ARTICLE

LAND ACQUISITION AND HUMAN RIGHTS PROCEDURAL FAIRNESS, COMMUNITY PARTICIPATION, LIVELIHOOD AND ACCESS TO JUSTICE: A SOCIO-LEGAL CASE STUDY OF LAND ACQUISITION AT MOUZA KONSARI, TAHSIL CHAMORSHI, DISTRICT GADCHIROLI, MAHARASHTRA

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Abstract

Land acquisition is ordinarily analysed through the acquiring authority's legal power, public purpose, compensation and statutory procedure. This approach is necessary but incomplete where agricultural land simultaneously constitutes property, livelihood, food security, shelter and community identity. This paper examines the land-acquisition controversy at Mouza Konsari, Tahsil Chamorshi, District Gadchiroli, through a combined framework of legality and procedural fairness, meaningful community participation, protection of livelihood and dignity, and effective access to remedies. The study adopts a doctrinal and socio-legal single-case-study methodology. It analyses the Constitution of India, the Maharashtra Industrial Development Act, 1961, the 2013 land-acquisition framework, PESA and the Forest Rights Act where legally relevant, together with leading Supreme Court jurisprudence on access to justice, livelihood, property, tribal participation and public-interest jurisdiction. The documentary case study examines the available case record and Annexures A–U, including the Phase-II industrial-expansion proposal, acquisition notifications and orders, Gram Sabha material, objections, possession-related records, revenue entries and visual evidence. The record identifies approximately 28 affected farmers from Scheduled Tribe, Scheduled Caste and Other Backward Class communities. Around 10 are reported to have approached the High Court separately, while others are reported to have faced financial, geographical, informational and legal-assistance barriers. These figures are treated as descriptive and indicative rather than statistically representative. The principal finding is that formal legal protection does not necessarily produce substantive protection. The Konsari record raises interconnected questions concerning implementation of statutory safeguards, the authenticity and reliability of community-participation records, livelihood and shelter impacts, and the practical ability of affected persons to obtain timely remedies before irreversible harm. The paper concludes that rights-compatible industrial development requires legality, meaningful participation, transparent records, livelihood-sensitive safeguards, accessible legal aid and timely effective remedies.

Keywords – Land acquisition; Human rights; Procedural fairness; Gram Sabha; Access to justice.

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I. INTRODUCTION

Land is not merely an economic asset. For agrarian households it can simultaneously function as productive capital, food security, employment, shelter and inter-generational security. For tribal and rural communities, land may also be connected with community institutions, social identity and local systems of participation. Compulsory acquisition therefore changes more than the ownership of a parcel: it can alter the material conditions under which constitutional rights are exercised.

The constitutional architecture provides several points of entry. Article 14 restrains arbitrary state action and requires equal protection of the laws. Article 21 has been interpreted substantively, including the protection of livelihood and the conditions necessary for a dignified life. Article 39A directs the State to ensure that opportunities for securing justice are not denied because of economic or other disabilities. Article 300-A requires that deprivation of property occur only by authority of law. The Supreme Court has further recognised access to justice as a component of the constitutional protection of life and liberty. [1]

The decision in Anita Kushwaha v Pushap Sudan is especially important because the Constitution Bench treated access to justice as part of Article 21 and identified four dimensions: an effective adjudicatory mechanism, reasonable accessibility in terms of distance, speedy adjudication and affordability. [2] The formulation is particularly useful in rural land disputes because the formal existence of Article 226 jurisdiction does not answer whether an affected farmer can understand the remedy, obtain documents, pay the costs of pursuing it, travel to the forum and secure protection before possession changes the factual situation.

Mouza Konsari provides a valuable case study because the available record combines statutory documents, village-level records, representations, acquisition notices, a preliminary affected-person survey and visual evidence. The case record describes an earlier industrial acquisition phase beginning around 2018 and a subsequent expansion process beginning with a company proposal dated 9 November 2022. It records a purported Gram Sabha resolution dated 4 March 2023 indicating no objection, later Gram Sabha opposition, a Gazette notification dated 11 October 2024 under section 32(1) of the MIDC Act, objections before the Sub-Divisional Officer, a Collector-directed inquiry, later acquisition orders and possession-related material. [Case-study source: affected-farmer survey and possession-related annexures.]

[1] INDIA CONST. arts. 14, 21, 39A, 300A.
[2] *Anita Kushwaha v. Pushap Sudan*, (2016) 8 SCC 509.

The research therefore does not assume that the acquisition is unlawful. It asks a more rigorous question: whether the process, when examined against applicable law and human-rights principles, demonstrates meaningful procedural protection, participation, livelihood protection and effective access to remedies. This distinction is essential because the case contains contested assertions concerning the authenticity of a Gram Sabha document, alleged pressure, the involvement of private personnel in possession-related activity, and proceedings concerning a deceased landholder.

The paper's central proposition is consequently broader than "access to court". The principal research problem is the possible gap between formal legal protection and substantive protection. A landholder may have a statutory objection procedure but not receive the material necessary to use it; a community may technically have a participatory institution but face uncertainty over the authenticity of the record; a family may be entitled to compensation but still lose a crop or dwelling before meaningful review; and a court remedy may formally exist while remaining practically inaccessible.

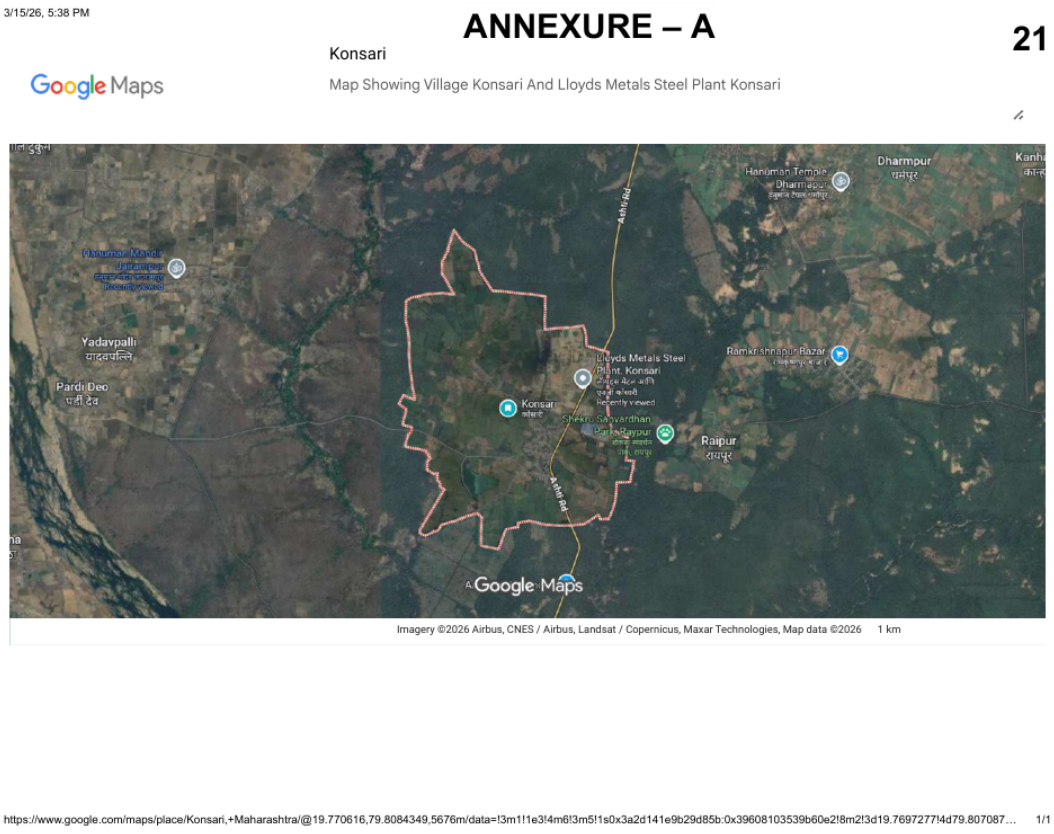

Figure 1. Study location: Mouza Konsari and the Lloyds Metals steel plant, reproduced from Annexure A of the case-study documentary record. The source image is contextual and is not treated as an independently verified cadastral survey. [Case-study source: case-study documentary record and Annexures A–U.]

