



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)

फा. सं.: NCST/ATY-700/MH/3/2022-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: आरोपी द्वारा आवेदक की ज़मीन पर जबरदस्ती कब्ज़ा करने के सम्बन्ध में - श्री वनशा/वनशया माहदु
भुरकुड, गांव-तलासरी(पाटीलपाड़ा), पोस्ट-तलासरी, तहसील-तलासरी, जिला-पालघर, महाराष्ट्र-401606 का
दिनांक 01.04.2022 का अभ्यावेदन।

महोदय/महोदया,

कृपया उपरोक्त विषय पर दिनांक 08.02.2023 को अपराह्न 12:30 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 वनशा/वनशया माहदु भुरकुड,
गांव-तलासरी(पाटीलपाड़ा),
पोस्ट-तलासरी, तहसील-तलासरी,
जिला-पालघर,
महाराष्ट्र-401606

4022-23
जारी किया
ISSD/13

भवदीय,


(एच. आर. मीना)
अनुसंधान अधिकारी

National Commission for Scheduled Tribes

No. NCST/ATY-700/MH/3/2022-ESDW

Minutes of the Sitting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST in the matter of illegal encroachment of Land of Shri Vanshr Madhu Village: Bhurkud Tal: Talasari (Patilpada), Post: Talasari, Dist: Palghar, Maharashtra.

Date of the Sitting: 08.02.2023

Participants in the Sitting: As per Annexure

The Commission received a petition from Shri. Vanshr Madhu Bhurkud Village: Talasari (Patilpada), Post - Talasari, Dist: Palghar. In his petition he has categorically stated that his land has been illegally encroached by a person belonging to a non-tribal person. He is not able to cultivate his land. The illegal encroachment on 4 Gunthas of the tribal land by the encroachers namely Mr. Avdesh Chhotulal Yadav, Mr. Suresh Chhotulal Yadav and Mr. Brijesh Chhotulal Yadav. The persons who encroached the land has been threatening to the petitioner every day. The petitioner has requested the Administrative Department to take action against the wrongdoer. However, the concern authorities have not taken any action. He is seeking justice through intervention of the Commission.

On 02.12.2022 the Commission issued Notice to Shri. Govind Maruti Bodke, Collector and District Magistrate, Palghar District to submit an action taken report within 15 days. On 02/01/2023 the District Collector, Palghar has submitted its report to commission stated that the said Land belongs jointly to the applicant Shri. Vansha Mahadu Bhurkud and 12 others as occupier as per 7/12 extracts.

The Commission carefully considered the reply submitted by the District Collector. Since the reply is not satisfactory, Summons were issued to Shri. Govind Maruti Bodke, Collector and District Magistrate, Palghar District to appear for hearing on 08.02.2023

During the course of hearing the Collector has asked the Deputy Superintendent of Land Records, Talasari for doing the demarcation as per rules of the said land. Once the demarcation report is received from the Deputy Superintendent of Land Records, Talasari, if it is found that the non-tribals have illegally encroached on the said land of the complainant and made an unauthorized construction on it, appropriate action will be taken to evict the said encroachment and construction as per rules and possession of the land will be given to the applicant.


अनंत नायक/ANANTA NAYAK

सदस्य/Member

राष्ट्रीय अनुसूचित जनजाति आयोग

NATIONAL COMMISSION FOR SCHEDULED TRIBES

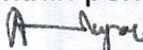
भारत सरकार/Govt. of India

नई दिल्ली/New Delhi

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

1. The District Collector should examine all the record about permission of transfer of tribal land to non-tribal person and submit a detailed report to the commission within period of 7 days.
2. 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 shall 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 I.T.D.P. of the Tribal Development Department. Submit the detail report of this scheme to the Commission within period of 15 days.
3. That District Collector shall ensure that the measurement and demarcation expenses of the present Petitioner should be done by I.T.D.P., Tribal Development Department, Palghar from this new scheme and proper demarcation shall be carried out 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.

Action Taken Report with Compliance of the Recommendations shall be submitted to the Commission by the District Collector and Tribal Development Department within period of 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

(परिशिष्ट)

फ़ाइल सं. NCST/ATY-700/MH/3/2022-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.	अनुपस्थित	अभ्यावेदक