



भारत सरकार

Government of India

राष्ट्रीय अनुसूचित जन जाति आयोग

National Commission for Scheduled Tribes

(A Constitutional Body set up under Art. 338A of the Constitution of India)

File No. KNR/3/2015/STGTL/DEOTH/RU-IV

Dated: 02.11.2018

To,

The Collector & District Magistrate,  
District – Mehabubabad  
(Telangana)

**Sub: Proceedings of the sitting taken by Shri Nand Kumar Sai, Hon'ble Chairperson, National Commission for Scheduled Tribes (NCST) on 01.10.2018 in the matter of Shri K. Narayana Rao, President, Forum for Social Justice, Guntur regarding representations of Shri. Bhukya Bhavising and 3 others, R/o Village- Viraram, Shanigapuram, Thanda, Mehabubabad Mandal, Distt. Warangal. Telangana regarding encroachment of land.**

Sir,

I am directed to enclose a copy of the Proceedings of the Sitting held under the Chairmanship of Shri Nand Kumar Sai, Hon'ble Chairperson, National Commission for Scheduled Tribes on 01.10.2018 on the above mentioned subject for necessary action at your end.

It is requested that action taken report in the matter may be intimated to the Commission, within one month positively for placing the same before the Hon'ble Chairperson, NCST.

Yours faithfully,

(Y.K. Bansal)  
Research Officer

Copy to:-

Shri K. N. Rao,  
National President,  
Forum for Social Justice,  
Chamallamudi, Via – Etukur,  
District – Guntur, Amaravati – 522 017  
(Andhra Pradesh).

o/c

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ISSUE

Copy to: - SAS, NIC, NCST.

NATIONAL COMMISSION FOR SCHEDULED TRIBES

Case File No. KNR/3/2015/STGTL/DEOTH/RU-IV

PROCEEDINGS OF SITTING HELD ON 01.10.2018 AT 05.00 P.M. CHAIRED BY SHRI NAND KUMAR SAI, HON'BLE CHAIRPERSON, NATIONAL COMMISSION FOR SCHEDULED TRIBES (NCST) IN THE CASE OF SHRI KODURI NARAYANA RAO, FORUM FOR SOCIAL JUSTICE, GUNTUR (AP) ALONGWITH THE REPRESENTATION OF SHRI BHUKYA BHAVISING, MEHABUBABAD MANDAL, WARANGAL DISTRICT (TELANGANA) & OTHERS REGARDING ENCROACHMENT OF LAND.

Date of Sitting: 01.10.2018

List of officers present in sitting is Annexed.

Shri K. Narayana Rao, President, Forum for Social Justice, Guntur (Andhra Pradesh) vide his representation dated 01.09.2015 has represented before the Commission regarding protection of land belonging to ST member of Shri Bhukya Bhavising, S/o Shri late Bhukya Balya and 7 others R/o Veeraram, Thanda-Shanigapuram, Village - Mahabubabad Mandal, Warangal District, Telangana.

2. The petitioner has requested the Commission:

- (i) To issue Pattadar Pass Books and title deed pass books in favour of the Petitioners over the above mentioned land Sy. No. 274/3, 274/4, 274/5 and cancel the Pattadar Pass Book and title deed pass books issued in favour of the Respondents and declare them as null and void and delete the B.C. Colony name in Sy. No. 274/3, 274/4, 274/5 and in Sy. No. 278/B/3, 278/B/3, 278/B/3/B, 278/3/2/1.
- (ii) To delete the names in Sy. No. 274/1 and 274/2 as a Pattadar and cancel the pattadar pass books if any issued by the Government in that Sy. Nos and cancel the Registered Sale deeds executed by the Respondent No. 10 and 11 to the respondent No. 6, 7 to 9 and 12 to 16 in the above Sy. No. and entered as a B.C. Colony name in Sy. No. 274/1 and 274/2.
- (iii) to correct the entries in the Revenue Records i.e. Pahani copies, 1-B registers etc. by entering the names of the petitioners as pattadars and possessors and deleting the names of the respondents as a Pattadars and possessors over the above mentioned lands in Sy. No. 274/3, 274/4, 274/5 from the year when the respondent names were entered for justice to the Petitioners.

2. The NCST vide its letter dated 09.09.2015 and subsequent reminder dated 30.09.2015, 26.10.2015 had sought a report in the case.

