



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-1126/MH/19/2022-ESDW

Dated: 17.03.2023

To,

**Shri Govind Maruti Bodke,**  
Collector and District Magistrate,  
District Palghar,  
Collectorate Palghar,  
Palghar-Boisar Road, Kolgaon,  
Palghar-401404, Maharashtra  
E-Mail: collector.palghar@maharashtra.gov.in

**Shri Santosh Kumar Yadav,**  
Chairperson,  
National Highways Authority of India,  
G 5&6, Sector-10,  
Dwarka, New Delhi-110 075  
E-Mail: chairman@nhai.org

**Sub: Minutes/proceeding of the Sitting/Hearing taken by Shri Ananta Nayak, Hon'ble Member, NCST, New Delhi on 08.02.2023 at 10:30 AM regarding representation dated 18.11.2022 received from Shri Chandu Kashiram Thakre and others AT-PO-Somta, Tehsil & District Palghar, Maharashtra regarding Delay in providing Compensation for the Land acquired under Mumbai-Ahmadabad National Highway project by NHAI.**


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 08.02.2023 at 10:30 AM on the above mentioned subject for information and necessary action.

2. You are requested to send the Action Taken Report (ATR) on the recommendations of the Commission **within 30 days** from the date of receiving of the Minutes/Proceeding.

Encl: as Above.

Yours faithfully,

  
(H.R. Meena)  
Research Officer

Copy for information to: -

**Shri Chandu Kashiram Thakre,**  
AT-PO-Somta,  
Tehsil & District Palghar,  
Maharashtra



# National Commission for Scheduled Tribes

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No. NCST/DEV-1126/MH/19/2022-ESDW

**Minutes of the Sitting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST regarding non-payment of compensation in acquisition of land by NHAI for the construction of Mumbai-Ahmadabad National Highway No. 8 Projects.**

**Date of the Sitting: 08.02.2023**

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

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The Petitioner Shri Chandu Kashiram Thakre, P.S.- Kasa, Tehsil/District- Palghar, Maharashtra through his representation stated he had a plot of land which was acquired by NHAI for the construction of Mumbai-Ahmadabad National Highway No. 8 Project. The District Collector had declared a compensation plan for the acquisition which the petitioner was entitled to. However, the petitioner has not received any compensation till date. The petitioner claims that he had made several representations to the authorities but all in vain. It is also alleged that the authorities wrongfully paid the compensation to some people that fraudulently posed as the owners of the impugned land and seem to have collected the compensation that was payable to the petitioner.

The petitioner has prayed for compensation along with appropriate interest. On 08/12/2022 the Commission issued Notice to Shri. Govind Maruti Bodke, Collector and District Magistrate, Palghar District to submit an action taken report within 15 days.

No reply/ATR received from either the Chairperson, NHAI or from Collector and District Magistrate, Palghar. Therefore, the Commission issued Summons to Smt. Alka Upadhyay, Chairperson, National Highways Authority of India and Shri. Govind Maruti Bodke, Collector and District Magistrate, District Palghar, Maharashtra to appear for hearing before the Commission on 08th February 2023

During the hearing, Shri. Govind Maruti Bodke, Collector and District Magistrate submits that they have declared a compensation plan for all the land acquired by NHAI for the construction of Mumbai-Ahmadabad National Highway No. 8 Project no such case is pending.

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




However, the Petitioner reiterated his earlier stand and stated that he has not received any compensation till date against the land acquired by NHAI for the construction of Mumbai-Ahmadabad National Highway No. 8 Project. He also stated that the authorities paid the compensation to some people that fraudulently posed as the owners of the impugned land. He further submits that rest of his land was illegally encroached by Shri Krishna thamada due to which petitioner is not able to cultivate his land. The petitioner has prayed for compensation for the acquired land also to vacate the illegal encroachment of Krishna Thamada.

Shri Prashanth Khodaskar Chief General Manager (Technical), National Highways Authority of India has assured that they will pay the compensation to the affected families after receiving the proposal from the District Collector.


After hearing, the Commission recommends the followings: -

1. The Additional Chief Secretary, Tribal Development Department, Mantralaya, Mumbai-32, Commissioner, Tribal Development, Nashik with the help of Additional Chief Secretary, Revenue Department, Mantralaya, Mumbai-32, Principal Secretary, Forests Department, Mantralaya, Mumbai-32 and Additional Chief Secretary, Finance Department, Mantralaya, Mumbai-32 can form the scheme for bearing the expenses of the land measurement and demarcation for Scheduled Tribes in the state of Maharashtra. This scheme should be implemented through ITDP of the Tribal Development Department. Submit the details of this scheme to the Commission within period of 15 days.
2. The Collector shall ensure that the measurement and demarcation expenses of the present Petitioner should be recovered from the ITDP, Tribal Development Department, Palghar from this new scheme and proper demarcation shall be made without any fees.
3. The implementation of new scheme as recommended hereinabove shall be submitted to the Commission by the Tribal Development Department within a period of 30 days.
4. The District Collector Shall ensure that the District Level Committee be constituted to investigate the Land acquisition of Shri Chandu Kashiram Thakre, along with other affected families in Mumbai-Ahmadabad National Highway No.8 by NHAI, Thane.

  
अनंत अण्णयानंता नायक  
Member  
राष्ट्रीय आयोग  
NATIONAL COMMISSION FOR SCHEDULED TRIBES  
भारत सरकार, Ministry of India  
नई दिल्ली/New Delhi

5. The District Level Committee Shall calculate the compensation based on the Right of Fair Compensation and Transparency in Land Acquisition, Rehabilitation, and Resettlement Act, 2013.
6. District Collector Shall ensure that the compliance report will be submitted to NHAI for allocation of funds for compensation.
7. That Collector shall ensure that the illegal encroachment of Shri Krishna Thamada be vacated after proper demarcation and also allow the petitioner to use his land.

The Authorities have to submit detailed Action Taken Report for further perusal of the Commission within 30 days.

  
अनंत नायक/ANANTA NAYAK  
सदस्य/Member  
राष्ट्रीय अनुसूचित जनजाति आयोग  
NATIONAL COMMISSION FOR SCHEDULED TRIBES  
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**(ANNEXURE)**

**F. No. NCST/DEV-1126/MH/19/2022-ESDW**

**LIST OF PARTICIPANTS: -**

<b>S. No.</b>	<b>Date</b>	<b>Designation</b>
1.	<b>Shri Ananta Nayak</b>	<b>Hon'ble Member</b>
2.	Dr. Jayant Sarode	Director
3.	Shri H.R. Meena	Research Officer
4.	Smt. Amrita Solanki	Sr. Investigator
5.	Shri Radhakanta Tripathy	Sr. Legal Advisor
6.	Shri Avinash Mattur	Legal Consultant
<b>The Collector and District Magistrate, District Palghar, Government of Maharashtra</b>		
1.	Shri Govind Maruti Bodke	Collector & DM,
2.	Shri Balasaheb Kolekar	Dy. Collector
<b>The Chairperson, National Highways Authority of India, New Delhi</b>		
1.	Shri Prashant Khodaskar	CGM (Tech),
<b>Petitioner</b>		
1.	Shri Chandu Kashiram Thakre	Petitioner