



सत्यमेव जयते

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)

F. No. NCST/DEV-123/MH/5/2021-ESDW

Dated: 07.07.2022

To,

Mrs. Nayana A. Gunde,
Collector & District Magistrate,
Collector Office, Patanga Maidan,
Amgaon Road, Gondia – 441601
E-Mail: collector.gondia@maharashtra.gov.in

Sub: Minutes/proceeding of the Sitting/Hearing taken by Shri Ananta Nayak, Hon'ble Member, NCST, New Delhi on 20.06.2022 at 03:00 PM regarding Representation dated nil of Shri Ashwini Wooike, C/o- Narendra Ukinkar, Near Hanuman Mandir, Telankhedi, Ramnagar, Nagpur- 440010 regarding against issuing ST Ccertificate R.C. No. 525/ADM-6/80-81, dated 29.06.1981 by Additional District Magistrate, Gondia to Arvind Kumar Singh, S/o- Bahadur Singh Chouhan.

Sir/Madam,

I am directed to enclose herewith a copy of Minutes/Proceeding of the Sitting/Hearing taken by Shri Ananta Nayak, Hon'ble Member, NCST, New Delhi on **20.06.2022 at 03:00 PM** on the above mentioned subject for information and necessary action.

Encl: as Above.

Yours faithfully,


(H.R. Meena)
Research Officer

Copy for information to: -

Shri Ashwini Wooike,
C/o- Narendra Ukinkar,
Near Hanuman Mandir,
Telankhedi, Ramnagar,
Nagpur- 440010

National Commission for Scheduled Tribes

File No.- NCST/DEV-123/MH/5/2021-ESDW

Minutes of the Sitting held on 20.06.2022 at 03.00 PM under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST, New Delhi on the representation of Sh. Ashwini Wooike, C/o – Narendra Ukinkar, Near Hanuman Mandir, Telankhedi, Ramnagar, Nagpur (Maharashtra) – 440010 regarding against issuing ST certificate R.C No.- 525/ADM-6/80-81, dated 29.06.1981 by ADM, Gondia to Arvind Kumar Singh, S/o- Bahadur Singh Chauhan.

Date of sitting: 20.06.2022

List of participants: Annexure

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- In the present case Notice dated 22.11.2021 was issued to the District Collector, Gondia, Maharashtra. Since, no reply has been received. Therefore, a sitting with the District Collector, Gondia on 20.06.2022 at 03.00 PM. was fixed and Summons dated 14.06.2022 were issued accordingly to the Collector & District Magistrate, Gondia, Maharashtra.
 - In the scheduled sitting the District Collector, Gondia has appeared and submitted a reply dated 17.06.2022. and the petitioner was not present.
 - During the course of hearing the District Collector has submitted the ST caste certificate of Sh. Arvind Kumar Singh was issued from the office of the then Executive Magistrate, Tehsil Office, Gondia in the year 1980-81. On the basis of that certificate Sh. Arvind Kumar Singh got selected as Junior Engineer in the PWD. The present Tahsil Office of Gondia is shifted to its present location in the year 2017. The Old Tahsil Office was in another building which was in a dilapidated condition, most of the old records got damaged. The Scrutiny Committee, Nagpur vide their letter dated 16.06.2022 sent the relevant documents regarding the Caste Certificate of Sh. Arvind Kumar Singh, S/o- Bahadur Singh Chouhan.
 - The Caste Certificate of Sh. Arvind Kumar Singh was sent to the Scrutiny Committee for validation. The Scrutiny Committee has concluded that, Sh. Arvind Kumar Singh does not belong to the ST Community and as such his claim towards the same is held invalid. The above-said caste certificate was cancelled by the Scrutiny Committee.
 - In the matter, Sh. Arvind Kumar Singh filed a writ petition in The Bombay High Court Bench at Nagpur 2296/1991 against the Order of Scrutiny Committee. As per the direction of the High Court Sh. Arvind Kumar Singh appealed before the Additional Commissioner, Nagpur.
 - In the matter, the Additional Commissioner, Nagpur passed an order dated 24.09.1993 that the interpretation by the committee of documents on record is unjust and illogical. The order of the Scrutiny Committee cannot be maintained. The petitioner i.e. Sh. Arvind


अनंत नायक/ANANTA NAYAK
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

Kumar Singh is entitled for the ST caste certificate. Therefore, the order of the scrutiny committee dated 26.08.1992 invalidating the claim of Sh. Arvind Kumar Singh is set aside upholding the certificates issued by the Executive Magistrate, Gondia.

The Commission recommends that

1. The District Administration to do all the needful and make minute study of this case as it was once rejected by the Scrutiny Committee after considering the materials on record and submit the comprehensive report before the Commission within a period of one month.
2. Issue letter to the Additional Commissioner, Nagpur regarding invalidating the caste certificate of Sh. Arvind Kumar Singh.
3. To trace Arvind Kumar's service records and his whereabouts so that the matter can reach logical conclusion.


अनंत नायक/ANANTA NAYAK
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

(Annexure)

Attendance sheet of the Sitting held on 20.06.2022 at 03:00 PM in Conference Hall of NCST under the chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST on the Representation dated nil of Shri Ashwini Wooike, C/o- Narendra Ukinkar, Near Hanuman Mandir, Telankhedi, Ramnagar, Nagpur- 440010 regarding against issuing ST Ccertificate R.C. No. 525/ADM-6/80-81, dated 29.06.1981 by Additional District Magistrate, Gondia to Arvind Kumar Singh, S/o- Bahadur Singh Chouhan.

S. No.	Date	Designation
1.	Shri Ananta Nayak	Hon'ble Member
2.	Shri S.P. Meena	Deputy Director
4.	Shri Radhakanta Tripathy	Legal Advisor
5.	Shri Alok Kumar Dwivedi	Consultant
Collector & District Magistrate, Gondia, Maharashtra		
1.	Mrs. Nayana A. Gunde	Collector, Gondia
2.	Shri Rajesh Khawale	Additional Collector, Gondia
Petitioner		
1.	Shri Ashwani Wooike	Present (Through VC)