

No. 100-2074/188720-01-100/PA
Revenue and Customs Department,
Central Office, Bombay-400-005.
Dated - 14th January 1970.

Subject - Land Revenue Administration District
Pradesh of Madhya
Pradesh of Co-operative
Housing Society.

Reference:

The undersigned presents compliments to the Additional Collector, Jabalpur Suburban District and with reference to his letter No. C/Devt-II/1281/468, dated 2nd November 77. It directed to state how under Govt. Regulation upon Development and Public Works and Housing Department, No. HCL-377/45074-14, dated 10th July 73, plots Nos. 4 to 7 out of the layout of 21,00,000 Hulsed, Jabalpur Suburban District were granted to Prakash Co-operative Housing Society for building 148 flats. However, as these plots were found out to be under encroachments, vacant possession thereof could not be given to the said Society, Govt. 1st Minister, Madhya Pradesh has orders issued in Govt. Regulation, dated 18th July 1973, referred to above, which should be cancelled and that sanction should be re-issued for plot of 1108 Nos. 1 and 2 (measuring 2 1/4 sq. meters and 234 sq. meters respectively) out of the layout of 21,00,000 Hulsed, Jabalpur Suburban District to Prakash Co-operative Housing Society for housing 148 flats approved records, under the Jabalpur Class District Scheme for 148 flats. These flats are situated in Ward, Regulation, Urban Development and Public Health Department, No. 100-2074/188720-01, dated 13th February 1974, as amended from time to time. The plot of land should be on the terms and conditions mentioned in the accompanying statement 'A'.

2. The Additional Collector, Jabalpur Suburban District should get the agreement executed from the Society regarding the terms and conditions of grant, for the fresh allotment of all the 50 approved flats in the form enclosed, verified and should, thereafter issue final orders of grant of land in the matter. A list of approved 50 numbers is enclosed to these orders.

3. This memorandum issues with the concurrence of the Social Welfare Cultural Affairs Sports and Tourism Department and under the orders delegated to this department (vide Govt. Memorandum, Finance Department No. 010-1377/188177-807-01, dated 20th July 77).

RECEIVED
DATED
19.1.70

H. V. Anandkar
H. V. Anandkar
Deputy Director, Revenue and Public Department.

The Additional Collector, Jabalpur Suburban District
(with statement in form of affidavit and list of
numbers).

Copy with copy of statement 'A' and list of numbers forwarded to:
1. The Commissioner, Jabalpur Division, Jabalpur.
2. The Additional Collector, Jabalpur Suburban District,
Jabalpur.

(P. T. O.)

51

READ :- Govt. in Revenue and Forests Department's
Memorandum No. 105/1074/132720/1A.159/0.4
dated 20th January, 1979.

(W) (92)
No. C/DESK.VI/LND.I.A / 426
Office of the Additional Collector,
Bombay Suburban District, Old Custom
House, Fort, Bombay 400 023.

Dated :- 22nd February, 1979.

O R D E R

The Government land plot No. 1 and 2 (measuring 1,174 sq. metres and 724.9 sq. metres respectively) out of the layout of S.No. 50 of Malund, Bombay Suburban District is hereby allotted to Irabhat Co-operative Housing Society for housing its 50 approved members, under the Backward class Housing Scheme.

The grant of land is subject to the terms and conditions mentioned below :-

i) The grant of land is sanctioned under the Backward Class Co-op. Housing Society Scheme (Old F. & A. Scheme 219) and accordingly the Society becomes eligible for concession under the said scheme. The society is eligible for free grant of land under the said scheme.

ii) The land shall be utilized for housing the approved 50 members of the Society and for no other purpose whatsoever.

iii) The land or any part thereof shall not be sold, mortgaged, leased, transferred or in any other way alienated except as provided in section 20(4) of the Maharashtra Land Revenue Code, 1966 without previous written permission of the Additional Collector, Bombay Suburban District.

iv) The Society shall make maximum use of the land for housing purposes and shall accommodate as many members in the land as are permissible in accordance with the building rules after getting membership approved list of such new members.

v) The Society shall not enroll any new members or substitute any member approved by the Govt. without its prior permission and the Govt. shall have a right to approve such new members, recommended by the Society, who would fulfill prescribed conditions thereto.

