1966 : Mah. XLI] 1

THE MAHARASHTRA LAND REVENUE CODE, 1966

[*Text as on 21st May 2026*]

CONTENTS

PREAMBLE.

SECTIONS.

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement.
2. Definitions.

Revenue Areas

3. Division of State into revenue areas.
4. Constitution of revenue areas.

CHAPTER II

REVENUE OFFICERS :THEIR POWERS AND DUTIES

5. Chief controlling authority in revenue matters.
6. Revenue officers in division.
7. Revenue officers in district.
8. Survey Officers.
9. Combination of officers.
9A. Delegation of powers.
10. Temporary vacancies.
11. Subordination of officers.
12. Appointments to be notified.
13. Powers and duties of revenue officers.
14. Powers and duties of survey officers, circle officers, etc.
15. Conferral by State Government of powers of revenue officers on other persons.
16. Seals.

Provisions for recovery of money, papers or other Government Property

17. Demands for money, papers, etc., to be made known in writing to person concerned, etc.
18. Public moneys may also be recovered as arrears of revenue; and search warrant may be issued for recovery of papers or property.
19. Officer or person in jail may secure his release by furnishing security.

CHAPTER III

OF LANDS

20. Title of State in all lands, public roads, etc., which are not property of others.
21. Extinction of rights of public ane or path not required for use of

public.

2 *TheMaharashtra Land Revenue Code, 1966* **[1966 : Mah. XLI**

22. Lands may be assigned for special purposes, and when assigned, shall not be otherwise used without sanction of Collector.

22A. Prohibition on diversion of use of *Gairan* land.

23. Regulation of use of pasturage.

24. Recovering value of natural products unauthorizedly removed from certain lands.

25. Right to trees in holdings.

26. Trees and forests vesting in Government.

27. Recovery of value of trees, etc., unauthorizedly appropriated.

28. Regulation of cutting and supply of wood, etc.

Of the Grant of Land

29. Classes of persons holding land.

29A. Conversion of occupancy of certain Government lands.

30. Occupation of unalienated land granted under provisions of the Code.

31. Unoccupied land may be granted on conditions.

32. Grant of alluvial land vesting in Government.

33. Temporary right to alluvial lands of small extent.

34. Disposal of intestate occupancies.

35. Disposal of relinquished or forfeited sub-division.

36. Occupancy to be transferable and heritable subject to certain restrictions.

36A. Restrictions on transfers of occupancies by Tribals.

36B. Damages for use and occupation of occupancies in certain cases.

36BB. Pleaders, etc., excluded from appearance.

36C. Bar of Jurisdiction of Civil Court or authority.

37. Occupants' rights are conditional.

37A. Restrictions on sale, transfer, redevelopment, change of use, etc., in relation to Government land and *nazul* land.

38. Power to grant leases.

39. Occupant to pay land revenue and Government lessee to pay rent fixed.

40. Saving of powers of Government.

Of Use of Land

41. Uses to which holder of land for purposes of agriculture may put his land.

42. No permission of Collector is required for non-agricultural use of land.

42A. [*Deleted*].

42B. [*Deleted*].

42C. [*Deleted*].

42D. [*Deleted*].

43. Restriction on use.

44. [*Deleted*].

44A. [*Deleted*].

45. [*Deleted*].

46. [*Deleted*].

47. Premium for non-agricultural use of land.

47A. [*Deleted*].

48. Government title to mines and minerals.

49. Construction of water course through land belonging to other person.

Of Encroachment on Land

50. Removal of encroachment on land vesting in Government; provisions for penalty and other incidental matters.

51. Regularisation of encroachments.

52. Value and land revenue how calculated.

53. Summary eviction of person unauthorisedly occupying land vesting in Government.

54. Forfeiture and removal of property left over after summary eviction.

54A. Additional temporary powers for termination of licences, and removal of any building or other structure on any land or foreshore which is forfeited and of persons re-entering or remaining on the land or foreshore after eviction.

(This section has been ceased to be in force with effect from 1st December 1978.)

Of Relinquishment of Land

55. Relinquishment.

56. Relinquishment of alienated land.

57. Right of way to relinquished land.

58. Saving of operation of section 55 in certain cases.

59. Summary eviction of person unauthorisedly occupying land.

60. Power of State Government to suspend operation of section 55.

Protection of certain occupancies from process of courts

61. Occupancy when not liable to process of civil court; court to give effect to Collector's certificate.

62. Bar of attachment or sale.

63. Bar of foreclosure or attachment or sale of Bhumidhari's right.

CHAPTER IV

OF LAND REVENUE

64. All land liable to pay revenue unless specially exempted.

65. Liability of alluvial lands to land revenue.

66. Assessment of land revenue in cases of diluvion.

67. Manner of assessment and alteration of assessment.

68. Assessment by whom to be fixed.

69. Settlement of assessment to be made with holder directly from State Government.

70. Rates for use of water.

71. The fixing of assessment under this Code limited to ordinary land revenue.

72. Land revenue to be paramount charge on land.

73. Forfeited holdings may be taken possession of and otherwise disposed.

74. To prevent forfeiture of occupancy of certain persons other than occupant may pay land revenue.

75. Register of alienated lands.

76. Receipts.

77. Penalty for failure to grant receipts.

78. Reduction, suspension or remission of land revenue.

CHAPTER V

REVENUE SURVEYS

79. Revenue survey may be introduced by State Government into any part of State.

80. Survey officer may require by general notice or by summons, suitable service from holders of land, etc.

81. Assistance to be given by holders and others in measurement or classification of land.

82. Survey numbers not to be of less than certain extent.

83. Power of State Government to direct fresh survey and revision of assessment.

84. Entry of survey numbers and sub-divisions in records.

85. Partition.

86. Division of survey numbers into new survey numbers.

87. Division of survey numbers into sub-divisions.

88. Privilege of title-deeds.

89. Survey made before commencement of this Code to be deemed to be made under this Chapter.

CHAPTER VI

ASSESSMENT AND SETTLEMENT OF LAND REVENUE OF AGRICULTURAL LANDS

90. Interpretation.

91. Forecast as to settlement.

92. Power of State Government to direct original or revision settlement of land revenue of any lands.

93. Term of settlement.

94. Assessment how determined.

95. Increase in average yield due to improvements at the expense of holders not to be taken into account.

96. Settlement Officer how to proceed for making settlement.

97. Settlement report to be printed and published.

98. Submission to Government of settlement report with statement of objections, etc., and Collector's opinion thereon.

99. Reference to Revenue Tribunal.

100. Orders on Settlement Report.

101. Power of State Government to exempt from assessment for water advantages.

102. Introduction of settlement.

103. Claims to hold land free of land revenue.

104. Assessment of lands wholly exempt from payment of land revenue.

105. Power to State Government to direct assessment for water advantages.

106. Power of Collector to correct errors.

107. Settlement made before this Code to be deemed to be made under this Chapter.

CHAPTER VII

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108. [*Deleted*].

109. [*Deleted*].

110. [*Deleted*].

111. [*Deleted*].

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118. [*Deleted*].

119. [*Deleted*].

120. [*Deleted*].

CHAPTER VIII

OF LANDS WITHIN THE SITES OF VILLAGES,TOWNS AND CITIES

121. Application of Chapter.

122. Limits of sites of villages, towns and cities how to be fixed.

123. No land revenue to be levied in certain cases on lands within sites of village, town or city.

124. Right to exemption to be determined by Collector.

125. *Pardi* and *wada* lands exempted from payment of land revenue.

126. Survey of lands in village sites how to be conducted.

127. In certain cases survey fees to be charged.

128. Maps of village sites.

129. *Sanad* to be granted without extra charge.

130. Grant of *sadan* on alteration of holding.

131. Duplicate *sanads* may be granted.

CHAPTER IX

BOUNDARY AND BOUNDARY MARKS

132. Fixation and demarcation of boundaries.

133. Determination of village boundaries.

134. Determination of field boundaries.

135. Disputes regarding boundaries between villages, survey numbers and sub-divisions or area of any survey number or sub-division.

136. Demarcation of boundaries of survey number or sub-division.

137. Straightening out crooked boundaries.

138. Effect of settlement of boundary.

139. Construction and repairs of boundary marks of survey numbers and villages, etc.

140. Responsibility for maintenance of boundary marks and survey marks.

141. Collector to have charge of boundary marks and survey marks after introduction of survey.

142. Demarcation and maintenance of boundary marks between holding and village road.

143. Right of way over boundaries.

144. Demarcation of boundaries in areas under town-planning scheme or improvement scheme, or consolidation scheme.

145. Penalty for injuring boundary marks.

146. Power to exempt from operation of this Chapter.

CHAPTER X

LAND RECORDS

A-Record of Rights

147. Exemption from provisions of this Chapter.

148. Record of rights.

148A. Maintenance of record of rights etc., by using suitable storage device.

149. Acquisition of rights to be reported.

150. Register of mutations and register of disputed cases.

151. Obligation to furnish information; obligation to furnish entries from record of rights, etc., to holder or tenant in booklet form and to maintain booklet, etc.

152. Fine for neglect to afford information.

153. Requisition of assistance in preparation of maps.

154. Intimation of transfers by registering officers.

155. Correction of clerical errors.

156. Land records.

157. Presumption of correctness of nd register of mutations.

158. Bar of suits.

159. Records of rights at commencement of Code.

B-Rights in unoccupied land

160. Application of provisions of sections 161 to 167.

161. *Nistar Patrak.*

162. Matters to be provided for in *NistarPatrak.*

163. Provisions in *Nistar Patrak* for certain matters.

164. Right in waste land of another village.

165. *Wajib-ul-arz.*

166. Regulation of fishing, etc.

167. Punishment for contravention of provisions.

CHAPTER XI

REALISATION OF LAND REVENUE AND OTHER REVENUE DEMANDS

168. Liability for land revenue.

169. Claims of State Government to have precedence over all others.

170. Dates on which land revenue falls due and is payable.

171. Temporary attachment and management of village or share of village.

172. Temporary attachment and management of village or share of village to be vacated (withdrawn) on security being furnished.

173. 'Arrear', 'defaulter'.

174. Penalty for default of payment of land revenue.

175. Certified accounts to be evidence as to arrears.

176. Process of recovery of arrears.

177. Revenue demands of former years how recoverable.

178. When notice of demand may issue.

179. Occupancy or alienated holding for which arrears is due may be forfeited.

180. Distraint and sale of defaulter's movable property.

181. Sale of defaulter's immovable property.

182. Power to attach defaulter's immovable property and take it under management.

183. Arrest and detention of defaulter.

184. Power to arrest by whom to be exercised.

185. Power to attach defaulter's village and take it under management.

186. Lands of such village to revert free of encumbrances.

187. Revenue management of villages or estates not belonging to Government that may be temporarily under management of State Government.

188. Application of surplus profits.

189. Restoration of village so attached.

190. Village, etc., to vest in State Government if not redeemed within twelve years.
191. But all processes to be stayed on security being given.
192. Procedure in effecting sales.
193. Notification of sales.
194. Sale by whom to be made; time of sale, etc.
195. Postponement of sale.
196. Sale of perishable articles.
197. When sale may be stayed.
198. Sales of movable property when liable to confirmation.
199. Mode of payment for movable property when sale is concluded at once.

200. Mode of payment when sale is subject to confirmation.
201. Deposit by purchaser in case of sale of immovable property.
202. Purchase money when to be paid.
203. Effect of default.
204. Liability of purchaser for loss by re-sale.
205. Notification before re-sale.
206. Setting aside sales of movables.
207. Application to set aside sale of immovables.
208. Order confirming or setting aside sale.
209. Purchaser may apply to set aside sale under certain circumstances.
210. Application to set aside sale by person owing or holding interest in property.
211. Refund of deposit or purchase money when sale set aside.
212. On confirmation of sale, purchaser to be put in possession. Certificate of purchase.
213. Bar of suit against certified purchaser.
214. Application of proceeds of sale.
215. Surplus not to be paid to creditors except under order of court.
216. Certified purchaser liable only for land revenue subsequently due.
217. Purchaser’s title.
218. Claims to attached property how to be disposed of.
219. Bar of revenue officer to bid etc. at sale.
220. Purchase on nominal bid.
221. Sum recoverable under provisions of this Chapter.
222. Recovery of free grants as arrear of revenue in case of misuse.
223. Recovery of monies from survey.

CHAPTER XII

PROCEDURE OF REVENUE OFFICERS

224. Subordination of revenue offi

225. Power to transfer cases.

226. Power to transfer cases to and from subordinates.

227. Power to summon persons to give evidence and produce documents.

228. Summons to be in writing, signed and sealed; service of summons.

229. Compelling attendance of witness.

230. Mode of serving notice.

231. Procedure for producing attendance of witnesses.

232. Hearing in absence of party.

233. Adjournment of hearing.

234. Mode of taking evidence in formal enquiries.

235. Writing and explanation of decisions.

236. Summary and inquiries how to be conducted.

237. Formal and summary inquiries to be deemed judicial proceedings.

238. Ordinary inquiries how to be conducted.

239. Copies and translations, etc., how to be obtained.

240. Arrest of defaulter to be made upon warrant.

241. Power to enter upon and survey land.

242. Collector how to proceed in order to evict any person wrongfully in possession of land.

243. Power to give and apportion costs.

244. Persons by whom appearances and applications may be made before and to revenue or survey officer.

245. Saving.

CHAPTER XIII

APPEALS,REVISION AND REVIEW

246. Application of this Chapter.

246A. Pending applications for conferral of Occupants-Class I Rights.

247. Appeal and appellate authorities.

248. Appeal when to lie to State Government.

249. Appeal against review or revision.

250. Periods within which appeals must be brought.

251. Admission of appeal after period of limitation.

252. Appeal shall not be against certain orders.

253. Provision where last day for appeal falls on Sunday or holiday.

254. Copy of order to accompany petition of appeal.

255. Power of appellate authority.

256. Stay of execution of orders.

257. Power of State Government a rvey officers to call for and

examine records and proceedings of subordinate officers.

258. Review of orders.

259. Rules as to decisions or orders expressly made final.

259A. Power to hear appeal.

CHAPTER XIV

SPECIAL PROVISIONS FOR LAND REVENUE IN THE CITY OF BOMBAY

260. Extent of this Chapter.

261. Interpretation.

Assessment and Collection of Land Revenue

262. Power of Collector to fix and to levy assessment for land revenue.

262A. Rate of assessment not to exceed percentage of market value.

262B. Standard rate of assessment.

262C. Publication of standard rate of assessment.

262D. Standard rate of assessment to be in force for ten years until revised.

262E. Period of guarantee.

263. Settlement of assessment with whom to be made.

264. Liability of land revenue.

265. Claims of State Government to have precedence.

266. Power of Collector to give directions regarding payment of revenue.

267. Notice of demand may be served after arrears due.

268. Sales how to be conducted.

269. Defaulters may be arrested and confined.

270. Exemption from attachment and sale.

271. Collector's decision to be acted in the first instance but may be stayed on security being furnished.

272. Compulsory process to cease on payment under protest and on filing appeal and furnishing security.

273. Fees in respect of warrant for attachment and sale of defaulter's property. Additional fee.

274. Appeals before Maharashtra Revenue Tribunal.

275. Court-fees.

276. Power of State Government to make grants of lands free of revenue.

The Bombay City Survey and Boundary Marks

277. Bombay City Survey recognised.

278. State Government may order survey and appoint Superintendent.

279. Collector or subordinates may enter upon lands.

280. Notice to be served on holder to attend.

281. After service of notices, Superintendent may proceed with survey.

282. Survey map and register.

283. Superintendent may erect boundary marks.

284. Maintenance of temporary boundary marks.

285. Survey fee may be charged.

286. All documents connected with survey to be sent to Collector.

287. Maintenance of survey map and register.

288. Revision of maps.

289. Responsibility for maintenance and repair of boundary marks.

290. Collector may require superior holders to renew or repair survey marks. Requisition how made.

291. On default, Collector or assistants may enter and renew or repair. Charge for renewal or repair.

292. Privilege of title-deeds.

293. Proceedings not to be affected by informality.

Government Lands and Foreshore

294. Right of Government to lands and foreshore.

295. Such lands and foreshore how disposed of.

Transfer of Lands, etc.

296. Notice of transfer of title to lands etc. to be given to Collector.

297. Form of notice.

298. Penalty for neglect to give notice.

299. Person transferring title and omitting to give notice to continue liable for revenue.

300. Proceeding in case of disputes as to entry or transfer.

301. Registration or transfer not to affect right of Government.

Procedure

302. Law applied to summons, etc.

Levy house-rent, fees, penalties, etc.

303. Dues leviable as revenue demands.

304. Power to Collector of Bombay to assist other Collectors in realization of dues.

305. Collector to keep registers and rent rolls.

306. Rules.

307. Saving.

CHAPTER XV

MAHARASHTRA REVENUE TRIBUNAL

308. Definitions.

309. Maharashtra Revenue Tribunal.

310. President and Members.

311. Vacancy and temporary absence.
312. Registrar and Deputy Registrars.
313. Headquarters.
314. Place of sitting.
315. Jurisdiction of Tribunal.
316. Jurisdiction barred in certain cases.
317. Powers of Tribunal under other laws not affected.
318. Tribunal to have power of civil court.
319. Practice and procedure.
320. State Government to be heard in certain cases.
321. No appeal to State Government and jurisdiction of court barred.
322. Review of orders of Tribunal.
323. Manner of executing orders passed by Tribunal.
324. Provision for court-fees.
325. Rules.
326. [*Deleted*].

CHAPTER XVI

MISCELLANEOUS

327. Maps and land records open to inspection, etc.
328. Rules.
329. Provision for previous publication of, and penalty for breach of rules.
330. Laying of rules before Legislature.
330A. Delegation of powers and duties.
331. Certain provisions to apply to alienated villages.
332. Holders of land in alienated villages.
333. Construction of this Code.
334. Amendment of enactments.
335. Power to remove difficulty.
336. Repeal and savings.
337. Construction of reference.

SCHEDULES

SCHEDULE A
SCHEDULE B
SCHEDULE C
SCHEDULE D
SCHEDULE E
SCHEDULE F
SCHEDULE G
SCHEDULE H
SCHEDULE I
SCHEDULE J

SCHEDULE K

LIST OF AMENDMENT ACTS

1. Amended by Mah. 30 of 1968
2. Amended by Mah. 8 of 1969
3. Amended by Mah. 44 of 1969
4. Amended by Mah. 4 of 1970
5. Amended by Mah. 20 of 1970[1]
6. Amended by Mah. 36 of 1971
7. Amended by Mah. 41 of 1973 (1-12-1973)
8. Amended by Mah. 35 of 1974[2] (6-7-1974)
9. Amended by Mah. 11 of 1976 (14-4-1976)
10. Amended by Mah. 18 of 1976 (26-4-1976)
11. Amended by Mah. 35 of 1976 (30-7-1976)
12. Amended by Mah. 12 of 1977 (19-3-1977)
13. Amended by Mah. 30 of 1977 (16-8-1977)
14. Amended by Mah. 8 of 1979
15. Amended by Mah. 47 of 1981[3] (29-7-1981)
16. Amended by Mah. 5 of 1982[4] (5-2-1982)
17. Amended by Mah. 16 of 1985
18. Amended by Mah. 32 of 1986 (1-12-1986)

1 Maharashtra Ordinance No. III of 1970 was repealed by Mah. 20 of 1970, s. 3.

2 Maharashtra Ordinance No. XIII of 1974 was repealed by Mah. 35 of 1974, s. 10.

3 Maharashtra Ordinance No. VIII of 1981 was repealed by Mah. 47 of 1981, s. 14.
Section 2 of Mah. 47 of 1981 reads as under:—

"2. Constitutions of the Bombay Division under Mah. XLI of 1966.— On the date of commencement of this Act, notwithstanding anything contained in the Maharashtra Land Revenue Code, 1966 (Mah. XLI of 1966), or in any notification or order issued thereunder, the City of Bombay shall be deemed to be constituted a district, the Bombay Suburban District shall be deemed to be excluded from the Konkan Division, and a new Division to be called the Bombay Division shall be deemed to be duly constituted under the said Code consisting of the district of the City of Bombay and the Bombay Suburban District, which areas may subsequently be alerted and divided into two or more districts, with such names, as may be specified by the State Government by notification in the *official Gazette*.".

4 Section 10 of Mah. 5 of 1982 reads as under:—

"10. Validation of delegation of powers of Collector to Additional Tahsildars under section 3 of Mah. XLI of 1966 and of their proceedings.— Notwithstanding anything contained in section 13 or any other provisions of the Land Revenue Code and notwithstanding any judgement, decree or order of any Court of Tribunal, the Additional Tahsildars, who, during any period or periods before the commencement of this Act, exercised any powers of the Collector under sub-section (*3*) of section 36 or any other provisions of the said Code, delegated to them by the Collector under the proviso to sub-section (*1*) of the said section 13, shall be deemed to have been validly delegated to them by the Collector during the said periods ; and, accordingly, any proceedings conducted, order passed, sanctions given, certificates issued, declarations made or other action taken by any of the said Additional Tahsildars during the said periods, in the exercise of the powers of the Collector or in the purported exercise of the powers of the Collector, shall be deemed to have been validly and effectively conducted, passed, given, issued, made or taken, as the case may be, as if the powers had been duly delegated to them for such purposes, and shall not be called in question in any proceedings before any Court or Tribunal merely on ground that the powers were not duly delegated to them or that they had no jurisdiction.".

Note.- The date mentioned in the bracket indicates the date of commencement of the Act.

19. Amended by Mah. 1 of 1991[1] (1-1-1991)
20. Amended by Mah. 17 of 1993[2] (1-5-1993)
21. Amended by Mah. 26 of 1994[3] (2-2-1994)
22. Amended by Mah. 6 of 1998 (9-2-1998)

23. Amended by Mah. 23 of 1999 (21-4-1999)
24. Amended by Mah. 9 of 2002[4] (1-8-2001)
25. Amended by Mah. 25 of 2002 (1-5-2002)
26. Amended by Mah. 21 of 2003 (1-8-2003)
27. Amended by Mah. 26 of 2005[5] (6-3-2004)
28. Amended by Mah. 43 of 2005 (25-3-2005)
29. Amended by Mah. 17 of 2007 (1-8-2007)

1 Section 7 of Mah. 1 of 1991 reads as under:-

"7. Initiation of proceedings for restoration of lands to tribal transferor.—For the removal of doubt it is hereby declared that, notwithstanding anything contained in any law for the time being in force or any judgement or decree or order of any Court, Tribunal or authority, where the Collector had not initiated *suo motu* proceedings or a tribal transferor had not made any application during the period specified in section 36 or 36A of the said Code, or section 3 or 4 of the principal Act, as they stood prior to amendments made by this Act, for restoration of land under the provisions aforesaid, it shall be competent for the Collector to *suo motu* initiated any proceedings, or for the tribal transferor to make an application, under the provisions of the said Code or the principal Act, as amended by this Act, for restoration of land to the tribal transferors.".

2 Section 26 of Mah. 17 of 1993 reads as under:—

"**26. Validation.—**Notwithstanding anything contained in any judgement, decree or order of any Court, any determination and levy of non-agricultural assessment at the standard rate of non-agricultural assessment fixed or revised during the first guaranteed period commencing on the first day of August 1979 and ending on the 31st July 1991 under sub-section (*2A*) of section 113 of the Maharashtra Land Revenue Code, 1966 (Mah. XLI of 1966), as amended by the Maharashtra Tax Laws (Levy and Amendment) Act, 1993 (Mah. XVII of 1993), shall be deemed to have been validly determined and levied in accordance with the law, as if sub-section (*2A*) of the said section 113, as amended by the said Amendment Act, had been continuously in force at all material times ; and such determination and levy shall not be questioned in any Court or before any authority merely on the ground that the said sub-section (*2A*) as amended was not in existence, and accordingly no suit, appeal, application or other proceedings shall be maintained or continued in any Court or before any Court or any authority in respect thereof.".

3 Maharashtra Ordinance No. II of 1994 was repealed by Mah. 26 of 1994, s. 5.

4 Maharashtra Ordinance No. XXIX of 2001 was repealed by Mah. 9 of 2002, s. 4.

5 Maharashtra Ordinance No. XVII of 2004 was repealed by Mah. 26 of 2005, s. 4.

Note.- The date mentioned in the bracket indicates the date of commencement of the Act.

30. Amended by Mah. 23 of 2007[1, 2] (13-12-2017)
31. Amended by Mah. 24 of 2007[3] (8-1-2008)
32. Amended by Mah. 10 of 2009 (24-2-2009)
33. Amended by Mah. 43 of 2011 (6-7-2004)
34. Amended by Mah. 19 of 2012 (8-8-2012)
35. Amended by Mah. 30 of 2014 (30-6-2014)
36. Amended by Mah. 37 of 2014[4] (22-8-2014)

1 *Vide* G.N., R & F.D., No. MRT. 1007/C.R. 21/T-1, dated the 13th December 2007.

2 Sections 12 and 14 of Mah. 23 of 2007 and *Schedule* appended thereto reads as under:—

"12.Transfer pending cases and proceedings.— On the coming into force of the Maharashtra Land Revenue Code (Second Amendment) Act, 2007 (Mah. XXIII of 2007), all cases and proceedings pending before the Divisional Commissioner, on the day immediately preceding the coming into force of the said Act, shall be transferred to the Maharashtra Revenue Tribunal and shall be disposed of by the Tribunal under the provisions of the said Code or, as the case may be, the relevant Act.

14. Construction of reference to Divisional Commissioner.— On revival of the Maharashtra Revenue Tribunal by the Maharashtra Land Revenue Code (Second Amendment) Act, 2007 (Mah. XXIII of 2007), the reference to the Maharashtra Revenue Tribunal in any of the enactments specified in the *Schedule* appended to this Act as also any such reference in any rules, regulations, bye-laws, notifications, orders issued under any of these or other enactments or in any instrument which was to be construed as the Divisional Commissioner by virtue of the provisions of section 14 of the Maharashtra Land Revenue Code(Amendment) Act, 2002 (Mah. XXV of 2002), shall be now referred to as the Maharashtra Revenue Tribunal.

SCHEDULE

(See section 14)

Revenue Acts 1. The Hyderabad Court of Wards Act.

2. The Hyderabad Stamp Act.

Tenancy Acts 3. The Bombay Tenancy and Agricultural Lands Act, 1948.

4. The Hyderabad Tenancy and Agricultural Lands Act, 1950.

5. The Bombay Tenancy and Agricultural Lands (Vidarbha Region) Act, 1958.

Ceiling on Holdings Act 6. The Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961.

Tenure Abolition Acts 7. The Bombay Khoti Abolition Act, 1949.

8. The Bombay Pargana and Kulkarni Watans (Abolition) Act, 1950.

9. The Salsette Estates (Land Revenue Exemption Abolition) Act, 1951.

10. The Bombay Personal Inams Abolition Act, 1952.

11. The Bombay Merged Territories (Janjira and Bhor) Khoti Tenure Abolition Act, 1953.

12. The Bombay Kauli and Katuban Tenures Abolition Act, 1953.

13. The Bombay Merged Territories and Area (Jagirs Abolition) Act, 1953.

14. The Bombay Service Inams Useful to Community Abolition Act, 1953.

15. The Bombay Land Tenure Abolition (Amendment) Act, 1953.

16. The Bombay Bhil Naik Inams Abolition Act, 1955.

17. The Bombay Merged Territories Miscellaneous Alienations Act, 1955.

18. The Bombay Shetgi Watan Rights (Ratnagiri) Abolition Act, 1956.

19. The Bombay Inferior Village Watans Abolition Act, 1958.

20. The Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950. 21. The Maharashtra Revenue Patels (Abolition of Office) Act, 1962.

22. The West Khandesh, Mehwassi Estates (Proprietary Rights Abolition, etc.) Regulation, 1961.

Other Acts 23. The Bombay Public Trusts Act, 1950.

24. The Bombay Hereditary Offices Act, 1874.

25. The Maharashtra Restoration of Lands to Scheduled Tribes Act, 1974.

26. The Maharashtra Private Forest (Acquisition) Act, 1975.".

3 *Vide* G.N., R & F.D., No. NAA. 1005/C.R. 7/L-5, dated 8th October 2007. 4 Maharashtra Ordinance No. XVII of 2014 was repealed by Mah. 37 of 2014, s. 5.

Note.- The date mentioned in the bracket indicates the date of commencement of the Act.

37. Amended by Notification1 (30-10-2014)

38. Amended by Mah. 4 of 2015 (3-3-2015)

39. Amended by Mah. 19 of 2015 (24-4-2015)

40. Amended by Mah. 27 of 20152 (12-6-2015

41. Amended by Mah. 11 of 20163 (5-2-2016)

42. Amended by Mah. 17 of 2016 (29-4-2016)

43. Amended by Notification4 (14-6-2016)

44. Amended by Mah. 27 of 2016 (22-8-2016)

45. Amended by Mah. 29 of 20165 (22-8-2016)

46. Amended by Mah. 21 of 2017 (18-1-2017)

47. Amended by Mah. 30 of 20176 (5-1-2017)

48. Amended by Mah. 34 of 2017 (26-4-2017)

49. Amended by Mah. 54 of 2017 (1-9-2017)

50. Amended by Mah. 60 of 2017 (7-9-2017)

51. Amended by Notification7 (9-5-2017)

52. Amended by Notification8 (14-11-2017)

1 Notification No. RB/TC/e-11019(89)(2013)/Notification 4/2014, dated the 30th October 2014 issued by the Office of the Governor of Maharashtra, *See Maharashtra Government Gazette,* Part VIII Extraordinary No. 98, dated 30th October 2014, pages 1-5.

2 Maharashtra Ordinance No. XII of 2015 was repealed by Mah. 27 of 2015, s. 4.

3 Maharashtra Ordinance No. III of 2016 was repealed by Mah. 11 of 2016, s. 4.

4 Notification No. RB/DB/E-11019(89) (2013)/850/2016, dated 14th June 2016 issued by the Office of the Governor of Maharashtra, *See Maharashtra Government Gazette*, Part VIII, Extraordinary No. 60, dated 14th June 2016, pages 1-2.

5 Section 3 of Mah. 29 of 2016 reads as under:—

"3. Validation.—Notwithstanding anything contained in the said Code or in any rules made thereunder or in any judgement, decree or order of any Court, tribunal or any other authority, any levy, demand and collection of premium on account of unearned income and transfer fees or charges or penalty by the Government during the period commencing from the date of coming into force of the said Code and ending on the date of commencement of the Maharashtra Land Revenue Code (Fourth Amendment) Act, 2016 (Mah. XXIX of 2016) (hereinafter referred to as "the date of commencement of the Amendment Act of 2016"), on further assignment or transfer of leasehold rights by the lessee or transferor of such leasehold rights in respect of the lands or foreshore vesting in the Government given on lease, with or without prior permission of the Collector and any action taken by the Government therefor, shall be deemed to have been validly levied, demanded, collected or taken and shall be deemed always to have been validly levied, demanded, collected or taken under the said Code, as amended by the Maharashtra Land Revenue Code (Fourth Amendment) Act, 2016 (Mah. XXIX of 2016) and, accordingly, no suit, prosecution or other legal proceedings shall lie in any Court or before any tribunal or other authority on the ground that, the provisions of the said Code, prior to the date of commencement of the Amendment Act of 2016, did not provide for levy, demand and collection of such premium and transfer fees or charges or penalty or action by the Collector. No suit, prosecution or other legal proceedings shall lie or be maintained or continued in any Court or before any tribunal or other authority, for the refund of any such premium and transfer fees or charges or penalty so levied, demanded, collected or for any action taken with effect from the date of coming into force of the said Code.".

6 Maharashtra Ordinance No. II of 2017 was repealed by Mah. 30 of 2017, s. 5.

7 Notification No. RB/TC/e-13015(3)(2015)/MLRC-22A/532, dated 9th May 2017, issued by the Office of the Governor of Maharashtra, *See Maharashtra Government Gazette*, Part VIII, Extraordinary No. 85, dated 9th May 2017.

8 Notification No. RB/DB/e-13016(1)(2017)/890/2017, dated the 14th November 2017, issued by the Office of the Governor of Maharashtra, *See Maharashtra Government Gazette*, Part VIII, Extraordinary No. 155, dated the 15th November 2017, pages 1-3.

Note.- The date mentioned in the bracket indicates the date of commencement of the Act.

53. Amended by Mah. 6 of 2018[1] (21-11-2017)
54. Amended by Mah. 12 of 2018 (17-1-2018)
55. Amended by Mah. 44 of 2018[2] (21-4-2018)
56. Amended by Mah. 34 of 2019[3] (16-9-2019)
57. Amended by Mah. 18 of 2025 (27-03-2025)
58. Amended by Mah. 57 of 2025 (31-12-2025)
59. Amended by Mah. 60 of 2025[4] (31-12-2025)
60. Amended by Mah. 62 of 2025[5] (31-12-2025)
61. Amended by Mah. 11 of 2026 (25-03-2026)
62. Amended by Mah. 19 of 2026 (15-04-2026)

1 Maharashtra Ordinance No. XVII of 2017 was repealed by Mah. 6 of 2018, s. 4.

2 Maharashtra Ordinance No. IX of 2018 was repealed by Mah. 44 of 2018, s. 7.

3 Maharashtra Ordinance No. XXIV of 2019 was repealed by Mah. 34 of 2019, s. 3.

4 Section 3 of Mah. 60 of 2025 reads as under:—

"3. Validation and saving.— Notwithstanding anything contained in the Maharashtra Land Revenue Code, 1966 (Mah. XLI of 1966) or in any rules made thereunder or in any judgment, decree or order of any court, tribunal, or any other authority, acting or purporting to act under the provisions of the said Code, any action taken or things done, decision taken or orders passed by the Minister in charge or State Minister in charge of the Revenue Department or the Additional Chief Secretary or Principal Secretary or Secretary-*cum*-Officer on Special Duty (Appeal and Revision), Revenue Department, in appeals, revisions or review proceedings under the said Code, conducted before the date of commencement of the Maharashtra Land Revenue (Amendment and Validation) Act, 2025 (Mah. LX of 2025) (hereinafter in this section referred to as "the Amendment and Validation Act"); and any action taken, things done, decision taken or orders passed by the revenue officers or any other officer or authority, shall be deemed to be and shall be deemed always to have been, duly and validly taken or done in accordance with the law as if the provisions of the said Code, as amended by the Amendment and Validation Act had been continuously in force at all material times and accordingly, no suit, prosecution or other legal proceedings shall lie in any court or before any tribunal or other authority on the ground that, the provisions of the said Code prior to such commencement did not empower th Revenue Department or the Additional Chief

Secretary or Principal Secretary or Secretary-*cum*-Officer on Special Duty (Appeal and Revision), Revenue Department, to hear and decide the appeal, revision or review, filed before the State Government.".

5 Section 3 of Mah. 62 of 2025 reads as under :—

3. Validation.— Notwithstanding anything contained in the said Code or in any rules made thereunder or in any judgment, decree or order of any court, tribunal, or any other authority, any levy, demand and collection of mortgage fees by the Government or any revenue officer, during the period commencing on the 27th February 2009 and ending on the date of commencement of the Maharashtra Land Revenue Code (Second Amendment and Validation) Act, 2025 (Mah. LXII of 2025), from occupant class II for mortgaging his property, for any purpose other than agriculture, in favour of a co-operative society or the State Bank of India or a corresponding new Bank or the Maharashtra State Financial Corporation, in consideration of a loan advanced to him by such co-operative society, State Bank of India, corresponding new Bank, or as the case may be, the Maharashtra State Financial Corporation, shall be deemed to have been validly levied, demanded, collected or taken and shall be deemed always to have been validly levied, demanded, collected or taken under the said Code, as amended by the Maharashtra Land Revenue Code (Second Amendment and Validation) Act, 2025 (Mah. LXII of 2025); and accordingly,—

(*i*) no suit, prosecution or other legal proceedings shall lie in any court or before any tribunal or other authority on the ground that, the provisions of the said Code prior to such commencement did not provide for levy, demand and collection of such mortgage fees or action by the Government or revenue officer therefor; and

(*ii*) no suit, prosecution or other legal proceedings shall lie or be maintained or continued in any court or before any tribunal or other authority, for the refund of any such mortgage fees so levied, demanded, collected or for any action taken with effect from the 27th February 2009.

