



SLUM REHABILITATION AUTHORITY

**BEFORE THE CHIEF EXECUTIVE OFFICER,
MUMBAI METROPOLITAN REGION SLUM REHABILITATION AUTHORITY,
THANE (WEST)**

Ramesh Shelke CHS (Prop.)
Survey No.200(pt), 201/1(pt),
Pokharan Road No.1, Vartak Nagar,
Thane (West) - 400 606.

... Applicant

ORDER

(Passed on 5/10/2023) 06 OCT 2023

These proceedings are initiated pursuant to the application of Applicant i.e. Ramesh Shelke CHS (Prop.) dated 19.04.2023 submitted u/s 3C (1) of the Maharashtra Slum Areas (I, C & R) Act, 1971 for declaration of land bearing Survey No.200(pt) & 201/1(pt) of Mauje – Majivade, Taluka - Thane, area admeasuring 2242.98 sq. mtrs. as "Slum Rehabilitation Area". Hereinafter the said property is referred to and called as "said land". In brief the facts which lead to the present proceedings are as under;

FACTS IN BRIEF:

The Applicant submitted the present application u/s 3C (1) of the Maharashtra Slum Areas (I, C, & R) Act, 1971 in respect of declaration of said land as "Slum Rehabilitation Area". Alongwith application the Applicant submitted copies of P R Card, Slum Plan etc. Pursuant to said application the Executive Engineer, Mumbai Metropolitan Region, Thane vide letter dated 03.05.2023 sought report of the District Superintendent of Land Records/SRA. The District Superintendent of Land Records/SRA submitted his report to Executive Engineer, Mumbai Metropolitan Region, Thane along with GIS plan on 04.06.2023. As per his report land bearing Survey No.200(pt) & 201/1(pt) of Mauje – Majivade,



Taluka - Thane, area admeasuring 2242.98 sq. mtrs. is already declared as Slum Rehabilitation area through Gazette dated 20.08.2019. The DSLR has further stated in report that after super imposing on slum plan on CTS plan it is noticed that the 2242.98 sq. mtr. area which is already declared as Slum Rehabilitation area, the said area is part of two survey numbers i.e. Survey No.200 and 201/1. Further he has mentioned that out of 2242.98 sq. mtrs. area adm. 416.91 sq. mtr. area is from Survey No.200 and remaining 1826.07 sq. mtr. area is from Survey No.201/1. The DSLR has further mentioned that it will be just and proper to issue corrigendum to notification dated 20.08.2019 for incorporation of Sr. No.200.

On 15.06.2023 the Executive Engineer, Mumbai Metropolitan Region, Thane/SRA and District Superintendent of Land Records/SRA jointly visited the site and submitted the site visit report of the said land. The said site visit report is on record and forms a part of these proceedings. At the time of visit, they have noticed that the conditions prevailing on said land are like slum and the said area lacks basic amenities and is unfit for human habitation. There are pakka structures. Some structures are of Ground floor and some structures are of Ground + 1 floor. These huts are being used for residential and commercial purpose. The Slum structures are situated closely and in congested manner. The internal roads are narrow. Water logging occurs in rainy season and there is lack of proper sunlight and ventilation. They have also observed that there is no hygiene and these structures are a source of danger to human life.

A Public Notice dated 30.06.2023 was published in Marathi newspaper "Janadesh" & "Lokmat" and in English newspaper "The Free Press Journal" on 04.07.2023 inviting objections if any from general public/interested parties to the proposed declaration. The land owning Authority is Konkan Housing and Area Development Board (A unit of MHADA) Bandra, therefore the notice was duly served to the Chief Officer, Konkan Housing and Area Development Board on 30.06.2023, but no any say is filed on record.

06 OCT 2023

In response to Public Notice no any objection is received within stipulated period of 30 days.

ARGUMENT OF APPLICANT i.e. RAMESH SHELKE CHS (PROP.)

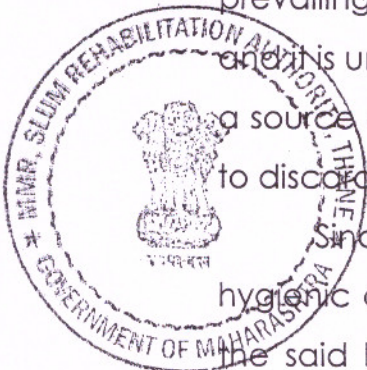
According to Applicant, the said land is occupied by the Slum dwellers and they have formed proposed society to redevelop the said land in their occupation. There is lack of basic amenities. These slum dwellers are residing in poor hygienic conditions and may become a source of danger to human life. On these ground the Applicant has prayed for declaration of said land as Slum Rehabilitation Area.

