**Read :** 1) Govt. of Maharashtra, Housing & Special Assistance Department, Mantralaya, Bombay's Resolution No. CSC-ULC-1091/5 (3977)/D-XIII/Dated 15-1-1992.

2) Applicant : **Shri Gopal Rama Khadgi**
**R/o Hajaripahad, Nagpur.**

3) Proceedings of meeting held on Dt.3-11-1998

Additional Collector & Competent Authority Urban land Ceiling Nagpur.

No. : ATP/ULC/TD ( 130 )/ 1210 /1998
Office of the Additional Collector
And Competent Authority, Urban Land
Ceiling, Nagpur.

Dated : 16/12/1998

## ORDER

WHEREAS **SHRI GOPAL RAMA KHADGI R/O HAZARIPAHAD, NAGPUR** holds vacant land in excess of ceiling in the limit of Nagpur Urban Agglomeration, the details of which are given in Schedule hereto appended

AND WHEREAS above person/his/her power of Attorney Holder has applied for exemption under section 20 of the Urban Land (Ceiling and Regulation) Act, 1976 (33 of 1976) in respect of the said excess land for providing plots and/or constructions of tenaments in accordance with the special dispensation issued by the Govt. Resolution Housing and Special Assistance Deptt. No.CSC/ULC/1091/5 (3977)/D-XIII Dt. 15-1-92.

AND WHEREAS the said person/his/her power of Attorney Holder has mentioned in his/her application that his/her scheme of providing plots/and/ construction of tenaments will be governed by the Maharashtra Ownership Flats (Regulation of the promotion of construction, sale, management and transfer) Act, 1963 (Act XIV of 1963 or by the Maharashtra State Co-operative Societies Act, 1960 (Act XXIV of 1960) as may be applicable.

ISSUED
16/12/98

AND WHEREAS the Government of Maharashtra is satisfied that having regard to the location of the land, the purpose for which the land is being of or is proposed to be used and other relevant factors, it is necessary in the public interest so to do.

NOW THEREFORE, in exercise of the powers conferred upon it by sub-section (1) (a) of section 20 of the said Act and after having recorded

in writing the reasons for making this order, the Government of Maharashtra i.e. Additional Collector, Nagpur and president of Committee hereby exempts the said vacant land from the provisions of Chapter-III of the said Act, subject to the following conditions, namely -

1) The land exempted under this exemption order shall be used for the purpose of providing plots and/or constructions of tenaments in accordance with the terms and conditions of this exemption order. Any change made in the use of the land shall amount to breach of these conditions

2) The said person shall make full utilisation of the land so exempted, for the aforesaid purpose, by providing plots on the said land in the following manner.

| ACTUAL PLOT AREA | | PLOTS AREA (Sq.mt.) |
|---|---|---|
| i) 33.34% | - | Upto 100 Sq.mtrs. |
| ii) 33.33% | - | Upto 250 mtrs. |
| iii) 33.33% | - | Upto 500 sq.mtrs. |

2) (a) In case plots are amalgamated for construction of flats 1/3 of the net buildable surplus area under plots should be use for construction of flats with a plinth area not exceeding the maximum/permissible built up area on a plot of 100 sq.mtrs.

3) The said person shall first hand over 15%/30%, 25%/50% of land after excluding first 4000 sq.mtrs. i.e. **Nil** Sq.mtrs., free of cost and free from all encumbrances to the Govt. before providing plots and/or commencing construction of tenaments on the exempted land. The said area of the land to be surrendered shall be comparable to the remaining land permitted to be retained by the said in all respect such as access, frontage by the etc. in the event of any dispute, Government's decision in this respect shall be binding on the said person.

Collector & Competent Authority Land Ceiling Nagpur.