Note.- The date mentioned in the bracket indicates the date of commencement of the Act.

MAHARASHTRA ACT No. XLI OF 1966[1]

[THEMAHARASHTRALANDREVENUECODE,1966.]

[This Act received the assent of the President on the 22nd day of December 1966 ; assent was first

An Act to unify and amend the law relating to land and land revenue in the state of Maharashtra.

WHEREAS it is expedient to unify and amend the law relating to land and land revenue in the State of Maharashtra and to provide for matters connected therewith ; It is hereby enacted in the Sixteenth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement.— (*1*) This Act may be called the Maharashtra Land Revenue Code, 1966.

(*2*) This Code extends to the whole of the State of Maharashtra; but the provisions of Chapters III (expect the provisions relating to encroachment on land), IV, V, VI, VII, VIII, IX, X, XI, XII (except section 242) and XVI (except sections 327, 329, 330, [2][330A], 335, 336, and 337) shall not apply to the City of Bombay.

(*3*) It shall come into force in the whole of the State of Maharashtra on such [3]date as the State Government may, by notification in the *Official Gazette*, appoint and different dates may be appointed for different provisions.

2. Definitions.— In this code, unless the context otherwise requires,—

(*1*) "agricultural year" means the year commencing on such date as the State Government may, by notification in the *Official Gazette*, appoint ;

(*2*) "alienated" means transferred in so far as the rights of the State Government to payment of rent or land revenue are concerned, wholly or partially, to the ownership of any person ;

(*3*) "boundary mark" means any erection, whether of earth, stone or other material, and also any hedge, unploughed ridge, or strip of ground, or other object whether natural or artificial, set up, employed, or specified by a survey officer or revenue officer having authority in that behalf, in order to designate the boundary of any division of land ;

(*4*)"building" means any stru ing ;

(*5*) "building site" means a portion of land held for building purpose, whether any building be actually erected thereupon or not, and includes the open ground of courtyard enclose by, or appurtenant to, any building erected thereupon ;

(*6*) "certified copy" or "certified extract" means a copy of extract, as the case may be, certified in the manner prescribed by section 76 of the Indian Evidence Act, 1872 (I of 1872) ;

(*7*) "*chavadi*" means the place ordinarily used by a village officer for the transaction of village business ;

[4][* * *]

1 For Statement of Objects and Reasons of the L. A. Bill No. XLV of 1965, *see Maharashtra Government Gazette,* 1965, Extraordinary No. 51, Part V, dated the 11th November 1965, pages 756-763, for Report of the joint Committee, *see Maharashtra Government Gazette*, 1966, Part V, pages 219-353.

2 These figures and letters were inserted by Mah. 35 of 1976, s. 2.

3 15th August 1967 (*vide* G.N., F.D., No. UNF. 1067-R, dated 11th August 1967).

4 Clause (*7-A*) was deleted by Mah. 57 of 2025, s. 2(*1*).

(*8*) "estate" means any interest in lands and the aggregate of such interests vested in a person or aggregate of persons capable of holding the same ;

(*9*) "farm building" means a structure erected on land assessed or held for the purpose of agriculture for all or any of the following purposes connected with such land or any other land belonging to or cultivated by the holder thereof, namely:—

(*a*) for the storage of agricultural implements, manure or fodder ;

(*b*) for the storage of agricultural produce ;

(*c*) for sheltering cattle ;

(*d*) for residence of members of the family, servants or tenants of the holder; or

(*e*) for any other purpose which is an integral part of his cultivating arrangement; (*10*) "*gaothan*" or "village site" means the lands included within the site of a village, town or city as determined by section 122 ;

(*11*) "Government lessee" means a person holding land from Government under a lease as provided by section 38 ;

(*12*) "to hold land" or "to be a land holder of land" means to be lawfully in possession of land, whether such possession is actual or not ;

(*13*) "holding" means a portion of land held by a holder ;

(*14*) "improvement" in relation to a holding, means any work which adds materially to the value of the holding which is suitable thereto and consistent with the purpose for which it is held and which, if not executed on the holding, is either executed directly for its benefit or is, after execution, made directly beneficial to it; and, subject to the foregoing provisions, includes— (*a*) the construction of tanks, wells, water channels, embankments and other works for storage, supply or distribution of water for agriculture purposes ;

(*b*) the construction of works for the drainage of land or for the protection of land from floods, or from erosion or other damage from water ;

(*c*) the planting of trees and the reclaiming, clearing, enclosing, levelling or terracing of land ;

(*d*) the erection of buildings on or in the vicinity of the holding, elsewhere than in the *goathan* required for the convenient or profitable use or occupation of the holdings; and

(*e*) the renewal or reconstruction of any of the foregoing works, or alterations therein or additions thereto ;

but does not include—

(*i*) temporary wells and such water-channels, embankments, levellings, enclosures or other works, or petty alterations in or repairs to such works, as are commonly made by cultivators of the locality in the ordinary course of agriculture ; or

(*ii*) any work which substantially diminishes the value of any land wherever situated, in the occupation of any other person, whether as occupant or tenant ; *Explanation*.—

A work which benefits several holdings may be deemed to be an improvement with respect to each of such holdings ;

(*15*) "joint holders" or "joint occupants" means holders or occupants who hold land as co-sharers, whether as co-sharers in family undivided according to Hindu law or otherwise, and whose shares are not divided by metes and bounds; and where land is held by joint holders or joint occupants, "holder" or "occupant", as the case may be, means all the joint holders or joint occupants ;

(*16*) "land" includes benefits to arise out of the land, and things attached to the earth, or permanently fastened to anything attached to the earth, and also shares in, or charges on, the revenue or rent of villages, or other defined portions of territory ;

(*17*) "landlord" means a lessor ;

(*18*) "land records" means records maintained under the provisions of, or for the purposes of, this Code and includes a copy of maps and plans of a final planning scheme, improvement scheme or a scheme of consolidation of holdings which has come into force in any area under any law in force in the State and forwarded to any revenue or survey officer under such law or otherwise ;

(*19*) "land revenue" means all sums and payments, in money received or legally claimable by or on behalf of the State Government from any person on account of any land or interest in or right exercisable over land held by or vested, in him, under whatever designation such sum may be payable and any cess or rate authorised by the State Government under the provisions of any law for the time being in force ; and includes, premium, rent, lease money, quit rent, judi payable by a inamdar or any other payment provided under any Act, rule, contract or deed on account of any land ;

(*20*) "legal practitioner" has the meaning assigned to it in the Advocates Act, 1961 (25 of 1961) ;

[1][* * *]

(*22*) "occupancy" means a portion of land held by an occupant ;

(*23*) "occupant" means a holder in actual possession of unalienated land, other than a tenant or Government lessee; provided that, where a holder in actual possession is a tenant, the land holder or the superior landlord, as the case may be, shall be deemed to be the occupant ;

(*24*) "occupation" means possession ;

(*25*) "to occupy land" means to possess or take possession of land ;

(*26*) "*pardi* land" means a cultivated land appertaining to houses within a village site ;

(*27*) "population" in relation to any area means population as ascertained at the last preceding census of which the relevant figures have been published ;

(*28*) "prescribed" means prescribed by rules made by the State Government under this Code ;

(*29*) "recognised agent" means a person authorised in writing by any party to a proceeding under this Code to make appearances and applications and to do other acts on his behalf in such proceedings ;

(*30*) "relevant tenancy law" means—

(*a*) in the [2]Bombay area of the State of Maharashtra, the Bombay Tenancy and Agricultural Lands Act, 1948 (Bom. LXVII of 1948) ;

(*b*) in the Hyderabad area of the State of Maharashtra, the Hyderabad Tenancy and Agricultural Lands Act, 1950 (Hyd. XXI of 1950) ; and

(*c*) in the Vidarbha Region of the State of Maharashtra, the [3]Bombay Tenancy and Agricultural Lands (Vidarbha Region) Act, 1958 (Bom. XCIX of 1958).

(*31*) "revenue officer" means every officer of any rank whatsoever appointed under any of the provisions of this Code, and employed in or about the business of the land revenue or of the surveys, assessment, accounts, or records connected therewith ;

1 Clause (*21*) was deleted by Mah. 57 of 2025, s. 2(*2*).

2 Short title of the Act has been amended as the "Maharashtra Tenancy and Agricultural Lands Act" by Mah. 24 of 2012, s. 2 & 3, *schedule*, entry 33, *w.e.f.* 1st May 1960.

3 Short title of the Act has been amended as the "Maharashtra Tenancy and Agricultural Lands (Vidarbha region) Act" by Mah. 24 of 2012, s. 2 & 3, *Schedule*, entry 72, *w.e.f.* 1st May 1960.

(*32*) "revenue year" means the year commencing on such date as the State Government may, by notification in the *Official Gazette*, appoint ;

(*33*) "*saza*" means a group of villages in a taluka which is constituted a *saza* under section 4 ;

1[(*33A*) "storage device" means an Electronic Device for retention of data in computer and shall include both hardware and software ;]

(*34*) "Sub-Divisional Officer" means an Assistant or Deputy Collector who is placed in charge of one or more sub-divisions of a district ;

(*35*) "sub-division of a survey number" means a portion of a survey number of which the area and assessment are separately entered in the land records under an indicative number subordinate to that of the survey number of which it is a portion ;

(*36*) "survey mark" means, for the purposes of this Code, a mark erected for purposes of cadastral survey of land ;

(*37*) "survey number" means a portion of land of which the area and assessment are separately entered, under an indicative number in the land records and includes—

(*i*) plots reconstituted under a final town planning scheme, improvement scheme or a scheme of consolidation of holding which has come into force in any area under any law ; and

(*ii*) in the districts of Nagpur, Wardha, Chanda and Bhandara any portion of land entered in the land records under any indicative number known as the *khasara* number ;

(*38*) "superior holder" except in Chapter XIV means a land-holder entitled to receive rent or land revenue from other land-holders (called "inferior holders") whether he is accountable or not for such rent or land revenue, or any part thereof, to the State Government ; Provided that, where land has been granted free of rent or land revenue, subject to the right of resumption in certain specified contingencies by a holder of alienated land whose name is authorisedly entered as such in the land records, such holder shall, with reference to the grantee, be deemed to be the superior holder of land so granted by him, and the grantee shall, with reference to the grantor, be deemed to be the inferior holder of such land, and for the purposes of sections 147, 151 and 152 of the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961 (Mah. V of 1962), shall, notwithstanding anything hereinafter contained in the definition of the word "tenant", be deemed to be the tenant of such grantor ;

(*39*) "survey officer" means an officer appointed under, or in the manner provided by, section 8 ;

(*40*) "tenant" means a lessee, whether holding under an instrument, or under an oral agreement, and includes a mortgage of tenant's rights with possession ; but does not include a lessee holding directly under the State Government ;

(*41*) "unoccupied land" means the land in village other than the land held by an occupant, a tenant or a Government lessee ;

2[(*42*) "Urban area" means an area included within the limits of any municipal corporation or municipal council, constituted under the relevant law for the time being in force and the expression "non-urban area" shall be construed accordingly ;]

(*43*) "village" includes a town or city and all the land belonging to a village, town or city ;

(*44*) "*wada* land" means an open land in village site used for tethering cattle or storing crops or fodder, manure or other similar things.

1 Clause (*33A*) was inserted by Mah. 43 of 2005, s. 2.
2 Clause (*42*) was substituted by Mah. 21 of 2003, s. 2.

Revenue Areas

3.Division of State into revenue areas.— For the purpose of this Code, the State shall be divided into divisions which shall consist of one or more districts 1[(including the city of Bombay)], and each district may consist of one or more sub-divisions, and each sub-division may consist of one or more talukas, and each taluka may consist of certain villages.

(*i*) the districts 2[(including the city of Bombay)] which constitute a division ;

(*ii*) the sub-divisions which constitute a district ;

(*iii*) the talukas which constitute a sub-division ;

(*iv*) the villages which constitute a taluka ;

(*v*) the local area which constitutes a village ; and

(*vi*) alter the limits of any such revenue area so constituted by amalgamation, division or in any manner whatsoever, or abolish any such revenue area and may name and alter the name of any such revenue area ; and in any case where any area is renamed, then all references in any law or instrument or other document to the area under its original name shall be deemed to be references to the area as renamed, unless expressly otherwise provided :

Provided that, the State Government shall, as soon as possible after the commencement of this Code, constitute by like notification every *wadi,* and any area outside the limits of the *gaothan* of a village having a separate habitation (such *wadi* or area having a population of not less than 3[three hundred, as ascertained such by a revenue officer not below the rank of Tahsildar] to be a village ; and specify therein the limits of the village so constituted.

(*2*) The Collector may by an order published in the prescribed manner arrange the villages in a *taluka* which shall constitute a *saza* ; and the *sazas* in a *taluka* which shall constitute a circle, and may alter the limits of, or abolish, any *saza* or circle, so constituted.

(*3*) The divisions, districts, sub-division, talukas, circles, *sazas* and villages existing at the commencement of this Code shall continue under the names they bear respectively to be the divisions, districts, sub-divisions, talukas, circles, *sazas* and villages, unless otherwise altered under this section.

(*4*) Every notification or order made under this section shall be subject to the condition of previous publication ; and the provisions of section 24 of the 4Bombay General Clauses Act, 1904 (Bom. I of 1904), shall, so far as may be, apply in relation to such notification or order, as they apply in relation to rules to be made after previous publication.

CHAPTER II

REVENUE OFFICERS :THEIR POWERS AND DUTIES

5.Chief controlling authority in revenue matters.— The chief controlling authority in all matters connected with the land revenue in his division shall vest in the Commissioner, subject to the superintendence, direction and control of the State Government.

6. Revenue officers in division.— The State Government shall appoint a Commissioner of each division; and may appoint in a division an Additional Commissioner and so many Assistant Commissioners an may be expedient, to assist the Commissioner :

1 These brackets and words were substituted for the bracket and words "(excluding the City of Bombay)" by Mah. 47 of 1981, ss. 3 and 4.

2 These brackets and words were substituted for the bracket and words "(excluding the City of Bombay)" by Mah. 47 of 1981, ss. 3 and 4.

3 These words were substituted for the words "three hundred" by Mah. 8 of 1968, s. 2.

4 Short title of the Act has been amended as "the Maharashtra General Clauses Act" by Mah. 24 of 2012, ss. 2 and 3, *Schedule*, entry 11 *w.e.f.* 1st May 1960.

Provided that, nothing in this section shall preclude the appointment of the same officer as Commissioner for two or more divisions.

7. Revenue officers in district.— (*1*) The State Government shall appoint a Collector 1[for each district (including the City of Bombay)] who shall be in charge of the revenue administration thereof ; and a Tahsildar for each *taluka* who shall be the chief officer entrusted with the local revenue administration of a *taluka*.

(*2*) The State Government may appoint one or more Additional Collectors 2[and in each district (including the City of Bombay)] and so many Assistant Collectors and Deputy Collectors (with such designations such as "First", "Second", "Supernumerary", etc. Assistants as may be expressed in the order of their appointment), one or more Naib-Tahsildars in a taluka, and one or more Additional Tahsildars or Naib-Tahsildars therein and such other persons (having such designations) to assist the revenue officers as it may deem expedient.

(*3*) Subject to the general orders of the State Government, the Collector may place any Assistant or Deputy Collector in charge of one or more sub-divisions of a district, or may himself retain charge thereof. Such Assistant or Deputy Collector may also be called a Sub-Divisional Officer.

(*4*) The Collector may appoint to each district as many persons as he thinks fit to be Circle Officers and Circle Inspectors to be in charge of a Circle, and one or more *Talathis* for a *saza*, and one or more Kotwals or other village servants for each village or group of villages, as he may deem fit.

8. Survey Officers.— For the purposes of Chapters V, VI, VIII, IX and X the State Government may appoint such officers as may from time to time appear necessary. Such officers may be designated "Settlement Commissioner", "Director of Land Records", "Deputy Director of Land Records", "Superintendents of Land Records", "Settlement Officers", "District Inspector of Land Records" and "Survey Tahsildars", or otherwise as may seem requisite.

9. Combination of offices.— It shall be lawful for the State Government to appoint one and the same person, being otherwise competent according to law, to any two or more of the offices provided for in this Chapter or to confer upon an officer of one denomination all or any of the powers or duties of any other officer or officers within certain local limits or otherwise, as may seem expedient.

3**[9A. Delegation of powers.—** The State Government may, by order in the *Official Gazette*, direct that the powers of the State Government to make appointments under section 7, section 8 or section 9 in respect of such revenue or survey Officers and subject to such conditions, if any, may be exercisable also by such Officer not below the rank of the Collector, or as the case may be, Superintendent of Land Records, as may be specified in the direction.]

10. Temporary vacancies.— If a Collector or Tahsildar is disabled from performing his duties or for any reason vacates his office or leaves his jurisdiction or dies—

(*a*) the Additional Collector, and if there be no Additional Collector, the Assistant or Deputy Collector of the highest rank in the district,

(*b*) the Additional Tahsildar, and if there be no Additional Tahsildar, the Naib Tahsildar or the senior most subordinate Revenue Officer in the taluka,

shall, unless other provision has been made by the State Government, succeed temporarily to the office of the Collector, or as the case may be, of the Tahsildar and shall be held to be the Collector or Tahsildar under this Code, until the Collector, or Tahsildar resumes charge of his district or taluka, or until such time as a successor is duly appointed and takes charge of his appointment.

1 These words were substituted for the words "for the City of Bombay and for each district" by Mah. 47 of 1981, s. 5(*a*). 2 These words were substituted for the words "for the City of Bombay and for each district" by Mah. 47 of 1981, s. 5(*b*). 3 Section 9A was inserted by Mah. 30 of 1968

Explanation.— An officer whose principle office is different from that of an Assistant Collector, and who is working as an Assistant Collector for special purposes only, shall not be deemed as an Assistant for the purposes of this section.

11. Subordination of officers.— (*1*) All revenue officers shall be subordinate to the State Government.

(*2*) Unless the State Government directs otherwise, all revenue officers in a division shall be subordinate to the Commissioner, and all revenue officers [1][in a district (including the City of Bombay)] shall be subordinate to the Collector.

(*3*) Unless the State Government directs otherwise, all other revenue officers including survey officers shall be subordinated, the one to the other, in such order as the State Government may direct.

12. Appointments to be notified.— [2][The appointment of all officers of and above the rank of Tahsildar, or as the case may be, District Inspector of Land Records made under sections 6, 7, 8 and 9 shall be duly notified;] but the appointment shall take effect from the date on which an officer assumes charge of his office.

13. Powers and duties of revenue officers.— (*1*) The revenue officers of and above the rank of a Tahsildar (not being an Additional Commissioner, Assistant Commissioner, Additional Collector or Additional Tahsildar), shall exercise the powers and discharge the duties and functions conferred and imposed on them respectively under this Code or under any law for the time being in force, and so far as is consistent therewith, all such other powers, duties and functions of appeal, superintendence and control within their respective jurisdiction ; and over the officers subordinate to them as may from time to time be prescribed by the State Government.

Provided that, the Collector may also exercise throughout his district all the powers and discharge all the duties and functions conferred or impose on an Assistant or Deputy Collector under this Code or under any law for the time being in force and a Tahsildar shall also exercise such powers as may be delegated to him by the Collectors under the general or special orders of the state Government.

[3][*Explanation*.— In this proviso, the expression, "a Tahsildar" shall include, and shall be deemed always to have been included, the expression "an Additional Tahsildar".]

(*2*) The revenue officers aforesaid shall also, subject to the control and general or special orders of the State Government, exercise such powers and discharge such duties and functions, as the State Government may by an order in writing confer or impose on them for the purpose only of carrying out the provisions of any law for the time being in force, and so far as is consistent therewith.

(*3*) The Additional Commissioner and the Assistant Commissioner, and the Additional Collector and the Additional Tahsildar shall each exercise within his jurisdiction or part thereof powers and discharge such duties and functions of the Commissioner, the Collector or, as the case may be, the Tahsildar under the provisions of this Code or under any law for the time being in force, as the State Government may, by notification in the *Official Gazette*, direct in this behalf.

[4][* * *]

(*4*) The Sub-Divisional Officer shall subject to the provisions of Chapter XIII perform all the duties and functions and exercise all the powers conferred upon a Collector by this Code or any law for the time being in force, in relation to the sub-division in his charge :

Provided that, the Collector may whenever he may deem fit direct any such Sub-Divisional Officer not to perform certain duties or exercise certain powers and may reserve the same to himself or assign them to any Assistant or Deputy Collector subordinate to the Collector :

1 These words and brackets were substituted for the words "in the City of Bombay or in district" by Mah. 47 of 1981, s. 6. 2 This portion was substituted for the portion beginning with the words "The appointment" and ending with the words "duly notified" by Mah. 30 of 1968, s. 3.

3 This *Explanation* was deemed always to have been added by Mah. 5 of 1982, s. 9.

4 Proviso was deleted by Mah. 47 of 1981, s. 7.

Provided further that, to such Assistant or Deputy Collector who is not placed in charge of a sub-division, the Collector shall, under the general orders of the State Government, assign as such particular duties and powers as he may from time to time deem fit.

(*5*) Subject to the orders of the State Government and of the Commissioner the Collector may assign to a Naib-Tahsildar within his local limits such of the duties, functions and powers of a Tahsildar as he may from time to time deem fit.

(*6*) Subject to such general orders as may from time to time be passed by the Commissioner or Collector, a Tahsildar or Naib-Tahsildar may employ any of his subordinates to perform any portion of his ministerial duties :

Provided that, all acts and orders of his subordinates when so employed shall be liable to revision and confirmation by such Tahsildar or Naib-Tahsildar.

(*7*) In all matters not specially provided for by law, the revenue officers shall act according to the instructions of the State Government.

14. Powers and duties of survey officers, circle officers, etc.— (*1*) Subject to the orders of the State Government, the survey officers are vested with the cognisance of all matters connected with the survey, settlement and record of rights and shall exercise all such powers and perform all such duties as may be provided by this Code or any law for the time being in force :

Provided that, a Deputy Director of Land Records shall exercise such powers and discharge such duties and functions, as are exercised or discharged by the Director of Land Records under this Code or under any law for the time being in force in such cases or classes of cases, as the State Government or Director of Land Records may direct.

(*2*) The Circle Officer and the Circle Inspector in charge of a circle shall exercise such powers over the Talathi in his circle and perform such duties and functions as may from time to time prescribed.

(*3*) The Talathi shall be responsible for the collection of the land revenue and all amounts recoverable as arrears of land revenue, and for the maintenance of the record of the rights and shall perform all such duties and functions as are hereinafter provided by this Code or any law for the time being in force or by order of the State Government.

(*4*) Subject to the general orders of the State Government and the Commissioner, the Collector shall determine from time to time what registers, accounts and other records shall be kept by a Talathi.

(*5*) It shall also be the duty of a *Talathi* to prepare, whenever called upon by any superior revenue or police officer of the taluka or district to do so all writings connected with the concerns of village which are required either for the use of the Central or State Government or the public, such as notices, reports of inquests, and deposition and examinations in criminal matters.

(*6*) All other revenue officers shall discharge such duties and functions as the State Government may direct.

15. Conferral by State Government of powers of revenue officers on other persons.— The State Government may confer on any person possessing the prescribed qualifications, the powers conferred by this Code on an Assistant or Deputy Collector or Tahsildar.

16. Seals.— The State Government shall from time to time by notification in the *Official Gazette* prescribe what revenue officers shall use a seal ; and what size and description of seal shall be used by each of such officers.

Provisions for recovery of money, papers or other Government property

17. Demands for money, papers, etc., to be made known in writing to person concerned, etc.— (*1*) The Collector or the Superintendent of Land Records or any other officer deputed by the Collector or the Superintendent for this purpose, shall, in all cases in which he may have a claim on any revenue officer or on any person formerly employed as such in his department or district for public

money or papers or other property of the State Government, by writing under signature and his official seal, if he uses one, require the money, or the particular papers or property detained to be delivered either immediately to the person bearing the said writing, or to such person on such date and at such place as the writing may specify.

(*2*) If the officer or other person aforesaid does not discharge the money, or deliver up the papers or property as directed, the Collector, Superintendent or such other officer may cause him to be apprehended, and may send him with a warrant, in the form of Schedule A, to be confined in a civil jail till he discharges the sums or delivers up the papers or property demanded from him :

Provided that, no person shall be detained in confinement by virtue of any such warrant for a longer period than one calendar month.

18. Public moneys may also be recovered as arrears of revenue; and search warrant may be issued for recovery of papers or property.— (*1*) The Collector of his own motion if the officer or other person is or was serving in his department and district, and upon the application of Superintendent of Land Records if such officer or person is or was serving in the survey department in his district, may also take proceedings to recover any public moneys due by him in the same manner and subject to the same rules as are laid down in this Code for the recovery of arrears of land revenue from defaulters and for the purpose of recovering public papers or other property of the Government may issue a search warrant and exercise all such powers with respect thereto as may be lawfully exercised by a Magistrate under the provisions of Chapter VII of the [1]Code of Criminal Procedure, 1898 (V of 1898).

(*2*) It shall be the duty of all persons in possession of such public moneys, papers or other property of the Government to make over the same forthwith to the Collector, and every person knowing where any such property is concealed shall be bound to give information of the same to the Collector.

19. Officer or person in jail may secure his release by furnishing security.— if an officer or other person referred to in section 17 against whom a demand is made shall give sufficient security in the form in Schedule B, the Collector shall cause such officer or person if in custody to be liberate and countermand the sale of any property that may have been attached and restore it to the owner.

CHAPTER III

OF LANDS

20. Title of State in all lands, public roads, etc., which are not property of others.— (*1*) All public roads, lanes and paths, the bridges, ditches, dikes and fences, on, or beside, the same, the bed of the sea and of harbours and creeks below the high watermark, and of rivers, streams, nallas, lakes and tanks and all canals and watercourses, and all standing and flowing water, and all lands wherever situated, which are not the property of persons legally capable of holding property, and except in so far as any rights of such persons may be established, in or over the same, and except as may be otherwise provided in any law for the time being in force, are and are hereby declare to be, with all rights in or over the same, or appertaining thereto, the property of the State Government and it shall be lawful for the Collector, subject to the orders of the Commissioner, to dispose of them in such manner as may be prescribed by the State Government in this behalf, subject always to the rights of way, and all other rights of the public or of individual legally subsisting.

Explanation.— In this section, "high water-mark" means the highest point reached by ordinary spring tides at any season of the year.

(*2*) Where any property right in or over any property is claimed by or on behalf of the Government or by any person as against the Government, it shall be lawful for the Collector or a survey officer, after formal inquiry of which due notice has been given, to pass an order deciding the claim.

1 *See* now the code of Criminal Procedure, 1973 (2 of 1974).

(*3*) An order passed by the Collector or survey officer under sub-section (*1*) or sub-section (*2*) shall, be subject to one appeal and revision in accordance with the provisions of this Code.

(*4*) Any suit instituted in any civil court after the expiration of one year from the date of any other passed under sub-section (*1*) or sub-section (*2*) or, if appeal has been made against such order within the period of limitation, then from the date of any order passed by the appellate authority, shall be dismissed (though limitation has not been set up as a defence) if the suit is brought to set aside such order or if the relief claimed is inconsistent with such order, provided that in the case of an order under sub-section (*2*) the plaintiff has had due notice of such order.

(*5*) Any person shall be deemed to have had due notice of an inquiry or order under this section if notice thereof has been given in accordance with rules made in this behalf by the State Government.

21. Extinction of rights of public in or over any public road, lane or path not required for use of public.— (*1*) Whenever it appears to the Collector that any public road, lane or path which is the property of the State Government of part thereof (hereinafter in this section referred to as the Government road), is not required for the use of the public, the Collector may, by notification published in the *Official Gazette,* make a declaration to that effect and state in such declaration that it is proposed that the rights of the public in or over such Government road (of which the situation and limits as far as practicable are specified) shall subject to the existing private rights, if any, be extinguished.

(*2*) On the publication of such notification, the Collector shall, as soon as possible, cause public notice of such declaration to be given at convenient places on, or in the vicinity of, such Government road, and shall invite objections to the proposal aforesaid.

(*3*) Any member of the public or any person having any interest or right, in addition to the right of public highway, in or over such Government road, or having any other interest or right which, is likely to be adversely affected by the proposal may, within ninety days after the issue of the notification under sub-section (*1*), state to the Collector in writing his objections to the proposal, the nature of such interest or right and the manner in which it is likely to be adversely affected, and the amount and any particulars of his claim to compensation for such interest or right :

Provided that, the Collector may allow any person to make such a statement after a period of ninety days aforesaid if he is satisfied that such person had sufficient cause for not making it within that period.

(*4*) The Collector shall give every person who has made a statement to him an opportunity of being heard either in person or by legal practitioner and shall, after hearing all such persons in such manner and after making such further inquiry, if any, as he thinks necessary, is satisfied that the Government road is not required for the use of the public, make a declaration which shall be published in the *Official Gazette* that all rights of the public, in or over such Government road are extinguished, and all such rights shall thereupon be extinguished, and such Government road shall, subject to any existing private rights, be at the disposal of the Government with effect from the date of such declaration. The Collector shall also determine the amount of compensation, if any, which should, in his opinion, be given in any case in respect of any substantial loss or damage likely to be caused by the proposed extinction of the rights of the public as aforesaid. The provisions of sections 9, 10, 11, 12, 13, 14 and 15 of the Land Acquisition Act, 1894 (I of 1894), shall, so far as may be, apply to the proceedings held by the Collector for the determination of the amount of compensation under this sub-section :

Provided that, no compensation shall be awarded for the extinction or diminution of the rights of public highway over such Government road.

(*5*) The decision of the Collector under sub-section (*4*) as respect the extinguishment of the rights of the public on or over Government road and the amount of compensation and the persons to whom such compensation, if any, is payable shall, subject to the decision of the Commissioner in appeal, be final ; and payments of compensation shall be made by the Collector to such persons accordingly :

Provided that, if payment is not made within six months from the date of the final order, the Collector shall pay the amount awarded with interest thereon at the rate of six per cent. per annum from the date of the final order.

22. Lands may be assigned for special purposes, and when assigned, shall not be otherwise used without sanction of Collector.— Subject to the general orders of the State Government, it shall be lawful for a survey officer during the course of survey operations under this Code, and at any other time for the Collector, to set apart unoccupied lands (not in the lawful occupation of any person), in villages or parts thereof for forest or fuel reserve, for free pasturage of village cattle or for grass or fodder reserve, for burial or cremation ground, for *gaothan*, for camping ground, for threshing floor, for bazaar, for skinning ground, for public purposes such as roads, lanes, parks, drains or for any other public purpose ; and the lands assigned shall not be otherwise used without the section of the Collector and in the disposal of lands under section 20 due regard shall be had to all such special assignments.

[1][**22A. Prohibition on diversion of use of *Gairan* Land.—** (*1*) The land set apart by the Collector for free pasturage of village cattle (hereinafter referred to as "the *Gairan* Land") shall not be diverted, granted or leased for any other use, except in the circumstances provided in sub-sections (*2*) or (*3*), as the case may be.

(*2*) The *Gairan* land may be diverted, granted or leased for a public purpose or public project of the Central Government or the State Government or any statutory authority or any public authority or undertaking under the Central Government or the State Government (hereinafter in this section referred to as "Public Authority"), if no other suitable piece of Government land is available for such public purpose or public project.

(*3*) The *Gairan* land may be diverted, granted or leased for a project of a project proponent, not being a Public Authority, when such *Gairan* land is unavoidably required for such project and such project proponent transfers to the State Government, compensatory land as provided in sub-sections (*4*) and (*5*).

(*4*) The compensatory land to be transferred to the State Government under sub-section (*3*) shall be in the same revenue village have area equal to twice the area of the *Gairan* land and its value shall not be less than the value of the *Gairan* land so allotted under sub-section (*3*) :

Provided that, the area of compensatory land shall have to be suitably increased, wherever necessary, so as to make its value equal to the value of the *Gairan* land so allotted under sub-section (*3*).

(*5*) The compensatory land to be transferred to the State Government under sub-section (*3*) shall, notwithstanding anything contained in any other law, rule or orders made thereunder, be assigned by the Collector under section 22 for the use only of free pasturage of village cattle or for grass or fodder reserve.

[2][(*6*) The powers of diversion, grant, lease of *Gairan* land under this section shall be vested in the State Government :

Provided that, notwithstanding anything contained in section 330A, the powers of the State Government under sub-section (*3*) shall not be delegated to any officer or other authority sub-ordinate to it.]

Explanation.— (*a*) For the purposes of this section, the term "public purpose" shall have the same meaning as assigned to it in the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013).

(*b*) The question whether or not such land is unavoidably required for a project under sub-section (*3*) shall be determined by the State Government on the advice of the Divisional Commissioner.]

1 This section was inserted by Mah. 34 of 2017, s. 2.

2 Sub-section (*6*) was substituted by Mah. 12 of 2018, s. 2.

[1][(*7*) Notwithstanding anything in sub-sections (*1*) to (*6*) or any other provision of this Act, Gram Sabhas shall be competent to preserve, safeguard and manage *Gairan* land in Scheduled Areas ;

Provided that, no *Gairan* land in the Scheduled Areas shall be diverted or disposed of without the prior informed consent of the Gram Sabhas concerned.

Explanation.— For the purposes of sub-section (*7*), the term "Gram Sabha" shall have the same meaning as assigned to it in section 54-1A (*b*) of the Maharashtra Village Panchayats Act (III of 1959).]

[2][(*8*) The *Gairan* land included within the area of municipal corporation or municipal council for which a final Development Plan is notified as per the provisions of the Maharashtra Regional and Town Planning Act, 1966 (Mah. XXXVII of 1966), shall, with prior permission of the State Government be used for the purposes designated for such land in such final Development Plan.]

23. Regulation of use of pasturage.— The right of grazing on free pasturage lands shall extend only to the cattle of the village or villages to which such lands belong or have been assigned, and shall be regulated according to rules made by the State Government in this behalf. The Collector's decision in any case of dispute as to the right of grazing aforesaid shall, subject to one appeal only according to the provisions of the Code, be conclusive.

24. Recovering value of natural products unauthorizedly removed from certain lands.— Any person who unauthorizedly removes from any land which is set apart for a special purpose or from any land which is the property of Government, any natural product (not being trees) shall be liable to the Government for the value thereof, and in addition, to a fine not exceeding five times the value, of the natural product so removed. Such value and fine shall be recoverable from him as an arrear of land revenue.

25. Right to trees in holdings.— (*1*) With effect from the commencement of this Code, the right to all trees standing or growing on any occupied land shall vest in the holder thereof but if the State Government is of opinion that it is necessary to prohibit or regulate the cutting of certain trees for preventing erosion of soil, it may by rules prohibit or regulate the cutting of such trees.

(*2*) Nothing in sub-section (*1*) shall affect in any area any right in trees in the holding of an occupant in favour of any person existing on the 1st day of October 1955, but the occupant may apply to the Collector to fix the value of such right and purchase the right through the Collector in such manner as may be prescribed.

(*3*) Any sale or agreement for sale of trees made by any person before the commencement of this Code in anticipation of the vesting such trees in him by virtue of the provisions of this section shall be void, and any consideration given for such sale or agreement shall be refunded.

26. Trees and forests vesting in Government.— The right to all trees, brushwood, jungle or other natural product growing on land set apart for forest reserves under section 22, and to all trees, brushwood, jungle or other natural product, wherever growing, except in so far as the same may be the property of persons capable of holding property, vests in the State Government and such trees, brushwood, jungle or other natural product shall be preserved or disposed of in such manner as the State Government may from time to time prescribed by rules made in this behalf.

27. Recovery of value of trees, etc., unauthorizedly appropriated.— Any person who shall unauthorizedly fell and appropriate any tree or any portion thereof which is the property of the Government shall be liable to the Government for the value thereof, which shall be recoverable from him as an arrear of land revenue, in addition to any penalty to which he may be liable under the provisions of this Code for the occupation of the land or otherwise and notwithstanding any criminal

1 Sub-section (*7*) was inserted by Notification No. RB/TC/ e-13015 (*3*) (2015)/MLRC-22A/532, dated the 9th May 2017 issued by Office of Governor of Maharashtra.

