

IN THE COURT OF SHRI. C.S. DAHALKAR, ADDITIONAL COLLECTOR, NAGPUR

Rev. Case No. 77/NAP-34/2006-07
Of Mouza- Wanjara, P.C. No-17, Tah-Nagpur
(City), Distt-Nagpur

Applicants :- Shri *Shaikh Hussain Shaikh Ebrahim and others
& Shri Rahemtulla Karimmaya.
R/o- Nagpur.

**ORDER**

(Passed on 26th February 2007)

The proceedings of this case are started on application dated 15/02/2007 of Shri Shaikh Hussain Shaikh Ebrahim and others & Rahemtulla Karimmiya, R/o- Nagpur under section 44(1) of the Maharashtra Land Revenue Code, 1966 for conversion of agricultural land from field Survey No. 11-12/2 & 11-12/3 Total Area 34066 Sq.Mtrs. (16754 Sanctioned Under T.D. Scheme & Retainable land of Survey No- 11-12/3 out of 2.15 HRS + 17312 Sq. Mtrs.sanctioned under T.D Scheme and Retainable Land of Survey no. 11-12/2 out of 2.15 HRS.) only of Mouza-Wanjara, Patwari Halka No. 17, Tahsil -Nagpur (City) into non-agricultural use.

The Additional Collector and Competent Authority of Urban Land Ceiling, Nagpur vide order dated ATP/ULC/TD (383)/04/465 dated 26/03/2004 & order dated ATP/ULC/TD (409)/04/664 dated 19/05/2004 has sanctioned the Talegaon Dabhade Scheme with reference to (1) Govt. of Maharashtra Housing and Spl.Assistance Deptt. Maharashtra Resolution No. CSC/ULC/1091/5(3977)/D-III, dated 15/1/1992.

A proclamation dated- 09/10/2006 in earlier case no. 15/NAP-34/2006-07 was issued and published inviting claims and objections if any within Ten days from the date of proclamation. Opinion from

- 1- Tahsildar, Nagpur (City)
- 2- Sub-Divisional Officer, Nagpur
- 3- Asst. Director, Town Planning, N.I.T., Nagpur
- 4- Executive Engineer, Public Works Department (B&C) No.1, Nagpur
- 5- Executive Engineer, M.S.E.B., Nagpur
- 6- Health Officer, Nagpur Municipal Corporation, Nagpur

were received. As per their opinion, they have no objection for said conversion, subject to the conditions mentioned by them.

I, therefore, hereby grant permission to covert the agricultural land of field survey no. 11-12/2 & 11-12/3 Total Area 34066 Sq.Mtrs. (16754 Sanctioned Under T.D. Scheme & Retainable land of Survey No- 11-12/3 out of 2.15 HRS + 17312 Sq. Mtrs.sanctioned under T.D Scheme and Retainable Land of Survey no. 11-12/2 out of 2.15 HRS.) only

of Mouza-Wanjara, Patwari Halka No- 17, Tahsil -Nagpur (City) into non-agricultural land for **Residential purpose** under section 44 (1) of the Maharashtra Land Revenue Code, 1966, subject to the following conditions.

I, hereby, fix the non-agricultural assessment at the rate of Rs. 0-66 N.Ps. per square meter which comes to Rs. 22,484/- (In words Rs. Twenty Two Thousand Four Hundred and Eighty four only) on 34066 Sq.Mtrs. land from the year 2006-2007 to 31/07/2007 after which it shall be liable for revision at revised rates.

CONDITIONS

- 1- Since, it is emanating out of U.L.C correctness or otherwise for non-agricultural permission lies on the competent authority as per the Government of Maharashtra in Revenue & Forests Department, Mantralaya, Mumbai's circular no. NAP-1087/36495 (1193)-L2, dated 24/12/1987.
- 2- Permission is subject to N.I.T/N.M.C/Town Planning Authority's sanction.
- 3- Permission is granted subject to the conditions of all civil developments like roads, sewerage, water and light etc. including open space and the space for parking vehicle.
- 4- The permission is subject to all other conditions from Planning and Development authorities.
- 5- N.A done without following directions shall call for punitive action as per the Law of the Land.
- 6- The grant of permission shall be subject to the provisions of the Maharashtra Land Revenue Code, 1966 and rules made there under.
- 7- The applicant shall commence the non-agricultural use within the period of one year from the date of this order, failing which the permission shall be deemed to be lapsed.
- 8- Grantee shall use the land only for the purpose for which the land is permitted to use and shall not use it or any part of the land for any purpose without obtaining the previous written permission from the competent authority.
- 9- After demarcation, if, any discrepancy is observed a revised layout should be got approved by N.M.C/N.I.T/Town Planning Department.
- 10- All the roads and drains shall be constructed by the applicant before disposal of the plots.
- 11- Drinking water problems should be solved before disposal of the plots.
- 12- The grantee shall get the Building plans approved from the Competent Authority before the construction of the building, if the building control vests in that authority. In other cases, building plans be strictly prepared according to Maharashtra Land Revenue (Conversion of Use of Land and Non-Agricultural Assessment) Rules, 1969 and taken the approval of Additional Collector, Nagpur by the grantee and construct building as per sanctioned plans.



