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(91)

No. LRM-3373/26313/CR-85/85,  
Revenue and Forests Department,  
Mentralaya, Bombay-400-032,  
Dated:- 10th February 1978.

Subject:- Lands in Bombay Suburban District  
S.No. 104 of Madhavli  
Grant of.. to Bombay Municipal Corpn.  
for school and playground..

**MEMORANDUM:**

The undersigned presents compliments to the Additional Collector of Bombay Suburban District and with reference to his letter, No. C/LM/LD, dated 23rd September 1977 is directed to convey sanction of Govt. for grant of govt. land measuring 24,345.8 sq. meters out of S.No. 104 of village Madhavli, Taluka Kuria, Bombay Suburban District to the Bombay Municipal Corporation for construction of School and play ground. The advance possession of the land is given to the Bombay Municipal Corporation on 14th March 1974.

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

- i) the grantee shall pay to Govt. the occupancy price of the land of Rs. 1,09,546.10 at the rate of Rs. 4.50 per sq. meter as on 1st January 1964 i.e. the date of publication of the draft development, as per Govt. Resolution, Revenue and Forests Department, No. LRM-3639/194787-BI, dated 23rd April 1971;
- ii) the grantee shall also pay to Govt. the interest at the rate of 6% per annum over and above the amount of occupancy price as determined in condition No. (i) above; from the date of taking over possession of the land till the date of payment of cost of land;
- iii) the value of land has been fixed on the basis of existing condition of land and the grantee shall have to develop the land and to have all other required amenities at its cost;
- iv) the grantee shall hold the land on inalienable and impartible tenure as occupant Class III;
- v) the grantee shall pay regularly the non-agricultural-assessment prevalent in the locality as fixed from time to time;
- vi) 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, 1966;
- vii) the grant shall be subject to the conditions laid down in Rules 31 and 41 of the Maharashtra Land Revenue (Disposal of Govt. Lands) Rules, 1971 and such other conditions deemed fit by the Collector;
- viii) if the land or any portion thereof is required in future by Govt. for any public purpose, the land or any such portion thereof shall be resumed by Govt. on payment of compensation equal to the cost of land paid by the grantee for the land or any portion thereof

REVENUE DEPARTMENT  
BOMBAY  
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... of the land till the date of payment of cost of land

which is to be resumed and cost of the building or structure, if any, standing thereon. The grantee 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 Executive-Engineer, Public Works and Housing Division;

ix) the grantee shall within a period of two years from the date of possession of land or from the date of issue of these orders, plant on the land granted hereunder, not less than 243 trees of suitable species and maintain them throughout;

x) that for breach of any of the conditions mentioned above and such other conditions which the Collector may impose having regard to the provisions of the Maharashtra Land Revenue Code, 1966 and the Rules made thereunder and having regard to the circumstances of the case, the grant shall be revoked and the land resumed to Govt. without payment of any compensation;

ix) the grantee shall execute an agreement embodying and agreeing to the above terms and conditions in the relevant form prescribed under Rule 42 of the Maharashtra Land Revenue (Disposal of Govt. Lands) Rules, 1971.

3. The Additional Collector of Bombay Suburban District should now recover the amount of occupancy price in full together with interest within one month from the date of issue of these orders, get the agreement executed from the grantee and thereafter should issue final orders in the matter.

4. This memorandum issues within the powers delegated to this department vide 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,

  
(B. R. Savant),

Under Secretary to Government,  
Revenue and Forests Department.

To

✓ The Additional Collector of Bombay Suburban District,

Copy 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,  
The Tahsildar Kurla, Bombay Suburban District,  
The Accountant General, Maharashtra-I/II, Bombay/Nagpur,  
The Finance Department, (EXP-9),  
The Urban Development and Public Health Department,  
The Select file 'GS' Desk, Revenue and Forests Department,  
The Municipal Commissioner, Bombay Municipal Corporation, Bombay.

