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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/3/2018/STGAP/DELAAL/RU-IV

Dated: 13.12.2018

To,

1. The District Collector & Magistrate,
District – Guntur
(Andhra Pradesh).
2. The Superintendent of Police,
District – Guntur (Rural),
Andhra Pradesh.

Sub: Proceedings of the sitting taken by Hon'ble Member, National Commission for Scheduled Tribes (NCST) on 09.10.2018 in the matter of Shri K. Narayana Rao, President, Forum for Social Justice, Guntur take necessary action against the VRO of Tubadu, Tahasildar of Nadendla Mandal and Nadendla Police.

Sir,

I am directed to enclose herewith a copy of the Proceedings of the Sitting held on 09.10.2018 under the Chairmanship of Smt. Maya Chintamn Ivate, Hon'ble Member, National Commission for Scheduled Tribes on the above mentioned subject for necessary action and submission of compliance report to this Commission within 30 days from the receipt of the letter for placing the same before the Hon'ble Member, NCST

Yours faithfully,

Y.K. Bansal
13/12/18
(Y.K. Bansal)
Research Officer

(Encl: As above)

Copy to:-

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

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17/12/18
जानि प्रजा
ISSUED

NIC, NCST

NATIONAL COMMISSION FOR SCHEDULED TRIBES

Case File No. KNR/3/2018/STGAP/DELAAL/RU-IV

PROCEEDINGS OF SITTING HELD ON 09.10.2018 CHAIRED BY SMT. MAYA CHINTAMN IVNATE, HON'BLE MEMBER, NATIONAL COMMISSION FOR SCHEDULED TRIBES (NCST) IN THE CASE OF REPRESENTATION OF SHRI K. NARAYANA RAO, PRESIDENT, FORUM FOR SOCIAL JUSTICE, GUNTUR REGARDING COMPLAINT AGAINST THE VRO OF TUBADU, TAHSILDAR OF NADENDLA MANDAL AND POLICE AUTHORITIES OF NADEDLA POLICE STATION FOR HARASSMENT OF SCHEDULED TRIBES.

Date of Sitting: 09.10.2018

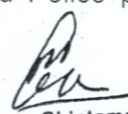
List of officers present in sitting is Annexed.

The petitioner Shri K. Narayana Rao, President, Forum for Social Justice, Guntur vide his representation dated 23.05.2018 has submitted grievances of harassment of STs and complaint against the VRO of Tubadu, Tahsildar of Nadendla Mandal and Nadendla Police authorities.

It has been alleged that in the year 1968, the AP Government had sanctioned 'Eksal Patta' to the land looser poor persons in Tabadu Village, Nadendla Mandal, Chilapuri pet assembly constituency, Guntur District, Andhra Pradesh under survey Nos. 86,87,129 and 309 which is called as Nandigram Varicheruvu, land for cultivating vide proceedings D.Ds No. 7790/68/C dated 06.05.1968 and handed over the lands to Harijana, Hindu Madiga people and some lower caste people. The said land were cultivating by the allottees without any objections, from anybody and has been in their continuous possession and they are enjoying the same by cultivating the lands and eke out of their livelihood by way of paying Fasali cist etc., But in the recent past, in the VRO of Tubadu, the Tahasildar of Nadendla Mandal, RDO of Narasaraopet, District Collector of Guntur and Superintendent of Police (Rural) are trying to evict the poor Scheduled Tribe families from the above said land with the help of Telugu Desam leaders under the guise of Neeru Chettu Programme.

In addition, on 11.05.2017, in the name of investigation, the above said Government authorities committed harassment and evicted the poor Scheduled Tribe families from their land. When, the poor Scheduled Tribes questioned illegal activities of the Government officers, then they abused very vulgar language. The villagers have reported illegal activities and made complaint of VRO of Tabadu, the Tahasildar of Nadendla to the higher authorities. However, no action was taken against guilty officers.

