

महाराष्ट्र राज्य मानवी हक्क आयोग



**Maharashtra State Human Rights Commission
(MSHRC)
Mumbai**

Allotted to Court No. : 1/ ~~100~~

DOCKET SHEET

CASE No. ———/———

DOCKET SHEET

SUO MOTU CASE NO: 341/13/20/2023

News item appeared in Marathi News Paper "PUDHARI- MY MUMBAI"

On 9.1.2023, in respect of "सिडको, एमआयडीसीच्या भूखंडावर कब्जा"

SUMMARY

पुढारी my मुंबई

9-1-2023 Page 1

सिडको, एमआयडीसीच्या भूखंडांवर कब्जा व्यावसायिकांनी अनधिकृतपणे थाटली नर्सरी; कारवाई करण्याची मागणी

नवी मुंबई : पुढारी वार्ताहर

सिडको आणि एमआयडीसीच्या कोट्यावधी रुपये किमतीच्या भूखंडांवर, उच्च दाबाच्या विद्युत वाहिन्यांखाली असलेल्या जागेवर कब्जा करून शहरातील वाहतुकीच्या मार्गावरील मोबयाच्या ठिकाणी अनधिकृतपणे नर्सरी थाटण्यात आली आहे. नेहरू, बेलापूर आर्टिस्ट व्हिलेज, सारसोळे गाव, वाशी, कोपरखैरणे, घणसोली, कोपरी, ऐरोली, पटनी रस्ता पागबीच रस्ता आदी वाहतुकीच्या मार्गांवर तसेच औद्योगिक क्षेत्रात नर्सरीसाठी अतिक्रमण करण्यात आले आहे.

या नर्सरी या राजकीय नेत्यांच्या आर्शिवादाने उभारण्यात आल्या असून त्यांचे देखील यामध्ये हात ओले असल्याची चर्चा आहे.

नर्सरीमध्ये आकर्षक फुलाफळांची झाडे, कलमे विक्रीसाठी आहेत. कोणत्याही प्रकारची परवानगी



नवी मुंबई : ऐरोली-पटनी रस्त्यावर अशाप्रकारे अनधिकृतपणे नर्सरी थाटण्यात आली असून अर्धे पदपथदेखील व्यापले आहे. सिडको, एमआयडीसीच्या भूखंडांवर कब्जा करणाऱ्यांवर कारवाई करावी, अशी मागणी नागरिकांमधून होत आहे.

न घेता अनेकांनी व्यवसाय थाटले आहेत. अशा व्यावसायिकांवर कारवाई करण्याची मागणी नागरिकांकडून होत आहे. ज्या सुनियोजित शहरात विविध प्रकारच्या गोदामांसाठी चौ.फुट दराने मासिक भाडे आकारले जाते, मात्र नर्सरी

व्यावसायिकांकडून सिडको, एमआयडीसी किंवा महापालिकेच्या तिजोरीत एकही दमडी न भरता व्यवसाय सुरू आहेत. इतकेच नव्हे तर अनेकांना विद्युत पुरवठाही करण्यात आल्याची माहिती उजेडात आली आहे. वाशी ब्लू डायमंड

सर्कलसमीरील भगत ताराचंद हॉटेललगत नवी मुंबई पालिकेच्यावतीने स्वच्छ अभियानांतर्गत उभारलेल्या कार्यालया एका नर्सरीवाल्याने अक्षरशः विळखा घातला आहे.

खैरणे-कोपरी पेट्रोल पंपानजीक अनेक वर्षांपासून मोकळ्या भूखंडावर अतिक्रमण केले आहे. सिडको, एमआयडीसीकडून कारवाई होत नसल्याचे निर्दशनास येत आहे. याप्रसंगी एमआयडीसीचे कार्यकारी अभियंता आर जी राठोड यांच्याशी संपर्क साधला असता त्यांनी त्यांनी एमआयडीसीच्या जागेवर अतिक्रमण केले असल्यास त्या नर्सरी हटवण्यात येतील. सिडकोच्या जनसंपर्क अधिकारी प्रिया रातबे यांनी देखील सिडकोच्या अतिक्रमण विभागाकडून यासंदर्भात माहिती घेऊन अनधिकृत असल्यास कारवाई करण्यात येईल, असे सांगितले.



