



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)

Case File No. NCST/ATY-211/OR/9/2022-APCR

Dated: 19.06.2023

To,

1. **Shri Vineet Bhardwaj**
Collector And District Magistrate,
Dist-Mayurbhanj,,
At/Po-Baripada,,
Mayurbhanj, Odisha 757001
Email Id: dm-mayurbhanj@nic.in
2. **Shri Bhattula Gangadhar**
Superintendent Of Police,
Dist-Mayurbhanj,,
District Police Office,
At/Po-Baripada,,
Mayurbhanj, Odisha 757001
Email Id: spmbj.orpol@nic.in


Subject: Representation dated 04.01.2022 received from Smt. Pritilata Nayak, W/o Shri Banamali Nayak, Village - Karadia, PS - Karanjia, District - Mayurbhanj (Odisha) regarding atrocity against ST and grabbing of ST land by the non STs. - Police inaction against accused persons.

Sir,

I am directed to enclose herewith a copy of the Minutes of the Sitting held on 29.05.2023 at State Guest House, Bhubaneswar 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 within 15 days positively for placing the same before the Hon'ble Commission.

Encl: as above

Yours faithfully,


(अंकित कुमार सेन / Ankit Kumar Sen)
अनुसंधान अधिकारी/ Research Officer

Copy to:

Smt. Priti Lata Nayak
W/o Shri Banamali Nayak
Village - Karadia, PS - Karanjia
District - Mayurbhanj - 757037,
Odisha

MIC

National Commission for Scheduled Tribes

No. NCST / ATY-211 / OR / 9 / 2022-APCR

Minutes of the Sitting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST on representation dated 04.01.2022 received from Smt. Pritilata Nayak, W/o Shri Banamali Nayak, Village - Karadia, PS - Karanjia, District - Mayurbhanj (Odisha) regarding atrocity against ST and grabbing of ST land by the non STs. - Police inaction against accused persons.

Date of the Sitting: 29.05.2023 at 11:00 AM


List of Participants: As per Annexure

The Commission received a representation from Smt. Pritilata Nayak stating that record of rights was issued under her name and she had the possession of land that she purchased through registered sale deeds dated 07.09.2020 and 08.09.2020. However, Shri. Ajit Bikram Das was trying to interfere with the possession of land by unnecessarily threatening her, damaging the land. She reported the actions of Shri. Ajit Bikram Das to the police authorities, but they did not take action against the accused.

Considering the gravity of the issue, the Commission issued Notice dated 10.01.2022 to the District Magistrate, Mayurbhanj, Odisha and the Superintendent of Police, Mayurbhanj, Odisha ("SP") to take necessary action and submit the Action Taken Report ("ATR") within 03 days.

The Commission received ATR from the SP on 13.01.2022 stating that the Petitioner was the owner of the land. Shri. Ajit Bikram Das. A civil suit against the Petitioner wherein the Hon'ble Civil Judge (Junior Division), Karanjia, vide Order dated 28.12.2021 issued an order of status-quo until the final disposal of the case. On 31.12.2021, Shri. Ajit Bikram Das visited the plot and took photos of the construction being done by the Petitioner. Aggrieved by this, the Petitioner filed complaint against Shri. Ajit Bikram Das. Case No. 14 dated 13.01.2022 under IPC and SC & ST (PoA) Act.

The Commission issued Summons dated 18.05.2023 to the District Collector, Mayurbhanj, Odisha and the Superintendent of Police, Mayurbhanj, Odish to appear before the Commission for Sitting to hear the matter at the State Guest House, Bhubaneshwar, Odisha on 29.05.2023 at 11:00 AM.


अनंत नायक/ANANTA NAYAK
अनंत नायक/ANANTA NAYAK
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES

On 29.05.2023 the Collector and District Magistrate, Mayurbhanj, Odisha was not present. Request for exemption from personal appearance of the Collector and District Magistrate, Mayurbhanj, Odisha has been denied. Shri. Umashankar Maharana, Additional Superintendent of Police, Mayurbhanj, Odisha ("Addl SP") was present on behalf of the Superintendent of Police, Mayurbhanj, Odisha.

During the course of hearing on 29.05.2023 the Commission asked the Additional Superintendent of Police, Mayurbhanj about the status of investigation.

Shri Umashankar Maharana, Additional Superintendent of Police, Mayurbhanj submitted that they had registered FIR and had submitted the chargesheet in the Court. The civil dispute between the Petitioner and the accused is still pending before the Civil Court. A request for compensation to be paid to the Petitioner was sent to the Social Welfare Officer, Mayurbhanj District.


The Commission observed that that even after 5 months, the Petitioner had not received compensation.

After considering the material facts and the submissions, the Commission recommends the following: -

The District Collector, Mayurbhanj, Odisha and the Superintendent of Police, Mayurbhanj, Odisha.

1. to ensure that the compensation is paid to the Petitioner.
2. will furnish complete details of the entire case.

Action Taken Report with compliance of the recommendations to be furnished within 15 days from the date of receipt of the Minutes for further perusal of the Commission.


अनंत नायक/ANANTA NAYAK
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SC/ST WELFARE
भारत सरकार/Ministry of Social Justice and Empowerment
नई दिल्ली

NATIONAL COMMISSION FOR SCHEDULED TRIBES

F. No. NCST/ATY-211/OR/9/2023-APCR

Dated: 29.05.2023

Sub: Representation dated 04.01.2022 received from Smt. Pritilata Nayak, W/o Shri Banamali Nayak, Village - Karadia, PS - Karanjia, District Mayurbhanj (Odisha) regarding atrocity against ST and grabbing of ST land by the non STS. Police inaction against - accused persons.

S. No.	Name	Designation	Mob. No. & Office No.	Signature
1.	Shri Ananta Nayak	Hon'ble Member		In Chair
2.	Shri Jayant K. Sarda	Director, NCST		
3.				
4.				
5.				
6.				
7.				
District Collector, Mayurbhanj, Odisha				
1.	District Collector.	Mayurbhanj	Absent	
2.				
3.				
4.				
The Superintendent Of Police Mayurbhanj, Odisha				
1.	Mr. Shankar Mohan	Assistant Commissioner	9437658607	
2.				
3.				
4.				
Petitioner				
1.				
2.				
3.				
4.				