



राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार
Government of India

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

Case File No.: NCST-199/ATY-63/204/2021-APCR

Dated: 17.03.2022

- 1 **The Director General of Police**
Telangana Police
Police Headquarter
Hyderabad - (Telangana)
Email: dgp@tspolice.gov.in
- 2 **The District Collector,**
District - Bhadradi Kothagudem
Writer Basti, Kothagudem,
Bhadradi Kothgudem -507101
(Telangana)
Email: collector-bdd@telangana.gov.in
- 3 **The Superintendent of Police,**
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Bhadradi Kothgudem -507101
(Telangana)
Email: sp@kgm.tspolice.gov.in

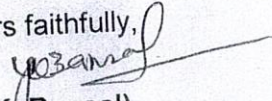
Subject: Representation dated 16.09.2021 received from Dr. H.K. Nagu, Vice President, Akhil Bharatiya Vanvashi Kalyan Ashram, Hyderabad regarding atrocity against 41 Koya Scheduled Tribe families of Seetaigudem Village, Chandrugonda Mandal of KG District, Telangana by the Forest Officials and local Police Officials by way of eviction from the forest land, brutally beaten and damaged cotton crops - action against accused under Atrocity Act.

Sir,

I am directed to enclose herewith a copy of the Proceedings of the Sitting held on 11.03.2022 under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes on the above mentioned matter for necessary action and submission of compliance report to this Commission expeditiously for placing the same before the Hon'ble Member, NCST.

Encl: as above

Yours faithfully,


(Y.K. Bansal)

Research Officer

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Copy to:

Dr. H.K. Nagu, Vice President,
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copy to
NIC, NCST

NATIONAL COMMISSION FOR SCHEDULED TRIBES

Case File No. File No.- NCST-199/ATY-63/204/2021-APCR

PROCEEDINGS OF SITTING HELD ON 11.03.2022 CHAIRED BY SHRI ANANTA NAIK, HON'BLE MEMBER, NATIONAL COMMISSION FOR SCHEDULED TRIBES (NCST) IN THE CASE OF DR. H.K. NAGU, VICE PRESIDENT, AKHIL BHARATIYA VANVASHI KALYAN ASHRAM, HYDERABAD REGARDING ATROCITY AGAINST 41 KOYA SCHEDULED TRIBE FAMILIES OF SEETAIGUDEM VILLAGE, CHANDRUGONDA MANDAL OF KG DISTRICT, TELANGANA BY THE FOREST OFFICIALS AND LOCAL POLICE OFFICIALS BY WAY OF EVICTION FROM THE FOREST LAND, BRUTALLY BEATEN AND DAMAGED COTTON CROPS - ACTION AGAINST ACCUSED UNDER ATROCITY ACT.

Date of Sitting: 11.03.2022

List of officers present in sitting is Annexed.

The petitioner Dr. H.K. Nagu, Vice President, Akhil Bharatiya Vanvasi Kalyan Ashram, Hyderabad has submitted a representation dated 16.09.2021 regarding atrocity against 41 Koya ST families of Seetaigudem Village of KG District by the Forest officials and local Police officials by way of eviction from the Forest land, brutally beaten and damaged cotton crops.


2. In the petition, it has been alleged that on 28.08.2021, the Forest Officials and some Police officials from areas of Forest Compartment 34 Beat, Damacherla Ramavaram Range of BK District came to the habitation of 41 Koya Scheduled Tribes, Seetaigudem Village, Chandrugonda Mandal and damaged the cultivated Cotton Crops, brutally beaten up causing to serious injury, caste abuse and inhumanly dragged to the STs by the Police.

3. It has been alleged that the families of STs (Koya Tribes) are in possession and cultivating the land from the year 2004 onwards prior to implementation of Forest Rights Act, 2006. The Police and Forest officials have also booked 03 cases against the ST villagers in the year 2004-05 (19,17 and 24 ST persons respectively). Thus, they are fully eligible for Forest Individual Rights as required under the Scheduled Tribes and Other Forest Dwellers (Recognition) of Forest Rights, 2006. The Gram Sabha are also recommended the Forest Rights of the victim Koya Tribes. He prayed the Commission to take necessary action against the defaulter Forest officials and Police Officials under the relevant provisions of SCs and STs (PoA) Act, 1989.

4. As per procedure, report was called from the District Collector and SP, Bhadradri Kothagudem, they, inturn, submitted reports in the matter. These reports were found to be unsatisfactory.

5. A sitting was held on 11.03.2022. The District Collector and SP, Bhadradri Kothagudem appeared before the Commission. The petitioner was not present. However, his representatives were present.

6. Based on the allegations/grievances raised by the petitioner, State Government's reports and discussion held with the authorities concerned, the Commission found that the case relates to non-providing pattas to the STs under Scheduled Tribes and Other Forest Dwellers (Recognition) of Forest Rights, 2006, despite having their claims for cultivation on land w.e.f. 2004-05 onwards. The petitioner's contention was that the Police Officials and



अनंत नायक/ANANTA NAYAK

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

Forest officials have lodged 03 criminal cases against 19, 17 and 24 ST persons for cultivation on Forest land in the year 2004-05. But, the District Collector, Bhadravri Kothagudem was stated that out of 17 people against whom cases of illegal cultivation on Forest land lodged in the year 2004, 10 persons belonged to ST community and 07 belonged to BC community and all are under occupation of Forest land as per their eligibility. However, the District Administration does not have any information about other 02 cases. In addition, the people have been accused of destruction of plantation in year 2021 are different from people as mentioned in the case of year 2004, except one person Shri Banne Venkateswarlu. The Commission observed that the District Collector's report clarified only one case. In this regard, the petitioner has submitted a rejoinder dated 11.03.2022 highlighting 03 cases of occupation on the forest land by the STs since 2004-05. It is also observed that there may be cases from Police and Forest. A copy of the petitioner's rejoinder dated 11.03.2022 was given to the District Collector, Bhadravri Kothagudem in the Sitting.

7. The District Collector, Bhadravri Kothagudem is recommended to examine all the 03 cases and will submit a detailed report along with action taken on the issuance of pattas to ST occupants under Forest Rights Act, 2006 with supporting documents within 30 days to the Commission.

8. The next date of sitting is fixed on 23.04.2022.


(ANANTA NAYAK)
MEMBER

National Commission for Scheduled Tribes

अनंत नायक/ANANTA NAYAK
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
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List of participants

Officers from the Govt. of Telangana

1. Sri Anudeep Durishetty, District Collector, District - Bhadradi Kothagudem
2. Shri Sunil Dutt, Superintendent of Police, Bhadradi Kothgudem

Petitioner

Shri Suresh Kulkarni, Delhi (Representative of petitioner)