2 Sub-section (*8*) was added by Mah. 11 of 2026, s. 2.

proceedings which may be instituted against him in respect of his said appropriation of Government property.

28. Regulation of cutting and supply of wood, etc.— (*1*) Where trees are standing in any waste land outside any reserved forest, the villagers in general may take firewood, and agriculturists such wood as may be required for agricultural implements, without payment of any tax but subject to rules made by the State Government.

(*2*) In lands which have been set apart under section 22 for forest reserves subject to the privileges of the villagers or of certain classes of persons to cut firewood or timber for domestic or other purposes, and in all other cases in which such privile lienated land, the exercise of the said

privileges shall be regulated by rules made by the State Government in this behalf. In case of dispute as to the mode or time of exercising any such privileges, the decision of the Collector shall, subject to one appeal only in accordance with the provisions of this Code, be final.

Of the Grant of land

29. Classes of persons holding land.— (*1*) There shall be under this Code the following classes of persons holding land from the State, that is to say—

(*a*) Occupants—Class I,

(*b*) Occupants—Class II,

(*c*) Government lessees.

(*2*) Occupants—Class I shall consist of persons who—

(*a*) hold unalienated land in perpetuity and without any restrictions on the right to transfer,

(*b*) immediately before the commencement of this Code hold land in full or occupancy *Bhumiswami* rights without any restrictions on the right to transfer in accordance with the provisions of any law relating to land revenue in force in any part of the State immediately before such commencement, and

[1][(*c*) on the 21st April 2018, being the date of commencement of the Maharashtra Land Revenue Code (Amendment) and the Maharashtra Land Revenue (Inclusion of certain *Bhumidharis* in Occupants—Class I Permission) Rules (Repeal) Act, 2018 (Mah. XLIV of 2018), were holding the land in Vidarbha in *Bhumiswami* rights with restrictions on right to transfer, or in *Bhumidhari* rights in any local area in Vidarbha.]

(*3*) Occupants—Class II shall consist of persons who—

(*a*) hold unalienated land in perpetuity subject to restrictions on the right to transfer ;

(*b*) immediately before the commencement of this Code hold—

[2][* * *]

(*ii*) elsewhere hold land in occupancy rights with restrictions on the right to transfer under any other law relating to land revenue ; and

(*c*) before the commencement of this Code have been granted rights in unalienated land under leases which entitle them to hold the land in perpetuity, or for a period not less than fifty years with option to renew on fixed rent, under any law relating to land revenue and in force before the commencement of this Code ; and all provisions of this Code relating to the rights, liabilities and responsibilities of Occupants—Class II shall apply to them as if they were Occupants—Class II under this Code.

[3]**[29A. Conversion of occupancy of certain Government lands.—** Notwithstanding anything contained in sections 20,31, 35 and 38, but save as otherwise provided in the Maharashtra Tenancy and

1 This clause was substituted by Mah. 44 of 2018, s. 2(*i*).

2 Sub-clause (*i*) was deleted by Mah. 44 of 2018, s. 2(*ii*).

3 This section was inserted by Mah. 17 of 2016, s. 2.

Agricultural Lands Act (LXVII of 1948), the Hyderabad Tenancy and Agricultural Lands Act, 1950 (Hyd. Act XXI of 1950), the Maharashtra Paragana and Kulkarni Watans (Abolition) Act (LX of 1950), the Maharashtra Service Inams (Useful to Community) Abolition Act, (LXX of 1953), the Hyderabad Abolition of Inams and Cash Grants Act, 1954 (Hyd. Act VIII of 1955), the Maharashtra Merged Territories Miscellaneous Alienations Abolition Act, (XXII of 1955), The Maharashtra Tenancy and Agricultural Lands (Vidarbha Region) Act (XCIX of 1958), the Maharashtra Inferior Village Watans Abolition Act (I of 1959), the Maharashtra Agricultural Lands (Ceiling on Holdings)

Act, 1961 (Mah. XXVII of 1961) and the Maharashtra Revenue Patels (Abolition of Office) Act, 1962 (Mah. XXXV of 1962), the respective prescribed Competent Revenue Authority in respect of different categories of lands granted by the Government on Class-II occupancy or on leashold rights, may convert the occupancy of any land belonging to such category of lands, granted on Class-II occupancy or leasehold rights, as may be prescribed, into Class-I occupancy, on payment of such conversion premium and after following such procedure and subject to such terms and conditions, as may be prescribed for different categories of lands.]

30. Occupation of unalienated land granted under provisions of the Code.— Where any unoccupied land which has not been alienated, is granted to any person under any of the provisions of this Code, it shall be the duty of the Tahsildar without delay to call upon such person to enter upon the occupation of such land in accordance with the terms of the grant.

31. Unoccupied land may be granted on conditions.— It shall be lawful for the Collector subject to such rules as may from time to time be made by the State Government in this behalf, to require the payment of a price for unalienated land or to sell the same by auction, and to annex such conditions to the grant as may be prescribed by such rules before land is entered upon section 30. The price (if any) paid for such land shall include the price of the Government right to all trees thereon and shall be recoverable as an arrear of land revenue.

32. Grant of alluvial land vesting in Government.— (*1*) When it appears to the Collector that any alluvial land, which vests under any law for the time being in force in the State Government, may with due regard to the interests of the public revenue be disposed of, he shall, subject to the rules made by the State Government in this behalf, offer the same to the occupant (if any) of the bank or shore on which such alluvial land has formed. The price of the land so offered shall not exceed three times the annual assessment thereof.

(*2*) If the occupant does not accept the offer, the Collector may dispose of the land without any restriction as to price.

Explanation.— For the purpose of this section, notwithstanding anything contained in clause (*24*) of section 2, if the bank or shore has been mortgaged with possession, the mortgagor shall be deemed to be the occupant thereof.

33. Temporary right to alluvial lands of small extent.— When alluvial land forms on any bank or shore, the occupant, if any, of such bank or shore shall be entitled to the temporary use thereof unless or until the area of the same exceeds one acre. When the area of the alluvial land exceeds one acre, it shall be at the disposal of the Collector subject to the provisions of sections 32.

34. Disposal of intestate occupancies.— (*1*) If an occupant dies intestate and without known heirs, the Collector shall take possession of his occupancy and may lease it for a period of one year at a time.

(*2*) If within three years of the date on which the Collector takes possession of the occupancy, any claimant applies for the occupancy, being restored to him, the Collector may, after such enquiry as he thinks fit, place such claimant in possession of the occupancy or reject his claim.

(*3*) The order of the Collector under sub-section (*2*) shall not be subject to appeal or revision but any person whose claim is rejected under sub-section (*2*) may, within one year from the date of the communication of the order of the Collector, file a suit to establish his title, and if such suit is filed, the

Collector shall continue to lease out the land as provided in sub-section (*2*), till the final decision of the suit.

(*4*) If no claimant appears within three years from the date on which the Collector took possession of the occupancy or if a claimant whose claim has been rejected under sub-section (*2*) does not file a suit within one year as provided in sub-section (*3*), the Collector may sell the right of the deceased occupant in the occupancy by auction.

(*5*) Notwithstanding anything contained in any law for the time being in force, a claimant, who established his title to the occupancy w accordance with the provisions of this

section, shall be entitled only to the rents payable under sub-section (*1*) and the sale-proceeds realised under sub-section (*4*), less all sums due on the occupancy on account of land revenue and the expenses of management and sale.

35. Disposal of relinquished of forfeited sub-division.— (*1*) If any sub-division of a survey number is relinquished under section 55, such sub-division of a survey number shall be treated as Government waste land, and it shall be disposed of by the Collector in the manner provided in sub-section (*2*).

(*2*) The Collector shall, subject to the provisions of the [1]Bombay Prevention of Fragmentation and Consolidation of Holdings Act, 1947 (Bom. LXII of 1947), offer such sub-division [2][at such price not exceeding twenty-four times the assessment thereof or such amount as may be prescribed, whichever is higher,] as he may consider to be worth to the occupants of the other sub-divisions of the same survey number in such order as in his discretion he may deem fit ; so however that the total holding of the grantee does not exceed the ceiling fixed in that behalf under any law for the time being in force in the State. In the event of all such occupants refusing to accept the offer, the sub-division shall be disposed of by the Collector, subject to the rules made by the State Government in that behalf, in the manner provided by section 31.

(*3*) If any sub-division of a survey number is forfeited for default in payment of land revenue, the Collector shall take possession of the sub-division and may lease such sub-division to the former occupant thereof or to the occupant of the other sub-divisions of the same survey number or to any other person for a period of one year at a time, so, however, that the total holding of such holder does not exceed the ceiling referred to in sub-section (*2*).

(*4*) If within three years of the date on which the Collector takes possession of the sub-division under sub-section (*3*), the former occupant thereof applies for the restoration of the occupancy of the sub-division, the Collector may restore the sub-division to the occupant on the occupant paying in the arrears of land revenue and a penalty [3][equal to three times the assessment or such amount as may be prescribed, whichever is higher]. If the occupant fails to get the occupancy of sub-division restored to him within the period aforesaid, the sub-division shall be disposed of by the Collector in the manner provided by sub-section (*2*).

Explanation.— For the purpose of this section, notwithstanding anything contained in clause (*23*) of section 2, if any of the other sub-divisions have been mortgaged with possession, the mortgagors shall be deemed to be the occupants thereof.

36. Occupancy to be transferable and heritable subject to certain restrictions.— (*1*) An occupancy shall, subject to the provisions contained in section 72 and to any conditions lawfully annexed to the tenure, and save as otherwise provided by law, be deemed an heritable and transferable property.

1 Short title of the Act has been amended as "the Maharashtra Prevention of Fragmentation and Consolidation of Holding Act" by Mah. 24 of 2012, s. 2 and 3, Schedule, entry 29, *w.e.f.* 1st May 1960.

2 These words were substituted for the words "at such price nor exceeding twenty-four times the assessment thereof" by Mah. 21 of 2017, s. 2(*a*).

3 These words were substituted for the words "equal to three times the assessment" by Mah. 21 of 2017, s. 2(*b*).

[1][(*2*) Notwithstanding anything contained in the foregoing sub-section occupancies of persons belonging to the Schedule Tribes (hereinafter referred to as the 'Tribals') (being occupancies wherever situated in the State), shall not be transferred except with the previous sanction of the Collector :

Provided that, nothing in this sub-section shall apply to transfer of occupancies made in favour of persons other than the Tribals (hereinafter referred to as the 'non-Tribals') on or after the commencement of the Maharashtra Land Revenue Code and Tenancy Laws (Amendment) Act, 1974 (Mah. XXXV of 1974).]

(*3*) Where an occupant belonging to a Schedule Tribe in contravention of sub-section (*2*) transfers possession of his occupancy, the transferors or any person who if he survives the occupant without nearer heirs would inherit the holdings, may, [2][within thirty years from the 6th July 2014], apply to the Collector to be placed in possession subject so fa ccordance with the rules made by the

State Government in this behalf, determine to his acceptance of the liabilities for arrears of land revenue or any other dues which form a charge on the holding, [3][and, notwithstanding anything contained in any law for the time being in force, the Collector shall] dispose of such application in accordance with procedure which may be prescribed :

[4][Provided that, where a Tribal in contravention of sub-section (*2*) or any law for the time being in force has, at any time before the commencement of the Maharashtra Land Revenue Code and Tenancy Laws (Amendment) Act, 1974 (Mah. XXXV of 1974) transferred possession of his occupancy to a non-Tribal and such occupancy is in the possession of such non-Tribal or his successor-in-interest, and has not been put to any non-agricultural use before such commencement, then, the Collector shall, notwithstanding anything contained in any law for the time being in force, either *suo motu* at any time or on application by the Tribal (or his successor-in-interest) made at any time [5][within thirty years from the 6th July 2004], after making such inquiry as he thinks fit, declare the transfer of the occupancy to be invalid, and direct that the occupancy shall be taken from the possession of such non-Tribal or his successor-in-interest and restored to the Tribal or his successor-in-interest.

[6][* * *]

[7][Provided further] that where transfer of occupancy of a Tribal has taken place before the commencement of the said Act in favour of a non-Tribal, who was rendered landless by reason of acquisition of his land for a public purpose, only half the land involved in the transfer shall be restored to the Tribal.]

[8][(*3A*) Where any Tribal (or his successor-in-interest) to whom the possession of the occupancy is directed to be restored under the first proviso to sub-section (*3*) expresses his unwillingness to accept the same, the Collector shall, after holding such inquiry as he thinks fit, by order in writing, declare that the occupancy together with the standing crops therein, if any, shall with effect from the date of the order, without further assurance, be deemed to have been acquired and vest in the State Government.

(*3B*) On the vesting of the occupancy under sub-section (*3A*), the non-Tribal shall, subject to the provisions of sub-section (*3C*), be entitled to receive from the State Government an amount equal to 48 times the assessment of the land *plus* the value of improvements, if any, made by the non-Tribal therein to be determined by the Collector in the prescribed manner.

Explanation.— In determining the value of any improvements under this sub-section, the Collector shall have regard to—

1 Sub-section (*2*) was substituted for the original by Mah. 35 of 1974, s. 2(*1*).

2 These words, figures and letters were substituted for the words "within thirty years of such transfer of possession" by Mah. 43 of 2011, s. 2(*a*).

3 These words were substituted for the words "and the Collector shall" by Mah. 1 of 1991, s. 2(*a*)(*ii*).

4 These provisos were added by Mah. 35 of 1974, s. 2(*2*).

5 These words, figures and letters were substituted for the words "within thirty years of such commencement" by Mah. 43 of 2011, s. 2(*b*).

6 The *Explanation* was deleted by Mah. 11 of 1976, s. 3, Second Schedule.

7 These words were substituted for the word "Provided" by Mah. 11 of 1976, s. 3, Second Schedule.

8 Sub-sections (*3A*) to (*3D*) were deemed always to have been inserted by Mah. 30 of 1977, s. 2.

(*i*) the labour and capital provided or spent on improvements ;

(*ii*) the present condition of the improvements ;

(*iii*) the extent to which the improvements are likely to benefit the land during the period of ten years next following the year in which such determination is made ;

(*iv*) such other factors as may be prescribed.

(*3C*) Where there are persons claiming encumbrances on the land, the Collector shall apportion the amount determined under sub-section (*3B*) amongst the non-Tribal and the person claiming such encumbrances, in the following manner, that is to say—

(*i*) if the total value of encumbrances on the land is less than the amount determined under sub-section (*3B*), the value of encumbrances shall be paid to the holder thereof in full;

(*ii*) if the total value of encumbrances on the land exceeds the amount determined under sub-section (*3B*), the amount shall be distributed amongst the holders of encumbrances in the order of priority :

Provided that, nothing in this sub-section shall affect the right of holder of any encumbrance to proceed to enforce against the non-Tribal his right in any other manner or under any other law for the time being in force.

(*3D*) The land vested in the State Government under sub-section (*3A*) shall, subject to any general or special orders of the State Government in that behalf, be granted by the Collector to any other Tribal residing in the village in which the land is situated or within five kilometres thereof and who is willing to accept the occupancy in accordance with the provisions of this Code and the rules and orders made thereunder and to undertake to cultivate the land personally, so, however, that the total land held by such Tribal, whether as owner or tenant, does not exceed an economic holding within the meaning of sub-section (*6*) of section 36A.]

(*4*) Notwithstanding anything contained in sub-section (*1*) or in any other provisions of this Code, or in any law for the time being in force it shall be lawful for an Occupant—Class II—to mortgage his property in favour of the State Government in consideration of a loan advanced to him by the State Government under the Land Improvement Loan Act, 1883 (XIX of 1883), the Agriculturists Loans Act, 1884 (XII of 1884), or the Bombay Non-Agriculturists Loans Act, 1928 (Bom. III of 1928), or in favour of a co-operative society [1][or the State Bank of India constituted under section 3 of the State Bank of India Act, 1955 (23 of 1955), or a corresponding new bank within the meaning of clause (*d*) of section 2 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 (5 of 1970), [2][or a corresponding new Bank within the meaning of clause (*b*) of section 2 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980 (40 of 1980) or the Maharashtra State Financial Corporation] established under the relevant law] in consideration of a loan advanced to him by such co-operative [3][society, State Bank of India, corresponding new bank, or as the case may be, Maharashtra State Financial Corporation], and without prejudice to any other remedy open to the State Government, [4][the co-operative society, the State Bank of India, the corresponding new bank, or as the case may be, the Maharashtra State Financial Corporation] in the event of such occupant making default in payment of such loan in accordance with terms on which such loan is granted, it shall be lawful for the State Government, [5][the co-operative society, the State Bank of India, the corresponding new bank, or as the case may be, the Maharashtra State Financial Corporation] to cause the occupancy to be attached and sold and the proceeds to be applied towards the payment of such loan.

1 These words were inserted by Mah. 36 of 1971, s. 2(*a*).

2 The words, brackets, letter and figures were substituted for the words "or the Maharashtra State Financial Corporation" by Mah. 62 of 2025, s. 2(*i*).

3 These words were inserted by Mah. 36 of 1971, s. 2(*b*).

4 These words were substituted for the words "or as the case may be, the co-operative society" by Mah. 36 of 1971, s. 2(*c*).

5 These words were substituted for the words "or as the case may be, the co-operative society" by Mah. 36 of 1971, s. 2(*c*).

The Collector may, [1][on the application of the co-operative society, the State Bank of India, the corresponding new Bank or the Maharashtra State Financial Corporation], and payment of the premium prescribed by the State Government in this behalf, by order in writing re-classify the occupant as Occupant—Class I; and on such re-classification, the occupant shall hold the occupancy of the land without any restriction on transfer under this Code.

[2][Provided that, the Occupant Class II shall pay to the Government the mortgage fees, at such rate as may be specified by the Government by general or special order, for mortgaging his property, for any purpose other than agriculture, in favour of a co-operative society, the State Bank of India, the corresponding new Bank or the Maharashtra State Financial Corporation.]

Explanation.— For the purpose of this section, "Schedule Tribes" means such tribes or tribal communities or parts of, or groups within, such tribes or tribal communities as are deemed to be Scheduled Tribes in relation to the state of Maharashtra under Article 342 of the Constitution of India [3][and persons, who belong to the tribes or Tribal communities, or parts of, or groups within tribes or tribal communities, specified in part VIIA of the Schedule to the Order [4][made under] the said article 342, but who are not resident in the localities specified in that Order who nevertheless need the protection of this section and section 36A (and it is hereby declare that they do need such protection) shall, for the purposes of those section be treated in the same manner as members of the Scheduled Tribes.]

[5][**36A. Restrictions on transfer of occupancies by Tribals.—** (*1*) Notwithstanding anything contained in sub-section (*1*) of section 36, no occupancy of a Tribal shall, after the commencement of the Maharashtra Land Revenue Code and Tenancy Laws (Amendment) Act, 1974 (Mah. XXXV of 1974), be transferred in favour of any non-Tribal by way of sale (including sales in execution of a decree of a Civil Court or an award or order of any Tribunal or authority), gift, exchange, mortgage, lease or otherwise, except on the application of such non-Tribal and except with the previous sanction—

(*a*) in the case of a lease or mortgage for a period not exceeding 5 years, of the Collector ; and

(*b*) in all other cases, of the Collector with the previous approval of the State Government :

Provided that, no such sanction shall be accorded by the Collector unless he is satisfied that no Tribal residing in the village in which the occupancy is situate or within five kilometres thereof is prepared to take the occupancy from the owner on lease, mortgage or by sale or otherwise.

[6][Provided further that, in villages in Scheduled Areas of the State of Maharashtra, no such sanction allowing transfer of occupancy from tribal person to non-tribal person shall be accorded by the Collector unless the previous sanction of the *Gram Sabha* under the jurisdiction of which the tribal transferor resides has been obtained.]

[7][Provided also that, in villages in Scheduled Areas of the State of Maharashtra, no sanction for purchase of land by mutual agreement, shall be necessary, if,—

(*i*) such land is required in respect of implementation of the vital Government projects; and

(*ii*) the amount of compensation to be paid for such purchase is arrived at in a fair and transparent manner.

Explanation.— For the purposes of the second proviso, the expression "vital Government project" means project undertaken by the Central or State Government relating to national or state

1 These words were substituted for the words "on the application of the society" by Mah. 36 of 1971, s. 2(*d*).

2 This proviso was inserted and shall be deemed to have been inserted with effect from the 27th February 2009 by Mah. 62 of 2025, s. 2(*ii*).

3 The portion was added by Mah. 35 of 1974, s. 2(*3*).

4 These words were substituted for the words "made and" by Mah. 11 of 1976, s. 3, Second Schedule.

5 Sections 36A, 36B, 36C were inserted by Mah. 35 of 1974, s. 3.

6 This proviso was inserted by Notification No. RB/DB/e-11019(89)(2013)/850/2016, dated 14th June 2016 issued by office of Governor of Maharashtra.

7 This proviso was inserted by Notification No. RB/DB/e-13016(10)(2017)/890/2017, dated the 14th November 2017 issued by office of Governor of Maharashtra.

highways, railways or other multimodal transport projects, electricity transmission lines, Roads, Gas or Water Supply pipelines canals or of similar nature, in respect of which the State Government has, by notification in the *Official Gazette*, declared its intention or the intension of the Central Government, to undertake such project either on its own behalf or through any statutory authority, an agency owned and controlled by the Central Government or State Government, or a Government company incorporated under the provisions of the Companies Act, 2013 (18 of 2013) or any other law relating to companies for the time being in force.]

(*2*) The previous sanction of the Collector may be given in such circumstances and subject to such conditions as may be prescribed.

(*3*) On the expiry of the period of the lease or, as the case may be, of the mortgage, the Collector may, notwithstanding anything contained in any law for the time being in force; or any decree or order of any court or award or order of any tribunal, or authority, either *suo motu* or on application made by the tribal in that behalf, restore possession of the occupancy to the Tribal.

(*4*) Where, on or after the commencement of the Maharashtra Land Revenue Code and Tenancy Laws (Amendment) Act, 1974 (Mah. XXXV of 1974), it is noticed that any occupancy has been transferred in contravention of sub-section (*1*) [1][the Collector shall, notwithstanding anything contained in any law for the time being in force, either *suo motu* or on the application made by any person interested in such occupancy,] [2][or on a resolution of the *GramSabha* in Scheduled Areas] [3][within thirty years form the 6th July 2004] hold an inquiry in the prescribed manner and decide the matter.

(*5*) Where the Collector decides that any transfer of occupancy has been made in contravention of sub-section (*1*), he shall declare the transfer to be invalid, and thereupon, the occupancy together with the standing crops thereon, if any, shall vest in the State Government free of all encumberances and shall be disposed of in such manner as the State Government may, from time to time direct.

(*6*) Where an occupancy vested in the State Government under sub-section (*5*) is to be disposed of, the Collector shall give notice in writing to the Tribal-transferor requiring him to state within 90 days from the date of receipt of such notice whether or not he is willing to purchase the land. If such Tribal-transferor agrees to purchase the occupancy, then the occupancy may be granted to him if he pays the prescribed purchase price and undertakes to cultivate the land personally ; so however that the total land held by such Tribal-transferor, whether as owner or tenant, does not as far as possible exceed an economic holding.

Explanation.— For the purpose of this section, the expression "economic holding" means 6.48 hectares (16 acres) of *jirayat* land, or 3.24 hectares (8 acres) of seasonally irrigated land, or paddy or rice land, or 1.62 hectares (4 acres) of perennially irrigated land, and where the land held by any person consists of two or more kinds of land, the economic holding shall be determined on the basis of one hectare of perennially irrigated land being equal to 2 hectares of seasonally irrigated land or paddy or rice land or 4 hectares of *jirayat* land.

36B. Damages for use and occupation of occupancies in certain cases.— A non-Tribal who after the occupancy is ordered to be restored [4][under either of the provisos] to sub-section (*3*) of section 36 or after the occupancy is vested in the State Government [5][under sub-section (*3A*) of section 36 or] under sub-section (*5*) of section 36A continues to be in possession of the occupancy, then the non-Tribal shall pay to the Tribal in the former case, and to the State Government in the letter case, for the period from the year (following the year in which the occupancy is or is ordered to be restored to the Tribal or is vested in the State Government aforesaid) till possession of the occupancy is given to

1 This portion was substituted for the portion beginning with the words "the Collector shall" and ending with the words "three years" by Mah. 1 of 1991, s. 3.

2 These words were inserted by Notification No. RB/DB/e-11019(89)(2013)/850/2016, dated 14th June 2016 issued by the office of the Governor of Maharashtra.

3 These words, figures and letters were substituted for the words "within thirty years from the date of transfer of occupancy" by Mah. 43 of 2011, s. 3.

4 These words were substituted for the words "under the proviso" by Mah. 1 of 1991, s. 4.

5 These words, brackets, figures and letters were deemed always to have been inserted by Mah. 30 of 1977, s. 3.

the Tribal or the State Government, such amount for the use and occupation of the occupancy as the Collector may fix in the prescribed manner.

[1][36BB. Pleaders, etc., excluded from appearance.— Notwithstanding anything contained in this Act or any law for the time being in force, no pleader shall be entitled to appear on behalf of any party in any proceedings under section 36, 36A or 36B before the Collector, the Commissioner or the State Government :

Provided that, where a party is a minor or lunatic, his guardian may appear, and in the case of any other person under disability, his authorised agent may appear, in such proceedings.

Explanation.— For the purpose of this section, the expression 'pleader' includes, an advocate, vakil or any other legal practitioner.]

36C. Bar of jurisdiction of Civil Court or authority.— (*1*) No Civil Court shall have jurisdiction to settle, decide or deal with any question which is by or under section 36, 36A or 36B required to be settled, decide or dealt with by the Collector.

Explanation.— For the purpose of this section, a Civil Court shall include a Mamlatdar's Court under the Mamlatdar's Court Act, 1906 (Bom. II of 1906).

(*2*) No Civil Court or authority shall entertain an appeal or application against an order of the Collector under section 36, 36A or 36B unless the appellant of applicant deposits such security as in the opinion of the Court or authority is adequate.]

37. Occupants' rights are conditional.— An occupant is entitled to the use and occupation of his land in perpetuity conditionally on the payment of the amount due on account of the land revenue for the same, according to the provisions of this Code, or of any rules made under this Code or of any other law for the time being in force, and on the fulfilment of any other terms or conditions lawfully annexed to his tenure.

[2]**[37A. Restrictions on sale, transfer, redevelopment, change of use, etc., in relation to Government land and *nazul* land.—** (*1*) Every sale, transfer, redevelopment, use of additional Floor Space Index (FSI), transfer of Transferable Development Rights (TDR) or change of use of any Government land in Amravati and Nagpur Revenue Divisions including the Mumbai City and Revenue Divisions in the State, which is granted for various purposes under the provisions of this Code or rules made thereunder or any law relating to land revenue, before the commencement of this Code, including the *nazul* lands in Amravati and Nagpur Revenue Divisions shall be subject to [3][approval] of the State Government:

[4][Provided that, if sale, transfer, redevelopment, use of additional Floor Space Index (FSI), transfer of Transferable Development Rights (TDR) or change of use of any Government land is approved by the Government by issuing Government Resolution or general or special order on payment of premium or *Nazrana* or charges and a share of unearned income before the date of commencement of the Maharashtra Land Revenue Code (Second Amendment) Act, 2012 (Mah. IV of 2015), then such approval shall be deemed to be validly made as per the provisions of this Code.]

(*2*) The State Government shall, while granting such [5][approval] as required under sub-section (*1*), recover such premium or charge and share of unearned income subject to such terms and conditions as may be specified, by general or special order, issued by the Government, from time to time :

Provided that, if the provisions of this section or of any such orders issued thereunder are inconsistent with the terms and conditions of the order of land grant or the lease deed executed prior to

1 Section 36BB was inserted by Mah. 12 of 1977, s. 2.

2 Section 37A was inserted by Mah. 4 of 2015, s. 2.

3 This word was substituted for the words "taking the prior permission" by Mah. 19 of 2026, s. 2(*i*)(*a*). 4 This proviso was added by Mah. 19 of 2026, s. 2(*i*)(*b*).

5 This word was substituted for the word "permission" by Mah. 19 of 2026, s. 2(*ii*).

the commencement of the Maharashtra Land Revenue Code (Second Amendment) Act, 2012 (Mah. IV of 2015), the terms and conditions of such order of land grant or lease deed shall prevail :

Provided further that, in case of the *nazul* lands in Amravati and Nagpur Revenue Divisions, the provisions of sub-section (*1*) shall not be applicable with retrospective effect.

Explanation.— For the purpose of this section,—

(*a*) "Government land" includes the Government land or part of such land or building erected on such land or part thereof or any right or any benefit arising out of or share in relation to such land or building or part of such land or building ;

(*b*) "*nazul* land" means the type of Government land used for non-agricultural purpose such as building, road, market, playground or any other public purpose or the *nazul* land which has potential for such use in future including such lands granted on long or short term lease or on no compensation agreement.]

38. Power to grant leases.— It shall be lawful for the Collector at any time to lease under grant or contract any unalienated unoccupied land to any person, for such period, for such purpose and on such conditions as he may, subject to rules made by the State Government in this behalf, determine, and in any such case the land shall, whether a survey settlement has been extended to it or not, be held only for the period and for the purpose and subject to the conditions so determined. The grantee shall be called a Government lessee in respect of the land so granted.

39. Occupant to pay land revenue and Government lessee to pay rent fixed.— Every occupant shall pay as land revenue the assessment fixed under the provisions of this Code and rules made thereunder ; and every Government lessee shall pay as land revenue lease money fixed under the terms of the lease.

40. Saving of powers of Government.— Nothing contained in any provision of this Code shall derogate from the right of the State Government to dispose of any land, the property of Government, on such terms and conditions as it deems fit.

Of Use of Land

41. Uses to which holder of land for purposes of agriculture may put his land.— [1][(*1*)] [2][Subject to the provisions of this section, holder of any land] assessed or held for the purpose of agriculture is entitled by himself, his servants, tenants, agents or other legal representatives to erect farm [3][building], construct wells or tanks or make any other improvements thereon for the better cultivation of the land, or its more convenient use for the purpose aforesaid.

[4][* * *]

[5][**42.No permission of Collector is required for non-agricultural use of land.—** (*1*) No permission of the Collector for change in use of land from agricultural to non-agricultural is required, if such use is permissible under the draft or final Development Plan or Regional Plan prepared and published as per the provisions of the Maharashtra Regional and Town Planning Act, 1966 (Mah. XXXVII of 1966) or Development Control Regulations or any other rules or regulations or orders or guidelines issued under that Act and, the concerned Planning Authority may give development permission or may give approval to the building plan on such land.

(*2*) The occupancy status of land other than the Class-I occupancy land shall not be altered merely because the development permission is given or building plan is approved by the Planning Authority on such land.

1 Section 41 was renumbered as sub-section (*1*) of that section by Mah. 32 of 1986, s. 2.

2 These words were substituted for the words "A holder of any land" by Mah. 32 of 1986, s. 2(*a*)(*i*). 3 This word substituted for the word "buildings" by Mah. 32 of 1986, s. 2(*a*)(*ii*).

4 Sub-sections (*2*) to (*6*) were deleted by Mah. 57 of 2025, s. 3.

5 Section 42 was substituted by Mah. 57 of 2025, s. 4.

(*3*) The Planning Authority shall, before giving development permission or approving building plan, recover one time premium at the rate mentioned in section 47 for non-agricultural use of land.

(*4*) Where the Planning Authority grants development permission or approves building plan, necessary changes shall be effected in the revenue records pursuant to such permission or approval.]

[1][* * *]

43. Restriction of use.— Subject to the rules made by the State Government in this behalf the Collector or a Survey Officer may regulate or prohibit the use of land liable to the payment of land revenue for purposes such as, cultivation of unarable land in a survey number assigned for public purpose, manufacture of salt from agricultural land, removal of earth, stone, kankar, murum or any other material from the land assessed for the purpose of agricultural only, so as to destroy or materially injure the land

for cultivation, removal of earth, stone (other than loose surface stone), kankar, murum or any other material from the land assessed as a building site, excavation of land situated within a *gaothan* ; and such other purposes as may be prescribed ; and may summarily evict any person who uses or attempts to use the land for any such prohibited purpose.

[2][* * *]

[3][**47. Premium for non-agricultural use of land.—** (*1*) There shall be levied and collected one-time premium for non-agricultural use of land.

(*2*) The premium under sub-section (*1*) shall be levied at the rate of,—

(*i*) for an area up to 1000 square meters, 0.1 per cent. of the current market value of the land determined as per current Annual Statement of Rates ;

(*ii*) for an area above 1000 square meters, but upto 4000 square meters, 0.25 per cent. of the current market value of the land determined as per current Annual Statement of Rates; and

(*iii*) for an area above 4000 square meters, 0.5 per cent. of the current market value of the land determined as per current Annual Statement of Rates :

Provided that, for the land which has been converted to non-agricultural use on or before the 31st December 2001, instead of the annual non-agricultural assessment, a one-time premium shall be levied and recovered, at the rate mentioned in sub-section (*2*) of the current market value of the land determined as per the Annual Statement of Rates of the year 2001 :

Provided further that, for the land which has been converted to non-agricultural use on or after the 1st January 2002 and before the date of commencement of the Maharashtra Land Revenue Code (Second Amendment) Act, 2025 (Mah. LVII of 2025), instead of the annual non-agricultural assessment, a one-time premium shall be levied and recovered, at the rate mentioned in sub-section (*2*) of the market value of such land determined as per the Annual Statement of Rates of the year in which land was converted to non-agricultural use.

Explanation.— For the purposes of this sub-section, the term "Annual Statement of Rates" shall mean the Annual Statement of Rates published under the provisions of the Maharashtra Stamp (Determination of True Market Value of Property) Rules, 1995 or any other Rules for the time being in force in this regard.

(*3*) The State Government may, by notification published in the *Official Gazette*, grant exemption from payment of the premium levied under this section, if the State Government is of the opinion that it is necessary for projects of public purpose or in the public interest.]

1 Sections 42A, 42B, 42C and 42D were deleted by Mah. 57 of 2025, s. 5. 2 Sections 44, 44A, 45 and 46 were deleted by Mah. 57 of 2025, s. 6. 3 Section 47 was substituted by Mah. 57 of 2025, s. 7.

[1][* * *]

48. Government title to mines and minerals.— (*1*) [2][The right to all minerals] at whatever place found, whether on surface or underground, including all derelict or working mines and quarries, old dumps, pits, fields, *bandhas*, *nallas*, creeks, river-beds and such other places, is and is hereby declared to be expressly reserved and shall vest in the State Government which shall have all powers necessary for the proper enjoyment of such rights.

[3][* * *]

(*2*) The right to all mines and quarries includes the right of access to land for the purpose of mining and quarrying and right to occupy such other land as may be necessary for purposes subsidiary thereto, including erection of offices, workmen's dwelling and machinery, the stacking of minerals and deposit of refuse, the construction of roads, railways or tram-lines, and any other purposes which the State Government may declare to be subsidiary to mining and quarrying.

(*3*) If the State Government has assigned to any person its right over any minerals, mines or quarries, and if for the proper enjoyment of such right, it is necessary that all or any of the powers specified in sub-section (*1*) and (*2*) should be exercis an order in writing, subject to such

conditions and reservations as he may specify, delegate such powers to the person to whom the right has been assigned :

Provided that, no such delegation shall be made until notice has been duly served on all persons having rights in the land affected, and their objections have been heard and considered.

(*4*) If, in the exercise of the right herein referred to over any land, the rights of any persons are infringed by the occupation or disturbance of the surface of such land, the State Government or its assignee shall pay to such persons compensation for such infringement and the amount of such compensation shall, in the absence of agreements, be determined by the Collector or, if his award is not accepted, by the civil court, in accordance with the provisions of the Land Acquisition Act, 1894 (I of 1894).

(*5*) No assignee of the State Government shall enter on or occupy the surface of any land without the previous sanction of the Collector unless compensation has been determined and tendered to the persons whose rights are infringed :

Provided that, it shall be lawful for the Collector to grant interim permission pending the award of the civil court in cases where the question of determining the proper amount of compensation is referred to such court under sub-section (*4*).