II. RESEARCH PROBLEM, GAP AND SIGNIFICANCE

The conventional land-acquisition question is usually framed as: Did the State possess the statutory power to acquire, was the purpose lawful, was compensation determined correctly, and were mandatory procedures followed? These remain indispensable questions. The present study adds a socio-legal layer: what happens when the legal process exists on paper but the affected person lacks the practical capacity to participate in it or challenge it?

Three gaps are addressed. First is the implementation gap: a statute can provide notice and hearing, but the empirical question is whether those safeguards are intelligible, timely and actually used. Second is the participation gap: a Gram Sabha resolution is not merely a document; its legitimacy depends on notice, attendance, deliberation, record integrity and meaningful consideration. Third is the remedy gap: multiple legal forums do not necessarily equal effective access when the affected population faces distance, cost, documentation problems or uncertainty about the correct legal route.

The significance of the Konsari study is therefore not that it proves a universal pattern. It is a single-site case study designed to show how land-acquisition law, constitutional rights and access-to-justice theory interact in a concrete dispute. The preliminary survey is used to identify practical barriers, while the documentary record is used to test the legal and procedural dimensions.

A further contribution is evidentiary discipline. Research on an active controversy is vulnerable to advocacy bias. The study therefore separates law, documentary facts, field observations and allegations. This allows the paper to make strong analytical claims without converting disputed assertions into judicial conclusions.

III. RESEARCH QUESTIONS, OBJECTIVES AND HYPOTHESIS

Central Research Question

To what extent does the land-acquisition process documented at Mouza Konsari comply with the requirements of legality, procedural fairness, meaningful community participation, protection of livelihood and dignity, and effective access to administrative and judicial remedies for affected persons?

Specific Research Questions

1. RQ1. What constitutional and statutory standards govern the acquisition process at Konsari, particularly under Articles 14, 21, 39A and 300-A and Chapter VI of the Maharashtra Industrial Development Act, 1961?

2. RQ2. What does the documentary record reveal about notice, objections, hearing, compensation, acquisition orders, possession and mutation, and what procedural questions arise from their sequence?
3. RQ3. What is the legal significance of Gram Sabha participation, including the disputed 4 March 2023 record and the later resolutions opposing further acquisition, and what evidentiary steps are necessary to determine participatory legitimacy?
4. RQ4. How does acquisition affect livelihood, standing crops, shelter, dignity, food security and property interests, and is monetary compensation by itself an adequate rights-protection response?
5. RQ5. What does the preliminary affected-farmer survey indicate about practical barriers to administrative and judicial remedies, including cost, distance, legal assistance, information and procedural uncertainty?
6. RQ6. How should public-interest and epistolary jurisdiction operate where a community-wide rights concern exists but not every affected person can independently approach a constitutional court?
7. RQ7. What institutional reforms can make industrial land acquisition more transparent, participatory, rights-compatible and accessible without treating development and human rights as mutually exclusive?

Research question	Primary evidence	Method of analysis	Expected contribution
RQ1	Constitution; MIDC Act; 2013 Act; case law	Doctrinal analysis	Identify governing standards and limits of acquisition power.
RQ2	Gazette; notices; objections; orders; mutation; possession records	Chronology + procedural audit	Identify implementation questions without prejudging legality.
RQ3	Gram Sabha records; Gram Panchayat communication; later resolutions	Documentary comparison + participatory theory	Assess authenticity, reliability and meaningful participation.
RQ4	Crop/dwelling photographs; survey; acquisition record	Human-rights impact analysis	Connect property deprivation with livelihood and dignity.
RQ5	Affected-farmer survey and representations	Descriptive socio-legal analysis	Identify substantive access-to-justice barriers.
RQ6	Representation; constitutional jurisprudence	Doctrinal + institutional analysis	Define the role and limits of broader judicial access.
RQ7	Findings across RQ1–RQ6	Policy synthesis	Develop an integrated reform model.

Objectives

The present study seeks to examine land acquisition as a multidimensional issue involving legality, human rights, community participation and access to justice. It aims to analyse the constitutional significance of Articles 14, 21, 39A and 300-A of the Constitution of India in the context of land acquisition affecting vulnerable agrarian communities. The study further seeks to examine the procedural framework prescribed under Chapter VI of the Maharashtra Industrial Development Act, 1961, particularly with regard to notice, hearing, acquisition, compensation and possession. It also aims to analyse the documentary controversy surrounding Gram Sabha participation while maintaining neutrality regarding the authenticity or invalidity of any disputed document.

Additionally, the study seeks to assess the human-rights consequences of land acquisition in relation to livelihood, shelter, dignity, food security and property. It intends to utilise the preliminary survey as descriptive evidence to identify practical barriers to access to justice, without treating the findings as statistically representative of the wider population. Another important objective is to maintain a clear distinction between established legal principles, documentary facts, allegations and matters requiring independent verification or adjudication. Finally, the study aims to formulate institutional reforms that can facilitate lawful industrial development while minimising avoidable social harm, protecting the interests of affected communities and reducing unnecessary litigation.

Hypothesis

The study hypothesises that formal statutory safeguards and constitutional remedies do not automatically produce substantive protection for vulnerable landholders. Where acquisition is procedurally complex, geographically remote, document-intensive and costly, and where the affected persons have unequal access to legal assistance, the practical effectiveness of legal rights may be substantially weaker than their formal availability. A rights-compatible acquisition system therefore requires not only lawful authority and compensation, but meaningful information, participation, grievance redress, legal assistance and timely protection against irreversible harm.

IV. METHODOLOGY, EVIDENCE CLASSIFICATION AND LIMITATIONS

This study adopts a doctrinal and socio-legal single-case-study design. The case is bounded geographically by Mouza Konsari, Tahsil Chamorshi, District Gadchiroli, and temporally by the documented Phase-II expansion process from the 2022 proposal through the 2026 case-study record, while the earlier Phase-I history is used as contextual background.

Doctrinal legal research

The doctrinal component examines the Constitution of India, the Maharashtra Industrial Development Act, 1961, the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, PESA, the Forest Rights Act where relevant, the Legal Services Authorities Act, 1987, and Supreme Court jurisprudence on access to justice, livelihood, property, tribal participation and public-interest jurisdiction. The MIDC Act is treated as the primary acquisition statute reflected in the case record.

Documentary case study

The principal primary source is the case-study documentary record dated 17 March 2026 and its Annexures A–U. The annexure index identifies: the location map; pollution-related representation; industrial acquisition proposal; Collector communication; disputed Gram Sabha material; notarised translation and notarial register; liaison-officer statement; later Gram Sabha resolutions; Gazette notification; objections; acquisition notices; records of non-execution of agreements; Collector inquiry; newspaper and representation material; acquisition orders; records concerning a deceased landholder; affected-farmer list; possession notice; photographs of standing crops and dwellings; photographs concerning company personnel and machinery; and 7/12 extracts with mutation entries. [Case-study source: case-study documentary record and Annexures A–U.]

Preliminary field survey

The case record reports approximately 28 affected farmers from ST, SC and OBC communities. Around 10 are reported to have approached the High Court separately; several others are reported to have been unable to approach because of financial constraints, remoteness, limited legal assistance and apprehension. The sample is purposive and documentary in origin. It is not random and cannot support population-level statistical conclusions. The approximately 10/28 figure is therefore used only descriptively and should not be treated as a precise statistical estimate.

