

Read – 1) Application on dated 28 / 12 / 2008 from **shri Dhaneshwari Manav Vikas Mandal To Dr. Rahul Vedprakash Patil R/O Hatta Taluka Basmath Dist Hingoli**
2) Correspondence ending with No.(--)date / /2007 from



No. 2007/N.A/CR/Ws - 31
Tahsil office of the Basmath
Date :- 11 / 1 / 2008

Order

In land comprised in S.No./Gut No./CTS No./F.P.No.(421)of **Hatta Taluka Basmath Dist Hingoli** measuring(40000)Sqm.belong to **shri Dhaneshwari Manav Vikas Mandal To Dr. Rahul Vedprakash Patil R/O Hatta** of Taluka Basmath Dist. Hingoli had applied then nonagricultural permission may be granted to him to use an area measuring (40000) Sqm.out of the said loan for the non agricultural purpose of **Non Education**

The enquiries made into this application revealed that-

- 1) The applicant himself is the occupant superior holder of the land and that there are non co occupants co superior hold holders or other persons have any interest, or title therein.
- 2) That, land in question as held on the new and or impartible tenure or had been purchased by the occupant under sec.32-G of the B.T. and A.L. Act. Or under sections 41,44,46 and 49-a of the B.T. and A.L.(vidarbha Region & Kutcha Hyderabad Tenancy and agricultural land Act,1950 and the occupant has already obtained the collectors permission the use his land for N.A. purpose or get its tenure changed into an ordinary tenure.
- 3) The other Co-occupants/superior holders/Tenants/persons having interest in the land have given written consent that they have not objection to permission being granted to the applicant.
- 4) The land in question was and ex- inam land regranted for an agricultural purpose on new tenure and the grantee has already paid the amount of Nazarana for using the land for N.A. purpose.
- 5) There has been encumbrances on the land granted against the security of this land by Govt./co-operative society or Bank and the authority by which the on 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 for any Govt. public purpose.
- 7) The land is not reserved for any specific purpose in the Regional / Development planner in the T.P. and the concerned authorities have no objection to the land being used for the purpose of **Non Business**
- 8) The land is suitable for the purpose for which it is proposed to be used from the sanitary and public health points of view to D.H.O.--- has communicated his No objection in this respect.

(Signature)
District Collector, Hingoli

- 9) The applicant has produced the layout plan/building plans duly approved by the town planning and valuation Department.
- 10) The layout plan building plans produced by the applicant are in conformity with the provisions in scheduled II and III appended to the Maharashtra Land Revenue (Conversion of use of land and N.A. Rules 1969)
- 11) The Railway, prison / jail authorities have no objection to the grant of N.A. permission in question.
- 12) The applicant has produced the No objection Certificate of the District Magistrate of the Explosive officer.
- 13) The applicant has marginal space on both sides of the Electric High power. Tension line passing through the land.
- 14) The applicant has observed the building regulations and prevention of ribbon Development Rules as prescribed.
- 15) There is easement and other rights in the land and the person such rights has no objection to the grant of the N.A. permission.
- 16) The applicant has obtained from the competent authority the mining / quarrying lease of permit under the minor mineral extraction Rules.
- 17) The applicant has agreed to abide by the condition subject to which the N.A. permission would be granted to him.

Note :- The authorities referred to above have given their "No objection Certificate" for have suggested specific conditions to be imposed in the order. Such conditions be imposed in the order. Such conditions must be stated in para 3 below this order.

