

लोकमत

7-12-2022 Page 2

बेकायदा बांधकामाचे काय?

व सर्दीतील 'आय' प्रमाणामधील एका बेकायदा बांधकामास नोटीस बजावलेली असताना बहुजन विकास आघाडीचे सर्वसर्वा आमदार हितेंद्र ठाकूर यांच्या हस्ते या कामाचे उद्घाटन होणार असल्याचे बोर्ड वसई परिसरात लागले आहेत. हे बांधकाम करताना इमारतीत बेकायदा अंतर्गत बदल केल्याने पालिकेच्या अतिक्रमण विभागाचे ६ ऑक्टोबरला बांधकाम धरकाम नोटीस बजावलेली होती. तत्कालीन सहायक आयुक्तांनी दोन महिन्यांपूर्वी नोटीस बजावल्यानंतरही अजतमायत या बांधकामधारकावर कारवाई करण्याची तसवी अधिकारी कनिष्ठ घेतलेली नाही. त्यामुळे बेकायदा बांधकामधारक व राजकीय पक्ष यांच्या मधुर संबंधांविषयीच्या चर्चा वसई परिसरात रंगल्या आहेत. राजकारण्यांचे आशीर्वाद असतील तर काहीही करता येऊ शकते, अशीच चर्चा नागरिक करीत आहेत.

INWARD	11401/CR/2022
RECEIVED	9/12/2022
By	
REGISTRAR	



MAHARASHTRA STATE HUMAN RIGHTS COMMISSION

9, Hajarimal Somani Marg, Opp. Chhatrapati Shivaji Maharaj Terminus, Mumbai – 400 001

Tel : 22092857 Email:- court1-mshrc@mah.gov.in

KKT/Suo Moto Case No.-4939/13/37/2022

Name of Respondent :1 The Municipal Commissioner
Vasai Virar Municipal Corporation
Vasai

2. The Collector
Palghar

Date : 8th December 2022

Coram : Justice K.K. Tated, Chairperson

PROCEEDING

Not on board. Taken on board.

2. We noticed an article appeared in Marathi Newspaper Lokmat dated 07.12.2022 on Page 2 with title "बेकायदा बांधकामाचे काय?".

3. It is stated in the said news that Corporation already issued notice to the unauthorized construction from I –Ward, but till today failed and neglected to take action.

4. Considering these facts Commission decided to take up this matter as a Suo Moto under Section 12 of the Protection of Human Rights Act, 1993.

5. Hence, following order is passed:

a) Office is directed to issue summons to Municipal Commissioner, Vasai Virar Municipal Corporation, Vasai and Collector, Palghar calling upon him to hold inquiry

and submit the affidavit in reply before this Commission on or before 21.12.2022 on following points:

- i. Description of the property described in article appeared in Marathi Newspaper Lokmat dated 07.12.2022.
- ii. Copies of the sanctioned plan of the said structure.
- iii. Copies of the notice if any issued for removing unauthorized construction.
- iv. Name of the developer builder who constructed the said structure
- v. On what basis the said structure is unauthorized?
- vi. What is the area of the land on which the said structure is constructed?
- vii. What is the permissible area of the construction of the said land and how much exactly is constructed?
- viii. If it is unauthorized why action is not taken till today?

d) Matter to appear on board before Division Bench of Justice K.K. Tated, Chairperson and Shri. M.A. Sayeed, Member in Court No.1 on 21st December 2022 at 11.00 a.m.

Sd/-

**(Justice K. K. Tated)
Chairperson**



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DIVISION BENCH **Suo Motu Case No.– 4939/13/37/2022**

Name of Respondent

: Municipal Commissioner
Vasai Virar Municipal Corporation
Vasai

Collector
Palghar

Date

: 03rd May 2023

Coram

: Justice K.K. Tated, Chairperson
M.A.Sayeed, Member

ORDER

(Per: M. A. Sayeed, Hon'ble Member)

A news article in Marathi local newspaper 'Lokmat', highlighted on the apathy on the part of the Corporation and arrogance on the part of the squatters in removing their illegal structures despite issuance of legal notice to them by the Corporation.

2. Considering the gravity of the news article, suo motu cognizance u/s. 12 of the Protection of Human Rights Act came to be taken by the Commission. Pursuant to our directions dated 24.02.2023, report on affidavit Ex. 'B' dated 11.04.2023 came to be placed on record, affirming in para 1 Clause (a) to (c) as under:

“a. I further say that the Municipal corporation of Vasai Virar has demolished the temporary illegal shade pertaining to premises in question ie. Mehefil Restaurant on 14/03/2023. Hereto marked and annexed is the copy of photos of demolition drive of conducted by Vasai Virar City Municipal Corporation As exhibit – A.

b. I say that as per direction of the Hon’ble Commission a cost of Rs.10000 (rupees ten thousand only has been also paid to the chief minister relief fund on 05/04/2023 Hereto marked and annexed is the copy of receipt As exhibit –B.

c. I further state that the Mehfil Restaurant falling in the jurisdiction of the Municipal corporation of Vasai Virar has is running with a proper license. Which are annexed As exhibit - C”

Pertinent to note that photographs of the site, depicting removal of the illegal construction came to be annexed with the affidavit Ex. ‘B’.

3. Thus, with the issue having come to its logical end due to appropriate legal action by the Corporation, we are of the opinion that the present suo motu deserves to be closed.

Ordered accordingly.

Sd/-

(M.A. Sayeed)
Member

sd/-

(Justice K. K. Tated)
Chairperson