



भारत सरकार

Government of India

राष्ट्रीय अनुसूचित जन जाति आयोग

National Commission for Scheduled Tribes

(A Constitutional Body set up under Art. 338A of the Constitution of India)

SPEED POST

Case File No. AK/1/2017/STGM/DEOTH/RU-IV

Dated: 29.07.2019

To,

1 **The Chief Secretary,**
Government of Maharashtra,
Mantralaya,
Mumbai.

2 **The Secretary,**
Ministry of Power,
Shram Shakti Bhawan,
Rafi Marg,
New Delhi – 110 001.

3 **The District Collector & Magistrate,**
District – Palghar,
Chintupada Road,
Udhyog Nagar, Palghar,
Maharashtra – 401 404.

4 **The Chairman & Managing Director,**
Power Grid Corporation of India Ltd.,
"Saudamini", Plot No. 2, Sector-29,
Gurgaon – 122 001 (Haryana).

Sub: Minutes of the meeting undertaken by Hon'ble Vice-Chairperson, National Commission for Scheduled Tribes (NCST) on 28.06.2019 at District Palghar, Maharashtra in the matter of Shri Ashok Kumar, CITU Delhi State Committee Member, New Delhi regarding non payment of loss compensation (Muavja) for the damage of land and trees etc (Talasari-Vikaspada, Tehsil, Post-Talasari, District – Palghar) due to the formation of High Tension Electric Line by PGCIL.

Sir,

I am directed to enclose herewith a copy of the minutes of the meeting undertaken by Miss Anusuiya Uikey, Hon'ble Vice-Chairperson, National Commission for Scheduled Tribes on 28.06.2019 at District Palghar, Maharashtra for necessary action and submission of compliance report to this Commission within 30 days for placing the same before the Hon'ble Vice-Chairperson, NCST.

Yours faithfully,

(Y.K. Bansal)
Research Officer

5885-89
30/7/19

जारी किया
ISSUED

O/C

Copy to:

Shri Ashok Kumar,
CITU Delhi State Committee Member,
Shram Shakti Bhawan,
13-A, Rouse Avenue,
New Delhi – 110 002.

Copy to: - SAS, NIC, NCST.

National Commission for Scheduled Tribes

File No. AK/1/2017/STGMHDEOTH/RU-IV

Representation of Shri Ashok Kumar, New Delhi regarding non-payment of loss and compensation (Muavaja) for the damages of land and trees etc. of the STs at village Talasari, Vikaspada, Tehsil Talasari, Dist.Palghar (Maharashtra) due to construction High-tension line by PGCIL.

A meeting was taken by the Miss Anusuiya Uikey, Hon'ble Vice-Chairperson, National Commission for Scheduled Tribes in Palghar District on 28.06.2019 on the above subject. District Collector, Palghar, officers of PGCIL and the complainant were present in the meeting. The applicant reiterated the submission made by him in his complaint regarding non-payment of compensation to the 53 farmers from Talasari Taluka by PGCIL.

The District Collector informed the Commission that this issue is related with Power Grid Corporation of India Limited regarding non-payment of compensation for the damages caused to crops land and trees, due to laying of high tension electric lines. He informed that the District Administration received copy of this application through industry department on 4 July, 2017 and called report from SDM, Dahanu and submitted report to Hon'ble Commission on Dt.12/03/2018. Thereafter, his office received sitting notice Dt. 12/07/2018 regarding sitting at Delhi on Dt.24/07/2018. On the behalf of Collector, Palghar, the SDM Dahanu represented in the Commission in which Hon'ble Commission's recommended as follows: -

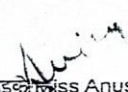
- The District Collector, Palghar should re-visit the compensation plan offered by the PGCIL and will explore the possibilities to sanction compensation as per Ministry of Power notification Dt.15.10/2015 and hear the grievances of the petitioner in person before finalization of the award of revised compensation plan.

सुश्री अनुसुईया उइके / Miss Anusuiya Uikey
उपाध्यक्ष/Vice Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

- District Collector and PGCIL authority should conduct a study in the case on the issue of bad and good impact of the formation of transmission land and present status of cultivation on the affected land and submit an action taken report to Hon'ble Commission within the one Month.
- Collector office submitted report to Hon'ble Commission regarding above recommendations Dt.15/12/2018. Ministry of Power Notification dt.15/10/2015, Point 2 (1) provides for compensation @ 85 % of land value as determined by District Magistrate or any other authority based on Circle rate/Guideline value/Stamp Act rated for tower base area (between four legs) impacted severely due to installation of tower/pylon structure. Above point provides for compensation of land under the tower base areas affected severally, but this notification does not clarify whether this provision is retrospectively applicable or not. This particular project was undertaken before this notification was issued. Ministry of Power Notification Dt.15/10/2015 which was subsequently adopted by Government of Maharashtra by GR Dt.31/05/2017, in this government resolution it is specifically mentioned that these provisions will be applicable after 31/05/2017.
- Hon'ble Commission again fixed sitting at Delhi on 08/05/2019, for the sitting and on behalf of Collector, Palghar, SDM, Dahanu represented.

Office of the Collector, Palghar received Hon'ble Commission's recommendations Dt.03/06/2019 as follows: -

- The Divisional Commissioner, Konkan will re-examine the compensation issue in light of the petitioner's demand of providing compensation as per Ministry of Power Notification Dt.15/10/2015.
- The District Collector, Palghar will hold a hearing with the affected persons regarding the grievances by the 2nd week of June, 2019.


 सुश्री अनुसुईया उइकेय Miss Anusuiya Uikey
 उपाध्यक्ष/Vice Chairperson
 राष्ट्रीय अनुसूचित जनजाति आयोग
 National Commission for Scheduled Tribes
 भारत सरकार/Govt. of India
 नई दिल्ली/New Delhi

- The District Administration will also consider to provide equal compensation and will ensure that no injustice is done to the ST petitioners.

In the meeting, the District Collector assured the Commission that as per the above recommendations of the Hon'ble Commission, he is going to arrange the hearing of the affected persons shortly and after the hearing, he will ensure to do the needful as provided under law & rules to settle the grievance. The Commission directed him to inform about the final decision taken in this regard within a month's time.

Anusuiya
सुश्री अनुसुईया उइके/Miss Anusuiya Uikey
उपाध्यक्ष/Vice Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
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