



SPEED POST

भारत सरकार
Government of India
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
(A Constitutional Body under Article 338A of the Constitution of India)

Case File No.BAP/2/2017/STGMH/DEOTH/RU-IV

16.02.2018

To,

1. The Chief Secretary,
Government of Maharashtra,
Mantralaya,
Mumbai
2. The Principal Secretary,
Tribal Development Department,
Government of Maharashtra,
Mantralaya, Mumbai.
3. The Principal Secretary,
Revenue Department,
Government of Maharashtra,
Mumbai.
4. The Commissioner,
Ahmednagar Maha Nagarpalika,
Ahmednagar.
(Maharashtra).
5. The Collector & District Magistrate,
District Ahmednagar,
Ahmednagar – 414 001.
6. Superintendent of Police,
District – Ahmednagar,
Ahmednagar.

Sub: Representation dated 07.02.2017 of Shri Bala Saheb Anand Pawar, Village and Post – Jeur (near pond of Pimpal Gaon) Tehsil and District - Ahmednagar (Maharashtra) regarding allotment of Government land in the name of near about 250 Scheduled Tribes belonging to Bhil group which is under the possession of scheduled tribes from the British period.

Sir,

I am directed to enclose a copy of the Proceedings of the Sitting held on 23.01.2018 at 3.00 P.M under the Chairmanship of Shri Nand Kumar Sai, Hon'ble Chairperson, National Commission for Scheduled Tribes on the above mentioned subject.

It is requested that action taken report in the matter may please be intimated to the Commission, at an early date.

In this context, it is to inform that the next Sitting is scheduled for 01.03.2018 at 12.00 Noon. Notice for Sitting has been issued separately to concerned departments.

Yours faithfully,

D.S. Kumbhare
16/2/2018
(D.S. Kumbhare)
Under Secretary

Copy to:

Shri Balasaheb Anand Pawar,
Gram + Post – Jeur (B) ,
Near Pipalgaon Pond,
Tehsil Nagar,
Distt.- Ahmad Nagar,
Maharashtra – 4146001.

(NIE)

NATIONAL COMMISSION FOR SCHEDULED TRIBES

File No. BAP/2/2017/STGMH/DEOTH/RU-IV

PROCEEDINGS OF SITTING HELD ON 23.01.2018 AT 3.00 P.M CHAIRED BY SHRI NAND KUMAR SAI, HON'BLE CHAIRPERSON, NCST ON THE REPRESENTATION DATED 07.02.2017 OF SHRI BALA SAHEB ANAND PAWAR, VILLAGE AND POST – JEAUR (NEAR POND OF PIMPAL GAON) TEHSIL AND DISTRICT - AHMAD NAGAR (MAHARASHTRA) REGARDING ALLOTMENT OF GOVERNMENT LAND IN THE NAME OF NEAR ABOUT 250 SCHEDULED TRIBES BELONGING TO BHIL GROUP WHICH IS UNDER THE POSSESSION OF SCHEDULED TRIBES FROM THE BRITISH PERIOD.

List of officers present in sitting is Annexed.

Shri Balasaheb Anand Pawar, Village and Post – Jeur (near pond of Pimpal Gaon) Tehsil and District - Ahmad Nagar (Maharashtra) vide representation dated 07.02.2017 has stated that the near about 250 families of Bhil group of Scheduled Tribes residing in the village & Post Jeur (B) (near pond of Pimpal Gaon), Tehsil and District - Ahmad Nagar during the British period near about 2000 Acre Government land. The Scheduled Tribes families are conducting agriculture on the said land during the British period. The scheduled Tribes are also undertaking fishing on this pond.

2. As per procedure, NCST vide notice dated 17.03.2017 has referred the matter to Chief Secretary, Govt. of Maharashtra and Principal Secretary, Tribal Development Department, Govt. of Maharashtra and District Collector and Superintendent of Police, District –Ahmed Nagar for furnishing the facts within 7 days of receipt of the letter. These authorities were reminded vide NCST's communications dated 12.07.2017, 03.08.2017, 15.11.2017 and 11.12.2017 for furnishing the facts within 7 days. The reply/information was not received. Smt. Maya Chintamn Ivrate, Hon'ble Member, vide her D.O. letter dated 15.12.2017 took up the matter with the Chief Secretary, Govt. of Maharashtra and Secretary, Tribal Welfare Department for sending the facts by 1st week of January, 2018. The reply was not received.

