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NO. LRF-2680/28409/CR-2181/G-6,
Revenue and Forests Department,
Mantralaya, Bombay - 400 032.
Dated: 5th August, 1981.

SUB:- Lands : B. S. D.

Survey No. 341(part), Bandra,
Bombay- Request in the matter
from Late Bhausaheb Hiray Trust,
Malegaon, for Students' Hostel
and Memorial Hall-

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 III/LND-II-A-539/81, dated the 2nd June, 1981, on the subject mentioned above, is directed to state that under Government Resolution, Revenue & Forests Department No. LND-2680/20975/G-8, dated the 23rd July, 1980, Government land between New English School and Akhil Bhartiya Maratha Shikshan Parishad from out of Survey No. 341(part) of Bandra was transferred to the Housing & Special Assistance Department for the rehabilitation of fifty-six families of Slum Dwellers residing in the near by locality known as Sidartha Nagar. The Housing & Special Assistance Department subsequently observed that the area required for the construction of buildings would be approximately 1,500 sq. metres and that Department has no objection to dispose of the remaining land measuring 2,000 sq. metres to the above mentioned Trust. Government is, therefore, pleased to grant land measuring 2,000 sq. metres out of above Survey number to Late Bhausaheb Hiray Trust, Malegaon, on payment of occupancy price equal to 50% of the market value that will be decided by Government in due course of time, for the construction of "Students' Hostel" and "A Memorial Hall". The grant of land in question is in accordance with the orders contained in Government Resolution, Revenue & Forests Department No. LRF-4968/210868-B, dated the 21st June, 1972. This grant is subject to the terms and conditions mentioned in para(2) of this Government Memorandum and also subject to the additional condition viz :-

"that the building to be constructed shall be exclusively used for the bona-fide activities of Late Bhausaheb Hiray Trust and that the Trust shall credit 50% of the unearned income derived by it by way of commercial user of building, if any, to Government."

The Additional Collector, Bombay Suburban Distt. is directed to get the valuation of the land in question determined from the Town Planning & Valuation Department

P. T. O.

and report the same to Government immediately. He is also directed to report the revenue free value of the land in question to Government. He should hand over possession of the said land after obtaining an undertaking from the Trust to the effect that it will abide by the terms and conditions and to pay the occupancy price of the land that will be fixed by Government together with other development charges and that it will pay interest @ 8% on the occupancy price from the date of handing over possession of the land to the date of final payment.

2. The following shall be the conditions of grant:-

- i) that the land or any part thereof or any interest thereon shall not be transferred except with the previous sanction of the State Government;
- ii) that the land shall in all respects be made ready for and shall be fully used for the purpose or purposes for which it was granted within a period of two years from the date of grant;
- iii) that all the buildings to be constructed on the land shall be according to the Plans got approved from the Collector and the Greater Bombay Municipal Corporation observing scrupulously the Prevention of Ribbon Development Rules and after they are constructed, no additions or alternations thereto shall be made without the previous permission of the Collector;
- iv) that neither the said land nor any part thereof nor any building or part of any building erected thereupon shall at any time, without previous consent in writing of the State Govt. be diverted either temporarily or permanently to any other purpose than the purpose for which it was granted. The State Government will be at liberty to refuse such consent or grant it subject to such terms and conditions, including a condition requiring payment of premium, as the State Government may in its absolute discretion think fit;
- v) that the activities of the Trust shall be open to all, irrespective of caste, creed or religion;
- vi) that the grantee shall within a period of two years from the date of possession, plant on the land granted hereunder, not less than twenty trees of suitable species and maintain them throughout;
- vii) that 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, 1966 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;

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viii) that in the event of the breach of any conditions (i) to (vii) without prejudice to any action that may be taken under condition (vii) or in the event of the land being required by the State Government for any Public purpose, a declaration in respect of which under the signature of the Collector, that it is so required, shall as between the grantee and the State Government be conclusive or in the event of land being notified by the State Government for acquisition under the Land Acquisition Act, 1894, it shall be lawful for the State Government 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 Government 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 or 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 Government for its decision and the decision of the State Government in this behalf shall be final.

ix) This grant is made subject to the reservation of the right of the Government 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.

x) The land is granted in the condition in which it is and cost of development etc: will have to be borne by the grantee.

