



राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes

(भारत के संविधान के अनुच्छेद 338क के अंतर्गत दीवानी न्यायालय की शक्तियों को प्रयोग करने वाला एक संवैधानिक निकाय)
(A Constitutional body exercising powers of a Civil Court under Article 338A of the Constitution of India)

NOTICE

F. No. NCST/DEV-324/AP/13/2022-ESDW

Dated: 14.06.2023

To,

The Collector & District Magistrate,
District Srikakulam,
Collectorate Complex,
Srikakulam-532001,
Andhra Pradesh,
E-Mail: collector_sklm@ap.gov.in

Sub: Minutes of the Sitting taken by Shri Ananta Nayak, Hon'ble Member, NCST, New Delhi on 23.05.2023 at 03:30 PM regarding representation dated 07.03.2022 of Shri Chinthala Balaraju and others poor STs land less farmers struggling for existence to meet livelihood, their lives will be under risk and put to miserable situation-implementation of land purchase schemes as per existing laws under ST action plan.

Sir/Madam,

I am directed to enclose herewith a copy of Minutes of the Sitting taken by Shri Ananta Nayak, Hon'ble Member, NCST, New Delhi on 23.05.2023 at 03:30 PM on the above mentioned subject for information and necessary action.

2. You are directed to send the Action Taken Report (ATR) on the recommendations of the Commission **within 15 days** from the date of receiving of the Minutes.

Encl: as Above.

Yours faithfully,

(H.R. Meena)

Research Officer

Copy for information to: -

1. Shri Chinthala Balaraju,
S/o Shri Jogulu,
Village-Sanysipeta,
Panchiyathi & Post-Lingalavalasa,
Mandal-Tekkalli,
District Srikakulam-532201,
Andhra Pradesh
2. Shri Nanupuram Chinnarao,
S/o Shri Prakash Rao,
Village-Sanysipeta,
Panchiyathi & Post-Lingalavalasa,
Mandal-Tekkalli,
District Srikakulam-532201,
Andhra Pradesh
3. ✓ NIC Cell for upload in NCST Website.

National Commission for Scheduled Tribes

No. NCST/DEV-324/AP/13/2022-ESDW

Minutes of the Sitting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST on the representation from Shri Chinthala Balaraju regarding 31 poor families have been cultivating zeroyathi lands in Lingalavalasa village for 80 years and are now being asked to vacate the land leaving them with no other means of survival.

Date of the Sitting: 23.05.2023

List of Participants: As per Annexure

The Commission received a representation on 07.03.2022, from Shri Chinthala Balaraju, in the representation, the Petitioners state that they belong to Sanyasipeta Village, Lingalavalasa Panchayat, Tekkali Mandal, Srikakulam District. They mentioned that approximately 31 poor families who have been cultivating zeroyathi lands situated in Lingalavalasa village, Tekkali Mandal for the past 80 years to sustain their livelihoods. However, they have been harassed and physically assaulted in order to force them to vacate the land, as they intend to sell it. The Petitioners further submit that they have no other means of survival and, therefore, requested the Commission to ensure them justice.

Considering the gravity of the issue, the Commission issued a notice to the Chief Secretary, Government of Andhra Pradesh and District Collector, Srikakulam on March 24.03.2022. However, no action taken report (ATR) has been received from the Authorities.

On the notice of the commission the collector had submitted ATR stating that Sub-collector has conducted meeting with the Complainants and the original land owners and found that the Complainants have shown very limited evidences to claim the possession on the land but requested more time to submit evidences. The Land owners have shown substantial ownership over the land. The Sub-collector has instructed the Tahsildar. Tekkali to conduct the field Survey in presence of the Complainants to assess the current position of the Land regarding the possession and Title and to submit report. The Collector had requested one-month time to submit detailed report before the Commission



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

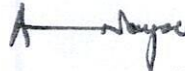
The Commission summoned the District Collector, Srikakulam, Andhra Pradesh to appear before the Commission on 23.05.2023. During the hearing, on 24.05.2023 petitioners submitted that they have peacefully possessed and cultivated the lands for over 80 years, as per the revenue records. However, the current owners intend to sell the property to third parties and unlawfully evict them from the land. This action makes their lives at risk, as their families, including elderly parents and children, depend on farming for survival. The District Collector has initiated action for the scheme's implementation, but the original owners are assaulting the petitioners in order to force them to vacate the land. This poses a significant threat to the livelihoods of the poor ST farmers, leading to irreparable losses. Therefore, they appealed to resolve the issue and ensure their safety.

The District Collector, Srikakulam submitted that there are 36 Tribal farmers who have been cultivating a total area of Ac.22.85 on a Cowl basis for a long time. They have been in possession and peaceful enjoyment of the land, contrary to the allegations made by the petitioners. Additionally, the Revenue Divisional Officer has submitted a detailed report and budget proposals to the District Collector, requesting a sanction of Rs.2,85,06,500/- for the purchase of private land measuring Ac.22.85 under the Land Purchase Scheme. The landowners are willing to sell their land to the Government, as they have urgent financial needs. The approval and budget allocation from higher authorities are still pending. A detailed report has been submitted to the Principal Secretary to the Government, Tribal Welfare Department, Andhra Pradesh, for necessary instructions and budget allocation to proceed with the land purchase and allocation process. However, the government's orders are still awaited.

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

1. The District Collector has to take necessary measures to ensure the safety of Tribal farmers in land possession. He is also required to prevent any eviction until the matter is resolved and submit the action taken report within 15 days.

In the meantime, Notice to Principal Secretary, Tribal Welfare Department, Government of Andhra Pradesh has to be issued for seeking ATR within 7days.



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

(ANNEXURE)

F. No. NCST/DEV-324/AP/13/2022-ESDW

LIST OF PARTICIPANTS: -

National Commission for Scheduled Tribes		
S. No.	Name	Designation
1.	Shri Ananta Nayak	Hon'ble Member
2.	Dr. Jayant Sarode	Director
3.	Shri H.R. Meena	Research Officer
The Collector & District Magistrate, District Srikakulam, Andhra Pradesh		
S. No.	Name	Designation
1.	Shri Shrikesh B. Lathkar	District Collector
Petitioner		
S. No.	Name	Designation
1.	Shri Chinthala Balaraju,	Petitioner