



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-1063/MP/22/2023-APCR

Dated: 01.05.2023

To,

1. **Shri Priyank Mishra**  
Collector & District Magistrate  
District – Dhar  
(Madhya Pradesh - 454001)  
Email: [dmdhar@nic.in](mailto:dmdhar@nic.in)

2. **Shri Manoj Kumar Singh**  
Superintendent of Police  
District – Dhar  
Prakash Nagar,  
Dhar- 454001  
(Madhya Pradesh)  
E.mail: [spodha@mp.gov.in](mailto:spodha@mp.gov.in)

**Sub: Representation of Shri. Jaswant Singh Bhabar for the vandalizing and threatening the petrol pump in his land by the accused in Village Chiktiyawad, Tehsil Dharampuri, District Dhar, Madhya Pradesh.**

Sir/Madam,

I am directed to enclose herewith a copy of the Minutes of the Sitting held on 10.04.2023 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 Jaswant Singh**  
S/o- Shri Ratansinghji Bhabhar,  
Khajuri, Tehsil - Thandla,  
District - Jhabua,  
Madhya Pradesh - 451449

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-1063/MP/22/2023-APCR

**Minutes of the Sitting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST on the representation of Shri. Jaswant Singh Bhabar for the vandalizing and threatening the petrol pump in his land by the accused in Village Chiktiyawad, Tehsil Dharampuri, District Dhar, Madhya Pradesh.**

**Date of the Sitting: 10.04.2023**

**List of Participants: As per Annexure**

The Commission received a representation from Shri. Jaswant Singh Bhabar, residing at Village Chiktiyawad, Tehsil Dharampuri, District Dhar, Madhya Pradesh that for the past 17-18 years, he had been operating a HP petrol pump on his land registered in his name with Survey No. 444, 2445 and 483 including total area of 1.466 hectare. Ms. Alka Dangur, W/o Lalit Dangur, belonging to upper caste purchased land next to his land. The demarcation of the land was done in his absence and since then both of them had disputes regarding the boundaries and fencing. The accused along with 25-30 men disguised as policemen came to the Petitioner's land and vandalized his petrol pump, damaged the petrol punk and diesel tanks by drilling with JCB machines and tractors, destroying walls, underground cables, pipes, earthing wires, wires, etc. The accused also threatened the Petitioner that he will ensure that the Petitioner's business is shut down. The Petitioner filed complaint with the Dhamnod Police Station and Superintendent of Police of Dhar District several times, but there was no progress. The police neither registered FIR not did they take any action against the accused since they belonged to upper caste.

Considering the gravity of the issue the Commission issued Notice to the Director General of Police, Madhya Pradesh: District Collector, Dhar and Superintendent of Police, Dhar on 31.03.2023 to submit the Action Taken Report within 3 days.

Summons was issued to the District Collector, Dhar and Superintendent of Police, Dhar on 06.04.2023 to appear before the Commission on 10.04.2023 at 11:00 am. Since no response from the authorities was received.

The Superintendent of Police, Dhar District, Madhya Pradesh and the District Collector submitted the Action Taken Reports dated 08.04.2023.

During the course of hearing on 10.04.2023 the Commission asked both the sides to lay down their cases. The Commission further asked the Superintendent of Police, Jhabua District, Madhya Pradesh on the investigation of the case and on the contradictions in the investigation and the complaint

Shri. Jaswant Singh Bhabar submitted that he had not encroached any land of the Ms. Alka Dangur. That in 2019, the demarcation was done by the Patwari and Ms. Dangur and family in the absence of the Petitioner. After the demolition of the Petrol Pumo, the Petitioner filed complaints with the Dhamnod Police Station and Superintendent of Police



of Dhar District several times, but the police neither registered FIR nor did they take any action against the accused since the accused's husband was a police officer in Madhya Pradesh and in addition to that they belonged to upper caste. Thereafter, the Petitioner was called by Patwari on 26.02.2023 to resolve the dispute of the land in his presence. The Petitioner asked for time to respond to the complaints and to produce the documents before the Patwari to prove his case, but no time was granted. Subsequently he was called on 28.02.2023 and 29.02.2023 and the order was passed in favour of the accused without granting any time to the Petitioner to put forward his case. The accused along with 23-30 men came to demolish the Petrol Pump, abused the Petitioner verbally and physically. They passed casteist slurs/remarks against the Petitioner and threatened him and his family.

The Superintendent of Police, Dhar District, Madhya Pradesh submitted that the complaint filed by the Petitioner was false. It was the Petitioner who failed to appear and provide documents before the authorities. In February, both the parties were called before the authorities and order in favour of the accused was issued in the presence of the Petitioner. It was the Petitioner who had encroached on the land of the accused and when he was asked to clear the encroached land, he did not comply.

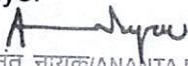
The Commission observed that the facts and circumstances of the report of investigation of the Police and that stated by the Petitioner did not corroborate. The Commission further observed that the Petitioner was operating HP Petrol Pump in his land for close to 17-18 years. Companies like HP must have conducted detailed due diligence on the documents pertaining to the land before setting up their Petrol Pumps. The Police seemed to be biased against the Petitioner and the investigation was not satisfactory.

Considering the facts and circumstances of the case, the Commission is of the considered view that the present case needs to be investigated independently and impartially. A Team from the Commission shall make a discreet enquiry and submit the Report for further consideration of the Commission.

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

1. The District Collector, Dhar District, Madhya Pradesh will constitute a committee for the demarcation of the land of the Petitioner and accused and clarify the dispute of the land and submit Action Taken Report within 15 days
2. The Superintendent of Police, Dhar District, Madhya Pradesh will re-investigate the case based on the observations made by the Commission and shall take action against the accused if found guilty and submit the Action Taken Report with all the relevant documents within 15 days

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

NCST/ATY-1063/MP/22/2023-APCR

Sitting to be held on 10.04.2023 at 11.00 A.M in the case of अभियुक्त द्वारा अनुसूचित जनजाति के व्यक्ति के साथ जाती सूचक शब्दों से गाली गलौच करने, जान से मारने की धमकी देने तथा पंप की दीवार तोड़ने के सम्बन्ध में - श्री जसवंतसिंह पुत्र रतनसिंहजी भाभर, खजूरी, तहसील - ठंडला, जिला - झाबुआ, मध्य प्रदेश का अभ्यावेदन.

Sl. No.	Name and Designation	Address & Phone No.	Signature
I	<b>National Commission for Scheduled Tribes</b>		
1.	Shri Ananta Nayak Hon'ble Member	In Chair	
2.			
3.			
4.			
5.			
5.			
6.			
7.			
II	<b>Officers from Distt. Dhar – Madhya Pradesh</b>		
1.	Poojane Mishra.	Collector Dhar	fr.
2.	Mamoy Kumar SA	SP DHAR	<del>SA</del>
3.	Satyamand	ADCF	
4.			
5.			
III	<b>Petitioners</b>		
1.			
2.			