



सत्यमेव जयते

राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes

(भारत के संविधान के अनुच्छेद 338क के अंतर्गत एक संवैधानिक निकाय)
(A Constitutional body under Article 338A of the Constitution of India)

F. No. NCST/DEV-783/MH/5/2022-ESDW

Dated: ...14/03/2023.

To,

Shri Govind Maruti Bodke,
Collector and District Magistrate,
District Palghar,
Collectorate Palghar,
Palghar-Boisar Road, Kolgaon,
Palghar-401404, Maharashtra
E-Mail: collector.palghar@maharashtra.gov.in

Sub: Minutes/proceeding of the Sitting/Hearing taken by Shri Ananta Nayak, Hon'ble Member, NCST, New Delhi on 08.02.2023 at 11:30 AM regarding Representation dated 29-08-2022 from Shri Sudam Kakad Umbarsada, R/o Dabhlon Village, Post-Sakharshet, Tal- Jawhar, District-Palghar Maharashtra - regarding the misuse of funds by Sarpanch and gramsevak in Dabhlon Gram Panchayat.

Sir/Madam,

I am directed to enclose herewith a copy of Minutes/Proceeding of the Sitting/Hearing taken by Shri Ananta Nayak, Hon'ble Member, NCST, New Delhi on 08.02.2023 at 11:30 AM on the above mentioned subject for information and necessary action.

2. You are requested to send the Action Taken Report (ATR) on the recommendations of the Commission within 45 days from the date of receiving of the Minutes/Proceeding.

Encl: as Above.

3614-18
जारी किया
14/3/23
e/c

Yours faithfully,

(H.R. Meena)
Research Officer

Copy for information to: -

Shri Sudam Kakad Umbarsada,
R/o Dabhlon Village,
Post-Sakharshet,
Taluka- Jawhar,
District-Palghar
Maharashtra

National Commission for Scheduled Tribes

No. NCST/DEV-783/MH/05/2022 -ESDW

Minutes of the Sitting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST, regarding the Misuse and Embezzlement of funds by Sarpanch and Gramsevak in Dabhlon Gram panchayat, Dist. Palghar Maharashtra

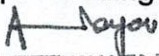
Date of the sitting:08.02.2023

Participants in the sitting: As per Annexure

The Petitioner Shri Sudam Kakad Umbarsada, R/o Dabhlon Village, Post. Sakharshet Tal. Jawhar Dist. Palghar Maharashtra through his complaint stated that from the year of 2017 to 2021 developmental works of Village:-Dabhlon, Tal:- Jawhar, Dist:- Palghar have not been done due to corruption by the then Sarpanch and Gram Sevak. He further states that due to misuse and embezzlement of the funds from 2017 – 2021, the development work of the village is adversely affected. Despite number of complaints filed before the Authorities, no action has been taken by the Administration. Seeking intervention of the Commission to take strict action against the then Sarpanch, Gram Sevak, the petitioner requested for certain Recommendations to the State and District Administration to investigate the corrupt practice of the predecessors and to provide extra funds so that the basic amenities can be ensured to all the villagers.

Considering gravity of the matter, the Commission issued notice to Shri. Govind Maruti Bodke, Collector and District Magistrate, Palghar District to submit an action taken report within 15 days.

On 22/11/2022 O/o Gram Panchayat Division, District Council Palghar District submitted its reply . It is mentioned in the reply that pursuant to the complaints of embezzlement of government funds of village Gram Panchayat DabhlonTal:-Jawhar, Post:- Sakharshet, District:- Palghar, the Gram sevak Shri. Dattatray BabanGavhane has been suspended by this office vide order No. Sr. Gp/karya-1/Sr No-112, dated-02/06/2022 also the Memorandum and charge through letter dated-12/10/2022 for Departmental inquiry as per provisions of rule 6(2) of the Maharashtra Zilla Parishad Zilla Seva (Discipline and appeal) rules-1964 against Shri. Dattatray BabanGavhane for disciplinary action has been served and further proceedings are underway.


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 has not satisfied with the reply which has not addressed the entire issue, the Commission Summoned Shri Govind Maruti Bodke, Collector and District Magistrate, Palghar District to appear for hearing on 08th February 2023.

During the course of hearing, Shri Govind Maruti Bodke, Collector and District Magistrate, Palghar submitted that the present matter came under the jurisdiction of Zilla Parishad and Chief Executive Officer is Head of Zilla Parishad. But as he is a Head of said district, therefore he is present before the commission.

The D.C. further admitted before commission that the complaint filed by the complainant is genuine and correct one and they are taking legal action and further proceedings are underway. The Administration is trying to recover the amount from the then Sarpanch and the then Gram sevak and will also provide the extra sufficient fund to this village. D.C. also make the statement before commission that he will give top priority for the development of this village as this village is sufferer since from the year of 2017 till date.

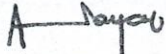
The Petitioner requested the Commission to ensure criminal action against the wrongdoers as this village is coming in Scheduled Area and all villagers are Scheduled Tribes. He also requested for additional funds for development of village.

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

The District Collector and CEO of Zilla Parishad shall ensure;

- i) departmental enquiry shall be concluded within period of 90 days and also file FIR against the wrongdoers under the Prevention of Corruption Act, 1988, Indian Penal Code, 1860 against the then sarpanch and Gram Sevak and submit the copy of the FIR to the commission for further perusal within a period of 15 days.
- ii) Communicate the directions of the Commission to the CEO, Zilla Parishad, Palghar regarding the Budget allocation along with the sanction of additional funds for the development of the Village: Dabhlon, Post. Sakharshet Tal. Jawhar Dist. Palghar Maharashtra.
- iii) the basic amenities shall be provided to the villagers.
- iv) the benefits of social welfare schemes for Scheduled Tribes be given, disbursed to the eligible families who are residing in the Village: Dabhlon, Post. Sakharshet Tal. Jawhar Dist. Palghar, Maharashtra.

The District Collector, Palghar, Maharashtra must submit a detailed Action Taken Report with Compliance of the Recommendations to the Commission within 45 days.


अमंत नायक/AMANTA 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-783/MH/5/2022-ESDW

LIST OF PARTICIPANTS:-

S. No.	Date	Designation
1.	Shri Ananta Nayak	Hon'ble Member
2.	Dr. Jayant Sarode	Director
3.	Shri H.R. Meena	Research Officer
4.	Shri Radhakanta Tripathy	Sr. Legal Advisor
5.	Smt. Amrita Solanki	Sr. Investigator
6.	Shri Avinash Mattur	Legal Consultant
The District Collector, Palghar, Government of Maharashtra		
1.	Shri Govind Maruti Bodke	Collector
Petitioner		
1.	Shri Sudam Kakad Umbarsada	Petitioner