL in this area is also not supportive of their claims. Letter No. 2544/ Court/98 dated 30/4/98 states – Insensitivity of JSPL is responsible for the local unrest in the area. The prior behavior

of the company does not in any way reflect mutual trust and sensitivity. If industrialization is to become a reality than the companies cannot turn away from their social responsibilities.

Objections registered by Ekta Parishad, Chhattisgarh

So far how much land the government had acquired for Jindal Steel Industries. In the past people of Rabo and Tamnar have registered their repeated protests against the acquisition of land for industrial purpose. However their pleas and protests have not been investigated. If actions have been taken than these should be made public. Where have the evicted villagers been rehabilitated? Land acquisition in Tamnar continues admits public protests, this should be stopped. Many cases against JSPL are pending before various administrative and judicial authorities. These cases must be resolved before any future action.

In the past JSPL has been given large quantities of water from the Kelo River against all norms prescribed by the Central Water Commission and National Water Policy. And now JSPL is being given rights to the water in Kurkut and Mand rivers. JSPL is being given water at the cost of the farmers in the region. Only 9% farmers have access to irrigation in the region and the urban population faces repeated water crisis in the summer season. Therefore the JSPL expansion plan should be cancelled.

The Industrial Policy of Chhattisgarh (2004-2009) and announcement of the Government of Chhattisgarh (1.11.04) states that 90% employment in the industrial concerns will be reserved for local people. JSPL has violated this principle in the past and even in the current E.I.A. it provides misleading information on the subject. Secondly, at present people in the area of expansion are involved in agricultural work and farm related work. JSPL makes no mention of loss of this employment to the people. This should be a ground for canceling the scheme.

The JSPL expansion plan and E.I.A. make no mention of the limitations placed upon them by the existing laws and rules as under Land Revenue Code. The Industrial Policy of Chhattisgarh gives no clarification on how it deals with contradictions arising from violations of the Land Revenue Code and other laws such as the Conservation of Forest Act, 1980.

The JSPL expansion plan and E.I.A. make no mention of transportation and royalty issues pertaining to mining. It also makes no mention of storage and land acquisition. Many cases pertaining to illegal mining in the region are pending before the courts. These must be addressed. The expansion plan of JSPL should be cancelled on these grounds as well.

There are no details on the issue of impact of pollution on the health of people and possible mental health issues. A cursory review of records in hospitals and discussions with private health practitioners reveal that there has been a dramatic increase in certain diseases in the area such as cough, cancer, T.B., hearing loss and mental disorders. Why is it that the E.I.A. makes no record of these facts?

On 12.1.2005 the Raigadh Zilla Bachao Sangharsh Morcha submitted its objections on the Public Hearing process of 29.1.05. The objections were submitted to the Chief Secretary, Government of Chhattisgarh. The objections pertain to the notification process, availability of the E.I.A. report among the people and handling of the Public Hearing by the administration.

Some Administrative Letters

15.04.05 Letter (No. 162/Ground Water Level Impact) by Assistant, Ground Water Commission to Acting Engineer, Water Resources Department states – 40 tubewells are proposed for the Jindal Industrial Area. According to the departmental statistics for the area the ground water availability is estimated at 483.7 MCM and its growth rate is 18-88%. Annual ground water harvesting is 68.2 MCM. In the context of the current annual harvest if the proposed 40 tube wells are sanctioned than it will have an adverse impact on the ground water levels. At the most only 4 tube wells can be sanctioned in the area.

6.05.05 letter (2176/industry/2005) from Collector, Raigarh to Sub Divisional Officer, Raigarh, Regional Environment Officer, Raigadh and Managing Director, District Industries and Trade Center states – in the context of a murder in Saraipal, village near JSPL, I made a visit to the village. I found that JSPL has occupied the lands in this village including the cremation ground of the village and it is carrying out construction activities in these lands. JSPL proposes an expansion worth Rs 2000 crores and a Public Hearing in this context has just been held. The JSPL expansion plan hasn't received the requisite permissions from MoEF and Government of India. Therefore JSPL cannot start any construction activities in the area. Please carry out the necessary investigations in this context and halt the work that is being carried out by JSPL. No work should be allowed till JSPL receives the sanction from Government of India.

