



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)

Case File No. NCST/ATY-645/MH/4/2022-APCR

Dated: 03.02.2023

To

- 1 Shri Gangadharan D.
District Magistrate and Collector,
District - Nashik,
Collector Office,
Old Agra Road
Nashik-422001 (Maharashtra)
E-mail:
collector.nashik@maharashtra.gov.in
- 2 Dr. Rajendra B. Bhosale,
District Magistrate & Collector,
District - Ahmednagar
Sawli Housing Society,
Anand Nagar East,
Ahmednagar, Maharashtra 414003
E.mail: collector.ahmednagar@maharashtra.gov.in
3. Shri Shahaji Umap
Superintendent of Police,
District - Nashik Rural,
SP Office,
Nashik-422003 (Maharashtra)
Ph: 0253-2309700
Email: sp.nashik.r@mahapolice.gov.in
- 4 Shri Rakesh Ola,
Superintendent Police,
District - Ahmednagar,
DSP Chowk, Mukundnagar,
Ahmednagar- 414001
Maharashtra
E.mail: sp.ahmednagar@mahapolice.gov.in

Subject: दैनिक दिव्य मराठी समाचार पत्र, दिनांक 08.09.2022 में प्रकाशित
शीर्षक "चिमुक्यांचा मेंढर बाज़ार : एक मेंढी अन 5 हज़ार रुपयांत मुलांचा सौदा,
6 ते 15 वयोगटातील 30 मुलांची विक्री"।

Sir,

I am directed to enclose herewith a copy of the Minutes of the Sitting held on 27.01.2023 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 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

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NIC for uploading

National Commission for Scheduled Tribes

No. NCST/ATY-645/MH/4/2022 - APCR

Minutes of the Sitting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST, in the matter of trafficking racket involving tribal children of Katkari Community in the district of Nashik and Ahmednagar, Maharashtra.

Date of the Sitting: 27.01.2023

Officials present in the sitting: As per the Annexure

The Commission took Suo-Moto cognizance on the news clipping published in Dainik Divya Marathi. As per the news clipping, the children of Katkari community in Nashik district were bought in exchange of five thousand rupees each and one sheep. The racket came to light after the suspicious death of a girl named Gauri Agivale of Igatpuri Taluk of Nashik district. As per the news clipping, six of the sold children have been found and twenty-four children have been missing.

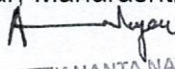
The Commission issued the notice to the District Collector, Nashik; District Collector, Ahmednagar, Maharashtra; Superintendent of Police, Nashik Rural, Maharashtra; Superintendent of Police, Ahmednagar, Maharashtra on 14.09.2022.

Pursuant to the notice of the Commission, the District Collector, Nashik and the Superintendent of Police, Nashik Rural, Maharashtra vide their replies submitted that the FIR has been registered in the case of Late Gauri Agiwale at the Ghoti Police Station vide C.R. No. 115/2022 under Section 307 IPC, 1860 and the file was transferred to Ahmednagar district, Maharashtra.

No reply was received from the office of Collector and District Magistrate, Ahmednagar and Superintendent of Police, Ahmednagar, Maharashtra.

Taking note of the gravity of the issue, the Commission issued summons to the District Collector, Nashik; District Collector, Ahmednagar, Maharashtra; Superintendent of Police, Nashik Rural, Maharashtra; Superintendent of Police, Ahmednagar, Maharashtra on 2nd January 2023 to which an exemption was sought by the officials.

Considering the gravity of the issue and the non-serious approach of the officials, the Commission issued Warrant against the District Collector, Nashik; District Collector, Ahmednagar, Maharashtra; Superintendent of Police, Nashik Rural, Maharashtra; Superintendent of Police, Ahmednagar, Maharashtra.

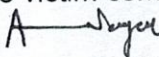

अनंत नायक/ANANTA NAYAK
सदस्य/Member
राष्ट्रीय आनुवंशिक जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES
Ministry of Tribal Affairs, Govt. of India

During the sitting held on 27.01.2023 at 11.00 AM., the Commission enquired from the Superintendent of Police, Nashik, Maharashtra as to why only the provisions of IPC Act, 1860 was inserted and no provisions of SC/ST (POA) Act, 2016 were inserted. The S.P. accepted that they transferred the subject matter to the Office of Superintendent of Police, Ahmednagar, Maharashtra and only inserted Section 307, IPC Act, 2016 on preliminary basis. The Commission expressed serious displeasure on the non-serious attitude of the officials as the present issue relates to the tribals belonging to the PVTG and the officials should have made concerted efforts to address it appropriately.

