



राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes

(भारत के संविधान के अनुच्छेद 338क के अंतर्गत एक संवैधानिक निकाय)
(A Constitutional body under Article 338A of the Constitution of India)

F. No. NCST/ATY-788/MH/11/2022-ESDW

Dated 02.03.2023

To,

Shri Aman Mittal,
District Collector,
District Jalgaon,
Collector Office, Jalgaon – 425001
Maharashtra
E-Mail: collector.jalgaon@maharashtra.gov.in

Sub: Minutes/proceeding of the Sitting/Hearing taken by Shri Ananta Nayak, Hon'ble Member, NCST, New Delhi on 21.02.2023 at 10:30 AM regarding representation dated 19/10/2022 received from Dr. Vishal K. Valvi, R/o Plot No. 2, Girikunj Colony, Kodaimata Road, Nandurbar-425412 Maharashtra regarding complaint against Sh. Ashok Bhavarlal Jain, Chairman, Jain Irrigation System Ltd, Jain Plastic Park, NH No.6, Bamnhori, Tal:- Jalgaon, Dist:- Jalgaon for purchasing the Tribal Land by way of using illegal factices and financial cheating with the Scheduled Tribe.

Sir,

I am directed to enclose herewith a copy of Minutes/Proceeding of the Sitting/Hearing taken by Shri Ananta Nayak, Hon'ble Member, NCST, New Delhi on 21.02.2023 at 10:30 AM on the above mentioned subject for information and necessary action.

2. The Action Taken Report (ATR) may be submitted within 15 days from the date of receiving of the Minutes/Proceeding.

Yours faithfully,


(H.R. Meena)
Research Officer

Copy for information to: -

Dr. Vishal K. Valvi,
R/o Plot No. 2, Girikunj Colony,
Kodaimata Road,
Nandurbar-425412,
Maharashtra

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National Commission for Scheduled Tribes

No. NCST/ATY-788/MH/11/2022-ESDW

Minutes of the Sitting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST, in the matter of illegal Purchase of Tribal Land in Shirsoli. Tal:- Jalgaon, District:- Jalgaon, Maharashtra, with the help of forged documents.

Date of the Sitting: 21.02.2023; 10.30 AM

List of Participants: As per Annexure

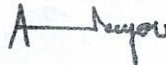
The present case relates to the Purchase of Land of Tribals by illegal and unfair means. The petition is filed by Dr. Vishal Valvi on behalf of "Bhil" Scheduled Tribes in Shirsoli, Jalgaon, Maharashtra, stating therein that three accused namely Rama, Shahadu and Ramesh, by way of forged documents, duplicate signatures and government stamps, forged power of attorneys for sale of tribal land. They produced these forged power of attorney before the Revenue and Forest Department, Government of Maharashtra. The then Collector, Jalgaon and the then Additional Chief Secretary (Revenue and Forest) did not verify the authenticity of the documents. They granted them permission for sale of tribal lands. The said land was thus, sold to Shri Ashok Jain, Chairman, Jain Irrigation System Ltd, Jain Plastic Park, NH No. 6, Bambhori, Jalgaon Taluka, Jalgaon District, Maharashtra. Several complaints were made to the District Magistrate, Jalgaon, Superintendent of Police, Jalgaon, Divisional Commission (Revenue), Nashik and Chief Secretary, Government of Maharashtra. Since no action was taken by the Authorities, the petitioner approached the Commission finding no other way.

Considering the gravity of the issue raised in the petition, the Commission issued Notice dated 06.12.2022 to the Additional Chief Secretary, Department of Revenue, Government of Maharashtra and District Collector, Jalgaon, Maharashtra seeking reply from the concerned officials within 15 days.

Despite issuance of the Notice dated 06.12.2022, no reply or Action Taken Report (ATR) was received from none of the Authorities.

Taking seriously the non-responsive attitude of the Authorities, the Commission issued Summons to the District Collector, Jalgaon, Maharashtra to appear for a hearing before the Commission on 3rd February, 2023.

On 31.01.2023, a letter was received from the District Collector, Jalgaon, Maharashtra wherein it was stated that an enquiry has been commenced and it is at its



अनंत नायक/ANANTA NAYAK

सदस्य/Member

राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

final stages. It was also stated that its final report would be submitted within 30 days. The official also asked for the Commission's permission to be exempted from the hearing scheduled to be held on 3rd February 2023 citing electoral duties from 1st-3rd February, 2023.

