

**Proceedings of the Sitting of Shri Tsering Samphel, Hon'ble Member with
DCP (Crime), Surat, Gujarat on 09.10.2009**

A list of officers present in the sitting is at Annexure.

Issues

Forcible acquisition of land and atrocity met out by Smt Parvatiben Rathod and her husband of Dumas, Surat, Gujarat.

Background

A representation dated 20.04.2006 was received from Smt. Parvatiben Maganbhai Rathod (Hadapati), Dumas, Surat, Gujarat regarding forcible acquisition of land by unreserved category people and actrocity meted out on her and her husband by them.

The matter was taken up with the Superintendent of police, Surat to submit a detailed report regarding facts of the case and action taken by them in this regard vide Commission letter dated 15.05.2006. The case was followed by reminders dated 19.12.2008 and 14.06.2009. As there was no reply from SP, Surat, the matter was brought to the notice of DGP, Gujarat vide Commission letter dated 28.08.2009. No reply was received from the DGP, Gujarat also.

In view of above, Shri Tsering Samphel, Hon'ble Member, National Commission for Scheduled Tribes decided to have a discussion with the Director General of Police, Gujarat on the above issue on 09/10/2009 at 1130 hrs in the Commission.

Discussion

It was intimated by the the DCP (Crime), Surat that applicant and her husband have registered a number of complaints with different opponents each time. A number of cases are also pending in the civil court in this regard.

It was further mentioned that there is a hut of the applicant on the disputed land, which can't be denied. The disputed land was in the name of Shri A. F. Sopariwala and later on sold to Shri Ashok Dhanesh Randeria. The applicant or her near relatives were never tenants as per records. The disputed land is a barran land and cultivation was not done and nothing produced from 1950 to 2004 as claimed by the petitioner that they are farming by bowing wheat, Dudhi etc. At present, the applicant and her family are not staying on the disputed land.

The Commission was further informed that economic condition of the applicant is not sound and seems to be simple persons, but there are some

persons who are taking benefit of the possession of the applicant by giving support to the applicant.

Recommendation

In view of the opinion of the police department that as the economic condition of the applicant is not sound and some persons are taking benefit of the possession of the applicant by giving support to her and discussion mentioned above, Commission recommended that residence, livelihood, social security and police protection may be ensured to the applicant to avoid any further exploitation of the applicant.

ANNEXURE

The following were present in the sitting on 09.10.2009:

National Commission for Scheduled Tribes

1. Shri Tsering Samphel, Hon'ble Member**In Chair**
2. Shri Vinod Aggarwal, Director

Director General of Police, Gujarat

1. Shri Subhash Trivedi, DCP(Crime), Surat, Gujarat