



SLUM REHABILITATION AUTHORITY

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

Jai Bhavani CHS (Prop.)
Through Chief Promoter Shri. Mohan Jamdare
Final Plot No.95(pt.), Sainath Nagar,
Luiswadi, Wagale Estate,
Thane (West) 400 604.

... Applicant

ORDER

(Passed on **26 MAY 2023**)

These proceedings are initiated pursuant to the application of Applicant i.e. Jai Bhavani CHS (prop.) dated 10.01.2023 submitted u/s 3C (1) of the Maharashtra Slum Areas (I, C & R) Act, 1971 for declaration of land bearing Final Plot No.95(pt.), Luiswadi, Wagale Estate, Taluka - Thane, area adm.1123.71 sq. mtrs. & road area adm.529.57 sq. mtrs. as "Slum Rehabilitation Area". 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 11.01.2023 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 07.02.2023. As per report of DSLR the land bearing F. P. No. 95 (pt), Luiswadi, Wagale Estate,

Taluka; Thane is adm1341.98 sq.mtrs and same is liable to be declared as "Slum Rehabilitation Area". The report further reveals that the said land is owned by state Government.

On 21.02.2023 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. Most of the slum structures are of only ground floor and some are 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. 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 03.03.2023 was published in Marathi and English daily newspapers "Janadesh" & "Lokmat" and "The Free Press Journal" on 08.03.2023 inviting objections if any from general public/interested parties to the proposed declaration. The public notice is also displayed on the official website of SRA on 09.03.2023. The land owning Authority is Government of Maharashtra, therefore the notice was duly served to the Collector on 16.03.2023, but no any say is filed on record.

In response to public notice no any objection was received within stipulated period of 30 days to the Public Notice dated 03.03.2023.

ARGUMENT OF APPLICANT i.e. JAI BHAVANI 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 basis amenities. These slum dwellers are residing in poor hygienic conditions and area 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 07.02.2023, wherein it is mentioned that the land bearing F.P. No. 95 (pt) Luiswadi, Wagale Estate, Taluka; Thane is adm. 1341.98 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 21.02.2023 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 may become source of danger to human life. This Authority do not find any reason to discard the site visit report dated 21.02.2023.

Since the slum dwellers residing on said land are living in poor hygienic 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 Final Plot No.95(pt.), Luiswadi, Wagale Estate, Taluka - Thane, area adm.1341.98 sq. mtrs. is owned by Government of Maharashtra. The land owning Authority is Government of Maharashtra. The notice was duly served to the Collector on 16.03.2023 but no any say is filed on record.

Considering the report of Executive Engineer and District Superintendent of Land Records, this Authority has come to conclusion that the conditions required for declaration of said land as Slum Rehabilitation Area exist at site. In order to redevelop the said land and to improve the living conditions of slum dwellers it will be just and proper

to declare said land as Slum Rehabilitation Area. Accordingly following order is passed.

ORDER

- 1) The application of applicant Jai Bhavani CHS (Prop.) is allowed as under;
- 2) The land bearing Final Plot No.95 (pt.), Luiswadi, Wagale Estate, Taluka - Thane, area admeasuring 1341.98 sq. mtrs. for Jai Bhavani CHS (Prop.) is hereby declared as Slum Rehabilitation Area u/s 3 C (1) of Maharashtra Slum Areas (I, C & R) Act, 1971.
- 3) The proceedings stands disposed of.

Place: - Mumbai.

Date:-



**Chief Executive Officer,
MMR Slum Rehabilitation Authority**

No. MMR SRA/CEO Order/ Jai Bhavani CHS (Prop.)/180/2023

Date: **26 MAY 2023**

Copy to:

1. Jai Bhavani CHS (Prop.)
Through Chief Promoter Shri. Mohan Jamdare
Final Plot No. 95(pt.), Village - Panchpakhadi,
Sainath Nagar, Luiswadi, Wagale Estate,
Thane (West) 400 604.
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.