

(22)

IN THE COURT OF DR. PHAVINKUMAR DEORE,
SUB-DIVISIONAL OFFICER, AKOLA.

Rev. Case No. HAP-34/Umorl Pr. Akl./51/2003-2004.

Applicants :- 1. Bilala Ahmedkhan Kariakhan.
2. Mohd. Kamal Mohd. Ibrahim Siddiqui
3. Mohd. Jamal Mohd. Ibrahim Siddiqui
4. Abdul Robeman Mohd. Ibrahim Siddiqui.
All R/o. Akola.
Through power of attorney holder :-
Mohd. Kamal Mohd. Ibrahim Siddiqui.,
R/o. Akola.

ORDER

(Passed on this ^{1st} day of ^{July} 2004)

Application is made under section 44 (1) of the Maharashtra Land Revenue Code, 1966 by the applicants of Akola through their power of attorney holder, R/o. Akola for permission to convert the agril. land measuring 0.83 A. from field survey No. 69/3, of village Umorl Pr. Akl. Tq. & Distt. Akola for non-agril. i.e. residential purposes.

2. The applicants have furnished the following documents alongwith the application.

- i) Copies of 7/12.
- ii) Copies of Tipan Utara.
- iii) Copies of Measurement sheet.
- iv) Copies of Layout.

3. The layout furnished by the applicants was referred to the Asstt. Director of Town Planning, Akola for giving his opinion who in turn has tentatively approved to the layout and directed to demarcate the land as per approval vide his letter dtd. 17.4.04. The opinion of the Executive Engineer, B. & C., Akola dtd. 23.4.04, The Executive Engineer, M.S. & B., Akola dtd. 6.4.04, The Resettlement Officer, Akola dtd. 13.4.04, The Special Land Acquisition Officer, Akola dtd. 26.4.04, The District Health Officer, Akola dtd. 30.4.04

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The Asstt. Engineer-1, Special Project Sub. En., Akola dtd. 12.4.04, were received. The Sarpanch, Gram Panchayat Kharap Ek. has also given his no-objection dtd. 28.4.04. The Revenue Inspector, Akola has also submitted his spot inspection report is in record.

The Executive Engineer, Akola Irrigation Department, Akola has submitted his opinion as under:-

The subjective field is falls under the restrictive zone of local Halls and land is permissible under Govt. Resolution and the conditions as follows :-

(1) In the restrictive zone of flood area the plinth level of the plots should be constructed as a safety height so as to human lives safety during all floods.

4. The Taluka Inspector of Land Records, Akola has demarcate the land as per approval and submitted the copy of measurement sheet is in record. As per measurement sheet the applicants have furnished the demarcated layout that was again referred to the Asstt. Director of Town Planning, Akola for his final opinion, who in turn has finally approved to the demarcated layout vide his letter No. Non-agril/Umari Pr. Akl/P.S. No. 69/3./ASTP/1192, dtd. 15.6.2004. I, have also seen the spot and the site is suitable for residential purposes.

5. Taking into accounts, the above facts, I, hereby under section 44 (2) of the Maharashtra Land Revenue Code, 1966 grant permission to the applicants to convert the agril. land measuring 0.83 R. from field survey No. 69/3 of village Umari Pr. Akl. for laying out residential plots subject to the following conditions:-

- 1) The applicants shall use the land only for which the permission is granted i.e. for residential purpose.
- 2) The applicant shall pay the non-agril. assessment as shown in the statement 'A'.



3) The present rates of non-agril.assessment shall remain in force and shall further be revised thereafter new rates shall be charged. The applicants are directed to pay the amount of non-agril.assessment at the rate of Rs.00.04 paise per sq.mtrs. amounting to Rs.171/- Z.P.Cess Rs.1197/- V.P.Cess 171/- and conversion tax Rs.855/-. The applicants shall also liable to pay the amount of non-agril.assessment at the revised rates, whenever such revision will be effected.

4) The applicants shall start the N.A.use of the land within one year & communicated to this office and to the Tehsildar, Akola the date of actual commencement of the non-agril.use within thirty days from such date otherwise the permission stand cancelled.

5) The applicants shall not modify, alter or make any changes in the approved layout without the prior permission of the Sub-divisional Officer, Akola.

6) As per sanctioned & demarcated plan passed by the Asstt. Director of Town Planning, Akola the applicants shall be bind to maintain the demarcation on site. Inter-alia the plinth level of the plots should be constructed as a safety height so as to human lives safety during floods.

7) The roads & drainages shall be constructed as first as per specification and handed over to Gram Panchayat Kharap Bk. prior to the disposal of the plots.

8) The land reserved in layout as open space shall be kept permanently open free from any structure for the public use and shall be vested with Gram Panchayat Kharap Bk. free of costs.

9) The breach of any of the conditions mentioned above or otherwise shall result in revocation of this permission and imposition of the penalties as provided U/s.45 of the M.L.A.Code, 1966.



