



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. MDN/3/2018/STGMH/DELAAL/RU-IV

Dated: 07.12.2018

To,

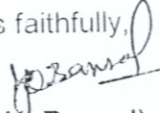
1. **The Divisional Commissioner,**
Nasik Division,
Government Colony,
Nashik, Maharashtra – 422 101
2. **The District Collector,**
District – Ahmednagar,
Maharashtra.
3. **The Superintendent of Police,**
District – Ahmednagar,
Maharashtra

Sub: Proceedings of the sitting taken by Hon'ble Chairperson, National Commission for Scheduled Tribes (NCST) on 26.11.2018 in the matter of Shri Machind Dagadu Nikam and others, District - Ahmed Nagar, Maharashtra regarding encroachment of tribal land by non STs

Sir,

I am directed to enclose herewith a copy of the Proceedings of the Sitting held on 26.11.2018 under the Chairmanship of Shri Nand Kumar Sai, Hon'ble Chairperson, National Commission for Scheduled Tribes on the above mentioned subject for necessary action and submission of compliance report to this Commission expeditiously for placing the same before the Hon'ble Chairperson, NCST.

Yours faithfully,


(Y.K. Bansal)
Research Officer

Encl: As above

Copy to:

Shri Machind Dagadu Nikam,
Ra. Mouja Vedgaon Gupta Tehsil,
District – Ahmed Nagar -414 601,
Maharashtra.

9926-29
10/12/18
जारी पत्र
ISSUED

Copies: - SAC NTC, NCST.

PROCEEDINGS OF SITTING HELD ON 26.11.2018 AT 02.00 P.M UNDER THE CHAIRMANSHIP OF SHRI NAND KUMAR SAI, HON'BLE CHAIRPERSON, NATIONAL COMMISSION FOR SCHEDULED TRIBES (NCST) IN THE MATTER OF SHRI MACHIND DAGADU NIKAM AND OTHERS, DISTRICT AHMEDNAGAR, MAHARASHTRA REGARDING ENCROACHMENT OF TRIBAL LAND BY NON STS.

Date of Sitting: 26.11.2018

List of officers present in sitting is Annexed.

The petitioner Shri Machind Dagadu Nikam and others, District Ahmednagar, Maharashtra has submitted grievances regarding encroachment of tribal land by non STs.

It has been alleged that the tribal families were cultivating the land at Gat No. 102,103 and 114 at village Vadgaon Gupta, Tehsil and District – Ahmednagar since British period. Thereafter, the Government has allotted the land to the tribal families and recorded in Revenue record at survey No. 89, 90 and 91. However, some non tribals with the help of District Administration officials have forcefully alienated the land. The name of the tribal petitioners have been deleted from the Revenue records. When they objected the action of the District Administration, the tribal families were threatened that they will be killed. There is an official order that no tribal land can be transferred to the non-tribals. This rule has not been followed. The tribal families/petitioners request the Commission to intervene in the matter and grant possession of the land Gat No. 102,103 and 114.

2. The matter was taken up with the Divisional Commissioner, Nasik, Maharashtra, the District Collector, Ahmednagar and the Superintendent of Police, District Ahmednagar NCST vide notice dated 12.10.2018 for reply/report. No reply/report has been received from the concerned authority, therefore, Smt. Maya Chintamn Ivate, Hon'ble Member, NCST has fixed a Sitting for discussion in the matter on 26.11.2018 at 2.00 P.M. with the concerned authority. Accordingly, sitting notice has been sent. However, the Sitting was held under Chairmanship of Hon'ble Chairperson.


3. The Additional Collector, Ahmednagar appeared before the Commission on behalf of the Collector, Ahmednagar on 26.11.2018. The Divisional Commissioner, Nasik and Superintendent of Police, Ahmednagar did not appear before the

Commission on day of sitting. Petitioners appeared before the Commission.
Sitting.

4. Matter was discussed in detail. The Commission observed that the tribal land was taken away by non-tribals through various deceitful ways and there are a number of illegal constructions in the tribal land. The Commission therefore recommended as under:

- Additional Collector, Ahmednagar should ensure that there is no further construction in the said tribal land.
- This matter will be heard in detail again when the Commission will visit Ahmednagar after 13.12.2018.

5. Compliance/action taken report should be submitted to the Commission within 15 days from the receipt of the proceedings.


3-12-18
Nand Kumar Sai
Chairperson
National Commission for Scheduled Tribes
Govt. of India
New Delhi

(File No. MDN/3/2018/STGMH/DELAAL/RU-IV)

List of participants

NCST

1. Shri Nand Kumar Sai, Hon'ble Chairperson (In chair)
2. Shri Hari Krishna Damor, Hon'ble Member
3. Smt. Maya Chintamn Ivate, Hon'ble Member
4. Shri S.K. Ratho, Joint Secretary
5. Shri P.T. Jameskutty, Deputy Secretary
6. Shri S.K. Atram, PS to Hon'ble Member (MCI)
7. Shri H.R. Meena, Sr. Investigator

Officers of Government of Maharashtra

Shri B.H. Palwe, Additional Collector, Ahmednagar

Petitioners

1. Shri Machind Dagadu Nikam
2. Shri Maruti Dagdu Nikam
3. Shri Devidas Ramchandra Nikam
4. Shri Yogesh Machind Nikam
5. Babasaheb Ramchandra Nikam
6. Balasaheb Dagdu Nikam
7. Sahbera Dagdu Nikam
8. Asindhar Dagdu Nikam