

15th November 1966.

Subject:- Lands : Bombay Suburban District
Request for grant of - to
Shri Acharya Shanti Sagar Smarak
for construction of approach road.

MEMORANDUM

The undersigned presents compliments to the Collector of Bombay Suburban District and with reference to his letter No. C/LND SR-II-1112, dated 17th August 1966, on the above subject is directed to convey the sanction of Government to the lease of land measuring 1698 square yards (i.e. 1417/70 square metre) out of Survey No. 34 A(P) and 50 3(P) and 5(P) of village Nagathane, taluka Borivali (which has been surrendered to this department under Government letter Agriculture & Co-operation Department No. KUS 1065/16858-111 J, dated September 1965) to Shri Acharya Shanti Sagar Smarak Trust for period of 5 years for construction of approach road from the Borivali-Asey Road to the temple being constructed by the Trust on the plot of land out of Survey Nos. 50/10 and 57-1 of village Nagathane, subject to the following terms and condition.

i) that the rent shall be fixed at 5% of the present market value to be calculated at the rate of Rs. 7/- per sq. yard to the level land which measures 82 square yards and at Rs. 3/- per square yard to the tank land which measures 1616 sq. yards.

ii) that the Trust agrees to make in consultation with the Dairy Development Commissioner some special arrangements to control the traffic using the Borivali Asey Road for going to the temple;

iii) that the land shall be resumed to Government for the breach of any of the conditions;

iv) that the lease should be terminated immediately after the completion of main road in the neighbourhood.

2. The Collector is requested to hand over the possession of the land to the Trust immediately.

3. The case papers are returned herewith.

By order and in the name of the Governor of Maharashtra,

S. V. Mait

Under Secretary to the Government of Maharashtra, Revenue & Forests Department.

Accept:- Case papers.

To

The Commissioner, Bombay Division,
The Director, Greater Bombay Milk Scheme, Bombay,
The Collector, Bombay Suburban District,
The District Deputy Collector, Maharashtra State, Bombay,
The Accountant General, Bombay,
The Deputy Director of Commercial Audit,
The Resident Audit Officer,
The Pay Accounts Officer,
The Finance Department,
The Agriculture & Co-operation Department.

DIRECTOR BOMBAY
SUBURBAN DISTRICT
2 NOV 1966

Read:-

3 N O V. 1966.

- 1) The Director, Greater Bombay Milk Scheme's letter No./Dir/L50 821, dated 19th October 1966.
- 2) Government Memorandum, Revenue and Forests Department's No.BRD-2666/ 44240-A dated 1st Nov.1966.

ORDER :

Government Land measuring 1698 Sq.yds. out of Survey Number's 34/A part and 50/3 part and 5 Pt. the plan appended hereto, is, hereby leased to the Shri.Acharya Chantisagar Smarak Trust, Boriveli for construction of approach road from the Boriveli Aarey Road to the temple being constructed by the Yax Trust on the plot of land in S.No.50/10 and 57/1 of Magathane Village, for a period of 5 (Five) years from the date of handing over possession of the land or till the principal Main road is constructed by the Bombay Municipal Corporation whichever is earlier, subject to the following terms and conditions:-

- 1) That the Trust shall pay to Government every year, on the first day of August every year, annual rent of 270/55 Paise.
- 2) That the Trust shall take in consultation with the Dairy Development Commissioner, some special arrangements to control the traffic using the Boriveli Aarey Road for going to the temple.
- 3.) That the Trust shall not sublet, mortgage, sell or in any other manner create, encumbrances on the land either whole or any portion thereof.
- 4) That the Trust shall/ surrender the land in question to Government; whenever it is asked to do so when the principal Road in the neighbourhood is complete.

- 5) That when the lease is terminated and land ordered to be resumed to Government immediately after the completion of main road in the neighbourhood, the Trust shall, without claiming any compensation quickly surrender the land to Govt.
- 6) The Trust shall execute an agreement (in the form that shall be finalised under the provisions of the Land Revenue Rules 1922) whenever it is called upon to do so.
- 7) Failure to comply with any of the provisions of the Land Revenue Code and Rules thereunder and the breach of any of the above conditions, shall render the lease liable to cancellation and the land shall be resumed without payment of any compensation to the Trust.