3. Smt. Maya Chintamn Ivrate, Hon'ble Member had decided to discuss the matter with concerned officers of the Govt. of Maharashtra and District Collector and SP, District – Ahmednagar and fixed the Sitting for **23.01.2018 at 3.00 P.M.** The Sitting notice was sent on 10.01.2018 to these officers.

4. The Hon'ble Member brought above facts before the Hon'ble Chairperson. Accordingly, Hon'ble Chairperson decided to discuss the matter with the officers of Govt. Maharashtra and Ahmednagar District.

5. In the Sitting, it was observed that none of the officers reached for discussion. The District Deputy Collector, Ahmednagar deputed Sub-Divisional Officer, Nagar Division, Ahmednagar, the Deputy Secretary, Tribal Development Department, Govt. of Maharashtra



Nand Kumar Sai
Chairperson
National Commission for Scheduled Tribes
Govt. of India
New Delhi

had deputed Project Officer, ITDP, Rajur and the Superintendent of Police, Ahmednagar had informed that the subject matter of the representation solely under the purview of Revenue Department under the District Collector, Ahmednagar and requested for exemption for appearance in person in the Sitting.

6. The Hon'ble Chairperson took the serious view as the none of the officers were present for discussion. The letter No. Kra.Mah/Karya/Jamin-1A/1641/2017 dated 07.11.2017 of the Additional Collector, (Revenue Department) O/o District Collector, Ahmednagar addressed to Hon'ble Secretary, National Commission for Scheduled Castes received from the Sub-Divisional Officer, Nagar Division, Ahmednagar on 23.01.2018 was brought to the notice of the Chairperson. In this letter, it has been mentioned that "in the Civil matter of Popat Maruti Sase, the Hon'ble Civil Judge, SD Court has rejected the applicants name by giving a decision on 24.01.2017 in the RCS No. 289/2015. Plaintiffs and other have not filed an appeal against the decision of the court, so the court decision is currently in existence. Therefore, the petitioner cannot request for registration their names to 7/12 extract for alluvial land near the lake at Pimpalgaon Malvi Talav in Pimpalgaon Malvi Taluka Nagar. It is humble request that the applicants application should be withdrawn".

7. Petitioner was asked to submit the facts in this regard. Petitioner stated that the said judgment rejected application of Shri Popat Maruti Sase only. The order of judgment could not produce by the petitioner(s). The other petitioners, who were also present in the Sitting stated that they are landless and depend upon the said land (which is under the control of Maha Nagarpalika of Ahmednagar) for agriculture and fishing for livelihood. Petitioner(s) demanded for allotment of land in their name so that they can peacefully spend their life by agriculture and fishing.

8. Hon'ble Chairperson directed to:

- (1) advice the District Administration of Ahmednagar and Ahmednagar Maha Nagarpalika for not taking any activities at the said land (pond), as the Commission is examining the matter and
- (2) a sitting be convened by the Commission to discuss the matter with the Principal Secretary, Revenue Department, Govt. of Maharashtra, Collector and District Magistrate, Ahmednagar and Commissioner, Maha Nagarpalika, Ahmednagar for providing justice to the Scheduled Tribes families of Jeur, Malvi Pimpalgaon Talav, Village & Post, Jeur.



Nand Kumar Sai
Chairperson
National Commission for Scheduled Tribes
Govt. of India
New Delhi

(File No. BAP/2/2017/STGMH/DEOTH/RU-IV)

List of participants

NCST

1. Shri Nand Kuamr Sai, Hon'ble Chairperson (In chair)
2. Shri H.K. Damor, Hon'ble Member
3. Smt. Maya Chintamn Ivrate, Hon'ble Member
4. Shri S.K. Ratho, Joint Secretary
5. Shri D.S. Kumbhare, Under Secretary
6. Shri R.S. Misra, Sr. Investigator
7. Shri S. Atram, PS to Hon'ble Member (MCI)

Officers of Government of Maharashtra

(Project Officer, ITDP, Rajur)

District Collector, Ahmednagar

(Sub Divisional Officer, Nagar Division, Ahmednagar)

Superintendent of Police, Ahmednagar

NIL

Petitioners

1. Shri Baba Saheb Ananda Pawar
2. Shri Sase Popat Maruti
3. Shri Nikam Dhanaji
4. Shri Baba Saheb Sukdev Gangurde
5. Shri Eknath Rambhau Mali
6. Shri Sanjay Maruti Gayakwad
7. Shri Popat Punjabrao Gangurde and others.