



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-APCR0LRA(AP)/3/2021-APCR

Date : 10/10/2023

To,

1. **Shri P.Arun Babu**
Collector & District Magistrate,
Sri Sathya Sai District,
Puttaparthi,
Andhra Pradesh 515134
E.mail: collector-sssai@ap.gov.in
2. **Shri S.V.Madhav Reddy,**
Superintendent of Police,
Sri Sathya Sai District,
Puttaparthi,
Andhra Pradesh 515134
E.mail: spsss1ptp@gmail.com
sp@sss.appolice.gov.in

Sub: Online representation dated 12.08.2021 received from Shri Mude Babu Naik, District Anantapur, AP regarding atrocity against ST by forcefully encroachment of ST land by non STs.

Sir,

I am directed to enclose herewith a copy of the Minutes of the Meeting held on 14.09.2023 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 within 30 days positively for placing the same before the Hon'ble Commission.

Encl: as above

Yours faithfully

(एच.आर. मीना / H.R. Meena)

अनुसंधान अधिकारी/ Research Officer

Copy to:

Shri Mude Babu Naik,
Mogilichetla Thanda Tavatam Village
Gnadhodivaripalli Post, Tanakal Mandal,
Anantapur District - 515571, (Andhra Pradesh)
E.amil: babupeace@gmail.com

NATIONAL COMMISSION FOR SCHEDULED TRIBES

Case File No. NCST-APCR0LRA(AP)/3/2021-APCR

Minutes of Meeting held on 14.09.2023 chaired by Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes (NCST) in the case of Shri M. Babu Naik, District Anantapur, AP regarding atrocity against ST by encroaching the ST land forcibly by non STs

Date of Meeting: 14.09.2023


List of officers present in Meeting is Annexed.

The petitioner Shri M. Babu Naik, District Anantapur, AP has submitted a representation to the National Commission for Scheduled Tribes (NCST) regarding atrocity against ST by encroaching the ST land forcibly by non STs. The petitioner submitted that he had an ancestral property of 29 acre land in the name of 07 brothers at MC Thanda, Tavalam Village of Anantapur District (AP). They were cultivating the land and also had the DKT Patta Land Survey Numbers. They further submitted that some non ST persons namely Shri P. Venkat Narayana and his associates belonging to higher community had tried to occupy his land with the help of local Revenue authorities. The accused had also prepared fake Revenue records in their name to grab the ST land. In this regard, the and other persons had submitted a written complaint against the land grabbers but no action had been taken against them. The petitioner requested for action in the matter.

2. The case was taken up with the District Collector & District Magistrate and Superintendent of Police, District – Anantapur, Andhra Pradesh vide NCST notice dated 08.09.2022.

3. In response to the Commission's notice dated 08.09.2021, the Superintendent of Police, Ananthapuramu District had submitted a report on 20.10.2022, wherein it was mentioned that as the allegations were pertaining to property dispute, to verify the veracity of the allegations leveled by the petitioner, the Inspector of Police, Kadiri Rural Circle contacted the Revenue Officials, to which the Tehsildar, Tanakal Mandal had sent a letter to the Station House Officer, Thanaka PS stating that there were civil suits pending between the petitioner and the said Pula Venkatanarayana and others since 1984 and both parties were approaching the civil courts. It was further stated in the said report that a suit no O.S. No. 529/2021 in the court of Junior Civil Judge, Kadiri was pending and the Hon'ble Court was pleased to grant interim injunction in favour of Pula Venkatanarayana and others. As the issue was pending before the concerned civil court, the petitioner could avail all the remedies before the civil court and without availing such remedies, the petitioner approached the Hon'ble Commission.

4. Subsequently, the petitioner submitted a rejoinder dated 07.11.2022 wherein he submitted that as per the report of the SP, Ananthapur, the petitioners approached the court and the matter was still pending in the court vide **1984 O.S. No. 529/2021** in the Court of Junior Civil Judge, Kadiri. But as per the petitioner, there was no co-relation


अनंत नायक/ANANTA NAYAK

सदस्य/Member

राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES

भारत सरकार/Govt. of India

नई दिल्ली/New Delhi

between this case and the issue related to boundaries that was raised before National Commission for Scheduled Tribes. In the same survey no., the Assigned Land which they inherited from their forefathers, they had DKT patta. DKT patta lands can neither be sold nor bought. If such land is to be sold out due to some inevitable/unavoidable circumstance, it is mandatory to get the consent of the District Collector, provided that it is possible only after a period of 30 years after getting the General Patta. Such a land has never been sold out to anybody by neither their forefathers, nor they or their heirs from those days to till today. In view of this, the petitioners, through rejoinder, have again requested the Commission to issue necessary direction to SP, Anantapur district to book the Atrocity Case against the persons who encroached their land and the same have been forwarded to the concerned authorities for furnishing report within 15 days vide NCST letter dated 16.01.2023.