1.05.05 Information issued by (letter no. 175/Industrial/2004/7827) Industries Sanchalanalya, Raipur, Chhattisgarh – Jindal Steel and Power Limited have given government permission for acquisition of land in the following villages for the purpose of an industrial unit. Therefore appropriate action should be taken for the acquisition of private land.

Name of Village	Patwari Halka No.	Area (In Hectare)
Saraipali	14	28.289
Gorkha	14	29.903
Kalmi	14	33.069
Total		91.257 Hectare

3.03.06

Memorandum issued by the Field Officer, Silk Sanchalanalya – In the last 6 years, under the Chhattisgarh Silk Scheme, 1917-hectare land in Raigarh district has been planted with Saja and Koha trees. The objective of this activity has been twofold – expansion of silk production and environmental balance. However due to increasing industrialization the environment in the district is becoming highly polluted. Rising levels of air pollution due to smoke from the industrial chimnies, dust from coal transportation activities and coal particles has had an impact on the growth of Saja and Koha trees. These trees have become stunted and are slowly dying. Similar impact has been seen on the trees planted, for silk production, in village Ujjwalpur. As a result the silk production unit in the village is on the verge of closure and people have lost an important source of income. The silk production units in Tamnar, Dharamjaigadh and Gharghoda are also facing similar problems due to industrial pollution. Silk production centers in Jurda, Kotrapali, Bhelwatikra, Sambalpuri, Bangursia, Darramuda, Lakha and Boraidadar are also similarly impacted. Pollution has impacted adversely on the silk production in the state. Bhagora silk production center is also in the way of industrial expansion and is likely to close. Its true that industrialization needs to take place but it should not adversely impact on the environment and traditional village industries.

1.03.06

According to a letter (letter no. 97) issued by Deputy Forest Range Officer – the Sponge Iron Units/companies are beneficial for increasing the income of government and filling the state coffers but they are going to have a catastrophic impact on the wild life and flora of the region.

Solutions Proposed by the Committee

- Annexure 13 of the Indian Constitution lays down the provisions dealing with traditional and belief based rights. These provisions can be used for the resolution of conflicts in many instances.
- There are a number of judgments (Annexure 3) pertaining to the provisions in Section 237 (2) of Land Revenue Code, 1959. Various administrative actions should be assessed in their context so as to determine their validity.
- In the villages where nistar land has been acquired for industrial purpose, solutions can be found on the basis of nistar patrak.
- In areas where land transfers have not taken place according the provisions of Section 237 (2) of the Land Revenue Code, land records in such places should be amended and the entire process of land allotment should be cancelled.
- Documents and papers emerging from the Gram Sabha and Gram Panchayat are official documents. Any tempering or change in these documents is a criminal offence. Therefore for such offences criminal cases under the Criminal Procedure Code of India.
- All the lands that were earlier registered for nistar purpose of a village were declared reserved forest in 1958. The Forest Department has not produced any report or record of these lands. Therefore this should be considered a violation of the Conservation of Forest Act, 1980 and Appeal No. 202/95 that is pending decision in the Supreme Court of India.
- The compensation fee for alternative tree plantation has been fixed at the rate of Rs per hectare. Therefore this condition should be applied where ever land has been allotted for an industrial purpose.
- According to Chapter 18 of the Land Revenue Code village nistar lands are considered ‘dakhalrahit bhoomi’. The same ‘dakhalrahit bhoomi’ is also considered reserved forest as per Section 29 of the Indian Forest Act, 1927. This ambiguity regarding the status of ‘dakhalrahit bhoomi’ is maintained for the last 50 years. This anomaly must be corrected at the earliest.