The Commission acceded the non-appearance of the District Collector, Jalgaon, Maharashtra in person on 03.02.2023. The Commission fixed the next date of hearing on 21.02.2023 and required the District Collector, Jalgaon, Maharashtra to appear in person.

The Commission asked the Petitioner who appeared in person about the facts of the case as on date. He repeated and re-iterated his earlier submissions. The District Collector, Jalgaon, Maharashtra submitted a reply in the matter during the course of hearing. The District Collector also submitted that the matter pertains to the sale of land from tribals to non-tribals. The land was permitted to be sold by the then Authorities as per the documents presented before them without verifying the Authenticity and their validity as well.

The District Collector also failed to give an undertaking, Affidavit to the Commission regarding the validity and genuineness of the Power of Attorneys and other documents as certain documents seem to be false and fabricated. The submissions of the District Collector are taken quite seriously by the Commission.

During the course of hearing the Commission took note of the submissions with due care and caution. This is a case of Tribal Land alienation. Land rights of the Tribals have been grossly violated in the case. Transfer of tribal lands in the present case needs to be traced from the root. The Commission also wanted to know how such transactions materialised despite Protective Legislations and judicial pronouncements and Statutes. The Collector sought for time to give suitable replies to the queries and concern of the Commission.

It has been felt by the Commission that the matter needs serious consideration till the logical conclusion till the last victim gets justice. It has been apparent from the documents produced before the Commission and submissions made by the District Collector that the Matter needs discreet enquiry and serious investigation by the concerned Authorities and a detailed report be submitted before the Commission at the earliest but not later than 13th March, 2023.

After hearing the Case, the Commission recommended, The District Collector, Jalgaon, Maharashtra the followings: -



अनंत नायक/ANANTA NAYAK

सदस्य/Member

राष्ट्रीय अनुसूचित जनजाति आयोग

NATIONAL COMMISSION FOR SCHEDULED TRIBES

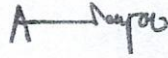
भारत सरकार/Govt. of India

नई दिल्ली/New Delhi

- i. to conduct an independent and impartial investigation of the matter and submit detailed investigation report failing which inquiry will be conducted against them.
- ii. to send the relevant documents, Power of Attorney, File Notings, Correspondence, Office Records pertaining to the case.
- iii. To provide mutation entries with 7/12 extract, and the Lay out plan, Village plans of Shirsoli. Tal:- Jalgaon, District:- Jalgaon state since 1950 till date.
- iv. to provide the details including the names, current residential addresses, mobile numbers of the officers who held the post of the Collectors, Tehsildars, Nayab Tehsildars, Talathi from the year 1950 till date, in the areas wherever the land of Jain Irrigation System Ltd. is situated in the district.
- v. To take both Civil and Criminal Action against the wrongdoers.

On 13th March, 2023, the District Collector, Jalgaon, Maharashtra must appear in person before the Commission with all the original documents as required by the Commission.

Action Taken Report (ATR) with compliance of the Recommendations must be submitted within a period of 15 days.



अनंत नायक/ANANTA NAYAK
सदस्य/Member
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(Annexure)

F. No. NCST/ATY-788/MH/11/2022-ESDW

Attendance Sheet of the Sitting held on the 21.02.2023 at 10:30 AM in Conference Hall of NCST under the chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST on the Representation dated 19/10/2022 received from Dr. Vishal K. Valvi, R/o Plot No. 2, Girikunj Colony, Kodaimata Road, Nandurbar-425412 Maharashtra regarding complaint against Sh. Ashok Bhavarlal Jain, Chairman, Jain Irrigation System Ltd, Jain Plastic Park, NH No.6, Bamnhori, Tal:- Jalgaon, Dist:- Jalgaon for purchasing the Tribal Land by way of using illegal factices and financial cheating with the Scheduled Tribe.

S. No.	Date	Designation
1.	Shri Ananta Nayak	Hon'ble Member
2.	Dr. Jayant Sarode	Director
3.	Shri H.R. Meena	Research Officer
4.	Shri Radhakanta Tripathy	Sr. Legal Advisor
District Collector & Magistrate, District Jalgaon, Government of Maharashtra		
1.	Shri Aman Mittal	District Collector
Petitioner		
1.	Dr. Vishal K. Valvi	Petitioner