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10) It shall be lawful for the Sub-Divisional Officer Akola or any other officer is authorized by him to direct the removal or alteration of any building or structure erected or used contrary to the conditions of this permission and if not removed it shall be removed by Govt. machinery and the expenditure will be recovered as an arrears of land revenue.

11) The building bye-laws of the Gram Panchayat Khazap Bk. shall be binding on the applicants.

12) The land under conversion is 0.63 H. out of which 4263.56 sq.mtrs. is under the plots, the area under road & open space is exempted from H.A. assessment under section 117 of Maharashtra Land Revenue Code, 1966 and as such 4263.56 sq.mtrs. is to be levied at the rate of Rs.00.04 paise per sq.mtrs. and the amount is as under:-



	Area in sq.mtrs.	Assessment Rs.
i) Area under the plots is 4263.56 assessed @Rs.00.04 paise sq.mtrs.	4263.56	171.00
ii) Area under open space not 330.00 assessed and vested with Gram Panchayat Khazap Bk.	330.00	--
iii) Area under roads & curvet. not assessed.	3206-44	--
Area under layout of field survey No.69/3, of village Umari Pr.Akola, Tq. & Dist: Akola.	8300.00	171.00

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13) The applicants shall keep the marginal distance while constructing on the plots as under :-

Area in sq. mtrs.	Front side Mtr.	Rear Side Mtr.	Both sides Mtr.
150 to 300	3.00	1.50	1.50
300 to 450	4.50	3.00	2.25
450 to 900	4.50	4.50	3.00

On semi-detached plots one side common wall should be constructed.



sd/
Sub-Divisional Officer,
Akola.

Copy w/c. to the Asst. Director of Town Planning Akola.

Copy to :-

1. The Tahsildar, Akola.
2. The Borpach, Gram Panchayat, Kharap Bk. Td. & Distt. Akola.
3. The Talathi mouje Umari Pr. Akl. through Tahsildar, Akola.
4. The applicants.

21/12/04
स. उ. न. ड.

sd/
Sub-Divisional Officer,
Akola.

नगर स्वच्छता आणि मूल्यनिर्माण विभाग
अकोला जिल्हा
१९९६
८-६-२००४
आवक सं.
दिनांक
फाईल नं.

21/12/04

21/12/04

STATEMENT 'A'

Statement showing etc the non-agril. assessment shall be charge
in Rev. Case No. MAP-34/Amari Pr. Ahl./91/2003-2004 for field
survey No. 69/3, of village Amari Pr. Ahl, Tq. & Distt. Akola.

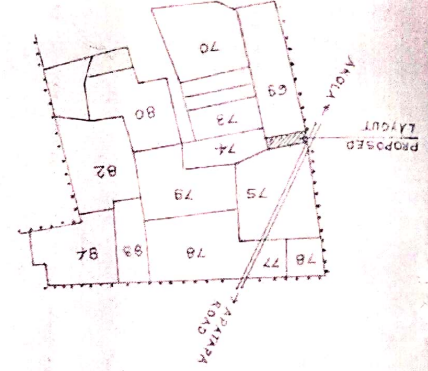
Sr. No. of the plots Area in sq. mtrs. Non-agril. assessment @ Rs. 00.00 per sq. mtr. Z.P. Cess V.P. Cess.

1.-A.	110.00	4.40	30.80	4.40
1.-B.	120.00	4.80	33.60	4.80
2.-A.	120.00	4.80	33.60	4.80
2.-B.	120.00	4.80	33.60	4.80
3.-A.	120.00	4.80	33.60	4.80
3.-B.	116.86	4.70	32.75	4.70
4.-A.	116.86	4.70	32.75	4.70
4.-B.	120.00	4.80	33.60	4.80
5.	522.70	20.90	146.30	20.90
6.	477.70	19.10	133.75	19.10
7.	500.50	20.05	140.15	20.05
8.	196.00	6.25	43.70	6.25
9.	157.36	6.30	44.10	6.30
10.-A.	114.75	4.60	32.15	4.60
10.-B.	110.50	4.45	30.95	4.45
11.-A.	110.50	4.45	30.95	4.45
11.-B.	110.50	4.45	30.95	4.45
12.-A.	110.50	4.45	30.95	4.45
12.-B.	110.50	4.45	30.95	4.45
13.-A.	110.50	4.45	30.95	4.45
13.-B.	114.75	4.60	32.15	4.60
14.-A.	109.36	4.40	30.65	4.40
14.-B.	112.50	4.50	31.50	4.50
15.	180.11	7.55	52.70	7.55
16.	203.11	8.15	56.90	8.15
	4263.56	171.00	1197.00	171.00



Sub-Divisional Officer,
Akola.

