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भारत सरकार

Government of India

राष्ट्रीय अनुसूचित जनजाति आयोग

National Commission for Scheduled Tribes

(A Constitutional body set up under Article 338A of the Constitution of India)

6th floor, 'B' Wing, Loknayak Bhawan
Khan Market, New Delhi-110 003

File No. PRP/1/2019/STGDN/DELAAL/RU-I

Dated: 28/06/2019

To,

The District Collector,
Dadra & Nagar Haveli,
Silvassa
(Dadra & Nagar Haveli).

Sub: Representation dated 25.10.2018 of Smt Premliben Rameshbhai Patel, Near Ayappa Temple, Tokarkhada, Silvassa UT of Dadra and Nagar Haveli regarding not granting occupancy rights for land survey No. 80/3.

Sir,

I am directed to refer to the subject cited above and to enclose a copy of the minutes of Sitting held in the Headquarters of National Commission for Scheduled Tribes on 25/06/2019 at 11:30 A.M. under the Chairmanship of Shri H. C. Vasava, Hon'ble Member, National Commission for Scheduled Tribes in the matter.

It is, requested that action taken on the suggestions / recommendations of the Commission may please be sent to the NCST at the earliest.

Encl: As above

Yours faithfully,

(राजेश्वर कुमार)

सहायक निदेशक

Tel: 011-24641640.

Copy to:

Smt Premliben Rameshbhai Patel,
Near Ayappa Temple, Tokarkhada, Silvassa
UT of Dadra and Nagar Haveli
(Mob: 9924417043)

Copy for information to:

1. PS to Hon'ble Member (HCV), NCST
2. NIC (for hosting on Commission's website).

Government of India
National Commission for Scheduled Tribes

(PRP/1/2019/STGDN/DELAAL/RU-I)

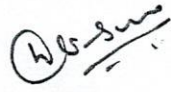
Minutes of sitting held in the NCST's Headquarters on 25/06/2019 at 11:30 A.M. onwards under the chairmanship of Shri H. C. Vasava, Hon'ble Member, NCST in the case of Smt Premliben Rameshbhai Patel, Near Ayappa Temple, Tokarkhada, Silvassa UT of Dadra and Nagar Haveli regarding granting of occupancy rights and compensation for the land of survey No. 80/3.

List of participants is annexed.

Smt Premliben Rameshbhai Patel, Near Ayappa Temple, Tokarkhada, Silvassa UT of Dadra and Nagar Haveli vide representation dated 25.10.2018 has stated that the Revenue Department of District Silvassa not granting of occupancy rights and compensation for the land of survey No. 80/3, near Ayappa Temple, Tokarkhada, Silvassa and requested for issuance of direction to the Revenue Department. The NCST vide letter dated 13.02.2019 has referred the matter to District Collector, Silvassa for facts and comments, followed by reminder dated 25.03.2019. The response was not received. Hence, Hon'ble Member Shri H.C. Vasava fixed the sitting on 25.06.2019 to discuss the matter with the Collector, District- Silvassa and petitioner. The sitting notice was issued on 03.06.2019.

The Collector, Silvassa deputed Mamlatdar, Silvassa to attend the sitting. In the sitting Mamlatdar, Silvassa appeared but petitioner was not present. The Hon'ble Member asked the Mamlatdar to explain the action taken by the District Administration in the matter. The Mamlatdar, Silvassa produced the letter No. LRO-I/B-1/201(05)/2019/1002 dated 24.06.2019 of Resident Deputy Collector (S), Silvassa. In this letter, it was informed that 'land bearing survey No. 80/3, Tokarkhada, Silvassa under the ownership of Government and the matter of granting of occupancy rights is a Policy Matter and currently under process'.

Commission observed that as per representation, the petitioner residing on the said land by constructing kachcha house thereon along with family members. She paying house tax, having electricity connection and registered in Silvassa Municipal Council, which shows, she residing there and having the possession on the land in question.


हर्षदभाई वसवा/Harshadhbhai Vasava
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

After detailed discussions with the Mamlatdar, Silvassa, the Hon'ble Member recommends that the case should be re-examined by the Revenue Department of District Silvassa, as Mamlatdar, Silvassa unable to explain that the petitioner is landless and residing on the land of question more than 45 years. If she residing in Government land since more than 45 years and landless, the Administration should pay the compensation and issue the occupancy rights, as per Rules. A report on action taken/ proposed to be taken by the District Administration, Silvassa on the recommendation of the Commission may be sent to the NCST within one month from the receipt of the proceedings.



हर्षदभाई वसवा/Marshadbhai Vasava
सदस्य/Member
राष्ट्रीय अनुसूचित जात/जाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नू. दिल्ली/New Delhi

भारत सरकार
राष्ट्रीय अनुसूचित जनजाति आयोग

(PRP/1/2019/STGDN/DELAAL/RU-I)

List of participants in the sitting held on 25/06/2019 at 11:30 A.M. under the Chairmanship of Shri H. C. Vasava, Hon'ble Member, NCST in the case of Smt Premliben Rameshbhai Patel, Near Ayappa Temple, Tokarkhada, Silvassa UT of Dadra and Nagar Haveli regarding not granting occupancy rights for land survey No. 80/3.

I National Commission for Scheduled Tribes

1. Shri H. C. Vasava, Hon'ble Member (In Chair)
2. Shri S.P. Meena, Assistant Director
3. Shri R.S. Misra, Senior Investigator
4. Shri Manoj Mishra, PS to Hon'ble Member

II District- Silvassa

Shri T.S. Sharma, Mamlatdar, Silvassa

III Petitioner

Nil