

- READ: 1) Application dated 25-2-1991 from Shri Chandema Lal
Marwar Marwar Marwar
2) Correspondence resting with letter No. 3196/1458/1459
668 dated 1-4-91 from Town Planner
Jalna.

No. 1989/RB/LAND/CR- 325
Office of the Collector, Jalna
Date 10-7-91

ORDER

The land comprised in Survey No./Gat No. 131/2 of
Salun, Taluka Salun, District Jalna
measuring 2 H. 21 A. belongs to Shri Chandema Lal
Marwar Marwar Marwar, District Jalna. Shri
Chandema Lal Marwar Marwar Marwar Marwar
has applied that non-agricultural permission may be granted to
him to use an area measuring 20.20 sq. m. out of the said land
for the ~~non~~ non-agricultural purpose of Residential.

1. The enquiries made into this application revealed that:
 1. The applicant himself is the occupant/superior holder of the land and that there are no occupants/superior holders of other persons have any interest or title therein.
 2. The land in question was held on the new and or impartible tenure or had been purchased by the occupant under section 32-G of the B.T. & A.L. Act or under Sec. 41, 46, 49A of the B.T. & A.L. Act (Vidarbha Region and Kutch Area) Act 1958 or under sections 38-E, 38-F and 38G of the Hyderabad Tenancy and Agricultural Lands Act 1950 and the occupant has already obtained the Collector's permission to use his land for N.A. purposes or get its tenure changed into in ordinary tenure.
 3. The other co-occupants superior holders tenant /persons having interest in the land have given written consent that they have to objection to permission being granted to applicant.
 4. The land in question was an ex-inam land regranted for an agricultural purpose on new tenure and the grantee has already paid the amount of Nazrana for using the land for N.A. Purpose.
 5. There has been an encumbrances on the land granted against the security of this land by Govt. Coop. Society or Bank and the authority by which the loan has been granted has no objection to the grant of N.A. permission.
 6. The land is not under acquisition and is not likely to be acquired in the near future got any Govt. or public purposes.
 7. The land is not reserved for any specified purpose in the regional Development Plan or the T.P. and the concerned authorities have no objection to the land being used for the purpose of Residential.
 7. The land is suitable for the purpose for which it is proposed to be used from the Sanitary and public health point of view. The D.R.O. Z. P. Salun has communicated his "No Objection" in this respect.

9. The applicant has produced the lay out plan/building plan duly approved by the Town Planning & Valuation Department.

10. The lay out plan and building plans produced by the applicant are in conformity with the provision in schedule II and III appended to the Maharashtra Land Revenue (Conversion of use of land and N.A.A.) Rules 1969.

11. The Railway Prison/Jail authorities have no objection to the grant of N.A. permission in question. *Mo. Seen case*

12. The applicant has produced that "No objection Certificate" of the District Magistrate of the Explosive Officer. *Mo. Seen case*

13. The applicant has maintained adequate open marginal space on both the sides of the Electric High Power Tension lines passing through the land.

14. The applicant has observed the building regulation and prevention of Ribbon Development Rules as prescribed.

15. There is easement and other rights in the land and the person having such rights has no objection to grant to N.A. permission.

16. The applicant has agreed to abide by the conditions subject to which the N.A. permission would be granted to him.

17. The applicant has obtained from the competent authority the mining / quarrying lease or permit under the Minor Mineral Extraction Rules. *Mo. Seen case*

NOTE If the authorities referred to above have given their conditional "No Objection Certificate" or have suggested specified conditions to be imposed in the order, such condition must be stated ~~xxxxxx~~ para 3 below of this order.

In consideration of the above points, there seems no objection to the non-agricultural permission applied for in this office being granted to the applicant.

3. In exercise of the powers vested/delegated to him under section 44 of the Maharashtra Land Revenue Code 1966, the Collector/S.D.O./Tahsildar of Salmu is pleased to grant Shri Chandish 7. Maniram Narayana H. Salmu of Salmu, Taluka Salmu Non-agricultural permission to use an area measuring 20,200 Sq. mtr of the S.No. 131/2 Cat No. 4 C.T.S.No. 4 of Salmu, Taluka Salmu for the non-agricultural purpose of Assigned subject to the following conditions:-

2. The grant of permission shall be subject to the provisions of the Code and Rules, made thereunder :

2. That the grantee shall use the land together with the building and/or structure thereon only for the purpose for which the land is permitted to be used and shall not use it part of the land is or building thereon for any other purpose without obtaining the previous written permission to that effect from the Collector/S.D.O./Tahsildar of Salmu for this purpose the use of a building shall decide the use of the land.

3. That the grantee shall not sub-divide the plot or sub-division previously approved from the authority granting this permission.

4. That the grantee shall develop the land strictly in accordance with the sanctioned lay out plan within a period of one year from the date of this order by (a) constructing roads, drains etc. to the satisfaction of the Collector/S.D.O./Tahsildar and the concerned Municipal authority and, (b) by measuring and demarcating the plots by the Survey Department and until the land is so developed, no plot therein shall be disposed for by him in any manner.

5. That if the plot is sold or otherwise disposed of by the grantee, it shall be the duty of the grantee to self or other of that plot subject to the conditions mentioned in this order and Sanad and to make a specific mention about this in the deeds to be executed by him.

6. That this permission is to build on a plinth area of as per sanctioned layout by survey square meters as specified in the site plan and or building specified in the site plan any building plan annexed hereto and the remaining area of 2067 sqm square meters on the plot shall be held as open and open to sky. in his letter no. NAB/TP/JMC/5/876 dt. 1-4-91.