Evidence-status classification

Category	Meaning	Examples in this study	How presented
A — Established law	Constitutional provisions, statutes and judicial holdings.	Article 300-A; section 32 MIDC Act; Anita Kushwaha.	As legal propositions.

Category	Meaning	Examples in this study	How presented
B — Documentary record	Events or statements recorded in official documents or annexures.	11 Oct 2024 Gazette; 11 Nov 2025 Gram Panchayat communication; 4 Feb 2026 orders.	As documentary facts, subject to ordinary verification.
C — Preliminary field evidence	Survey reports and observations recorded by the researcher.	Approx. 28 affected persons; reported barriers to litigation.	As descriptive/qualitative evidence.
D — Allegation/disputed matter	Claims whose truth or legal effect is not independently established.	Coercion; authenticity of 4 Mar 2023 Gram Sabha record; private participation; deceased-landholder proceedings.	As allegations or questions requiring verification/adjudication.

This four-level classification is a core methodological safeguard. It prevents the research from collapsing the distinction between "a document says X" and "X has been judicially proved."

Limitations

The present study is limited to a single-site case study of Mouza Konsari and, therefore, cannot establish that all land-acquisition disputes across India exhibit similar characteristics or circumstances. The preliminary survey conducted for the study is purposive in nature and involves a relatively small number of respondents. Accordingly, the figure of approximately 28 affected persons is treated as indicative rather than exhaustive and cannot be relied upon to draw statistically representative conclusions about the wider population.

Further, the researcher has not independently audited every page of the complete official land-acquisition file or examined every proceeding arising from the dispute before the relevant courts. The precise village-level status of Mouza Konsari under the Fifth Schedule of the Constitution and the Panchayats (Extension to the Scheduled Areas) Act, 1996 (PESA) has also not been conclusively established from the materials available for this study. Consequently, the applicability of PESA is examined conditionally, subject to verification of the relevant legal and administrative records.

Certain allegations concerning alleged pressure on affected persons, the participation of private personnel in possession-related activities, the authenticity of community records and the legal effect of proceedings concerning a deceased landholder remain contested and have not been independently adjudicated for the purposes of this research. The study, therefore, refrains from treating such allegations as established facts. Similarly, the photographs and other visual materials reproduced in the

paper constitute documentary exhibits forming part of the available case record. They demonstrate what is depicted or recorded in the respective materials but cannot, by themselves, establish the legality or illegality of any action or determine the legal liability of any individual, company or public authority.

V. LITERATURE REVIEW AND CONCEPTUAL FRAMEWORK

The modern access-to-justice literature, particularly the work of Mauro Cappelletti and Bryant Garth, treats access not simply as entry to a courtroom but as the practical ability of persons to make legal rights effective. [3] Indian constitutional law developed a parallel approach through legal aid, speedy adjudication, livelihood jurisprudence and the recognition of access to justice as a constitutional value.

The Konsari case demonstrates why the access-to-justice concept should begin before litigation. A farmer cannot effectively object to a notification without understandable information; cannot challenge a decision without documents; cannot seek urgent relief without knowing the appropriate forum; and cannot sustain litigation without some combination of legal assistance, affordability and physical access. The research therefore adapts the four-part Anita Kushwaha test into a broader operational chain.

The four-pillar framework

1. LEGALITY **Power • Notice • Objection • Hearing • Compensation • Possession**	**2. PARTICIPATION** **Information • Gram Sabha • Record integrity • Consideration**	**3. HUMAN IMPACT** **Livelihood • Shelter • Dignity • Food security • Property**	**4. ACCESS TO JUSTICE** **Information • Affordability • Distance • Legal aid • Speed**	**→ EFFECTIVE REMEDY** **Administrative review • Interim protection • Judicial review**
↓	↓	↓	↓	↓
QUESTION: Was power exercised according to law?	QUESTION: Was participation authentic, informed and meaningful?	QUESTION: What does acquisition do to the conditions of life?	QUESTION: Can the affected person actually invoke the system?	QUESTION: Does the remedy arrive before irreversible harm?

Figure 2. Four-pillar human-rights and access-to-justice framework developed for the Konsari case study.

The framework is intentionally cumulative. The existence of lawful acquisition power does not eliminate the need for participation; participation does not by itself answer the livelihood consequences; and a favourable legal right does not guarantee an effective remedy. The study

[3] Mauro Cappelletti & Bryant Garth, Access to Justice: The Newest Wave in the Worldwide Movement to Make Rights Effective, 27 Buff. L. Rev. 181 (1978).

therefore treats access to justice as a condition of substantive rights rather than as a separate postscript.

Development and rights are not mutually exclusive

The study does not adopt an anti-development position. Industrialisation may generate employment, infrastructure and regional economic activity. The normative question is distributional: whether the costs of development are imposed disproportionately on people with less bargaining power and whether the acquisition process provides adequate safeguards. The 2013 land-acquisition framework itself uses the language of a humane, participative, informed and transparent process and aims at affected persons becoming partners in development. [4]

A rights-compatible development model therefore asks not "industry or farmers?" but "what institutional design allows lawful development while reducing arbitrary deprivation, information asymmetry and avoidable humanitarian harm?"

VI. CONSTITUTIONAL AND STATUTORY LEGAL FRAMEWORK

Article 14: equality and non-arbitrariness

Article 14 is relevant both to the acquisition process and to access to remedies. A procedure may be formally available to all while producing unequal practical effects when one group has ready access to documents, counsel and urban institutions and another group does not. The constitutional concern is therefore not that every person must obtain identical outcomes, but that state action must be non-arbitrary, procedurally fair and capable of justification. The broader constitutional principle that procedure affecting rights must be fair, just and reasonable also informs the analysis. [5]

Article 21: livelihood, dignity and shelter

In Olga Tellis v Bombay Municipal Corporation, the Supreme Court recognised livelihood as an important component of Article 21. [6] This does not create an absolute immunity from compulsory acquisition. It does, however, make the consequences of acquisition for the means of subsistence constitutionally relevant. Where agricultural land is also the site of a dwelling, the analysis becomes more acute because livelihood and shelter may be affected simultaneously.

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[4] Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, No. 30 of 2013 (India).

[5] *Maneka Gandhi v. Union of India*, (1978) 1 SCC 248.

[6] *Olga Tellis v. Bombay Municipal Corp.*, (1985) 3 SCC 545.

Article 39A and legal aid

Article 39A expresses the constitutional commitment that economic or other disability should not deny opportunities for securing justice. The Legal Services Authorities Act, 1987 gives institutional form to this principle. In rural acquisition disputes, legal aid should be understood as an infrastructure of participation: it can help people read notices, identify documents, formulate objections and understand the available forums before a dispute becomes irreversible. The Supreme Court has also treated legal aid as integral to fair procedure where an affected person cannot effectively secure legal representation; Khatri (II) v State of Bihar and Suk Das v Union Territory of Arunachal Pradesh are useful authorities for this principle. [78]

Article 300-A: property and authority of law

Article 300-A provides that no person shall be deprived of property save by authority of law. In Tukaram Kana Joshi v Maharashtra Industrial Development Corporation, the Supreme Court emphasised the constitutional significance of lawful deprivation of property. [9] The principle does not make compulsory acquisition impossible; it requires the deprivation to be traceable to legal authority and lawful procedure. The Court has subsequently reiterated that the State cannot take private property without legal authority and due process, reinforcing the constitutional status of property even after its removal from the list of fundamental rights. [10]

The MIDC Act, 1961: acquisition architecture

The Maharashtra Industrial Development Act, 1961 contains a dedicated acquisition chapter. Section 32(1) empowers the State Government to acquire land for development by the Corporation or other purposes in furtherance of the Act through publication in the Official Gazette. Section 32(2), however, requires a prior notice calling upon the owner and interested persons to show cause why the land should not be acquired, and the provision incorporates a public-notice mechanism. Section 32(3) requires consideration of the cause shown and an opportunity of hearing before orders are made. The official India Code text confirms this statutory sequence. [11]

This statutory sequence is crucial to the Konsari research. The central academic question is not whether section 32 exists; it is whether the documentary record can demonstrate that the required

[7] *Khatri (II) v. State of Bihar*, (1981) 1 SCC 627.
[8] *Suk Das v. Union Territory of Arunachal Pradesh*, (1986) 2 SCC 401.
[9] *Tukaram Kana Joshi v. Maharashtra Industrial Development Corp.*, (2013) 1 SCC 353.
[10] *Vidya Devi v. State of Himachal Pradesh*, (2020) 2 SCC 569.
[11] Maharashtra Industrial Development Act, No. 3 of 1962, §§ 31–36, especially § 32 (India).

stages were meaningfully completed in the relevant cases. The case record reports objections, notices, a Gazette notification, later orders and possession-related activity. These materials should therefore be read chronologically rather than as isolated documents.