Sd/- A.M. Desothale.

Additional Collector,
Bombay Suburban District.

To.

The Secretary,
Shri. Abhaya Shantisagar Trust,
Borivali, Bombay.

He is requested to pay this year's annual rent of Rs. 279-59 Paise to the Mamlatdar Borivali immediately and to furnish confirmation that the trust is agreeable to the above terms and conditions to the District Inspector of Land Records, B.S.D. so that he can arrange to hand over possession of the land in question to Trust. The Dist. Inspector of Land Records B.S.D. has orders to hand over possession of the land to the Trust as soon as you furnish the above requirements.

Copy forwarded to the Mamlatdar Borivali. He is requested to recover the rental as stipulated above.

The rent to be recovered should be credited to the budget head "IXBII-Misc-Social and Developmental Organisations, Miscellaneous-Receipts of the Milk Scheme".

The Mamlatdar Borivali is further requested to see

that the lessee Trust duly observes and above conditions and report promptly whenever breach of conditions ~~add. naga~~ is observed.

Copy forwarded to the District Inspector of Land Records, B.S.D. in continuation of this office letter No. even dated 25th October 1966. He is directed to hand over the possession of the land in question, to Trust immediately in the Trusts furnishing the confirmation as mentioned above and checking up the payment of rental to the Maslatdar Borivall as stipulated above.

Copy forwarded with compliments, to:-

1) Dairy Development Commissioner,

Old Secretariate, Bombay-1-

2) Director, Greater Bombay Milk Scheme

Wakefield House, Ballard Estate, Bombay-1.

for information.

Copy forwarded to the Dist. Deputy collector, B.S.D.

for information.

C/C. signed by
Addl. Collector B.S.D.

Sd/- K. Halwai.
3/11/66

For Additional Collector
Bombay Suburban District

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जिल्हाधिकारी मुंबई उपनगर जिल्हा यांचे कार्यालय

प्रशासकिय इमारत, १० वा मजला, सरकारी बससहल, बांद्रा (पूर्व) मुंबई-४०० ०५१

क्रमांक : ११/४डी/एल-२२६

दिनांक : ०९/१२/२००३

- वाचने :- १) अपर जिल्हाधिकारी, मुंबई उपनगर जिल्हा यांचे आदेश क्र. सी/एलएनडी/एसआर-२/११२ दि. ३/११/१९९९
 २) जिल्हाधिकारी, मुंबई उपनगर जिल्हा यांचे पत्र क्र. ८८/४ डी/एल-२२६ दि. १३/१/९४ व पत्र दि. २५/१/९६
 ३) उप वन संरक्षक, संजय गांधी राष्ट्रीय उद्यान, बोरीवली यांचे पत्र क्र. अ-२०/जमीन-२०१/सन- १९९३-९४ दि. २७/४/९३

आदेश :-

शसन महसूल व वन विभाग आपन क्र. एलएनडी/२६६६/४४२४०-अ-१ दि. १/११/९६ व या कार्यालयाचा आदेश क्र. सी/एलएनडी/एसआर-२/११२ दि. ३/११/९६ अन्वये स.नं. ३४ अ पे. ५०/३ व ५०/४ पैकी मीजे मागाळणे तालुक बोरिवली येथील १६९८ चौ.वार (१.४१७.७० चौ.मी.) जमीन श्री आचार्य शांती भांगर ट्रस्ट बोरिवली या संस्थेने पाहोच रस्त्यासाठी भाडेपट्ट्याने दिली आहे. सदर जागा रेल्या, मीजे मागाळणे येथील स.नं. ५०/१० व ५७/१ पैकी जमिनीवर बांधकाम करणार असलेल्या देवळाकडे बोरिवली आरे रोड पायुन देवळापर्यंत जाणाऱ्या पाहोच रस्त्याच्या बांधकामासाठी जमिनीच ताबा दिल्याच्या ताखेपासून ५ वर्षांसाठी किंवा मुंबई महानगर पालिका रस्ता तयार करेपर्यंत या दोन्हीत जो मुदत कमी असल तेवपर्यंत भाडेपट्ट्याने मंजूर करण्यात आली आहे.