(*6*) If an assignee of the State Government fails to pay compensation as provided in sub-section (*4*), the Collector may recover such compensation from him on behalf of the persons entitled to it, as if it were an arrear of land revenue.

(*7*) Any person who without lawful authority extracts, removes, collects, replaces, picks up or disposes of any mineral from working or derelict mines, quarries, old dumps, fields, *bandhas* (whether on the plea of repairing or constructions of bund of the fields or any other plea), *nallas*, creeks, river-beds, or such other places wherever situate, the right to which vests in, and has not been assigned by the State Government, shall, without prejudice to any other mode of action that may be taken against him, be liable, [4][on the order in writing of the Collector or any revenue officer not below the rank of Tahsildar authorised by the collector, in this behalf, to pay penalty of an amount [5][upto five times]] the market value of the minerals so extracted, removed, collected, replaced, picked up or disposed of, as the case may be :

1 Section 47A was deleted by Mah. 57 of 2025, s. 8.

2 These words were substituted for the words, "unless it is otherwise expressly provided by the grant made by the State Government, the right to all minerals" by Mah. 16 of 1985, s. 14(*a*).

3 The proviso was deleted by Mah. 16 of 1985, s. 14(*b*).

4 These words were substituted for the words "on the Order in writing of the collector, to pay penalty not exceeding a sum determined, at three times" by Mah. 27 of 2015, s. 2(*i*) (*a*).

5 These words were substituted for the words "equal to five times" by Mah. 30 of 2017, s. 3.

[1][* * *]

[2][(*8*) (*1*) Without prejudice to the provision of sub-section (*7*), the Collector or any revenue officer [3][* * *] authorised by the Collector in this behalf, may seize and confiscate any mineral extracted, removed, collected, replaced, picked up or disposed of from any mine, quarry or other place referred to in sub-section (*7*), the right to which vests in, and has not been assigned by the State Government, and may also seize and confiscate any machinery and equipment used for unauthorised extraction, removal, collection, replacement, picking up or disposal of minor minerals and any means of transport deployed to transport the same.

(*2*) Such machinery or equipment or means of transport, used for unauthorized extraction, removal, collection, replacement, picking up or disposal of minor minerals or transportation thereof, which is seized under sub-section (*1*), shall be produced before the Collector or such other officer not below the rank of Deputy Collector authorised by the Collector in this behalf, within a period of forty-eight hours of such seizure, who may release such seized machinery, equipment or means of transport on payment by the owner thereof of such penalty as may be prescribed and also on furnishing personal bond of an amount not exceeding the market value of or the seized machinery, equipment or

means of transport, stating therein that such seized machinery, equipment or means of transport shall not be used in future for unauthorised extraction, removal, collection, replacement, picking up or disposal of minor minerals and transportation of the same.]

(*9*) The State Government may make rules to regulate the extraction and removal of minor minerals required by the inhabitants of a village, town or city for their domestic, agricultural or professional use on payment of fees or free of charge as may be specified in the rules.

[4][(*10*) Notwithstanding anything contained in this Act, prior to grant of prospecting license or mining lease for minor minerals and for grant of concession for the exploitation of minor minerals by auction in the Scheduled Areas referred to in clause (*1*) of article 244 of the Constitution of India, the consent of the *GramSabha* or the Panchayats at the appropriate level shall be mandatory.

Explanation.— For the purposes of this sub-section "Gram Sabha" shall have the same meaning as assigned to it in Chapter III A of the Maharashtra Village Panchayats Act.]

Explanation.— For the purpose of this section, "minor minerals" means the minor minerals in respect of which the State Government is empowered to make rules under section 15 of the Mines and Minerals (Regulation and Development) Act, 1957 (LXVII of 1957).

49. Construction of water course through land belonging to other person.— (*1*) If any person (hereinafter called "the applicant") desires to construct a water course to take water to irrigate his land for the purpose of agriculture from a source of water to which he is entitled (including any source of water belonging to Government from which water is permitted to be taken) but such water course is to be constructed through any land which belongs to or is in possession of another person (hereinafter called "the neighbouring holder"), and if no agreement is arrived at for such construction between the applicant and the neighbouring holder, the person desiring to construct the water course may make an application in the prescribed form to the Tahsildar.

Explanation.— For the purposes of this section, the neighbouring holder includes the person to whom the land belongs and all persons holding through or under him.

(*2*) On receipt of the application, if the Tahsildar after making an enquiry and after giving the neighbouring holder and all other persons interested in the land, an opportunity of stating any objection to the application, is satisfied that for ensuring the full and efficient use for agriculture of the land belonging to the applicant it is necessary to construct the water course, he may by order in writing, direct the neighbouring holder to permit the applicant to construct the waster course on the following conditions :—

(*i*) The water course shall be constructed through such land in such direction and manner as is agreed upon by the parties, or failing agreement, as directed by the Tahsildar, so as to cause as little damage to the land through which it is constructed, as may be possible.

1 The proviso was deleted by Mah. 27 of 2015, s. 2(*i*)(*b*).

2 This sub-section was substituted by Mah. 27 of 2015, s. 2(*ii*).

3 The words "not below the rank of Tahsildar" were deleted by Mah. 34 of 2019, s. 2.

4 This section was added by Notification No. RB/TC/e. 11019 (*89*) (*2013*)/Notification-4/1120/2014, dated 30th October 2014 issued by the office of the Governor of Maharashtra and is applicable to Scheduled Areas referred to in clause (*i*) of Article 24 of the Constitution of India.

(*ii*) Where the water course consists of pipes laid under or over the surface, it shall, as far as possible, be along the shortest distance through such land, regard being had to all the circumstances of the land of the neighbouring holder. Where the water course consists of underground pipes, the pipes shall be laid at a depth not less than half a meter from the surface of the land.

(*iii*) Where the water course consists of a water channel, the width of the channel shall not be more than is absolutely necessary for the carriage of water, and in any case shall not exceed one and one-half metres.

(*iv*) The applicant shall pay to the neighbouring holder—

(*a*) such compensation for any damage caused to such land by reason of the construction of the water course injuriously affecting such land and ;

(*b*) such annual rent as the Tahsildar may decide to be reasonable in cases where the water course consists of a water channel and pipes laid over the surface; and where it consists of underground pipes, say, [1][at a rate of twenty-five *paise* or such amount as may be prescribed, whichever is higher], for every ten meters or a fraction thereof for the total length of land under which the underground pipe is laid.

(*v*) The applicant shall maintain the water course in a proper state of repair.

(*vi*) Where the water course consists of underground pipes, the applicant shall—

(*a*) cause the underground pipe to be laid with the least practicable delay ; and

(*b*) dig up no more land than is reasonably necessary for the purpose of laying the underground pipe and any land so dug up shall be filled in, reinstated and made good by the applicant at his own cost for use by the neighbouring holder.

(*vii*) Where the applicant desires to lay, repair or renew the pipe, he shall do so after reasonable notice to the neighbouring holders of his intention so to do and in so doing shall cause as little damage as possible to the land or any crops standing thereon.

(*viii*) Such other conditions as the Tahsildar may think fit to impose.

(*3*) An order made under sub-section (*2*) shall direct how the amount of compensation shall be apportioned among the neighbouring holders and all persons interested in the land.

(*4*) Any order made under sub-section (*2*) shall be final and be a complete authority to him or to any agent or other person employed by him for the purpose to enter upon the land specified in the order with assistants or workmen and to do all such work as may be necessary for the construction of the water course and for renewing or repairing the same.

(*5*) If the applicant in whose favour an order under sub-section (*2*) is made—

(*a*) fails to pay the amount of compensation or the amount of rent, it shall be recovered as an arrear of land revenue, on an application being made to the Tahsildar by the person entitled thereto ;

(*b*) fails to maintain the water course in a proper state of repairs, he shall be liable to pay such compensation as may be determined by the Tahsildar for any damage caused on account of such failure.

(*6*) If a person intends to remove or discontinue the water course constructed under the authority conferred on him under this section, he may do so after giving notice to the Tahsildar and the neighbouring holder.

In the event of removal or discontinuance of such water course, the person taking the water shall fill in and reinstate the land at his own cost with the least practicable delay. If he fails to do so, the neighbouring holder may apply to the Tahsildar who shall require such person to fill in and reinstate the land.

(*7*) The neighbouring holder or any person, on his behalf shall have the right to the use of any surplus water from the water course on payment of such rates as may be agreed upon between the parties, and on failure of agreement, as may be determined by the Tahsildar. If a dispute arises whether there is or is no surplus water in the water course, it shall be determined by the Tahsildar, and his decision shall be final.

(*8*) There shall be no appeal from any order passed by a Tahsildar under this section. But the Collector may call for and examine the record of any case and if he considers that the order passed by

[1] These words were substituted for the words “at a rate of 25 *paise*” by Mah. 21 of 2017, s. 7(*a*)

the Tahsildar is illegal or improper, he may, after due notice to the parties, pass such order as he deems fit.

(*9*) The orders passed by the Tahsildar or Collector under this section shall not be called in question in any Court.

(*10*) Where any person, who after a summary inquiry before the Collector or a Survey Officer, Tahsildar or Naib-Tahsildar is proved to have wilfully injured or damaged any water course duly constructed or laid under this section, he shall be liable to a fine [1][not exceeding one hundred rupees or such amount as may be prescribed, whichever is higher,] every time for the injury or damage so caused.

Of Encroachments on Land

50. Removal of encroachments on land vesting in Government; provisions for penalty and other incidental matters.— (*1*) In the event of any encroachment being made on any land or foreshore vested in the State Government (whether or not in charge of any local authority) or any such land being used for the purpose of hawking or selling articles without the sanction of the competent authority, it shall be lawful for the Collector to summarily abate or remove any such encroachment or cause any article whatsoever hawked or exposed for sale to be removed; and the expenses incurred therefor shall be leviable from the person in occupation of the land encroachment upon or used as aforesaid.

(*2*) The person who made such encroachment or who is in unauthorised occupation of the land so encroached upon shall pay, if the land encroached upon forms part of an assessed survey number, assessment for the entire number for the whole period of the encroachment, and if the land has not been assessed, such amount of assessment as would be leviable for the said period in the same village on the same extent of similar land used for the same purpose. Such person shall pay in addition [2][a fine which shall be one thousand rupees or such amount as may be prescribed, whichever is higher,] if the land is used for an agricultural purpose, and if used for a purpose other than agriculture such fine [3][not exceeding two thousand rupees or such amount as may be prescribed, whichever is higher]. The person caught hawking or selling any articles shall be liable to pay fine of a sum not exceeding [4][fifty rupees or such amount as may be prescribed, whichever is higher,] as the Collector may determine.

(*3*) The Collector may, by notice duly served under the provisions of this Code, prohibit or require the abatement or removal of encroachments on any such lands, and shall fix in such notice a date, which shall be a reasonable time after such notice, on which the same shall take effect.

(*4*) Every person who makes, causes, permits or continues any encroachment on any land referred to in a notice issued under sub-section (*3*), shall in addition to the penalties specified in sub-section (*2*), be liable at the discretion of the Collector to a fine not exceeding [5][twenty-five rupees or such amount as may be prescribed, whichever is higher] in the case of encroachment for agricultural purposes and [6][fifty rupees or such amount as may be prescribed, whichever is higher] in other cases for every day during any portion of which the encroachment continues after the date fixed for the notice to take effect.

(*5*) An order passed by the Collector under this section shall be subject to appeal and revision in accordance with the provisions of this Code.

(*6*) Nothing continued in sub-section (*1*) to (*4*) shall prevent any person from establishing his rights in a civil court within a period of six months from the date of the final order under this Code.

51. Regularisation of encroachment.— Nothing in section 50 shall prevent the Collector, if the person making the encroachment so desires, to charge the said person a sum not exceeding [7][five times or such amount as may be prescribed, whichever is higher] the value if the land so encroached upon and to fix an assessment not exceeding [8][five times or such amount as may be prescribed, whichever is higher] the ordinary annual land revenue thereon and to grant the land to the encroacher on such terms and conditions as the Collector may impose subject to rules made in this behalf ; and then to cause the said land to be entered in land records in the name of the said person :

1 These words were substituted for the words “not exceeding one hundred rupee” by Mah. 21 of 2017, s. 7(*b*).

2 These words were substituted for the words “the fine which shall not be less than five rupees but not more than on thousand rupees” by Mah. 21 of 2017, s. 8(*a*)(*i*).

3 These words were substituted for the words “not exceeding two thousand rupees” by Mah. 21 of 2017, s. 8(*a*)(*ii*).

4 These words were substituted for the words “fifty rupees” by Mah. 21 of 2017, s. 8(*a*)(*iii*).

5 These words were substituted for the words “twenty five rupees” by Mah. 21 of 2017, s. 8(*b*)(*i*).

6 The words substituted for the words “fifty ru (*ii*).

7 The words were substituted for the words “five times” by Mah. 21 of 2017, s. 9.

8 The words were substituted for the words “five times” by Mah. 21 of 2017, s. 9.

Provided that, no land shall be granted as aforesaid, unless the Collector gives public notice of his intention so to do in such manner as he considers fit, and considers any objections or suggestions which may be received by him before granting the land as aforesaid. The expenses incurred in giving such public notice shall be paid by the person making the encroachment ; and on his failure to do so on demand within a reasonable time, shall be recovered from him as an arrear of land revenue.

52. Value and land revenue how calculated.— (*1*) For the purpose of section 50 and 51, the value of land that has been encroached upon shall be fixed by the Collector according to the market value of similar land in the same neighbourhood at the time of such valuation ; and the annual revenue of such land shall be assessed at the same rate as the land revenue of similar land in the vicinity.

(*2*) The Collector’s decision as to the value of land and the amount of land revenue or assessment payable for the land encroached upon shall be conclusive, and in determining the amount of land revenue, occupation for a portion of year shall be counted as for a whole year.

53. Summary eviction of person unauthorisedly occupying land vesting in Government.—(*1*) If in the opinion of the Collector any person is unathorisedly occupying or wrongfully in possession of any land or foreshore vesting in the State Government or is not entitled or has ceased to be entitled to continue to use, occupation or possession of any such land or foreshore by reason of the expiry of the period of lease or tenancy or termination of the lease or tenancy or breach of any of the conditions annexed to the tenure, it shall be lawful for the Collector to 1[* * *] evict such person 2[* * *].

3[(*1-A*) Before evicting such person, the Collector shall give him a reasonable opportunity of being heard and the Collector may make a summary enquiry, if necessary. The Collector shall record his reasons in brief, for arriving at the opinion required by sub-section (*1*).]

(*2*) 4[The Collector shall, on his finding as aforesaid, serve] a notice on such person requiring him within such time as may appear reasonable after receipt of the said notice to vacate the land of foreshore, as the case may be, and if such notice is not obeyed, the Collector may remove him from such land or foreshore.

(*3*) A person unathorisedly occupying or wrongful in possession of land after he has ceased to be entitled to continue the use, occupation or possession by virtue of any of the reason specified in sub-section (*1*), shall also be liable at the discretion or possession of the Collector to pay a penalty not exceeding 5[two times the assessment or rent for the land or such amount as may be prescribed, whichever is higher,] for the period of such unauthorised use or occupation.

54. Forfeiture and removal of property left over after summary eviction.— (*1*) After summary eviction of any person under section 53, any building or other construction erected on the land or foreshore or any crop raised in the land shall, if not removed by such person after such written notice as the Collector may deem reasonable, be liable to forfeiture or to summary removal.

(*2*) Forfeitures under this section shall be adjudged by the Collector and any property so forfeited shall be disposed of as the Collector may direct ; and the cost of the removal of any property under this section shall be recoverable as an arrear of land revenue.

6**54A.** [This section has ceased to be in force with effect from 1st December, 1978].

1 The words, brackets and figure “summary” and “in the manner provided in sub-section (*2*)” were deleted by Mah. 36 of 1971, s. 3(*a*).

2 The words, brackets and figure “summary” and “in the manner provided in sub-section (*2*)” were deleted by Mah. 36 of 1971, s. 3(*a*).

3 Sub-section (*1-A*) was inserted by Mah. 36 of 1971, s. 3(*b*).

4 These words were substituted for the words “The Collector shall serve” by Mah. 36 of 1971, s. 3(*c*).

5 These words were substituted for the words “two times the assessment or rent for land” by Mah. 21 of 2017, s. 10. 6 Section 54A was inserted by Mah. 41 of 1973, s. 2. It remained in force upto 30-11-1978.
The said section 54A reads as under :—

“54A. Additional temporary powers for termination of licences, and removal of any building or other structure on any land or foreshore which is forfeited and of persons re-entering or remaining on the land or foreshore after

eviction.—Where,—

(*a*) any person in evicted from any land or foreshore under section 53;

(*b*) any building or other structure erected on any land or foreshore is forfeited under section 54;

Of Relinquishment of Land

55. Relinquishment.— An occupant may relinquish his land, that is, resign, in favour of the State Government, but subject to any rights, tenures, encumbrances or equities lawfully subsisting in favour of any person other than the Government or the occupant, by giving notice in writing to the Tahsildar not less than thirty days before the date of commencement of the agricultural year, and thereupon, he shall cease to be an occupant from the agricultural year next following such date :

Provided that, no portion of land which is less in extent than a whole survey number or sub-division of a survey number may be relinquished.

56. Relinquishment of alienated land.— The provisions of sections 35 and 55 shall apply, as far as may be, to the holders of alienated land.

57. Right of way to relinquished land.— If any person relinquishes land, the way to which lies through other land which he retains, the right of way through the land so retained shall continue to the future holder of the land relinquished.

58. Saying of operation of section 55 in certain cases.— Nothing in section 55 shall affect the validity of the terms or conditions of any lease or other express instrument under which land is, or may hereafter be held from the State Government.

59. Summary eviction of person unauthorisedly occupying land.— Any person unauthorisedly occupying, or wrongfully in possession of any land—

(*a*) to the use or occupation of which by reason of any of the provisions of this Code he is not entitled or has ceased to be entitled, or

(*b*) which is not transferable without the previous permission under sub-section (*2*) of section 36 or by virtue of any condition lawfully annexed to the tenure under the provisions of section 31, 37 or 44,

may be summarily evicted by the Collector.

60. Power of State Government to suspend operation of section 55.— (*1*) It shall be lawful for the State Government, by notification in the *Official Gazette* from time to time,

(*a*) to suspend the operation of section 55 within any prescribed local area, either generally, or in respect of cultivators or occupants of a particular class or classes, and

(*b*) to cancel any such notification.

(*2*) During the period for which any notification under clause (*a*) of sub-section (*1*) is in force within any local area, such orders shall be substituted for the provisions of which the operation is suspended as the Commissioner shall from time to time direct.

Protection of certain occupancies from process of Courts

61. Occupancy when not liable to process of civil court; court to give effect to Collector's certificate.— In any case where an occupancy is not transferable without the previous sanction of the

(*c*) any person who entered unauthorisedly on the land or foreshore, is allowed to stay thereafter on payment of a licence fee for the land, or structure thereon, or both,—

then, without prejudice to any other proceeding which may be taken against any such person, or in respect of the structure given on licence as aforesaid,—

(*1*) the Collector or any officer of Government authorized by the Collector may, notwithstanding anything contained in any law, or in any contract or agreement, for the time being in force, at any time by order direct that the licence or permission (if any) granted to any such person shall be deemed to be terminated forthwith;

(*2*) the Collector, may, by written notice, which shall not be of less duration than 24 hours, require any person for the time being in occupation of the forfeited structure, to show sufficient cause, on or before such day and hour as shall be specified in such notice, why the forfeited building or other structure shall not be pulled down or removed; and if such person fails to show cause, on or before the specified day and hour, to the satisfaction of the Collector, the Collector may pull down

or remove the building or other structure, as the case may be; and

(*3*) no person (including the person evicted) shall, without the previous permission of the Collector, enter on, or be on or in, or pass over, any such land or foreshore; and if any person enters on or remains on or in or passes over the land or foreshore in contravention of this section, he may be removed therefrom by the Collector or officer authorized; and the Collector or officer authorized may take all such assistance as is necessary for the purpose.".

Collector, and such sanction has not been granted to a transfer which has been made or ordered by a civil court or on which the court's decree or order is founded,

(*a*) such occupancy shall not be liable to the process of any court, and such transfer shall be null and void, and

(*b*) the court, on receipt of a certificate under the hand and seal of the Collector, to the effect that any such occupancy is not transferable without his previous sanction and that such sanction has not been granted, shall remove any attachment or other process placed on or set aside any sale of, or affecting, such occupancy.

62. Bar of attachment or sale.— Any land which immediately before the date of vesting under the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (M. P. I of 1951), was recorded as *sir* land shall not be liable to attachment or sale in execution of a decree or order of a court for the recovery of any debt incurred before the date of vesting except where such debt was validly secured by mortgage of, or charge on, the cultivating rights in such *sir* land.

63. Bar of foreclosure or attachment or sale of Bhumidhari's right.— No decree or order shall be passed for the sale or foreclosure of any right of a person in land held by him immediately before the commencement of this Code in Bhumidhari tenure under the provisions of the Madhya Pradesh Land Revenue Code, 1954 (M. P. II of 1955), nor shall such right be attached or sold in execution of any decree or order, nor shall a receiver be appointed to manage such holding under section 51 of the Code of Civil Procedure, 1908 (V of 1908), nor shall such right vest in the court or in a receiver under the Provincial Insolvency Act, 1920 (V of 1920).

CHAPTER IV

OF LAND REVENUE

64. All land liable to pay revenue unless specially exempted.— All land, whether applied to agricultural or other purposes, and wherever situate, is liable to the payment of land revenue to the State Government as provided by or under this Code except such as may be wholly exempted under the provisions of any special contract with the State Government, or any law for the time being in force or by special grant of the State Government.

But nothing in this Code shall be deemed to affect the power of the Legislature of the State to direct the levy of revenue on all land under whatever title they may be held whenever and so long as the exigencies of the State may render such levy necessary.

65. Liability of alluvial lands to land revenue.— All alluvial lands, newly-formed islands, or abandoned river-beds which vest under any law for the time being in force in any holder of alienated land, shall be subject in respect of liability to the payment of land, revenue to the same privileges, conditions, or restrictions as are applicable to the original holding in virtue of which such lands, islands, or river-beds so vest in the said holder, but no land revenue shall be leviable in respect of any such lands, islands or river-beds until or unless the area of the same exceeds one acre and also exceeds one-tenth of the area of the said original holding.

66. Assessment of land revenue in cases of diluvion.— Every holder of land paying land revenue in respect thereof shall be entitled, subject to rules as may be made by the State Government in this behalf, to a decrease of assessment if any portion thereof not being less than half an acre in extent, is lost by diluvion and the holder shall, subject to rules made in that behalf, be liable for payment of land revenue on reappearance of the land so lost by diluvion not less than half an acre in extent.

67. Manner of assessment and alteration of assessment.— (*1*) The land revenue leviable on any land under the provisions of this Code shall be assessed, or shall be deemed to have been assessed, as the case may be, with reference to the use of the land,—

(*a*) for the purpose of agriculture,

(*b*) for the purpose of residence,

(*c*) for the purpose of industry,

(*d*) for the purpose of commerce,

(*e*) for any other purpose.

[1][* * *]

(*3*) Where land held free of assessment on condition of being used for any purpose is used at any time for any other purpose, it shall be liable to assessment.

(*4*) The assessment under [2][sub-section (*3*)] shall be made in accordance with the rules made in this behalf.

68. Assessment by whom to be fixed.— (*1*) On all lands which are not wholly exempt from the payment of land revenue and on which the assessment has not been fixed or deemed to be fixed under the provisions of this Code, the assessment of the amount to be paid as land revenue shall, subject to rules made in this behalf, be fixed by the Collector, for such period not exceeding ninety-nine years as he may be authorized to prescribe by the State Government under its general or special orders made in that behalf, and the amounts due according to such assessment shall be levied on all such lands :

Provided that, in the case of lands partially exempt from land revenue or the liability of which to payment of land revenue is subject to special conditions or restrictions, respect shall be had in fixing the assessment and levy of land revenue to all rights legally subsisting, according to the nature of the said rights :

Provided further that, where any land which was wholly or partially exempt from payment of land revenue has ceased to be so exempt, it shall be lawful for the Collector to fix the assessment of the amount to be paid as land revenue on such land with effect from the date on which such land ceased to be so exempt or any subsequent date as he may deem fit.

(*2*) After the expiry of the period for which the assessment of any land is fixed under sub-section (*1*), the Collector may, from time to time, revise the same in accordance with the rules made in this behalf by the State Government. The assessment so revised shall be fixed each time for such period not exceeding ninety-nine years as the State Government may, by general or special order, specify.

(*3*) Nothing in this section shall be deemed to prevent the Collector from determining and registering the proper full assessment on lands wholly exempt from the payment of land revenue. The assessment so determined and registered shall be leviable as soon as the exemption is withdrawn, and shall for this purpose be deemed to be assessment fixed under this section.

69. Settlement of assessment to be made with holder directly from State Government.— The settlement of the assessment of each portion of land, or survey number, to land revenue, shall be made with the person who is primarily responsible to the State Government for the same.

70. Rates for use of water.— The State Government may authorize the Collector or the officer in charge of a survey or such other officer as it deems fit, to fix such rates as it may from time to time deem fit to sanction, for the use, by holders and other persons, of water, the right to which vests in the Government and in respect of which no rate is leviable under any law relating to irrigation in force in any part of the State. Such rates shall be liable to revision at such period as the State Government shall from time to time determine, and shall be recoverable as land revenue :

Provided that, the rate for use of water for agricultural purposes shall be [3][one rupee or such amount as may be prescribed, whichever is higher,] per year per holder.

71. The fixing of assessment under this Code limited to ordinary land revenue.— The fixing of the assessment under the provisions of this Code shall be strictly limited to the assessment of the

1 Sub-section (*2*) was deleted by Mah. 57 of 2025, s. 9(*1*).

2 The word, brackets and figure were substituted for the words, brackets and figures "sub-sections (*2*) and (*3*)," by Mah. 57 of 2025, s. 9(*2*).

3 These words were substituted for the words "one rupee only" by Mah. 21 of 2017, s. 11.

ordinary land revenue, and shall not operate as a bar to the levy of any cess which it shall be lawful for the State Government to impose under the provisions of any law for the time being in force for purposes of local improvement, such as schools, village and district roads, bridges, tanks, wells, accommodation for travellers, and the like, or of any rate for the use of water which may be imposed under the provisions of section 70 or of any law relating to irrigation in force in any part of the State.

72. Land revenue to be paramount charge on land.— (*1*) Arrears of land and revenue due on account of land by any landholder shall be a paramount charge on the holding and every part thereof, failure in payment of which shall make the occupancy or alienated holding together with all rights of the occupant or holder over all trees, crops, buildings and things attached to the land or permanently fastened to anything attached to the land, liable to forfeiture; whereupon, the Collector may, subject to the provisions of sub-sections (*2*) and (*3*), levy all sums in arrears by sale of the occupancy or alienated holding, or may otherwise dispose of such occupancy or alienated holding under rules made in this behalf and such occupancy or alienated holding when disposed of, whether by sale as aforesaid, or in any manner other than that provided by sub-sections (*2*) and (*3*), shall, unless the Collector otherwise directs, be deemed to be freed from all tenures, rights, encumbrances and equities theretofore created in favour of any person other than the Government in respect of such occupancy or holding.

(*2*) Where any occupancy or alienated holding is forfeited under the provisions of sub-section (*1*), the Collector shall take possession thereof and may lease it to the former occupant or superior holder thereof, or to any other person for a period of one year at a time so however, that the total holding of such holder or, as the case may be, the person does not exceed the ceiling fixed in that behalf under any law for the time being in force.

(*3*) If within three years of the date on which the Collector takes possession of the occupancy or alienated holding under sub-section (*2*) the former occupant or superior holder thereof applies for restoration of the occupancy or alienated holding, the Collector may restore the occupancy or alienated holding to the occupant or, as the case may be, to the superior holder on the occupant or superior holder paying arrears due from him as land revenue and a penalty equal to 1[three times the assessment or such times the assessment as may be prescribed, whichever is higher.] If the occupant or superior holder fails to get the occupancy or alienated holding restored to him within the period aforesaid, the occupancy or alienated holding or part thereof shall be disposed of by the Collector in the manner provided in sub-section (*1*).

73. Forfeited holdings may be taken possession of and otherwise disposed.— It shall be lawful for the Collector in the event of the forfeiture of a holding through any default in payment or other failure occasioning such forfeiture under section 72 or any law for the time being in force, to take immediate possession on such holding and to dispose of the same by placing it in the possession of the purchaser or other person entitled to hold it according to the provisions of this Code or any other law for the time being in force.

74. To prevent forfeiture of occupancy of certain persons other than occupant may pay land revenue.— In order to prevent the forfeiture of any occupancy under the provisions of section 72 or of any other law for the time being in force, through non-payment of the land revenue due on account thereof by the person primarily liable for payment of it, it shall be lawful for any person interested to pay on behalf of such person all sums due on account of land revenue and the Collector shall on due tender thereof receive the same :

Provided that, nothing authorised or done under the provisions of this section shall affect the rights of the parties interested as the same may be established in any suit between such parties in a court of competent jurisdiction.

75. Register of alienated lands.— A register shall be kept by the Collector in the form of prescribed by the State Government of all land, the alienation of which has been established or recognized under the provisions of any law for the time being in force; and when it shall be shown to

1 These words were substituted for the words "three times the assessment" by Mah. 21 of 2017, s. 12.

the satisfaction of the Collector that any sanad granted in relation to any such alienated lands has been permanently lost or destroyed, he may, subject to the rules and the payment of the fees prescribed by the State Government, grant to any person whom he may deem entitled to the same a certified extract from the said register, which shall be endorsed by the Collector to the effect that it has been issued in lieu of the sanad said to have been lost or destroyed and shall be deemed to be as valid a proof of title as the said sanad.

76. Receipts.— (*1*) Every revenue officer and every *Talathi* receiving payment of land revenue shall, at the time when such payment is received by him, give a written receipt for the same.

(*2*) Every superior holder who is entitled to recover direct form an inferior holder any sum due on account of rent or land revenue shall, at the time when such sum is received by him, give to such inferior holder a written receipt for the same.

77. Penalty for failure to grant receipt.— If any person fails to give a receipt as required by section 76, he shall on the application of the payer, be liable by an order of the Collector, to pay a penalty not exceeding double the amount paid.

78. Reduction, suspension or remission of land revenue.— Notwithstanding anything contained in this Code, the State Government may, in accordance with the rules or special orders made in this behalf, grant reduction, suspension or remission in whole or in part of land revenue in any area in any year due to failure of crops, floods, or any other natural calamity or for any reason whatsoever.

CHAPTER V

REVENUE SURVEYS

79. Revenue survey may be introduced by State Government into any part of State.— (*1*) It shall be lawful for the State Government whenever it may seem expedient to direct the survey of any land in any part of the State with a view to assessment or settlement of the land revenue, and to the record and preservation of rights connected therewith, or for any other similar purpose, and such survey shall be called a revenue survey. Such survey may extend to the lands of any village, town or city generally or to such land only as the State Government may direct and subject to the orders of the State Government, it shall be lawful for the Officers conducting any such survey to expect from the survey any land to which it may not seem expedient that such survey should be applied.

(*2*) The control of every revenue survey shall vest in and be exercised by the State Government.

80. Survey officer may require by general notice or by summons, suitable service from holder of land, etc.— It shall be lawful for a survey officer deputed or conduct or take part in any such survey or a survey under section 86 or 87 to require by general notice or by summons the attendance of holders of land and of all persons interested therein, in person or by legally constituted agent duly instructed and able to answer all material questions, and the presence of taluka and village officers, who in their several stations and capacities are legally or by usage, bound to perform service in virtue of their respective offices and to require from them such assistance in the operations of the survey and such service in connection therewith, as may not be inconsistent with the position of the individual so called on.

81. Assistance to be given by holders and others in measurement or classification of land.— It shall be lawful for a survey officer, while conducting surveys mentioned in the preceding section to call upon all holders of land and other persons interested therein to assist in the measurement or classification of the lands to which the survey extends by furnishing flag-holders; and in the event of a necessity for employing hired labour for this or other similar object incidental to survey operations, it shall be lawful to assess the cost thereof, with all contingent expenses on the land surveyed, for collection as a revenue demand.

82. Survey numbers not to be of less than certain extent.— (*1*) Except as hereinafter provided no survey number comprising land used for purpose of agriculture only shall be made of less extent

than the minimum to be fixed from time to time for the several classes of land in each district by the Director of Land Record, with the sanction of the State Government. A record of the minima so fixed shall be kept in the office of the Tahsildar in each taluka, and shall be open to the inspection of the public at reasonable times.

(*2*) The provisions of sub-section (*1*) shall not apply to survey numbers which have already been made of less extent than the minima so fixed, or which may be so made under the authority of the Director of Land Records given either generally or in any particular instance in this behalf; and any survey number separately recognized in the land records shall be deemed to have been authorizedly made whatever be its extent.

83. Power of State Government to direct fresh survey and revision of assessment.— It shall be lawful for the State Government to direct at any time, a fresh survey or any operation subsidiary thereto :

Provided that, where a general classification of the soil of any area has been made a second time, or where any original classification of the soil of any area has been approved by the State Government as final, no such classification shall be again made with a view to the revision of the assessment of such area except when the State Government considers that owing to changes in the condition of the soil of such area or any errors in classification, such reclassification in necessary.

84. Entry of survey numbers and sub-divisions in records.— The area and assessment of survey numbers and sub-divisions of survey numbers shall be entered in such records as may be maintained under the rules made by the State Government in that behalf.

85. Partition.— (*1*) Subject to the provisions of the [1]Bombay Prevention of Fragmentation and Consolidation of Holdings Act, 1947 (Bom. LXII of 1947), a holding may be partitioned on the decree of a civil court or any application of co-holders in the manner hereinafter provided.

(*2*) If in any holding there are more than one co-holder, any such co-holder may apply to the Collector for a partitions of his share in the holding :

Provided that, where any question as to title is raised, no such partition shall be made until such question has been decided by a civil suit.

(*3*) [2][The Collector] may, after hearing the co-holder divide the holding and apportion the assessment of the holding in accordance with the rules made by the State Government under this Code.

[3][* * *]

(*5*) Expenses properly incurred in making partition of a holding paying revenue to the State Government shall be recoverable as a revenue demand in such proportion as the Collector may think fit from the co-holders at whose request the partition is made, or from the persons in interest in the partition.

86. Division of survey numbers into new survey numbers.—Where any portion of cultivable land is permitted to be used under the provisions of this Code for any non-agricultural purpose or when any portion of land is specially assigned under section 22, or when any assessment is altered or levied or any portion of land under sub-section (*2*) or sub-section (*3*) of section 67, such portion may, with the sanction of the Collector, be made into a separate survey number at any time, the provisions of section 82, notwithstanding.

1 Short title of the Act has been amended as the Maharashtra Prevention of Fragmentation and Consolidation of Holdings Act (LXII of 1947) by Mah. 24 of 2012, s. 2 and 3, Schedule, entry 29, *w.e.f.* 1st May 1960.

2 These words were substituted for the words, brackets and figure "Subject to the provisions of sub-section (*4*), the Collector" by Mah. 8 of 1969, s. 3(*a*).

3 Sub-section (*4*) was deleted by Mah. 8 of 1969, s. 3(*b*).

87. Divisions of survey numbers into sub-divisions.— (*1*) Subject to the provisions of the [1]Bombay Prevention of Fragmentation and Consolidation of Holdings Act, 1947 (Bom. LXII of 1947)—

(*a*) survey numbers may from time to time and at any time be divided into so many sub-divisions as may be required in view of the acquisition of rights in land or for any other reason ;

(*b*) the division of survey numbers into sub-divisions and the fixing of the assessment of the sub-divisions shall be carried out and from time to time revised in accordance with the rules made by the State Government in this behalf :

Provided that, the total amount of the assessment of any survey number or sub-division shall not be enhanced during any term for which such assessment may have been fixed under the provisions of this Code, unless such assessment is liable to alteration under section 67 ;

(*c*) the area and assessment of such sub-divisions shall be entered in such land records as the State Government may prescribe in this behalf.

(*2*) Where a holding consists of several *khasra* numbers in any area in the State, the Settlement Officer shall assess the land revenue payable for each *khasra* number and record them as separate survey numbers.