(101) (47)

No. C/2002, VI/130, I.S. 100  
Office of the Additional Collector,  
Borby Suburban District, Old Custom  
House, Fort, Borby 400 020.

Dated :- 13/11 July, 1979.

- S A D :-
- 1) Govt. in Revenue & Forests Department's Memorandum No. 130/2572/20212, SA, 26/G.S dated 10-9-1978.
  - 2) This office letter No. C/130, I.S. dated 28-9-1977.

O R D E R

Govt. land measuring 24245.9 sq. metres out of No. 104 of village Acholi Talas Baria, Borby Suburban District, is hereby granted to the Borby Municipal Corporation for construction of school building and play ground. The advance possession of the land has been given to the Borby Municipal Corporation on 14-3-1974.

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

- i) the grantee shall pay to Govt. the occupancy price of the land of Rs. 1,00,00.00 at the rate of Rs. 1.00 per sq. metre as on 9th January 1954, i.e. the date of publication of the draft Development Plan, as per Govt. Resolution, Revenue and Forests Department No. 130/2060/154727-21- dated 18-9-1971.
- ii) the grantee shall also pay to Govt. the interest at the rate of 8% per annum over and above the amount of occupancy price as determined in condition No. (i) above, from the date of taking over possession of the land till the date of payment of cost of land.
- iii) the value of land has been fixed on the basis of existing condition of land and the grantee shall have to develop the land and to have all other required amenities at its cost.
- iv) the grantee shall hold the land on inalienable and imperible tenure of Occupant Class II.
- v) the grantee shall pay regularly the non-agricultural assessment prevalent in the locality as fixed from time to time.
- vi) the grant is subject to the reservation of the right of Govt. to all mines and mineral products not quarried in the land and Govt. shall have full liberty of access for the purposes of carrying quarries and searching for the same with all reasonable cover and as provided by the Maharashtra Land Revenue Code, 1974.
- vii) the grant shall be subject to the conditions laid down in Rules 21 and 21 of the Maharashtra Land Revenue (Disposal of Govt. Lands) Rules, 1974 and

with other conditions deemed fit by the Collector;

viii) if the land or any portion thereof is required in future by Govt. for any public purpose, the land or a such portion thereof will be resumed by Govt. on payment of compensation equal to the cost of land paid by the grantee for the land or any portion thereof which is to be resumed and cost of the building or structure, if any standing thereon. The grantee 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 Executive Engineer, Public Works and Housing Department, Division.

ix) the grantee shall within a period of two years from the date of possession of land or from the date of issue of these orders, plant on the land granted hereunder not less than 500 trees of suitable species and maintain them throughout,

x) that for breach of any of the condition stipulated above and such other condition which the Collector may impose having regard to the provisions of the Maharashtra Land Revenue Code, 1956 and the Rules made thereunder and having regard to the circumstances of the case, the grant shall be revoked and the land resumed to Govt. without payment of any compensation,

xi) the grantee shall execute an agreement embodying and agreeing to the above terms and conditions in the relevant form prescribed under Rule 42 of the Maharashtra Land Revenue (Disposal of Govt. Lands) Rules 1971.

*dh*  
Additional Collector,  
Bombay suburban District.

Copy to the Municipal Commissioner, Bombay Municipal Corporation, Bombay 400 001.

Copy to the Tahsildar Suria, Salund (west), Bombay 400 080.

Copy to the District Inspector of Land Revenue, Bombay.

Copy to the Sub Divisional Officer, B.S.D.

Copy to the City Survey Officer Salund, Topicals College Building, Salund (west), Bombay 400 080.

Copy submitted to Commissioner, Bombay Division, New Bombay

Copy submitted to Govt. in Revenue & Forests Department, Mantralaya, Bombay vide Govt. memorandum No. 125/1973/20312/22. 26/3.5 dated 10-3-1973.

*dh*  
O/C signed by *dh* Additional Collector,  
Additional Collector, B. S. D. Bombay suburban Dist. etc.

125/19/7/73/