

Subject: Lands : Bombay Suburban District
C.T.S. NO. 101, Village Kirol
Taluka -- Kurla,
Regularisation of encroachment on--
Grant of -- to Vijay Hanuman Temple.

MEMORANDUM:

The undersigned presents compliments to the Additional Collector of Bombay Suburban District and with reference to his letter NO.C/Dask/VI/IND-I-A/GC9, dated the 23rd February 1979, on the above subject, is directed to convey sanction of Government under rule 43 of the Maharashtra Land Revenue (Disposal of Government Lands) Rules 1971, read with Rule 40 ibid to the regularisation of encroachment made by Vijay Hanuman Mandir, on Government lands admeasuring 4644 sq. meters out of C.T.S. NO. 101 of village Kirol taluka Kurla District Bombay Suburban District for the religious purpose subject to the following conditions:-

i) that the lessee shall pay to Government lease rent @ 15% per annum of the full market value of the land to be calculated @ Rs.20/- per sq. metre.

ii) the lease shall be for the period of 30 years from the date of encroachment;

iii) the lessee shall pay a fine of Rs.500/-;

iv) the lessee shall pay to Government amount of Rs.7212.70 (Rupees Seven thousand two hundred twelve and paise seventy only) on account of arrears of compensation levied by the Additional Collector (ENC.) Bombay and Bombay Suburban District and all other Government dues in respect of the said land;

v) the lessee shall form the public trust for the Vijay Hanuman Mandir and register it under Bombay Public Trust Act 1950.

2. The case papers are returned herewith.

3. These orders issue with the concurrence of Home Department, Public Works and Housing Department, Urban Development and Public Health Department and Finance Department vide its un-official-reference NO.1800/-70/EXP-9, dated the 9th November 1979.

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

(G.H. PATIL) *G.H. Patil*
Desk Officer,
Revenue and Forests Department.

Accompaniment: Case papers.

To
The Additional Collector of Bombay Suburban District, Bombay.

Copy forwarded with compliments to:-

The Commissioner, Bombay Division, New Bombay,

The Additional Collector (ENC) Bombay and Bombay Suburban District,

The Finance Department (EXP-9),

The Home Department,

The Urban Development and Public Health Department (U-5)

The Public Works and Housing Department (Desk 41),

The Accountant General, Maharashtra State (I) Bombay,

The Accountant General, Maharashtra State (II) Nagpur,

The G-3 Desk, Revenue and Forests Department.

READ :- Govt. in Revenue and Forests Department's
Memorandum No. I.M.H./2679/9557/G.S dated 30th
January, 1980.

No. G/DESK.VI/LMD.I.A. 16 of
Office of the Additional Collector
B.S.D., Old Custom House, Fort,
Bombay 400 023.

Dated :- 14-15 February, 1980.

Subject :- Lands : Bombay Suburban District

C.T.S.No.101 village Kiroli Taluka &
Kurla - Regularisation of encroachment
on - Grant of to Vijay Hanuman Temple

ORDER :

In view of the sanction under Rule 43 of the
Maharashtra Land Revenue Code (Disposal of Govt. lands)
Rules 1971, read with Rule 40 of the said Rules accorded
Govt. land admeasuring 4644 sq. metres out of C.T.S.No.
of Kiroli (Asad Nagar Hill No.IV) encroached upon is hereby
granted to Vijay Hanuman Mandir for religious purpose.
Subject to the following conditions :-

- i) that the lessee shall pay to Govt. lease Rs. 15% per annum of the full market value of the land to be calculated at Rs. 20/- per sq.metre. The annual rent to be paid out to Rs. 16718.40. The lessee has to pay the amount of one year's rent in advance.
- ii) The lease shall be for the period 30 years from 1-4-1976, the date on which the encroachment is notified by the encroachment Department.
- iii) The lessee shall pay the fine of Rs. 500/-.
- iv) the lessee shall also pay to Govt. an amount of Rs. 7212.50 (Rupees Seven thousand two hundred twenty one paise seventy only) on account of arrears of compensation levied by the Additional Collector (Encroachment) and B.S.D. and all other Govt. dues in respect of the land.
- v) The lessee will have to accept the possession of the plot in whatever condition the same may be existing at the time of handing over possession.
- vi) the rent of the land shall be the permanent charge on the land and failure to pay the rent regularly the lessee will be liable in termination of lease without payment of any compensation for land or building constructed thereon.
- vii) The use of the land will be for Hanuman temple, Ashrams, Residence of devotees and concerning with worship of God and for no other purpose. This use of the land for Hanuman Mandir, Resident of the devotee and Ashrams is already stated by the lessee,