3. The Additional Collector, Bombay Suburban Distt. should take steps to get drafted a suitable Sanad incorporating the above conditions and such other conditions which he deems fit and to get the same executed from the grantee. (Form 'I' appended to the Maharashtra Land Revenue (Disposal of Government Lands) Rules, 1971, may be used as a model for the purpose).



No. LRF-2682/1037/CR-2989/G-6
Revenue & Forests Department,
Mantralaya, Bombay-400 032.
Dated : 1st June, 1983.

Subject : Lands : B.S.D.
S.No. 341, Part of Bandra,
Request in the matter from late
Bhauasaheb Hirey Smaranika Trust
for construction of B.C. Hostel.

MEMORANDUM :

The undersigned presents compliments to the Additional Collector, B.S.D. and in supersession of the orders issued under Govt. Memo, Revenue & Forests Department No. LRF-2680/28409/CR-2187/G-6, dated 1.8.81 and Govt. letter of even number dated 14.1.1983, on the subject mentioned above, is directed to convey the sanction of Government to the grant of land measuring 1927 sq. mt. out of S.No. 341 (part) of Bandra, under the provisions laid down under Rule 5 of the Maharashtra Land Revenue (Disposal of Government Lands) Rules, 1971 read with Government Resolution, Revenue and Forests Department No. LRF-1083/71134/CR-3478/G-6, dated 8.2.1983, on payment of occupancy price equal to 25% of the provisional occupancy price of the land calculated at the rate of Rs. 725/- per sq. mt. in favour of late Bhauasaheb Hirey Smaranika Trust for the construction of B.C. Hostel subject to the terms and conditions as laid down in paras 7 and 10 of the Government Circular, Revenue & Forests Department No. LRF-1083/71134/CR-3478/G-6, dated 8.2.83. The valuation mentioned above is a provisional one and the Additional Collector should get the valuation of the land in question done through the Assistant Director Town Planning, Bombay Suburban District immediately.

2. This Government Memo issues with the concurrence of the Finance Department vide its un-official reference No. 739/EXP-9, dated the 31st May, 1983.

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

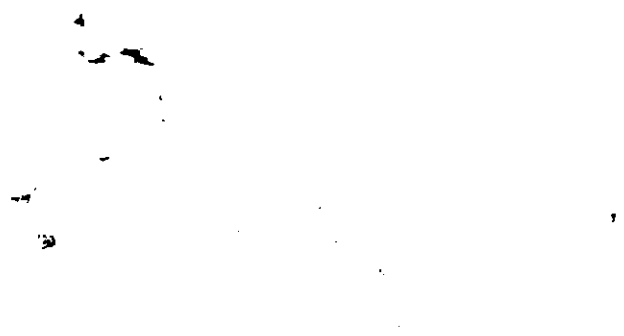
S. B. Karkhanis
(S.B. Karkhanis)
Under Secretary to Government,
Revenue & Forests Department.

To:

The Additional Collector, B.S.D. Bombay.
Copy forwarded with compliments to :-
The Commissioner, Bombay Division, Bombay.
The Settlement Commissioner and Director of Land Records,
M.S. Pune.
The Deputy Director of Land Records, Bombay.
The Accountant General M.S. I, Bombay.
The Accountant General, M.S. II, Nagpur.
The Housing and Special Assistance Department (Desk D-7)
The Finance Department (Desk EXP-9)
G-8 Desk, R.&F.D.
Select file G-6 Desk, R.&F.D.

OFFICE OF THE
ADDITIONAL COLLECTOR
BOMBAY SUBURBAN DIST.