Section 32 also contains a Scheduled Area consultation proviso. If the land in question falls within a notified Scheduled Area, the statutory consultation requirements become directly relevant. Because the present research materials do not conclusively establish the village-level Scheduled Area status of Mouza Konsari, the paper does not treat PESA status as a factual premise. Instead, it identifies village-level verification as a necessary legal step. [12]

Compensation under the MIDC Act

Sections 33 and 36 of the MIDC Act govern compensation and its payment/deposit mechanisms. The research must distinguish three propositions: non-acceptance of compensation does not by itself invalidate a statutory acquisition; compensation payment does not automatically cure an independent procedural defect; and the adequacy of compensation is analytically distinct from the broader human-rights consequences of losing land that functions as livelihood and shelter.

The 2013 land-acquisition framework

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 expressly adopts a humane, participative, informed and transparent orientation and provides for consultation with local self-government institutions and Gram Sabhas.[13] It contains provisions concerning Social Impact Assessment, hearing of objections, rehabilitation and resettlement, and special provisions for Scheduled Castes and Scheduled Tribes. [14]

The present record, however, identifies the acquisition as proceeding under the MIDC Act. The paper therefore does not assume that every provision of the 2013 Act independently governs the Konsari acquisition. Instead, the 2013 framework is used in three limited ways: where legally incorporated or otherwise applicable; as a comparative benchmark for contemporary acquisition policy; and as evidence of legislative policy favouring participatory and humane acquisition.

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[13] Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, No. 30 of 2013, §§ 4–15, 31, 38–42 (India).
[14] Id. § 41.

PESA and Scheduled Areas

PESA becomes important if the particular land is within a notified Scheduled Area. The Supreme Court's decision in Orissa Mining Corporation Ltd v Ministry of Environment & Forests demonstrates the constitutional significance of Gram Sabha participation in decisions affecting tribal community interests. [15] The lesson for Konsari is not that every Gram Sabha resolution automatically vetoes acquisition. It is that where the law assigns a participatory role, the integrity of the process and record is itself legally significant.

Forest Rights Act

The Forest Rights Act, 2006 becomes relevant where recognised individual or community forest rights are affected. The present case record principally concerns agricultural revenue land. The Act is therefore treated as contextual unless the affected survey numbers are shown to contain recognised forest rights or community forest resources.

Access to justice as a constitutional right

Anita Kushwaha establishes that access to justice falls within Article 21 and is connected with Article 14.[16] The present study operationalises the doctrine through six questions: Is the forum available? Is it geographically reachable? Is the process affordable? Is it timely? Is the information usable? Can the remedy prevent or mitigate irreversible harm? The last two are case-study extensions rather than replacements for the Supreme Court's formulation.

VII. KONSARI CASE STUDY AND DOCUMENTARY CHRONOLOGY

The documentary history matters because land acquisition is a sequence. A later order cannot be fully understood without asking what information, objections and community processes preceded it. The following chronology is reconstructed from the case record; disputed events are identified as such.

Date	Documented event	Research significance
2018	Phase-I industrial acquisition commenced; several farmers are recorded as having cooperated with authorities and handed over possession.	Context only; later Phase-II acquisition must be assessed independently.

[15] *Orissa Mining Corp. Ltd. v. Ministry of Environment & Forests*, (2013) 6 SCC 476.

Date	Documented event	Research significance
09.11.2022	Company proposal to MIDC for acquisition of approximately 295.66 hectares for expansion.	Primary documentary event.
25.11.2022	District Collector's office forwarded the proposal to MIDC.	Primary documentary event.
04.03.2023	Purported Gram Sabha resolution relied upon as showing no objection.	Contested; later village record raises authenticity question.
05.12.2023	Gram Sabha reportedly opposed further acquisition; attendance records are said to show extensive participation.	Documentary record; legal effect separate from existence.
13.09.2024	Gram Sabha reportedly recorded unanimous opposition and rejected NOC.	Documentary record.
11.10.2024	Gazette notification under section 32(1) concerning approximately 441.7822 hectares.	Primary documentary event.
04.12.2024	Affected farmers submitted representations before the SDO alleging procedural irregularity and inadequate hearing.	Documentary grievance.
2025	Multiple notices; several landholders reportedly did not execute agreements.	Documentary record; non-consent does not itself decide statutory validity.
11.11.2025	Gram Panchayat communication reported absence of corresponding record for the 4 March 2023 Gram Sabha.	Key documentary conflict.
17.12.2025	Liaison-officer statement raised questions about the provenance/authenticity of documents.	Requires verification; not proof of fabrication.
19.12.2025	Possession-related steps reported in certain cases; standing-crop damage alleged/reported.	Documentary and photographic material; legal effect requires scrutiny.
23.12.2025	District Collector directed an inquiry into farmers' complaints.	Primary documentary event.
04.02.2026	Orders under the MIDC Act concerning non-consenting landholders, including compensation and possession-related directions.	Primary documentary event.
17.03.2026	Case-study documentary record concerning Mouza Konsari.	Primary documentary event.

Figure 3. Documentary chronology reconstructed from the case-study documentary record and Annexures A–U. [Case-study source: case-study documentary record and Annexures A–U.]

