



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)

Case File No. NCST-156/ATY-49/204/2021-APCR

Dated: 09.05.2023

To,

1. **Shri Sudhir Saxena**  
Director General of Police,  
Madhya Pradesh,  
Police Headquarter, Jehangirabad  
Bhopal -462008  
(Madhya Pradesh)  
Email: dgmp@mppolice.gov.in
2. **Shri Anup Kumar Singh,**  
District Collector  
District – Khandwa  
Civil Lines, Khandwa - 450001  
Madhya Pradesh  
E-mail: [dmkhandwa@nic.in](mailto:dmkhandwa@nic.in)
- 3 **Shri Vivek Singh**  
Superintendent of Police,  
District - Khandwa  
Superintendent of Police Office  
Civil Lines, Khandwa-450001  
(Madhya Pradesh)  
E-mail: spokhd@nic.in

**Subject: Online representation from Shri Nitin, District - Khanwa, (MP) regarding atrocity against STs of Village - Negaon, Panchayat - Jaminya, Tehsil- Chhegaon Makhan, District - Khandwa by way of eviction, assault, kidnapping, destroy of crops / houses by the Forest Officials and Police Officials of District - Khandwa (MP).**

Sir,

I am directed to enclose herewith a copy of the Minutes of the Sitting held on 12.04.2023 under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes on the above mentioned subject for necessary action. It is requested that compliance report may be submitted to this Commission within 15 days positively for placing the same before the Hon'ble Commission.

Encl: as above

Yours faithfully,

NCST - NIC

(अंकित कुमार सेन / Ankit Kumar Sen)  
अनुसंधान अधिकारी/ Research Officer

Copy to:

**Shri Nitin**  
Sai Nagar, Mata Chowk,  
Khandwa, Vijaynagaram,  
Andhra Pradesh- 450001  
Mob No- 7869090287



## National Commission for Scheduled Tribes

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No. NCST-156 / ATY-49 / 204 / 2021-APCR

Minutes of the Sitting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST on the representation from Shri Nitin, District - Khanwa, (MP) regarding atrocity against STs of Village - Negaon, Panchayat - Jaminya, Tehsil- Chhegaon Makhan, District - Khandwa by way of eviction, assault, kidnapping, destroy of crops / houses by the Forest Officials and Police Officials of Distirct - Khandwa (MP).


Date of the Sitting: 12.04.2023 at 12:00 PM

List of Participants: As per Annexure

The Commission received a representation from Shri Nitin, that on 10.07.2021 40 Adivasi families of Negaon Jamniya were being evicted by the Forest Department without providing any prior notice and when the process of verification of claims under the Forest Rights Act was still not complete. The homes fields and crops of were destroyed by the officials of the Forest Department along with a by forest department police and a mob brought by them from other villages. The mob looted and destroyed around 130 quintals of food grains, Rs. 66800 in cash, a shop worth Rs 80000, jewelry worth Rs.12000, 5 cycles and 4 mobile phones, over 300 chicken, 16 goats and 1 calf and all other household items. Another calf was killed during the destruction of homes and over 200 Adivasis are left with nothing but the clothes on their backs. The eviction was further in violation of the Orders adted 23.04.2021 and 15.06.2021 passed by the Hon'ble Court of Madhya Pradesh in Suo Moto COVID case W.P 8820-2021 which explicitly prohibited any kind of eviction by the government until 15.07.2021.

Considering the gravity of the issue the Commission issued Notice on 11.10.2021 to the Director General of Police, Madhya Pradesh, District Collector, Khandwa District, Madhya Pradesh and Superintendent of Police, Khandwa District, Madhya Pradesh seeking Action Taken Report within 30 days.

The Superintendent of Police, Khandwa District, Madhya Pradesh and the Director General of Police, Madhya Pradesh submitted Action Taken Report dated

  
अनंत नायक/ANANTA NAYAK  
सदस्य/Member  
राष्ट्रीय अनुसूचित जनजाति आयोग  
NATIONAL COMMISSION FOR SCHEDULED TRIBES  
भारत सरकार/Govt. of India  
नई दिल्ली/New Delhi

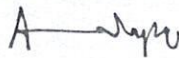


01.12.2021 and 11.11.2021 respectively stating all the encroachment was illegal and 19 STs were not the natives of Khandwa District, Madhya Pradesh. The Superintendent of Police, Khandwa District, Madhya Pradesh further informed that none of the families had submitted claims under the Forest Rights Act, 1927 and that the eviction of the families was as per due process of law.

