



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-727/TS/1/2022-APCR

Dated: 01.05.2023

To,

1. **Shri V. P. Gautam**
Collector and District Magistrate,
District -Khammam,
(Telangana-570001)
Email:collector_kmm@telangana.gov.in
2. **Sri. Vishnu S Warriar**
Commissioner of Police
District - Khamman
Shanti Nagar, Mustafa Nagar,
Khammam -507001 (Telangana)
Email: cp@kmm.tspolice.gov.in

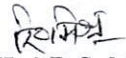
Sub: Representation from Shri Ramadas Jadav, National President, Justice for People Rights Forum, 10-34/1, Hanuma Thanda, Kalluru, Dist.- Khammam, Telangana on behalf of the victim Ms. Gugulothu Kamili regarding the land acquisition and false implication in a case

Sir/Madam,

I am directed to enclose herewith a copy of the Minutes of the Sitting held on 15.03.2023 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 Ramadas Jadav,
National President,
Justice for People Rights Forum,
10-34/1, Hanuma Thanda,
Kalluru, Dist.- Khammam,
Telangana - 507209

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-727/TS/1/2022-APCR

Minutes of the Sitting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST, in the matter of Ms. Gugulothu Kamili, whose family was harassed and brutally beaten during the dispute of a land which allegedly belonged to Ms. Kamili and was fraudulently sold by her brother.

Date of the Sitting: 15.03.2023; 10.30 AM

List of Participants: As per the Annexure

In the present matter, the petitioner states that Ms. Gugulothu Kamili and her younger sister, who is mentally unsound, possessed a land since the demise of their mother. The said land was bought in 1997 by their father and the patta was registered by the District collector, Khammam in 2018 in the name of her mother. The mother then gifted the land to the petitioner before her death. Her brother Mr. Tara Singh sold this land to a person belonging to the upper caste without the knowledge of the victim. The purchaser then attacked and brutally assaulted the petitioner and her family.

The Commission issued Notice to the District Collector, Khammam, Telangana and Commissioner of Police, Khammam, Telangana on 01.12.2022. Pursuant thereto the Commission received a reply from the Office of the Commissioner of Police, Khammam and the Office of District Collector Khammam that the claim of the land was taken by the respondent to the Civil Court vide I.A. No. 2 of 2021 in O.S. No. 709/2021 and received an injunction order from I Addl. Junior Civil Judge Court, Khammam. Later the petitioner also filed a case vide O.S. No. 755/2021 with Hon'ble Principal Junior Civil Judge, Khammam. Both the cases are pending in court. After this incident, the accused, BhagamLaxminarayan, registered a complaint with Police StationRaghunathapalem. The FIR was registered vide Cr. No. 202/2022 U/S 447, 294-B, 323, 326 and 34 IPC Act. 1860. The copy of the documents have been forwarded to the court. As per the enquiry, the issue is purely civil in nature, sub-judice, false and baseless by the petitioner.

The Commission, thereafter, issued summons to the District Collector, Khammam, Telangana and Commissioner of Police, Khammam, Telangana. The Sitting was held on 15.03.2023 wherein the District Collector, Khammam, Telangana and Commissioner of Police, Khammam, Telangana appeared before the Commission.

During the Sitting, the petitioner stated that the victim, Ms. Kamili was beaten and her family was assaulted to an extent that victim's daughter-in-law had to suffer miscarriage. Despite giving several complaints to the police, no FIR was registered against the accused rather victim's son-in-law was detained in the jail for seven days. He was further threatened by the police officials.

The Commission asked the Commissioner of Police, Khammam to respond to the concerns and allegations. In response, the Commissioner of Police stated that the issue was registered vide Case No. 202/2022 dated 18.02.2022. Further the investigation was conducted by the Investigation Officer, who invoked S. 323, 324 I.P.C. at the preliminary stage. According to the enquiry, the victim's family also attacked the accused. The

Commission stated that an impartial and independent enquiry is required in the matter to which the Commissioner of Police, Khammam agreed.

The District Collector, Khammam reiterated the reply which was sent to the Commission earlier and stated that the patta did not belong to the victim, Ms.Kamili. The petitioner gave the document of E.C. and alleged that the patta was registered in victim's brother name only through fraudulent means. To this, the Commission asked the official to enquire into the means of transfer of patta.

After hearing both, the petitioner and officials, the Commission recommends the followings: -

- (i) The Commissioner of Police, Khammam to conduct an independent and impartial investigation in the matter and take a disciplinary action against the investigation officer, if the investigation is found to be partial.
- (ii) The District Collector, Khammam to enquire whether the Patta has been transferred to victim's brother, Mr. Tara Singh, fraudulently.
- (iii) The District Collector, Khammam to provide free Legal Assistance to the victim, Ms.Kamili, by involving DLSA in the matter.

An Action Taken Report with compliance of the Recommendations be submitted to the Commission within 15 days.



अनंत नायक/ANANTA NAYAK
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
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-727/TS/1/2022-APCR

Sitting to be held on 15.03.2023 at 10.30 A.M in the case of Shri Ramadas Jadav, National President, Justice for People Rights Forum, 10-34/1, Hanuma Thanda, Kalluru, Distt.- Khammam, Telangana on behalf of the victim Ms. Gugulothu Kamili regarding the land acquisition and false implication in a case.

Sl. No.	Name and Designation	Address & Phone No.	Signature
I	<u>National Commission for Scheduled Tribes</u>		
1.	Shri Ananta Nayak Hon'ble Member	In Chair	
2.			
3.			
4.			
5.			
5.			
6.			
7.			
II	Officers from the District –Khammam		
1.	√ P. Com Nam. 1 A.S.	9003416485.	√ P. Com Nam.
2.	Vishnu S. Wasekar, IPS Commissioner of Police, Khammam	8712659100	Vishnu S. Wasekar
3.			
4.			
5.			
III	Petitioner		
1.			
2.			
3.			