7 JUN 1983



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No. C/Desk. III/LND. II/A. 539
Office of the Additional Collector
Bombay Suburban District
Old Custom House Yard
Fort, Bombay 400023

Date:- 2.7.1986

RE:- Govt. in Revenue & Forests Deptt.'s Memo No. LRF. 2002/
20409/GR/2181/G.6 dt. 5.8.81.

2. This office order No. C/Desk. III/LND. II/A. 539
dt. 13.8.81.

3. Govt. in Revenue & Forests Deptt.'s Memo No. LRF. 2002/
1037/GR. 2989/G.6 dt. 1.6.83.

ORDER :

In supersession of this office orders issued under
this office order No. C/Desk. III/LND. II/A. 539 dt. 13.8.81.
Govt. land measuring 1927 sq. mtrs. out of S. No. 241 Baroda
is hereby granted on payment of occupancy price equal to
25% of market value that will be decided by Govt. in due
course of time to late Bhausaheb Hiraj Saaranika Trust,
Molegaon for the construction of B. Hostel. The advance
possession of the land has been handed over to the Trust
by the Dist. Inspector of Land Record, B. S. D. on 28.6.1981
following shall be the conditions of the grant:-

1) That the Trust has paid provisional occupancy price
and shall therefore pay the difference between the amount
deposited and the actual occupancy price finally fixed by
Govt. together with interest at the rate of 8% from the date
of possession till the date of final payment.

2) That the land or any part thereof or any interest
therein shall not be transferred except with the previous
sanction of the State Government.

3) That the land shall in all respects be made ready
for and shall be fully used for the purpose for which it was granted
within a period of two years from the
date of grant.

4) That all the buildings to be constructed on the
land shall be according to the plans get approved from the
Collector and the Municipal Corporation observing
the provisions of Ribbon Development Rules and shall be
constructed, no addition or alterations thereto shall be made
without the previous permission of the Collector.

5) That neither the said land nor any part thereof nor any building or part of any building created thereupon shall at any time be used for any purpose in writing of the State Government or for any other purpose temporarily or permanently to any other person other than the purpose for which it is granted. The State Government will be at liberty to refuse to grant or subject to such terms and conditions, including a condition requiring payment of premium, as the State Government in its absolute discretion think fit.

6) That the activities of the trust shall be open to all irrespective of caste, creed or religion.

7) That the trustee shall within a period of two years from the date of possession, plant on the land granted hereunder, not less than the rate of 4 trees per 100 sq. meters.

8) That in the event of any unauthorised diversion, change or alteration of the use of the land being made as in the event of any building erected thereon yielding a profit the said land shall thereupon in addition to the fine payable thereon it becomes liable under section 67 of the Land Revenue Code, 1956 become liable to such fine as may be levied by the college under the provisions of the said Code or other corresponding law for the purpose of recovery of the land revenue as if the said land has been used for the purpose of agriculture or agriculturally.

9) In the event of the breach of any conditions from (7) to (8) the trustee shall be liable to any action that may be taken under section 67 of the Land Revenue Code, 1956 or in the event of the land being required by the State Government for any public purpose, a declaration in respect of the land under the signature of the trustee, that it is so required shall be deemed to be a declaration of the State Government. The trustee shall be deemed to be notified by the State Government under the Land Acquisition Act 1954, and shall be deemed for the State Government to be causing all notices and proceedings to be given to the said holder or trustee in any one of the two following courses namely, either- (a) that the said land be vacated and delivered to the State Government free of all claims or encumbrances or (b) to acquire and take possession of the said land and

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any building erected on works executed shall be free of all claims and encumbrances of any person whatsoever, and payment of compensation not exceeding the cost of value at the time of resumption whichever is less, of any building or other works authorisably erected or executed on the said land by the said grantee.

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

10) This grant is made subject to the reservation of the right of the Government to all mines and mineral products and quarries and of full liberty of access for the purpose of working quarries and searching for the same with all reasonable convenience as provided by law.

