

Government agree that in view of the escalating cost of construction, and pending consideration of a further rise in rate by Government, any rate below Rs. 90/- would be uneconomic. The Competent Authorities are therefore, directed to consider the applications of such surplus land holders, and to sanction the rate of Rs. 90/- per sq. ft. wherever applied for.

Sd/-

B. K. Agarwal

(Deputy Secretary to Government)

To

All Competent Authorities,
All Collectors.

119. Use of surplus vacant land by public Charitable Trusts for construction of Houses

GOVERNMENT OF MAHARASHTRA
Housing and Special Assistance Department,
Resolution No. TST-1088/(2805)/D-XIII,
Mantralaya, Bombay 400 032

Dated 19th August, 1988.

RESOLUTION

1. Government has approved a special dispensation for Public Charitable Trusts that wish to use their surplus vacant land for construction of houses, which can be sold to members of the public, thereby augmenting the financial resources of the Trust, *vide* Government Resolution No. ULC-1087/CSC.115/(2453)D-XIII, dated 23rd February, 1987. This dispensation has been approved keeping in mind the need for Public Charitable Trusts which are doing good work for the community to augment their financial resources by utilising their surplus vacant land. Government has reviewed the implementation of this policy and is satisfied that it is in the public interest to continue this policy, subject to certain modifications.
2. Public Charitable Trusts holding vacant land in excess of the area required for the achievement of their basic objects may be permitted to develop such lands for construction of houses on a pattern that would cater to the needs of different income groups in society, with special emphasis on housing for the weaker sections. Public Charitable Trusts that wish to seek exemption under Section 20 of the Urban Land Ceiling Act, 1976 for this purpose would be required to surrender some portion of the surplus vacant land held by them and to construct dwelling units of specified sizes on the land permitted to be retained by them as shown below :

Surplus land to be Exempted	Area to be surrendered to Government.
First 4,000 sq.mtrs.	Nil
Beyond 4,000 sq.mtrs.	30% of the land.

The Trusts would also be required to surrender all land covered by Development Plan reservations, both buildable and non-buildable, free of cost to Government.

3. On the first 4,000 sq.mtrs. of land permitted to be retained by the Trust, the Trust shall construct tenements with a plinth area of upto 40 sq.mtrs. On the rest of the land permitted to be retained by the Trust in respect of its holding above 4000 sq.mtrs., the Trust shall construct tenements with a plinth area of 25 sq.mts, presenting 30% of the net buildable land, upto 40 sq.mtrs. presenting 35% of the net buildable land and upto 80 sq.mtrs. representing 35% of the net buildable land. The Trust would be entitled to sell these tenements in the open market without any price restriction. The Trust shall not be required to surrender any percentage of the built up space for allotment to Government nominees at a pre-determined price.
4. Exemption in accordance with these guidelines may be granted by the Sanctioning Committees headed by the Divisional Commissioners at Bombay and Pune and the District Collectors in the other Urban Agglomerations in case where the total land held by the Public Charitable Trust in all agglomerations is less than 40,000 sq.mtrs. by the Secretaries Committees on Urban Land Ceiling cases where the land held is 40,000 sq.mtrs. or more, exemption shall be granted only in favour of broad based Public Charitable Trusts that have a significant record of public service in the past and which are able to satisfy their requirement for augmentation of resources on the basis of both their existing level of activities and their concrete plans for future activities. Exemption would be granted where the sanctioning Committee/Government is satisfied that it would be in the larger public interest to do so and each case would be considered on individual merits. It would not be open to a Public Charitable Trust to claim such exemption as a matter of course or in cases where the expenditure incurred by the Trust in the past is negligible in relation to the resources that would be generated by development of the land in accordance with these guidelines.
5. Applications received from Public Charitable Trusts should be processed by the Competent Authority within a period of 60 days and placed before the Sanctioning Committee, which in turn would consider the application within a further period of 60 days. For Trusts with a holding of 40,000 sq.mtrs. or more the Competent Authority should submit the proposal along with his remarks directly to Government.

By order and in the name of the Governor of Maharashtra.

Sd/-

Ashok Lal

(Deputy Secretary to Government)

Copy to :

1. The Secretary to Governor,
2. The Secretary to the Chief Minister,

नागरी जमीन कमाल धारणा अधिनियम, १९७६.

कलम २० खाली सार्वजनिक विधवस्त संस्थांनी धारणा केलेल्या मोकळ्या जमिनीस नागरी जमीन कमाल धारणा कायद्याच्या तरतुदीतून सूट देण्याबाबत.