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- (3) (115)
- (viii) The Hanuman Mandir shall be open to all.
- (ix) The lessee shall pay the annual rent of the leased plot and all other taxes if there be any including Municipal taxes every year.
- (x) The lessee will not directly and indirectly transfer, assign, encumber, mortgage or part with his interest under the benefit of the agreement of lease or any part thereof in any manner without the previous consent of the Government.
- (xi) The lessee will observe the provisions of the Urban Lands (Ceiling and Regulation) Act, 1979 in all respects.
- (xii) No construction will be commenced unless the plans, elevations and sections have been approved by the Gr. Bombay Municipal Corporation and the Additional Collector, B.S.D. No additions and alterations to the building, the plans of which have been approved will at any time be made except with the similar previous approval of the Gr. Bombay Municipal Corpn. and Additional Collector, B.S.D.
- (xiii) The lessee shall also abide by all the provision of the Maharashtra Land Revenue Code, 1966 and Rules made thereunder.
- (xiv) The lessee shall abide by the Building Rules and By Laws of the Gr. Bombay Municipal Corporation.
- (xv) The right of Government to all minor and minerals is reserved and Government shall have full liberty of access for the purpose of working and searching for the same with all reasonable conveniences.
- (xvi) The lessee shall permit the Officers and servants or agents of Government at all reasonable times, to enter upon and in respect of any part of the land ^{land}.
- (xvii) If in the opinion of the Collector, the land or any portion thereof is required for the purposes of Government, the Collector may at any time terminate the lease by giving to the lessee, one calendar month's notice, the lessee shall quietly surrender and handover possession of the land or any portion thereof free from all encumbrances and the lessee shall not be entitled to any compensation in this account.
- (xviii) The lessee shall at the expiration of the term of 30 years deliver quietly peacefully possession of the land to the Additional Collector, B.S.D. without any, without claiming any compensation or retaining any claim over it, unless the lease is renewed by Government for a further term on such terms and conditions inclusive of revised rent which Govt. may think fit.
- (xix) The land grant shall be subject to the provision of Rules 48 and 49 of the Maharashtra Land Revenue (Disposal of Government Lands) Rules, 1971.
- (xx) The lessee shall execute an agreement in Form KV laid down under the Maharashtra Land Revenue (Disposal of Govt. Lands) Rules, 1971.
- (xxi) ~~The land and building constructed.~~ The lessee shall form the public trust for the Vijay Hanuman Mandir and F.T.O.

register it under Bombay Public Trust Act 1950 within six months from the date of taking over possession of the land.

(XXII) The land and building constructed thereon will be liable to be forfeited to Government without payment of any compensation for breach of any of the above conditions.

Sd-
Additional Collector,
Bombay Suburban District.

To
Shri Jagannathaji Maharaj,
Assalpe Village, Vijay Hanuman
Mandir, Shri Ram Mandir,
Shri Ram Takadi, Bombay-400064.

UMK/14.2

*Copy - Forwarded to the D.T. & R. B. S. D. B. D. 1/11/11
As per direction - to land survey, the possession of the*

Copy forwarded to the Sub-Divisional Officer, E. A. D. Bombay.

Copy forwarded to the Tahasildar Kurla.

Copy submitted to Government in Revenue and Forest Department, Mantralaya, Bombay-400032.

Copy submitted to the Commissioner, Bombay Division, Konkas Bhawan, 1st floor, Sion Panvel Road, New Bombay-4000

copy goes to the Addl. collr (Enc) Bombay or B S D

for
Additional Collector,
Bombay Suburban District.