

Subject:- Land in Bombay Suburban District
S.No. 612 of Wadhavali
Grant of.. to Bombay Municipal
Corporation for road
(from R.C.Marg to Shastri Building)

MEMORANDUM:

The undersigned presents compliments to the Additional Collector of Bombay Suburban District and with reference to his letter, No. Desk-6/C/LRD-I-B-42-A, dated 27th December 1977 is directed to convey sanction of Govt. for grant of govt. land measuring 209 sq.yards (equivalent to 174.7 sq.meters) out of S.No. 112 C of village Wadhavali, taluka Kurla, Bombay Suburban District to the Bombay Municipal Corporation for construction of road from R.C.Marg to Shastri Building. The advance possession of the land is already given to Bombay Municipal Corporation on 27th November 1973.

2. 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.12,540 at market value at the rate of Rs.60 per sq. yards as on 27th November 1973 i.e. the date of grant of possession of the land;

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 conditions 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 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 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 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 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 2 trees of suitable species and maintain them throughout;

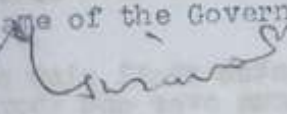
x) that for breach of any of the conditions mentioned above and such other conditions which the Collector may impose having regard to the provisions of the Maharashtra Land Revenue Code, 1966 and the Rules made thereunder and having regard to the circumstances of the case, the grant shall be revoked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

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.

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-1377/185/77/EXP-9, dated 20th July 1977.

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


(U.S. Ranadive),
Officer on Special Duty,
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, Bombay,
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 'G5' Desk, Revenue and Forests Department,
The Municipal Commissioner, Bombay Municipal Corporation, Bombay.

JHO/
18/4

(1)

No. G/Desk-VI/LND.I.B.42A
Office of the Additional Collector,
B.S.D., Old Custom House Yard, Fort,
Bombay-23. Dt. 13th July 1978.

- Read :- 1) Cont. in R.A.P.D.'s Memorandum No. LMR/2673/4786/GS-75/
S-5 dated 27-4-78.
2) This office file No. G/Desk.VI.LND.I.B.42A.
3) This office letter No. Desk/6/C/LND/I.A.42.A dt. 27-12-77.

ORDER :

Government land measuring 174.7 sq. metres (209 sq. yards) out of S.No. 112 of village Wadhawali, taluka Kuria, Bombay Suburban District to the Bombay Municipal Corporation for construction of road from S.C. Marg to Shastri Building. The advance possession of the land is already given to Bombay Municipal Corporation on 27th November 1975.

2/- The grant of land is subject to the following terms and conditions.

- (i) The grantee shall pay to Government the occupancy price of the land at Rs. 12,540/- at market value at the rate of Rs. 60/- per sq. yard as on 27th November 1975 i.e. the date of grant of possession of the land.
- (ii) The grantee shall also pay to Government 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 as 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 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 to the right of Government to all mines and mineral products and quarries in the land and Government 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 Government Lands) Rules, 1971 and such other conditions deemed fit by the Collector.

P.T.O.

at or in

(viii) if the land or any portion thereof is required in future by Government for any public purpose, the land or any such portion thereof will be resumed by Government 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 Government as to whether the land or any portion thereof is required for a public purpose and as to the cost of building structures 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 2 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 grantee shall be revoked and the land resumed to Government 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) Rule 1971.

de
Additional Collector,
Bombay Suburban District.

Copy to :-

1) The Deputy Municipal Commissioner (III), N Ward, Municipal Office, Jambhar Road, Chhatkopar, Bombay-77 with reference No. MDR/6436 dt. 29-5-71.

2) Copy forwarded to the Tehsildar Kuria to take note on the Records of Right.

3) Copy submitted to the Secretary to Government of Maharashtra, Revenue and Forests Department for favour of information.

4) Copy forwarded to the District Inspector of Land Records, B. S. D., Bombay for information.

de
R. B. S. (M)
Additional Collector,
Bombay Suburban District.