88. Privilege of title-deeds.— When the original survey of any land has been once completed, approved and confirmed, under the authority of the State Government, no person shall, for the purposes of subsequent surveys of the said land undertaken under the provisions of this Chapter, be compelled to produce his title-deeds to such land or to disclose their contents.

89. Survey made before commencement of this Code to be deemed to be made under this Chapter.—Any surveys heretofore made, and introduced under any law for the time being in force or otherwise, and in operation on the date of the commencement of this Code, shall be deemed to have been made under the provisions of this Chapter.

CHAPTER VI

ASSESSMENT AND SETTLEMENT OF LAND REVENUE OF AGRICULTURAL LAND

90. Interpretation.— In this Chapter, unless the context otherwise requires,—

(*a*) "classification value" means the relative valuation of land as recorded in the survey records having regard to its soil, situation, water and other advantages, and includes the valuation of land expressed in terms of soil units on the basis of the factor scale in the Districts of Nagpur, Chanda, Wardha and Bhandara and Melghat Talukas in Amravati District ;

(*b*) "class of land" means any of the following classes of land, namely, warkas, dry crop, paddy or rice or garden land ;

(*c*) "factor scale" means the relative value of each class of land included in the sanctioned scheme of soil classification ;

(*d*) "group" means all lands in a zone, which in the opinion of the State Government or an officer authorised by it in this behalf, are sufficiently homogeneous in respect of matters enumerated in sub-section (*2*) of section 94 to admit of the application to them of the same standard rates for the purpose of assessment of land revenue ;

(*e*) "settlement" means the result of the operations conducted in a zone to determine the land revenue assessment therein ;

1 Short title of the Act has been amended as the Maharashtra Prevention of Fragmentation and Consolidation of Holding Act (LXII of 1947) by Mah. 24 of 2012, s. 2 and 3, Schedule, entry 29, *w.e.f.* 1st May 1960.

(*f*) "standard rate" means, with reference to any particular class of land, the value (not exceeding one-twenty-fifth) of the average yield of crops per acre for that class of land of sixteen annas classification.

Explanation.— In areas mentioned in clause (*a*) in which the factor scale prevails, 'land of sixteen annas classification' means land possessing the number of soil units in the factor scale corresponding to the sixteen annas classification as prescribed by the State Government ;

(*g*) "term of a settlement" means the period for which the State Government has declared that a settlement shall remain in force ;

(*h*) "zone" means a local area comprising a taluka or a group of talukas or portions thereof, of one or more districts, which in the opinion of the State Government or an officer authorised by it, in this behalf, is contiguous and homogeneous in respect of—

(*i*) physical configuration,

(*ii*) climate and rainfall,

(*iii*) principal crops grown in the local area, and

(*iv*) soil characteristics.

91. Forecast as to settlement.— (*1*) Before directing a settlement or fresh settlement of any land under section 92, the State Government shall cause a forecast of the probable results of the settlement to be prepared in accordance with such instructions as may be issued for the purpose.

(*2*) A notice of the intention of the State Government to make the settlement together with proposals based on the said forecast for the determination or revision of land revenue and the term for which the settlement is to be made shall be published for objections in such manner as the State Government may determine.

(*3*) Such forecast and proposal shall be despatched to every member of each of the two houses of the State Legislature not less than twenty-one days before the commencement of a session thereof.

(*4*) Any member of the State Legislature desiring to make any modification in the proposals shall give notice of motion not later than the opening day of session and the State Government shall arrange for discussion of such motion in each House.

(*5*) The State Government shall accept any resolution concerning the said forecast and proposal in which both the House concur and shall take into consideration any objections which may be received from the persons concerned, before directing the settlement.

92. Power of State Government to direct original or revision settlement of land revenue of any lands.— Subject to the provisions of section 91, the State Government may at any time direct a settlement of land revenue of any land (hereinafter referred to as an "original settlement"), or a fresh settlement thereof (hereinafter referred to as "revision settlement"), whether or not a revenue survey thereof has been made under section 79 :

Provided that, no enhancement of assessment shall take effect before the expiration of the settlement for time being in force.

93. Term of settlement.— A settlement shall remain in force for a period of thirty years and on the expiry of such period, the settlement shall continue to remain in force until the commencement of the term of a fresh settlement.

94. Assessment how determined.— (*1*) The assessment of land revenue on all lands in respect of which a settlement has been directed under section 92 and which are not wholly exempt from the payment of land revenue shall, subject to the limitations contained in the first proviso to sub-section (*1*) of section 68, be determined by dividing the lands to be settled into groups and fixing the standard rates for each group in accordance with the rules made by the State Government in this behalf.

(*2*) The matters specified in clause (*a*) of this sub-section shall ordinarily be taken into consideration in

forming groups, but those specified in clause (*b*) thereof may also where necessary be taken into consideration for that purpose :—

(*a*) (*i*) Physical configuration,

(*ii*) climate and rainfall,

(*iii*) prices, and

(*iv*) yield of principal crops ;

(*b*) (*i*) markets,

(*ii*) communications,

(*iii*) standard of husbandry,

(*iv*) population and supply of labour,

(*v*) agricultural resources,

(*vi*) variations in the area of occupied and cultivated lands during the last thirty years,

(*vii*) wages,

(*viii*) ordinary expenses of cultivating principal crops, including the value of the labour in cultivating the land in terms of wages.

(*3*) The land revenue assessment of individual survey numbers and sub-divisions shall be fixed by the Settlement Officer on the basis of their classification value in the prescribed manner.

95. Increase in average yield due to improvements at the expense of holders not to be taken into account.— If any improvements have been affected in any land by or at the expense of the holder thereof, the increase in the average yield of crops of such land due to the said improvements shall not be taken into account in fixing the revised assessment thereof.

96. Settlement Officer how to proceed for making settlement.— In making a settlement, the Settlement Officer shall proceed as follows :—

(*1*) He shall divide the lands to be settled into groups as provided by section 94 ;

(*2*) He shall ascertain in the prescribed manner the average yield of crops of lands for the purposes of the settlement ;

(*3*) He shall than fix standard rates for each class of land in each groups on a consideration of the relevant maters as provided in sub-section (*2*) of section 94 ;

(*4*) He shall hold an enquiry in the manner prescribed by rules made under this Code for the purpose of this section ;

(*5*) He shall submit to the Collector in the prescribed manner a report (hereinafter called "the settlement report") containing his proposals for the settlement.

97. Settlement report to be printed and published.— (*1*) On submission of a settlement report, the Collector shall cause such report to be published in the prescribed manner.

(*2*) There shall also be published in each village a notice in Marathi stating for each class of land in the village the existing standard rate and the extent of any increase or decrease proposed therein by the Settlement Officer. The notice shall also state that any person may submit to the Collector his objections in writing to the proposals contained in the settlement report within three months from the date of such notice.

98. Submission to Government of settlement report with statement of objections, etc., and Collector's opinion thereon.— After taking into consideration such objections as may have been received by him, the Collector shall forward to the State Government, through such officers as the State Government may direct, the settlement report with his remarks thereon.

99. Reference to [1][Revenue Tribunal].— Any person aggrieved by the report published by the Collector under section 97 may, within two months form the date of notice under sub-section (*2*) of section 97, apply to the State Government [2][for reference to the Maharashtra Revenue Tribunal]. On such person depositing such amount of costs as may be prescribed, the State Government shall direct the report to be sent to [3][the Revenue Tribunal] for inquiry. [4][The Revenue Tribunal] after making an inquiry in the manner prescribed shall submit its own opinion on the objections raised and on such other matters as may

be referred to it by the State Government. The State Government may make rules for the refund of the whole or any portion of the cost in such cases as it deems fit.

100.Orders on Settlement Report.— (*1*) The settlement report, together with the objections, if any, received thereon and the opinion of [5][the Revenue Tribunal] on a reference, if any, made to it under section 99 shall be considered by the State Government, which may pass such order thereon as it may deem fit :

Provided that, no increase in the standard rate proposed in the settlement report shall be made by the State Government, unless a fresh notice as provided in section 97 has been published in each village affected by such rates and objections received, if any, have been considered by the State Government. The provisions of this section shall, so far as may be, apply to orders passed regarding such increase.

(*2*) The settlement report, together with objections, if any, received thereon and the opinion of [6][the Revenue Tribunal] on a reference, if any, made to it under section 99 and the orders passed by the State Government under sub-section (*1*) shall be laid on the Table of each House of the State Legislature.

(3) The orders passed by the State Government shall be final and shall not be called in question in any Court.

101. Power of State Government to exempt from assessment for water advantages.— (*1*) The State Government may at the time of passing orders under section 100 exempt any land from assessment under this Chapter for any advantage or specified kind of advantage accruing to it from water.

(*2*) The State Government may at any time during the term of the settlement after publishing a notice in Marathi in the village concerned and after the expiry of a period of six months from the date of the publication of such notice, withdraw any exemption granted by it under sub-section (*1*) and direct that such land shall be assessed for such advantage.

102. Introductions of settlement.— After the State Government has passed orders under section 100 and notice of the same has been given in the prescribed manner, the settlement shall be deemed to have been introduced and the land revenue according to such settlement shall be levied from such date as the State Government may direct :

Provided that, in the year in course of which a settlement, whether original or revised, is introduced under this section, the difference between the old and the new assessment of all lands on which the latter may be in excess of the former shall be remitted and the revised assessment shall be levied only from the next following year :

Provided further that, in the year next following that in which any original or revised settlement is introduced, any occupant who may be dissatisfied with the increased rate imposed by such new assessment on any of the survey numbers or sub-divisions of survey numbers held by him shall, on relinquishing such number or sub-division in the manner provided by section 55, receive a remission of the increase so imposed.

1 These words were substituted for the words “the Divisional Commissioner” by Mah. 23 of 2007, s. 2(*d*).

2 These words were substituted for the words “for reference to the concerned Divisional Commissioner” by Mah. 23 of 2007, s. 2(*a*).

3 These words were substituted for the words “the Divisional Commissioner” by Mah. 23 of 2007, s. 2(*b*).

4 These words were substituted for the words “the Divisional Commissioner” by Mah. 23 of 2007, s. 2(*c*).

5 These words were substituted for the words “the Divisional Commissioner” by Mah. 23 of 2007, s. 3(*a*).

6 These words were substituted for the words “the Divisional Commissioner” by Mah. 23 of 2007, s. 3(*b*).

103. Claims to hold land free of land revenue.— (*1*) Any person claiming to hold wholly or partly free of land revenue as against the State Government any land shall be bound to prove his title thereto to the satisfaction of the Settlement Officer.

(*2*) If he so proves his title, the case shall be reported for the orders of the State Government.

104. Assessment of lands wholly exempt from payment of land revenue.— (*1*) Nothing in this Chapter shall be deemed to prevent a Settlement Officer from determining and registering the proper full assessment on lands wholly exempt fro e.

(*2*) The assessment so determined and registered shall be leviable as soon as the exemption is withdrawn and shall be deemed for this purpose, to have been fixed under the provisions of this Chapter.

105. Power to State Government to direct assessment for water advantages.— Notwithstanding anything contained in this Chapter, the State Government may direct at the time of passing orders under section 100 that any land in respect of which a settlement is made under this Chapter shall be liable to be assessed to additional land revenue during the term of the settlement for additional advantages accruing to it from water received on account of irrigation works or improvements on existing irrigation works completed after the State Government has directed the settlement under section 92 and not effected by or at the expense of the holder of the land, and only when no rate in respect of such additional advantages is levied under any law relating to irrigation in force in any part of the State :

Provided that, the State Government shall, before making such direction, publish a notice in this behalf in Marathi in the village concerned and shall consider the objections, if any, received to the proposal contained therein, and no such direction shall be issued until after the expiry of a period of six months from the date of publication of such notice.

106. Power of Collector to correct errors.— The Collector may, at any time during the term of settlement, after giving notice to the holder correct any error in the area or assessment of his holding due to mistake of survey or arithmetical miscalculation :

Provided that, no arrears of land revenue shall become payable by reason of such correction ; but excess payment as land revenue made, if any, shall be adjusted against the payment of land revenue which may become due.

107. Settlement made before this Code to be deemed to be made under this Chapter.— All settlement of land revenue heretofore made and in operation at the date of the commencement of this Code, shall be deemed to have been made and introduced in accordance with the provisions of this Chapter ; and shall continue to remain in operation until the introduction of a revision settlement under the provision of this Code.

[1][* * *]

CHAPTER VIII

OF LANDS WITHIN THE SITES OF VILLAGES,TOWNS AND CITIES

121. Application of Chapter.— The provisions of this Chapter shall apply to all lands situated within the site of a village, town or city.

122. Limits of sites of villages, towns and cities how to be fixed.— It shall be lawful for the Collector or for a survey officer acting under the general or special orders of the State Government, to ascertain and determine what lands are included within the site of any village, town or city and to fix and from time to time, to vary, the limits of the site determined as aforesaid, regard being had to all subsisting rights of landholders.

1 Chapter VII and sections 108 to 120 were deleted by Mah. 57 of 2025, s. 10.

123. No land revenue to be levied in certain cases on lands within sites of village, town or city.— No land revenue shall, in the following cases, be levied on lands situated within the sites of a village, town or city and not used for purposes of agriculture, namely :—

(*a*) lands which are exempted from the payment of assessment immediately before the commencement of this Code under the provisions of any law in force before such commencement or which are exempted by virtue of any custom, usage, grant, sanad, order or agreement ;

(*b*) residential building sites situated within the sites of a village, town or city, which is a non-urban area.

124. Right to exemption to be determined by Collector.— (*1*) Claims to exemption under the last preceding section shall be determined by the Collector after a summary inquiry, and his decision shall, subject to sub-section (*2*), be final.

(*2*) Any person aggrieved by any order made under sub-section (*1*) may institute a civil suit to contest the validity of the order within a period of two years from the date of such order.

125. *Pardi* and *wada* lands exempted from payment of land revenue.— *Pardi* land not exceeding one-fourth of an acre, and *wada* land, used only for an agricultural purpose or a purpose subsidiary or ancillary thereto, shall be exempt from the payment of land revenue :

[1][* * *]

126. Survey of lands in village sites how to be conducted.— If the State Government shall at any time deem it expedient to direct a survey of lands other than those used ordinarily for the purposes of agriculture only within the site of any village, town or city, under the provisions of section 79, or a fresh survey thereof under the provisions of section 83, such survey shall be conducted, and all its operations shall be regulated, according to the provisions of Chapters V and IX of this Code :

Provided that, nothing contained in section 80, 81 or 133 thereof shall apply to any such survey in any town or city having a population of more than two thousand persons.

127. In certain cases survey fees to be charged.— (*1*) Where a survey is extended under the provisions of section 126 to the site of any village, town or city having a population of more than two thousand persons, each holder of a building site shall be liable to the payment of a survey fee assessed on the area and rateable value of such site.

(*2*) The amount of survey fee payable under sub-section (*1*) shall be regulated by the Collector in accordance with rules made by the State Government in this behalf.

(*3*) The said survey fee shall be payable within six months from the date of a public notice to be given in this behalf by the Collector after the completion of the survey of the site of the village, town or city, or of such part thereof as the notice shall refer to.

128. Maps of village sites.— (*1*) The results of the operations conducted under section 126 shall be recorded in such manner in such maps and registers as the State Government may prescribe.

(*2*) If any village panchayat passes a resolution that a map of a village-site should be prepared showing the plots occupied by the holders and that it is willing to contribute to the cost of preparing such maps in such proportion as may be prescribed, the State Government may undertake the preparation of such maps.

129. Sanad to be granted without extra charge.— Every holder of a building site as aforesaid and every holder of a building site newly formed or first used as such, after the completion of a survey under section 126 shall be entitled, where the holder is required to pay survey fee provided therefor, to receive from the Collector without extra charge one or more sanads, in the form of Schedule C or to the like effect specifying by plan and description the extent and conditions of his holding and where a

1 This proviso was deleted by Mah. 57 of 2025, s. 11.

holder is not required to pay any survey fee, he shall be entitled to receive such sanad or sanads on payment of a fee of [1][one rupee or such amount as may be prescribed, whichever is higher,] per sanad.

Every such sanad shall be executed on behalf of the Governor by such person as he may direct or authorise :

Provided that, if such holder do not apply for such sanad or sanads at the time of payment of the survey fee or thereafter within one year from the date of the public notice issued by the Collector under section 127, the Collector may require him to pay an additional fee not exceeding [2][one rupee or such amount as may be prescribed, whichever is higher,] for each sanad.

130. Grant of sanad on alteration of holding.— After a survey has been made under section 126, and after sanads have been granted under section 129, every holder of a building site as aforesaid whose holding is altered by increase, decrease, sub-division, alteration of tenure or otherwise shall be entitled on payment of a correction ns made by the Collector with the

sanction of the Commissioner for each village, city or town to receive from the Collector a fresh sanad in the form of Schedule C or to the like effect specifying by plan and description the extent and conditions of his altered holding or, as the case may be, to have the sanad already issued to him under section 129 amended by the Collector.

131. Duplicate sanads may be granted.— If any holder informs the Collector that the sanad granted to him has been lost or destroyed by accident, a copy of the sanad granted to him under section 129 or section 130 may be given to him on payment of such charges or fees, if any, as may be prescribed.

CHAPTER IX

BOUNDARY AND BOUNDARY MARKS

132. Fixation and demarcation of boundaries.— Boundaries of all villages in the State and of all survey numbers in villages therein shall be fixed and demarcated by boundary marks :

Provided that, in the villages in the districts of Nagpur, Chanda, Wardha and Bhandara and Melghat Taluka of the Amravati District, the boundaries of survey numbers shall be fixed and demarcated by boundary marks with effect from such date as the State Government may, by notification in the *Official Gazette*, direct.

133. Determination of village boundaries.— The boundaries of villages shall be fixed, and all disputes relating thereto shall be determined by survey officers, or by such other officers as may be appointed by the State Government for the purpose, after holding a formal inquiry at which the village officers and all persons interested have an of appearing and producing evidence.

134. Determination of field boundaries.— If at the time of a survey, the boundary of a field or holding be undisputed, and its correctness be affirmed by the village officers then present, it may be laid down as pointed out by the holder or person in occupation and, if disputed, or if the said holder or person in occupation be not present, it shall be fixed by the survey officer according to the land records and according to occupation as ascertained from the village officers and the holders of adjoining lands, or on such other evidence or information as the survey officer may be able to procure.

[3][**135. Disputes regarding boundaries between villages, survey numbers and sub-divisions or area of any survey number or sub-division.—** If any dispute arises concerning the boundary of a village or a field or a holding which has not been surveyed, or if at any time after the completion of a survey, a dispute arises concerning the boundary of any village or boundary or area of any survey number or sub-division of a survey number, it shall be decided by the Collector after holding a formal inquiry at which the concerned officers and all persons interested shall have an opportunity of

1 These words were substituted for the words "one rupee" by Mah. 21 of 2017, s. 14. 2 These words were substituted for the words "one rupee" by Mah. 21 of 2017, s. 14. 3 This section was substituted by Mah. 60 of 2017, s. 2.

appearing and producing evidence. The Collector may, while deciding such dispute or, otherwise after giving an opportunity of being heard to all the concerned persons and officer, also correct any error in the area or assessment of a survey number or sub-division of a survey number due to mistake of survey or arithmetical miscalculation :

Provided that, no arrears of land revenue shall become payable by reason of such correction; but excess payment as land revenue made, if any, shall be adjusted against the payment of land revenue which may become due.]

136. Demarcation of boundaries of survey number or sub-division.— (*1*) The collector may, on the application of a party interested, demarcate the boundaries of a survey number or of a sub-division and construct boundary marks thereon.

(*2*) The State Government may make rules for regulating the procedure of the Collector in demarcating the boundaries of a survey number or of a sub-division, prescribing the nature of the boundary marks to be used, and authorising the levy of fees from the holders of land in a demarcated survey number or sub-division.

(*3*) Survey numbers and sub-divisions demarcated under the provisions of this section shall be deemed to be survey numbers for purpose of sections 132, 135, 139 and 140.

137. Straightening out crooked boundaries.— (*1*) When any person (in this section referred to as the applicant) desires to regularise or straighten out the boundaries of any of his fields or holdings in a village, he may make an application in that behalf to the Survey Officer.

The Application shall be accompanied by a sketch showing the boundaries of his field or holding, and the names of holders adjoining thereto.

(*2*) If on receipt of the application, the Survey Officer in the interest of better cultivation of the field or holding and easier maintenance of boundary marks, deems it expedient to regularise or straighten out the boundaries of the filed or holding as desired by the applicant, he may, subject to the provisions of the [1]Bombay Prevention of Fragmentation and Consolidation of Holdings Act, 1947 (Bom. LXII of 1947), prepare a plan to revise the boundaries of such field or holding and for payment of compensation by the applicant to persons who would suffer loss of land on account of such revision and publish the same in village in such manner as may be prescribed by rules. In revising the boundaries, the survey officer shall be guided by such rules as may be made by the State Government in this behalf. The amount of compensation shall be determined by him, so far as practicable, in accordance with the provisions of section 23 of the Land Acquisition Act, 1894 (Iof 1894).

(*3*) If the applicant and the persons who suffer loss of land agree to the plan prepared by the Survey Officer, the Survey Officer shall record their agreement and revise the boundaries and fix them accordingly. Such agreement shall be binding on the applicant and such persons and the amount of compensation payable by any person thereunder shall be recoverable from him as an arrear of land revenue.

(*4*) (*a*) In the absence of mutual agreement, the Survey Officer shall refer the question of the amount of compensation to be paid or recoverable by each person concerned under the plan for decision—

(*i*) to a village committee consisting of such number and elected by the applicant and persons suffering loss of land in such manner as may be prescribed by rules ;

(*ii*) on the failure to elect such village committee, to a committee consisting of three persons nominated by the Survey Officer not below the rank of the District Inspector of Land Records with the approval of the Superintendent of Land Records.

(*b*) The decision of the village committee or the committee nominated by the Survey Officer of the rank of District Inspector of Land Records, as the case may be, shall be final and binding

1 Short title of the Act has been amended as the Maharashtra Prevention of Fragmentation and Consolidation of Holdings Act by Mah. 24 of 2012, ss. 2 and 3, Schedule, entry 29, *w.e.f.* 1st May 1960.

on all the parties concerned. The amount of compensation payable by the applicant thereunder shall be recoverable from him as an arrear of land revenue. When such decision is given, the plan prepared by the Survey Officer, so far as it relates to revision of boundaries, shall also become final and the boundaries shall be deemed to be fixed accordingly.

(*5*) When the boundary is so fixed under this section, it shall be deemed to be a settlement of boundary for the purposes of section 138.

138. Effect of settlement of boundary.— (*1*) The settlement of a boundary under any of the foregoing provisions of this Chapter shall be determinative—

(*a*) of the proper position of the boundary line or boundary marks, and

(*b*) of the rights of the landholders on either side of the boundary fixed in respect of the land adjudged to appertain, or not to appertain, to their respective holdings.

(*2*) Where a boundary has been settled as aforesaid, the Collector may at any time summarily evict any land holder who is wrongfully in possession of any land which has been adjudged in the settlement of

a boundary not to appertain to his holding or to the holding of any person through or under whom he claims.

(*3*) An order of ejectment under sub-section (*2*) shall, subject to the provisions of sub-sections (*4*) and (*5*), be subject to appeal and revision in accordance with the provisions of this Code.

(*4*) Where any person has been ejected or is about to be ejected from any land under the provisions of sub-section (*2*), he may, within a period of one year from the date of the ejectment or the settlement of the boundary, institute a civil suit to establish his title thereto :

Provided that, the State Government or the Collector, or any revenue or survey officer as such, shall not be made a party to such suit.

(*5*) Where a civil suit has been instituted under sub-section (*4*) against any order of ejectment, such order shall not be subject to appeal or revision.

(*6*) The Collector may at any time make an order for redistribution of land revenue which, in his opinion, should be made as a result of the decision of the appeal or revision, or as the case may be, the suit, and such redistribution shall take effect from the beginning of the revenue year following the date of the order.

139. Construction and repairs of boundary marks of survey numbers and villages, etc.— (*1*) It shall be lawful for any Survey Officer authorised by a Superintendent of Land Records, or Settlement Officer, to specify or cause to be constructed, laid out, maintained or repaired boundary marks and survey marks of villages or survey numbers or sub-divisions of survey numbers, whether cultivated or uncultivated and to assess all charges incurred thereby on the holders or others having an interest therein.

(*2*) Such officer may by notice in writing require landholders to construct, layout, maintain or repair within a specified time, the boundary marks or survey marks of their respective survey numbers or sub-division ; and on their failure to do so the survey officer shall construct, lay-out or repair them and assess all charges incurred thereby as hereinbefore provided.

(*3*) The boundary marks and survey marks shall be of such description and shall be constructed, laid out maintained or repaired in such manner and shall be of such dimensions and materials as may, subject to rules made by the State Government in this behalf, be determined by the Superintendent of Land Records, according to the requirement of soil, climate, durability and cheapness of materials.

140. Responsibility for maintenance of boundary marks and survey marks.— Every landholder shall be responsible for the maintenance and good repair of the boundary marks and survey marks of his holding, and for any charges reasonably incurred on account of the same by the revenue or survey officers in cases of alteration, removal or disrepair. It shall be the duty of the village officers and servants to prevent the destruction or unauthorised alteration of the village boundary marks or survey marks.

141. Collector to have charge of boundary marks and survey marks after introduction of survey.—Where a survey is introduced into a district, the charge of the boundary marks and survey marks shall devolve on the Collector, and it shall be his duty to take measures for their construction, laying out, maintenance and repair, and for this purpose the powers conferred on survey officers by section 139 shall vest in him.

142. Demarcation and maintenance of boundary marks between holding and village road.— (*1*) Unless the boundaries of his land are demarcated and fixed under any of the foregoing provisions of this Chapter, every holder of the land adjoining a village road shall, at his own cost and in the manner prescribed,—

(*a*) demarcate the boundary between his land and village road adjoining it by boundary marks; and

(*b*) repair and renew such boundary marks from time to time.

(*2*) If the holder fails to demarcate the boundary or to repair or renew the boundary marks as required by sub-section (*1*), the Collector may deems fit, cause the boundary to be

demarcated or the boundary marks to be repaired or renewed and may recover the cost incurred as an arrears of land revenue.

(*3*) In the event of any dispute regarding the demarcation of the boundary or the maintenance of the boundary marks in proper state of repair, the matter shall be decided by the Collector whose decision shall be final.

Explanation.— Village road for the purposes of this section means in the districts of Nagpur, Chanda, Wardha and Bhandara and Melghat taluka in the Amravati District a road which bears an indicative *Khasra* number ; and in the rest of the State, a road which has been recorded in the record of rights or village maps.

143. Right of way over boundaries.— (*1*) The Tahsildar may inquire into and decide claims by persons holding land in a survey number to a right of way over the boundaries of other survey numbers.

(*2*) In deciding such claims, the Tahsildar shall have regard to the needs of cultivators for reasonable access to their fields.

(*3*) The Tahsildar's decision under this section shall, subject to the provisions of sub-sections (*4*) and (*5*), be subject to appeal and revision in accordance with the provisions of this Code.

(*4*) Any person who is aggrieved by a decision of the Tahsildar under this section may, within a period of one year from the date of such decision, institute a civil suit to have it set aside or modified.

(*5*) Where a civil suit has been instituted under sub-section (*4*) against the Tahsildar's decision, such decision shall not be subject to appeal or revision.

144. Demarcation of boundaries in areas under town planning scheme or improvement scheme, or consolidation scheme.— As soon as possible after a final town planning scheme or improvement scheme or a scheme for the consolidation of holdings has come into force in any area under any law in force in the State, it shall be the duty of the Collector to alter the boundaries fixed and demarcated under the provisions of this Chapter, so as to accord with the plots, reconstituted or laid out or consolidated under such scheme, and for that purpose, he may cause to be erected, constructed and laid out boundary marks of such plots and thereupon, the provisions of this Chapter for the recoveries of charges shall apply to each plots as they apply in relation to the construction, maintenance and repair of boundary marks.

145. Penalty for injuring boundary marks.— Any person who after a summary inquiry before the Collector, or before Survey Officer, Tahsildar or Naib-Tahsildar, is proved to have wilfully erased, removed or injured a boundary mark or survey mark shall be liable to a fine not exceeding one hundred rupees for each mark so erased, removed or injured.

146. Power to exempt from operation of this Chapter.— The State Government may, by notification in the *Official Gazette*, declare that all or any of the provisions of this Chapter shall not apply to any village or class of villages.

CHAPTER X

LAND RECORDS

A—Record of Rights

147. Exemption from provisions of this Chapter.— The State Government may, by notification in the *Official Gazette*, direct

that the provisions of sections 148 to 159 (both inclusive) or any part thereof, shall not be in force in any specified local area, or with reference to any class of villages or lands, or generally.

148.Record of Rights.— A record of rights shall be maintained in every village and such record shall include the following particulars :—

(*a*) the names of all persons (other than tenants) who are holders, occupants, owners or mortagees of the land or assignees of the rent or revenue thereof ;

(*b*) the names of all persons who are holding as Government lessees or tenants including tenants within the meaning of relevant tenancy law ;

(*c*) the nature and extent of the respective interests of such person and the conditions or liabilities, if any, attaching thereto ;

(*d*) the rent or revenue, if any, payable by or to any of such persons ;

(*e*) such other particulars as the State Government may prescribe by rules made in this behalf, either generally or for purposes of any area specified therein.

[1][**148A.Maintenanceof record of rights etc., by using suitable storage device.—** The record of rights maintained under section 148 and the land records maintained under the other provisions of this Chapter may also be so maintained by using a suitable storage device.]

149. Acquisition of rights to be reported.— Any person acquiring by succession, survivorship, inheritance, partition, purchase, mortgage, gift, lease or otherwise, any rights as holder, occupant, owner, mortgagee, landlord, Government lessee or tenant of the land situated in any part of the State or assignee of the rent or revenue thereof, shall report orally or in writing his acquisition of such right to the *Talathi* within three months from the date of such acquisition, and the said *Talathi* shall at once give a written acknowledgment of the receipt of such report to the person making it :

Provided that, where the person acquiring the right is minor or otherwise disqualified, his guardian or other person having charge of his property shall make the report to the *Talathi* :

Provided further that, any person acquiring a right with the permission of the Collector or by virtue of a registered document shall be exempted from the obligation to report to the *Talathi* :

Provided also that, where a person claims to have acquired a right with the permission of the Collector where such permission is required under the provisions of this Code or any law for the time being in force, such person shall on being required by the *Talathi* so to produce such evidence of the order by which such permission is given as may be required by rules made under this Code.

Explanation I.— The rights mentioned above include a mortgage without possession, but do not include an easement or a charge not amounting to a mortgage of the kind specified in section 100 of the Transfer of Property Act, 1882 (IV of 1882).

Explanation II.— A person in whose favour a mortgage is discharged or extinguished or lease determined, acquires a right within the meaning of this section.

1 Section 148A was inserted by Mah. 43 of 2005, s. 3.

Explanation III.— For the purpose of this Chapter, the term "*Talathi*" includes any person appointed by the Collector to perform the duties of a *Talathi* under this Chapter.

150. Register of mutations and register of disputed cases.— (*1*) The *Talathi* shall enter in a register of mutations every report made to him under section 149 or any intimation of acquisition or transfer under section 154 or from any Collector.

(*2*) Whenever a *Talathi* makes an entry in the register of mutations, he shall at the same time post up a complete copy of the entry in a conspicuous place in the *Chavdi,* and shall give written intimation to all persons appearing from the record of rights or register of mutations to be interested in the mutation, and to any other person whom he has reason to believe to be interested therein.

[1][Provided that, where the record of rights are maintained under section 148A by using the storage device, as soon as the *Tahsildar* in the *Taluka* receives an intimation under section 154, the *Talathi* in the *Tahsildar* office shall send it to all persons appearing from the record of rights or register of mutations to be interested in the mutation and to any other person whom he has reason to believe to be interested therein and also to the concerned *Talathi* of the village, by short message service or electronic mail or any such device as may be prescribed; and upon receipt of such intimation, the *Talathi* of the village shall immediately make an entry in the register of mutations :

Provided further that, no such intimation as provided under the first proviso shall be required to be sent by the *Talathi* in the Tahsildar office of the persons who have executed to document in person before the officer registering the document under the Indian Registration Act, 1908 (XIV of 1908).]

(*3*) When any objection to any entry made under sub-section (*1*) in the register of mutations is made either orally or in writing to the *Talathi*, it shall be the duty of the *Talathi* to enter the particulars of the objections in a register of disputed cases. The *Talathi* shall at once give a written acknowledgment for the objection to the person making it in the prescribed form.

(*4*) Disputes entered in the register of disputed cases shall as far as possible be disposed of within one year by a Revenue or Survey Officer not below the rank of an *Aval Karkun* and orders disposing of objections entered in such register shall be recorded in the register of mutations by such officer in such manner as may be prescribed by rules made by the State Government in this behalf.

(*5*) The transfer of entries from the register of mutations to the record of rights shall be effected subject to such rules as may be made by the State Government in this behalf :

Provided that, an entry in the register of mutations shall not be transferred to the record of rights until such entry has been duly certified.

(*6*) Entries in the register of mutations shall be tested and if found correct, or after correction, as the case may be, shall be certified by any revenue or survey officer not below the rank of an *Aval Karkun* in such manner as may be prescribed :

[2][Provided that, entries in respect of which there is no dispute may be tested and certified by a Circle Inspector :]

[3][Provided further that], no such entries shall be certified unless notice in that behalf is served on the parties concerned.

(*7*) The State Government may direct that a register of tenancies shall be maintained in such manner and under such procedure as may be prescribed by rules made by the State Government in this behalf.

[4][(*8*) The Commissioner may specify, from time to time, the storage device for preparation, maintenance and updation of all registers and documents to be maintained under section 148A.]

1 These provisions were added by Mah. 30 of 2014, s. 2.

2 This proviso was inserted by Mah. 8 of 1969, s. 5(*a*).

3 These words were substituted for the words "Provided that" by Mah. 8 of 1969, s. 5(*b*). 4 This sub-section was added by Mah. 43 of 2005, s. 4.

151. Obligation to furnish information; obligation to furnish entries from record of rights, etc., to holder or tenant in booklet form and to maintain booklet, etc.— (*1*) Any person whose rights, interests or liabilities are required to be, or have been entered in any record or register, under this Chapter shall be bound, on the requisition of any revenue officer or *Talathi* engaged in compiling or revising the record or register, to furnish or produce for his inspection, within one month from the date of such requisition, all such information or documents needed for the correct compilation or revision thereof as may be within his knowledge or in his possession or power.

(*2*) A revenue officer or a *Talathi* to whom any information is furnished or before whom any document is produced in accordance with the requisition under sub-section (*1*), shall at once give a written acknowledgement thereof to the person furnishing or producing the same and shall endorse on any such document a note under his signature stating the fact of its production and the date thereof and may return the same immediately after keeping a copy of it, if necessary.

(*3*) Every holder of agricultural land (including a tenant if he is primarily liable to pay land revenue therefor), on making an application in that behalf in writing, may be supplied by the *Talathi* with a booklet containing a copy of the record of rights pertaining to such land.

(*4*) The booklet shall also contain information regarding the payment of land revenue in respect of land and other Government dues by the be, the tenant and also information as

respects the cultivation of his land and the areas of crops sown in it as shown in the village accounts and such other matters as may be prescribed.

(*5*) Every such booklet shall be prepared, issued and maintained in accordance with the rules made by the State Government in that behalf. Such rules may provide for fees to be charged for preparing, issuing and maintaining the booklet. [1][The fees so charged may, subject to the orders of the State Government, if any, be retained by revenue officer preparing, issuing and maintaining the booklet.]

(*6*) Where any booklet is prepared, issued or maintained immediately before the coming into force of this Act, such booklet shall be deemed to have been prepared, issued and maintained in accordance with the provisions of this Act and the rules made thereunder until provision is made for preparing, issuing and maintaining the booklet in any other form or manner under the rules made in that behalf by the State Government.

