



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)

Case File No. AG/4/2018/STGAP/SEHRMT/RU-IV

Dated: 31.01.2019

To

1. **The Principal Secretary,**
Revenue Department,
Government of Andhra Pradesh,
Secretariat,
Velagapudi, Amaravati,
District – Guntur (Andhra Pradesh)
2. **The Commissioner &
Inspector General of Registration and Stamps,**
5-59, R.K. Spring Valley Apartment,
Edupugalka, Kankipadu Mandal,
Vijayawada – 521 151
(Andhra Pradesh).
3. **The Deputy Inspector General (DIG),**
Registration & Stamp Department,
D. No. 68-5-7/1, Maduranagan Road,
Ashok Nagar, Kakinada – 533 004
(Andhra Pradesh).

Sub: Proceedings of the Sitting taken by Miss Anusuiya Uikey, Hon'ble Vice-Chairperson, National Commission for Scheduled Tribes (NCST) on 29.01.2019 in the case of Shri Arduru Gopal, Joint Sub Registrar, Markapuram, Prakasam District, Andhra Pradesh regarding complaint against Shri B. Suryanarayana, Deputy Inspector of Registration & Stamps, Kakinada for harassment and discrimination of ST officer.

Sir,

I am directed to enclose herewith a copy of the Proceedings of the Sitting held on 29.01.2019 under the Chairmanship of Miss Anusuiya Uikey, Hon'ble Vice-Chairperson, National Commission for Scheduled Tribes on the above mentioned subject for necessary action and submission of compliance report to this Commission within 15 days from the receipt of the letter for placing the same before the Hon'ble Member, NCST.

Yours faithfully,

(Y.K. Bansal)

Research Officer

(Encl. As above)

Copy to:

Shri Arduru Gopal,
Joint Sub Registrar,
Registrar Office,
Markapur, Prakasam District,
Andhra Pradesh.

NATIONAL COMMISSION FOR SCHEDULED TRIBES

Case File No. AG/4/2018/SEGAP/SEHRMT/RU-IV

PROCEEDINGS OF SITTING HELD ON 29.01.2019 CHAIRED BY MISS ANUSUIYA UIKEY, HON'BLE VICE-CHAIRPERSON, NATIONAL COMMISSION FOR SCHEDULED TRIBES (NCST) IN THE CASE OF SHRI ANDURU GOPAL, JOINT SUB REGISTRAR, REGISTRAR OFFICE, MARKAPUR, PRAKASAM DISTRICT, ANDHRA PRADESH REGARDING COMPLIANT AGAINST SHRI B. SURYANARAYANA, DEPUTY INSPECTOR GENERAL OF REGISTRATION AND STAMPS, KAKINADA (RETD.) FOR HARASSMENT AND DISCRIMINATION OF ST OFFICER.

Date of Sitting: 29.01.2019

List of officers present in sitting is Annexed.

The petitioner Anduru Gopal vide his representation dated 27.10.2018 has submitted the grievances regarding compliant against Shri B. Suryanarayana, Deputy Inspector General of Registration and Stamps, Kakinada for harassment and discrimination of ST officer.

The petitioner has alleged that he was working as Joint Sub Registrar, Registrar Office, Markapuram, Prakasam District, Andhra Pradesh. The announcement of Amaravathi as a new capital city of Andhra Pradesh the adjoining areas of Amaravathi particularly the Mangalagiri became the prominent place and from the Registration point of view the Mangalagiri Sub Registrar office became very lucrative. As a sub Registrar his duties is collecting the revenue to the Government through registration of the documents. Since his joining at Mangalagiri in the month of October, 2014 he has been instrumental in augmenting and collecting the considerable revenues to the Government. He has been discharging his duties to the entire satisfaction of public as well as superiors without giving any scope for adverse comments against him.

Shri B. Suryanarayana, Deputy Inspector General of Registration and Stamps, Guntur being the transferring authority for the post of Sub-Registrar plan to dispossess him from Sub Registrar Office, Mangalagiri by using his lawful power and caused injury and annoyance to the petitioner. Shri Suryanarayana leaked out certain official information to Print and Electronic Media giving false and frivolous information that the petitioner registered prohibited lands in violation of the AP Assigned Land (Prevention of Transfer) Act, 1977 and Registration Act, 1908. The Chief accusation against the petitioner was that he has registered certain prohibited properties and refused 507 documents (including Lanka lands) which were strictly prohibited to registration. An action taken report as to the action proposed to be taken on the basis of the

recommendation of the NCST should be submitted to the Commission within 30 days from the receipt of the proceedings.

Shri Suryanarayana placed the petitioner under suspension without following due procedure of law/principles of natural justice. Shri B. Suryanarayana, Deputy Inspector General intentionally and wilfully suppressed the circular instructions of the Commissioner and Inspector General of Registration and Stamps and orders of the Hon'ble High Court issues as to how the documents containing prohibited properties should be dealt with. There are clear instructions issued in Memo No. G1/10129/2009 dated 14.07.2009 of Commissioner and Inspector General that "if the land mentioned in the document is prohibited from registration as per section 22-A of Registration Act the Sub Registrar should receive the document and pass refusal orders giving detailed reason why the document cannot be admitted". In fact, there is no provision the Registration Act to pass refusal orders without receiving/accepting the documents. The Court also categorically stated that the sub-Registrar has no right to deny the presentation of documents.

