

Dated : 5th April 1983.

Subject : Lands : B.S.D.
S.No. 376 (Part) Chembur,
Lease of ... to Sree Narayana
Mandira Samiti.. for the purpose
of playground of its school.

MEMORANDUM :

The undersigned presents compliments to the Additional Collector, Bombay Suburban District, Bombay, and with reference to the correspondence resting with his letter No. C/Desk-VI/LND/1/B/477, dated the 7th August, 1981, on the subject mentioned above, is directed to convey the sanction of Government in accordance with the provisions laid down in para 7 of the Government Circular, Revenue & Forests Department No. LRF-1083/71134/CR-3478/G-5, dated the 8th February 1983, to the lease of land admeasuring 6,328 sq.mtrs. out of S.No. 376 (part) of Chembur, B.S.D., for a period of 15 years from the date of possession, on payment of lease rent equal to 8% of the 10% of the market value of the land (fixed at Rs. 130/- per sq.mts. (Rupees one hundred and thirty only per sq.mtr.), in favour of Sree Narayana Mandira Samiti, Bombay, for the purpose of playground for its high school in the adjacent land. The sanction shall be subject to the terms and conditions mentioned in para 11 of the Government Circular dated the 8th February 1983 and the following additional condition :-

"that the Samiti shall construct one more storey to its existing building and increase the capacity of secondary section and also start Marathi medium classes, by consuming the full permissible F.S.I."

2. Case papers in one batch are returned herewith.

3. This Govt. Memo issues with the concurrence of the Education and Employment Department, the Urban Development Department, the Housing and Spl. Assistance Department and the Finance Department (un-official reference No. CR-727/EXP-9, dated the 16th March 1982).

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

S. B. Karkhanis

(S.B. Karkhanis)
Under Secretary to Government,
Revenue & Forests Department.

Accompt: case papers
(one file)

To:

The Additional Collector, B.S.D. Bombay.
Copy forwarded with compliments for information to :-

- The Commissioner, Bombay Division, Bombay.
- The Settlement Commissioner and Director of Land Records, M.S. Pune.
- The Dy. Director of Land Records, M.S. Bombay/Nagpur.
- The Accountant General, M.S. Bombay/Nagpur.
- The Education and Employment Department (5 copies).
- The Urban Development Department (UD-7)
- The Housing and Spl. Assistance Department (D-7).
- The Finance Department (EXP-9).

OFFICE OF THE
ADDITIONAL COLLECTOR

(11) 6198

No.C/DESK/VI-LND/IB-477/
Office of the Addl. Collector, B.S.D.,
Old Custom House, 2nd floor,
Bombay-400 023.

Dated : 16/5/83

- READ :**
- 1) Govt. Memorandum No.LRF-2681/33397/2755/G-6 dated 5-4-1983.
 - 2) This Office letter No.C/DESK/VI.LND/IB-477 dated 7-8-1981.
 - 3) Govt. Circular, R.& F.D. No.LRF-1083/71134/OR. 3478/G-6, dated 8-2-1983.

ORDER :

Government land admeasuring 6328 sq.mtr. out of S.No.376 pt. of Chombur, B.S.D. in Tahsil Kurla, is hereby leased out to Shree Narayana Mandira Samiti, Bombay for the purpose of playground for its high school in the adjacent land for a period of 15 years from the date of possession on payment of lease rent equal to 8% of the 10% of the market value of the land (fixed at Rs.130/- per m²) which comes to Rs.6581.15 (Rupees six thousand five hundred eighty one and paise fifteen only) on the following terms and conditions.

That the Samiti shall construct one more storey to its existing building and increase the capacity of secondary section and also start marathi medium classes by consuming the full permissible F.S.I.

- 1) The lesser shall pay to the State Government for the said plot of land on the 1st day of August every year in advance the annual rent of ~~Rs.6581.15~~ Rs.6581.15 (Rs. six thousand five hundred eighty one and paise fifteen only).
- 2) The lesser shall not erect any structure upon the said plot of land save with the previous permission in writing of the Collector.
- 3) The lesser shall not use the said plot of land except for the purpose of a playground.
- 4) The said plot of land and all structures thereon shall be subject to municipal taxation and to any taxation for local purposes which is or may hereafter be imposed and shall also be subject to any assessment, tax, cess or any other due which may be levied in respect of the said plot of land or any of the structure thereon, of the nature contemplated in the second paragraph of section 64 of the M.L.R.C. 1966 or any other law for the time being in force.
- 5) The lessee shall permit the Government offices authorised in this behalf by the Collector at all reasonable times to enter

upon and inspect any part of the said plot of land.

