

In the court of Shri.A.Rajan. I.A.S. Sub Divisional
Officer, Akola.

1. Revenue Case No. NAP/24/Malkapur/55/81.82

Applicant :- Shri.Ajaykumar Basantlal Agarwal,
of Akola.

(O r d e r)

(Passed this the 17th day of December 1982)

The instant case has been started on the application filed by Shri. Ajaykumar Basantlal Agarwal of Akola for grant of permission to convert Agril.land admeasuring 5.21 acres from F.S.No. 27/3 of village Malkapur Tq. and District Akola.

2. The applicant has furnished the following documents alongwith his application.

- 1) Copy of 7/12
- 2) Copy of Measurement report
- 3) Copy of Tipan Utara.
- 4) Copy of Crop Statement.
- 5) Copies of layout.

3. The layout furnished by the applicant was referred to the Asstt. Director of Town Planning, Akola for his opinion who is in turn has approved the proposed layout vide his letter No. TPAK/CON/MALKAPUR/AKOLA/1583/ dt. 3.5.82. Opinion of Executive Engineer, M.S.E.B. Urban Division Akola is also received and placed on record he has also communicating no object for grant of permission to convert said Agril.Land for non agril.purposes. Opinion of Sarpanch Gram Panchay Malkapur not received.

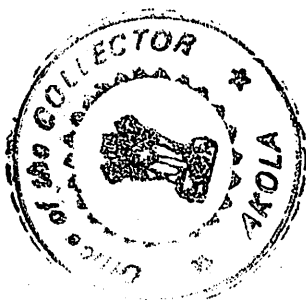


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4. In the said case my predecessor has seen the spot on 27.5.82 and passed the order for rejecting the application on 6.7.82 on the ground that, out of 5.21 acres of land remaining land of the applicant in the same S.No. is being used for non agril.purposes. In the S.No. 27/3 there are 6 H. 82 R of land and therefore there are four shares of the said land in the same S.No. The applicant is having 8.23 acres of land in his share. From this he has applied for conservation of only 5.21 acres of land. The other 3.02 acres of land has been included in the layout and he want to keep it as agricultural land which is not actually use for Agricultural purposes. The land under layout is more than 8 acres, then the applicant has not followed the provision for School Building in the said land.

5. After rejecting of the said application, the applicant has filed a application for review of order dated 6.7.82 on 17.7.82 stating that the Hon'ble court has considered all the aspects, of the case. In fact the total holding of the applicant is below 8 acres It is 7.14 acres only, the applicant has filed a copy current record of rights for conservation 5.21 acres of land only. The applicant has stated in his application that the conversion is sought of 5.21 acres only, the remaining land is in use of the applicant for Agril.purposes. In this support he has filed a copy of crop statements. The applicant has also stated in his application that ~~the~~ in the remaining land there, one Temple, Samadhi and Cattle shed, the applicant has already applied for



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for permission of change in use of area under Samadhi, Temple Well and Cattale shed separately, and requested that he has holding the land below 8 acres and permission to convert of 5.21 acres of land from F.S.No. 27/3 of Malkapur Tq. and Distt. may kindly be granted.

6. On receipt of his review application at 17.7.82 I have also seen the spot and found that there is no High/Low tension lines passing through the said S.No. and site in question is suitable for residential purposes.

7. Taking into consideration the facts mentioned in the foregoing paragraphs, and documents filed by the applicant, I am of opinion that there no objection to grant the permission to convert the said land and I hereby granted permission to the applicant to convert agricultural land measuring 5.21 acres from F.S.No. 27/3 of village, Malkapur Tq. and Distt. Akola under section 44(2) of the Maharashtra Land Revenue Code, 1966 for laying out residential plots subject to the following conditions:

(1) The applicants shall use the land only for which the permission is granted ;

(2) The applicant shall pay the non-agricultural assessment as shown in the statement 'A'

(3) The applicant shall convert the land within one year and communicated to this court and the Tahsildar Akola, the date of actual commencement of non-agricultural use within thirty days from such date, failing which the applicants shall be liable for punishment as per rule 6 of the Maharashtra Land Revenue (Conversion of use of land and Non.Agril) Rules 1969;



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(4) The applicants shall not modify, alter or make any changes in the approved layout without prior permission of this court ;

(5) No plot shall be further sub-divided without prior permission of this court;

(6) The following rules shall be observed while proposing construction in the layout plots.

a) The marginal distance required to be observed left around the building in a plot shall be as under :-

	<u>Front</u>	<u>Side</u>	<u>Rear.</u>	
i)	15'	7 1/2'	10	For plots having area 3000 Sq. Ft. to 5000 Sq. Ft.
ii)	10'	5'	10'	For plots having area 3000 Sq. Ft.

