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Head (1) Application dated 21.5.1981 from Shri. S. Sane and Shri. V.G. Adkar of Met gutad, Taluka Mahabaleshwar
(2) Correspondence resting with No. Jamin/Kavi/613 dated 4.6.1981 from Tahsildar Mahabaleshwar

No. NA/SR-15/81
Wai : 30.6.1981

O R D E R

The land comprised in S.No. 18/2 of village Met gutad, Taluka Mahabaleshwar District Satara, measuring H. 1.99 A. belongs to Shri. Shrinivas Mahadeo Sane and Shri. Vyankatesh Sane jointly, of Met gutad, Taluka Mahabaleshwar, District Satara. Both the above holders have applied that non-agricultural permission may be granted to him to use the whole land for the non-agricultural purpose of residential and commercial.

2. The enquiries made into this application revealed that :-
1. The applicants themselves are the occupants of the land and there are no other persons have any interest or title therein.
 2. The land is not under acquisition and is not likely to be acquired in near future for any Government or public purposes.
 3. The land in question situated in rural areas and hence the question of reservation in the development plan does not arise.
 4. 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 District Health Officer, Zilla Parishad, Satara has communicated his no objection certificate in this respect.
 5. The Tahsildar Mahabaleshwar has inquired into the case and recommended the same for favour of consideration.
 6. The applicant has agreed to abide by the conditions subject to which the N.A. permission would be granted to him.

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

3. In exercise of the powers delegated to him under Section 44 of the Maharashtra Land Revenue Code, 1960, the Assistant Collector, Mahabaleshwar Division, Wai is pleased to grant Shri. Shrinivas Mahadeo Sane and Shri. Vyankatesh Gangadhar Adkar of Met gutad, Taluka Mahabaleshwar, District Satara non-agricultural permission to use an area measuring H. 1.99 A. from S.No. 18/2 of village Met Gutad, Taluka Mahabaleshwar, District Satara for the non-agricultural purpose of commercial and residential. (Residential : H. C-57.41 A and commercial : H. 1-11.64 A.) on the following conditions :-

(i) The grant of permission shall be subject to the provisions of the M.L.R. Code and rules made thereunder;

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(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 or any part of the land or building thereon for any other purpose without obtaining the previous written permission to that effect from the Assistant Collector, Mahaleshwar Division, Wai. For this purpose, the use of a building shall decide the use of the land;

(3) That the grantee shall not sub-divide the plots or sub-plots if any, approved in this order without getting the sub-divisions 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 Assistant Collector, Mahaleshwar Division, Wai and (b) by measuring and demarcating the plots by the survey department and until the land is so developed, no plots therein shall be disposed of 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 sell or otherwise dispose 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) 1/10th of the total holdings should be kept vacant and open to sky.

(7) That the grantee shall be bound to obtain the requisite building permission from the village panchayat Met gutad, before starting construction of the proposed building or other structure if any;

(8) That the grantee shall get the building plans approved from the Assistant Collector, Mahaleshwar Division, Wai and 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.A.) Rules, 1969 and get them approved by the Assistant Collector, Mahaleshwar Division, Wai and construct the building according to the sanctioned plans.

(9) That the grantee shall maintain the open marginal distance of 100 feet from the centre of the Surur-Mahad-Poladpur road which is State High Way.

(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 that N.A. use of the land and/or change in the use to the Tahsilcar Mahaleshwar through the Talathi Met Gutad, within one month, failing which he shall be liable to be dealt with under Rule 6 of the M.L.R. (Conversion of Use of Land and N.A.A.) Rules, 1969.

Contd.

(12) That the grantee shall pay the N.A. Assessment in respect of the land at the rate of Rs. 0-01 paise per square metre 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 N.A. Assessment shall be liable to be levied at the different rate irrespective of the fact that the guarantee period of N.A. Assessment already levied is yet to be expired.

(13) That the N.A. Assessment shall be guaranteed for the period ending 31.7.1991 after which it shall be liable to be revised at the revised rate if any.

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

(15) That the area and assessment shown in this order and in Sanad shall be liable to be altered in accordance with the actual measurement carried out by the Survey Department.

(16) That the grantee shall construct substantial building and/or 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 Assistant Collector, Mahabhar Division, Wai in his discretion, on payment by the grantee such fine/premium as may be imposed as per Government orders.

(17) That the grantee shall not make any additions or alterations to the building already constructed as per sanctioned plans without the previous permission and without getting the plans thereof approved by the Assistant Collector, Mahabhar Division, Wai.

(18) That the grantee shall be bound to execute a Sanad in form as provided in schedule IV 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 those in the Sanad, the Assistant Collector, Mahabhar Division, Wai may, without prejudice to any other penalty to which he may be liable under the provisions of this 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 Assistant Collector, Mahabhar Division, Wai to direct the removal or alteration of any building or structure erected or used contrary to the provisions of the permission within such time as is specified in that behalf by the Assistant Collector, Mahabhar Division, Wai and on such removal or alteration not being carried out within the specific time, 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 land revenue.

(4)

(20) The grant 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 the case e.g. the Bombay Tenancy and Agricultural Lands Act, 1948, and Maharashtra Village Handicraft Act etc.

N. E. Patil
(N. E. Patil)
Assistant Collector,
Mahabaleshwar Division, Wai:

To

✓ Shri. Shrinivas Mahadeo Sane and
Shri. Vyankatesh Gangadhar Adakar of Met gutad,
Taluka Mahabaleshwar. *(See previous day order)*