[2][(*7*) Every information in so far as it relates to the record of rights, contained in the booklet prepared, issued or maintained or deemed to have been prepared, issued or maintained in accordance with the provisions of this Code and the rules made thereunder shall be presumed to be true until the contrary is proved or until such information is duly modified under this Code.]

152. Fine for neglect to afford information.— Any person neglecting to make the report required by section 149, or furnish the information or produce the documents required by section 151 within the period specified in that section shall be liable, at the discretion of the Collector, to be charged with a fine not exceeding five rupees, which shall be leviable as an arrear of land revenue.

153.Requisition of assistance in preparation of maps.— Subject to rules made in this behalf by the State Government—

(*a*) any revenue officer or a *Talathi* may for the purpose of preparing or revising any map or plan required for, or in connection with any record or register under this Chapter exercise any of the powers of a survey officer under sections 80 and 81 except the power of assessing the cost of hired labour under section 81, and

(*b*) any revenue officer of a rank not lower than that of an Assistant or Deputy Collector or of a survey officer may assess the cost of the preparation or revision of such map or plan and all contingent expenses, including the cost of clerical labour and supervision, on the lands to which such maps or plans relate and such costs shall be recoverable as a revenue demand.

1 These words were added by Mah. 18 of 1976, s. 2(*a*).

2 This sub-section was added by Mah. 18 of 1976, s. 2(*b*).

154.Intimation of transfers by registering officers.— When any document purporting to create, assign or extinguish any title to, or any charge on, land used for agricultural purposes, or in respect of which a record of rights has been prepared is registered under the Indian Registration Act, 1908 (XVI of 1908), the officer registering the document shall send intimation to the *Talathi* of the village in which the land is situate and to the Tahsildar of the taluka, in such form and at such times as may be prescribed by rules made under this Code.

155.Correction of clerical errors.— The Collector may, at any time, correct or cause to be corrected any clerical errors and any errors which the parties interested admit to have been made in the record of rights or registers maintained under this Chapter or which a revenue officer may notice during the course of his inspection :

Provided that, when any error is noticed by a revenue officer during the course of his inspection, no such error shall be corrected unless a notice has been given to the parties and objections, if any, have been disposed of finally in accordance with the procedure relating to disputed entries.

156.Land records.— In addition to the map, the registers and the record of rights, there shall be prepared for each village such other land records as may be prescribed.

157. Presumption of correctness of entries in record of rights and register of mutations.— An entry in the record of rights, and a certified entry in the register of mutations shall be presumed to be true until the contrary is proved or a new entry is lawfully substituted therefor.

158.Bar of suits [1]**[* * *].—** No suit shall lie against the State Government or any officer of the State Government in respect of a claim to have an entry made in any record or register that is maintained under this Chapter or to have any such entry omitted or amended.

159.Records of rights at commencement of Code.— Until the record of rights of any area in the State is prepared in accordance with the provisions of this Chapter, the existing record of rights in force in that area under any law for the time being in force (including the record of rights prepared under section 115 of the Madhya Pradesh Land Revenue Code, 1954 (M. P. II of 1955)), shall be deemed to be the record of rights prepared under this Chapter.

B—Rights in unoccupied land

160.Application of provisions of sections 161 to 167.— The Provisions of sections 161 to 167 shall apply to those areas in the State to which provisions corresponding thereto applied immediately before the commencement of this Code; but the State Government may, by notification in the *Official Gazette,* apply the sections aforesaid to such other areas in the State as may be specified in the notification.

161. *Nistar Patrak*.— (*1*) The Collector shall consistently with the provisions of this Code and the rules made thereunder, prepare a *Nistar Patrak* embodying a scheme of management of all unoccupied land in a village and all matters incidental thereto, and more particularly the matters specified in section 162.

(*2*) A draft of the *Nistar Patrak* shall be published in the village and after ascertaining the wishes of the residents of the village in the manner determined by the Collector, it shall be finalised by the Collector.

(*3*) On a request being made by the village panchayat, or where there is no village panchayat, on the application of not less than one-fourth of the adult residents of a village, the Collector may, at any time, modify any entry in the *Nistar Patrak* after such enquiry as he deems fit.

162. Matters to be provided for in *Nistar Patrak*.— The following matters shall be provided in a *Nistar Patrak,* that is to say,—

1 The words and figures "and exclusion of Chapter XIII" were deleted by Mah. 30 of 1968, s. 4.

(*a*) the terms and conditions on which grazing of cattle in the village will be permitted ;

(*b*) the terms and conditions on which and the extent to which any resident of the village may obtain,—

(*i*) wood, timber, fuel or any other forest produce ;

(*ii*) *moram*, *kankar*, sand, earth, clay, stones or any other minor minerals ;

(*c*) instructions regulating generally the grazing of cattle and removal of articles mentioned in paragraph (*b*) ;

(*d*) any other matter required to be recorded in the *Nistar Patrak* by or under this Code.

163. Provision in *Nistar Patrak* for certain matters.— In preparing a *Nistar Patrak* the Collector shall, as far as possible, make provision for—

(*a*) free grazing of the cattle used for agriculture ;

(*b*) removal free of charge by the residents of the village for their *bona fide* domestic consumption of any—

(*i*) forest product ;

(*ii*) minor minerals ;

(*c*) the concessions to be granted to the village craftsmen for the removal of articles specified in clause (*b*) for the purpose of their craft.

164. Right in waste land of another village.— (*1*) Where the Collector is of the opinion that waste land of any village is insufficient and it is in the public interest to proceed under this section, he may after

such enquiry as he deems fit, order that the residents of the village shall have a right of *Nistar or* a right of grazing cattle, as the case may be, in the neighbouring village to the extent specified in the order.

(*2*) The residents of a village having a right of grazing cattle in the neighbouring village under sub-section (*1*), or government forest may make an application to the Collector for recording their right of passage for the purpose of exercising the rights.

(*3*) If, on enquiry into an application made under sub-section (*2*), the Collector finds that the right of passage is reasonably necessary to enable such residents to exercise a right to graze their cattle in any other village or in a Government forest, he shall pass an order declaring that such right of passage exists and shall state the conditions upon which it shall be exercised.

(*4*) The Collector shall, thereupon, determine the route of passage through unoccupied land and shall restrict such route in such manner as to cause minimum inconvenience to the residents of the village through which it passes.

(*5*) The Collector may, if he thinks fit, demarcate such route.

(*6*) Orders passed by the Collector under this section shall be recorded in the *Nistar Patrak*.

(*7*) Where the village mentioned in sub-section (*1*) lie in different districts, the following provisions shall apply, namely :—

(*a*) the orders specifying the right of *Nistar* or the right of grazing cattle shall be passed by the Collector in whose district the village over which such right is claimed lies ;

(*b*) any orders regarding route of passages shall be passed by the Collector in whose respective jurisdiction the area over which passage is allowed lies ;

(*c*) the Collector passing an order in accordance with clauses (*a*) and (*b*) shall consult in writing the other Collector concerned.

165. ***Wajib-ul-arz.—*** (*1*) As soon as may be after this Code comes into force, the Collector shall, according to any general or special order made by the State Government in that behalf, ascertain and record the customs in each village in regard to—

(*a*) the right to irrigation or right of way or other easements ;

(*b*) the right to fishing ;

in any land or water belonging to or controlled or managed by the State Government or a local authority, and such record shall be known as the *Wajib-ul-arz* of the village.

(*2*) The record made in pursuance of sub-section (*1*) shall be published by the Collector in such manner as he may deem fit and it shall, subject to the decision of a Civil Court in the suit instituted under sub-section (*3*), be final and conclusive.

(*3*) Any person aggrieved by any entry made in such record may, within one year from the date of the publication of such record under sub-section (*2*), institute a suit in a Civil Court to have such entry cancelled or modified.

(*4*) The Collector may, on the application of any person interested therein or on his own motion, modify any entry or insert any new entry in the *Wajib-ul-arz* on any of the following grounds :—

(*a*) that, all persons interested in such entry wish to have it modified ; or

(*b*) that, by a decree in a civil suit, it has been declared to be erroneous ; or

(*c*) that, being founded on a decree or order of a Civil Court or on the order of a revenue officer, it is not in accordance with such decree or order ; or

(*d*) that, being so founded, such decree or order has subsequently been varied on appeal, revision or review ; or

(*e*) that, the Civil Court has by a decree determined any custom existing in the village.

166.Regulation of fishing, [1][***] etc.— (*1*) The State Government may make rules for regulating,—

(*a*) fishing in Government tanks ;

(*b*) the removal of any materials from lands belonging to the State Government.

(*2*) Such rules may provide for the issue of permits, the conditions attaching to such permits and the imposition of fees therefor and other incidental matters.

167.Punishment for contravention of provisions.— (*1*) Except as otherwise provided in this Code, any person who acts in contravention of the provisions in sections 161 to 166 or rules made under section 166 or who contravenes or fails to observe any rules or custom entered in the *Wajib-ul-arz* or commits a breach of any entry entered in the *Nistar Patrak* shall be liable to such penalty not exceeding rupees one thousand as the Collector may, after giving such person an opportunity to be heard, deem fit; and the Collector may further order confiscation of any produce, or any other produce which such person may have appropriated or removed from lands belonging to the State Government.

(*2*) Where the Collector passes an order imposing a penalty under this section, he may direct that the whole or any part of the penalty may be applied to meeting the cost of such measures as may be necessary to prevent loss or injury to the public owing to such contravention, breach or non-observance.

CHAPTER XI

REALISATION OF LAND REVENUE AND OTHER REVENUE DEMANDS

168.Liability for land revenue.— (*1*) In the case of—

(*a*) unalienated land, the occupant or the lessee of the State Government ;

1 The word "hunting," was deleted by Mah. 30 of 1968, s. 5.

(*b*) alienated land, the superior holder ; and

(*c*) land in the possession of tenant, such tenant if he is liable to pay land revenue therefor under the relevant tenancy law,

shall be primarily liable to the State Government for the payment of the land revenue, including all arrears of land revenue, due in respect of the land. Joint occupants and joint holders who are primarily liable under this section shall be jointly and severally liable.

(*2*) In case of default by any person who is primarily liable under this section the land revenue, including arrears as aforesaid, shall be recoverable from any person in possession of the land :

Provided that, where such person is a tenant, the amount recoverable from him shall not exceed the demands of the year in which the recovery is made :

Provided further that, when land revenue is recovered under this section from any person who is not primarily liable for the same, such person shall be allowed credit for any payments which he may have duly made to the person who is primarily liable, and shall be entitled to credit, for the amount recovered from him, in account with the person who is primarily liable.

169.Claims of State Government to have precedence over all others.— (*1*) The arrears of land revenue due on account of land shall be a paramount charge on the land and on every part thereof and shall have precedence over any other debt, demand or claim whatsoever, whether in respect of mortgage, judgment-decree, execution or attachment, or otherwise howsoever, against any land or the holder thereof.

(*2*) The claim of the State Government to any monies other than arrears of land revenue, but recoverable as a revenue demand under the provisions of this Chapter, shall have priority over all unsecured claims against any land or holder thereof.

170.Dates on which land revenue falls due and is payable.— (*1*) The land revenue payable on account of a revenue year shall fall due on the first day of that year ; but except when temporary attachment and management of a village or share of a village is deemed necessary under the provisions of section 171, payment will be required only on the dates to be fixed as provided under sub-section (*2*).

(*2*) The State Government may make rules providing for the payment of land revenue in instalments and on dates (hereinafter referred to as the "prescribed dates") subsequent to the first day of the revenue year, and such rules may prescribe the persons to whom and the places where at such instalments shall be paid.

(*3*) The payment of land revenue to the person prescribed under sub-section (*2*) may be made in cash or may, at the cost of the remitter, be remitted by money order.

(*4*) Any period intervening between the first day of the revenue year and any date fixed for the payment of land revenue by such rules shall be deemed to be a period of grace, and shall not affect the provisions of sub-section (*1*).

171.Temporary attachment and management of village or share of village.— (*1*) If owing to disputes amongst the sharers, or for other cause, the Collector shall deem that there is reason to apprehend that the land revenue payable in respect of any holding consisting of an entire village or of a share of a village will not be paid as it falls due, he may cause the village or share of village to be attached and taken under the management of himself, or any agent whom he appoints for that purpose.

(*2*) The provisions of section 186 shall apply to any village or share of a village so attached and all surplus profits of the land attached, beyond the cost of such attachment and management, including the payments of the land revenue and the cost of the introduction of a revenue survey, if the same be introduced under the provisions of section 187 shall be kept in deposit for the eventual benefit of the person or persons entitled to the same, or paid to the said person or persons from time to time as the Collector may direct.

172.Temporary attachment and management of village or share of village to be vacated (withdrawn) on security being furnished.— The temporary attachment and management of a village or share of a village under section 171 shall be vacated if the person primarily responsible for the payment of revenue or any person who would be responsible for the same if default were made by the person primarily responsible shall pay the costs, if any, lawfully incurred by the Collector upto the time of such vacation and shall furnish security satisfactory to the Collector for the payment of the revenue, at the time at which or in the instalments, if any, in which it is payable under the provisions hereinafter contained.

173. 'Arrear', 'defaulter'.— Any land revenue due and not paid on or before the prescribed dates becomes therefrom an arrear, and the persons responsible for it under the provisions of section 168 or otherwise become defaulters.

174.Penalty for default of payment of land revenue.— If any instalment of land revenue or any part thereof is not paid within one month after the prescribed date, the Collector may in the case of a wilful defaulter impose a penalty not exceeding [1][twenty-five per cent. of the amount not so paid or such amount as may be prescribed, whichever is higher] :

Provided that, no such penalty shall be imposed for non-payment of any instalment (the payment of which is suspended by the order of the State Government), in respect of the period during which the payment remained suspended.

175.Certified accounts to be evidence as to arrears.— (*1*) A statement of account, certified by the Collector or by an Assistant or Deputy Collector or by a Tahsildar shall, for the purposes of this Chapter, be conclusive evidence of the existence of the arrear of the amount of land revenue due, and of the person who is the defaulter.

(*2*) On receipt of such a certified statement of account, it shall be lawful for the Collector, the Assistant or Deputy Collector or the Tahsildar in one district to proceed to recover the demands of the Collector of any other district under the provisions of this Chapter as if the demand arose in his own district.

(*3*) A similar statement of account certified by the Collector of Bombay may by proceeded upon as if certified by the Collector of a district under this Code.

176.Process of recovery of arrears.— An arrear of land revenue may be recovered by any or more of the following processes, that is to say,—

(*a*) by serving a written notice of demand on the defaulter under section 178 ;

(*b*) by forfeiture of the occupancy or alienated holding in respect of which the arrear is due under section 179 ;

(*c*) by distraint and sale of the defaulter's movable property under section 180 ;

(*d*) by attachment and sale of the defaulter's immovable property under section 181 ;

(*e*) by attachment of the defaulter's immovable property under section 182 ;

(*f*) by arrest and imprisonment of the defaulter under sections 183 and 184 ;

(*g*) in the case of alienated holding consisting of entire villages, or shares of villages, by attachment of the said villages or shares of villages under sections 185 to 190 (both inclusive) :

Provided that, the processes specified in clauses (*c*), (*d*) and (*e*) shall not permit the attachment and sale of the following, namely :—

1 These words were substituted for the words "twenty-five per cent. of the amount not so paid" by Mah. 21 of 2017, s. 15.

(*i*) the necessary wearing apparel, cooking vessels, beds and bedding of the defaulter, his wife and children, and such personal ornaments as, in accordance with the religious usage cannot be parted with by any woman ;

(*ii*) tools of artisans and, if the defaulter is an agriculturist, his implements of husbandry, except an implement driven by mechanical power and such cattle and seed as may, in the opinion of the Collector, be necessary to enable him to earn his livelihood as such and also such portion of the agricultural produce as in the opinion of the Collector is necessary for the purpose of providing, until the next harvest, for the due cultivation of the land and for the support of the holder and his family ;

(*iii*) articles set aside exclusively for the use of religious endowments ;

(*iv*) houses and other buildings (with the materials and sites thereof and the land immediately appurtenant thereto and necessary for their enjoyment), belonging to an agriculturist and occupied by him.

177.Revenue demands of former years how recoverable.— The said processes may be employed for the recovery of arrears of former years as well as of the current year.

178.When notice of demand may issue.— (*1*) A notice of demand may be issued on or after the day following that on which the arrear accrues.

(*2*) The Commissioner may from time to time make orders for the issue of such notices, and with the sanction of the State Government shall fix the costs recoverable from the defaulter as an arrear of revenue, and direct by what officer such notices shall be issued.

179.Occupancy or alienated holding for which arrear is due may be forfeited.— The Collector may declare the occupancy or alienated holding in respect of which an arrear of land revenue is due, to be forfeited to the State Government, and subject to rules made in this behalf, sell or otherwise dispose of the same under the provisions of section 72 or 73 and credit the proceeds, if any, to the defaulter's accounts :

Provided that, the Collector shall not declare any such occupancy or alienated holding to be forfeited—

(*a*) unless previously thereto he shall have issued a proclamation and written notices of the intended declaration in the manner provided by sections 192 and 193 for sales of immovable property, and

(*b*) until after the expiration of at least fifteen days from the latest date on which any of the said notices shall have been affixed as required by section 193.

180.Distraint and sale of defaulter's movable property.— (*1*) The Collector may also cause the defaulter's movable property to be distrained and sold.

(*2*) Such distraints shall be made by such officers or class of officers as the Collector under the orders of the State Government may from time to time direct.

181.Sale of defaulter's immovable property.— The Collector may also cause the right, title and interest of the defaulter 1[(not being a person belonging to a Scheduled Tribes)] in any immovable property other than the land on which the arrear is due to be attached and sold.

182. Power to attach defaulter's immovable property and take it under management.— (*1*) If the Collector deems it inexpedient to adopt any of the processes specified in the foregoing provisions for recovery of arrears, [2][he shall, in case where the immovable property belongs to a person belonging to a Scheduled Tribe, and in any other case, he may,] cause the immovable property of a

1 These brackets and words were inserted by Mah. 35 of 1974, s. 4.

2 These words were substituted for the words "he may" by Mah. 35 of 1974, s. 5.

defaulter to be attached and taken under the management of himself or any agent whom he may appoint for that purpose.

(*2*) The Collector or the agent so appointed shall be entitled to manage the lands attached and to receive all rents and profits accruing therefrom until the Collector restores the defaulter to the management thereof.

(*3*) All surplus profits of the land attached, beyond the cost of such attachment and management, including the payment of the current revenue, shall apply in defraying the arrears due in respect of such lands.

(*4*) The land so attached shall be released from attachment and restored to the defaulter on his making an application to the Collector for that purpose at any time within twelve years from the date of attachment—

(*a*) if at the time that such application is made it appears that the arrear has been liquidated ; or

(*b*) if the defaulter is willing to pay the balance, if any, still due by him, and shall do so within such period as the Collector may specify in that behalf.

(*5*) If no application be made for the restoration of the land within twelve years, or if, after such application has been made, the defaulter fails to pay the balance, if any, still due by him within the period specified by the Collector in this behalf, the Collector may sell the right, title and interest of the defaulter in the land without prejudice to the encumbrances created prior to the attachment of the land; and shall make over the sale proceeds to the defaulter after deducting therefrom the sum due to the State Government and expenses of the sale:

[1][Provided that, before right, title and interest of the defaulter in such land is put to sale by the Collector under sub-section (*5*), the Collector shall, by notice to the defaulter or his legal heir, ascertain his willingness to have the land restored back to him; and if the defaulter or his legal heir gives his willingness to have such land restored back and pays, within such period, which shall not be less than ninety days, as may be specified by the Collector in the notice issued in this behalf, the following amounts, thereupon the said land shall be released from the attachment and restored to the defaulter or his legal heir, namely :—

(*i*) outstanding dues, payable to the Government on account of arrears of land revenue and interest leviable thereupon, as per the prevailing orders of the Government ;

(*ii*) where such defaulter is in unauthorized possession of such land even after the said land has been attached by the Collector, an annual lease rent, not exceeding one per cent. of the market value of the such land, as may be prescribed, for the period during which such defaulter is in unauthorized possession of such land and different annual lease rents may be prescribed for land in different areas and for different uses of land ; and

(*iii*) a penal amount, not exceeding fifty per cent. of the market value of such land for the current year, as may be prescribed, and different penal amounts may be prescribed for land in different areas and for different uses of land.

Explanation.— For the purpose of this sub-section, "the market value of the land" means the value of such land specified in the Annual Statement of Rates published under the provisions of the Bombay Stamp (Determination of True Market Value of Property) Rules, 1995 or any other rules for the time being in force, in this regard for the relevant year, and where such Annual Statement of Rates is not prepared or available, it means the value of such land as determined by the Assistant Director of the Town Planning Department of the concerned District.]

183.Arrest and detention of defaulter.— (*1*) At any time after any arrear becomes due, the defaulter (not being an agriculturist from whom such arrear in respect of his occupancy is due) may be arrested and detained in custody for ten days in the office of the Collector or of a Tahsildar unless the revenue due together with the penalty or interest and the cost of arrest and of notice of demand and the cost of his subsistence during detention is sooner paid :

1 This proviso was added by Mah. 27 of 2016, s. 2.

Provided that, no such arrest shall be made unless the default is wilful and the defaulter is given an opportunity to show cause against his arrest and detention.

(*2*) If, on the expiry of ten days the amount due by the defaulter is not paid then, or if the Collector deems fit on any earlier day, he may be sent by the Collector with a warrant, in the form of Schedule A for imprisonment in the civil jail of the district :

Provided that, no defaulter shall be detained in imprisonment for a longer period than the time limited by law in the case of the execution of a decree of a Civil Court or a debt equal in amount to the arrear of revenue due by such defaulter.

184.Power to arrest by whom to be exercised.— The State Government may, from time to time, declare by what officers or class of officers, the powers of arrest conferred by section 183 may be exercised, and also fix the costs of arrest and the amount of subsistence money to be paid by the State Government to any defaulter under detention or imprisonment.

185.Power to attach defaulter's village and take it under management.— If the holding, in respect of which an arrear is due, consists of an entire alienated village, or of a share of an alienated village, and the adoption of any of the other processes before specified is deemed inexpedient, the Collector may, with the previous sanction of the Commissioner, cause such village or share of a village to be attached and taken under the management of himself or any agent whom he appoints for that purpose.

186.Lands of such village to revert free of encumbrances.— The lands of any village or share of a village so attached shall revert to the State Government unaffected by the acts of the superior holder or of any of the sharers, or by any charges or liabilities subsisting against such lands, or against such superior holder or sharers as are interested therein, so far as the public revenue is concerned, but without prejudice in other respects to the rights of individuals; and the Collector or the agent so appointed shall be entitled to manage the lands attached, and to receive all rents and profits accruing therefrom to the exclusion of the superior holder or any of the sharers thereof, until the Collector restores the said superior holder to the management thereof.

187. Revenue management of villages or estates not belonging to Government that may be temporarily under management of State Government.— In the event of any alienated village or estate coming under the temporary management of the officers of the State Government, it shall be lawful for the Collector to let out the lands thereof, at rates determined by means of a survey settlement or at such other fixed rates as he may deem to be reasonable, and to grant unoccupied lands therein on lease and otherwise to conduct the revenue management thereof under the rules for the management of unalienated lands, so far as such rules may be applicable and for so long as the said village or estate shall be under the management of Government officers; Provided, however, that any written agreements relating to the land made by the superior holder of such village or estate, shall not be affected by any proceedings under this section in so far as they shall not operate to the detriment of the lawful claims of the State Government on the land.

188.Application of surplus profits.— All surplus profits of the lands attached beyond the cost of such attachment and management, including the payment of the current revenue, and the cost of the introduction of a revenue survey, if the same be introduced under the provisions of section 187 shall be applied in defraying the said arrear.

189. Restoration of village so attached.— (*1*) The village or share of village so attached shall be released from attachment, and the management thereof shall be restored to the superior holder on the said superior holder's making an application to the Collector for that purposes at any time within twelve years from the commencement of the agricult ment,—

(*a*) if at the time that such application is made it shall appear that the arrear has been liquidated; or

(*b*) if the said superior holder is willing to pay the balance, if any, still due by him, and shall do so within such period as the Collector may specify in that behalf.

(*2*) The Collector shall make over to the superior holder the surplus receipts, if any, which have accrued in the year in which his application for restoration of the village or share of a village is made after defraying all arrears and costs ; but such surplus receipts, if any, of previous years shall be at the disposal of the State Government.

190.Village, etc. to vest in State Government if not redeemed within twelve years.— If no application be made for the restoration of a village or portion of a village so attached within the said period of twelve years, or if, after such application has been made, the superior holder fails to pay the balance, if any, still due by him within the period specified by the Collector in this behalf, the said village or portion of a village shall thence forward vest in the State Government free from all encumbrances created by the superior holder or any of the sharers or any of his or their predecessors-in-title, or in any wise subsisting as against such superior holder or any of the sharers, but without prejudice to the rights of the persons in actual possession of the land.

191.But all processes to be stayed on security being given.— (*1*) Any defaulter detained in custody, or imprisoned, shall forthwith be set at liberty and the execution of any process shall, at any time, be stayed, on the defaulter's giving before the Collector or other person nominated by him for the purpose, or if the defaulter is in jail, before the officer in charge of such jail, security in the form of Schedule B satisfactory to the Collector or to such other person or officer.

(*2*) Any person against whom proceedings are taken under this Chapter may pay the amount claimed under protest to the officer taking such proceedings, and upon such payment, the proceedings shall be stayed.

192.Procedure in effecting sales.— (*1*) When any sale of either movable or immovable property is ordered under the provisions of this Chapter, the Collector shall issue a proclamation in the prescribed form with its translation in Marathi of the intended sale, specifying the time and place of sale, and in the case of movable property whether the sale is subject to confirmation or, not and when land paying revenue to the State Government is to be sold, the revenue assessed upon it, together with any other particulars he may think necessary.

(*2*) Such proclamation shall be made by beat of drum at the headquarters of the taluka and in the village in which the immovable property is situate if the sale be of immovable property ; and if the sale be of movable property, the proclamation shall be made in the village in which such property was seized, and in such other places as the Collector may direct.

(*3*) A copy of the proclamation issued under this section where it relates to the sale of any holding shall be sent to the Co-operative Bank or the Land Development Bank or both operating within the area in which the holding is situated.

193.Notification of sales.— (*1*) A written notice of the intended sale of immovable property, and of the time and place thereof, shall be affixed in each of the following places, namely :—

(*a*) the office of the Collector of the district,

(*b*) the office of the Tahsildar of the taluka in which the immovable property is situate,

(c) the *Chavdi,* or some other public building in the village in which it is situate, and

(*d*) the defaulter's dwelling place.

(*2*) In the case of movable property, the written notice shall be affixed in the Tahsildar's office, and in the *Chavdi,* or some other public building in the village in which such property was seized.

(*3*) The Collector may also cause notice of any sale, whether of movable or immovable property, to be published in any other manner that he

(*4*) A notice referred to in this section shall be in such form as may be prescribed.

194.Sale by whom to be made; time of sale, etc.— (*1*) Sales shall be made by auction by such persons as the Collector may direct.

(*2*) No such sale shall take place on a Sunday or other general holiday recognized by the State Government, nor until after the expiration of at least thirty days in the case of immovable property, or seven days in the case of movable property, from the latest date on which any of the said notices shall have been affixed as required by section 193.

195. Postponement of sale.— The sale may from time to time be postponed for any sufficient reason :

Provided that, when the sale is postponed for a period longer than thirty days a fresh proclamation and notice shall be issued unless the defaulter consents to waive it.

196.Sale of perishable articles.— Nothing in sections 192, 193, 194 and 195 applies to the sale of perishable articles. Such articles shall be sold by auction with the least possible delay, in accordance with such orders as may from time to time be made by the Collector either generally or especially in that behalf.

197.When sale may be stayed.— If the defaulter or any person on his behalf, pays the arrear in respect of which the property is to be sold and all other charges legally due by him at any time before the property is knocked down, to the person prescribed under section 170 to receive payment of the land revenue due, or to the officer appointed to conduct the sale or if furnishes security under section 191, the sale shall be stayed.

198.Sales of movable property when liable to confirmation.— Sales of perishable articles shall be at once finally concluded by the officer conducting such sales. All other sales of movable property shall be finally concluded by the officer conducting such sales or shall be subject to confirmation, as may be directed in orders to be made by the Collector either generally or specially in that behalf. In the case of sales made subject to confirmation, the Collector shall direct by whom such sales may be confirmed.

199.Mode of payment for movable property when sale is concluded at once.— When a sale is finally concluded by the officer conducting the same, the price of every lot shall be paid for at the time of sale, or as soon after as the said officer shall direct, and in default of such payment, the property shall forthwith be again put up and sold. On payment of the purchase money, the officer holding the sale shall grant a receipt for the same [1][and the sale shall become absolute as against all persons whomsoever, after the expiry of a period of seven days from the date of sale, if no application is made under section 206, or if made, after it is rejected.]

200.Mode of payment when sale is subject to confirmation.— (*1*) When sale is subject to confirmation, the party who is declared to be the purchaser shall be required to deposit immediately twenty-five per centum of the amount of his bid, and in default of such deposit, the property shall forthwith be again put up and sold.

(*2*) The full amount of purchase money shall be paid by the purchaser before the sunset of the third day after he is informed of the sale having been confirmed, or if the said third day be a Sunday or other authorized holiday, then before sunset of the first office day after such day. On payment of such full amount of the purchase money, the purchaser shall be granted, a receipt for the same, and the sale shall become absolute as against all persons whomsoever [2][after the expiry of a period of seven days from the date of sale, if no application is made under section 206, or if made, after it is rejected.]

201.Deposit by purchaser in case of sale of immovable property.— In all cases of sale of immovable property, the party who is declared to be the purchaser shall be required to deposit immediately twenty-five per centum of the amount of his bid, and in default of such deposit, the property shall forthwith be again put up and sold.

1 This portion was substituted for the words and figures "and the sale shall after seven days from the date of sale, become absolute as against all persons whomsoever unless it is set aside under, section 206" by Mah. 8 of 1959, s. 6.

2 These words and figures were added by Mah. 30 of 1968, s. 7.

202.Purchase money when to be paid.— The full amount of purchase-money shall be paid by the purchaser before the expiration of two months from the date on which the sale of the immovable property took place or before expiration of fifteen days from the date on which the intimation of confirmation of the sale is received by the purchaser, whichever is earlier :

Provided that, if the last date on which the purchase-money is to be paid happens to be a Sunday or other authorised holiday, then the payment shall be made before the sunset of the first office day after such date.

203.Effect of default.— In default of payment within the prescribed period of the full amount of purchase-money, whether of moveable or immoveable property, the deposit after defraying thereout the expenses of the sale, shall be forfeited to the State Government, and the property shall be resold, and the defaulting purchaser shall forfeit all claims to the property or to any part of the sum for which it may be subsequently sold.

204.Liability of purchaser for loss by resale.— If the proceeds of the sale, which is eventually made, be less than the price bid by such defaulting purchaser, the difference shall be recoverable from him by the Collector as an arrear of land revenue.

205.Notification before re-sale.— Every resale of property in default of payment of the purchase-money, shall, except when such resale takes place forthwith, be made after the issue of a notice in the manner prescribed for original sale.

206. Setting aside sales of moveables.— Sales of moveables, except perishable articles, may be set aside on the ground of some material irregularity or mistake in publishing or conducting it if a person (on application made within seven days from the date of sale) proves to the satisfaction of the Collector that he has sustained substantial injury by reason thereof.

207.Application to set aside sale of immovables.— (*1*) At any time within thirty days from the date of sale of immoveable property an application may be made to the Collector to set aside the sale on the ground of some material irregularity, or mistake, or fraud, in publishing or conducting it; but, except as is otherwise provided in sections 208, 209 and 210, no sale shall be set aside on the ground of any such irregularity or mistake, unless the applicant proves to the satisfaction of the Collector that he has sustained substantial injury by reason thereof :

[1][Provided that, such application may be made by a defaulter who is a person belonging to a Scheduled Tribe or any person on his behalf, within one hundred and eighty days from such date.]

(*2*) If the application be allowed, the Collector shall set aside the sale, and direct fresh one.

208.Order confirming or setting aside sale.— On the expiration of thirty days [2][or, as the case may be, one hundred and eighty days] from the date of the sale, if no such application as is mentioned in section 207 has been made, or if such application has been made and rejected, the Collector shall make an order confirming the sale :

Provided that, if he has reason to think that the sale ought to be set aside notwithstanding that no such application has been made, or on ground other than those alleged in any application which has been rejected, he may, after recording his reasons in writing, set aside the sale.

209. Purchaser may apply to set aside sale under certain circumstances.— Except in a case, where land has been sold for arrears which form a charge on the land, the purchaser may, at any time within thirty days from the date of sale, apply to the Collector to set aside the sale on the ground that the defaulter had no saleable interest in the property sold; and the Collector shall, after due enquiry, pass such order on such application as he deems fit.

1 This proviso was added by Mah. 35 of 1974, s. 6.

2 These words were inserted by Mah. 35 of 1974, s. 7.

210. Application to set aside sale by person owning to holding interest in property.— (*1*) Where immoveable property has been sold under this code, any person either owning such property or holding an interest therein by virtue of a title acquired before such sale may, at any time within thirty days from the date of sale, apply to the Collector to ha epositing—

(*a*) for payment to the purchaser a sum equal to five per cent of the purchase money;

(*b*) for payment on account of the arrear, the amounts specified in the proclamation of sale as that for the recovery of which the sale was ordered, *less* any amount which may have been paid since the date of sale on that account ; and

(*c*) the cost of the sale :

[1][Provided that, such application may be made by any such person belonging to a Scheduled Tribe within one hundred and eighty days from the date of sale.]

(*2*) If such deposit is made within thirty days [2][or, as the case may be, one hundred and eighty days] from the date of sale, the Collector shall pass an order setting aside the sale.

211.Refund of deposit or purchase money when sale set aside.— Whenever the sale of any property is not confirmed, or is set aside, the purchaser shall be entitled to receive back his deposit or his purchase money, as the case may be and the sum equal to five per cent. of the purchase money deposited under clause (*a*) of sub-section (*1*) of section 210.

212.On confirmation of sale, purchaser to be put in possession. Certificate of purchase.— After a sale of any occupancy or alienated holding has been confirmed in the manner aforesaid, the Collector shall put the person declared to be the purchaser into possession of the land and shall cause

his name to be entered in the land records as occupant or holder in *lieu* of that of the defaulter and shall grant him a certificate to the effect that he has purchased the land to which the certificate refers.

213.Bar of suit against certified purchaser.— The certificate shall state the name of the person declared at the time of sale to be the actual purchaser; and any suit brought in a civil court against the certified purchaser on the ground that the purchase was made on behalf of another person not the certified purchaser, though by agreement the name of the certified purchaser was used, shall be dismissed.

214. Application of proceeds of sale.— (*1*) When any sale of moveable property under this Chapter has become absolute, and when any sale of immoveable property has been confirmed, the proceeds of the sale shall be applied to defraying the expenses of the sale and to the payment of any arrears due by the defaulter at the date of the confirmation of such sale, and recoverable as an arrear of land revenue and any other sum recoverable from the defaulter as an arrear of land revenue and

notified to the Collector before the confirmation of such sale, and the surplus, if any, shall be paid to the person whose property has been sold.

(*2*) The expenses of sale shall be estimated at such rates and according to such orders as may from time to time be sanctioned by the Commissioner under the orders of the State Government.

215. Surplus not to be paid to creditors except under order of court.— The said surplus shall not, except under an order of a civil court, be payable to any creditor of the person whose property has been sold.

216. Certified purchaser liable only for land revenue subsequently due.— Notwithstanding anything contained in section 168, the person named in the certificate of title as purchaser shall not be liable for land revenue due in respect of the land for any period previous to the date of the sale.

1 This proviso was added by Mah. 35 of 1974, s. 8(*1*).

2 These words were inserted by Mah. 35 of 1974, s. 8(*2*).

217. Purchaser's title.— Where immoveable property is sold under the provisions of this Chapter and such sale has been confirmed, the property shall be deemed to have vested in the purchaser on the date when the property is sold and not on the date when the sale was confirmed.

218. Claims to attached property how to be disposed of.— (*1*) If any claim is set up by a third person to the property attached or proceeded against under the provisions of this Code, the Collector may on a formal inquiry held after reasonable notice, admit or reject it.