संस्थेस जमिनीचा ताबा दि. ४/११/९६ रोजी देण्यात आला असून भाडेपट्ट्याची मुदत दि. ३/११/७१ रोजी समाप्त झाली आहे. प्रस्तुत जमिनीवर मुंबई महानगर पालिकेने रस्ता तयार केला नसल्याने संस्थेने सदर भाडेपट्ट्याची मुदत वाढवून मिळणेबाबत वेळोवेळी विनंती केली आहे. परंतु प्रस्तुतची जमिन ही वन जमीन असल्यामुळे मुदतवाढ देण्यापूर्वी अर्जितक, कृष्णागिरी उपवन, बोरिवली तसेच उप वन संरक्षक, संजय गांधी राष्ट्रीय उद्यान, बोरिवली यांचे संश्लेषण घ्यावले असले त्यांनी वन जमिन ही वनेतर कामासाठी वापरता येणार नाही व वापरावयाची झाल्यास केंद्र शासनाची परवानगी घ्यावी लागेल असे कळविले. त्यानुसार भाडेपट्ट्या संस्थेस दि. १३/१/९४, दि. २५/१/९६, १८/७/९६ व १५/१/९८ अन्वये या कामी केंद्र सरकारची परवानगी घेणेबाबत कळविण्यात आले आहे. तथापि संस्थेने केंद्र शासनाकडून परवानगी परवानगी प्राप्त करून घेतली नाही. त्या अर्चा संस्थेस भाडेपट्टा वाढ मिळणेबाबत स्वारस्य नाही असे दिसून येते. त्यामुळे भाडेपट्टा रद्द करण्यात येत आहे.

प्रस्तुतची जमिन ही वन जमिन असल्यामुळे संस्थेचा भाडेपट्टा या आदेशान्वये रद्द करण्यात येत आहे. भाडेपट्ट्याची मुदत दि. ३/११/७१ रोजी संपुष्टात आली असली तरी आजपर्यंत जमिनीचा वापर संस्थेने केला असल्यामुळे दि. ४/११/७१ पासून आजपर्यंत शासन ठरविले ती भाडेपट्ट्याची रक्कम व्याजासह भरण्यास संस्थेवर बंधनकारक राहिले. यापुढे संस्थेने सदर जमिनीबाबत वन विभागाकडे संबंध करावा. तसेच त्वरीत जागा गोळा करावी.

आचार्य शांती भांगर ट्रस्ट
 एम.ए. लीगिडुगी, ज्यो.बि.सी (६)

D:4-478

१३/१२/०३

उपस्थित जिल्हाधिकारी
 मुंबई उपनगर जिल्हा
 शासकिय इमारत, बांद्रा (पूर्व)

मुंबई उपनगर जिल्हाधिकारी

प्रतिलिपि :- १) तहसिलदार, बोरीवली वांधेकडे मंत्रालयाली स्वाम्य.

२/- त्यांनी इकाडील पर क्र. ८८/कार्या-उडीएल-२२५/२००२ दि. ३/५/२००३ च्या

वसुलीबाबाचा आपला अडकाल या कार्यालयाम सादर करावा.

२) नगर भूमिपन अधिकारी, बोरीवली वांधेकडे मंत्रालयाली स्वाम्य.

३) उप वन संरक्षक, संजय गांधी राष्ट्रीय उद्यान, बोरीवली, बोरीवली पु., मुंबई - ४६

वांधेकडे माहिलीकार्याली ट.४.१.१८

अडकालीवर
वांधेकडे

जिवाधिकारी,

वांधेकडे

१/५/०३

जिवाधिकारी,

मुंबई उपनगर जिवाधिकारी