6) The lessee shall not sublet or in any other way encumber the said plot of land or any portion thereof.

7) If in the opinion of the Collector, the land is required for the purposes of Government or any local authority, the Collector may at any time terminate this lease by giving to the lessee one calendar month's notice in writing in that behalf.

8) In the event of the lease being terminated under any of these conditions, the lessee shall not be entitled to claim any compensation on account of the termination of the lease. The lessee shall, if the lease is terminated under condition 8, before the expiry of the period of the notice given under that clause, and in other cases, within such period as the Collector may fix remove any structure or structures standing on the said plot of land at its own expenses, and on the expiry of the said period shall deliver possession of the said plot of land to the Collector in the same condition in which it was at the commencement of the tenancy.

9) The lessee shall at the expiration of the said term deliver quiet and peaceful possession of the said plot of land to the Collector in the same condition in which it took it, unless the lease is renewed for a further term upon such conditions as the Collector thinks fit.

10) Failure of comply with any of the above conditions of the lease or with any provisions of the N.L.R.C. 1966 or of the rules thereunder, shall render this lease liable to cancellation by the Collector, who may thereupon resume the said land and summarily evict the lessee without notice or payment of any compensation whatever, or may in lieu of such resumption, order the removal within a period fixed by him of any structure erected thereon contrary to condition 2 of this lease and on such removal not being carried out within the said period may cause the same to be carried out at the expense of the lessee, and it shall be in the sole direction of the Collector, subject to the order of the State Government to adopt either one or other of the remedies as may be seen desirable to him under the circumstances. It shall also be lawful for the Collector in the case of breach of condition 3 to levy full rent and fine which may extend the forty times the non-agricultural assessment in respect of the land.

11) The lessee shall plant on the land granted not less than 63 trees of suitable species per 100 M² within a period of two years from the date of possession.

Shree Narayana Mandira Samiti ⁴³³

- 12) In the event of leasee, the ~~Jetes Education Society~~, Bombay ceasing to be recognised by the Educational Department of Government/Govt. the lease shall be deemed to have been terminated.
- 13) The right of Govt. to all mines and minerals is reserved and Govt. shall have full liberty of access for the purpose of working and inspect any part of the said plot of land.
- 14) The leasee shall have to obtain the required licences, permission etc. from the Gr. B.M.C. and other appropriate authorities concerned, if any before utilising the land.
- 15) The leasee shall execute an agreement in form-II appended to the Rules 7 of the M.L.R. (Disposal of Govt. land) Rules 1971.

dh Additional Collector,
Bombay & B.S.D. ^{16/5}

Copy to Dr. K.K. Danodaran, President, Shree Narayana Mandira Samiti, Navin Acha, 126, Dadasaheb Phalke Road, Dabar, Bombay-400 014.

Copy forwarded to the Tahsildar, Kurla, Mulund(W), Bombay-80

2/ He is requested to direct the C.O.K. or Talathi concerned to take necessary note on the record of right and submit fresh record of right the land in question to this office at an early date.

Copy forwarded with compliments to the D.I.C.R., B.S.D.

2/ He is requested to arrange to give the possession of the land adm. 6328 M² out of S.No. 376 of Chembur in B.S.D. after payment made by the leasee.

Copy forwarded to the S.D.O., B.S.D./CTSO.VIII, Mulund.

Copy submitted to the Commissioner, Bombay Division, New Bldg., Konkan Bhavan, New Bombay-400 614 for favour of information.

Copy submitted to the Government in R.& F.D. G-6, Mantralaya, Bombay-32 with reference to his Memo No. LRP/2681/33397/2755/G-6 dated 5-4-83 for favour of information.

O/C signed by
Additional Collector, B. S. Dist.

dh Additional Collector,
B.S.D.