

After considering full facts and circumstances of the case in totality, I am of the view that there appears to be no objection for granting requisite Sale/NA use permission in respect of the said land for Hotel-Resort purpose.

Therefore, in view of the facts mentioned above and in exercise of the powers conferred upon me under section 42 of the Dadra and Nagar Haveli Land Revenue Administration Regulation, 1971 and rule 17(2) made thereunder Smt. Vansiben Lakshubhai Vagh is hereby granted sale permission of her agricultural land bearing Survey Number 15/1 admeasuring 1-05 Hect out of 1-99 Hect of village Besda for Holiday Resort or Holiday Homes purpose only in favour of Shri Sanjay Roshanlal Jain. Purchaser Shri Sanjay Roshanlal Jaid is also granted NA use permission for Holiday Resort or Holiday Home purpose for the above said land, subject to approval of DC Rule.

However this permission is only with reference to the provision of Dadra and Nagar Haveli Land Revenue Administration Regulation 1971 and Rules made thereunder. Further this will be subject to obtaining NOC from the Competent Authority Under the relevant Environment/Forest Act to the effect that land does not falls within the buffer zone of Reserved/Forests/Wildlife Sanctuary. Any other permission required under any Act. Rule and Regulation, guidelines etc, will have to be obtained by the applicant separately.

It is made abundantly clear that this permission does not permit in any way for carrying out any activities prohibited in Buffer Zone area of Wildlife Sanctuary/Reserved Forests.

Apart from above, the Sale/NA permission is also subjected to following conditions:-

1). The permission is granted subject to the provisions of Dadra and Nagar Haveli Land Revenue Administration Regulation, 1971 and the rules made there under.

2). The holder shall commence N.A. use permission within a period of five years from the date of issue of this order, failing which, unless the said period is extended by the Collector from time to time, the

3). The holder shall pay non-agricultural assessment at the rate of Rs. 0.02 paise per sq. mtrs per annum.

4). The holder shall execute the Sanad in prescribed form No.VIII within a period of 30 days issue of this order.

5). The holder shall abide by other reasonable condition or conditions which the Collector may deem fit to impose having regard to use of the land at any time.

6). Tree standing on the land shall be not allowed to be cut/felled without the prior permission of the competent authority.

7). The land shall not be allowed to be used for purpose other than that for which the permission is granted. The land use permitted is for Hotel-Restaurant purpose only.

8). The land holder shall obtain construction permission and shall get the building plans prepared as per norms/rules of the Development Control Rules, and get them approved from the competent authority prior to carrying out any construction work on the site.

9). The holder shall apply separately for access through roadside protected forests.

10). No overhead transmission line will be permitted and landholder will have to lay underground cables at their own cost.

11). The holder concerned shall make his own arrangement for water supply. There is no guarantee whatsoever for power supply.

12). Before commencement of NA use the land holder shall obtain clearance from Department of Environment & Forest to ensure that land does not fall within the buffer zone of Reserved Forests/Wildlife Sanctuary. The failure to obtain the said clearance shall make the NA permission void.

13). Both the parties shall execute Sale-Deed in the office of the Sub-Registrar, D & NH, Silvassa at-least @ Rs13,000/- (Rupees Thirteen thousand only) per Are.

14). From the sale proceeds, seller shall keep an amount of Rs.1.00 Lakh or 25% of total sale consideration, whichever is less and the buyer shall have also kept an additional amount of Rs. 50,000/- or 50% of total sale consideration which ever less in a Nationalised Bank for a period of 5 years so that regular income is ensured to the tribal land holder, from which the beneficiary would be entitled to the regular interest from the said fixed deposit. Both the FDR's shall not be encashable for a period of 5 years without the written prior approval of the Collector.

15) All the payment to be made by Cheque or DD.

16). The Sub-Registrar shall ensure that before execution of sale deed the tribal seller has received the full sale consideration.

17). The Circle Officer shall ensure at the time of certifying mutation entry that seller has received full sale consideration of land sold and prescribed procedure has been observed by the Patel Talati inviting objection suggestion during the prescribed period as per Section 143 of Dadra and Nagar Haveli Land Revenue Administration Regulation 1971.

18). The applicant has to pay Rs. 5,88,000/- (Rs. Five lakh eighty eight thousand only) land use conversion charge to DNHPAD.

19). That the proposed land area has to be sub divided separately before obtaining construction permission. No development is permissible within 15 mtrs from the boundary of River/Kotar.

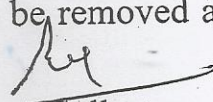
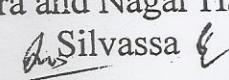
20) Proper storm water/drainage facility has to be provided.

21) This order is without prejudice to any court case, status of land or order etc, which has not been brought on record by the date of passing of this order.

22). The land holder shall ensure that the natural water flow, if passing through the subject land is not obstructed.

23) In case the documents/information given by the applicants turns out to be false or the information is found to be suppressed the sale permission granted shall be deemed to be cancelled

In the event of breach of any of the above conditions, the Sale/NA use permission shall be deemed to have been cancelled and the construction so carried out shall be liable to be removed at the risk and cost of the party concerned.


Collector
Dadra and Nagar Haveli


To,

1. Smt. Vanshiben Lakshmi Vagh Besda.
2. Shri Sanjay Roshanlal Jain of Silvassa.
3. The PS to Administrator, DD& DNH
4. The PS to Development Commissioner, DNH, Silvassa.
5. The P.A. to Collector, DNH, Silvassa
6. Executive Engineer, (Ele) D&NH, Silvassa, with a direction to ensure that no electrical connection granted unless land holder produce clearance certificate form Environment & Forests Department that land does not fall within the buffer of Wildlife Sanctuary or Reserved Forests.
7. The MSDNHPDA Silvassa, with direction to ensure that no construction permission is granted unless land holder produce clearance certificate form Environment & Forests Department that land does not fall within the buffer of Wildlife Sanctuary or Reserved Forests.