

STATE SEEKS LAW DEPT VIEWS ON HOLDING GRAM SABHAS

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The State Government has sought a clarification from its Law Department about the Union Ministry of Tribal Affairs' (MOTA) guidelines on conducting Gram Sabhas in the Niyamgiri Hills as per directions of the Supreme Court.

The apex court in its mid-April judgement has directed the Gram Sabhas to use their powers and take a decision on whether the Vedanta group's \$1.7-billion bauxite mining project in the Niyamgiri Hills can go forward or not.

The Supreme Court's direction or the MOTA's guidelines has not made it clear whether to conduct Gram Sabhas in all the villages or only on the hilltop villages, Scheduled Tribe and Scheduled Caste Development Minister Lal Bihari Himirika told reporters here.

Earlier, during the trial phase in the apex court, the State Government had informed that about a dozen villages that exist on the Niyamgiri hilltop and are spread over Rayagada and Kalahandi districts.

Himirika pointed out that there were above 100 villages in the Niyamgiri Hill area where Kutia Kandha and Dangaria Kandha tribes live.

"We are not sure whether to conduct Gram Sabhas in about 100 villages," he said, adding that in order to clear the confusion, Himirika said his department has sought clarification from the Law Department before initiating a process to hold Gram Sabhas.

Chief Secretary BK Patnaik said that the State Government has already received an advisory from the MOTA as a

follow-up to the Supreme Court's judgement. "We will soon take a decision taking views of both the Supreme Court and Union Government," he said.

As a follow-up action, the MOTA has asked the ST and SC Department to issue advertisements in local newspapers informing all tribals and traditional forest-dwellers in Kalahandi and Rayagada districts to file claims of religious and cultural rights, along with the individual and community rights under the Forest Right Act.

The Ministry has also asked the State Government to display the notification regarding holding of Gram Sabhas along with the details of the apex court's order in all

villages in the two districts irrespective of their proximity from the mining site.

Besides, the MOTA has said copies of the notification on holding Gram Sabhas should be sent to all the civil society bodies and NGOs which are active in the two

districts.

The Ministry has also directed the State Government to conduct voting at Gram Sabhas in a fair and transparent manner by recording the proceedings.