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 vested/delegated to him/her under section 44 of the Maharashtra Land Revenue Code 1960 the Collector / S.D.O / Tahsildar of Basmath is pleased to grant **shri Dhaneshwari Manav Vikas Mandal To Dr. Rahul Vedprakash Patil R/O Hatta Taluka Basmath** out of S.N./ni/F.P. No.(421) for the non-agricultural purpose of non-agricultural subject to the following conditions.
 1. The grant of permission shall be subject to the provisions of the code and rules made thereunder.
 2. That, the grants 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 for building thereon for any other purpose without obtaining the previous

12. That, the grantee shall pay the N.A. Assessment in respect of the land at the rate of Rs.() per square matce from the date of commencement of the N.A. use of the land for the purpose for which the permission is grsntrf, in the event of any change in the use of land, the N.A.Assessment shall be liable to be levied at the different rate irrespective of the fact that the guarantee period of the N.A. Assessment already levied is yet expire.
13. That, the N.A. Assessment shall be guaranteed for the period ending one year after which it shall be liable to revision 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 land.
15. That, the area and N.A.Assessment mentioned in the order and the sanad shall be liable to be latered in accordance with the actual area found or measuring the land by the surevey Dept.
16. That, the grantee shall construct substantial building and/other structure, if any in the land and 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 Basmath in his discretion, on payment by the grantee such fine premium as per Government order.
17. That, the grantee shall not make any additions or alterations to the building already constructed as sanctioned plans without the previous permission Municipal council/municipal corporation/Godown planning Dept.(as the case may be)
18. That, the grantee shall be bound to execute a sanad in form as provided in schedule IV or V appended to the M.L.R.(Conversion of use of land & N.A.A.) Rule 1969 employing 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 & those in the sanad the Tahsildar Basmath may without prejudice to any other penalty to which he may be liable under the conditions of the code, continue the said land/ plot in the occupation of the applicant and payment of such fine and assessment as he may direct.
b) Notwithstanding anything contained in clause (a) above it shall be lawful for the Tahsildar of Basmath to direct the removal or alteration 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 Tahsildar Basmath and on such removal or alteration

written permission to that effect from the collector / S.D.O./Tahsildar Basmath for the purpose the use of building shall decide the use of the land.

3. That the grantee shall not sub-divide the plot or sub plots if any approved in this order, without getting the sub-Division previously approved from the authority granting this permission.
4. That, the grantee shall develop the land strictly in accordance with the sanctioned layout within a period of **one year** from the date of this order by (a) constructing roads, drains etc. to the satisfaction of the Tahsildar by and the concerned/Municipality and (b) by measuring and demarcating plots by the survey department and until the land is so developed no plot herein shall be disposed of in any manner.
5. That if the plot is 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 & said the and to make a specific mention about this in the deed to be executed to him.
6. That, this permission to build on a plot area of (40000) square meters as specified in the site plan &/or buildings specified in the site plan and/or building plan annexed here to and their remaining area of () Square, meters of the plot shall be kept vacant and open to sky.
7. That, the grantee shall be bound to obtain the requisite building permission from the village panchayat **Hatta** before starting construction of the proposed building or other structure, 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 cases, he shall prepare the building plans according to the provisions contained in schedule III and N.A. Assessment Rule 1969 and get them approved by the Collector / S.D.O. / Tahsildar Basmath and construct the building according to the sanctioned plans.
9. That, the grantee shall maintain the open marginal distance of (15) feet from the centre of Main road, which is a District road / other District road / village road.
To be stated as per provisions contained in schedule II appended by the M.L.R. (Conversion of Use of Land and N.A.) Rules 1969
10. That, the grantee 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 the date, failing which the permission shall be deemed to have been cancelled.
11. That, the grantee shall communicate the date of commencement of N.A. use of the land and/or change in the use of the land to the Tahsildar, Basmath through the Talathi, within the 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 & N.A.)

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.

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 the Maharashtra village panchayat Act, the Municipal act etc.

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Tahsildar Basmath

To,

✓ Shri Dhaneshwari Manav Vikas Mandal To Dr. Rahul
Vedprakash Patil R/O Hatta Ta. Basmath Dist. Hingoli
(With the approval plans)

- 1) Copy to the Talathi Hatta (in case when) the permission granted by the Tahsildar Basmath information and necessary action.
- 2) Advance copy forwarded to the T.I.L.R. Basmath for information
- 3) Chief officer Gram sewak Grampanchayat Hatta


Tahsildar Basmath