The Commission enquired from the Superintendent of Police, Ahmednagar regarding the status of investigation to which he stated that the FIR was registered on 03.09.2023 under Section 302, 307, 374 IPC Act, 1860 R/w Section 3(1)(h) SC/ST (POA) Act, 2016 and provisions of Bonded Labour System (Abolition) Act, 1976 and the Charge Sheet has been filed before the Trial Court. He also stated that they have rescued remaining children involved in the racket and charge sheet for other six children have also been filed before the Hon'ble court. The officials accepted their fault in not sending the reply to the notice issued by the Commission within the stipulated time and agreed to take an action upon the concerned police official who had to send the Action Taken Report based on the ground work. The official stated that the victim compensation is in pipeline and has been sanctioned.

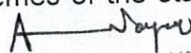
Further, the Commission asked the District Magistrate, Ahmednagar regarding the current status of the subject-matter and why the detailed report was not submitted within the stipulated time to which the official stated that he conducted the meetings in the Juvenile Justice Board as the rescued children were brought there. The official also described the specifics of his work on the problem and the actions he has taken so far. The Commission expressed its displeasure over the lack of prompt action as there has been an inordinate delay in the disbursing of victim compensation.

Upon enquiry, the District Magistrate, Nashik, Maharashtra stated that the District Administration has initiated school drives to reduce the dropouts of the tribal children. He also described in detail his work on the problem and the actions he has taken so far. The Commission expressed grave concern over the lack of co-ordination as there has been an inordinate delay in disbursing the victim compensation.


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

After hearing the concerned officials over the subject-matter, the Commission made the following recommendations -

- Disciplinary Action to be taken against the officer who did not submit the reply to the Commission from the office of the Superintendent of Police, Ahmednagar.
- "Rescue Team" to be formed to rescue more children belonging to Scheduled Tribes trapped in the racket of trafficking and also working as Bonded Labour. The Rescue Team will send the detailed reports for each case to the Commission by the Superintendent of Police, Nashik and Superintendent of Police, Ahmednagar.
- Comprehensive Report of the investigation of the subject-matter to be submitted to the Commission within 15 days by the Superintendent of Police, Nashik in co-ordination with the Superintendent of Police, Ahmednagar.
- Separate Reports of the investigation to be submitted to the Commission within 15 days by the Superintendent of Police, Nashik and Superintendent of Police, Ahmednagar.
- Detailed Report of the investigation of the subject-matter to be submitted to the Commission within 15 days by the District Magistrate, Ahmednagar, Maharashtra and District Magistrate, Nashik, Maharashtra
- The issuance of Aadhar cards, Ration cards, Voter ID cards and caste certificates to be ensured to all the members of Katkari community and others from the PVTG residing in Ahmednagar and Nashik district by the respective Collector and District Magistrate, Ahmednagar, Maharashtra and Collector and District Magistrate, Nashik, Maharashtra.
- The benefits of all the social welfare schemes of the State and Centre inclusive of Pradhanmatri Awas Yojana with Toilets to be ensured to the members of Katkari community by the Collector and District Magistrate, Ahmednagar and Collector and District Magistrate, Nashik, Maharashtra.
- Compensation under the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 2016, Child Labour (Prohibition and Regulation) Act, 1986, The Bonded Labour System (Abolition) Act, 1976 and other applicable laws to be ensured within 15 days by the Collector and District Magistrate, Ahmednagar and Collector and District Magistrate, Nashik, Maharashtra.
- Rehabilitation of the children who were and are being rescued to be rehabilitated as per the social welfare schemes of the state and centre to be ensured by the

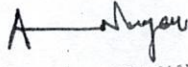

अनंत नायक/ANANTA NAYAK

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

Collector and District Magistrate, Ahmednagar and Collector and District Magistrate, Nashik, Maharashtra.

- All the necessary and preventive actions to be ensured to prevent such incidents in the future by the Collector and District Magistrate, Ahmednagar and Nashik, Maharashtra.
- The victim compensation to be given to all the rescued victims as per the appropriate laws within 3 days by the Collector and District Magistrate, Ahmednagar and Nashik, Maharashtra and a report along with the necessary documents to be sent to the Commission within 5 days.
- Coordination with the Superintendent of Police, Nashik and Superintendent of Police, Ahmednagar, Maharashtra to be done and the registration of FIR against all the accused of bonded labour and Child labour to be ensured by the Collector and District Magistrate, Ahmednagar and Nashik, Maharashtra.
- Comprehensive Report covering all the aspects to be submitted by the Superintendent of Police, Ahmednagar and Collector and District Magistrate, Ahmednagar, Maharashtra to the Commission after the hearing to be sent within 3 days.

