

NO. 472670/31305-CR-179-64.

Revenue and Forests Department,
Bombay, Bombay-32.

17th March, 1980

Subject:- Lands - D.S.D.
Plot No. 19 out of S.No. 14 Chembur
Grant of — to Rising Sun Co-operative
Housing Society.

MEMORANDUM.

The undersigned presents compliments to the Additional Collector Bombay Suburban District and in continuation of Government endorsement, Revenue and Forests Department No. LRS 2670/47503-CR-188A-64, dated 28.2.80,

directed to state that under Government Memorandum, Revenue and Forests Department of even number dated 15.5.1979 orders were issued for grant of plot Nos. 48 and 65 out of the layout of S.No. 14 Chembur, Bombay Suburban District to the Rising Sun Co-operative Housing Society for housing its 24 approved members on payment of the market value thereof. Accordingly the Additional Collector Bombay Suburban District issued orders under his order No. C/Desk-VI-LRS-12-419 dated 23.7.1979 for granting plot No. 65 for housing 12 members of the society, on payment of the market value of Rs. 92,279/-. The Plot No. 48 was allotted in the past to Konkani Prantiya Co-operative Housing Society Ltd. and was resumed from it for breach of conditions of grant. The Konkani Prantiya Co-operative Housing Society Ltd. filed an appeal before the Commissioner, Bombay Division, New Bombay against the order of the Additional Collector Bombay Suburban District for resumption of the said land, having failed in the said appeal it approached Government in the matter. The appeal was heard by Government on 13.9.79 and on 12.12.79 it was decided to set aside the order of the Additional Collector, Bombay Suburban District for resumption of plot No. 48. Consequently an alternative plot is required to be sanctioned to the Rising Sun Co-operative Housing Society. It has therefore been decided that plot No. 19 (measuring 810 sq. meters approximately) out of the layout of S.No. 14 Chembur, Bombay Suburban District should be granted to the Rising Sun Co-operative Housing Society for housing its 12 remaining members on payment of market value of Rs. 1,09,720/- calculated @ Rs. 130/- per sq. strd. The grant should be subject to the same terms and conditions as mentioned in Government Memorandum, Revenue and Forests Department of even number dated 15.5.79. The amount of occupancy price paid, if any by the Rising Sun Co-operative Housing Society for plot No. 48 may be adjusted against the occupancy price for plot No. 19 and additional amount if any, should be recovered from the Society.

2. The Additional Collector Bombay Suburban District should now recover the occupancy price, get the agreement executed from the Society and then should issue necessary orders in the matter. A list indicating names and monthly income of the 12 approved members should be annexed to his final order.

3. This Memorandum issued within the powers delegated to this department vide Government Memorandum, Finance Department No. ODO/1377/168/T7-KIP-9 dt. 20.7.1977.

By order and in the name of Governor of Maharashtra,

(A. V. Ankurkar)
(A. V. Ankurkar)

Section Officer, Revenue and Forests Department.

To: The Additional Collector, Bombay Suburban District,

★ 720 Sq. Mtrs
Corrigendum
dt: - 6/5/80

RECEIVED
COLLECTOR
BOMBAY SUBURBAN DIST.
13 MAR 1980

331

P.T.O.

(Handwritten signature)

- Copy forwarded to:-
- The Commissioner, Bombay Division, New Bombay,
- The Assistant Director of Town Planning, Bombay City and Land Records Bombay,
- The District Deputy Registrar of Co-operative Societies
- The District Inspector of Land Records, Bombay Suburban
- The Pay and Accounts Officer, Bombay,
- The Resident Audit Officer, Bombay,
- The Accountant General Maharashtra/State I/II Bombay/
- The Finance Department (EXP-9)
- The Select file 'G-4' Desk Revenue and Records Department

(ii) The society - shall utilise the land only for the purpose of construction of residential ~~residence~~ ^{residences} and its approved members and the land or any part thereof shall not be utilised by the society - or by any of its members directly or indirectly for any commercial business professional purposes.

(iii) The society - shall develop the land and take all other amenities and services required for the purpose at its cost.

(iv) The society - shall get the building plans approved from the Municipal Corporation/ Council or such other local authority - as the case may be, before starting any construction of the land;

(v) The society - shall hold the land as inalienable and impartible tenures of occupant class ~~tenure~~ under the M.L.R. Code 1966.

(vi) The society - shall utilise the land and construct the residential building ~~houses~~ ^{flats} within a period of ^{two} 7 years from the date of possession.

(vii) The land or any part thereof shall not be sold, mortgaged, leased, transferred or in any other way alienated, except as provided in section 36(A) of the M.L.R. Code 1966 without the written previous permission of Govt.