(*2*) The person against whom an order is made under sub-section (*1*) may, within one year from the date of the order, institute a suit to establish the right which he claims to the property attached or proceeded against ; but subject to the res rder shall be conclusive.

219. Bar of revenue officer to bid etc. at sale.— Except as provided in section 220, no officer or other person having any duty to perform in connection with any sale shall, either directly or indirectly, bid for, acquire or attempt to acquire any interest in the property sold.

220. Purchase on nominal bid.— Where at any sale held under the provisions of this Chapter, there is no bidder or the bids made are inadequate or nominal, it shall be lawful for the Collector to authorise any of his subordinates to purchase such property on behalf of the State Government for such bid as such subordinate may make :

Provided that, if the property so purchased is subsequently sold by the State Government within twelve years of the purchase, the following amounts shall be recovered from the sale proceeds and the surplus, if any, shall be paid to the person whose property has been sold, namely :—

(*a*) dues, that is, the principal outstanding with interest ;

(*b*) loss of revenue, if any, caused to the State Government during the period the land remains with the State Government and no person takes it on lease or otherwise ;

(*c*) actual expenditure incurred in the auction sale ;

(*d*) penalty equal to one-fourth of the principal :

Provided further that, if the property is not subsequently sold as aforesaid, it may be returned or granted on the tenure on which he held it immediately before its purchase by Government, as the case may be, to the defaulter on his paying the amounts specified in the previous proviso, at any time within a period of twelve years from the date of purchase on behalf of the State Government :

[1][Provided also that, if the property is not subsequently sold as aforesaid or returned or granted on tenure to the defaulter within a period of twelve years from the date of purchase on behalf of the State Government, the Collector may, by notice to the defaulter or his legal heir, ascertain his willingness to have the land returned back to him ; and if the defaulter or his legal heir gives his willingness to have such land returned back and pays an amount of five per cent. of the market value of such land for the year in which the land is returned or granted to the defaulter or his legal heir within such period, which shall not be less than ninety days, as may be specified by the Collector in the notice issued in this behalf, then the land shall be returned and granted to the defaulter or his legal heir subject to restrictions on right to transfer without prior permission from the State Government.

Explanation.— For the purposes of this section, "the market value of such land" means the value of such land specified in the Annual Statement of Rates published under the provisions of the Maharashtra Stamp (Determination of True Market Value of Property) Rules, 1995 or any other Rules for the time being in force, in this regard for the relevant year, and where such Annual Statement of Rates are not prepared or available, it means the value of such land as determined by the Assistant Director of the Town Planning Department of the concerned District.]

221. Sum recoverable under provisions of this Chapter.— (*1*) (*a*) All sums due on account of land revenue, rent, quit-rents, *nazranas,* succession duties, transfer duties and forfeitures, cesses,

1 The proviso and *Explanation* was added by Mah. 18 of 2025, s. 2.

profits from land, emoluments, fees, charges, fines, penalties, water rates, royalty, costs, payable or leviable under this Code or any enactment for the time being in force relating to land revenue;

(*b*) all moneys due by any contractor for the farm of any tax, duty, cess or fee or any other item of revenue whatsoever, and all specific pecuniary penalties to which any such contractor renders himself liable under the terms of his agreement ;

(*c*) all sums declared by this Code or any law for the time being in force or by any agreement of contract with the Government to be leviable as an assessment, or as a revenue demand, or as an arrear of land revenue, shall be levied under the foregoing provisions of this Chapter and all the provisions of this Chapter shall, so far as may be, applicable thereto.

(*2*) In the event of the resumption of any farm referred to in clause (*b*) of sub-section (*1*), no person shall be entitled to any credit for any payments which he may have made to the contractor in anticipation.

222. Recovery of free grants as arrear of revenue in case of misuse.— Any person who has received from the State Government a free grant of money for any agricultural purpose, subject to the condition that he shall refund the same on failure to observe any of the conditions of the grant, shall on failure to observe any such condition and to repay the said sum to the State Government be liable to be proceeded against under the provisions of this Chapter as a revenue defaulter; and all the foregoing provisions of this Chapter shall, so far as may be, be applicable to such person.

223. Recovery of monies from survey.— Every person who may have become a surety under any of the provisions of this Code, or under any other enactment or any grant, lease or contract whereunder the sum secured is recoverable from the principal as an arrear of land revenue including a contractor referred to in clause (*b*) of sub-section (*1*) of section 221 shall, on failure to pay the amount or any portion thereof which he may have become liable to pay under the terms of his security bond, be liable to be proceeded against under the provisions of this Code as a revenue defaulter ; and all the foregoing provisions of this Chapter shall, so far as may be, be applicable to such person.

CHAPTER XII

PROCEDURE OF REVENUE OFFICERS

224. Subordination of revenue officers.— In all official act and proceedings revenue officer shall, in the absence of any express provision of law or any rule made thereunder to the contrary, be subject as to the place, time and manner of performing his duties to the direction and control of the officer to whom he is subordinate.

225. Power to transfer cases.— Whenever it appears to the State Government that an order under this section is expedient for the ends of justice, it may direct that any particular case be transferred from one revenue officer to another revenue officer of an equal or superior rank in the same district or any other district.

226. Power to transfer cases to and from subordinates.— (*1*) A Commissioner, a Collector, a Sub-Divisional Officer or a Tahsildar may make over any case or class of cases, arising under the provisions of this Code or any other enactment for the time being in force, for decision from his own file to any revenue officer subordinate to him competent to decide such case or class of cases or may withdraw any case or class of cases from any such revenue officer and may deal with such case or class of cases himself or refer the same for disposal to any other revenue officer competent to decide such case or class of cases.

(*2*) A Commissioner, a Collector, a sub-Divisional Officer, or a Tahsildar may make over for inquiry and report any case or class of cases arising under the provisions of this Code or any other enactment for the time being in force from his own file to any revenue officer subordinate to him.

227. Power to summon persons to give evidence and produce documents.— (*1*) Every revenue or survey officer not below the rank of an *Aval Karkun* or a District Inspector of Land Records in their respective departments shall have power to summon any person whose attendance he considers

necessary either to be examined as a party or to give evidence as a witness, or to produce documents for the purposes of any inquiry which such officer is legally empowered to make. A summons to produce documents may be for the production of certain specified documents for or the production of all documents of a certain description in the possession of the person summoned.

(*2*) Subject to the provisions of sections 132 and 133 of the Code of Civil Procedure, 1908 (V of 1908), all persons so summoned shall be bound to attend, either in person or by an authorised agent, as such officer may direct.

(*3*) All persons summoned as aforesaid shall be bound to state the truth upon any subject respecting which they are examined or make statements and to produce such documents and other things as may be required.

228. Summons to be in writing, signed and sealed; service of summons.— (*1*) Every summons shall be in writing in duplicate, and shall state the purpose for which it is issued and shall be signed by the officer issuing it, and if he has a seal shall also bear his seal.

(*2*) The summons shall be served by tendering or delivering a copy of it to the person summoned or, if he cannot be found, by affixing a copy of it to some conspicuous part of his usual residence.

(*3*) If his usual residence be in another district, the summons may be sent by post to the Collector of that district, who shall cause it to be served in accordance with the provisions of sub-section (*2*).

229.Compelling attendance of witness.— If any person on whom a summons to attend as witness or to produce any documents has been served fails to comply with the summons, the officer by whom the summons is issued under section 227 may,—

(*a*) issues a bailable warrant of arrest ;

(*b*) order him to furnish security for appearance ; or

(*c*) impose upon him a fine not exceeding [1][fifty rupees or such amount as may be prescribed, whichever is higher.]

230.Mode of serving notice.— (*1*) Subject to the provisions of this code and the rules made thereunder, every notice under this Code may be served either by tendering or delivering a copy thereof, or sending such copy by post [2][or through electronic mail service] to the person on whom it is to be served or his authorised agent, or if service in the manner aforesaid cannot be made, by affixing a copy thereof at his last known place of residence or at some place of public resort in the village in which the land to which the notice relates is situated or from which the land is cultivated.

[3][Provided that, such notice may also be served by any other electronic communication in such form and in such manner, as the State Government may by rules provide.]

(*2*) No such notice shall be deemed void on account of any error in the name or designation of any person, or in the description of any land, referred to therein, unless such error has produced substantial injustice.

231.Procedure for producing attendance of witnesses.— In any formal or summary inquiry if any party desires the attendance of witnesses he shall follow the procedure prescribed by the Code of Civil Procedure, 1908 (V of 1908), for parties applying for summons for witnesses.

232.Hearing in absence of party.— (*1*) If on the date fixed for hearing a case or proceeding, a revenue officer or survey officer finds that summons or notice was not served on any party due to the failure of the opposite party to pay the requisite process fees for such service, the case or proceeding may be dismissed in default of payment of such process fees.

1 These words were substituted for the words “fifty rupees” by Mah. 21 of 2017, s. 16. 2 These words were inserted by Mah. 11 of 2026, s. 3(*1*).

3 This proviso was added by Mah. 11 of 2026, s. 3(*2*).

(*2*) If any party to a case or proceeding before the revenue officer or survey officer does not appear on the date fixed for hearing, the case may be heard and determined in his absence or may be dismissed in default.

(*3*) The party against whom any order is passed under sub-section (*1*) or (*2*) may apply within thirty days from the date of such order to have it set aside on the ground that he was prevented by any sufficient cause from paying the requisite ‘process fees’ for service of a summons or notice on the opposite party or from appearing at the hearing and the revenue officer or survey officer may, after notice to the opposite party which was present on the date on which such order was passed and after making such inquiry as he considers necessary set aside the order passed.

(*4*) Where an application filed under sub-section (*3*) is rejected, the party aggrieved may file an appeal to the authority to whom an appeal lies from an original order passed by such officer.

(*5*) Except as provided in sub-section (*4*) or except where a case or proceeding before any such officer has been decided on merits, no appeal shall lie from an order passed under this section.

233.Adjournment of hearing.— (*1*) A revenue or survey officer may, from time to time, for reasons to be recorded, adjourn the hearing of a case or proceeding before him.

(*2*) The date and place of an adjourned hearing of a case or proceeding shall be intimated at the time of the adjournment to such of the parties and witnesses as are present.

234.Mode of taking evidence in formal inquiries.— (*1*) In all formal inquiries the evidence shall be taken down in full, in writing, in Marathi, by or in the presence and hearing and under the personal superintendence and direction of, the officer making the investigation or inquiry, and shall be signed by him. The officer shall read out or cause to be read out the evidence so taken to the witness and obtain his signature thereto in token of its correctness.

(*2*) In cases in which the evidence is not taken down in full in writing by the officer making the inquiry, he shall, as the examination of each witness proceeds, make a memorandum of the substance of what such witness deposes ; and such memorandum shall be written and signed by such officer with his own hand, and shall form part of the record.

(*3*) If such officer is prevented from making a memorandum as required aforesaid, he shall record the reason of his inability to do so.

(*4*) When the evidence is given in English, such officer may take it down in that language with his own hand, and an authenticated translation of the same in Marathi shall be made and shall form part of the record.

235.Writing and explanation of decisions.— Every decision, after a formal inquiry, shall be in writing signed by the officer passing the same, and shall contain a full statement of the grounds on which it is passed.

236.Summary inquiries how to be conducted.— In summary inquiries, the revenue officer or survey officer shall himself, as any such inquiry proceeds, record a minute of the proceedings in his own hand in English or in Marathi embracing the material averments made by the parties interested, the material parts of the evidence, the decision, and the reasons for the same :

Provided that, it shall at any time be lawful for such officer to conduct an inquiry directed by this Code to be summary under all, or any of the rules applicable to a formal inquiry, if he deems fit.

237.Formal and summary inquiries to be deemed judicial proceedings.— (*1*) A formal or summary inquiry under this Code shall be deemed to be a judicial proceeding within the meaning of sections 193, 219 and 228 of the Indian Penal Code (XLV of 1860), and the office of any authority holding a formal or summary inquiry shall be deemed a civil court for the purposes of such inquiry.

(*2*) Every hearing and decision, whether in a formal or summary inquiry, shall be in public, and the parties or their authorised agents shall have due notice to attend.

238.Ordinary inquiries how to be conducted.— An inquiry which this Code does not require to be either formal or summary, or which any revenue or survey officer may on any occasion deem to be necessary to make, in the execution of his lawful duties, shall be conducted according to such rules applicable thereto, whether general or special, as may have been prescribed by the State Government, or an authority superior to the officer conducting such inquiry, and except in so far as controlled by such rules, according to the discretion of the officer in such way as may seem best calculated for the ascertainment of all essential facts and the furtherance of the public good.

239.Copies and translations, etc., how to be obtained.— In all cases in which a formal or summary inquiry is made, authenticated copies and translations of decisions, orders, and the reasons therefor, and of exhibits, shall be furnished to the parties, and original documents used as evidence shall be restored to the persons who produced them, or to persons claiming under them on due application being made for the same, subject to such charges for copying, searches, inspection and other like matters as may, from time to time, b vernment.

240.Arrest of defaulter to be made upon warrant.— Whenever it is provided by this Code, that a defaulter, or any other person may be arrested, such arrest shall be made upon a warrant issued by any officer competent to direct such person's arrest.

241.Power to enter upon and survey land.— All revenue and survey officers and when under their observation and control, their servants and workmen when so directed, may enter upon and survey land and demarcate boundaries and do other acts connected with the lawful exercise of their office under this Code or any other law for the time being in force relating to land revenue and in so doing shall cause no more damage than may be required for the due performance of their duties :

Provided that, no person shall enter into any building or upon any enclosed court or garden attached to a dwelling house, unless with the consent of the occupier thereof, without giving such occupier at least twenty-four hours' notice, and in making such entry due regard shall be paid to the social and religious sentiments of the occupier.

242.Collector how to proceed in order to evict any person wrongfully in possession of land.— Whenever it is provided by this Code or by any other law for the time being in force that the Collector may or shall evict any person wrongfully in possession of land, such eviction shall be made in the following manner, that is to say,—

(*a*) by serving a notice on the person or persons in possession requiring them (within such time as may appear reasonable after receipt of the said notice) to vacate the land, and

(*b*) if such notice is not obeyed, by removing, or deputing a subordinate to remove, any person who may refuse to vacate the same, and

(*c*) if the officer removing any such person shall be resisted or obstructed by any person, the Collector shall hold a summary inquiry into the facts of the case, and if satisfied that the resistance or obstruction was without any just cause, and that such resistance and obstruction still continue, may, without prejudice to any proceedings to which such person may be liable under any law for the time being in force for the punishment of such resistance or obstruction, issue a warrant for the arrest of the said person, and on his appearance commit him to close custody in the office of the Collector or of any Tahsildar, or send him with a warrant in the form of Schedule D, for imprisonment in the civil jail of the district for such period not exceeding thirty days, as may be necessary to prevent the continuance of such obstruction or resistance.

243.Power to give and apportion costs.— A revenue or survey officer may give and apportion costs incurred in any case or proceeding arising under this Code or any other law for the time being in force in such manner and to such extent as he thinks fit :

Provided that, the fees of a legal practitioner shall not be allowed as costs in any such case or proceedings, unless such officer considers otherwise for reasons to be recorded by him in writing.

244.Persons by whom appearances and applications may be made before and to revenue or survey officer.— Save as otherwise provided in any other enactment for the time being in force, all appearances before, applications to and acts to be done before, any revenue or survey officer under this

Code or any other law for the time being in force may be made or done by the parties themselves or by their recognised agents or by any legal practitioner :

Provided that, subject to the provisions of sections 132 and 133 of the Code of Civil Procedure, 1908 (V of 1908), any such appearance shall, if the revenue or survey officer so directs, be made by the party in person.

1**[245.Saving.—** Nothing contained in this Chapter shall apply to any proceeding before the Maharashtra Revenue Tribunal under Chapter XV.]

CHAPTER XIII

APPEALS,REVISION AND REVIEW

[2][**246.Application of this Chapter.—** The provisions of this Chapter shall not apply to proceedings before the Maharashtra Revenue Tribunal under Chapter XV.]

[3][**246A.Pending applications for conferral of Occupants—Class I Rights.—** Any application by a person pending before any revenue officer or, before the State Government, whether in appeal, revision or otherwise, on the 21st April 2018, being the date of commencement of the Maharashtra Land Revenue Code (Amendment) and the Maharashtra Land Revenue (Inclusion of certain *Bhumidharis* in Occupants—Class I Permission) Rules (Repeal) Act, 2018 (Mah. XLIV of 2018), for permission to hold the land as Occupants—Class I, shall, with effect from the date of commencement of the said Act be treated as closed.

Explanation.— For the purposes of this section, the expression "land" shall mean the land in any local area in Vidarbha, held in Bhumiswami rights with restrictions on right to transfer, or in *Bhumidhari* rights in any local area in Vidarbha.]

247.Appeal and appellate authorities.— (*1*) In the absence of any express provisions of the Code, or of any law for the time being in force to the contrary, an appeal shall lie from any decision or order passed by a revenue or survey officer specified in column 1 of the Schedule E under this Code or any other law for the time being in force to the officer specified in column 2 of that Schedule whether or not such decision or order may itself have been passed on appeal from the decision or order of the officer specified in column 1 of the said Schedule :

Provided that, in no case the number of appeals shall exceed two.

(*2*) When on account of promotion or change of designation an appeal against any decision or order lies under this section to the same officer who has passed the decision or order appealed against, the appeal shall lie to such other officer competent to decide the appeal to whom it may be transferred under the provisions of this Code.

248.Appeal when to lie to State Government.— An appeal shall lie to the State Government from any decision or order passed by a Commissioner or by a Settlement Commissioner or by a Director of Land Record, or by a Deputy Director of Land Records invested with power of Director of Land Record [4][* * *] except in the case of any decision or order passed by such officer on appeal from a decision or order itself recorded in appeal by any officer subordinate to him.

249.Appeal against review or revision.— (*1*) An order passed in review varying or reversing any order shall be appealable in the like manner as an original decision or order.

(*2*) An order passed in revision varying or reversing any order shall be appealable as if it were an order passed by the revisional authority in appeal.

1 Section 245 was inserted by Mah. 23 of 2007, s. 4.

2 Section 246 was inserted by Mah. 23 of 2007, s. 5.

3 Section 246A was inserted by Mah. 44 of 2018, s. 3.

4 The words "or by the Collector of Bombay or by an Assistant or Deputy Collector subordinate to him invested with the appellate power of the Collector" were deleted by Mah. 47 of 1981, s. 8.

250.Periods within which appeals must be brought.— No appeal shall be brought after the expiration of sixty days if the decision or order complained of have been passed by an officer inferior in rank to a Collector or a Superintendent of Land Records in their respective departments; nor after the expiration of ninety days in any other case. The period of sixty and ninety days shall be counted from the date on which the decision or order is received by the appellant.

In computing the above periods, the time required to obtain a copy of the decision or order appealed against shall be excluded.

251.Admission of appeal after period of limitation.— Any appeal or an application for review under this Chapter may be admitted after the period of limitation prescribed therefor when the appellant or the applicant, as the case may be, satisfies the officer or the State Government to whom or to which he appeals or applies, that he had sufficient cause for not presenting the appeal or application, as the case may be, within such period.

252.Appeal shall not be against certain orders.— No appeal shall lie from an order—

(*a*) admitting an appeal or an application for review under section 251 ;

(*b*) rejecting an application for revision or review ; or

(*c*) granting or rejecting an application for stay.

253.Provision where last day for appeal falls on Sunday or holiday.— Whenever the last day of any period provided in this Chapter for presentation of an appeal or an application for review falls on a Sunday or other holiday recognised by the State Government the day next following the close of the holiday shall be deemed to be such last day.

254.Copy of order to accompany petition of appeal.— Every petition for appeal, review or revision shall be accompanied by a certified copy of the order to which objection is made unless the production of such copy is dispensed with.

255.Power of appellate authority.— (*1*) The appellate authority may either admit the appeal or, after calling for the record and giving the appellant an opportunity to be heard, may summarily reject it :

Provided that, the appellate authority shall not be bound to call for the record where the appeal is time barred or does not lie.

(*2*) If the appeal is admitted, a date shall be fixed for hearing and notice thereof shall be served on the respondent.

(*3*) After hearing the parties, if they appear, the appellate authority may, for reasons to be recorded in writing, either annul, confirm, modify, or reverse the order appealed against, or may direct such further investigation to be made, or such additional evidence to be taken as it may think necessary; or may itself take such additional evidence; or may remand the case for disposal with such directions as it thinks fit.

1[(*4*) Any appeal filed before any revenue or survey officer shall be disposed of within a period of one year from the date on which such appeal is filed :

Provided that, any such appeal filed before the date of commencement of the Maharashtra Land Revenue Code (Amendment) Act, 2016 (Mah. XI of 2016) shall be disposed of within a period of one year from the date of such commencement :

Provided further that, in exceptional circumstances, for reasons to be recorded in writing, the period for disposing of any appeal may be extended further by six months by the State Government or an officer not below the rank of Collector designated in this behalf who is superior to the appellate authority :

1 This sub-sections were inserted by Mah. 11 of 2016, s. 2.

1[Provided also that, where the appellate authority fails to dispose of any such proceeding within the period specified in this sub-section, the State Government alone shall be competent to grant such further extension of time for disposing of any such proceeding as it may deem fit, after recording reasons therefor in writing.]

(*5*) If the appellate authority fails without sufficient cause, to dispose of any appeal within the period specified in sub-section (*4*), he shall be liable for disciplinary action in accordance with the concerned disciplinary rules applicable to him.]

256.Stay of execution of orders.— (*1*) A revenue or survey officer who has passed any order or his successor in office may, at any time before the expiry of the period prescribed for appeal, direct the execution of such order to be stayed for such time as he thinks fit, provided no appeal has been filed.

(*2*) The appellate authority may, at any time, direct the execution of the order appealed from, to be stayed for such time as it may think fit :

2[Provided that, where an order against which appeal is preferred involves payment of any amount to the Government, the execution of such order shall not be stayed unless the appellant deposits twenty-five per cent. of such amount payable to the Government under the order impugned :

Provided further that, in exceptional cases, the appellate authority may, after recording the reasons in writing therefor, suitably reduce such amount of deposit :

Provided also that, the amount to be deposited by the appellant as specified above shall be adjusted against the amount found payable to the Government under the final orders passed in appeal and in case the amount finally found payable to the Government is less than the amount deposited by the appellant, the excess amount shall be refunded to the Appellant without any interest.]

(*3*) The authority exercising the powers of revision or review may direct the execution of the order under revision or review, as the case may be, to be stayed for such time as it may think fit :

3[Provided that, where an order against which application for revision or review is filed involves payment of any amount to the Government, execution of such order shall not be stayed unless the applicant deposits twenty five per cent. of such amount payable to the Government under the order impugned :

Provided further that, in exceptional cases, the authority exercising the powers of revision or review may, after recording the reasons in writing therefor, suitably reduce such amount of deposit :

Provided also that, the amount deposited by the applicant as aforesaid shall be adjusted against the amount found payable to the Government under the final orders passed in revision or review proceedings and in case the amount finally found payable to the Government is less than the amount deposited by the applicant, the excess amount shall be refunded to the applicant without any interest :

Provided also that, the provisions contained in the above provisos shall not be applicable in case the authority exercises the powers of revision or review of any order *suo motu.*]

(*4*) The appellate authority or the authority exercising the powers of revision or review may set aside or modify any direction made under sub-section (*1*).

(*5*) The revenue or survey officer or the authority directing the execution of an order to be stayed may impose such conditions or order such security to be furnished as he or it thinks fit.

(*6*) No order directing the stay of execution of any order shall be passed, except in accordance with the provisions of this section.

257.Power of State Government and of certain revenue and survey officers to call for and examine records and proceedings of subordinate officers.— (*1*) The State Government and any revenue or survey officer, not inferior in rank to an Assistant or Deputy Collector or a Superintendent

1 This proviso was inserted by Mah. 6 of 2018, s. 2.
2 These provisos were added by Mah. 27 of 2016, s. 3(*a*).
3 These provisos were added by Mah. 27 of 2016, s. 3(*b*).

of Land Records, in their respective departments, may call for and examine the record of any inquiry or the proceedings of any subordinate revenue or survey officer, for the purpose of satisfying itself or himself, as the case may be, as to the legality or propriety of any decision or order passed, and as to the regularity of the proceedings of such officer :

1[Provided that, no such proceedings under this sub-section or sub-section (*2*) shall be initiated by any revenue or survey officer after expiry of a period of five years from the date of decision or order of the sub-ordinate officer 2[except with the previous permission of the State Government].]

(*2*) A Tahsildar, a Naib-Tahsildar, and a District Inspector of Land Records may in the same manner call for and examine the proceedings of any officer sub-ordinate to them in any matter in which neither a formal nor a summary inquiry has been held.

(*3*) If in any case, it shall appear to the State Government, or to any officer referred to in sub-section (*1*) or sub-section (*2*) that any decision or order or proceedings so called for should be modified, annulled or reversed, it or he may pass such order thereon as it or he deems fit :

3[Provided that, any proceeding brought before any revenue or survey officer shall be disposed of within a period of one year from the dat is filed :

Provided further that, any proceeding pending under this section, before any revenue or survey officer on the date of commencement of the Maharashtra Land Revenue Code (Amendment) Act, 2016 (Mah. XI of 2016), shall be disposed of within a period of one year from the date of such commencement :

[4][Provided also that, where the revisional authority fails to dispose of any such proceeding within the period specified in this sub-section, the State Government alone shall be competent to grant such further extension of time for disposing of any such proceeding as it may deem fit, after recording reasons therefor in writing.]

Provided also that, in exceptional circumstances, for reasons to be recorded in writing, the period for disposing of any such proceeding may be extended further by six months by the State Government or an officer not below the rank of Collector designated in this behalf who is superior to the revisional authority :

Provided also that, if the revisional authority fails to dispose of any such proceedings within the period specified in sub-section (*3*), without sufficient cause, then he shall be liable for disciplinary action in accordance with the concerned disciplinary rules applicable to him :]

[5][Provided also that], the State Government or such officer shall not vary or reverse any order affecting any question of right between private persons without having given to the parties interested notice to appear and to be heard in support of such order :

[6][Provided also that], an Assistant or Deputy Collector shall not himself pass such order in any matter in which a formal inquiry has been held, but shall submit the record with his opinion to the Collector, who shall pass such order thereon as he may deem fit.

[7][(*4*) Revision of an order issued under sub-section (*1*) or (*2*) by any officer referred to therein shall not be permissible; but it shall be lawful for the State Government alone to modify, annul or reverse any such order issued under sub-section (*1*) or (*2*).]

258.Review of orders.— (*1*) The State Government and every revenue or survey officer may, either on its or his own motion or on the application of any party interested, review any order passed by itself or himself or any of its or his predecessors in office and pass such orders in reference thereto as it or he thinks fit :

1 This proviso was added by Mah. 11 of 2016, s. 3(*a*).

2 These words were added by Mah. 6 of 2018, s. 3(*a*).

3 These provisos were inserted by Mah. 11 of 2016, s. 3(*b*)(*i*).

4 This proviso was added by Mah. 6 of 2018, s. 3(*b*).

5 These words were substituted for the words "Provided that" by Mah. 11 of 2016, s. 3(*b*)(*ii*). 6 These words were substituted for the words "Provided further that" by Mah. 11 of 2016, s. 3(*b*)(*iii*). 7 This sub-section was added by Mah. 11 of 2016, s. 3(*c*).

Provided that,—

(*i*) if the Collector or Settlement Officer thinks it necessary to review any order which he has not himself passed, on the ground other than that of clerical mistake, he shall first obtain the sanction of the Commissioner or the Settlement Commissioner, as the case may be, and if an officer subordinate to a Collector or Settlement Officer proposes to review any order on the ground other than that of clerical mistake, whether such order is passed by himself or his predecessor, he shall first obtain the sanction of the authority to whom he is immediately subordinate ;

(*ii*) no order shall be varied or reversed unless notice has been given to the parties interested to appear and be heard in support of such order ;

(*iii*) no order from which an appeal has been made, or which is the subject of any revision proceedings shall, so long as such appeal or proceedings are pending be reviewed;

(*iv*) no order affecting any question of right between private persons shall be reviewed except on an application of a party to the proceedings, and no such application of review of such order shall be entertained unless it is made within ninety days from the passing of the order.

(*2*) No order shall be reviewed except on the following grounds, namely :—

(*i*) discovery of new and important matter or evidence ;

(*ii*) some mistake or error apparent on the face of the record ;

(*iii*) any other sufficient reason.

(*3*) For the purposes of this section the Collector shall be deemed to be the successor in office of any revenue or survey officer who has left the district or who has ceased to exercise powers as a revenue or survey officer and to whom there is no successor in the district.

(*4*) An order which has been dealt with in appeal or on revision shall not be reviewed by any revenue or survey officer subordinate to the appellate or revisional authority.

(*5*) Orders passed in review shall on no account be reviewed.

259. Rules as to decisions or orders expressly made final.— Whenever in this Code it is provided that a decision or order shall be final or conclusive, such provision shall mean that no appeal lies from any such decision or order ; but it shall be lawful to the State Government alone to modify, annul or reverse any such decision or order under the provisions of section 257.

[1]**[259A. Power to hear appeal.—** The appeal, revision or review filed before the State Government under this Chapter shall be heard and decided by the Minister in charge of the Revenue Department; or the State Minister in charge of the Revenue Department or the Additional Chief Secretary or Principal Secretary or Secretary-*cum*-Officer on Special Duty (Appeal and Revision), Revenue Department, as the case may be, if so duly authorized by the Minister in charge.]

CHAPTER XIV

SPECIAL PROVISIONS FOR LAND REVENUE IN THE CITY OF BOMBAY

260. Extent of this Chapter.— The provisions of this Chapter extent to the City of Bombay only.

261. Interpretation.— In this Chapter, unless the context requires otherwise,—

[2][(*1a*) "City Tenures Abolition Act" means the Bombay City (Inami and Special Tenures) Abolition and Maharashtra Land Revenue Code (Amendment) Act, 1969 (Mah. XLVI of 1969);]

1 Section 259A was inserted and shall be always deemed to have been inserted from the commencement of the Maharashtra Land Revenue Code, 1966 (Mah. XLI of 1966) by Mah. 60 of 2025, s. 2.

2 Clauses (*1a*) and (*aa*) were inserted and clause (*e*) was added by Mah. 44 of 1969, s. 20, Second Sch.

(*a*) "holder" in relation to any land means the occupier of such land, or where rent is paid for such land, any person in receipt of rent for such land who does not pay rent to another person ;

Explanation.— "Rent" in this clause does not include, money paid for land to the Government or to the Municipal Corporation of Greater Bombay or to the Trustees of the Port of Bombay or to a fazendar, except when such money is paid by a person holding such land on a tenancy for a term of less than one year ;

[1][(*aa*) "revenue division" means such local area in the City of Bombay as the Collector may, subject to the order of the State Government, by an order in the *Official Gazette,* constitute to be revenue division for the purpose of determining the standard rate of assessment of lands therein;]

(*b*) "superior holder" means the person having the highest title under the State Government to any land in the City of Bombay ;

(*c*) "survey" includes identification of boundaries and all other operations antecedent to, or connected with, survey ;

(*d*) "survey-boundary-mark" means primarily any iron or other mark set up by the officers who conducted the Bombay City Survey hereinafter described and include any such new mark that may hereafter be set up by the Collector or under his orders, according to the provisions of this Chapter ;

[2][(*e*) words and expressions used but not defined in this Chapter shall have the meanings respectively assigned to them in the City Tenures Abolition Act.]

Assessment and Collection of Land Revenue

[3]**[262. Power of Collector to fix and to levy assessment for land revenue.—** (*1*) It shall be the duty of the Collector to fix and to levy the assessment for land revenue subject to the provisions of sub-section (*2*) and sub-section (*3*).

(*2*) Where there is no right on the part of a superior holder in limitation of the right of the State Government to assess, then, subject to the provisions of the City Tenures Abolition Act, the assessment shall be fixed in accordance with this Chapter.

(*3*) Where there is a right on the part of a superior holder in limitation of the right of the State Government to assess in consequence of a specific limit established and preserved, and not abolished under the City Tenures Abolition Act, the assessment shall not exceed such specific limit.]

[4]**[262A. Rate of assessment not to exceed percentage of market value.—** Except as provided in the City Tenures Abolition Act for the initial assessment of land held on *inami* or special tenure, the rate of assessment of such lands in each revenue division shall not exceed such percentage of the average of the market value thereof, when used as unbuilt plots, as the State Government may, from time to time, fix in this behalf on the basis of the bank rate of interest published by the Reserve Bank of India under section 49 of the Reserve Bank of India Act, 1934 (II of 1934).

262B. Standard rate of assessment.— (*1*) Subject to the provisions of section 262A, the Collector shall, with the approval of the State Government fix the rate of assessment per square metre of land in each revenue division (to be called 'the standard rate of assessment') which shall be a sum equal to such percentage of the average of the market value of the unbuilt plots in each division as may have been fixed by the State Government under section 262A.

(*2*) The market value shall be estimated in the prescribed manner on the basis of—

(*a*) sales of land in the revenue division during the period of fifteen years immediately preceding the year in which proceedings for the fixation of the standard rate of assessment are initiated ;

1 Clauses (*1a*) and (*aa*) were inserted and clause (*e*) was added by Mah. 44 of 1969, s. 20, Second Sch. 2 Clauses (*1a*) and (*aa*) were inserted and clause (*e*) was added by Mah. 44 of 1969, s. 20, Second Sch. 3 Section 262 was substituted by Mah. 44 of 1969, s. 20, Second Sch.

4 Sections 262A to 262E were inserted by Mah. 44 of 1969, s. 20, Second Sch.

(*b*) awards relating to the acquisition of land under the Land Acquisition Act, 1894 (1 of 1894), in the revenue division during the period of fifteen years aforesaid ;

(*c*) rental value of lands in the revenue division during the period aforesaid.

(*3*) The actual assessment of an individual plot in each revenue division shall be fixed by the Collector at an amount equal to the product of the standard rate of assessment in rupees per square metre and the area of the plot in square metre rounded off in the prescribed manner (hereinafter referred to as 'the full assessment').

(*4*) Any person aggrieved by the decision of the Collector regarding the standard rate of assessment or market value of lands in any revenue division, may [1][appeal to the Commissioner :]

[2][* * *]

(*5*) The State Government may make rules under section 306 for the institution and disposal of such appeal (including provisions for period of limitation and hearing).

262C. Publication of standard rates of assessment.— The standard rates of assessment fixed or revised under this Chapter shall be published in the *Official Gazette* and in such other manner as may be prescribed before they are brought into force.

262D. Standard rate of assessment to be in force for ten years until revised.— The standard rate of assessment fixed for each division shall come into force from the 1st day of the revenue year immediately following the year in which the rate is fixed ; and notwithstanding any alteration in the bank rate of interest or average market value of lands referred to in section 262A, shall remain in force for a period of ten years; and shall be liable to be revised in accordance with the provisions of this Chapter after the expiry of the said period. Until it is so revised, the rate fixed as aforesaid shall be deemed to be in force.

262E. Period of guarantee.— (*1*) Notwithstanding any alteration in the bank rate of interest referred to in section 262A, or the revision of the standard rate of assessment, the assessment fixed in respect of any land under this Chapter shall remain in force for a period of fifty years from the date on which it is fixed (such period being called 'the period of guarantee').

(*2*) On the expiry of the period of guarantee, the assessment shall be liable to revision ; and the foregoing provisions of this Chapter shall, so far as may be, apply to such revision.

(*3*) Until the assessment is so revised, the assessment made shall continue in force notwithstanding the expiry of the period of guarantee.]

263. Settlement of assessment with whom to be made.— (*1*) The settlement of the assessment of each portion of land to the land revenue shall be made with the superior holder of the same.

(*2*) If the superior holder be absent and have left no known authorized agent in Bombay, or if there be a dispute as to who is entitled to be considered the superior holder of the land, the settlement may be made with the person actually in possession of the land and any assessment so fixed shall be binding upon the rightful superior holder of the land.

(*3*) Any payment made by the person in possession in accordance with the provisions of this Code shall be deemed to have been made on behalf of the superior holder.