12) The land is granted in the condition in which it is and cost of development etc. will have to be borne by the grantee.

hds
21/7/86
J. F. Mathur
Additional Collector
Bombay Suburban District

To:
The President
Late Maharajah Hiral Sagarika Trust,
"Dundhuwar" Camp Road,
Malabar, Nashik.

- Copy forwarded to:-
1. Sub-Divisional Officer, B.S.D.
 2. The Tahsildar Anburi.
 3. The City Survey Officer No. 11, for information and necessary action.

Recd copy of order & agreement
CR. D. J. Mathur
30686

J. F. Mathur
Additional Collector
Bombay Suburban District
hds
21/7/86



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No. C/Desk. III/LND. II/A. 539
Office of the Additional Collector
Borivli Suburban District
Old Customs House Yard
Fort, Bombay 400023

Dated:- 2nd July 1986

- 1. Ref: Govt. in Revenue & Forests Deptt.'s Memo No. LRF. 2180/28409/CR. 2181/0.6 dt. 5.8.81.
- 2. This office order No. C/Desk. III/LND. II/A. 539 dt. 13.8.81.
- 3. Govt. in Revenue & Forests Deptt.'s Memo No. LRF. 2692/1037/CR. 2909/0.6 dt. 1.4.83.

ORDER :

In supersession of this office orders issued under this office order No. C/Desk. III/LND. II/A. 539 dt. 13.8.81. Govt. land admeasuring 1927 sq. mtrs. out of S. No. 341 Bandra is hereby granted on payment of occupancy price equal to 25% of market value that will be decided by Govt. in due course of time to late Bhausahab Hiray Smaranika Trust, Malegaon for the contention of B. G. Hestel. The advance possession of the land has been handed over to the Trust by the Dist. Inspector of Land Record, B. D. on 28.8.1981 following shall be the conditions of the grant:-

- 1) That the Trust has paid provisional occupancy price and shall therefore pay the difference between the amount deposited and the actual occupancy price finally fixed by Govt. together with interest at the rate of 6% from the date of possession till the date of final payment.
- 2) That the land or any part thereof or any interest therein shall not be transferred except with the previous sanction of the State Government.
- 3) That the land shall in all respects be made ready for and shall be fully used for the purpose or purposes for which it was granted within a period of two years from the date of grant.
- 4) That all the buildings to be constructed on the land shall be according to the plans got approved from the Collector and the Municipal Corporation observing scrupulously the provisions of Ribbon Development Rules and after they are constructed, no addition or alterations thereto shall be made without the previous permission of the Collector.

That neither the said land nor any part thereof nor any building or part of any building erected thereupon shall at any time, without previous consent in writing of the State Government be diverted either temporarily or permanently to any other purpose other than the purpose for which it is granted. The State Government will be at liberty to refuse such consent or grant it subject to such terms and conditions, including a condition requiring payment of premium, as the State Government may in its absolute discretion think fit.

6) That the activities of the Trust shall be open to all irrespective of caste, creed or religion.

7) That the grantee shall within a period of two years from the date of possession, plant on the land granted hereunder, not less than the rate of 1 tree per 100 sq. meters.

8) 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, 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 the time being in force relating to 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.

9) In the event of the breach of any condition from (f) to (g) without prejudice to any action that may be taken under condition (g) or in the event of the land being required by the State Government for any public purpose, a declaration in respect of which under the signature of Collector, that it is so required shall as between the grantee and the State Government be conclusive or in the event of land being notified by the State Government for acquisition under the Land Acquisition Act 1894, it shall be lawful for the State Government after 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 to the State Government free of all claims or encumbrances of any person, whatsoever or

(b) to resume and take possession of the said land

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any building erected, no works executed thereon free of all claims and encumbrances of any person whatsoever, an payment of compensation not exceeding the cost of value at the time of assumption whichever is less, of any building or other works authorisedly erected or executed on the said land by the said grantee.

If any 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 Government for its decision and the decision of the State Government in this behalf shall be final.

