



सत्यमेव जयते

भारत सरकार

Government of India

राष्ट्रीय अनुसूचित जनजाति आयोग

National Commission for Scheduled Tribes

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

File No. GSR/3/2018/STGGJ/DELAAL/RU-I

Date: 23/08/2018

To

- | | |
|---|---|
| <p>1. The Additional Chief Secretary,
Revenue Department,
Govt. of Gujarat,
New Sachivalay,
Gandhinagar (Gujarat)
Ph. 079 - 23251501
Fax No. 079 - 23251508 / 591
Email: secrev@gujarat.gov.in</p> | <p>2. The District Collector,
District - Surat,
(Gujarat).
Ph. 0261-2652525 / 2652137
Fax: 0261-2655757
Email: collector-sur@gujarat.gov.in</p> |
|---|---|

Sub: Representation dated 05/03/2018 received from Shri Gulabbhai Sukhabhai Rathore & Power of Attorney Shri Kannubhai Shankerbhai Patel, R/o Post-72, Shivdhara, Raw House, behind Priyanka intercity Opp. Puna Police Station, Magob, Surat, Gujarat regarding grabbing of land of poor and innocent Halpati Tribes in the area of Surat having Block No. 10/B/1 TP Scheme No. 64.

Sir,

I am directed to refer to the subject cited above and to enclose a copy of the minutes of Sitting held at Circuit House, Gandhinagar, Gujarat on 30/07/2018 at 12:00 Hours onwards 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,

(Rajeshwar Kumar)
Assistant Director
Tel: 24641640

Copy to:

Shri Gulabbhai Sukhabhai Rathore,
& Power of Attorney Shri Kannubhai Shankerbhai Patel,
R/o Post-72, Shivdhara,
Raw House, behind Priyanka intercity,
Opp. Puna Police Station, Magob,
Surat, Gujarat.
(Mob.-9586680000).

Copy for information to:

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

Govt. of India
National Commission for Scheduled Tribes

Minutes of sitting held on 30/07/2018 at 12:00 Hours (Onwards) at Circuit House, Gandhinagar under the Chairmanship of Shri H. C. Vasava, Hon'ble Member, NCT in the case of Shri Gulabbhai Sukhabhai Rathore & Power of Attorney Shri Kannubhai Shankerbhai Patel, R/o Post-72, Shivdhara, Raw House, behind Priyanka intercity Opp. Puna Police Station, Magob, Surat (Gujarat) regarding grabbing of land of poor and innocent Halpati Scheduled Tribes in the area of Surat having Block No. 10/B/1 TP Scheme No. 64.

(File No. GSR/3/2018/STGGJ/DELAAL/RU-I)

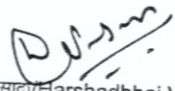
Date of Sitting: 30/07/2018 at 12:00 Hours onwards.
Venue of sitting: Circuit House, Gandhinagar (Gujarat)

List of participants is annexed.

Representation dated 05/03/2018 was received from Shri Gulabbhai Sukhabhai Rathore & Power of Attorney Kannubhai Shankerbhai Patel, R/o Post-72, Shivdhara, Raw House, behind Priyanka intercity Opp. Puna Police Station, Magob, Surat (Gujarat) regarding grabbing of land of poor and innocent Halpati Scheduled Tribe in the area of Surat having Block No. 10/B/1 TP Scheme No. 64.

The National Commission for Scheduled Tribes (NCST) vide Notice number GSR/3/2018/STGGJ/DELAAL/RU-I dated 11/04/2018 has referred the matter to Chief Secretary, Principal Secretary, Tribal Development Department, Govt. of Gujarat and Collector, District Surat for furnishing the facts with request to submit the information within 7 Days. The Hon'ble Member, Shri H. C. Vasava, National Commission for Scheduled Tribes and Deputy Secretary, NCST undertaken an on the spot visit / inquiry on 17/04/2018 of Surat (Gujarat). The Tour Report of Hon'ble Member was sent to Chief Secretary, Principal Secretary, Tribal Development Department and Additional Chief Secretary, Revenue Department, Govt. of Gujarat and Collector, District Surat for furnishing the action taken / proposed to be taken on the suggestions of Commission, vide letter dated 25/04/2018. The response from the State Authorities was not received.

In the sitting held on 08/05/2018 at New Delhi, the Tehsildar, Surat and the petitioner were present. The Officials from Revenue Department, Govt. of Gujarat and Collector, District – Surat was not appeared. In the sitting dated 08/05/2018, the Commission suggested / recommended certain points on which the action was required taken by Collector, Surat. The minutes was circulated on 24/05/2018 to the Additional Chief Secretary, Revenue Department, Principal Secretary, Tribal Development Department, Govt. of Gujarat and Collector, District – Surat. The response was not received.