2. As per procedure, the matter was taken up with the Principal Secretary, Revenue Department, Govt. of Andhra Pradesh, the Commissioner & Inspector General of Registration and Stamps, Vijayawada and the Deputy Inspector General (DIG), Registration & Stamp Department, Kakinada vide NCST notice dated 14.11.2018 for a report. No report has been received. Therefore, Smt. Maya Chintamn lnate, Hon'ble Member, NCST has fixed a sitting on 29.01.2019 at 2.00 P.M. with the above concerned authorities to discuss in the matter. Accordingly, sitting notice has been issued.

3. Shri M. Udaya Bhaskar Rao, Additional IG, Registration & Stamp Department, Government of Andhra Pradesh and Shri B. Suryanarayana, DIG (R&S) (retired) appeared before the Commission on 29.01.2019 on behalf of the Commissioner and Inspector General, Registration & Stamps, AP, Vijayawada. The petitioner was also present in the day of the sitting.


4. The matter was discussed in detail. During the discussion the Hon'ble Vice-Chairperson asked the petitioner about his grievances. The petitioner submitted to the Commission that as sub Registrar his duties involved collecting the revenue to the Government through registration of the documents. Since his joining at Mangalagiri in the month of October, 2014 he has been instrumental in augmenting and collecting the considerable revenues to the Government. He has been discharging his duties to the entire satisfaction of public as well as superiors without giving any scope for adverse comments against him. He has already registered all the documents while discharging of duty to the post of Sub Registrar after completion of verification of the document. Despite this he was harassed and an unnecessary Departmental Inquiry

was conducted without taking consideration of the petitioner's clarifications. In this connection, he was awarded punishment of stoppage of one increment with cumulative effect and subsequently he was shifted from his present posting place. Shri B. Suryanarayan, the then Deputy Inspector General, Registration and Stamps inspected all eight Sub-Registrar Offices of Guntur Registration District and submitted its report to Director & IGRS, AP mentioning all documents which received by Sub-Registrar, Mangalagiri and other 7 Sub-Registrar offices were refused vide reference No. C.No. A-1/1047/2015 dated 02.11.2015 and again the same officer submitted second report mentioning the false remarks against only A. Gopal, S.R.O, Mangalagiri vide reference number C.No. A1/1047/2015 dated 07.11.2015. So because of false observation i.e. certain documents registered which are prohibited u/s 22A of Registration Act, DIG, Registration & Stamp, Guntur suspended the petitioner, when no single documents were registered by the petitioner in that period.

5. The Hon'ble Vice-Chairperson asked to the authority concerned to explain the status of the case. The Additional IG appeared before the Commission and submitted that he has conducted a separate inquiry in which the department found that charges against the petitioner were frivolous and devoid of any merit. In the preliminary Inquiry it was observed that the petitioner has made minor lapses and a punishment of stoppage of one increment with cumulative effect was too harsh. However, petitioner's appeal is pending before the Appellate Authority.

6. After detailed discussion, the Commission observed that the minor lapses on behalf of the petitioner was an administrative error and there was no intentional error. The officer appeared also agreed to review the case and will revoke the punishment imposed on the petitioner. **Therefore, the Commission recommends that the Commissioner & Inspector General of Registration and Stamps, Vijayawada should review the case at the time of deciding the appeal on the basis of the petitioner's clarification and document. The punishment of stoppage of one increment with cumulative effect imposed against the petitioner should be revoked with all consequential benefits given to him and he should be posted at vacant post in Mangalagiri S.R.O.**

7. Action taken report on the recommendation of proceedings of sitting should be furnished to this commission within 15 days positively from the receipt.


शुभा अनुसुल्या उल्के/Miss Anusulya Ulkey
उपाध्यक्ष/Vice Chairperson
राष्ट्रीय जागरण जनसमिति आयोग
National Commission for Scheduled Tribes
असम, भारत (Assam, India)
पत्र संख्या/No. 1000

NATIONAL COMMISSION FOR SCHEDULED TRIBES

Annexure

(File No. AG/4/2018/SEGAP/SEHRMT/RU-IV)

List of participants

NCST

1. Miss Anusuiya Uikey, Hon'ble Vice-Chairperson (In chair)
2. Shri P.T. Jameskutty, Deputy Secretary
3. Shri S.K. Atram, PS to Hon'ble Member (MCI)
4. Shri H.R. Meena, Sr. Investigator

Officers of Government of Andhra Pradesh

1. Shri M. Udaya Bhaskara Rao, Assistant I.G (Registration & Stamp)
2. Shri B. Suryanarayana, DIG (R&S), Kakinada

Petitioner

Shri Anduru Gopal