



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-976/MH/4/2022-ESDW

दिनांक: 24.03.2023

सेवा में,

कलेक्टर एवं जिला दंडाधिकारी,
जिला-पालघर,
कार्यालय कलेक्टर एवं जिलाधिकारी पालघर,
पालघर-बोईसर रोड, कोलगांव,
पालघर-401404, महाराष्ट्र
ई-मेल: collector.palghar@maharashtra.gov.in

विषय: आयोग के कार्य के अनुसार अनुच्छेद 338(क) के खंड (5) के अंतर्गत भूमि के संबंधित मामलों के संबंध में श्री रिशया (रिशु) वाज्या खरपड़े, गांव - सूत्रकार (काटिलपाड़ा), ता. तलासारी, जिला पालघर-401606, महाराष्ट्र का दिनांक 21.04.2022 का अभ्यावेदन।

महोदय/महोदया,

कृपया उपरोक्त विषय पर दिनांक 08.02.2023 को अपराह्न 12:00 बजे आयोग में हुई सिटिंग 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

प्रतिलिपि प्रेषित:

श्री रिशया (रिशु) वाज्या खरपड़े,
गांव - सूत्रकार (काटिलपाड़ा),
ता. तलासारी,
जिला पालघर-401606,
महाराष्ट्र

O/C
4020-21
जारी किया
ISSUED
24/3/23

भवदीय,

(एच. आर. मीना)
अनुसंधान अधिकारी

National Commission for Scheduled Tribes

No. NCST/DEV-976/MH/4/2022-ESDW

Minutes of the Sitting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST in the Shri Rishya (Rishu) VajyaKharpade, Village Sutrakar (Katilpada), Talasari Tehsil, Palghar District, Maharashtra Matter

Date of the Sitting:08.02.2023

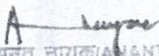
Participants in the Sitting: As per Annexure

The Petitioner Shri Rishya (Rishu) VajyaKharpade, Village:Sutrakar (Katilpada), Tal: Talasari, Dist: Palghar (M.S.) in his petition stated that he was holding the agriculture land bearing Survey No. 370/4 admeasuring 0.28.00 R. Hec.. He submits that since the Land Records Department has not done proper demarcation of his land, the adjacent land owner quarreling with him. Petitioner leveled allegation that in the absence of demarcation some of his area has been encroached by adjacent land owner.

The petitioner has request District Land Record Department to make proper demarcation. Concern authority directed petitioner to pay the charges of entire survey number so that they will start the demarcation work. Since he is not having a financial capacity to pay a huge government charge for measurement of entire survey number therefore, the dispute is still pending between them and concern authority has not taken any action in this regard. Seeking intervention of the Commission, the petitioner request for justice.

Taking cognizance of the petition, on 09/11/2022 the Commission issued Notice to Shri. Govind Maruti Bodke, Collector and District Magistrate, Palghar District to submit an action taken report within 15 days.

On 22/11/2022 Deputy Superintendent of Land Records, Tal: Talasari, Dist: Palghar has submitted enquiry report stating the applicant wants to measure his land Survey No.370/4 area 0.28 H.R. Situated at Village: Sutrakar, Tal:Talasari Dist. Palghar to be surveyed and independent survey map be prepared. Accordingly, comparing the available record of Sr.No.370/4 area 0.28 H.R. situated at Village: Sutrakar, Tal:Talasari,Dist: Palghar available with the Talathi Office a discrepancy is found on record. After re-measurement of the said survey No.370, they will submit a final report after the measurement survey is completed by the concern authority.


अनंत नायक/ANANTA NAYAK

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

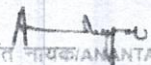
The Commission carefully examined the case and issued Summons to Shri. Govind Maruti Bodke, Collector and District Magistrate, Palghar District to appear for hearing on 08th February 2023

During the hearing of the matter District Collector stated that there are many areas in which wrong demarcation was done since long time. He also stated that since the entire area is Scheduled Area and many parts of this district is coming under the Green Zone declared by the Central Government. The Collector also informed that this area is geographically isolated area and therefore, land measurement work is very challenging and tedious task.

The District Collector also admitted that as per rule, petitioner require to pay the fees for entire survey number and not only for his area. In the state of Maharashtra there is no scheme is in existence where fees required to demarcation of land will be bear by the Government in case of Scheduled Tribe.

After hearing both the sides, 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 formulate 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.
2. The Collector shall ensure that the measurement and demarcation expenses of the present Petitioner should be recovered from ITDP, Tribal Development Department, Palghar from this new Scheme and proper demarcation shall be made without any fees and also remove the encroachment if any found after measurement and handover the accurate land to the petitioner within period of 30 days from the date of measurement of said survey number.
3. That detailed Action Taken Report about the formation and implementation of new scheme as recommended herein above shall be submitted to the Commission by the Tribal Development Department within period of 30 days.


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

(परिशिष्ट)

फ़ाइल सं. NCST/DEV-976/MH/4/2022-ESDW

प्रतिभागियों की सूची: -

राष्ट्रीय अनुसूचित जनजाति आयोग		
क्र. सं.	नाम	पदनाम
1.	श्री अनंत नायक	माननीय सदस्य
2.	डॉ. जयंत सरोदे	निदेशक
3.	श्री एच. आर. मीना	अनुसंधान अधिकारी
4.	श्रीमति अमृता सोलंकी	वरिष्ठ अन्वेषक
5.	श्री अविनाश	विधिक सलाहकार
जिला कलेक्टर, पालघर, महाराष्ट्र		
क्र. सं.	नाम	पदनाम
1.	श्री गोविंद मारुति बोडके	कलेक्टर
2.	श्री बालासाहेब कोलेकर	अपर कलेक्टर
अभ्यावेदक/अभ्यावेदिका		
क्र. सं.	नाम	पदनाम
1.	श्री रिशया (रिशु) वाज्या खरपड़े	अभ्यावेदक