vi) The flats in the society should be occupied personally by the members as soon as these are ready for occupation and members shall vacate the Govt. accommodation, if any, thereafter. If any member does not occupy the flat and unless the same is required for bonafide use of his family, the flat in the society shall be placed at the disposal of the Additional Collector, Bombay Suburban Dist. who would pay the rent to the said member as may be determined by Govt. from time to time in accordance with the orders of Govt. in force.

vii)

P.F.O.

vii) If any member or his wife/his husband or his minor child purchases at any time any flat or house or plot or bungalow in any urban area, the son or shall stand disqualified and flat allotted to him in the Society should be transferred, at a price determined by the Govt. but not exceeding the cost paid to the Society, to another member to be approved by the Govt. and qualified to be a member;

viii) The Society shall not sub-divide the land or any part thereof, nor shall sub-let, transfer, assign or in any way alienable the land or any part thereof or its interest therein without prior written permission of the Collector and Collector may if he so considers fit, while granting permission impose such conditions including payment of premium to Govt. as he considers appropriate;

ix) The grant is subject to the reservation of the right of Govt. to all mines and mineral products and quarries in the land and Govt. shall have full liberty of access for the purposes of working quarries and searching for the same with all reasonable convenience as provided by the Maharashtra Land Revenue Code, 1958;

x) If the land or any portion thereof is required by Govt. in future, for any public purpose, the grant of land or of any such portion thereof will be cancelled and the land or any such portion thereof will be resumed by Govt. on payment of cost of land held by the society and of cost of building or structure, if any, standing thereon. The Society shall accept as final the decision of Govt. as to whether the land or any portion thereof is required for a public purpose and as to the cost of building or structure, if any, determined by the Ex. Engineer, Public Works and Housing Division;

xi) The Society should not make any addition or alteration to the buildings constructed without written approval of the Collector and shall inform the Collector of the reduction in the number of members, if any, before commencing construction of roads and buildings and Collector shall have right of resumption of any land rendered surplus to the reasonable requirements of the Society consequent upon reduction in membership;

xii) The Society shall be bound to complete all the building roads, drains etc. in accordance with the approved scheme to the satisfaction of the Municipal Corporation or such other local authority within a period of two years from the date of possession of land;

xiii) The buildings to be constructed shall be in accordance with the building rules and Ribbon Development Rules enforce in the locality and further subject to the conditions, if any, imposed by the Assistant Director of Town Planning.

xiv) The society shall hold the land on inalienable and impartible tenure as occupant class II.

xv) The society shall pay the non-agricultural assessment for the land regularly that would be fixed by the Collector from time to time.

xvi) The Society or any of its members shall not utilize, any part of the land directly or indirectly for any commercial, business or professional purpose;

....

xvii) The Society shall within a period of two years from the date of possession of land, plant on the land granted hereunder trees of suitable species at the rate of 1 tree per 100 sq.meters and maintain them throughout;

xviii) The Society shall be liable to be evicted and land buildings resumed to Govt. without payment of any compensation in case there is a breach of any of the conditions of grant of land and failure on the part of the society to remedy the said breach within six months from the date of issue of notice by the Collector communicating the said breach;

xix) The Society shall be bound to take all necessary steps to compel any of its members who has committed breach of any of the conditions of grant to remedy the breach immediately and failure on the part of the member to remedy the breach accordingly within a period of six months from the date of issue of notice by the Collector communicating the said breach to the society shall be deemed to be a breach committed by the Society itself and the Society shall render itself liable to be dealt with under clause (xviii) above;

xx) The Society shall sign an agreement in the form xii prescribed under Rule 48 of the Maharashtra Land Revenue (Disposal of Govt.Lands) Rules, 1971 as required by the Collector, embodying and agreeing to above terms and conditions in addition to such other conditions considered necessary by the Collector having regard to the Revenue Code, 1966 and the Rules made thereunder.

[Signature]
Additional Collector,
Mumbai Suburban District.

Copy to Chief Promoter of Prabhat Co-op. Housing Society.

The Chief Promoter has to give an affidavit in the prescribed form. He may contact this office.

Copy to Dist. Inspector of Land Revenue, S.S.D. for necessary action.

He is requested to hand over the possession of the land to the society and send compliance report to this office immediately after the intimation is given by the society.

Copy to Tehsildar Karla.

Copy to Sub Divisional Officer, S.S.D. for information.

Copy to Commissioner, Bombay Division.

Copy submitted to Govt. in Revenue & Forests Department for information.

[Signature]
Additional Collector,
Mumbai Suburban District.