5. The Superintendent of Police, Sri Satya Sai District vide its letter dated 24.02.2023 reported that the forefathers of the petitioner were granted DKT patta during the year 1988 and subsequently the patta holders had sold away the property to one Poola Venkata Narayana and others of the same village and since then they are in possession and enjoyment of the property. Subsequently the petitioner and others try to obstruct the possession and enjoyment of the said Poola Venkata Narayana and 11 others and hence some of the parties approached Hon'ble Junior Civil Judge, Kadiri vide OS No. 529/2021 in which the petitioner herein also engaged an advocate and the said **suit is still pending**. It is further submitted that the SDPO, Kadiri is directed to conclude the investigation without going into the merits of the civil suit and to file final report before the concerned jurisdictional court by taking necessary steps according to law. The SDPO, Kadiri further directed to provide necessary protection to the petitioner in case of any obstruction and law and order issue pertaining to the said land dispute by setting the criminal law into motion according to law.

6. Hon'ble Member, NCST fixed sitting with the concerned authorities on 28.02.2023. Accordingly Summon was issued to the District Collector & Magistrate, Anantpur on 17.02.2023. The District Collector, Anantpur requested the Commission for exemption for appearing before the Commission in the Sitting. The request of the District Collector & Magistrate, Anantpur was perused by the Hon'ble Member. In the meantime, a separate district Namely Sathyasai was created in Andhra Pradesh and the issue now came under the territorial jurisdiction of this district.

7. A letter dated 12.09.2023 has been issued to the District Collector & DM and Superintendent of Police, District Sathyasai, Andhra Pradesh for meeting before the Commission on 14.09.2023 at 4.30 P.M.

8. In the Meeting, District Collector & DM District Sathyasai and SDPO, Kadiri on behalf of Superintendent of Police, District Sathyasai appeared before the Commission. The petitioners were also present in the Meeting.

7. The matter was discussed in detail. The petitioners informed the Commission that they are having "D" pattas on their names in Sy. No. 1175-1, 1175-2, 1175-3, 1176, 1177, 1179 and 1180 for an extent of Ac. 1.90, 6.63, 6.56, 7.37, 5.99 and 4.58 of Tavalam village and further represented that the land was encroached by the upper caste people of Tavalam village and requested to restore their lands from the encroachment. They also

submitted that they are having revenue rent receipt from Revenue Village Officer, online land record receipt from Tahsildar Office and online entry record of above land i.e. Pahani.

8. The District Collector, Satysai submitted before the Commission that the forefathers of the petitioner were supposedly granted DKT patta during the year 1988 (though entries in this regard are not available in the revenue records) and subsequently, the patta holders sold away the property to one Sri Poola Venkata Narayana and others of the same village and since then, they are in possession and enjoyment of the property. Subsequently, the petitioner and others tried to obstruct the possession and enjoyment of the said Poola Venkata Narayana and 11 others and hence some of the parties approached the Hon'ble Junior Civil Judge Court, Kadiri vide OS No. 529/2021 in which the petitioner herein also engaged an advocate and the said suit is still pending.

9. The SDPO, Kadiri submitted that a FIR has been registered on 23.02.2023 against the accused in the matter and case is going under investigation in final stage. Some information is awaited from the revenue authorities and on receipt of the same, Charge sheet will be filed within one month before the concerned Court.

10. After hearing all the parties present in the meeting and considering the fact that the matter of ownership of land is sub-judice, the Commission recommends as under:

- The petitioner and other ST persons to submit copies of the DKT pattas, revenue receipts, online land records and other relevant documents to the District Collector, Distt. Satyasai who will get it duly verified from the concerned authorities. Signatures of the then revenue officials shall also be matched to ascertain genuineness of the pattas.
- The District Collector, Distt. Satyasai to personally meet the petitioners who will go to meet him with the above documents.
- The Superintendent of Police, Distt. Satyasai to complete the investigation of the case registered on 23.02.2023 and file the charge sheet in the matter before the Court within a period of one month.
- Police protection to be provided to the affected Scheduled Tribes during the trial of this case.
- Required compensation, as admissible under the provisions of SC/ST (PoA) Rules to be provided to the petitioners.
- The action taken report in the matter to be submitted before the Commission within 30 days.



(ANANTA NAYAK)
MEMBER

National Commission for Scheduled Tribes

अनंत नायक/ANANTA NAYAK
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
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Case File No.- NCST-APCR0LRA(AP)/3/2021-APCR

List of participants

Officers from District Satyasai, Andhra Pradesh

1. Shri Arun Babu,
District Collector and District Magistrate
2. Shri S. Raghavendra
Rev. Divl. Officer, Kadiri
3. Smt. N Sreelatha
Sub Divisional Police Officer, Kadiri
4. S.D.S. Shankar Naik
Inspector of Police

Petitioner

Shri M. Babu Naik