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.- 341/13/20/2023

Name of Respondent

1. The Managing Director
City and Industrial Development
Corporation
Navi Mumbai

2. The Chief Executive Officer
Maharashtra Industrial Development
Corporation
Andheri, Mumbai

Date

: 11th January 2023

Coram

: Justice K.K. Tated, Chairperson

PROCEEDING

Not on board. Taken on board.


1. We noticed news appeared in Marathi News Paper Pudhari dated 09.01.2023 on Page 1 with heading "सिडको, एमआयडीसीच्या भुखंडावर कब्जा; व्यावसायिकांनी अनधिकृतपणे थाटली नर्सरी; कारवाई करण्याची मागणी".

2. It is stated in the said news article that at Airoli-Patni Road several unauthorized nursery's started on CIDCO and MIDC land. Market value of these lands are in Crores of Rupees. Inspite of several complaints CIDCO as well as MIDC failed and neglected to take any action and because of that human rights are violated of several persons those who are staying in this locality. On the basis of the contents of the said article, Commission decided to take up suo moto under Section 12 of the Protection of Human Rights Act, 1993.

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3. Hence, following order is passed:

- a) Office is directed to issue summons to the Managing Director, City Industrial Development Corporation, Navi Mumbai and Chief Executive Officer, Maharashtra Industrial Development Corporation, Mumbai calling upon them to file affidavit in consonance with the news appeared in Marathi News paper Pudhari dated 09.01.2023 before this Commission on or before 17.02.2023 stating that within how much time they will take action to protect the Government land.
- b) **Matter to appear on board before Court No.1 on 17th February 2023 at 11.00 a.m.**


(Justice K. K. Tated)
Chairperson



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DIVISION BENCH

Suo Motu Case No.- 341/13/20/2023

Name of Respondent

: Managing Director
CIDCO, Navi Mumbai

Chief Executive Officer
MIDC, Mumbai

Date

: 04th May 2023

Coram

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

ORDER

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

Marathi local newspaper 'Pudhar' of 09.01.2023 reported about rampant encroachment on part and parcel of the CIDCO land mostly by the nursery owners, and apathy on the part of the CIDCO to initiate action against the squatters.

2. Suo motu action u/s. 12 of the Protection of Human Rights Act came to be initiated vide order 11.01.2023 and reports on affidavits vide Ex. 'A' to Ex. 'C' came to be submitted. Infact consequent to our direction dated 18.04.2023, detail affidavit at Ex. 'D' came to be submitted affirming in para 1 & 6 as under:

"1. I repeat and reiterate what is stated by me in my earlier affidavit and while reiterating the same, I say

that the present issue concerns the mushrooming of illegal nurseries on CIDCO lands. I say that CIDCO is faced with the problem of encroachment of its lands and pursuant to and in compliance of the directions issued by the Hon'ble High Court in PIL 80/2013, Rajeev Mohan Mishra, CIDCO is carrying out regular survey of lands and are also demolishing the unauthorized structures and filling periodical reports in the High Court.

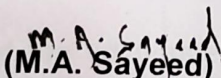
6. I further say that CIDCO has an online complaint and grievance system in place and whenever a complaint is received, the same is forwarded to the survey team for survey and verification and based on the said report the demolition/clearance of the nursery will be carried out on an expeditious basis. The said a brief note about how the said online complaint works is mentioned herein below:

- a. Go to [www.cidco.maharashtra.gov.in / grievance_geportal](http://www.cidco.maharashtra.gov.in/grievance_geportal)
- b. Click on New Registration (if new)
- c. Create user ID & Password
- d. Submit complaint on line along with all details.
- e. The concern department takes note of Complaint and act upon them
- f. Reply to the complaint and action taken is duly informed to the Complainant."

3. Thus with the appropriate action taken by the CIDCO in resolving the ticklish issue and formulating a permanent action plan in future to avoid reoccurrence of such instances by unscrupulous elements, we don't think any further intervention is warranted. Hence following order:

"ORDER"

- a) The present suo motu stands closed and disposed off with no order as to cost.


(M.A. Sayeed)
Member


(Justice K. K. Tated)
Chairperson

MSR