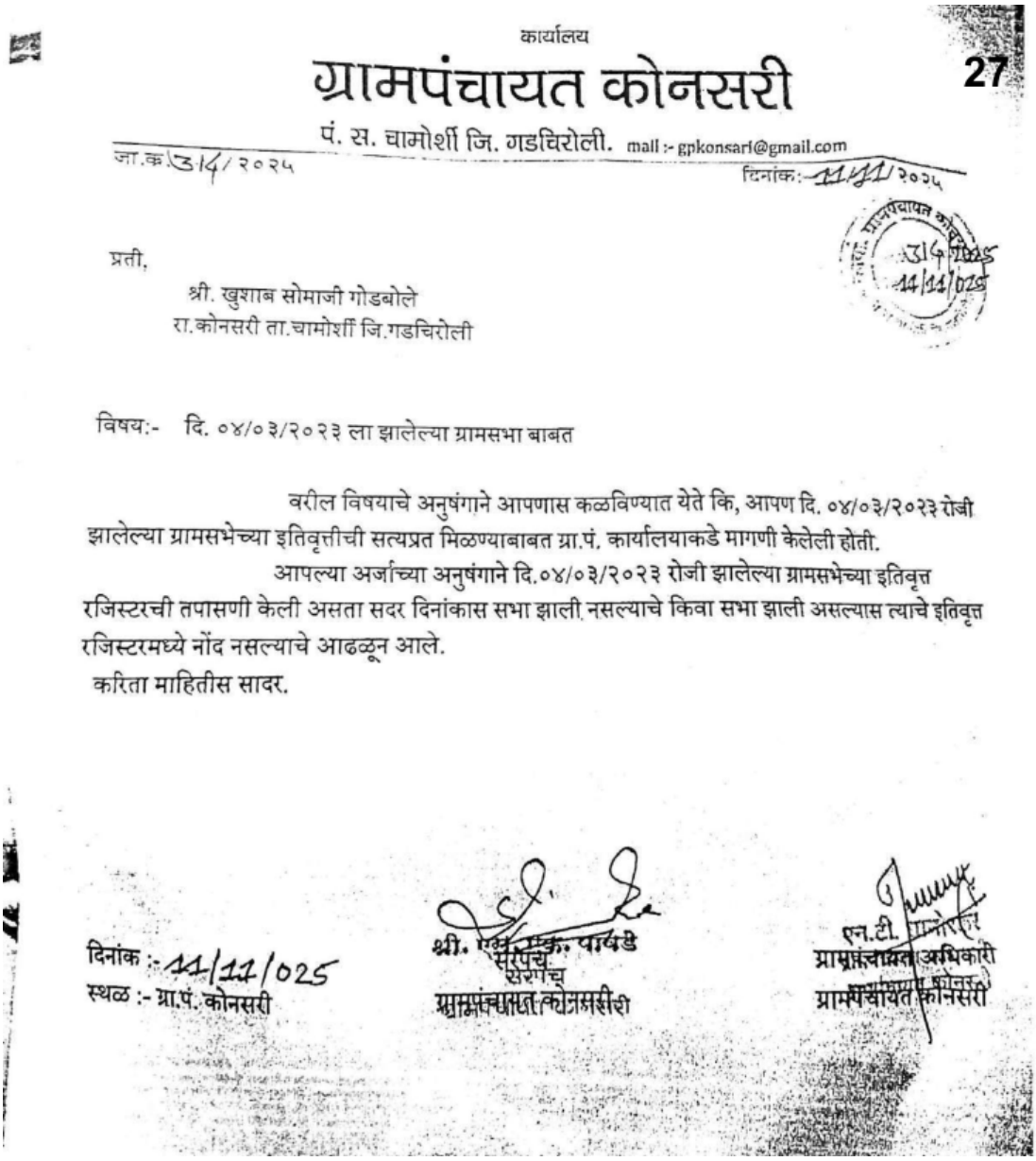
VIII. PARTICIPATION, GRAM SABHA AND DOCUMENTARY LEGITIMACY

The Gram Sabha question is one of the most important parts of the Konsari case study because it demonstrates that participation is not satisfied merely by producing a document bearing the name of a village institution. The legal and human-rights inquiry must examine whether the meeting occurred, whether proper notice and agenda existed, who attended, what was deliberated, how the minutes were recorded, and whether the resulting decision was considered before irreversible steps were taken.

The disputed 4 March 2023 record

The case record states that a purported Gram Sabha resolution dated 4 March 2023 was relied upon to show no objection. It further contains a Gram Panchayat communication dated 11 November 2025 stating that no corresponding entry or proceedings were found in village records. The record also refers to a subsequently notarised English translation and to a liaison officer's statement that he acted on instructions and lacked independent knowledge concerning authenticity. [Case-study source: case-study documentary record and Annexures A–U.]

These materials do not, by themselves, establish fabrication. They establish a documentary controversy. For a participatory institution, that controversy is legally significant because the reliability of the decision-making record determines whether the participation can be trusted. A proper verification protocol should therefore examine the original register, notice, agenda, attendance sheet, minutes, signatures or thumb impressions, official seals, date sequence, custody of records and the relationship between the original-language record and any translation.



कार्यालय

ग्रामपंचायत कोनसरी

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पं. स. चामोर्शी जि. गडचिरोली. mail :- gpkonsari@gmail.com

जा.क.314/२०२५ दिनांक: 11/11/२०२५

प्रती,

श्री. खुशाब सोमाजी गोडबोले
रा.कोनसरी ता.चामोर्शी जि.गडचिरोली

विषय:- दि. ०४/०३/२०२३ ला झालेल्या ग्रामसभा बाबत

वरील विषयाचे अनुषंगाने आपणास कळविण्यात येते कि, आपण दि. ०४/०३/२०२३ रोजी झालेल्या ग्रामसभेच्या इतिवृत्तीची सत्यप्रत मिळण्याबाबत ग्रा.पं. कार्यालयाकडे मागणी केलेली होती.

आपल्या अर्जाच्या अनुषंगाने दि.०४/०३/२०२३ रोजी झालेल्या ग्रामसभेच्या इतिवृत्त रजिस्टरची तपासणी केली असता सदर दिनांकास सभा झाली नसल्याचे किवा सभा झाली असल्यास त्याचे इतिवृत्त रजिस्टरमध्ये नोंद नसल्याचे आढळून आले.

करिता माहितीस सादर.

दिनांक :- 11/11/025
स्थळ :- ग्रा.पं. कोनसरी

सरपंच
ग्रामपंचायत कोनसरी

एन.टी.
ग्रामपंचायत अधिकारी
ग्रामपंचायत कोनसरी

Figure 6. Reproduced documentary excerpt from Annexure E: Gram Panchayat communication dated 11 November 2025 concerning the absence of a corresponding record for the 4 March 2023 Gram Sabha. The image is reproduced as documentary material; the research does not independently adjudicate authenticity or legal effect. [Case-study source: case-study documentary record and Annexures A–U.]

Later community opposition

The record subsequently identifies a Gram Sabha resolution dated 5 December 2023 opposing further acquisition and another dated 13 September 2024 recording unanimous opposition and rejection of an NOC. The legal effect of these resolutions is a separate question from their existence. Their research significance lies in demonstrating that the community's position was not static and that the participatory history cannot be reduced to the earlier disputed document.

Participation as a human-rights value

Meaningful participation has at least four elements: information, opportunity, comprehension and consideration. Information means that affected persons know what land is proposed to be acquired, for what purpose and under what legal authority. Opportunity means that they have a genuine chance to respond. Comprehension means that the process is intelligible in language and form. Consideration means that objections and community concerns are actually addressed rather than merely received.

This framework is particularly relevant where the affected population includes persons with limited legal literacy. Participation that is technically available but practically unintelligible risks becoming procedural symbolism rather than substantive participation.

IX. ACQUISITION PROCEDURE, OBJECTIONS, COMPENSATION AND POSSESSION

The statutory architecture of section 32 of the MIDC Act makes sequence central. The State Government's power to acquire is accompanied by a prior show-cause process and an opportunity of hearing. [17] The research therefore asks whether the documentary sequence at Konsari demonstrates a meaningful opportunity to object before the acquisition decision was finalised and whether subsequent possession-related actions followed the statutory pathway. The Supreme Court's land-acquisition jurisprudence also stresses that acquisition powers must be exercised through the statutory conditions governing the particular acquisition. [18]

Proposal and scale

The record identifies a company proposal dated 9 November 2022 for approximately 295.66 hectares. It later identifies a Gazette notification dated 11 October 2024 concerning approximately 441.7822 hectares. The difference in stated area is analytically important. It should not be assumed to represent an error or illegality; rather, the official acquisition file should explain the relationship between the initial proposal and the notified area, including any modifications, additional survey numbers or subsequent approvals.

[18] *Raghbir Singh Sehrawat v. State of Haryana*, (2012) 1 SCC 792.

Objections and hearing

The case record states that affected farmers submitted representations on 4 December 2024 alleging inadequate hearing and procedural irregularities. Some notices reportedly refer to rejection of objections and compensation determination. The research question is therefore not whether objections existed—they clearly appear in the documentary record—but whether the legal process shows that each affected person was given the legally required opportunity and whether the reasons for decision were communicated with sufficient clarity.

