

**Proceedings of the Sitting of Shri Tsering Samphel, Hon'ble Member with
Principal Secretary (Ind. And Commerce), J & K on 09.10.2009**

A list of officers present in the sitting is at Annexure.

Issue

Non-allotment of industrial land since 2001 to Shri F. A. Badhana in Industrial Estate, Chotipora, Handwara.

Background

A representation dated 22.8.2005 was received from Shri F.A. Badhana regarding non-allotment of industrial land since 2001 in Industrial Estate, Chotipora, Handwara. He has mentioned that he was awarded an industrial land in favor of M/s Badhana Hatchery, Handwara in 2001 and he has deposited the required amount in the Government account, but till date he has not been allotted the land.

The matter was taken up with the District Collector, Kupwara and the Director, Directorate of Industries, Srinagar vide this Commission's letter dated 9.12.2005.

The Directorate of Industries and Commerce, Srinagar intimated vide their reply dated 27.12.2005 that formal allotment orders in favor of promoter could not be made as the Estate is yet to be developed, which has not matured due to some dispute between land owners and also the case was subjoined. Now the issue has been sorted out through negotiation and the Estate is under the process of development. A number of reminders were issued to the Director, Directorate of Industries and Commerce, no further development was intimated. A D.O. letter dated 08.04.2009 was issued from JS, NCST to Principal Secretary, Industries and Commerce Department, Govt. of J & K in this matter. Reminder dated 24.08.2009 was also issued to the Principal Secretary, Ind. & Com., but there was no response from the Govt. of J&K.

In view of above, Shri Tsering Samphel, Hon'ble Member, National Commission for Scheduled Tribes decided to have a discussion with the Principal Secretary, Industries & Commerce, Govt. of J & K on the above issue on 09/10/2009 at 1530 hrs in the Commission.

Discussion

It was intimated to the Commission that development of Industrial Estate is held up for following reasons;

- i) A portion of land in the Estate is yet to be acquired, which was left out in the initial acquisition. The District Collector is on the job, he is being expedited to complete the process at the earliest.
- ii) To speed up the acquisition process, as per the section 17 of the Land Acquisition act, J & K, 80 % of the compensation was paid to the land owners, but balance is pending for approval of the Finance Commissioner.
- iii) Development plan of the Estate is given to the PWD, but work could not be started, as the land owners are not permitting to start work for want of their balance payment.

Commission was informed that the efforts are being done to develop the Estate at the earliest. There is no discrimination with Shri Badhana and he will be allotted land on completion of the development of the Industrial Estate.

Recommendation

In view of the discussion, Commission recommended that all out efforts should be done to ensure the Industrial Estate, Chotipora, Handwara is developed at the earliest. Commission further recommended that pending development of the Industrial Estate, Chotipora, Handwara, Shri F. A. Badhana may be offered alternate industrial land, subject to his acceptance.

ANNEXURE

The following were present in the sitting on 09.10.2009:

National Commission for Scheduled Tribes

1. Shri Tsering Samphel, Hon'ble Member**In Chair**
2. Shri Vinod Aggarwal, Director

Govt. of J & K

1. Shri Anil Goswami, Principal Secretary, Industries & Commerce