Annexure 1

26 July 2006

District Collector
Raigadh
Government of Chattisgarh

Sub: Regarding the information required by the Enquiry Committee (P.E.S.A.)

Sir,

We require a number of documents and information for the purpose of our enquiry into violations of the rights of Gram Sabha in Scheduled Areas. This enquiry is being conducted at the behest of Planning Commission, Ministry of Panchayats, Government of India. We believe that all the information sought by us will be made available to us by 28/7/2006.

Thanking You

Yours truly

Rajgopal P.V.
(member)

Information Required:

Village – Taraimal – Ujjwalpur, Tehsil – Gharghoda, Block – Tamnar, District – Raigadh

1. How much land has been purchased/acquired for Nalwa Industries? List according to khasra number and amount of land.
2. Maps (1920-24) of Taraimal and Ujjwalpur issued by the Revenue and Forest Departments.
3. Details of the land brought/acquired by Nalwa Industries in the following villages:
 - Poonjipathra Khasra No. 63
 - Tumidih Khasra No. 126/1, 133/1
 - Amlidih Khasra No. 311/3, 44
 - Jamdabri 15/1
 - Charratangar 873

4. Which forest is located near Nalwa Industries in Khasra No. 141/7 B, Patwari Halka No. 36, Taraimal?
5. Xerox copy of letter no. 5/A-19 (3)/2003-2004 issued by the Government of Chattisgarh on 21.7/2004, pertaining to the application for land by Nalwa Industries.
6. Present status report of the green belt developed by Nalwa Industries.
7. Copies of the following objections registered by private landowners in Ujjwalpur against Nalwa Industries:
8. 3/10/2002 and 10/2/2003 by Ganpatram Kesar
9. 18/11/2002 by Sarpanch Anantram, Gram Panchayat Taraimal and governments note there on.
10. Total land encroached by Nalwa Industries.

Villages: Dongamahua, Gare, Meelu and Para

1. List of land acquired/purchased for coal mining – area, khasra no. and village name.
2. List of leased land – area, khasra no., and village name.
3. Rules issued by SECL with regard to land acquisition and compensation.
4. Details of objections made by the Gram Sabhas of Dongamahua, Janjigar, Taprenga, Nagarmuda, Chirwani and Dhaunrabhata. Also details of action taken by concerned departments.

Village: Rabo (pertaining to the dam on Kurkut river)

1. Resolutions and objections passed by the gram sabha and the actions taken by the concerned departments.
2. Notifications issued by the Government of Madhya Pradesh in 1997 and Government of Chattisgarh in 2003.
3. Dates on which land acquisition proceedings were carried out (section 4,6,9 of Land Acquisition Act).
4. What is the compensation given to the families affected by the dam?
5. What – police, revenue, forest – action was taken against villagers protesting the dam on Kurkut river?

Village: Tamnar

1. Details of land purchased/acquired for JSPL – village name, khasra no. and area.
2. Gram Sabha resolutions and objections pertaining to JSPL and the action taken by the concerned departments.

Village: Poonjipathra

1. Details of land purchased/acquired for industrial purpose – khasra no, area and village name.
2. Details of the compensation package and employment opportunities.

Other Information

1. List of persons (from affected villages) employed by various industrial units.

2. In which villages was land purchased for industries? How much was paid and how many times the price was revised? What were the reasons for revision.
3. What were the conditions for deciding on the compensation to be paid specially in villages that come under scheduled areas.
4. Who has the power of attorney in cases where JSPL has purchased land in scheduled areas.
5. What other schemes/plans have been proposed by JSPL?
6. On the subject of land purchase in scheduled areas how many cases pertaining to stamp duty (section 56 B) are pending decision.
7. List of the plantations done by various industries. Receipts of purchase of plants for plantation and a report on the current status of these plantations.