The corner plots front margin from both the sides of road shall be left.

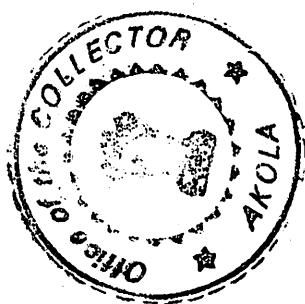
b) the built over area in case of plots falling under (i) above shall be not more than 1/3rd of plot area subject to F.S.I. 1. In case of plots falling under category (ii) above, the built over area shall not exceed 4/10th of plot area.

(7) The layout shall be properly demarcated on site in co-ordination with the layouts of surrounding lanes already approved and demarcated on site and in co-ordination with existing roads and lanes. After demarcation of layout final approval shall be obtained from the office of the Asstt. Director of Town Planning, Akola and the local authority to the layout plan prepared on the basis of demarcation on site;

(8) The roads and drainage shall be constructed first as per specifications and handed over to the Gram Panchayat, Malkapur prior to the disposal of plots;

(9) The land reserved in layout as open space shall be permanently kept open free from any structure for the public use and shall be vested with local authority free of costs

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(10) The building plans of the proposed construction work in the layout shall be in accordance with the prevailing rules and the same shall be got approved prior to undertaking any construction works;

(11) The arrangement of water supply and drainage disposal shall be made in such a way as to not create insanitary condition in the surrounding area;

(12) The breach of any of the conditions mentioned above or otherwise shall result in revocation of the permission and imposition of penalties as provided under section 45 of the Maharashtra Land Revenue Code, 1966;

(13) It shall be lawful for the Sub Divisional Officer Akola or by any other officer authorised by him to direct the removal or alteration of any building or structure erected or used contrary to the conditions of the grant of this permission and on such removal or alteration not being carried out within the stipulated time to get done and recover the cost of such operation from the owner or occupant of the plots as an arrears of land revenue;

(14) The land in question falls out in the Municipal Council perimeter and hence conversion tax shall be leviable, and the non agric. assessment at the rate of Rs. 90.08 paise per Sq. meter shall be charged subject to revision of assessment.

(15) The building bye-laws of the Gram Panchayat, Malkapur shall be binding.

A. Rajan
(~~Rx - A. Rajan.~~)
Sub Divisional Officer,
Akola.

Copy with compliments to the Asstt. Director of Town Planning, Akola.

Copy forwarded to the :-

- 1) Tahsildar, Akola.
- 2) The Sarpanch, Gram-Panchayat, Malkapur.
- 3) The Talathi, Malkapur.
- 4) The Applicant.

A. Rajan
Sub Divisional Officer

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May-08-2011
Head Officer
Collector

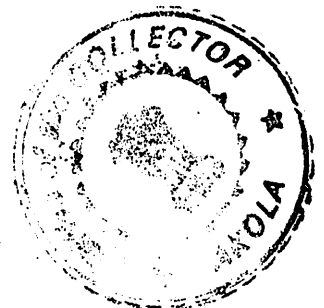
Statement 'A'

Statement showing the Non.Agril.assessment to be charged in
Rev.Case No.NAP/34/Malkapur/55/81.82

.....
No. of plots.: Area in Sq.Meter. : Non agril.assessment at the
@ Rs.00.02 paise per sq mt.
is charged.
.....

1.	606	12.00	✓
2.	580	11.60	✓
3.	580	11.60	✓
4.	368	7.20	✓
5.	330	6.60	✓
6.	330	6.60	✓
7. to 12	332	6.60	✓
13.	564	11.20	✓
14.	487	9.60	✓
15.	315	6.30	✓
16.	306	6.10	✓
17.	315	6.30	✓
18.	306	6.10	✓
19.	315	6.30	✓
20.	306	6.10	✓
21.	315	6.30	✓
22.	306	6.10	✓
23.	315	6.30	✓
24.	306	6.10	✓
25.	315	6.30	✓
26.	306	6.10	✓
27.	315	6.30	✓
28.	306	6.10	✓
29.	314	6.30	✓
30.	314	6.30	✓
31.	314	6.30	✓
32*	314	6.30	✓
33	314	6.30	✓
34	314	6.30	✓
35	314	6.30	✓
36*	314	6.30	✓
37	314	6.30	✓
38	314	6.30	✓
39	314	6.30	✓
40	314	6.30	✓

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W. Rajan
(A. Rajan)
Sub Divisional Officer,
Akola.

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