3. The Police Department, Government of Telangana vide its letter dated 23.11.2015 has submitted a report stating that:

- (i) The petitioners stated that their father and grandfather Late Bhukya Balya were the owners and Pattadars since 1950 and obtained certificate under

- section 38/E of Tenacy Act, Pattadar Passbook were issued in favour of their father and entered in the Revenue Records. Their family is in possession of lands in Sy. No. 273/5,274/4,275/4,278/B/3 and 278/B/5 total extent 18-18 acres. Out of that land, they sold away 9-21 acres and remaining land 8-37 is in their possession till today.
- (ii) The petitioner further state that even though they have not sold away any land, the names of land grabbers 1) Ramadugu Brahmaiah and 2) T. Ravinder Rao were entered in Revenue Records in respect of the remaining land 0-25 acre in Sy. No. 273/5. Angoth Hunuma, B.C. Colony and Jannareddy Manmohan Reddy names were entered in respect of the total 5-25 acres' land in Sy. No. 274/4. Thohima Bhadirnarayana and Jannapureddi Pramodha Reddy names were entered in respect of the 1-26-acre land in Sy. No. 275/4 and the name of Md. Ahmad Ali was entered in respect of the 1-01-acre land in Sy. No. 278/B/5 and this total land is in the occupation of Jnnapureddi Pramod Reddy and Palvai Ram Mohan Reddy.
- (iii) The SDPO Mahabubabad has enquired in this matter that, some of the petitioners and the fathers of some petitioners had agricultural lands in different Sy. Nos. mentioned as above at Shanigapuram village outskirts of Mahabubabad Mandal and they have already sold away those lands to different persons gradually about 10 years back. At present, either the petitioners or others of their family have no lands in those alleged Sy. Nos. the lands are exchanged to different parties. Some of the purchasers changed the ownership/Patta on their names in Revenue Records, whereas some of the purchasers did not get their purchased land changed to their names in Revenue Records, due to which some lands still stand on the name of initial Pattedars. Thus, the petitioners are claiming that they have lands in those Sy. Nos.
- (iv) It is further learnt that, there are some civil suits pending over these lands at different Courts. However, some of the petitioners are approaching the Asst. Director, Survey & Land Records, Warangal to survey the lands and fix up boundaries, but some respondents said to have obstructing the survey.

4. Shri Shivalingaiah, Collector, Mehabubabad appeared before the Commission on 01.10.2018. The petitioners were also present in the Sitting.

5. The matter was discussed in detail. During the discussion, the Hon'ble Chairperson asked the petitioner to present their grievances. The petitioners have submitted before the Commission that they have possession on land in above survey numbers in their village. Some land sold in the said survey numbers in Mehabubabad to the non tribals. Remaining land is still in their possession. But Pattas of the land have not been issued in favour of them. They have submitted several applications to the District Collector, Mehabubabad for issue Patta/pass book on occupied land. But District Administration not issued any Pattas to them.

7. The Hon'ble Chairperson asked to the Govt. of Telangana authorities to explain about the case. The District Collector apprised the Commission that petitioners had earlier



नन्द कुमार साय/Nand Kumar Sai  
अध्यक्ष/Chairperson  
राष्ट्रीय अनुसूचित जनजाति आयोग  
National Commission for Scheduled Tribes  
भारत सरकार, नई दिल्ली  
नई दिल्ली/New Delhi


submitted their applications for issuing Pattas on the said land. The encroachers belonging to non Scheduled Tribes got registered Pattas in their name. The encroachers went to the different Courts which is pending before the Civil Court.

8. After hearing from both side, the Commission observed that petitioners are residing on the said land in their village since long time and as such the land is in their possession. All petitioners are uneducated tribals and do not understand about getting their rights. The District Administration has not been co-operative for issuing Pattas to the tribals on said land from the beginning time. Therefore, Commission recommends to the Government of Telangana that:

- The District Collector should conduct re-survey of the land at his level and take necessary action to issue regular Patta to the occupant Scheduled Tribes by examining the documents on the said land of tribals and submit the report to the Commission.
- The District Administration should ensure that the Scheduled Tribe occupants should not be evicted from their land and their rights should be protected in true spirit.
- The District Collector should protect the interest of the Scheduled Tribes in the different Courts.

9. An action taken report in the matter should be submitted before the Commission within 30 days from the receipt of the proceedings of the Sitting.

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31.10.18  
नन्द कुमार साय/Nand Kumar Sai  
अध्यक्ष/Chairperson  
राष्ट्रीय अनुसूचित जाति आयोग  
National Commission for Scheduled Tribes  
भारत सरकार/Govt. of India  
नई दिल्ली/New Delhi

**NATIONAL COMMISSION FOR SCHEDULED TRIBES**

**Annexure**

(File No. KNR/3/2015/STGTL/DEOTH/RU-IV)

**List of participants**

**NCST**

1. Shri Nand Kumar Sai, Hon'ble Chairperson (In chair)
2. Miss Anusuiya Uikey, Hon'ble Vice-Chairperson
3. Shri Hari Krishna Damor, Hon'ble Member
4. Shri Maya Chintamn Ivnate, Hon'ble Member
5. Shri Raghav Chandra, Secretary
6. Shri S.K. Ratho, Joint Secretary
7. Shri P.T. Jameskutty, Hon'ble Member
8. Shri Y.K. Bansal, Research Officer
9. Shri H.R. Meena, Sr. Investigator

**Officers of Government of Telangana**

Shri Shivalingaiah, Collector, Mehabubabad.

**Petitioner**

Shri K. Narayana Rao.