

MAHARASHTRA STATE HUMAN RIGHTS COMMISSION

Administrative Staff College Compound, 9, Hazarimal Somani Marg, Opp. C.S.T.(VT), Mumbai- 400 001.
Telephone Number : 2207 3434 Fax : 2207 3434
Website : <http://mshrc.maharashtra.gov.in>

SHRC/VGM/11/2009/ 3383

Date: 2 December 2009

Case No. -3320/2004-05

Name of the Complainant. : Jaywant Nardeo Pardeshi
Prakalapgrasta Gram Bachav
Kruti Samiti,
R/o. Chinchpada, Tal. Panvel,
Dist. Raigad.

Vs.

The Manager (Rehabilitation)
CIDCO, CIDCO Bhavan
CBD Belapur Konkan Bhavan,
Navi Mumbai - 400 614

Date : 27 November 2009

Coram : Justice V G Munshi, Member

ORDER

Read the averments made in the complaint and the reply received from the Respondent CIDCO (City and Industrial Development Corporation of Maharashtra). Read the case papers. Heard the parties.

2. The Manager (Rehabilitation) deals with matters connected with the rehabilitation of Project Affected Persons (PAP) of Navi Mumbai. The Government of Maharashtra with an intention to decongest the Greater Mumbai and to upgrade its civic amenities has decided to create a new town, across Thane Creek and accordingly notified the area for new town Navi Mumbai. Government accordingly appointed CIDCO as the "New Town Development Authority" for Navi Mumbai. The Government for that purpose acquired private land situated within



notified area. Accordingly the land held by the complainants was also acquired for that purpose.

3. The complainant who is the President of the Committee, made present complaint for and on behalf of these project affected persons and made following grievances.

- (i) Employment was not given to all the educated unemployed PAPs or their dependants.
- (ii) Village development work, though number of years have been passed, is not expedited.
- (iii) The work of allotment of lands under 12.5% scheme to PAPs of Village Chinchpada - Vadghar within specified area of the scheme is not yet complete.
- (iv) The work of rehabilitation of persons belonging to Adivasi community is yet pending.
- (v) The work of allotment of lands to PAPs whose houses were shifted due to construction of National Highway No.4, is in complete.

In short according to the complainant the Respondent CIDCO, though undertaken, did not properly implement the "Rehabilitation Scheme", and no infrastructure services were provided to the original goathan area. In short according to the complainant, despite of promises, the Respondent neither given proper financial assistance nor provided self employment to these persons and thus, made their life miserable. The complainant therefore, moved the Commission for necessary action in this matter.

4. The Respondent CIDCO by filing affidavit in reply denied and disputed all the allegations of in-action etc made against them in the complaint. According to them they have taken proper action in respect of every matter and tried to complete the incomplete works. The Respondent CIDCO did following remarkable works.

- (i) The Respondent CIDCO did spend amount of Rs. 445.25 lakhs on account of stipend to 11076 PAPs students.
- (ii) Respondent CIDCO did spend total amount of Rs.9,65,00/- on computer training and other training to be given to PAP students and 290 students taken benefit of scheme.



R/R,HRG - RECOMM.

- (iii) The Respondent did spend huge amount of Rs. 13,25,00,000/- on infrastructure provided to original gaonthan area of project affected village.
- (iv) CIDCO has given loan assistance to 85 PAPs to start small businesses and under this scheme 5,654 PAPs taken benefit.
- (v) CIDCO has given self employment to number of such needy persons.

Thus, according to Respondents, they have already undertaken number of such schemes for the benefit and for the welfare of PAPs. They assured that the incomplete works will be completed as early as possible.

5. In view of this situation the Commission makes following recommendations.

- (A) The incomplete work of allotment of lands under 12.5 % scheme to PAPs of Village Chinchpada - Vadghar within specified area be completed as early as possible.
- (B) The incomplete work of allotment of lands to PAPs whose houses were shifted due to construction of National Highway No.4 be completed at early date and compliance be reported.
- (C) Copy of this order be sent to Respondent Manager (Rehabilitation) CIDCO Navi Mumbai through Secretary State Human Rights Commission, Mumbai for necessary action.

With these observations and recommendations Case No. 3320/2004-05 is disposed of accordingly.



V G Munshi

(Justice V G Munshi)
Member, SHRC