SITE PLAN SCALE: 1:500

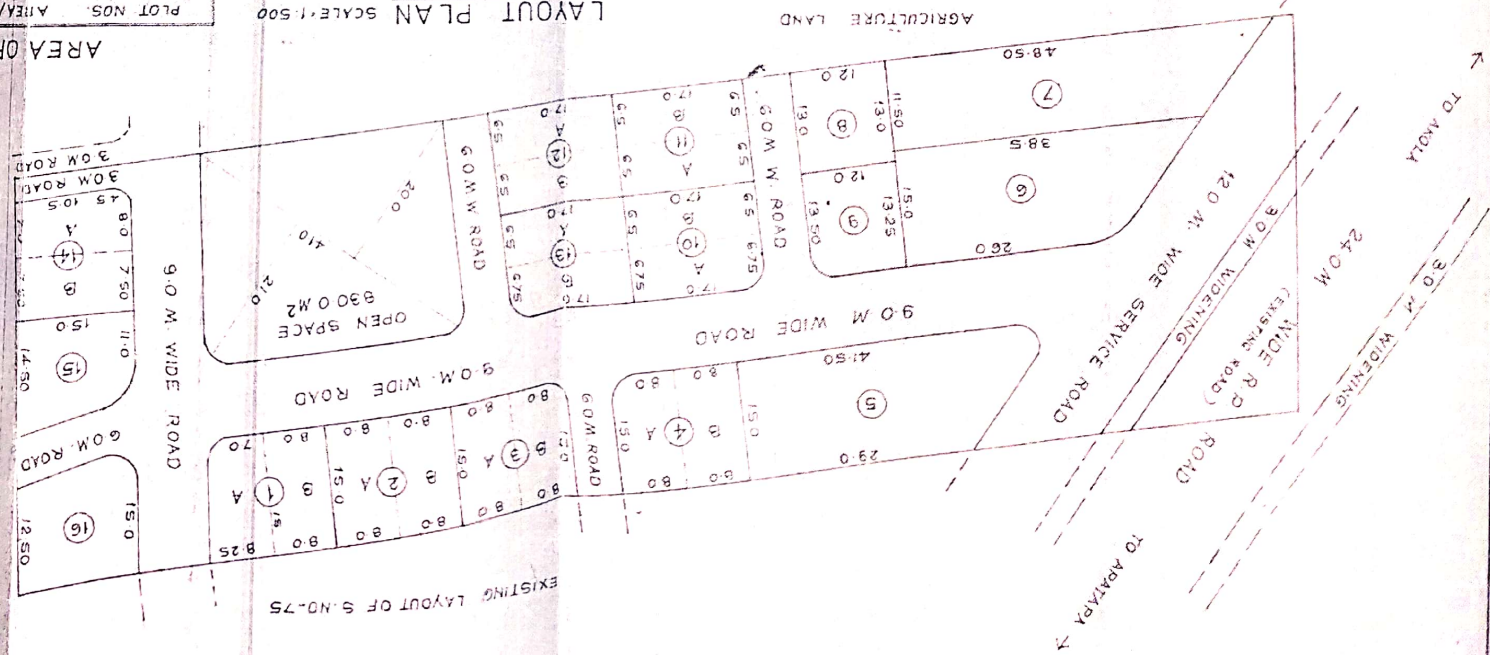


DEMARCATED RESIDENTIAL LAYOUT IN LAND BEARING SURVEY NO. 69/3 MOUTE UMRI PRAGANE TA-DIST AKOLA.

- TOTAL AREA UNDER CONVERSION: 8300.00 M²
- AREA UNDER PLOTS: 4263.56 M²
- AREA UNDER OPEN SPACE: 830.00 M²
- AREA UNDER ROADS: 3206.44 M²

AREA STATEMENTS

LAYOUT PLAN SCALE: 1:500



AREA OF PLOTS

PLOT NOS. AREA/PIOT IN SQ.M. AREA IN SQ.FT.

1A	110.00	1183
1B TO 3A	120.00	1291
3B, 4A	116.86	1257
4B	120.00	1291
5	522.70	5624
6	477.70	5140
7	500.50	5385
8	156.00	1678
9	157.36	1693
10A	114.75	1234
10B TO 13A	110.50	1188
13B	114.75	1234
14A	109.36	1176
14B	112.50	1210
15	188.11	2024
16	203.41	2185

As per the plan, the area of the plots is as follows:
1. 110.00 SQ.M.
2. 120.00 SQ.M.
3. 116.86 SQ.M.
4. 120.00 SQ.M.
5. 522.70 SQ.M.
6. 477.70 SQ.M.
7. 500.50 SQ.M.
8. 156.00 SQ.M.
9. 157.36 SQ.M.
10. 114.75 SQ.M.
11. 110.50 SQ.M.
12. 114.75 SQ.M.
13. 109.36 SQ.M.
14. 112.50 SQ.M.
15. 188.11 SQ.M.
16. 203.41 SQ.M.



B. T. SHINDE
D/CIVIL, MCL NO. 012
SHASTRI NAGAR
AKOLA

APPLICANTS SIGN
DRAWN BY