- 13- The grantee shall not sub-divide the plot or sub-plot if any approved in this order without getting the sub-divisions previously approved from the N.M.C, Nagpur/N.I.T, Nagpur/Town Planning Authority for granting permission.
- 14- The land under open space and roads should be handed over to the Nagpur Municipal Corporation, Nagpur/Nagpur Improvement Trust, Nagpur for further maintenance as the case may be.
- 15- The grantee shall communicate the case of commencement of the non-agricultural use of the land or change in the use of the land to the Tahsildar through Talathi within one month falling which the applicant shall be liable to be dealt with under rule-6 of the Maharashtra Land Revenue (Conversion of Use of Land & Non-agricultural Assessment) Rules, 1969 and under section 44(4) of the Maharashtra Land Revenue Code, 1966.
- 16- The grantee shall pay the non-agricultural assessment in respect of land at the rate of Rs. 0-66 per sq.mtrs. for an area of residential use & increased land revenue and conversion tax as the case may be, on N.A Assessment as per the Govt. in Rev.& Forest Department Resolution No. NAA/1087/3570/C.No.53/L-5, dated 27/9/2001; from the year 2006-2007 to 31/07/2007 of the land for the purpose for which the permission is granted and after which it shall be liable for revision at revised rates.
- 17- The details of fixation of N.A Assessment and cesses thereon are; as under :-

Mouza & Tahsil	Survey No.	Area in Sq. Mtrs.	N.A.A in Rs.	Conversion Tax in Rs.
Mouza-Wanjara, P.C. No.-17, Tah-Nagpur (City), Distt-Nagpur	11-12/2 & 11-12/3	17312 Sq. Mtrs. out of 2.15 HRS. + 16754 Sq. Mtrs. out of 2.15 HRS. 34066 Sq. Mtrs.	22484/-	112420/-

- 18- The grantee shall pay conversion tax amounting of Rs. 112420/- (In words Rs. One Lac Twelve Thousands Four Hundred & Twenty only) which equal to five times of the N.A. Assessment otherwise which the non-agricultural permission shall be liable to be cancelled.
- 19- The grantee shall be held responsible for payment of the taxes levied yearly till the Date of actual change of rights on the land or the part of the land under this order.
- 21- The are and non-agricultural assessment mentioned in this order and the Sanad shall be liable to alter in accordance with the actual area found on measuring the land by the Survey Department.
- 22- The grantee shall be bound to execute a Sanad in Form as provided in Scheduled IV and V appended to the Maharashtra Land Revenue (Conversion of



Use of Land & Non- Agricultural Assessment) Rules, 1966 embodying therein all the conditions of this order, within the period of one month from the date of commencement of the non-agricultural use of the land.

- 23- The grantee shall carry out all development works i.e. roads, drains etc. of the land. He shall not transfer the plots/land unless the development works are completed and certified accordingly by the competent authority i.e. N.I.T, Nagpur/N.M.C, Nagpur.
- 24- The Grantee shall bound the condition mentioned in the no objection certificate Of N.I.T. Nagpur vide letter no. संसंनर (रचना)/ 3196 dated 4-11-2006.
- 25- Any other conditions s laid down by the Government from time to time. This permission is granted in accordance with the instructions issued by the Govt. in Revnue & Forest Department, Mantralaya, Mumbai vide its circular no. NAP-1087/36595(1193)-L-2, dated 04-09-19886.

sd/-
(C.S. Dahalkar)
Additional Collector,
Nagpur

Copy Forwarded to:-

- 1- Additional Collector and Competent Authority of U.L.C., Nagpur
- 2- Tahsildar, Nagpur (City)
- 3- Patwari Halka No-17, Mouza-Wanjara, Tq-Nagpur (City), Dist-Nagpur.
- 4- City Survey No-3, Nagpur
- 5- Asstt. Director. Town Planning N.I.T, Nagpur.
- 6- Applicant Shri Shaikh Hussain Shaikh Ebrahim and others, R/o Nagpur



Additional Collector,
Nagpur

