

In respect of arranging hearing in appeal cases against
decision delivered by Additional Collector
(Encroachment/Eviction) as competent authority

**Government of Maharashtra
Housing Department**

Government Circular No. – HRP-1001/C.R. 217/2016/ HRS-1
Madam Kama Marg, Hutatma Rajguru Chowk,
Mantralaya, Mumbai-400 032,
Date : 17 January 2017

See:- (1) No. HRS.1008/C.R. No. 143(2)/HRS-1 dated 13.01.2014
(2) No. HRS.1203/C.R. No. 68/2016/HRS-1(1) dated 27.05.2016
(3) No. HRS.1203/C.R. No. 68/2016/HRS-1(2) dated 27.05.2016
(4) No. HRS.1203/C.R. No. 186/2016/HRS-1(1) dated 23.08.2016
(5) No. HRS.1203/C.R. No. 186/2016/HRS-1(2) dated 23.08.2016

CIRCULAR

Maharashtra Hutment Area (Improvement, Liquidation and Redevelopment) Act, 1971 has been amended and provision has been made in Section 35(1) to file appeal to Appellate Authority against any decision delivered by competent authority and Appellate Authority should not be lower than rank of Additional Collector. According to Section 3(1) and 35(1) of Maharashtra Hutment Area (Improvement, Liquidation and Redevelopment) Act, 1971 Deputy Collector (Encroachment/Eviction) and Assistant Commissioner and Additional Collector (Encroachment/Eviction) have been declared as Competent Authority and Appellate Authority respectively for greater Mumbai Municipal Corporation.

Before declaring Additional Collector (Encroachment/Eviction) as Appellate Authority, he has been declared as Competent Authority according to Section 3(1) of said Act. It is found that appeals are being filed again to Additional Collector (Encroachment/Eviction) according to Section 35(1) of said Act against the decision delivered by him as Competent Authority. Hence, Govt. has been requested by area office to give guidance about the authority who is supposed to handle such appeal cases. In view of this following instructions are issued about who should handle aforementioned cases.

As mentioned above, there is provision in the Maharashtra Hutment Act that Appellate Authority should not be lower than rank of Additional Collector. Accordingly, hearing should be arranged

against the decisions delivered earlier by Additional Collector (Encroachment/Eviction) Mumbai City/Western suburbs/Eastern suburbs in Greater Mumbai Municipal Corporation area and orders should be passed as follows.

- 1) The hearing of appeals filed against decisions delivered earlier by Additional Collector (Encroachment/Eviction) Western suburbs as Competent Authority should be arranged by (Encroachment/Eviction) Eastern suburbs.
- 2) The hearing of appeals filed against decisions delivered earlier by Additional Collector (Encroachment/Eviction) Eastern suburbs as Competent Authority should be arranged by (Encroachment/Eviction) Western suburbs.
- 3) The hearing of appeals filed against decisions delivered earlier by Additional Collector (Encroachment/Eviction) Mumbai as Competent Authority should be arranged by (Encroachment/Eviction) Western suburbs.

Said Govt. Circular is made available on website of Govt. of Maharashtra www.intranet.maharashtra.gov.in and its Code No. is 201701171644157009. This order is being issued after attestation by digital signature.

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

Kishor Govind Pathade

Digitally signed by Kishor Govind Pathade

DN:c=IN, o=Government Of Maharashtra,

Ou=Under Secretary, postal code=400032

st= Maharashtra, cn= Kishor Govind Pathade

Date: 2017.01.17 16:48:39 +05'30'

(K.G. Pathade)

Under Secretary to Govt. of Maharashtra

Copy to

- 1) Secretary of Hon. Governor

- 2) Principal Secretary of Hon. Chief Minister, Secretariat of Chief Minister, Mantralaya, Mumbai-32
- 3) Private Secretary of Hon. Minister (Housing)/Hon. Minister of State (Housing), Mantralaya, Mumbai.
- 4) Senior Personal Assistant of Principal Secretary, Mantralaya, Mumbai.
- 5) Accountant General, Audit-1, Maharashtra Pratishtha Bhavan, 101, Maharshi Karve Marg, Mumbai-20
- 6) Chief Executive Officer, Hutment Rehabilitation Authority, Administrative Building, Anant Kanekar Marg, Bandra (East), Mumbai-51
- 7) Commissioner, M.M.R.D.A., 6th Floor, Bandra-Kurla Complex, , Bandra (East), Mumbai-51
- 8) Vice-President, Maharashtra Housing and Area Development Authority, Gruhnirman Bhavan, Bandra (East), Mumbai-400 051
- 9) Commissioner, Greater Mumbai Municipal Corporation, Municipal Corporation Office, Mumbai-400 001
- 10) Additional Collector (Encroachment/Eviction) and Appellate Authority, Mumbai City, Old Octroi House, Fort, Mumbai
- 11) Additional Collector (Encroachment/Eviction) Eastern Suburbs, Hutment Rehabilitation Authority Building, Anant Kanekar Marg, Bandra (East), Mumbai-51.
- 12) Additional Collector (Encroachment/Eviction) Western Suburbs,, Administrative Building, 7th Floor, Govt. Colony, Bandra (East), Mumbai-51.
- 13) Deputy Collector (Encroachment/Eviction) and Competent Authority, Mulund, Topivala College Building, Ground Floor, S.N. Road, Mulund (West), Mumbai.
- 14) Deputy Collector (Encroachment/Eviction) and Competent Authority, Bhandup, Topivala College Building, Ground Floor, S.N. Road, Mulund (West), Mumbai.
- 15) Deputy Collector (Encroachment/Eviction) and Competent Authority, Ghatkopar Topivala College Building, Ground Floor, S.N. Road, Mulund (West), Mumbai.
- 16) Deputy Collector (Encroachment/Eviction) and Competent Authority, Chembur-1, Near D.K. Sandu Garden, 10th Floor, Opp. Axis Bank, Chembur, Mumbai-400 07.1
- 17) Deputy Collector (Encroachment/Eviction) and Competent Authority, Andheri-1, Room No. 65 and 66, Gruhnirman Bhavan, Bandra(East), Mumbai-51.

- 18) Deputy Collector (Encroachment/Eviction) and Competent Authority, Borivli-1, Rustomji Complex, Municipal Corporation Vegetable Market Building, Ground Floor, Jayvant Sawant Road, Dahisar (West), Mumbai-400 068.
- 19) Deputy Collector (Encroachment/Eviction) and Competent Authority, Malad-1, M.H.B. Building No. 38, First Floor, sidharth Nagar, S.V. Road, Goregaon (West), Mumbai-400 062
- 20) Resident Deputy Collector (Encroachment/Eviction), Western suburbs, Bandra.
- 21) Deputy Collector, General Administration, Mumbai Suburban District.
- 22) Subdivisional Officer, Mumbai Suburban District.
- 23) Special Land Acquisition Officer No. 4, Mumbai Suburban District.
- 24) Additional District Deputy Collector, Mumbai Suburban District.
- 25) Deputy Collector (Appeal), Mumbai Suburban District.
- 26) Deputy Collector (Sanjay Gandhi Scheme), Mumbai Suburban District.
- 27) Resident Deputy Collector (Encroachment/Eviction) Eastern suburbs.
- 28) Resident Deputy Collector, Mumbai Suburban District.
- 29) Selection File/HRS-1