ISSUES AND DISCUSSION

The issue for consideration is whether the said land is liable to be declared as Slum Rehabilitation Area or not.

The Applicant has submitted the present Application u/s 3 C (1) of the Maharashtra Slum Areas (I, C & R) Act, 1971. According to Applicant, the said land lacks basic amenities like drinking water, street lights, roads, ventilation etc. and the slum dwellers residing there are living in unhygienic condition. The record reveals that District Superintendent of Land Records has submitted report alongwith GIS plan on 04.06.2023 wherein it is mentioned that the land bearing Survey No.200(pt) & 201/1(pt) of Mauje - Majivade, Taluka - Thane, area admeasuring 2242.98 sq. mtrs. and same is liable to be declared as "Slum Rehabilitation Area". The joint site visit report of the Executive Engineer, Mumbai Metropolitan Region, Thane/SRA and District Superintendent of Land Records/SRA dated 15.06.2023 clearly reveals that, the conditions prevailing on said land are like slum and there is lack of basic amenities and it is unfit for human habitation. There is no proper sanitation which is a source of danger to human life. This Authority do not find any reason to discard the site visit report dated 15.06.2023.

Since the slum dwellers residing on said land are living in poor and unhygienic condition and lack basic amenities, it is necessary to declare the said land as Slum Rehabilitation Area. From the report of District Superintendent of Land Records it appears that the land Survey No.200(pt) & 201/1(pt) of Mauje - Majivade, Taluka - Thane, area



admeasuring 2242.98 sq. mtrs. is owned by Konkan Housing and Area Development Board (A unit of MHADA) Bandra. The land owning Authority is MHADA. The notice was duly served to the Chief Officer, Konkan Housing and Area Development Board on 30.06.2023 but no any say is filed on record.

There is copy of Gazette notification dated 20.08.2019 on record. The said notification reveals that the said land adm. 2242.98 sq. mtr. sought to be declared as Slum Rehabilitation area already declared as slum area through said notification. Further it appears that out of 2242.98 sq. mtr. the portion adm. 416.91 sq. mtr. is part of Survey No.200 and portion adm. 1826.07 sq. mtr. is part of Survey No.201/1. But in notification dated 20.08.2019 inadvertently the entire land adm. 2242.98 sq. mtr. is shown as part of Survey No.201/1 only. Considering the above facts this Authority is of opinion that, there is no need of fresh declaration as Slum Rehabilitation area and what is needed is only to issue the corrigendum to notification dated 20.08.2019. Accordingly, this Authority proceed to pass following order.

ORDER

The Corrigendum be issued to notification dated 20.08.2019 rectifying the survey number and area as under:

Schedule

Sr. No.	Village/ S.no.	Area as per 7/12 (Sq.mtr.)	Area declared as "Slum Rehabilitation Area" (Sq.mtr.)	Boundaries			
				East	West	North	South
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1	Majivade 201/1	0.58.0 (5804.36 sq. mtrs.)	2242.98	S. No. 201/2	S. No. 200	S. No. 200	Road

Read as
Schedule

Village – Majivade, Taluka - Thane							
Sr. No	S. No./ H. No.	Area as per 7/12 extract (H.R.Sq.mtrs)	Area declared as "Slum Rehabilitation Area" (In Sq. mtrs.)	Consolidated Boundaries			
				East	West	North	South
1	200	195.63.31	416.91	S.No. / H.No. 201/1	S.No. / H.No. 200	S.No. / H.No. 200	S.No. / H.No. 200
2	201/ 1	59.03.31	1826.07	(pt.),	(pt.)	(pt.) 201/1 (pt.)	(pt.) 201/1 (pt.)
Total Area		254.66.63	2242.98				

Place: - Mumbai

Date:- 6/10/2023

Y. G. Ghun

Chief Executive Officer, 6/10
MMR Slum Rehabilitation Authority

No. MMR SRA/CEO Order Ramesh Shelke CHS (Prop.)/ 426 /2023

Date: 06 OCT 2023

Copy to:

1. Ramesh Shelke CHS (Prop.)
Survey No.200(pt), 201/1(pt),
Pokharan Road No.1, Vartak Nagar,
Thane (West) - 400 606
2. Deputy Chief Engineer/MMR, SRA
3. Deputy Collector-1/MMR, SRA
4. Asst. Registrar/MMR, SRA
5. Finance Controller/MMR, SRA
6. Legal Department /MMR, SRA
7. IT Officer/MMR, SRA