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No. LMN-2677/58441/CR-507/G5,  
Revenue and Forests Department,  
Mantralaya, Bombay-400-032,

Dated:- 13th July 1978.

Subject:- Lands : Bombay Suburban District  
C.T.S.No.952 of Marol  
Grant of .. to Bombay Municipal  
Corporation for garden ..

MEMORANDUM:

The undersigned presents compliments to the Additional Collector of Bombay Suburban District and with reference to the correspondence resting with his letter, No.C/LND-II-B-941-CR-103, dated 3rd December 1977 on the subject mentioned above is directed to convey sanction of Govt. under Rule 5 of the Maharashtra Land Revenue (Disposal of Govt. Lands) Rules, 1971 to the grant of Govt. tank land, measuring 13922 sq. meters out of C.T.S. Survey number 952 of village Marol, taluka Andheri, District Bombay Suburban to the Bombay Municipal Corporation free of occupancy price and free of assessment for the purposes of garden.

2. The grant of the above mentioned land shall be subject to the following terms and conditions:-

i) that the land or any part thereof or any interest therein shall not be transferred except with the previous sanction of the State Govt.;

ii) that the Bombay Municipal Corporation (hereinafter referred to as the grantee) shall utilise the land only for the purposes for which it is granted and in case, the grantee desires to utilise the said land for a purpose other than that for which the land is granted, the grantee shall obtain prior written permission from Govt., before utilising the land for such a different purpose;

iii) that the land shall in all respects to be <sup>made</sup> ready for and shall be fully used for the purpose for which it is granted within a period of 2 years from the date of possession of land;

iv) the grantee shall have to develop the land <sup>and</sup> to have other required amenities provided at its cost;

v) that neither the said land nor any building/s structure/s erected thereupon shall at any time without the express consent of the State Govt. be diverted either temporarily or permanently to any other than the purpose or purposes for which it was granted and that no change or modifications shall be made to such purpose or purposes and that neither the said land nor any building erected thereon shall be so used as to yield a profit to the grantee;

vi) that the <sup>garden</sup> ~~School/College and its ancillary activities~~ shall be open to all, irrespective of caste, creed or religion;

vii) that the grantee shall raise 139 trees on the vacant land in accordance with the provisions contained in Rule 51 of the Maharashtra Land Revenue (Disposal of Govt. Lands) Rules, 1971;

9046.  
COLLECTOR BOMBAY  
SUBURBAN DISTRICT  
DATE - 18 JUL 1978

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viii) in the event of any unauthorised diversion, change or modification in the use of the land being made or in the event of the said land or any building erected thereon yielding a profit to the grantee, the said land shall thereupon, in addition to the assessment to which it becomes liable under Section 67 of the Maharashtra Land Revenue Code, 1950 become liable to such fine as may be fixed in this behalf by the Collector under the provisions of Section 45 of the said Code or other corresponding law for the time being in force relating to the recovery of the land revenue as if the said land, having been assessed for the purpose of agriculture has been unauthorisedly used for any purpose unpermissible agriculturally.

ix) in the event of the breach of any conditions (i) to (vii) without prejudice to any action that may be taken under condition (viii) or in the event of the land being required by the State Govt. for any public purpose, as declaration in respect of which under the signature of the Collector, that it is so required, shall as between the grantee and the State Govt. be conclusive or in the event of land being notified by the State Govt. for acquisition under the Land Acquisition Act, 1894, it shall be lawful for the State Govt. on causing six months notice in writing to be given to the said holder or manager, to take one of the two following courses namely, either;

(a) To require that the said land be vacated and delivered upto the State Govt. free of all claims or encumbrances of any person whatsoever, or

(b) To resume and take possession of the said land and any buildings erected or works executed thereon, free of all claims and encumbrances of any persons whatsoever, on payment of compensation not exceeding the cost or value at the time of resumption whichever is less, of any buildings, or other works authorisedly erected or executed on the said land by the said grantee.