The Commission issued Summons on 28.03.2023 to Director General of Police, Madhya Pradesh, District Collector, Khandwa District, Madhya Pradesh and Superintendent of Police, Khandwa District, Madhya Pradesh to appear before the Commission on 12.04.2023 at 12:00 pm

During the course of hearing on 12.04.2023 the Commission asked both the sides to lay down their cases. The Commission further asked Shri. A. Sai Manohar, Additional General of Police (Security and Coordination) on the eviction and investigation of the complaint and on the contradictions in the investigation and the complaint.

Shri Nitin submitted that verification at the time of the eviction, the verification of claims had not yet started. The Adivasis were harassed, assaulted and removed from their lands without any prior notice. When they tried to reason out with the authorities 3 Adivasis and 3 social activists were assaulted, abducted and illegally confined in the Forest Development Corporation Office for over 10 hours with their hands tied with ropes. As soon as they were arrested, their phones were taken away and their contact with the outside world was cut off. The illegally detained Adivasis and social activists were released only after a large number of adivasis gathered outside the Khandwa Police Station and protested. Before releasing them, the Police took signatures from 3 members on a blank paper. The District Collector had passed an order based only on documentary evidence, without any conducting the physical verification, mapping and demarcation on ground. The claims of the Adivasis were neither communicated to the Gram Sabha nor was the 50% quorum for Gram Sabha fulfilled by the District Collector when the order was issued. Apart from this, the signatures on the panchanama were also forged by the authorities. Since most of the families have lost their homes and livelihood, they have all migrated out of their villages and are working as labourers for a living.



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सदस्य/Member  
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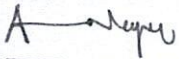
Shri A. Sai Manohar, Additional General of Police (Security and Coordination) submitted that the physical verification, mapping and demarcation on ground was conducted by the authorities and that the Gram Sabha was informed. It was only after they received approval from the Gram Sabha, they went ahead with the process of eviction according to due process of law. Shri. A. Sai Manohar, Additional General of Police (Security and Coordination) further submitted that all the families were rehabilitated and were currently staying in homes provided under the Pradhan Mantri Awaz Yojana. Shri. A. Sai Manohar, Additional General of Police (Security and Coordination) further submitted that they would address all the issues raised in the hearing by filing a reply to the rejoinder of the Petitioner.

The Commission observed that the facts and circumstances stated in the Action Taken Report and those stated by the Petitioner did not corroborate. The Commission further observed that the authorities did not seem to have followed due process of law.

After hearing both the sides, the Commission recommends the followings: -

1. The Petitioner shall file Rejoinder to the Action Taken Report of the authorities within 7 days.
2. The District Collector, Khandwa District, Madhya Pradesh and Superintendent of Police, Khandwa District, Madhya Pradesh shall file replies to the Rejoinder within 7 days.
3. The District Collector, Khandwa District, Madhya Pradesh shall submit the detailed quorum of the authorities.
4. The District Collector, Khandwa District, Madhya Pradesh shall submit the detailed documentation of the process of physical verification, mapping and demarcation conducted by them on ground.

Action Taken Report with compliance of the Recommendations to be submitted within 15 days for further perusal of the Commission.

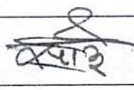
  
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सदस्य/Member  
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Attendance Sheet  
National Commission for Scheduled Tribes

File No - NCST-156/ATY-49/204/2021-APCR

Sitting to be held on 12.04.2023 at 12.00 Noon in the case of Shri Nitin, District - Khandwa, (MP) regarding atrocity against STs of Village - Negaon, Panchayat - Jaminya, Tehsil- Chhegaon Makhan, District - Khandwa by way of eviction, assault, kidnapping, destroy of crops / houses by the Forest Officials and Police Officials of District - Khandwa (MP).

Sl. No.	Name and Designation	Address & Phone No.	Signature
I	<b>National Commission for Scheduled Tribes</b>		
1.	Shri Ananta Nayak Hon'ble Member	In Chair	
2.			
3.	<del>A. Sai Manohar</del>	ADG (Sec. & Coord) MP Govt	
4.			
5.			
5.			
6.			
7.			
II	<b>Officers from Government of Madhya Pradesh and Distt. Khandwa</b>		
1.			
2.			
3.	A. Sai Manohar ADG (Sec. & Coord)	9810770089 OSD MP Bhawan New Delhi	
4.			
§.11	<b>PETITIONERS</b>		
1.	SHRI NITIN, Present online		
2			
3			