Action Taken report along with compliance of the Recommendations to be submitted 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

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Government of National Capital Territory of Delhi

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e-Stamp

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Certificate Issued Date : 27-Jan-2023 11:37 AM
Account Reference : IMPACC (IV)/dl838903/ DELHI/ DL-DLH
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Purchased by : RAKESH OLA
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Property Description : Not Applicable
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First Party : RAKESH OLA
Second Party : Not Applicable
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Stamp Duty Amount(Rs.) : 100
(One Hundred only)

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AFFIDAVIT

F. No. – NCST/ATY-645/MH/4/2022 - APCR

I, Shri Rakesh Ola S/o Shri Narendra Ola, currently posted as Superintendent of Police, Ahmednagar, Maharashtra do hereby solemnly affirm and declare as under:

- That I will ensure that a rescue team will be formed to rescue the children of Katkari community and other PVTG communities trapped in the racket of bonded labour within 15 days.

Rakesh Ola
27/1/23

Statutory Alert:

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- That I will ensure that the FIR will be registered and further investigation will be conducted against all the accused involved in the cases of all the remaining rescued children of the Katkari community within 7 days.
- That I assure the Commission that I will take all the punitive actions against the accused involved in the matter of child bonded labour of Katkari community.
- That I will coordinate with the Superintendent of Police, Nashik in the given matters of Child bonded labour of the Katkari community.
- That I will provide a detailed and comprehensive report to the Commission within 15 days.

This declaration is hereby executed and submitted to the concerned authorities. I hereby state that whatever is stated hereinabove is true to the best of my knowledge. Solemnly affirmed at National Commission for Scheduled Tribes, New Delhi.

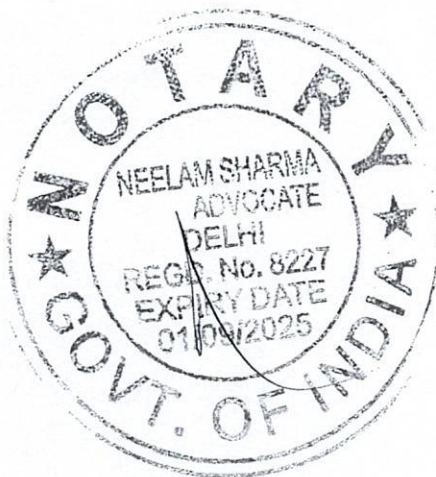
On this 27th day of January, 2023

Ramesh
27/1/23
Deponent

VERIFICATION:

Verified on this day 27.01.2023 at the National Commission for Scheduled Tribes, New Delhi that the contents of the affidavit are true and correct, nothing material has been concealed and no part of it is false.

Ramesh
27/1/23
Deponent.



ATTESTED
NOTARY (Govt. of India)
Neelam Sharma
Advocate
Sh No 165A, Gate No. No. 19,
Pallata House Courts,
New Delhi-110001
M: 9899408301

27 JAN 2023

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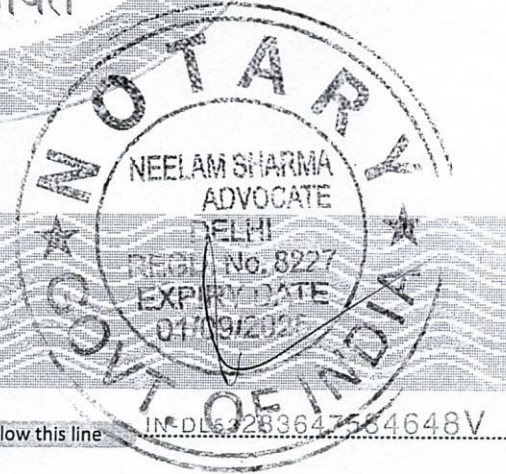
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Second Party : Not Applicable
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Stamp Duty Amount(Rs.) : 100
(One Hundred only)

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AFFIDAVIT

F. No. – NCST/ATY-645/MH/4/2022 - APCR

I, Shri Rajendra Bhosale S/o Shri Babanrao Bhosale, currently posted as Collector and District Magistrate, Ahmednagar, Maharashtra do hereby solemnly affirm and declare as under:

(Handwritten Signature)

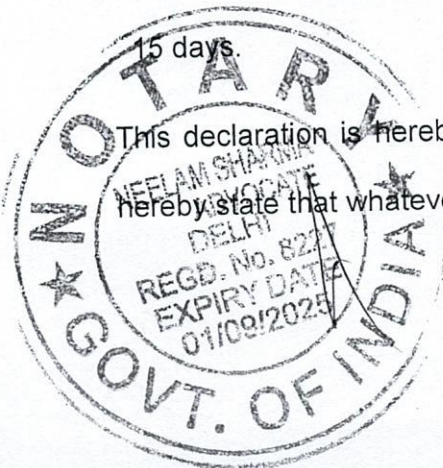
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3. In case of any discrepancy please inform the Competent Authority.

