



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. BAP/2/2017/STGMH/DEOTH/RU-IV

Dated:19.03.2018

1. The Principal Secretary,
Revenue Department,
Government of Maharashtra,
Mantralaya, Mumbai- 400032
2. The Collector & District Magistrate,
District Ahmednagar,
(Maharashtra) – 414 001.
3. The Commissioner,
Maha Nagarpalika, Ahmednagar,
Nagardeole, Ahmednagar,
PIN - 414 001
(Maharashtra)

Sub: Representation dated 07.02.2017 received from Shri Balasaheb Anand Pawar, Ahmednagar (Maharashtra) regarding land matter

Sir,

I am directed to refer to the subject cited above and to say that Shri Nand Kumar Sai, Hon'ble Chairperson, National Commission for Scheduled Tribes had discussed the issue with Officers of Govt. of Maharashtra, District – Ahmednagar and Maha Nagarpalika, Ahmednagar in the Sitting held on 06.03.2018 at 12.00 Noon. A copy of the Proceedings of the Sitting is enclosed.

It is requested that action taken/to be taken on the recommendations of the Commission in the matter may please be intimated to the NCST at an early date.

Yours faithfully,

D. S. Kumbhare
(D.S. Kumbhare) 19/3/2018
Under Secretary

Copy to:

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

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ISSUED

1. PS to Hon'ble Chairperson
2. Director/Assistant Director/Research Officer of Regional Offices of NCST at Bhopal/Jaipur/Bhubaneswar/Raipur/Ranchi/Shillong
3. NIC, NCST (for uploading on website of NCST).

NATIONAL COMMISSION FOR SCHEDULED TRIBES

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


PROCEEDINGS OF SITTING HELD ON 06.03.2018 AT 12.00 NOON 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.

Date of Sitting : 06.03.2018


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. In this matter, a Sitting was held on 23.01.2018 at 3.00 P.M. under the Chairmanship of Shri Nand Kumar Sai, Hon'ble Chairperson, NCST. In the Sitting none of the Senior 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 had deputed Project Officer, ITDP, Rajur and the Superintendent of Police, Ahmednagar District 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 the person in the Sitting. Hon'ble Chairperson took the serious views in this issue and fixed another Sitting for 06.03.2018 with Principal Secretary, Revenue Department, Govt. of Maharashtra, Collector and District Magistrate, District Ahmednagar and Commission Maha Nagarpalika, Ahmednagar.


नन्द कुमार साय/Nand Kumar Sai
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

3. The Principal Secretary, Revenue Department, Govt. of Maharashtra, Mumbai appeared in person, the Collector and District Magistrate, Ahmednagar deputed Additional Collector and Commissioner, Maha Nagarpalika, Ahmed Nagar deputed Additional Commissioner, Maha Nagarpalika to attend the Sitting held on 06.03.2018.
4. Hon'ble Chairperson asked petitioner to submit the facts/grievance and the status of implementation of the suggestions made by the NCST in the Sitting held on 23.01.2018. Petitioner stated that there is no construction but builders are taking the sand/soil from said area without fear. As and when asked to stop digging sand/soil, they started quarrelling, abusing and threatened for life. Other petitioners (including male and female), 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.
5. Hon'ble Chairperson asked the Principal Secretary, Revenue Department, Government of Maharashtra and Additional Collector, Ahmednagar to explain the facts. The Additional Collector explained that there is no construction but only demarcation in that area. The said land was allotted to the City Municipality of Ahmednagar in 1913. The Principal Secretary, Revenue Department had also supported the facts presented by Additional Collector, Ahmednagar.
6. The Hon'ble Chairperson asked the officers of the Govt. of Maharashtra as the said land was allotted to City Municipality, Ahmednagar long back, then why petitioners had not been dislocated. It shows the petitioner are still in possession on the land. Principal Secretary, Revenue Department suggested that a survey is required to be carried out for assessing the situation. The Divisional Commissioner, Nashik, who is the Revenue Head in the Nashik Division should be nominated for undertaking survey work in the said land.
7. Accordingly, Hon'ble Chairperson recommended that a fresh survey for assessing the date of physical possession of petitioner(s) (Scheduled Tribes families of Jeur, Malvi Pimpalgaon Talav, Village & Post, Jeur) on this land should be carried out by the Divisional Commissioner, Nashik within 3 months from receipt of proceedings of the Sitting. After that NCST will take up the matter with the State Govt. of Maharashtra for appropriate action.


नन्द कुमार साय/Nand Kumar Sai
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

NATIONAL COMMISSION FOR SCHEDULED TRIBES

Annexure

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

List of participants

NCST

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

Government of Maharashtra

Shri Manu Kumar Srivastav, Principal Secretary, Revenue Department, Mumbai.

District Collector, Ahmednagar

Shri B.S. Palve, Additional Collector, Ahmednagar

Maha Nagarpalika, Ahmednagar.

Shri Vilas Ram Chander Walgude, Additional Commissioner

Petitioners

1. Shri Baba Saheb Ananda Pawar
2. Shri Sase Popat Maruti
3. Shri Laxman Viswanath Wagh
4. Smt. Chhab Bhai Manchidranikam
5. Shri Pawar R.P.
6. Shri Gangadhar