4) The said person shall get the layout/building plans approved from the concerned planning authority prior to the commencement of the construction work. The actual construction shall be subject to the building regulation of the concerned planning authority and subject to such other conditions as may be imposed by the concerned planning Authorities/ Town Planning Authorities and other statutory bodies. Sanctioned copy of layout plan/building plan shall be submitted to this office. without fail

5) All the land (whether vacant or non-vacant) from the total holdings of the said person falling under development plan, reservations, D.P. Roads or the reservations prescribed by the planning Authority in a layout for various public amenities as well as the internal roads (whatever these are to be

transferred by local authorities rules) shall be transferred by the said person to the State Govt. concerned Planning Authority after being duly developed as per the Rules of the concerned Planning Authority without changing any consideration, either before the work actually commences or it a latter date as may be prescribed in this record. Commencement certificate shall be obtained by the said person only after land under reservation etc. if any is actually handed over to Govt./Planning Authority if so prescribed by the concerned Planning Authority. Internal roads shall be brought upto the standard laid down by the concerned Planning Authority before they are transferred.

6) The said person shall sell the plots to the intending purchasers within a period of two years from the date of this exemption order. The said person/ purchaser shall commence and complete the construction within a period of 5 years from the date of exemption order.

7) The quality of construction in case of construction of tenaments shall be subject to the building regulation of the local authorities and subject to such other condition, as may be imposed bys the Municipal Corporation/ Nagpur Improvement Trust Authority/Town Planning Authority and other statutory bodies. The layout of the land to be used for construction of tenaments should be in accordance with the statutory provisions applicable in this regard. The commercial shopping area shall be restricted tos the minimum prescribed under the D.C. Rules in residential area.

Collector & Competent ... land Ceiling Nagpur.

8) The plots/tenaments sold or otherwise transferred shall not be permitted to be resold or otherwise transferred for a period of 2 years from the date of completion of the construction of the dwelling units on the plots occupation of the tenaments as per Govt. Resolution No.ULC-1092/5317/ D-13, Dt.13-5-1993.

9) The landholder shall not sell or otherwise transferred the plots tenaments to a person if he/she or any member of his/her family also owns a plot or tenament in the Nagpur Urban Agglomeration and he/she shall obtain from the intending purchaser an affidavit to this effect.

10) The said person/purchaser of the plots shall not transferred the plot (with or without buildings thereon) or any part thereof to any other person, except for the purpose of mortgage in favour of any financial institution specified in sub-section (1) of the section 19 of the Act, for raising finance for the purpose of construction of tenaments/dwelling units. Breach of this condition shall mean that exemption granted under this order stands withdrawn, for such defaulting person/purchaser of plot.

HOWEVER, this restriction shall cease to apply ones the vacant land has been built upon in accordance with the terms and conditions of this exemption order. It shall then be lawful for the landholders to transfer either then whole or some part of the built up properties constructed on the exempted land. The landholder may please then transfer the non-vacant land alongwith the building to the purchasers without having to obtained the State Government permission.

11) The area required to be kept open according to the D.C. Rules, building regulations of planning Authority. Town Planning rules and other statutory regulations shall always be kept open. This part of the land shall not be used for any construction whatsoever, even if there is a change in FSI in future, permitting additional constructions.

12) The said person shall submit from time to time necessary "Returns" prescribed by the State Govt. in order to indicate the progress of the work done by him/her.

13) If any time, the State Govt. is statisfied that there is a breach of any of the conditions mentioned in this order it shall be competent for the State Govt. to withdraw by an order, the exemption from the date specified in the said order.

Provided that, before making any such order, the State Govt. shall give reasonable opportunity to the person whose lands are exempted for making representation against the proposed withdrawal.

14) When any such exemption is withdrawn or demand to be withdrawn under these conditions the provisions of the Chapter-III of the said act shall apply to the land as if they had not been exempted under order.

15) The said person shall advertise the entire scheme within one year from the date of this exemption/sanction order of the State Government in atleast two local newspapers giving full details of the scheme including area and final selling price for Plot/Tenaments (Plinth and Carpet area) specifications, locations, terms and conditions of allotment of Plots/ Tenaments.

16) The said person is permitted to transfer the total/part area under scheme submitted on surplus land by him/her to any group of purchasers intending to propose a Co-operative Housing Society (under Co-operative Society's Act, 1960).

17) Prior to such transfer, the land holder shall after first handover to Government 15% / 30% / 50% as mentioned in condition No.3 above

All above conditions shall be binding on the transferee i.e. Proposed/ Regd. Co-op. Housing Society and its members and the Promoter/Builder and his purchasers.