If a question arises as to the adequacy of the amount of compensation to be paid under this condition, such question shall be referred to the State Govt. for its decision and the decision of the State Govt. in this behalf shall be final.

x) this grant is made subject to the reservation of the right of the Govt. to all mines and mineral products and quarries and of full liberty of access for the purposes of working quarries and searching for the same, with all reasonable convenience as provided by the Code.

3. The Collector should take steps to get suitable Sanad Form drafted incorporating the above conditions. Sanad Form No. I attached to the Maharashtra Land Revenue (Disposal of Govt. Lands) Rules, 1971 can be used as a model for the purposes. Sanad should be got executed from the grantee.

(Contd. --3/-



4. The Govt. Memorandum issues within the powers delegated to this department under Govt. Resolution, Finance Department, No. ODO-1377/168/77/EXP-9, dated 20th July 1977.

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

*U.S. Ranadive*  
(U.S. Ranadive),  
Officer on Special Duty,  
Revenue and Forests Department.

To

✓  
The Additional collector, Bombay Suburban District,  
(with case papers) ✓

Copy forwarded with compliments to:-

The Commissioner Bombay Division, New Bombay,  
The Settlement Commissioner and Director of Land Records,  
Maharashtra State, Pune,  
The Director of Town Planning, Maharashtra State, Pune,  
The District Inspector of Land Records, Bombay Suburban District,  
The Deputy Director of Town Planning, Bombay Division, Bombay,  
The Accountant General, Maharashtra-I/II, Bombay/Nagpur,  
The Urban Development and Public Health Department,  
The Finance Department, (EXP-9),  
The Select file '35' Desk, Revenue and Forests Department,  
The Municipal Commissioner, Bombay Municipal Corporation,  
Mahapalika Road, Bombay.

JMO/-  
11/7/78-



103 No. of Desk III / LND / II-B / 941 /  
Bauhey 16.9.78 ER-103

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Read: 1) This office letter No. C/LND/II-B  
941 CR-103 Dt. 30/11/1978.

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2) Govt. in R & F D's Memorandum  
No. LMN/2622/58441/CR-507 a-5  
Dt. 13/7/1978

### ORDER

Govt. land Tank land adm.  
13922 sq. mtrs. out of C.S. No. 952  
of village Masal Tal. Andhra B.S.D.  
is hereby granted under provision  
of Rule 5 of M.L. (Disposal of  
Govt. lands) Rules, 1971 to the B.M.C.  
free of occupancy price and free  
of assessment for the purpose of  
Garden on the following terms and  
conditions.

1. That the land or any part  
thereof or any interest therein shall not  
be transferred except with the previous

Sanction of the ~~Court~~ State Court;

- ii) That the Bombay Municipal Corporation (hereinafter referred to as the grantee) shall ~~not~~ utilise the land only for the purposes for which it is granted and in case, the grantee desires to utilise the said land for a purpose other than that for which the land is granted, the grantee shall obtain prior written permission from Court, before ~~not~~ utilising the land for such a different purpose;
- iii) That the land shall in all respects ~~to~~ be made ready for and shall be fully used for the purpose which it is granted within a period of 2 years from the date of possession of land;
- iv) That the grantee shall have to develop the land and to have other required amenities provided at its cost.