महाराष्ट्र शासन,

गृहनिर्माण व विशेष सहाय्य विभाग,

शासन निर्णय क्रमांक - पुसलसी-१०९४/[५६७७]/नाजकथा-१,

संत्रालय, मुंबई - ४००-०३२,

दिनांक : १४.७.१९९४

- बाचा : १. शासन निर्णय, गृहनिर्माण व विशेष सहाय्य विभाग, क्रमांक-पुसलसी-१०८७/संसउस-११५/[२४५३]/का. १३, दिनांक २३.२.१९८७.
२. शासन निर्णय, गृहनिर्माण व विशेष सहाय्य विभाग, क्रमांक : टीएसटी-१०८८/[२८०५]/का. १३, दि. १९.४.१९८८.
३. शासन निर्णय, गृहनिर्माण व विशेष सहाय्य विभाग, क्रमांक-पुसलसी-१०९२/[५३१३]/का. १३, दि. २२.१०.९२.

प्रस्तावना :

सार्वजनिक विधवस्त संस्था आणि धर्मादाय संस्था यांना

स्वतःच्या उद्देशपूर्वीसाठी निधी उभा करण्याकरिता, मोकळ्या जमिनीवर सदनिका बांधून खूल्या बाजारात विक्री करण्यासाठी राज्य शासनाने दि. २३.२.१९८७ आणि १९.८.१९८८ रोजी कलम २० खाली योजना घोषित केली होती. या योजनेचे स्वस्थ थोडक्यांत पुढीलप्रमाणे आहे :-

- १] ४,००० चौ.मी.पर्यंतच्या अतिरिक्त मोकळ्या जमिनीवर राज्य शासनाला काहीही जमिन आवयाची नाही.
- २] ४,००० चौ.मी.पेक्षा जास्त असणा-या अतिरिक्त मोकळ्या जमिनीपैकी पहिली ४,००० चौ.मी. जमीन वळती करता उर्वरित जमिनीच्या ३० टक्के जमीन शासनाला विनामूल्य हस्तांतरित करावयाची आहे.
३. पहिल्या ४,००० चौ.मी. जमिनीवर ४० चौ.मी.पर्यंतच्या आणि संस्थेकडे रहाणा-या उर्वरित जमिनीपैकी ३०% जमिनीवर २५ चौ.मी.च्या सदनिका,

...२/-

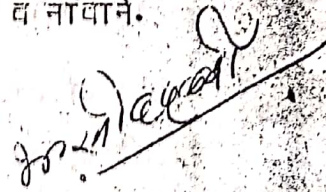
३० टक्के जमीन हस्तांतरित करणाऱ्या आणि फिल्लक ३५% जमिनीवर
२० टक्के जमीन हस्तांतरित करणाऱ्या बाबत सुट्या आकारातील विक्रीदारे नेमी उधा
करण्याचा असतो.

आपणनात विनासुल्य ३० टक्के जमीन हस्तांतरित करणाऱ्याचा अठ अनेक
सार्धजनिक विषयसत संस्था आणि धर्मादाय संस्था यांना जायक वा प्रत होती. त्या
वदलत त्यांनी आसनाकडे वारंवार सदर अठ रदव करण्यासाठी विनंती केलेली
होती. म्हणून सदर अठ विनिल करणाऱ्या प्रस्ताव शासनाच्या विचाराधीन
होता.

शासन निर्णय : आता शासनाचे खालीलप्रमाणे निर्णय घेतला आहे. :-

" ज्या सार्धजनिक विषयसत संस्था आणि धर्मादाय संस्था यांनी कलम २०
खाली सुट मागितलेली आहे आणि ज्यांना शासनातून ३० टक्के जमीन विनासुल्य
हस्तांतरित करणाऱ्या नाही अशा संस्थांच्या प्रकरणी ३० टक्के जमिनीच्या चालू
वाजाराच्या डोण्या-या विनंतीच्या ३० टक्के रकम शासनाकडे भरण्याच्या अटीवर
सदर अठ विनिल करणाऱ्या निर्णय घेण्यात आला आहे. या पुढे सार्धजनिक विषयसत
संस्था एक तर विनिल करणाऱ्या जमिनीपैकी ३० टक्के जमीन, शासनातून
विनासुल्य हस्तांतरित करतील किंवा त्या जमिनीच्या मोबदल्यात चालू वाजार-
भावाच्या विनंतीच्या ३० टक्के रकम शासनाकडे भरून सदर ३० टक्के जमीन स्वतः
विक्रीत करतील "

महाराष्ट्र राज्याचे राज्यपाल यांचे आदेशानुसार व नांवाने.



[भारती दळवी]

अवर सचिव, महाराष्ट्र शासन

प्रत.

१. राज्यपालांचे सचिव, राजभवन, मुंबई,
२. मुख्यसचिव, मुख्यसचिवांचे सचिवालय, मंत्रालय, मुंबई-३२,
३. मा. मंत्री [ना. ज. क. धा.] यांचे खाजगी सचिव, मंत्रालय,
४. सर्व मंत्री / राज्यमंत्री यांचे खाजगी सचिव, मंत्रालय,
५. मुख्य सचिव, मंत्रालय,