(viii) The society - shall not permit any of its members to lease or sublet or to give on lease and licence basis or to transfer the flat held by him ~~to him~~

on her without the prior written permission
of the collector or the Commissioner,
the Govt. as the case may be, and
while granting any permission for
transfer of the Govt. Govt. shall be entitled
to recover from the society an amount
equivalent to 50% of the difference
between the cost of the Govt. charged by
the society to the approved member
and the cost of the Govt. at which
the Govt. is being transferred to a
new member;

(18). The society shall not enrol any new
members or substitute any member approved
by collector / Commissioner / Govt. without prior
written permission of the Govt. authority
and the said authority shall have the
right to approve or disapprove any such
request, or to grant permission in such
terms and conditions as the said authority
considers fit;

(19). The Govt. should be occupied personally
by the member as soon as there are ready
for construction. If any member does
not occupy the Govt. himself and under
the same is required for immediate use
of his family, the Govt. in the society
shall be placed at the disposal of the
collector who shall arrange to pay
the rent to the said member which
be determined by the collector. And

to be done subject to any general
order of Govt. in this regard.

(vi) If any member or his wife, his husband
or his ~~son~~ ^{or his child} ~~children~~ ^{children} or any
time, any ~~of~~ ⁱⁿ ~~house~~ ^{house} ~~or~~ ^{or} ~~any~~ ^{any}
~~business~~ ^{business} or any other ~~work~~ ^{work} or any other
shall ~~be~~ ^{be} ~~disqualified~~ ^{disqualified} and his ~~name~~ ^{name} ~~in~~ ⁱⁿ the
society shall ~~be~~ ^{be} ~~deleted~~ ^{deleted} and a ~~sum~~ ^{sum}
to be ~~paid~~ ^{paid} ~~to~~ ^{to} the society ~~not~~ ^{not}
exceeding ~~the~~ ^{the} ~~cost~~ ^{cost} ~~paid~~ ^{paid} ~~to~~ ^{to} the society, ~~to~~ ^{to}
another member to be ~~approved~~ ^{approved} by collector
Govt. and qualified to be a member.

(vii) The society shall not make any
addition or alteration to the ~~existing~~ ^{existing}
constructed without ~~the~~ ^{the} ~~prior~~ ^{prior} ~~written~~ ^{written} ~~approval~~ ^{approval}
of the collector and shall inform the collector
of the reduction in the number of members,
if any, before commencing construction of
roads, building, etc. and the collector shall
have right of resumption of any land ~~reverted~~ ^{reverted}
surplus to the reasonable requirements of
the society consequent upon such reduction
in membership.

(viii) The society shall pay regularly ~~the~~ ^{the}
non-agricultural assessment prevalent in the
locality ~~of~~ ^{of} ~~now~~ ^{now} ~~time~~ ^{time} ~~to~~ ^{to} ~~time~~ ^{time}.

(ix) The grant shall be subject to the
reservation of the right of Govt. ~~to~~ ^{to} ~~all~~ ^{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 conveniences as provided by.

14 - Maharashtra Land Revenue Code 1956.

(xv) If any land or any portion thereof is required by Govt. by statute for any public purpose, the grant of land and any out-
question resumed by Govt. in payment of compensation equal to the value of land portion thereof which is to be acquired and cost of the building or structure, if any, standing thereon, the Govt. 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 Department.

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

(170)

The Society shall be bound to take all
 necessary steps to compel any of its
 members who are members of any branch of any
 of the branches of points of revenue the
 said branch, immediately, and to take
 as an act of the said members to
 comply in detail accordingly within
 a period of 6 months from the date
 of issue of notice by the Collector
 commencing to said branch to the
 Society - shall be deemed to be a branch
 Society - shall render itself and the
 State - into under condition No (vi) above

(vii) The Society shall, within a period
 of 2 years from the date of possession
 of land, plant or land granted
 heretofore at the rate of 1 ton per
 100 sq. meters of suitable species and
 maintain them throughout.

(viii) The Society shall create an agreement
 embodying and giving to the above
 terms and conditions and such other conditions
 that the Collector may impose having regard
 to the circumstances of the case and the
 provisions of the Act of 1966 and the Rules
 thereunder.

To President
 The Society
 Range Office, P.O. 112, 2000
 1120 - P.O. 112, 2000

On
 M. up
 Addl Collector
 P.O. 112, 2000
 1120 - P.O. 112, 2000

Copy forwarded to Mr. T. K. Kurda.
Copy to S. D. O. B.S.D. / C.S.O. Ahmed.
Copy forwarded to Mr. D. J. C. R. S.S.D.
He is directed to hand over possession
of the plot no. 19 out of S.N. 14 P 1 of
Plot no. after ~~the~~ payment of the full
occupancy price and arrange to send
report of possession along with two
copies of the site plan.

Copy submitted to Govt in R.S.D.
Importance strictly at the expense of interest.
Copy submitted to the Commission
of Bangalore, Bangalore division. Bangalore

Ch. Addl. Collector B.S.D.
18/11/13
11/13
R.R.
11/13