हरषदभाई वसावा/Harshadbhai Vasava
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi


The Hon'ble Member, Shri H. C. Vasava fixed the sitting for 08/06/2018 with the Principal Secretary, Tribal Development Department, Additional Chief Secretary, Revenue Department, Govt. of Gujarat and Collector, District – Surat. The Collector, Surat vide letter No. (J)BKH/TPS/Section-67/Magob/Vashi.4256/18 dated 06/06/2018 had furnished the action taken / to be taken report on the suggestions of the Commission and requested that the case may be closed by the Commission. The Collector deputed the Mamlatdar, Non-agriculture, Surat to attend the sitting and mentioned that due to “Chintan Shibir” organized by Govt. of Gujarat from 7th June to 9th June, 2018 it would not possible for him to attend the sitting. The Hon'ble Member asked the Mamlatdar whether he is empowered to take a decision in the matter. He informed that he is not empowered to take a decision.

The Hon'ble Member took it seriously that the Revenue Department, Govt. of Gujarat and Collector, Surat are not co-operating and postponed the sitting for 29/06/2018 for discussion in the matter with Additional Chief Secretary, Revenue Department, Principal Secretary (SSRD), Revenue Appeal and Revision, Govt. of Gujarat, Ahmedabad and Collector, District - Surat. The sitting notice was issued on 12/06/2018. In the sitting Mamlatdar (SSRD), Ahmedabad on behalf of Principal Secretary (SSRD), Deputy Collector, Surat City Prant, on behalf of Collector – Surat and Mamlatdar Surat were appeared. The petitioner was also present. Mamlatdar (SSRD), had handed over letter No. MVV/EST/279/2018 dated 28/06/2018 of the Joint Secretary, Revenue Department (Appeals) in the sitting. A copy of the brief on the order dated 14/02/1997 passed by Deputy Secretary (Appeals) Revenue Department, Ahmedabad was also enclosed with the letter. The Hon'ble Member asked the Officer appeared in the sitting that they are empowered to take a decision in the matter. They told that they are not empowered. Hence, Hon'ble Member cancelled the sitting and decided that the matter will be discussed in the next meeting.

The Hon'ble Member fixed the sitting on 30/07/2018 at 3:00 P.M. at Circuit House, Gandhinagar to discuss the matter with the Additional Chief Secretary, Revenue Department and Collector, District – Surat. The sitting notice was issued on 20/07/2018. In the sitting(s) on 30/07/2018 at 12:00 Noon in Circuit House, Gandhinagar to discuss the various cases of Gujarat State, the Additional Chief Secretary, Revenue Department, Govt. of Gujarat deputed Secretary (LR) to attend the sitting(s). Prant Officer, Surat City was present (without authorization letter from the Collector – Surat). Hon'ble Member asked the Prant Officer, Surat City about the appearance of District Collector, Surat in the sitting and told the role and Co-operation of Collector Surat to Secretary (LR). The Secretary (LR) and Prant Officer, Surat City requested Hon'ble Member to discuss the matter at the earliest, since, the Secretary (LR) was engaged in some other important work. Therefore, in absence of petitioner, Hon'ble Member agreed to preponed sitting from 3:00 P.M. and asked the Officers to explain the background of the case and submit the action taken / to be taken by them in the matter.

The Officers explained the earlier stand of the District Collector and informed that the District Administration and Revenue Department has no role in the matter, since, the matter had been heard and decided by Revenue Department (Appeals), Govt. of Gujarat, Ahmedabad.

After discussion, it was suggested / recommended that the Collector, District – Surat should submit the copy of the relevant files (related to Deputy Collector's Order No. JMN/Vashi/64/96 dated 09/01/1996 and the Collector, Surat Order No. REV/Vatan/Appeal/Reg. No. 1/1996 dated 24/01/1996 (by got translated in English or Hindi) and submit the Commission within a month from the date of sitting for re-examination of the case. After that, further course of action in the case will be decided by the Commission.


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

Govt. of India
National Commission for Scheduled Tribes

List of participants

(Venue of Sitting: Circuit House, Gandhinagar, Gujarat)

Date & Time of Sitting: 30/7/2018 at 12:00 Noon

File No. GSR/3/2018/STGGJ/DELAAL/RU-I

Sr. No.	Name and Designation
I	<u>National Commission for Scheduled Tribes</u>
1.	Shri H. C. Vasava, (In-chair) Hon'ble Member
2.	Shri P.T. Jameskutty, Deputy Secretary
3.	Shri Rajeshwar Kumar, Assistant Director
4.	Shri R. S. Mishra, Senior Investigator
5.	Shri Manoj Mishra, PS to Hon'ble Member
II	<u>Revenue Department, Govt. of Gujarat</u>
1.	Shri Hareet Shukla, Secretary (LR)
2.	Shri K. D. Upadhyay, Deputy Secretary (Revenue)
III	<u>District Collector, District – Surat</u>
1.	Shri B. S. Patel, Prant Officer, Surat City
IV	<u>Petitioner</u>
1.	Shri Gulabbhai Sukhabhai Rathore (could not attended the sitting as the sitting was preponed).