- That I will ensure the issuance of Aadhar cards, Ration cards, Voter ID cards and caste certificates to all the members of Katkari community and other PVTG communities residing in Ahmednagar district
- That I will ensure the benefits of all the social welfare schemes of state and centre inclusive of Pradhanmatri Awas Yojana to the members of Katkari community
- That I will ensure the compensation under the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 2016, Child Labour (Prohibition and Regulation) Act, 1986, The Bonded Labour System (Abolition) Act, 1976 and other applicable laws within 15 days.
- That I will ensure the rehabilitation of the children who were and are being rescued as per the social welfare schemes of the state and centre
- That I assure the Commission that I will take all the necessary and preventive actions to prevent such incidents in the future.
- That I will ensure that the victim compensation is given to all the rescued victims as per the appropriate laws within 3 days and shall submit the report within 5 days along with the appropriate documents as annexures.
- That I will coordinate with the District Magistrate, Nashik, Maharashtra, and ensure that a prompt action against the accused will be taken.
- That I will coordinate with the Superintendent of Police, Nashik and Superintendent of Police, Ahmednagar, Maharashtra and ensure that the FIR will be registered against all the accused of bonded labour and Child labour.
- That I will provide a detailed and comprehensive report to the Commission within

15 days.

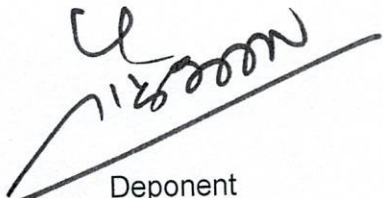
This declaration is hereby executed and submitted to the concerned authorities. I hereby state that whatever is stated hereinabove is true to the best of my knowledge.



(Handwritten Signature)

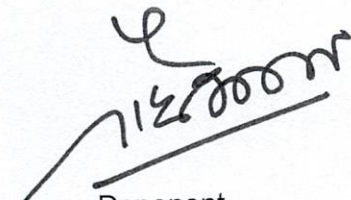
Solemnly affirmed at National Commission for Scheduled Tribes, New Delhi

On this 27th day of January, 2023


Deponent

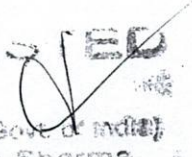
VERIFICATION:

Verified on this day 27.01.2023 at the National Commission for Scheduled Tribes, New Delhi that the contents of the affidavit are true and correct, nothing material has been concealed and no part of it is false.


Deponent



~~ATTESTED~~


NOTARY (Govt. of India)
Neelam Sharma
Advocate
Jr. No. 165A, Gate No. No. 11,
Patil House Courts,
New Delhi-110001
M: 9829408301

27 JAN 2023

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Government of National Capital Territory of Delhi

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(One Hundred only)

सत्यमेव जयते



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IN-DL53284064450459V

AFFIDAVIT

F. No. – NCST/ATY-645/MH/4/2022 - APCR

I, Shri D. Gangatharan S/o Shri T. Devarajan, currently posted as Collector and District Magistrate, Nashik, Maharashtra do hereby solemnly affirm and declare as under:

- That I will ensure the issuance of Aadhar cards, Ration cards, Voter ID cards and caste certificate to all the members of Katkari community residing in Nashik district.

Devi

Statutory Alert:

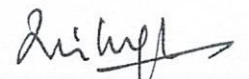
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- That I will ensure the benefits of all the social welfare schemes of state and centre inclusive of Pradhanmatri Awas Yojana to the members of Katkari community.
- That I will ensure the compensation under the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 2016, Child Labour (Prohibition and Regulation) Act, 1986, The Bonded Labour System (Abolition) Act, 1976 and other applicable laws within 15 days.
- That I will ensure the rehabilitation of the children who were and are being rescued as per the social welfare schemes of the state and centre.
- That I assure the Commission that I will take all the necessary and preventive actions to prevent such incidents in the future.
- That I will ensure that the victim compensation is given to all the rescued victims as per the appropriate laws within 3 days.
- That I will coordinate with the District Magistrate, Ahmednagar, Maharashtra, and ensure that a prompt action against the accused will be taken.
- That I will coordinate with the Superintendent of Police, Nashik and Superintendent of Police, Ahmednagar, Maharashtra and ensure that the FIR will be registered against all the accused of bonded labour and Child labour.
- That I will provide a detailed and comprehensive report to the Commission within 15 days.

