

National Human Rights Commission
Manav Adhikar Bhawan Block-C, GPO Complex, INA,, DELHI -110023

Dilip Kanti Chakma,
 C3/441, Top Floor, Janakpuri, New Delhi WEST DELHI , DELHI
Dated: 06/06/2020

Dear Dilip Kanti Chakma,

The Commission has received your complaint and it has assigned diary number as **7438/IN/2020** with the following details:-

Complainant Details

| | | | |
|------------------|---|---------------|----------------------------|
| Name: | Dilip Kanti Chakma | | |
| Mobile: | 7406314043 | Email: | indigenoulawyers@gmail.com |
| Address: | C3/441, Top Floor, Janakpuri, New Delhi | | |
| District: | WEST DELHI | State: | DELHI |

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Victim Details

| | | | |
|---------------------|-------------------------------|----------------|-----------------|
| Victim Name: | Sildaar Khajaan | Gender: | Male |
| Religion: | | Cast: | Scheduled Tribe |
| Address: | Siwal village, PS - Nepanagar | | |
| District: | BURHANPUR | State: | MADHYA PRADESH |

Incident Details

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|---------------------------|----------------------------------|------------------------|----------------|
| Incident Place: | Siwal village under PS Nepanagar | Incident Date: | 01/06/2020 |
| Incident Category: | ATROCITIES ON ST | | |
| Incident District: | BURHANPUR | Incident State: | MADHYA PRADESH |

| | |
|---|----|
| Is it filed before any Court / State HRC | No |
|---|----|

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| Incident Details: | <p>The Indigenous Lawyers Association of India (ILAI) is writing to seek the urgent intervention of the National Human Rights Commission (NHRC) against atrocities committed against tribals including burning down of a hut belonging to a tribal namely Sildaar Khajaan (55 years) by forest officials at Siwal village under Nepanagar police station in Burhanpur district of Madhya Pradesh on 1 June 2020 and threats issued by Nepanagar Ranger Mr Dinesh Vaskale to burn down more to tribal huts in the area and not to allow the tribals to sow seeds for the crops. 1. The incident On 1 June 2020, the forest officials reportedly came in two jeeps and burnt down the mud hut of the tribal family namely Sildaar Khajaan. By the time people assembled to stop the officials from escaping, the thatched hut had already burnt down. When the victim called up Nepanagar Ranger Mr Dinesh Vaskale to complain, he allegedly threatened to destroy all other tribal huts in the area and stop the tribals from sowing seeds. This clearly suggested that the arson attack was carried out under the direct command of Nepanagar Ranger Mr Dinesh Vaskale. This is not an isolated incident; on 9 July 2019, forest officials went to the same Siwal village village to vacate the “encroached” agriculture land and allegedly began ruining the standing crop. When villagers resisted, the officials reportedly opened fire in the Siwal village. The incident left four tribals injured. The victims, Sildaar Khajaan and his wife are claimants under the Forest Rights Act, 2006 and awaiting the processing of their claims, delayed due to the COVID19 crisis. Hence, the action of the forest department was totally in violation of the Forest Rights Act 2006 and constituted “atrocities” as defined under the SC/ST (Prevention of Atrocities) Act, 1989.</p> |
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INDIGENOUS LAWYERS ASSOCIATION OF INDIA (ILAI)

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By HRCNet Portal

06 June 2020

To,
The National Human Rights Commission
Manav Adhikar Bhawan
Block-C, GPO Complex, INA
New Delhi – 110023

Subject: Complaint against atrocities committed against tribals including burning down of a hut belonging to a tribal namely Sildaar Khajaan (55 years) by forest officials at Siwal village under Nepanagar police station in Burhanpur district of Madhya Pradesh on 1 June 2020 and threats issued by Nepanagar Ranger Mr Dinesh Vaskale to burn down more to tribal huts in the area and not to allow the tribals to sow seeds for the crops.

Dear Sir,

The Indigenous Lawyers Association of India (ILAI) is writing to seek the urgent intervention of the National Human Rights Commission (NHRC) against atrocities committed against tribals including burning down of a hut belonging to a tribal namely Sildaar Khajaan (55 years) by forest officials at Siwal village under Nepanagar police station in Burhanpur district of Madhya Pradesh on 1 June 2020 and threats issued by Nepanagar Ranger Mr Dinesh Vaskale to burn down more to tribal huts in the area and not to allow the tribals to sow seeds for the crops.

1. The incident

On 1 June 2020, the forest officials reportedly came in two jeeps and burnt down the mud hut of the tribal family namely Sildaar Khajaan. By the time people assembled to stop the officials from escaping, the thatched hut had already burnt down.

When the victim called up Nepanagar Ranger Mr Dinesh Vaskale to complain, he allegedly threatened to destroy all other tribal huts in the area and stop the tribals from sowing seeds. This clearly suggested that the arson attack was carried out under the direct command of Nepanagar Ranger Mr Dinesh Vaskale.

This is not an isolated incident; on 9 July 2019, forest officials went to the same Siwal village to vacate the “encroached” agriculture land and allegedly began ruining the standing crop. When villagers resisted, the officials reportedly opened fire in the Siwal village. The incident left four tribals injured.

The victims, Sildaar Khajaan and his wife are claimants under the Forest Rights Act, 2006 and awaiting the processing of their claims, delayed due to the COVID19 crisis. Hence, the action of the forest department was totally in violation of the Forest Rights Act 2006 and constituted “atrocities” as defined under the SC/ST (Prevention of Atrocities) Act, 1989.

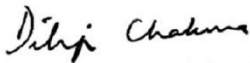
2. PRAYERS:

In the light of the above facts, we request urgent intervention of the National Human Rights Commission to:

- Direct the State of Madhya Pradesh to register a case under relevant section of the Indian Penal Code and the SC/ST (Prevention of Atrocities) Act against Neapanagar Ranger Mr Dinesh Vaskale and other forest officials responsible for arson attacks and threats to the tribals of Siwal village under Neapanagar police station in Burhanpur district, and submit a report to the Commission within two weeks;
- Direct the State of Madhya Pradesh to immediately process the claims filed by the victim, Sildaar Khajaan and his wife and other tribal villagers of Siwal village in Burhanpur district under the Forest Rights Act, 2006, and submit a report within one month to the Commission;
- Direct the State of Madhya Pradesh to immediately suspend Neapanagar Ranger Mr Dinesh Vaskale and other forest officials under him and prosecute them under the IPC and SC/ST (Prevention of Atrocities) Act;
- Direct the State of Madhya Pradesh to sanction a housing grant under PMAY housing scheme and further provide a compensation of Rs 5 lakhs to the family of Sildaar Khajaan for loss of valuable properties in the arson attack by the forest department officials; and
- Pass such other and further order(s) that the Hon’ble Commission deems fit and proper in the facts and circumstances of the present case and in the interest of justice / equity.

With kind regards,

Yours sincerely



Dilip Kanti Chakma
President