18) The Transferee Housing Society shall submit a list of subsequent members of society/purchasers of plots to this office within two years,

and promoter/Builder Agency shall submit a list of subsequent purchasers of tenaments to this office within 5 years from the date of this order along-with relevant documents (i.e. Affidavits etc.)

19) Government expects that the concept of low rise, low cost construction technology without sacrificing the standard and specifications, be adopted to maximum possible extent, less reliance should be placed on use of cement and steel by having load bearing walls made of bricks of good quality and strength by using low lost building technology.

20) The Government reserves the right to alter any of the conditions prescribed herein.

21) The Government also reserves the rights to revoke the exemption granted for the entire land or part thereof, if the land is required for the public purpose.

22) The scheme is sanctioned subject to final approval from the planning authority.

(Appended to the order No.ATP/ULC/TD( 130 )/ 1210 /1998)
Dated : 16/ 12 /1998

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Details regarding applicant and the vacant land possessed by **SHRI GOPAL RAMA KHADGI R/O NAGPUR** for which exemption is sought and hereby granted under section (20(1) (a) of the Urban Land (Ceiling and Regulation) Act, 1976.

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| | | | |
|---|---|---|---|
| 1) | Name of the person/ person holding the lands | : | **SHRI GOPAL RAMA KHADGI** |
| 2) | Status of the person/ persons. | : | Individual |
| 3) | No.and date of application | : | 5-11-96 |
| 4) | Name of Urban Agglo-meration in which land for which exemption is sought is situated. | : | Nagpur |
| 5) | Description of property for which exemption is sought. | | |
| | i) District | : | Nagpur |
| | Taluka | : | Nagpur |
| | Village/Mouza | : | **Borgaon, Kh.No. 53/3, 53/12** |

Collector & Competent ... Land Ceiling Nagpur.

ii) Total area of holding : **5148.00 M2 (of Kh.No.53/3, 53/12)**

iii) Land to be used for : **2476.00 M2**
Providing plots/ constructing tenaments

iv) Land to be handed over : **Nil**
free of cost to Government

v) Area exempted under : **5148.00 M2**
this order

6) Total number of plots to be provided :-

i) Total No.of plots upto 100 sq.mt. : —

ii) Total No.of plots upto 250 sq.mt. : 13 Nos (2476.00M2)

iii) Total No.of plots upto 500 sq.mt. : —

16/12/98

**ADDITIONAL COLLECTOR AND COMPETENT AUTHORITY. U.L.C. NAGPUR**

Additional Collector & Competent Authority Urban land Ceiling Nagpur.

To,
Shri Gopal Rama Khadgi
R/o Hajari pahad, Nagpur.

Copy Submitted for information to :

1) The Secretary to Govt. of Maharashtra, Housing and Special Assistance Department, Mantralaya, Bombay-32.

Copy forwarded with compliments for information and necessary action to :

1) The Assistant Director of Town Planning, Branch Office, Nagpur.
2) The Circle Engineer, Nagpur Improvement Trust, Nagpur.
3) The City Engineer, Nagpur Municipal Corporation, Nagpur.
4) The Registrar of Stamps, Collectorate, Nagpur.

16/12/98

**ADDITIONAL COLLECTOR AND COMPETENT AUTHORITY. U.L.C. NAGPUR**

Additional Collector & Competent Authority Urban land Ceiling Nagpur.

No.ATP/ULC/ /2002
O/o the Addl.Collector and
Competent Authority, U.L.C.
Nagpur, dt. 31/7/2002.

Read :- 1. No.ATP/ULC/(130)/1210/1998
Dt.16/12/1998.

## CORRIGENDUM

In the above said order the words and figures are corrected due to revised order passed in ULC Case No.2127/76, 55/97 dt.25th August, 2000.

| Sr.No. | Particulars<br>Item No./Page No. | For<br>(sq.mt.) | Read<br>(sq.mt.) |
|---|---|---|---|
| 1. | Page No.6,<br>Item No.5(ii) | 5148-00 | 6435-00<br>(including D.P.road 1450-00 sq.mt.) |
| 2. | Page No.6,<br>Item No.(iii)<br>Item No.(v) | 2476-00<br>5148-00 | 3703-50<br>4985-00 |
| | i. | Nil | Amalgamated (3703-50 sq.mt.) |
| | ii. | 13 Nos.( 2476-00sq.mt.) | Nil |
| | iii. | Nil | Nil |

Rest of the terms and conditions in order dt.16/12/1998 will remain unchanged and the corrigendum dt.6/2/99 is hereby cancelled.