Compensation and non-execution of agreements

The record identifies a substantial number of landholders who reportedly did not execute agreements. That fact demonstrates continued resistance but does not itself establish absence of statutory authority. Compulsory acquisition by definition may proceed without voluntary sale where statutory conditions are met. The research significance of non-execution lies instead in the need to distinguish compulsory acquisition from voluntary consent and to ensure that compensation, rehabilitation and possession rules are applied independently of claims of "consent".

Deceased landholder issue

The case record identifies the death of Nalagabai Maroti Kawale on 21 November 2025 and later acquisition-related proceedings dated 4 February 2026 that were reportedly continued in her name. This raises a procedural question concerning notice, substitution, identification of interested persons and the legal effect of orders made with knowledge of a death. The research does not declare those proceedings void; it identifies the issue as one requiring examination of the official file and applicable succession/substitution rules.

Mutation and possession

The record refers to mutation entries in favour of MIDC followed by possession-related activity. Mutation is not itself the source of acquisition power; it is a revenue-record consequence or administrative entry whose legal effect must be understood in context. The sequence nevertheless matters because rapid changes in revenue records and physical possession can alter the practical position of a landholder before judicial review becomes effective.

Private personnel and machinery

Annexure T contains photographs showing company personnel and machinery in the vicinity of possession-related activity. The photographs establish only what is visually depicted. They do not

independently prove that private persons exercised statutory coercive powers. The legal question is narrower and more precise: whether possession was taken by or under the authority of competent public officials in the manner required by law, and what role, if any, private project personnel played.

X. LIVELIHOOD, DIGNITY, SHELTER AND PROPERTY

A narrow property analysis asks how much compensation is payable. A human-rights analysis asks what the land means to the affected family. This distinction is particularly important where agricultural land is the principal source of income and food and where a dwelling is located on the same land.

Livelihood

Olga Tellis makes livelihood constitutionally relevant under Article 21. [19] The principle does not prohibit all state action affecting livelihood, but it requires the consequences of such action to be considered within a constitutional framework of fairness and dignity. In Konsari, the record identifies agricultural dependence and standing crops. This means that the loss is not merely a capital loss: it may also represent the loss of the current agricultural season and household subsistence.



Figure 4. Standing agricultural crop photographed in the case record (Annexure S). The photograph is treated as visual evidence of cultivation at the recorded location/date, not as proof of any party's legal liability. [Case-study source: case-study documentary record and Annexures A–U.]



Figure 5. Cultivated agricultural land photographed in the case record (Annexure S). The visual evidence supports the human-impact analysis concerning active cultivation; it does not independently establish ownership or the legal status of the parcel.

Shelter and dignity

The case record identifies dwelling houses on some affected agricultural lands. Where acquisition threatens both the field and the dwelling, the impact is qualitatively different from the loss of an investment property. It may involve simultaneous loss of livelihood and shelter. The constitutional concept of dignity therefore becomes relevant, particularly where the affected household has no readily available alternative.

Compensation is necessary but not always sufficient

Compensation performs an essential legal function, but monetary compensation does not automatically replace every dimension of land dependence. It may compensate for assessed economic value while leaving unresolved questions of seasonal food security, housing, social continuity, access to local resources and the costs of rebuilding a livelihood. The 2013 framework

reinforces this broader conception through rehabilitation and resettlement provisions, particularly for Scheduled Castes and Scheduled Tribes where applicable. [2021]

Irreversibility as a constitutional timing problem

The destruction of a standing crop is time-specific. A later declaration that the acquisition process was defective may not restore the lost agricultural season. Similarly, the loss of a dwelling cannot always be fully remedied by a final order years later. This creates a crucial link between human rights and access to justice: an effective remedy must sometimes operate before irreversible harm rather than only after it.

XI. ACCESS TO JUSTICE: FROM FORMAL REMEDY TO EFFECTIVE REMEDY

The preliminary survey is the empirical core of this dimension. The case record reports approximately 28 affected farmers belonging to ST, SC and OBC communities. Around 10 are reported to have approached the High Court separately; others are reported to have faced financial constraints, geographical remoteness, limited legal assistance and apprehension. [Case-study source: affected-farmer survey and possession-related annexures.]

Indicator	Reported material	Research interpretation
Affected persons in preliminary survey	Approximately 28	Indicative purposive sample, not statistically representative.
Social categories	ST, SC and OBC	Demonstrates involvement of socially and economically vulnerable groups in the recorded sample.
Position on acquisition	Respondents expressed objection	Descriptive evidence of opposition in the surveyed group.
High Court access	Around 10 reported to have approached separately	Shows that formal judicial access existed for some.
Reported barriers	Financial constraints, remoteness, limited legal assistance, apprehension	Illustrates substantive barriers to use of formal remedies.

Indicator	Reported material	Research interpretation
Approximate descriptive share	10/28 ≈ 35.7%	Illustrative only; source says "around 10" and sample is non-random.

Cost

Litigation costs are not limited to court fees. They can include legal advice, drafting, travel, accommodation, repeated appearances, document certification and lost agricultural labour. Article 39A is therefore relevant as an access-to-justice infrastructure rather than as an abstract directive.

Geography

Anita Kushwaha expressly recognises reasonable accessibility in terms of distance. [22] A constitutional remedy located in a distant urban centre can be formally open but practically difficult. Rural legal-aid outreach can partially bridge this gap by bringing information and preliminary assistance closer to affected communities.

Information and legal route

The research identifies an important qualitative issue: a person may know that "something is wrong" but not know which notice to challenge, which authority has jurisdiction, whether a writ petition is appropriate, what documents are required, or whether urgent interim protection is necessary. This is a deeper access problem than simple legal illiteracy. It is a problem of legal navigation.

Documents

Land acquisition is document-intensive. Survey numbers, maps, Gazette notifications, objections, compensation calculations, 7/12 extracts, mutation entries and possession notices can determine the legal position. Information asymmetry can therefore convert a procedural right into a formal right that is difficult to exercise.

Fear and apprehension

The record contains self-reported apprehension associated with possession-related activity and the presence of private personnel or machinery. These reports require corroboration for legal findings.

Nevertheless, apprehension is relevant to socio-legal research because fear can affect whether a person complains, signs a document, attends a hearing or seeks judicial assistance.

Timeliness

Speed is not merely a procedural preference in land cases. If possession is completed, crops destroyed or a dwelling removed before judicial review, the eventual remedy may be less capable of restoring the original position. The access-to-justice model therefore adds remedial timing as an operational dimension.

The Konsari access-to-justice model

The study proposes the following operational formula for case-study analysis:

Effective justice = accessible forum + affordable process + usable information + timely adjudication + effective interim/final remedy

This is not proposed as a replacement for the Supreme Court's four-part Anita Kushwaha formulation. It is a socio-legal extension designed to capture the pre-litigation conditions that determine whether the formal remedy can actually be reached.

XII. PUBLIC-INTEREST AND EPISTOLARY JURISDICTION

Indian constitutional courts have, in appropriate circumstances, relaxed procedural barriers where disadvantaged persons cannot effectively approach the Court through conventional litigation. Bandhua Mukti Morcha v Union of India is a leading illustration of epistolary jurisdiction. [23] The principle is relevant to the Konsari representation because the record states that some affected farmers had approached the High Court separately while others had not been able to do so.

The institutional limit is equally important. Epistolary or public-interest jurisdiction is not a substitute for ordinary adjudication, nor does a representation automatically create a right to judicial cognizance. Courts must guard against unverified claims, duplication of pending proceedings, private disputes being recast as public-interest litigation, and unnecessary interference with administrative functions.