This declaration is hereby executed and submitted to the concerned authorities. I hereby state that whatever is stated hereinabove is true to the best of my knowledge.

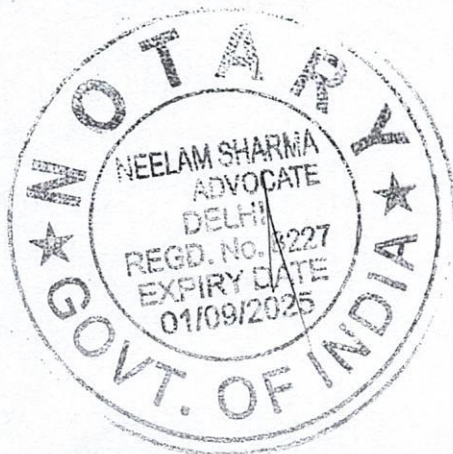
Solemnly affirmed at National Commission for Scheduled Tribes, New Delhi

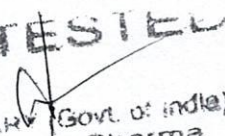
On this 27th day of January, 2023

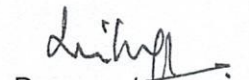

Deponent

VERIFICATION:

Verified on this day 27.01.2023 at the National Commission for Scheduled Tribes, New Delhi that the contents of the affidavit are true and correct, nothing material has been concealed and no part of it is false.



ATTESTED

 NOTARY (Govt. of India)
 Neelam Sharma
 Advocate
 H. No 155A, Gate No. No. 15,
 Patiala House Courts,
 New Delhi-110001
 (M.T. 9899408301)


Deponent

27 JAN 2023

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Government of National Capital Territory of Delhi

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Stamp Duty Amount(Rs.) : 100
(One Hundred only)

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AFFIDAVIT

F. No. – NCST/ATY-645/MH/4/2022 - APCR

I, Shri Shahaji Umap S/o Shri Baburao Umap, currently posted as Superintendent of Police, Nashik, Maharashtra do hereby solemnly affirm and declare as under:

- That I will ensure that a rescue team will be formed to rescue the children of Katkari community and other PVTG communities trapped in the racket of bonded labour within 15 days.

Umap

Statutory Alert:

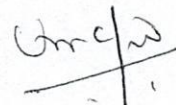
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2. The onus of checking the legitimacy is on the users of the certificate.
3. In case of any discrepancy please inform the Competent Authority.

- That I will ensure that the enquiry will be conducted in regards to the racket of child bonded labour and FIR will be registered if any more children are rescued of the PVTG communities.
- That I will coordinate with the Superintendent of Police, Ahmednagar in the given matters of Child bonded labour of the Katkari community.
- That I will provide a detailed and comprehensive report to the Commission within 15 days.

This declaration is hereby executed and submitted to the concerned authorities. I hereby state that whatever is stated hereinabove is true to the best of my knowledge.

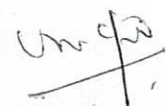
Solemnly affirmed at National Commission for Scheduled Tribes, New Delhi

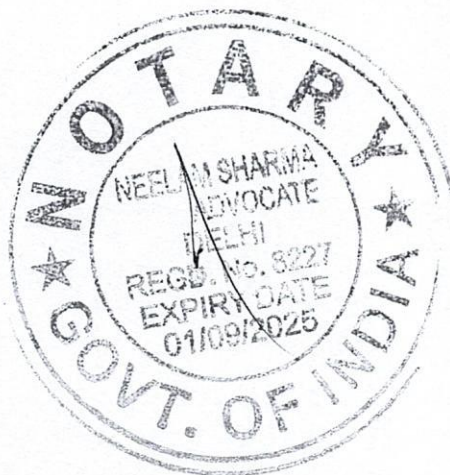
On this 27th day of January, 2023

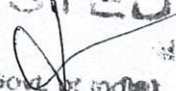

Deponent

VERIFICATION:

Verified on this day 27.01.2023 at the National Commission for Scheduled Tribes, New Delhi that the contents of the affidavit are true and correct, nothing material has been concealed and no part of it is false.


Deponent




NOTARY (Govt of India)
Neelam Sharma
Advocate
Sh No 165A, Gate No. No. 11
Patiala House Courts,
New Delhi-110001
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27 JAN 2023