Additional Collector & Competent Authority Urban land Ceiling Nagpur.

Additional Collector &
Competent Authority, ULC
Nagpur.

श्री.एस.जी. गौतम, अपर जिल्हाधिकारी तथा सक्षम प्राधिकारी, नागरी जमिन कमाल धारणा, नागपूर यांचे समोर.

नाजकधा मामला क्र.२१२७/७६, ५५/९७.

वाचा :- शासनाचे परिपत्रक क्र.नाजक-१०९९/६९८१/नाजकधा-३ दिनांक १०/५/१९९९.

अर्जदार :- श्री.विश्वनाथ गोपाळराव खडगे, राहणार- हजारीपहाड, तह.जि.नागपूर.

## सुधारित आदेश

(नागरी जमिन कमाल धारणा अधिनियम, १९७६ चे कलम ८(४) नुसार)

(पारित दिनांक २५/८/२०००)

ज्याअर्थि, मुळजमिनधारक श्री.गोपाळ रामा खडगे यांनी त्यांच्या मालकीच्या मौजा- हजारीपहाड, सर्व्हे नंबर ८६/३, ८६/८, मौजा- बोरगांव, सर्व्हे नंबर ५२/४, ५३/३, ५३/१२ तसेच त्यांच्या घराने व्यापलेल्या जमिनीचे ४/५ हिस्स्याचे कलम ६(१) चे विवरणपत्र दाखल केले होते. त्यांच्या प्रकरणाला नाजकधा मामला क्रमांक २१२७/७६ देण्यात आला. तत्कालिन उपजिल्हाधिकारी तथा सक्षम प्राधिकारी यांनी दिनांक ३०/६/८१ रोजीच्या कलम ८(४) चे आदेश पारित करून ४/५ हिस्स्याचे एकूण २२३३०-४९ चौ.मि. जमिनीमधून एक अनुज्ञेय हिस्स्याची १५००-०० चौ.मि. जमिन वगळून उर्वरित २०८३०-४९ चौ.मि. जमिन अतिरिक्त घोषित केली होती.

आणि ज्याअर्थि, श्री.विश्वनाथ गोपाळ खडगे (श्री.गोपाळ खडगे यांचा मुलगा) यांनी दिनांक २५/११/९७ रोजी कलम ६(२) खाली विवरणपत्र दाखल केलेले असून त्यांच्या प्रकरणाला मामला क्रमांक ५५/९७ देण्यात आलेला आहे. श्री.विश्वनाथ खडगे यांनी अशी विनंती केली आहे की, ते नियतदिनी सज्ञान असून सुध्दा त्यांना नाजकधा मामला क्रमांक २१२७/७६ मध्ये अनुज्ञेय हिस्सा देण्यात आला नाही त्यामुळे, त्यांना एक अनुज्ञेय हिस्सा देण्यात यावा. सोबत जन्म नाम्ग्रेचा दाखला जोडलेला आहे.

आणि ज्याअर्थि, नागरी जमिन कमाल धारणा अधिनियम, १९७६ च्या तरतूदीनुसार नियतदिनी (दिनांक १७/३/७६) सज्ञान असलेल्या मुला-मुलींना त्यांच्या वडिलोपार्जित जमिनीमध्ये अनुज्ञेय हिस्से देता येतात. मौजा- हजारीपहाड, सर्व्हे नंबर ८६/३ मधील २९-५३ चौ.मि. तसेच सर्व्हे नंबर ८६/८ मधील १०३६-०० चौ.मि. जमिन मामला क्रमांक २१२७/७६ मध्ये अनुज्ञेय म्हणून दिलेली आहे. मौजा- बोरगांव, सर्व्हे नंबर ५२/४ मधील २०२७४-०० चौ.मि. जमिनीवर गृहबांधणी