The proper conclusion for this research is therefore balanced: public-interest access can function as a safety valve where a broader rights issue affects persons with limited litigation capacity, but the long-term answer is stronger local legal aid, transparent grievance tracking, accessible

[23] *Bandhua Mukti Morcha v. Union of India*, (1984) 3 SCC 161.

administrative review and reliable participatory records. Constitutional courts should not have to become the first point of contact for every acquisition grievance.

XIII. INTEGRATED FINDINGS

The findings below are mapped directly to the research questions. They are deliberately framed at the level supported by the evidence and do not convert contested allegations into judicial conclusions.

Finding 1 — Land acquisition at Konsari is a multi-dimensional rights problem. The record cannot be adequately understood as a compensation dispute alone. The acquisition implicates property, livelihood, shelter, dignity, participation and access to remedies. [RQ1, RQ4]

Finding 2 — The primary legal issue is implementation of safeguards, not absence of law. The MIDC Act provides a structured acquisition procedure involving prior notice, show-cause opportunity and hearing. The research therefore focuses on whether those safeguards were meaningfully implemented in the documented cases. [RQ1, RQ2]

Finding 3 — The participatory record contains a material documentary controversy. The purported 4 March 2023 Gram Sabha record is followed by a Gram Panchayat communication reporting absence of a corresponding entry. Later Gram Sabha resolutions record opposition. The authenticity and legal effect require independent verification. [RQ3]

Finding 4 — Community participation should be evaluated substantively. A participatory process is meaningful only if affected persons receive information, have an opportunity to respond, can understand the process and have their objections considered. [RQ3]

Finding 5 — The scale and sequence of acquisition require documentary reconciliation. The record identifies an initial proposal for approximately 295.66 hectares and a later Gazette notification concerning approximately 441.7822 hectares. The official file should explain the relationship between these figures and the intervening steps. [RQ2]

Finding 6 — Non-execution of agreements demonstrates resistance but does not itself invalidate compulsory acquisition. The research must distinguish voluntary consent from statutory acquisition power. The legal question is whether statutory authority and procedure were satisfied. [RQ2]

Finding 7 — Livelihood and shelter create a human-rights dimension beyond monetary valuation. Photographs and the case record indicate cultivation and, in some cases, dwelling

structures. Where both are affected, the consequences may include food insecurity, loss of a season's income and displacement. [RQ4]

Finding 8 — The preliminary survey supports a substantive access-to-justice gap. Approximately 28 affected persons are recorded, with around 10 reported to have approached the High Court and others facing cost, distance, legal-assistance and apprehension barriers. This is descriptive evidence, not population statistics. [RQ5]

Finding 9 — Timing is a component of effective remedy. Possession, crop destruction and changes in revenue records can make later remedies less effective. Access to justice must therefore include timely interim protection where legally justified. [RQ5, RQ6]

Finding 10 — PESA applicability must be established village-by-village. The fact that Gadchiroli contains Scheduled Areas is not enough to assume that every village or parcel is within a notified Scheduled Area. The legal status of Mouza Konsari must be verified before making PESA applicability a foundational conclusion. [RQ1, RQ3]

Finding 11 — The strongest research contribution is the formal-right/substantive-right distinction. The case demonstrates that having a statutory right, being able to participate in the process, knowing how to invoke a remedy and obtaining effective protection are separate stages. [RQ5, RQ7]

Finding 12 — The appropriate policy response is institutional, not merely litigious. Better information, legal-aid outreach, record verification, grievance tracking, protection of standing crops and transparent possession procedures can reduce conflict without preventing lawful development. [RQ7]

Research question	Principal finding	Evidence status
RQ1	The acquisition is governed by a statutory framework; the core inquiry is implementation and constitutional compatibility.	Established law + documentary analysis.
RQ2	The sequence of proposal, notification, objections, orders, compensation and possession requires a file-based procedural audit.	Documentary; contested legal effect.
RQ3	The Gram Sabha record contains a significant documentary conflict and later opposition; authenticity and legal effect require verification.	Documentary + disputed.

Research question	Principal finding	Evidence status
RQ4	Agricultural cultivation and dwelling use make livelihood, shelter and dignity central to the impact analysis.	Documentary/visual evidence.
RQ5	The preliminary survey indicates unequal practical ability to use judicial remedies.	Preliminary qualitative evidence.
RQ6	Public-interest access may reduce procedural barriers but should remain an exceptional safety valve, not the ordinary system.	Doctrinal/institutional analysis.
RQ7	Integrated reform should combine legality, participation, human-impact safeguards and access-to-justice infrastructure.	Normative synthesis.

XIV. RECOMMENDATIONS AND INSTITUTIONAL REFORM MODEL

The recommendations of this study are directed not against lawful industrial development but towards ensuring that the land-acquisition process is more transparent, participatory, accountable and legally resilient. The objective is to establish an institutional framework in which industrial development can proceed in accordance with statutory requirements while safeguarding the constitutional and human-rights interests of affected communities.

First, independent verification of Gram Sabha records should be undertaken whenever a community resolution is relied upon to demonstrate consent or absence of objection. Such verification should include examination of the original register, meeting notice, agenda, attendance records, minutes, signatures or thumb impressions, official seals and the custody history of the relevant documents. This would help establish the reliability and authenticity of community-participation records before they are relied upon in acquisition proceedings.

Second, a complete acquisition information package should be provided to every affected landholder. This package should contain the relevant notification, land maps, survey details, statutory basis of acquisition, compensation calculations, information concerning hearings, rehabilitation details wherever applicable, and a clear explanation of the administrative and judicial remedies available to affected persons. Providing such information in an accessible and understandable form would strengthen transparency and enable meaningful participation in the acquisition process.

Third, village-level legal-aid camps should be organised by the District Legal Services Authorities in areas affected by proposed or ongoing land acquisition. These camps should provide assistance in understanding acquisition notices, obtaining certified copies of official records, preparing objections

and identifying the appropriate legal forums. Legal assistance should ideally be made available before possession-related proceedings commence so that affected persons can understand and exercise their legal rights in a timely manner.

Fourth, a one-window grievance-tracking mechanism should be established to facilitate the submission and monitoring of representations by affected landholders. Every representation should receive an acknowledgement number, identification of the responsible officer, an expected date for decision and access to a mechanism through which its status can be monitored. Such an arrangement would reduce administrative uncertainty and the need for repeated travel to government offices merely to obtain information about pending grievances.

Fifth, the acquisition process should maintain a participatory audit trail through a single, properly indexed official record containing the complete sequence of proceedings, beginning with the initial acquisition proposal and extending to the eventual taking of possession. The record should include notices, objections, hearing documents, reasons recorded by the competent authorities, acquisition orders and proof of service. Maintaining such a comprehensive documentary record would improve institutional accountability and facilitate independent scrutiny of compliance with statutory requirements.

Sixth, protection against avoidable irreversible harm should receive particular consideration during possession-related proceedings. Where the legality of possession remains contestable and immediate physical action is not necessary, administrative authorities should consider appropriate measures for preserving standing crops and dwelling houses pending lawful resolution of the dispute, subject to the powers of the competent authority and any applicable judicial orders. Such an approach would help prevent avoidable harm to livelihood and shelter while ensuring that statutory procedures are respected.

Seventh, there should be a clear separation between the exercise of public coercive authority and private project interests. The process of taking possession must be properly documented as an exercise of statutory authority by competent public officials. The involvement of project beneficiaries and private personnel in possession-related activities should be transparent, and their participation should not create ambiguity regarding the authority responsible for exercising statutory powers or the accountability attached to such action.

Eighth, a death and succession protocol should be introduced for acquisition and revenue authorities to address situations in which a landholder dies during ongoing acquisition proceedings. Upon receiving information concerning the death of a recorded landholder, the relevant authorities should promptly update the records, identify the legal representatives or other interested persons, and ensure that subsequent notices and orders are directed to the legally appropriate parties. This would reduce the

possibility of procedural complications arising from proceedings continued without proper identification or notification of affected persons.