10) This grant is made subject to the reservation of the right of the Government to all mines and mineral products and quarries and of full liberty of access for the purpose of working quarries and searching for the same, with all reasonable conveniences as provided by the Code.

11) The land is granted in the condition in which it is and cost of development etc. will have to be borne by the grantee.

12/12/86
Additional Collector
Bombay Suburban District.

To:

The President
Late Phurnani Singh Amaranika Trust
'Dyanshwar' Road,
Malgegaon, Nasik.

Copy forwarded to:-

1. Sub-Divisional Officer, B.S.D.
2. The Subdar Andheri.
3. The City Survey Officer No. III, B.S.D. for information and necessary action.

MVS.30686

Additional Collector
Bombay Suburban District.



जिल्हाधिकारी

ई ज्युनगर जिल्हा यांचे कार्यालय

प्रशासकीय इमारत, १० वा मजला, सरकारी वसाहत, वांद्रा (पू) मुंबई-५९
Ph. 65567999, 65591111 Fax : 65568005 email address:- collrmsd@yahoo.com

क्र. :- ११/३अ/अ-१५५

दिनांक :- १/०१/०४

वाचले :-

१. शासन, महसूल व वन विभागाचे जापन क्र.एलएनडी-२६८६/११०/प्रक्र.१५६४/ज-३, दिनांक ७/६/२००१ व दिनांक १९/७/२००६.
२. या कार्यालयाचे पत्र समक्रमांक दिनांक २७/६/२००१ व ७/८/२००१
३. शासन, महसूल व वन विभागाचे जापन क्र.एलएनडी-२६८६/११०/प्रक्र.१५६४/ज-३, दिनांक ५/२/२००४.
४. या कार्यालयाचे पत्र समक्रमांक दिनांक १६/३/२००४.
५. संस्थेचे पत्र दिनांक ३१/३/२००४ व त्यासोवतचे हमीपत्र.

आदेश :-

मौजे वांद्रे, स.क्र.३४१पै, १९२७चौ.मी. जमीन शासन, महसूल व वन विभागाने भाऊसाहेब हिरे स्मरणिका ट्रस्टला 'विद्यार्थी वसतीगृह व समिती सभागृहाकरिता' मंजूर करण्यांस परवानगी दिल्याने तत्संबंधी या कार्यालयाचे आदेश क्र.सी/डेस्क-३/एलएनडी-२अ/५३९, दिनांक १३/८/१९८१ पारित करण्यांत आले आहेत. जमीन प्रदानाबाबत संस्थेने दिनांक २/७/१९८६ रोजी शासनाबरोबर करारनामा केला आहे. तथापि, संस्थेस ज्या मंजूर कारणांकरिता जमीन प्रदान करण्यांत आली होती त्या प्रयोजनाऐवजी वास्तुशास्त्र महाविद्यालय सुरु करण्यांस परवानगी देण्याची संस्थेची विनंती शासनस्तरावर विचाराधीन होती. संस्थेने केलेल्या विनंतीनुसार कै. भाऊसाहेब हिरे स्मरणिका ट्रस्ट या संस्थेस मंजूर केलेली १९२७चौ.मी. जमीनीचा वापर वास्तुशास्त्र महाविद्यालय सुरु करण्यांस शासन निर्णय क्र.एलआरएफ-१०९२/प्रक्र.८७/ज-१, दिनांक ३०/६/१९९२ मधील तरतुदीनुसार दिनांक ७/६/२००१ रोजीच्या शासन आदेश दिनांकाच्या लगतपूर्व ५ वर्षे आधीच्या वर्षाच्या १ जानेवारी रोजी अस्तित्वात असलेल्या बाजारमूल्याच्या ५०% इतके भोगाधिकार मूल्य आकारणे नेहमीच्या अटी व शर्तीवर व काही विशिष्ट अटीवर मंजूर करण्यांस शासनाने परवानगी दिली होती. तथापि, संस्था विद्यार्थी वसतीगृह व समिती सभागृहासाठी मंजूर केलेल्या १९२७चौ.मी. जमीनीपैकी १००२.२१चौ.मी. क्षेत्र वास्तुशास्त्र महाविद्यालयाकरिता व उर्वरित जमीनीचा वापर वसतीगृहाकरिता करित आहे. वास्तुशास्त्र महाविद्यालयाकरिता जमीनीच्या वापरांत सन १९९४ मध्ये बदल झाला असल्याने, केवळ १००२.२१चौ.मी. क्षेत्राकरिताच शासन निर्णय दिनांक ३०/६/१९९२ मधील तरतुदीनुसार १९९४ या वर्षाच्या लगतपूर्व पाच वर्षे आधीच्या १ जानेवारी रोजी अस्तित्वात असलेल्या बाजारमूल्याच्या ५०% इतके किंमत आकारण्याबाबत संस्थेने शासनला विनंती केली होती. संस्थेस मंजूर केलेली १९२७चौ.मी. जमीनीपैकी केवळ १००२.२१चौ.मी. जमीन सन १९९४ पासून