On 17.05.2018, the Police officials of Nadendla Police Station i.e. constables Shri Izac and Shri Seshi Kumar forcibly took away three persons to the Police station under the guise of enquiry, where they harassed the persons and took their thumb marks on blank white paper to use the same according to their convenience. They informed to the concerned D.S.P. of Narasaraopet and asked them to direct the Nadendla Police to return the blank white papers which contain the thumb marks of the three persons but in vain. Moreover, the Janama Bhoomi Committee people, Revenue people and Police personnel colluded together and


Smt. Maya Chintam Ivnate
Member
National Commission for Scheduled Tribes
Govt. of India
New Delhi

trying to make hurdles to enter into their lands for doing agricultural works and thereby cause loss to the poor ST people.

2. The NCST vide its notice dated 28.05.2018 sought a report from the District Collector & Magistrate, Distt. Guntur (Andhra Pradesh) and the District Superintendent of Police, District – Guntur (Rural) (Andhra Pradesh). Since, no reply was received from the concerned authorities and therefore, Smt. Maya Chintamni Ivnate, Hon'ble Member, NCST fixed a Sitting with the District Collector, Guntur and Superintendent of Police, Guntur, Andhra Pradesh for discussion in the matter. Accordingly, Sitting notice has been issued.

3. The RDO and ASP, Thullur appeared before the Commission on 09.10.2018. The petitioner was also present in the Sitting.


4. At the outset, the Hon'ble Member, NCST asked to the petitioner about their grievances. The petitioner informed to the Commission that 18 acre land was allotted in 1968 to the Scheduled Tribes and others in the Tubadu Village, Nadendla Mandal which was grabbed by the higher caste people in collusion with District administration and recorded the land in Revenue record. The land was however, still in possession with the Scheduled Tribes and others. The District Revenue Authority is trying to evict the Scheduled Tribe and others from the land. No punitive action was being taken against the accused and guilty officers. The land has not been recorded in the name of the Scheduled Tribes and others in Revenue records so far. The District Administration is also not co-operative towards the Scheduled Tribes.

Thereafter, the Hon'ble Member, NCST asked to the Officers appeared to explain the facts of the case. The RDO, Nandela Mandal apprised to the Commission that the claim of scheduled tribes is in proper manner and justified as because the land is in possession of the Scheduled Tribes and others and was allotted in previous times. As per Revenue records the land is in the name of the non Scheduled Tribes, which was encroached by them.

5. The case was discussed in detail. The Commission observed that the interest of Scheduled Tribes has been ignored by the concerned administration for making their land illegally in Revenue records in the name of non Scheduled Tribes. However, the said land is still in possession with the Scheduled Tribes and no action was taken against the encroachers. In addition, the District authorities have taken one sided action against the Scheduled Tribes without considering their points of views. The Commission recommends that:

- The Scheduled Tribe families should not be disturbed and evicted from their occupied land in that area.
- Lease of the land in the interest of the Scheduled Tribe families should be extended on priority basis.
- Necessary action should be taken on the representation dated 09.10.2018 submitted by the petitioner (copy enclosed) during the Sitting and an action taken report should be submitted before the Commission.

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.


Smt. Maya Chintamni Ivnate
Member
National Commission for Scheduled Tribes
Govt. of India
New Delhi

NATIONAL COMMISSION FOR SCHEDULED TRIBES

Annexure

(File No. KNR/3/2018/STGAP/DELAAL/RU-IV)

List of participants

NCST

1. Shri Maya Chintamn Ivnate, Hon'ble Member (In chair)
2. Shri P.T. Jameskutty, Hon'ble Member
3. Shri Y.K. Bansal, Research Officer
4. Shri S.K. Atram, PS to Hon'ble Member
5. Shri H.R. Meena, Sr. Investigator

Officers of Government of Andhra Pradesh

1. District Co-operative officer
2. Shri. K. Srinivasa Rao, R.D.O.,
3. Shri Krishna Rao, ASP, Thullur.

Petitioner

Shri K. Narayana Rao.