Ninth, a human-rights impact assessment should form an important component of large-scale industrial acquisitions, particularly where vulnerable communities are likely to be affected. Such an assessment should examine the potential consequences of acquisition for livelihood, shelter, food security, social continuity, gender-related impacts, community resources and access to justice. This would enable administrative authorities to consider the broader social consequences of acquisition rather than limiting their assessment exclusively to the transfer of land and determination of monetary compensation.

Tenth, the legal and administrative processes should maintain a clear distinction between compensation and consent. In cases involving compulsory acquisition, the determination or payment of compensation should not be represented as evidence of voluntary consent by the affected landholder. The existence of consent, the determination of compensation and the exercise of statutory acquisition powers should be separately documented and assessed in accordance with the applicable legal framework.

Eleventh, a rural constitutional-access pathway should be developed through the legal-services institutions associated with the High Courts and District Legal Services Authorities. Such a mechanism should provide a simplified explanation of available administrative remedies, the scope of writ jurisdiction, the possibility of seeking urgent interim protection and the circumstances in which public-interest representations may be appropriate. The information should be made available in accessible language so that individuals from rural and economically disadvantaged communities can better understand the remedies available to them.

Finally, stronger empirical research should be undertaken to develop a more comprehensive understanding of the practical consequences of land acquisition for affected communities. Future studies should seek to include all identifiable affected persons through a standardised survey instrument examining legal awareness, geographical distance, travel expenditure, legal fees, access to official documents, contact with legal-aid institutions, dependence on agricultural livelihood, rehabilitation status and the outcomes of administrative and judicial proceedings. Such research would provide a stronger empirical foundation for evaluating the effectiveness of existing safeguards and developing evidence-based institutional reforms.

Collectively, these recommendations seek to establish a rights-compatible framework for industrial land acquisition in which procedural legality, meaningful community participation, livelihood protection, administrative accountability and effective access to justice operate as interconnected elements. Their implementation could contribute towards reducing avoidable disputes, strengthening

public confidence in acquisition procedures and ensuring that the objectives of industrial development are pursued without disregarding the rights and interests of affected communities.

Proposed institutional model

Stage	Institutional safeguard	Responsible/participating actor	Outcome
Before notification	Village information and legal-aid camp	District administration + DLSA + local self-government	Informed affected population.
Participation	Verified Gram Sabha process and public record	Gram Panchayat/Gram Sabha + competent authority	Reliable participatory record.
Objection	Document disclosure + accessible hearing	Acquiring authority	Meaningful objections.
Grievance	Numbered complaint and time-bound response	Collector/SDO/MIDC as applicable	Traceable administrative remedy.
Possession	Public-official protocol + crop/dwelling safeguards	Competent public authority	Reduced avoidable harm.
Judicial access	Legal-aid referral and urgent remedy pathway	DLSA + High Court legal-services institutions	Earlier and more effective judicial protection.
Post-acquisition	Rehabilitation monitoring and livelihood transition	Administration + project authority + affected families	Rights-compatible development.

XV. LIMITATIONS AND DIRECTIONS FOR FURTHER RESEARCH

The strongest limitation is that this is a contested case record, not a judicially settled factual record. The paper therefore cannot determine whether the disputed Gram Sabha resolution was genuine, whether any individual exercised coercive authority, whether every affected person received every legally required notice, or whether the proceedings concerning the deceased landholder are legally void. Those are questions for the competent authorities and courts.

The preliminary survey also requires caution. Approximately 28 persons are reported, but the study does not claim a census. The approximately 10 who reportedly approached the High Court should not be treated as an exact count unless verified from court records. Similarly, the reported reasons

for non-litigation should be treated as participant accounts, not as proof that a particular institution caused the barrier.

Future research should convert the preliminary observations into a structured dataset. Each affected person could be asked: whether they received the notification; whether they understood it; whether they had a copy; whether they objected; whether they received a hearing; whether they knew the compensation basis; whether they had legal aid; distance and cost to the relevant forum; whether they knew the difference between administrative and judicial remedies; whether they sought interim protection; whether crops or houses were affected; and what happened after the complaint.

Such a study would permit stronger empirical conclusions and potentially allow comparison across land-acquisition projects in tribal and agrarian districts. The present paper should therefore be understood as a rigorous case-study foundation, not as a claim to have completed a statistically representative statewide survey.

XIV. CONCLUSION

The Konsari case demonstrates why land acquisition should not be reduced to a question of title and compensation. Where agricultural land is simultaneously the source of livelihood, food, shelter and social security, compulsory acquisition engages a wider constitutional and human-rights field. The legal framework contains substantial protections: Article 14 restrains arbitrariness; Article 21 protects life in a substantive sense that includes livelihood and dignity; Article 39A recognises the importance of access to justice; Article 300-A requires authority of law for deprivation of property; and the MIDC Act creates a statutory acquisition procedure involving notice and hearing.

The principal research finding is not that the entire Konsari acquisition has already been proved unlawful. Such a conclusion would exceed the evidentiary basis of this study. The stronger conclusion is that the documentary record raises substantial questions at four connected levels: procedural implementation, participatory legitimacy, human impact, and practical access to remedies.

First, the law provides a process, but the research must ask whether the process was meaningfully implemented. The existence of a statutory notice-and-hearing mechanism is not the same as proving that every affected person received intelligible information, had a genuine opportunity to object and received reasoned consideration of the objection.

Second, participation depends upon reliable records. The conflict between the purported 4 March 2023 Gram Sabha resolution and the later Gram Panchayat communication concerning the absence of a corresponding record creates a serious documentary question. Later Gram Sabha resolutions recording opposition demonstrate that the community position cannot be reduced to a single earlier document. The proper response is independent verification, not premature adjudication.

Third, the human impact of acquisition may extend beyond the assessed value of land. The case record contains visual material of standing crops and agricultural use and refers to dwelling houses on affected lands. Where possession threatens both livelihood and shelter, the constitutional concern is not simply the loss of an asset but the disruption of the conditions of a dignified life. [24]

Fourth, the preliminary survey reveals the practical dimension of access to justice. Around 28 affected farmers are recorded in the research material; around 10 are reported to have approached the High Court separately, while others are reported to have faced financial, geographical, legal-assistance and apprehension barriers. The significance of the finding is not the percentage. It is the unequal distribution of legal capacity.

This produces the paper's central theoretical insight: a legal right has at least three stages of effectiveness- having the right, being able to participate in the process affecting the right, and being able to obtain a remedy when the right is threatened. A fourth stage is timing: the remedy must be capable of arriving before the harm becomes irreversible. This is why access to justice is not merely the final chapter of a land-acquisition dispute. It is part of the infrastructure that makes the underlying rights real.

The policy implication is equally clear. Development and human rights do not have to be competing objectives. A lawful and transparent acquisition process can facilitate industrial development while reducing avoidable litigation and social conflict. Vulnerable communities should be treated as rights-holders and participants in development rather than as passive recipients of compensation.

For Konsari, the most defensible academic conclusion is therefore this: the available documentary and preliminary survey record does not itself adjudicate the legality of the acquisition, but it identifies substantial and interconnected questions concerning procedural fairness, the integrity of community participation, livelihood and shelter protection, the sequence of possession-related action, and the practical accessibility of remedies. Those questions justify independent legal and

administrative scrutiny and support a reform model based on legality, participation, transparency, legal aid and timely effective remedy.

The broader lesson extends beyond Konsari. The success of land-acquisition law should not be measured only by whether land can legally be acquired. It should also be measured by whether the process allows the affected person to understand what is happening, participate meaningfully, challenge errors, preserve dignity and obtain effective protection before irreversible harm occurs. That is the difference between a formally lawful process and a genuinely rights-compatible system of development.