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- v) That neither the said land nor any building/s structure/s erected thereon shall at any time without the ~~express~~ express consent of the State Court, be devoted either temporarily or permanently to any other than the purpose or purposes for which it was granted and that no change or modifications shall be made to such purpose or purposes and that neither the said land nor any building erected thereon shall be so used as to yield a profit to the grantee;
- vi) That the garden shall be open to all, irrespective of caste, creed or religion;
- vii) That the grantee shall lease 128 acres on the vacant land in accordance with the provisions contained in Rule 51 of the Maharashtra Land Revenue (Disposal of Govt. Lands) Rules, 1971;



viii) In the event of any unauthorised diversion, change or modification in the use of the land being made or in the event of the said land or any building erected thereon yielding a profit to the grantee, the said land shall thereupon, in addition to the assessment to which it became liable under Section 67 of the Maharashtra Land Revenue Code, 1956 become liable to such fine as may be fixed in this behalf by the collector under the provisions of Section 45 of the said code or other corresponding law for time being in force relating to the recovery of the land revenue as if the said land, having been assessed for the purpose of agriculture, has been unauthorisedly used for any purpose impermissible agriculturally.

ix) In the event of the breach of any conditions (i) to (vii) without prejudice to any action that may be taken under condition (viii) or in the event of the land being



required by the State Court - for any  
public purpose, a declaration in respect of  
which under the signature of the collector,  
that it is so required, shall ~~as between~~  
between the grantee and the State Court.  
be conclusive or in the event of  
land being notified by State Court for  
acquisition under the Land Acquisition  
Act, 1894, it shall be lawful for the  
State Court on causing six months  
notice in ~~written~~ writing to be given  
to the said holder or managers, to  
take one of the two following courses  
namely, either;

- (a) To require that the said land  
be vacated and delivered up to the  
State Court free of all claims or  
encumbrances of any person whatsoever;
- (b) To resume and take possession  
of the said land and any buildings  
erected or works executed thereon, free

of all claims and encumbrances of any persons whatsoever, on payment of compensation not exceeding the cost or value at the time of resumption whichever is less, of any buildings, or other works authorised, erected or executed on the said land by the said grantee.

If a question arises as to the adequacy of the amount of compensation to be paid under this condition, such question shall be referred to the State Govt. for its decision and the decision of the state Govt. in this behalf shall be final.

c) This grant is made subject to the reservation of the right of the Govt. to mines and mineral products and quarries and of full liberty of access for the purposes of working quarries and searching for the same, with all reasonable convenience as provided by the code.

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~~3. The collector should take steps to get suitable s~~

3. That the grantee shall execute an agreement in form XII or XIII prescribed under Rule 42 of the M.L.R. (Disposal of Govt lands) Rules, 1961 as required by the collector and embodying and agreeing to above terms and conditions considered necessary by the collector having regard to the circumstances of the case and the provisions of the M.L.R. C., 1966 and the Rules made there under.

The Grantee should approach the ASD for taking over possession of the land.

14/12/77  
S/C  
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LOCAL COLLECTOR,  
Boudha

To,  
The Executive Engineer (Dev Plan)  
Boudha.

Copy for. Lm. DHE BO, Boudha

in triplicate. Plan of the site is enclosed.

copy fld. Ltr - J. Anwar / S. O. S. /  
City Anwar officer Anwar, Rafiq Jangil, Officer  
Bridg, Jangil for information and necessary  
action.

By *[Signature]* Ltr  
M. Anwar / S. O. S. /  
*[Signature]*



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POSSESSION RECEIPT

I, Shri S.B. Sachdev

C. S.

B. S. D. on behalf of Additional Collector, and Shri L. D. Jagdale  
representative of B.M.C. of Greater Bombay respectively

have handed over / taken over the possession of land bearing S.No. Temple Con

C.T.S. No. 952 of Village Marol

Taluka Andheri area admeasuring 12,088.08 sq. mtrs.

as per the Additional Collector, B.S.D. Bombay's Order No.

C/DESK/ III / LND/ H/B/94/CR103 dated 16-9-78

demarcated on site.

Ind. Measurement

Dated : 28, 26, / 11 / 82 and 20, 21, 25 / 11 / 83

Place : Marol

HANDED OVER

TAKEN OVER with signatures

S.B. Sachdev  
18/8/83  
C.S.B.S.D.

Jagdale  
18-8-83  
L.D. Jagdale  
(Tr. Engr)