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योजना मंजूर होऊन पूर्ण झालेली आहे. मौजा- बोरगांव, सर्व्हे नंबर ५३/३, ५३/१२ मधील ६४३५ चौ.मि. (डि.पी. रस्त्याचे आरक्षणासहीत) जमिनीवर कलम २०(१)(अ) खाली दिनांक १६/१२/९८ रोजीच्या आदेशान्वये भूखंड विकास योजना मंजूर केलेली आहे. जमिनीचे तपशिलवार विवरण खालीलप्रमाणे :-

| अ क्र. | मौजा | सर्व्हे नंबर | एकूण क्षेत्र (चौ.मि.) | आरक्षण (चौ.मि.) | कलम २० खाली सुट दिलेले क्षेत्र (चौ.मि.) | शिल्लक क्षेत्र (चौ.मि.) |
|---|---|---|---|---|---|---|
| १. | बोरगांव | ५२/४, | २०२५-०० | -- | गृहबांधणी योजना मंजूर | -- |
| | | ५३/३, | ५०१९-०० | | | |
| | | ५३/१२ | १४१६-०० | | | |
| | | | ६४३५-०० | १४५०-०० चौ.मि.(१८ मि.रुंद डि.पी. रोड | ४९८५-०० चौ.मि. क्षेत्रावर भूखंड विकास योजना मंजूर | -- |
| | हजारीपहाड | ८६/३ | ४८६-०० | | | |
| | | ८६/८ | १२९५-०० | | | |
| | | | १७८१-०० | -- | -- | १७८१-०० |
| | एकूण :- | | | | | १७८१-०० |

आणि ज्याअर्थि, अर्जदाराने सादर केलेल्या कागदपत्रांचे व या कार्यालयातील दस्तऐवजांची पडताळणी केली असता तसेच अर्जदाराच्या बयानानुसार श्री.विश्वनाथ गोपाळ खडगे हे नियतदिनी सज्ञान आहेत व अनुज्ञेय हिस्सा मिळण्यास पात्र आहेत.

त्याअर्थि, वस्तुस्थिती विचारात घेता अर्जदार श्री.विश्वनाथ गोपाळ खडगे यांना एक अनुज्ञेय हिस्सा मंजूर करण्यात येत आहे. मामला क्रमांक २१२७/७६ मधील कलम ८(४) च्या दिनांक ३०/६/१९८१ रोजीच्या आदेशान्वये श्री.गोपाळ रामा खडगे यांना एक अनुज्ञेय हिस्सा मौजा-हजारीपहाड, सर्व्हे नंबर ८६/३ व ८६/८ मधील जमिनीमध्ये मंजूर करण्यात आला होता. श्री.गोपाळ खडगे व श्री.विश्वनाथ खडगे यांना प्रत्येकी १५०० चौ.मि. प्रमाणे ३००० चौ.मि. क्षेत्र अनुज्ञेय होते. परंतु, सर्व्हे नंबर ८६/३ व ८६/८ मधील एकूण १७८१-०० चौ.मि. क्षेत्र शिल्लक आहे, त्यामुळे हे

क्षेत्र अनुज्ञेय म्हणून देण्यात येत आहे. मौजा- बोरगांव, सर्वे नंबर ५३/३, ५३/१२ मधील डि.पी. रस्त्याच्या आरक्षणाखालील क्षेत्रात बदल झालेला असल्याने भूखंड विकास योजना मंजूरीच्या दिनांक १६/१२/९८ रोजीच्या आदेशास शुध्दीपत्र काढण्यात यावे.

(एस.जी. गौतम)
अपर जिल्हाधिकारी तथा
सक्षम प्राधिकारी, नाजकक्षा
नागपूर.

प्रत,

१. तहसिलदार, नागपूर शहर यांना माहितीस व योग्य कार्यवाहीस अग्रेषित.

२. श्री. विश्वनाथ गोपाळ खडसे, राहणार- हजारीपहाड, तह.जि.नागपूर यांना माहितीस अग्रेषित.

अपर जिल्हाधिकारी तथा
सक्षम प्राधिकारी, नाजकक्षा
नागपूर.