



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)

File No. NCST/ATY-777/MP/8/2022-APCR

Dated: 01.05.2023

To,

1. **Shri Anil Oberoi**
Principal Chief Conservator of Forests
Madhya Pradesh Government
Office A.P.C.F.
Basement Floor, Wing 'D',
Satpura Bhavan, Bhopal - 462004,
(Madhya Pradesh)
E.mail: pccfmp@mp.gov.in
2. **Shri Dharamveer Singh**
Superintendent of Police,
District - Khargone
Khargone-451001
(Madhya Pradesh)
Email: sp_khargone@mppolice.gov.in

Subj: Representation from Shri. Ravi Khanna, Bank Colony, Barwaha Tehsil, Khargone District regarding demolition and eviction of his father Shri. Late Dhyan Singh from the house allotted to him under PM Awas Yojana and forcing him to commit suicide.

Sir/Madam

I am directed to enclose herewith a copy of the Minutes of the Sitting held on 12.04.2023 under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes on the above mentioned subject for necessary action. It is requested that compliance report may be submitted to this Commission as stipulated in minutes of the sitting, for placing the same before the Hon'ble Commission.

Encl: as above

Yours faithfully,


(आर.एस.मिश्र / R.S. Misra)

अनुसंधान अधिकारी / Research Officer (SSW)
Telephone No. : 24645826

Copy to:

Shri Ravi Khanna,
Bank Colony Barwaha
Tehsil - Khargone
District - Khargone - 451001
(Madhya Pradesh)

Copy for information

1. PS to Hon'ble Member, NCST.
- ✓ 2. NIC, NCST for uploading on the website of the Commission.

National Commission for Scheduled Tribes

NCST /ATY-777 / MP / 8 / 2022-APCR

Minutes of the Sitting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST on the representation of from Shri. Ravi Khanna, Bank Colony, Barwaha Tehsil, Khargaon District regarding breaking and evicting from house allotted under PM Awas Yojana to Shri. Late. Dhyan Singh and forcing him to commit suicide.

Date of the Sitting: 12.04.2023 at 02:00 PM

List of Participants: As per Annexure

The Commission received a representation dated 02.11.2022 from Shri. Ravi Khanna stating that his father committed suicide due to the abuse and harassment that he was subjected to by the Forest and Police officers. The Petitioner's family had been evicted from their agricultural land and all the crops and plants on their land was destroyed by the authorities. They were living in the houses granted under the Pradhan Mantri Awas Yojana ("PMAY"). But thereafter, the Forest officers broke into those houses also and forcefully evicted the Petitioner's family and physically assaulted the women forcing the Petitioner's father to commit suicide.

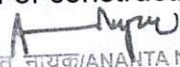
Considering the gravity of the issue the Commission issued Notice to the Director General of Police, Government of Madhya Pradesh, the Superintendent of Police, Khargaon District, Madhya Pradesh and the Principal Chief Conservator of Forests, Madhya Pradesh on 29.11.2022 to submit the Action Taken Report within 07 days.

The Superintendent of Police, Khargaon District, Madhya Pradesh and the Director General of Police, Government of Madhya Pradesh submitted Action Taken Report dated 07.12.2022 and 20.12.2022 stating that the matter was being investigated by the Sub-Divisional Officer (Police), Mandaleshwar and Shri. Agrim Kumar, Sub-Divisional Officer Revenue Kasrawad was appointed to investigate the matter.

Upon consideration of the reply the Commission found it highly unsatisfactory therefore issued Summons to the Superintendent of Police, Khargaon District, Madhya Pradesh and the Principal Chief Conservator of Forests, Madhya Pradesh to appear before the Commission on 12.04.2023 at 02:00 pm.

During the course of hearing on 12.04.2023 the Commission asked the Deputy Superintendent of Police, Khargaon District, Madhya Pradesh, the Chief Conservator of Forest, Khandwa District, Madhya Pradesh and the Divisional Forest Officer, Khargaon District, Madhya Pradesh on the status of the investigation

Shri. R. P. Rai, Chief Conservator of Forest, Khandwa District, Madhya Pradesh submitted that the Petitioner's father had received 2 deposits under the PMAY for the construction of house. However, instead of constructing the house in the allocated area,


अनंत नायक/ANANTA NAYAK
सदस्य/Member

राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES
भारत सरकार/Govt. of India

the Petitioner's father constructed the house 500 meters away from the allocated area encroaching the forest land.

Shri. Ajay Dubey, Deputy Superintendent of Police, Khandwa District, Madhya Pradesh submitted that the Petitioner's father committed suicide after almost more than a month of being evicted from their house. In addition to this, he submitted that all houses under the PMAY were geo-tagged and there was a difference between the geo-tagged allocated to the Petitioner's father and the house that was built by the Petitioner.

The Commission asked the Deputy Superintendent of Police if they had investigated the facts and circumstances behind the suicide of the Petitioner's father and if the authorities had filed charges against the authorities under abetment to commit suicide. The Commission further asked the Divisional Forest Officer, Khandwa District, Madhya Pradesh if Petitioner's father could claim title under the Forest Rights Act or the Panchayat (Extension to Scheduled Areas) Act ("PESA") over the land on which the house was constructed.

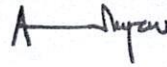
Shri. Ajay Dubey, Deputy Superintendent of Police, Khandwa District, Madhya Pradesh submitted that the Post-mortem Report of the Petitioner's father's death mentioned the cause of death due to hanging and they did not investigate behind the cause of suicide by the Petitioner's father.

Shri. Prasant K. Singh, Divisional Forest Officer, Khargaon District, Madhya Pradesh stated that at the time of the suicide of the Petitioner's father PESA was still not implemented in the State.

The Commission observed that the investigation of the Police was not complete and the same seems to be improper. The Commission further observed that the provisions under the Forest Rights Act were not being implemented properly by the authorities.

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

- (i) The Superintendent of Police shall re-investigate the case based on the observations made by the Commission and submit the Action Taken Report with all the relevant documents within 15 days
- (ii) The Principal Chief Conservator of Forests, Madhya Pradesh and the shall verify the geo-tagging of house of the Petitioner's father and confirm on the title under the Forest Rights Act and submit the Action Taken Report with all the relevant documents within 15 days.


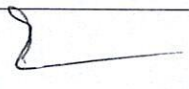



अनंत नायक/ANANTA NAYAK
सदस्य/Member
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NATIONAL COMMISSION FOR SCHEDULED TRIBES
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

Attendance Sheet
National Commission for Scheduled Tribes

File No - NCST/ATY-777/MP/8/2022-APCR

Sitting to be held on 12.04.2023 at 02.00 P.M in the case of Shri Ravi Khanna, Bank Colony Barwaha Tehsil, Khargaon, District – Khargaon regarding breaking and evicting from house allotted under PM Awas Yojana to Shri Late Dhyan Singh S/o Shri Mahakal Davar and forcing him to commit suicide.

Sl. No.	Name and Designation	Address & Phone No.	Signature
I	National Commission for Scheduled Tribes		
1.	Shri Ananta Nayak Hon'ble Member	In Chair	
2.			
3.			
4.			
5.			
5.			
6.			
7.			
II	Officers from PCCF, MP and Distt. Khargone		
1.	R. P. Rai, C.C.F. Khandwa (M.P.)	C.C.F., Khandwa 9424793175	
2.	Prashant K. Singh Khargone.	DFO, Khargone	
3.	Ajay Dubey.	DSP, Khargone.	
4.			
5.			
	Petitioners		
1.			
2.			
3.			