



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)

फाइल सं. NCST/DEV-1434/UP/4/2023-ESDW

दिनांक: 04.07.2023

सेवा में,

जिलाधिकारी,  
जिला-सोनभद्र,  
डीएम कार्यालय, लोधी,  
सोनभद्र, उत्तर प्रदेश-231216,  
ई-मेल: dmson@nic.in

पुलिस अधीक्षक,  
जिला-सोनभद्र,  
एस.पी. निवास, लोधी,  
सोनभद्र, उत्तर प्रदेश 231216  
ई-मेल: spsbr-up@nic.in

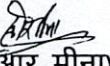
विषय: परम्परागत धार्मिक स्थल में प्रवेश व पूजा पाठ करने से रोके जाने तथा कूटरचित तरीके से पूजा स्थल को हडपने का प्रयास किया जाने के संबंध में श्री बसंतलाल भुईया, ग्राम निमियाडीह, पोस्ट बघाड़, थाना-दुद्धि, सोनभद्र, उत्तर प्रदेश का दिनांक 14.03.2023 का अभ्यावेदन।

महोदय/महोदया,

कृपया उपरोक्त विषय पर दिनांक 31.05.2023 को 12:00 बजे आयोग के माननीय सदस्य महोदय की अध्यक्षता में स्टेट गेस्ट हाउस, भुवनेश्वर, ओडीशा में होने वाली सिटिंग/सुनवाई का सन्दर्भ ग्रहण करें। उक्त सिटिंग का कार्यवृत्त इस पत्र के साथ संलग्न कर प्रेषित किया जा रहा है। आपसे अनुरोध है की सिटिंग में लिए गए निर्णयों एवं आयोग द्वारा दिए गए सुझावों पर कार्रवाई करते हुए कार्रवाई रिपोर्ट इस आयोग को 30 दिन के भीतर भेजना सुनिश्चित करें।

संलग्न यथोपरि.

भवदीय,

  
(एच. आर. मीना)  
अनुसंधान अधिकारी

प्रतिलिपि प्रेषित:

श्री बसंतलाल भुईया,  
ग्राम-निमियाडीह,  
पोस्ट बघाड़, थाना दुद्धि,  
जिला-सोनभद्र,  
उत्तर प्रदेश

✓ एन.आई. सी. अनुभाग, आयोग की वेबसाइट पर  
अपलोड करने हेतु।

## National Commission for Scheduled Tribes

\*\*\*\*\*

F. No. NCST/DEV-1434/UP/4/2023-ESDW

**Minutes of the Sitting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST, in the case of Shri Basantlal Bhuia regarding the Place of Worship of the Tribals that has been illegally occupied and illegally declared as a graveyard through manipulated records in connivance with the district administration.**

**Date of the Sitting: 31.05.2023**

**Participants in the Sitting: As per Annexure**

A representation was received from Shri Basantlal Bhuia, a resident of Nimiadih Village, Po Baghadu, Sonbhadra, Uttar Pradesh. It has been alleged that the tribal worship place has been illegally occupied by non-tribals over the past few years. The Deeh Baba Dham which is important as a center of traditional faith for the tribals in Nimiadheed village. It has been falsely declared as a graveyard through manipulated records with the assistance of the tehsil administration. This has resulted in the destruction of the tribe's faith and traditions. Furthermore, the tribals are being prohibited from entering their place of worship.

The Commission issued notice dated 22.03.2022 to the Chief Secretary, Govt of Uttar Pradesh, District Collector, Sonbhadra District and Superintendent of Police, Sonbhadra District to submit the Action Taken Report ("ATR") within 03 days. Pursuant thereto, the District Collector & Superintendent of Police, Sonbhadra, submitted an Action Taken Report (ATR) stating that on 13/02/23, an order was passed by the Deputy Collector, Duddi, Sonbhadra. The order stated that the disputed property has been rectified and the claimed area has been demarcated and marked with stones. The appeal against the order of the Deputy Collector, has been transferred to the Additional Commissioner Special Judicial, Vindhyachal. Subsequently, the Additional Commissioner Special Judicial, Vindhyachal. passed an order to maintain status quo in the matter and has also instructed the Duddi Police authorities to maintain law and order.

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

The Commission carefully examined the petition and the replies submitted by the Authorities. Considering the sensitivity of the issue Summons dated 26.05.2023 were issued to Shri. Chandra Vijay Singh, District Collector, Sonbhadra District and Dr. Yashveer Singh, Superintendent of Police, Sonbhadra District to appear before the Commission 31.05.2023.

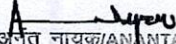
During the hearing on 30.05.2023, the petitioner emphasized that Deeh Baba Dham holds immense significance as a center of traditional faith for the tribals in Nimiaheed village for generations. Unfortunately, it has been illegally acquired by the Muslim community, leading to the tribals being prohibited from entering their place of worship. Furthermore, the worship place is in a dilapidated state, lacking proper maintenance and construction. It is distressing to note that neither the government nor the villagers themselves are permitted to make any alterations or improvements. In light of these circumstances, the petitioner requested for prompt action to be taken to address this issue.

Shri Chandra Vijay Singh, District Collector, Sonbhadra District and Dr. Yashveer Singh, Superintendent of Police, Sonbhadra submitted that on 13/02/23, the Deputy Collector of Sonbhadra issued an order to rectify a disputed property and demarcate the claimed area using stones. However, on appeal, the Additional Commissioner has issued an order for maintaining the status quo and instructed the Duddi Police to ensure law and order. Currently, the situation is normal, and Villagers has been granted access to worship at the place.

After hearing both the sides, the Commission recommends the following: -

1. The District Collector will coordinate with the Commissioner of Vindhyachal for the speedy disposal of the case with assurance that the villagers are granted permission for worship.
2. The District Collector shall ensure that necessary alterations are made to the worshiping place through the district administration.
3. Petitioners shall co-ordinate with the District administration to maintain law and order in the area.

District Collector and Superintendent of Police, Sonbhadra will submit Action Taken Report in compliance of the Recommendations within 30 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

(ANNEXURE)

F. No. NCST/DEV-1434/UP/4/2023-ESDW

**LIST OF PARTICIPANTS:-**

<b>National Commission for Scheduled Tribes</b>		
<b>S. No.</b>	<b>Name</b>	<b>Designation</b>
1.	Shri Ananta Nayak	Hon'ble Member
2.	Dr. Jayant Sarode	Director
3.	Shri Radhakanta Tripathy	Special Rapporteur
4.	Shri D.K. Palai	UDC
5.	Shri Avinash Mattur	Legal Consultant
<b>The District Collector and Magistrate, District – Kandhamal, Odisha</b>		
<b>S. No.</b>	<b>Name</b>	<b>Designation</b>
1.	Shri Chandra Vijay Singh	Collector
2.	Dr. Yashveer Singh	Superintendent of Police
<b>Petitioner</b>		
<b>S. No.</b>	<b>Name</b>	<b>Designation</b>
1.	Absent	-