वास्तुशास्त्र महाविद्यालयाकरीता वापरत असल्याने महाराष्ट्र जमीन महसूल अधिनियम १९६६ तसेच महाराष्ट्र जमीन महसूल (सरकारी जमीनीची विल्हेवाट) नियम १९७१ मधील नियम ५ व ६ नुसार तसेच शासन निर्णय महसूल व वन विभाग क्र.एलाआरएफ-१०९२/प्रक्र.८७/ज-१, दिनांक ३०/६/१९९२ मधील तरतुदीनुसार सन १९९४ या वर्षाच्या लगतपूर्व पाच वर्षे आधीच्या १ जानेवारी रोजी अस्तित्वात असलेल्या बाजारमूल्याच्या ५० टक्के इतके भोगाधिकार मूल्य आकारून नेहमीच्या अटी व शर्ती तसेच खालील विशिष्ट अटीवर मंजूर करण्यास शासनाने परवानगी दिला आहे. यास्तव संस्थेस मंजूर केलेल्या १९२७ चौ.मी. पै. १००२.२१ चौ.मी. क्षेत्र वास्तुशास्त्र महाविद्यालयाकरीता वापरणेस खालील अटी व शर्तीवर याद्वारे मान्यता देण्यांत येत आहे.

अटी व शर्ती :-

१. प्रश्नाधीन जमीनीची शासन, निर्णय दिनांक ३०/६/१९९२ मधील तरतुदीनुसार अंतिम भोगाधिकाराची किंमत संचालक नगर रचना व मूल्य निर्धारण विभागाकडून निश्चित करून घेण्यांत येत आहे. संस्थेने आता पे ऑर्डरद्वारे भरणा केलेली तात्पुरती भोगाधिकाराची किंमत रु.१९,२९,२५५/- शासनजमा करण्यांत आली असून अतिपरित्या भोगाधिकार मूल्याची रक्कम जास्त आल्यास फरकाची रक्कम विहित दराने व्याजासह भरण्याबाबत संस्थेने हमीपत्र सादर केले आहे. हमीपत्रानुसार संस्थेने अशी फरकाची रक्कम कळविल्यापासून एका महिन्यांत भरणा करणे आवश्यक राहिल.
२. संस्थेने प्रश्नाधीन जमीनीचा वापर मंजूर प्रयोजनासाठीच (वास्तुशास्त्र महाविद्यालयाकरीताच) करावा.
३. जमीन प्रदानाबाबतच्या करारनाम्यात निर्धारित केलेल्या अटी व शर्ती कायम राहतील.

प्रति,
विश्वस्त,
कै. भाऊसाहेब हिरे स्मरणिका समिती ट्रस्ट
मुंबई

जिल्हाधिकारी,
मुंबई उपनगर जिल्हा.

जिल्हाधिकारी
मुंबई उपनगर जिल्हाकरीता