7. That the grantee shall be bound to obtain the requisite building permission from the village Panchayat/Municipal Council/Municipal Corporation Salun before starting construction of the proposed building or other structures if any.

8. That the grantee shall get the building plans approved by the competent authority, where the building control vests in that authority and in other case, he shall prepare the building plans strictly according to the provisions contained in Schedule III appended to the Maharashtra Land Revenue (Conversion of use of land and N.A. Assessment) Rules 1969 to get them approved by the Collector/S.D.O./Tahsildar Salun and construction the building according to the sanctioned plans.

9. That the grantee shall maintain the open marginal distance of 10.00 Mtr. feet from the centre of the road road which is National/State/Major District Road/other district road/village road. as directed by the Ex. Engineer (B&C) Salun dt. 1-4-91.
*To be stated as per provisions contained in the Schedule I appended to the M.L.R. (Conversion of Use of land and N.A.A) Rules 1969.

10. That the grantee shall commence the N.A. use of the land within the period of one year from the date of this order, unless the period is extended from time to time failing which the permission shall be deemed to have been cancelled.

11. That the grantee shall communicate the date of commencement of this N.A. use of the land and/or change in use to the Tahsildar of Salun through the Talathi within one month, failing which he shall be ~~not~~ liable to be dealt with under rule 6 of the M.L.R. (conversion of use of land and N.A.A) Rules 1969.

12. That the grantee shall pay the N.A. Assessment in respect of the land at the rate of Rs. 5000 per square meters from the date of commencement of the N.A. use of the land for the purpose for which the permission is granted. In the event of any change in the use of the land, the NA Assessment shall be

shall be liable to be levied at the different rate irrespective on the fact that the guarantee period of the N.A. Assessment already levied is yet to expire. *The Exemption is directed to pay N.A. Assessment yearly Rs. 2282/- Every year to Sanad No. 12-A.* That the grantee has credited *Rs. 9528/-* shall pay conversion tax amounting to *Rs. 9528/-* (in words Rupees *Nine thousand five hundred and twenty eight only*) which is equal to three times the non-agricultural assessment within (30) days from the date of issue of this order failing which the non-agricultural permission shall be liable to be cancelled.

13. *No. 7 D.D. No. 5-91 in S.B.H. Sulay. M.O.* That the N.A. assessment shall be guaranteed for the period ending *31-7-1991* after which it shall be liable to revision at the assessed rate, if any.

14. That the grantee shall pay the measurement fees within one month from date of commencement of N.A. use of the land.

15. That the area and N.A. Assessment mentioned in the order and Sanad shall be liable to be altered in accordance with the actual area found on measuring the land by the Survey Department.

16. That the Grantee shall construct substantial building and/or other structure if any in the land within a period of three years from the date of commencement of the N.A. use of the land. This period may be extended by the Collector/S.D.O./Tahsildar *Sulay* in his discretion on payment by the grantee such final premium as may be imposed.

17. That the Grantee shall not make any additions or alternations to the building already constructed as per the sanctioned plan without the previous permission of and without getting plans thereof approved by the Collector/S.D.O./Tahsildar *Sulay*, Municipal Council/Municipal Corporation/Town Planning Department (as the case may be).

18. That the grantee shall be bound to execute a Sanad in form as provided in Schedule IV and V appended to the M.L.R. (Conversion of use of land and N.A.A.) Rules 1969 embodying therein all the conditions of this order, within a period of one month from the date of commencement of the N.A. use of the land.

19(a) If the grantee contravenes any of the conditions mentioned in this order and there in the Sanad, the Collector/S.D.O./Tahsildar *Sulay* may without prejudice to any other penalty to which he may be liable under the provisions of the Code continue the said land/plot in the occupation of the applicant on payment of such fine and assessment as he may direct.

(b) Notwithstanding anything contained in clause (a) above, it shall be lawful for the Collector/S.D.O./Tahsildar of *Sulay* to direct the removal or alternation of any building or structure erected or used contrary to the provisions of this grant within such time as is specified in that behalf by the Collector/S.D.O./Tahsildar and on such removal, he may cause the same to be carried out and recover the cost of carrying out the same from the grantee as an arrears of the land revenue.

20. The Grantee of this permission is subject to the provisions of any other laws for the time being in force and that may be applicable to the relevant other facts of other facts of the case e.g. The Bombay Tenancy and Agricultural Lands Act 1948, the Maharashtra Village Panchayat Act, the Municipal Act etc.

21/ The Grantee has paid a credited Rs. 9528/ as a yearly N.A. Assessment and conversion Tax in SBH Jalna No. 11 dt 30-5-1991

(Anand B. Kulkarni)
Collector, Jalna

To,
Shri Chandrika Maniram Vaswade and others
R/o
(with approved plans) sec No- 5/11/91.

Copy to the Tahsildar of Jalna
(in case when the permission is granted by the Collector/
S.D.O./with the case paper (in 7 files) for information
and necessary action.

He is requested to watch the report from the grantee about commencement of the N.A. use of the land in time. On receipt of that report, he should take steps to keep necessary notes in T.P. IV and V.F. IV Note Book to effect the recovery of the N.A. Assessment from the date of the commencement of the N.A. use from the grantee and to get the Sanad executed. If the occupant pays the measurement fees, he should inform the record of rights in respect of the land in question.

1. The Chief Officer, Jalna Municipal Council
Jalna (District Jalna)
2. The District Inspector of Land Records, Jalna
3. The City Survey Officer Jalna.

for Collector

10/9/91