(*4*) Where the superior holder or the person in possession cannot be readily ascertained, the Collector shall give notice calling on all persons claiming the right of a superior holder in or over the said land or right to the possession thereof, to intimate such claim to the Collector at his office.

1 These words were substituted for the words "appeal to the State Government" by Mah. 47 of 1981, s. 9(*a*). 2 Proviso was deleted by Mah. 47 of 1981, s. 9(*b*).

(*5*) If no person asserts such right by informing the Collector as aforesaid within twenty-one days from the date of such notice, the Collector may assess such land at his discretion, and the superior holder and every person then or thereafter in possession of the land shall be liable accordingly.

264. Liability of land revenue.— (*1*) The superior holder of land, or in his absence the person actually in possession, shall be liable in person and property for the land revenue due upon the holding.

(*2*) Arrears of land revenue due on account of land shall, on failure by the persons interested therein to pay the same on or before the date specified in that behalf in a notice demanding payment posted on or near the land, be a paramount charge on the land and on every part thereof.

265.Claims of State Government to have precedence.— (*1*) Arrears of land revenue due on any land under this Chapter shall have precedence over any other debt, demand or claim whatsoever, whether in respect of mortgage, judgement-decree, execution, attachment or otherwise howsoever, against such land, or the superior holder thereof.

(*2*) The claim of the State Government to any moneys other than the arrears of land revenue but recoverable as a revenue demand under the provisions of this Chapter shall have priority over all unsecured claims against any land.

266.Power of Collector to give directions regarding payment of revenue.— Subject to such orders as may be passed by the State Government, the Collector shall from time to time give orders and make known the same by notice, to be served on all superior holders of land paying revenue, or in their absence persons in possession, regulating the persons, places and times to whom and within which the revenue payable in respect of any land s

Provided that, where the assessment leviable in any case under the provisions of this Chapter does not exceed [1][one rupee per annum or such amount as may be prescribed, whichever is higher], it shall be lawful for the Collector subject to the orders of the State Government to levy, in lieu of such assessment, a single lump sum of such amount as the Collector, subject as aforesaid deems to be a fair equivalent of the assessment but not in any case exceeding [2][thirty times the assessment or such amount as may be prescribed, whichever is higher].

267. Notice of demand may be served after arrears due.— (*1*) If any land revenue is not paid, at or within, the time when it becomes payable, the Collector may, on or after the day following that on which the arrears accrue due, cause a notice of demand to be served on the superior holder or on the person in possession, or on both.

(*2*) Every person to whom any such notice is issued shall be chargeable in respect thereof with a fee not exceeding two rupees calculated according to the rates specified in this behalf in the table in Schedule F [3][or of such higher amount as may be prescribed, whichever is higher]:

Provided that, in no case shall the fee chargeable for any notice exceed the amount of the land revenue in respect of which the said notice is issued.

(*3*) If the superior holder or person in possession, as the case may be, shall, for the space of twenty days after service of written notice of demand of payment, fail to discharge the revenue due, it shall be lawful for the Collector to levy the same by—

(*a*) attachment and sale of the defaulter's movable property ; or

(*b*) attachment and sale of such portion of the land on which the revenue is due as may be required to satisfy the demand ; or

1 These words were substituted for the words "one rupee per annum" by Mah. 21 of 2017, s. 17(*a*). 2 These words were substituted for the words "thirty times the assessment" by Mah. 21 of 2017, s. 17(*b*). 3 These words were added by Mah. 21 of 2017, s. 18.

(*c*) attachment and sale of the right, title and interest of the defaulter in any other immovable property.

Such sales shall be by public auction and shall not take place until at least fifteen days after notice thereof shall have been published in the *Official Gazette.*

268. Sales how to be conducted.— Sales under the provisions in this Chapter shall be conducted in accordance with the provisions contained in sections 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 218, 219 and 220 of this Code :

Provided that, a sale may from time to time be postponed for any sufficient reason recorded in that behalf ; and when the sale is postponed for a period longer than thirty days, a fresh notice shall be issued unless the defaulter consents to waive it.

269. Defaulters may be arrested and confined.— If the sale of the defaulter's property does not satisfy the demand in respect of the arrears of land revenue, it shall be lawful for the Collector to cause the defaulter to be apprehended and confined in the civil jail according to the law in force in the City of Bombay for the confinement of debtors, for which purpose a certificate of demand under the Collector's signature sent with the defaulter shall be the Sheriff's sufficient warrant equally with the usual legal process in ordinary cases of arrest in execution of judgment for debt :

Provided that, no such apprehension shall be made unless the default is wilful and the defaulter is given an opportunity to show cause against his apprehension and confinement :

Provided further that, such imprisonment shall cease at any time upon payment of the sum due and that it shall in no case exceed—

(*i*) a period of six months when the sum due is more than fifty rupees ; and

(*ii*) a period of six weeks in any other case.

270.Exemption from attachment and sale.— (*1*) All such property as is by the Code of Civil Procedure, 1908 (V of 1908), exempted from attachment and sale in execution of a decree, shall also be exempt from attachment and sale under section 267.

(*2*) The Collector's decision as to what property is so entitled to exemption shall be conclusive.

271.Collector's decision to be acted in the first instance but may be stayed on security being furnished.— The decision of the Collector upon any question arising out of the provisions of sections 262 to 269 shall, [1][subject to the provisions of sub- sections (*4*) and (*5*) of section 262B and section 274], be binding upon all persons whom it may concern, and shall be acted upon accordingly, but the Collector's decision shall be stayed on any such person giving security to the satisfaction of the Collector that he will, within sixty days from the date when such decision was made known to him, make an appeal before [2][[3][the Commissioner], [4][or as the case may be, the Maharashtra Revenue Tribunal]] for the purpose of contesting the legality of the Collector's decision and will fulfil the order that may be passed against him, and will pay all costs and interest which may be so ordered or that, if he fails to file an appeal as above specified, he will when required, pay the amount demanded.

272. Compulsory process to cease on payment under protest and on filing appeal and furnishing security.— All compulsory process against a defaulter shall cease on his paying or tendering the amount demanded of him under protest to the officer executing such process or on his filing an appeal [5][before the Commissioner, or as the case may be, the Maharashtra Revenue Tribunal] to contest the legality of the demand and furnishing security satisfactory to the Collector, [6][the

1 These words, brackets, figures and letter were substituted for the words and figures "subject to the provision of section 274" by Mah. 44 of 1969, s. 20, Second Schedule.

2 These words were inserted by Mah. 44 of 1969, s. 20, Second Schedule.

3 These words were substituted for the words "the State Government" by Mah. 47 of 1981, s. 10.

4 These words were inserted by Mah. 23 of 2007, s. 6.

5 These words were substituted for the words "before the Commissioner" by Mah. 23 of 2007, s. 7(*a*).

6 The words "the Commissioner" were substituted for the words "the State Government" by Mah. 47 of 1981, s. 11.

Commissioner], [1][or as the case may be, the Maharashtra Revenue Tribunal] that he will pending the decision of the said appeal neither quit the jurisdiction nor remove nor transfer his property therein, without providing to the satisfaction of the Collector, or [2][of the Commissioner or of the Maharashtra Revenue Tribunal] for the execution of the order passed in appeal.

273. Fees in respect of warrant for attachment and sale of defaulter's property. Additional fee.— Fees shall be payable according to the table in Schedule G [3][or according to such higher amount as may be prescribed, whichever is higher] on all warrants issued under the provisions of section 269 or the attachment and sale of the property of defaulters by the person in respect of whose property such warrants are issued, and an additional fee of [4][twenty-five paise or such amount as may be prescribed, whichever is higher,] per diem shall be paid in like manner in respect of each peon employed, whenever the property distrained is placed in charge of any peon or peons.

274.Appeals before [5][Maharashtra Revenue Tribunal].— [6][Except as provided in sub-sections (*4*) and (*5*) of section 262B, an appeal] shall lie against any decision or order passed by the Collector or any of his assistants or other subordinates exercising the powers of the Collector under this Chapter to [7][the Maharashtra Revenue Tribunal].

275.Court-fees.— Notwithstanding anything contained in the [8]Bombay Court-fees Act, 1959 (Bom. XXXVI of 1959), and in section 324 of the Code, every appeal before [9][the Maharashtra Revenue Tribunal] shall bear a Court-fee stamp of such value as may be prescribed by rules under this Chapter.

276. Power of State Government to make grants of lands free of revenue.— It shall be lawful for the State Government to grant lands free of price and free of revenue, whether in perpetuity or for a term of years, and on such other terms and conditions (if any) as may be annexed to the grant.

The Bombay City Survey and Boundary Marks

277.Bombay City survey recognised.— The latest survey completed under the authority of the State Government shall be called "the Bombay City Survey" and the demarcation of lands then made, and all the records of the said survey correction made therein before the

commencement of this Code) shall be taken as *prima facie* evidence for all proceedings under and for all the purposes of this Chapter :

Provided that, the Collector may, on the application of the parties interested in such land, and shall, in pursuance of a decree or order of a competent court, cause any alteration or correction to be made of any such demarcation of lands, or of any entry in any such record.

278.State Government may order survey and appoint Superintendent.— (*1*) The State Government may, whenever it thinks fit, order that a survey shall be made of the lands situated in the City of Bombay and for such purpose may appoint a Superintendent of Survey and one or more Assistant Superintendent of Survey.

(*2*) The Assistant Superintendent shall exercise such powers as may be delegated to them by the Superintendent.

1 These words were inserted by Mah. 23 of 2007, s. 7(*b*).

2 These words were substituted for the words "of the Commissioner" by Mah. 23 of 2007, s. 7(*c*).

3 These words were inserted by Mah. 21 of 2017, s. 19(*a*).

4 These words were substituted for the words "twenty-five *paise*" by Mah. 21 of 2017, s. 19(*b*).

5 These words were substituted for the words "the concerned Divisional Commissioner" by Mah. 23 of 2007, s. 8(*b*). 6 These words, brackets, figures and letter were substituted for the words and figures "An appeal" by Mah. 44 of 1969, s. 20, Second Schedule.

7 These words were substituted for the words "the concerned Divisional Commissioner" by Mah. 23 of 2007, s. 8(*b*). 8 The Short title of the Act has been amended as "the Maharashtra Court fees Act" by Mah. 24 of 2012, section 2 and 3, Schedule, entry 77, *w.e.f.* 1st May 1960.

9 These words were substituted for the words "the Divisional Commissioner" by Mah. 23 of 2007, s. 9.

279.Collector or subordinates may enter upon lands.— It shall be lawful for the Collector or any of his assistants or other sub-ordinates duly authorised by writing under his hand in that behalf and for the Superintendent or any other officer employed in the survey after giving not less than twenty-four hours, notice to enter upon any lands for the purpose of inspecting the survey boundary marks erected thereon or of altering, renewing or repairing such marks or for survey in the manner provided in section 241 of this Code.

280.Notice to be served on holder to attend.— Before entering on any land for the purposes of survey, the Superintendent may cause a notice in writing under his hand to be served on the holder or occupier of the land about to be surveyed and on the holders or occupiers of conterminous lands, calling upon them to attend either personally or by agent on such land before him or before such officer as may be authorised by him in that behalf, within a specified time (which shall not be less than three days after the service of such notice), for the purpose of pointing out boundaries and of affording such information as may be needed for the purposes of this Chapter and intimating that in the event of their failing to attend, he or such officer will proceed with the survey in their absence.

281.After service of notices Superintendent may proceed with survey.— After due service of notice under section 280, the Superintendent, or such officer as may be authorised by him may proceed with the survey whether the person upon whom notices have been served are present or not.

282.Survey map and register.— (*1*) The Superintendent shall prepare a map and a register of all lands which have been surveyed under his Chapter.

(*2*) To every piece of land separately shown on the map and entered in the register an indicative number shall be assigned, and the name of the person appearing to be the holder thereof at the time of the survey shall be entered in the register.

(*3*) Nothing contained in such map or register shall affect the rights of any person.

283.Superintendent may erect boundary marks.— The Superintendent may at any time cause to be erected, on any land which is to be, or has been surveyed under this Chapter temporary or permanent boundary marks of such materials and in such number and manner as he may determine to be sufficient for the purpose of the survey :

Provided that, no permanent boundary marks shall be erected when the boundary is defined by a permanent building, wall or fence.

284.Maintenance of temporary boundary marks.— (*1*) When any temporary boundary mark has been erected under section 283, the Superintendent may cause a notice in writing under his hand to be served on the holder of the land whereon, or adjoining which, such boundary mark is situate requiring him to maintain such boundary mark till the survey has been completed.

(*2*) If such holder does not comply with such notice, the Superintendent may repair the boundary mark and expenses shall be recoverable from such holder as an arrear of land revenue under the provisions of this Chapter.

285.Survey fee may be charged.— (*1*) The holder of any land surveyed under this Chapter shall be liable to the payment of a survey fee assessed on the area and rateable value of such land.

(*2*) The amount of the survey fee payable under sub-section (*1*) shall be regulated by the Collector in accordance with rules made by the State Government in that behalf.

(*3*) Any survey fee assessed in accordance with sub-sections (*1*) and (*2*) shall be payable within three months from the date of notice to be served by the Collector upon the person liable therefor after the completion of the survey of the City of Bombay ; and such survey fee shall be leviable as an arrear of land revenue under the provisions of this Chapter.

(*4*) Any person who has paid the survey fee assessed on any land under this section shall be entitled to receive free of charge a certified extract from the map and a certified extract from the register prepared under section 282, so far as they relate to such land.

286.All documents connected with survey to be sent to Collector.— (*1*) After the survey of any part of the City has been completed, the Superintendent shall deposit with the Collector all maps, registers and other documents connected with the survey of such part.

(*2*) Such deposit shall be notified in the *Official Gazette*, and any person interested in the survey may, at any time within two months from the date of such notification, inspect such maps, registers and other documents free of charge.

(*3*) During such period the Collector may, if necessary, and without prejudice to the rights of any of the parties concerned, cause the map or the register prepared under section 282 to be corrected free of charge.

287.Maintenance of survey map and register.— (*1*) The map and register prepared under section 282 shall be maintained by the Collector, who shall cause the map to be revised and the entries in the register to be corrected from time to time as may be necessary, without prejudice to the rights of any person :

Provided that, no person shall, for the purposes of this section be required to give notice of the acquisition of any interest in land.

(*2*) The Collector may assess the cost of revisions of any part of the map and all contingent expenses on the land to which such part relates and such cost shall be payable by the holder of such land, and shall be leviable as an arrear of land revenue under the provisions of this Chapter.

288.Revision of maps.— Subject to rules made in this behalf by the State Government under this Chapter, any officer acting under the orders of the Collector of Bombay may, for the purpose of revising any map prepared under this Chapter, exercise any of the powers of a Superintendent under this Chapter.

289.Responsibility for maintenance and repair of boundary marks.— Every superior holder of land shall be responsible for the maintenance and good repair of the survey-boundary marks of his holding and for any expenses not exceeding [1][five rupees or such amount as may be prescribed, whichever is higher,] for each mark, reasonably incurred on account of the same by the Collector in cases of alteration or removal.

290.Collector may require superior holders to renew or repair survey marks. Requisition how made.— In the event of any survey-bou , defaced, injured or removed, it shall

be lawful for the Collector to cause to be served on the superior holder, or in his absence the person in possession of any land of which such mark designates the boundary, as requisition in writing signed by the said Collector, calling on such superior holder or person in possession to renew or repair the said mark, at his own expense, within fifteen days from the date of the service of such requisition.

291.On default, Collector or assistants may enter and renew or repair. Charge for renewal or repair.— If the said survey-boundary mark be not renewed on repaired, within the said period, to the Collector's satisfaction, it shall be lawful for the Collector or any of his assistants or other subordinates, or other person duly authorised as hereinbefore mentioned, to enter upon any land to which the said mark appertains and to renew or repair it, and for each such mark so renewed or repaired, it shall be lawful for the Collector to charge each superior holder or person in possession, the boundary of whose land is designated by any such mark, such sum, not exceeding [2][rupees ten in the whole or such amount as may be prescribed, whichever is higher] as he may deem fit.

292.Privilege of title-deeds.— No person shall for the purposes of survey undertaken under this Chapter or for erecting boundary marks thereunder be compelled to produce his title deeds to any land or to disclose their contents.

1 These words were substituted for the words "five rupees" by Mah. 21 of 2017, s. 20.

2 These words were substituted for the words "rupees ten in the whole" by Mah. 21 of 2017, s. 21.

293.Proceedings not to be affected by informality.— The proceedings undertaken under sections 278 to 292 (both inclusive) shall not be affected by reason of any informality, provided that the provisions in these sections be in substance and effect complied with.

Government Lands and Foreshore

294.Right of Government to lands and foreshore.— All unoccupied lands within the City of Bombay, and every unoccupied portion of the foreshore, below high water mark, shall be deemed, and are hereby declared to be, the property of the State Government, subject always to the rights of way and all other rights of the public legally subsisting.

For the avoidance of doubt, it is hereby expressly declared that nothing in this section shall be taken to affect the right of the State Government to unoccupied lands declared to be the property of the State Government by any earlier law.

295.Such lands and foreshore how disposed of.— It shall be lawful for the Collector, with the sanction of the State Government, to dispose of any lands or foreshore vested in the State Government in such manner and subject to such conditions as he may deem fit ; and in any such case, the land or foreshore so disposed of shall be held only in the manner, for the period and subject to the conditions so prescribed :

[1][Provided that, all leases granted by the State Government or the Collector of the land or foreshore vested in the Government for whatever term, which were in existence on or before the date of commencement of this Code or were granted thereafter, shall notwithstanding the conditions stipulated in such lease-deeds or lease-agreements or Grant orders executed by the Collector, be also subject to the following conditions, namely :—

(*i*) Leasehold rights in respect of the lands or foreshore vested in the Government given on lease may be further assigned or transferred only with the prior permission of the Collector on payment of such premium on account of unearned income and transfer fees or charges, at such rates as may be specified by the Government by an order, from time to time.

(*ii*) In the case of any contravention of the provisions of sub-clause (*i*), the lessee or transferor of such leasehold rights, shall be liable to pay penalty in addition to such premium and transfer fees or charges, at such rates as may be specified by the Government by an order, from time to time.]

Transfer of lands, etc.

296. Notice of transfer of title to lands etc. to be given to Collector.— (*1*) Whenever the title to any land, house or other immovable property, subject to the payment of land-revenue to the State Government, is transferred or assigned, assigning the same and the person to

whom the same is transferred or assigned, shall respectively cause notice of such transfer or assignment to be given to the Collector.

(*2*) Such notice shall be given within twenty days after execution of the instrument of transfer or assignment, or after its registration if it be registered, or after the transfer or assignment is effected, if no instrument is executed.

(*3*) In the event of the death of any person in whose name the title to any property is entered in the records of the Collector, the person to whom such title is transferred as heir or otherwise shall cause notice thereof to be given to the Collector within one year from such death.

297.Form of notice.— (*1*) The notice shall be in the form either of Schedule H or Schedule I as the case may be, and shall state clearly all the particulars required by the said form.

(*2*) It shall be accompanied, whenever the Collector shall deem fit so to require, by the instrument of transfer if any, by a plan to be furnished of the land which is the subject of the transfer or assignment, drawn and attested by such officer as the Collector may direct and by a certificate that
public notice has been given of the transfer or assignment by beat of *bataki.*

1 This proviso was added by Mah. 29 of 2016, s. 2 and deemed to have been added *w.e.f.* the date of commencement of the Code.

298.Penalty for neglect to give notice.— Every person neglecting to give the notice required by the two last preceding sections within the time therein specified, shall be liable at the discretion of the Collector to a fine not exceeding [1][ten rupees or such amount as may be prescribed, whichever is higher,] in case of holdings paying less than one rupee as land-revenue, and in no other case exceeding rupees [2][one hundred or such amount as may be prescribed, whichever is higher].

299. Person transferring title and omitting to give notice to continue liable for revenue.— Every person transferring the title to any land, house, or other immovable property subject to the payment of land-revenue to the State Government without giving the notice required by sections 296 and 297 shall continue liable to the State Government for the payment of all land-revenue accruing due in respect thereof, until he gives such notice or until the requisite transfer has been effected in the records of the Collector :

Provided that, nothing contained in this section shall be held to diminish the liability of the land, house or other immovable property to attachment or sale under the provisions of section 267.

300. Proceeding in case of disputes as to entry or transfer.— (*1*) Whenever any dispute or question arises with respect to the making or completion of any entry or transfer in the records of the Collector, of or relating to any land, house or other immovable property subject to the payment of land-revenue to the State Government, the Collector shall summon all the parties interested in such entry or transfer, and shall call for such evidence, and examine such witnesses, as he shall consider necessary, and shall thereupon decide summarily what entry shall be made in his records in respect of such land, house, or other immovable property.

(*2*) If at any time a certified copy shall be produced to the Collector of an order of a competent court determining the title to any such land, house or other immovable property, the Collector shall amend his records in conformity with such order.

301.Registration or transfer not to affect right of Government.— The registration or transfer of any title in the Collector's records shall not be deemed to operate so as in any way to affect any right, title or interest of the Government in the land, house or other immovable property in respect of which any such transfer is made or registered.

Procedure

302.Law applied to summons, etc.— (*1*) The provisions of the Code of Civil Procedure, 1908 (V of 1908), in force for the time being with respect of the issue of summons and commissions, and the compelling the attendance of witnesses, and for their remuneration in suits before a District Court shall apply to all persons summoned to appear before the Collector under the provisions of this Chapter.

(*2*) Any notice which the Collector or any of his subordinates is by this Chapter required or empowered to issue shall be deemed to have been sufficiently served,—

(*a*) if it is addressed to any person and has been—

(*i*) delivered to such person ; or

(*ii*) delivered at his abode in his absence to any adult member or servant of his family ; or

(*iii*) sent by post in a letter addressed to him at his last known residence, address or place of business and registered under Chapter VI of the Indian Post Office Act, 1898 (VI of 1898) ; or

1 These words were substituted for the words "ten rupees" by Mah. 21 of 2017, s. 22(*a*). 2 These words were substituted for the words "one hundred" by Mah. 21 of 2017, s. 22(*b*).

(*b*) if the Collector is in doubt as to the person to whom such notice should be addressed or as to the residence, address or place of business of any person on whom it is desired to serve such notice, and

(*i*) causes the notice to be posted in some conspicuous place on or near the land to which it relates, and

(*ii*) publishes the notice either in the *Official Gazette,* or in such local newspapers as he deems fit or by proclamation on or near such land accompanied with beat of drum.

Levy of house-rent, fees, penalties, etc.

303.Dues leviable as revenue demands.— (*1*) All arrears of rent payable by any person in respect of the occupation of any house the property of the Government and all fees, fines and penalties chargeable under this Chapter and all moneys leviable under the provisions of this Chapter on account of the value of any land, or on account of the alteration, removal, renewal or repair of survey-boundary marks or on account of the abatement or removal of an encroachment shall be realised in the same manner as other revenue demands, under the provisions of sections 267 and 269 of this Chapter.

(*2*) All other sums declared by any Act or Regulation or by any rules thereunder or by any agreement or contract with the State Government to be leviable as an assessment or as a revenue-demand, or as an arrear of land- revenue, shall also be realised in the same manner as revenue-demands under the provisions of sections 267 and 269 of this Chapter.

(*3*) All persons who may have become sureties for the payment of any sum of money payable under any of the provisions of this Chapter or for any such contractor as aforesaid shall, on failure to pay the amount or any portion thereof for which they may have become liable under the terms of their security-bond, be liable to be proceeded against under the provisions of sections 267 and 269 as revenue defaulters; and the provisions of sections 267 and 269 shall, so far as may be, be applicable to such persons.

304.Power to Collector of Bombay to assist other Collectors in realization of dues.— It shall be lawful for the Collector of Bombay to levy, in the same way as any arrear of land-revenue due under this Chapter any sum certified by the Collector or Assistant or Deputy Collector or a Tahsildar of any district in the State to be due and recoverable as an arrear of land-revenue from any person residing or owning property in the City of Bombay, by whom the same is so certified to be due.

305.Collector to keep registers and rent rolls.— It shall be the duty of the Collector to prepare and keep in such form as the State Government may from time to time sanction a separate register and rent roll of every description of land according to the nature and terms of the tenure on which such land is held.

306.Rules.— (*1*) The State Government may, by notification in the *Official Gazette,* make rules consistent with the provisions of this Chapter for carrying into effect the purposes of this Chapter.

(*2*) In particular, and without prejudice to the generality of the foregoing provision, such rules may make provision for the guidance of the Collector, and his assistants, and other subordinates in the

discharge of their duties, or for any other purpose connected with the subject-matter of this Chapter not expressly provided for therein.

307.Savings.— (*1*) Anything done or action taken under the provisions of the Bombay City Land Revenue Act, 1876 (Bom. II of 1876) (including all rules prescribed), appointments made, powers conferred, orders issued and notifications published under that Act, and all other rules (if any) now in force and relating to any of the matters dealt with in this Chapter; and any surveys made or boundary marks erected or any maps and registers prepared under the Bombay City Survey Act, 1915 (Bom. IV of 1915), shall be deemed to have been prescribed, made, conferred, issued, published, erected and prepared under this Chapter.

(*2*) All proceedings which have been commenced under any of the Acts aforesaid shall, on the commencement of this Chapter in the City of Bombay, be deemed to have been commenced under this Code and shall hereafter be conducted in accordance with the provisions of this Code.

[1][CHAPTER XV

MAHARASHTRA REVENUE TRIBUNAL

308.Definitions.— In this Chapter, unless the context requires otherwise,—

(*a*) "President" means the President of the Tribunal ;

(*b*) "Tribunal" means the Maharashtra Revenue Tribunal constituted under section 309.

309.Maharashtra Revenue Tribunal.— (*1*) There shall be established for the State of Maharashtra, a Tribunal, to be called the Maharashtra Revenue Tribunal.

(*2*) The Tribunal shall consist of the President and such number of other members as the State Government may, by notification in the *Official Gazette,* appoint.

310.President and members.— The qualifications (including age) of the President and other members constituting the Tribunal, the period for which they shall hold office, and their conditions of service, shall be such as may be prescribed.

311.Vacancy and temporary absence.— (*1*) If any vacancy occurs by reason of the death, resignation or expiry of the appointment, or termination of the appointment, of the President or other members or for any other cause whatsoever, such vacancy shall be filled by appointment of a duly qualified person.

(*2*) If any member of the Tribunal becomes, by reason of illness or other infirmity, temporarily incapable of performing the duties of his office, the State Government may appoint some other person to discharge his duties for any period not exceeding six months at one time and the person so appointed shall during that period have the same powers as the person in whose place he is appointed.

(*3*) If the office of the President falls vacant in circumstances specified in sub-section (*1*), the senior most member shall act as a President until the vacancy in the office of the President is duly filled by appointment of a President by the State Government.

(*4*) The Tribunal shall not be deemed to be invalidly constituted merely by reason of any vacancy or temporary absence referred to in the foregoing sub-sections.

312.Registrar and Deputy Registrars.— The State Government may, by notification in the *Official Gazette*, appoint a Registrar of the Tribunal having such qualifications as may be prescribed ; and may also appoint, in like manner, such number of Deputy Registrars, having such qualifications, as may be prescribed, for such areas as may be specified in the notification.

313.Headquarters.— The Headquarters of the Tribunal shall be in *Brihan Mumbai.*

314.Place of sitting.— The Tribunal shall ordinarily sit at the headquarters, Aurangabad [2][, Pune] and Nagpur and may also sit at any other place convenient for the transaction of business, in the State of Maharashtra, as the President, with the approval of the State Government, may direct by general or special order.

315.Jurisdiction of Tribunal.— (*1*) Notwithstanding anything contained in Chapter XIII of this Code or any other law for the time being in force, but subject to the provisions of this section, in cases arising under the provisions of the enactments specified in the Schedule J,—

(*a*) an appeal shall lie to the Tribunal from original orders or decisions made or passed by the Collector ; and

(*b*) an application for revision shall lie to the Tribunal from an order or decision made or passed by any subordinate officer or authority.

1 Chapter XV was inserted by Mah. 23 of 2007, s. 10.

2 This word was inserted by Mah. 10 of 2009, s. 2.

(*2*) An application for revision under clause (*b*) of sub-section (*1*), shall lie on the following grounds only, that is to say—

(*i*) that the order or decision of the Collector was contrary to law ;

(*ii*) that the Collector failed to determine some material issue of law ; and

(*iii*) that there was a substantial defect in following the procedure laid down by law which has resulted in the miscarriage of justice.

(*3*) Save as expressly provided in any enactment for the time being in force, the State Government may, by notification in the *Official Gazette,* direct that the Tribunal shall also have jurisdiction to entertain and decide appeals from and revise decisions and orders, of, such persons, officers and authority in such other cases as the State Government may determine ; and for that purpose the State Government may, by notification in the *Official Gazette*, add to, amend or omit, any of the entries in Schedule J ; and thereupon, the Tribunal shall have jurisdiction in such matter ; and the jurisdiction of any other person, officer or authority therein shall cease.

(*4*) The State Government may, at any time in like manner, cancel such notification or omit any entry from Schedule J and resume to itself such jurisdiction :

Provided that, nothing herein shall prevent the State Government after such resumption of jurisdiction from conferring any such jurisdiction on any other person, officer or authority.

(*5*) Notwithstanding anything contained in any other law for the time being in force, when the Tribunal has jurisdiction to entertain and decide appeals from, and revise decisions and orders, of, any person, officer or authority in any matter aforesaid, no other person, officer or authority shall have jurisdiction to entertain and decide appeals from and revise decisions or orders of, such person, officer or authority in that matter.

(*6*) Every appeal or application for revision made under this section shall be filed within a period of sixty days from the day of the order or decision of the Collector. The provisions of sections 4, 5, 12 and 14 of the Limitation Act, 1963 (36 of 1963), shall apply to the filing of such appeal or application for revision.

316. Jurisdiction barred in certain cases.— (*1*) The Tribunal shall have no jurisdiction in any matter which is sub-judice in a Court of law.

(*2*) The Tribunal shall also have no jurisdiction in respect of a matter which in its opinion involves a question as to the validity of any Act, Ordinance or Regulation, or any provision contained in an Act, Ordinance or Regulation, the determination of the invalidity of which in its opinion is necessary to the disposal of that matter.

Explanation.— In this section, "Regulation" means any Regulation of the Bombay Code or Regulation as defined in the General Clauses Act, 1897 (X of 1897), or in a General Clauses Act in force in any part of the State.

317.Powers of Tribunal under other laws not affected.— Nothing contained in this Chapter shall affect any powers or functions of the Tribunal conferred on it, or which may be conferred on it, by or

under any other law for the time being in force to entertain and decide any appeals, applications for revision, or other proceedings.

318.Tribunal to have power of civil court.— (*1*) In exercising the jurisdiction conferred upon it by or under this Chapter, the Tribunal shall have all the powers of a civil court, for the purpose of taking evidence on oath, affirmation or affidavit, or summoning and enforcing the attendance of witnesses, of compelling discovery and the production of documents and material objects, requisitioning any public record or any copy thereof from any Court or office, issuing commissions for the examination of witnesses or documents, and for such other purpose as may be prescribed ; and the Tribunal shall be deemed to be a civil court for all the purposes of sections 195, 345 and 346 of the Code of Criminal Procedure, 1973 (2 of 1974), and its proceedings shall be deemed to be judicial proceedings within the meaning of sections 193, 219 and 228 of the Indian Penal Code (45 of 1860).

(*2*) In the case of any affidavit to be filed, any officer appointed by the Tribunal in this behalf may administer the oath to the deponent.

319.Practice and procedure.— (*1*) Subject to the provisions of this Chapter and with the previous approval of the State Government, the President may make regulations for regulating the practice and procedure of the Tribunal, including the award of costs by the Tribunal, the levy of any process fee (including provisions for recovery thereof in the form of court-fee stamps), the right of audience before the Tribunal, the sittings of the members either singly, or in benches constituted by the President (or such member as is authorised by him from amongst the members of the Tribunal), the disposal by the Tribunal, or a bench thereof, of any proceedings before it notwithstanding that in the course thereof there has been a change in the persons sitting as members of the Tribunal or bench ; and generally for the effective exercise of its powers and discharge of its functions under this Chapter. Where any members sit singly or where any benches are constituted, such members or bench shall exercise and discharge all the powers and functions of the Tribunal.

320.State Government to be heard in certain cases.— (*1*) If at any stage in any proceeding before the Tribunal it appears to the Tribunal that the proceedings raise a question, as to the interpretation of law, which is of such a nature and of such public importance that, it is expedient to issue notice to the State Government, the Tribunal shall issue notice to that Government, and that Government may, if it thinks fit, appear and the Tribunal shall then hear the State Government before deciding the question.

(*2*) If it appears to the State Government that in its opinion the interpretation of a provision of law in any proceedings before the Tribunal, is of such nature and of such public importance that it is expedient that the State Government be heard before decision of the question, it may apply to the Tribunal in such proceedings to be heard; and the Tribunal shall not decide the question without hearing the State Government.

321.No appeal to State Government and jurisdiction of court barred.— (*1*) No appeal shall lie to the State Government against any order passed by the Tribunal in the exercise of its powers of appeal or revision under section 315.

(*2*) Every order or decision of the Tribunal made or passed by or under this Code shall be final and shall not be questioned in any suit or other legal proceedings.

322. Review of orders of Tribunal.— (*1*) The Tribunal may, either on its own motion or on the application of any party interested, and where the State Government is heard, under section 320 on the application by that Government, review its own decision or order in any case, and pass in reference thereto such order as it thinks just and proper :

Provided that, no such application made by any party shall be entertained, unless the Tribunal is satisfied that there has been the discovery of new and important matter or evidence which after the exercise of due diligence, was not within the knowledge of such party or could not be produced by him at the time when its decision was made, or that there has been some mistake or error apparent on the face of the record, or for any other sufficient reason :

Provided further that, no such decision or order shall be varied or revised, unless notice has been given to the parties interested to appear and be heard in support of such order.

(*2*) An application for review under sub-section (*1*) by any party or, as the case may be, by the State Government shall be made within ninety days from the date of the decision or order of the Tribunal :

Provided that, in computing the period of limitation, the provisions of the Limitation Act, 1963 (36 of 1963), applicable to applications for review of a judgement or order of a Civil Court, shall, so far as may be, apply to applications for review under this section.

323.Manner of executing orders passed by Tribunal.— All orders passed by the Tribunal shall be executed in the same manner in which similar orders, if passed by the State Government or other competent authority, as the case may be, could have been executed.

324.Provision for court-fees.— Notwithstanding anything contained in the [1]Bombay Court-fees Act, 1959 (Bom. XXXVI of 1959), but subject to the provisions of section 275, every appeal or application made to the Tribunal shall bear a court-fee stamp of [2][one hundred rupees or such amount as may be prescribed, whichever is higher] if the value of the suit property is ten thousand rupees or less and of [3][five hundred rupees or such amount as may be prescribed, whichever is higher] if such value exceeds ten thousand rupees :

Provided that, where the Tribunal exercises any powers or functions under any relevant tenancy law or other special law and that law provided for the levy of court-fee on any appeal or application to the Tribunal, nothing contained in this section shall affect the provisions for levy of such fee.

325.Rules.— (*1*) The State Government may, by notification in the *Official Gazette,* make rules consistent with the provisions of this Chapter for carrying into effect the purposes of this Chapter.

(*2*) In particular and without prejudice to the generality of the foregoing provision such rules may provide for the following matters, namely :—

(*a*) the qualifications (including age) of the President and other members of the Tribunal ;

(*b*) the period of office and the terms and conditions of service of the President and other members of the Tribunal ;

(*c*) the qualifications of the Registrar and Deputy Registrars ;

(*d*) any other powers of a Civil Court which may be vested in the Tribunal.]

[4][* * *]

CHAPTER XVI

MISCELLANEOUS

327.Maps and land records open to inspection, etc.— Subject to such rules and the payment of such fees as the State Government may from time to time prescribe in this behalf, all maps and land records shall, subject to such restrictions as may be imposed, be open to the inspection of the public at reasonable hours and certified extracts from the same or certified copies thereof shall be given to all persons applying for the same.

328.Rules.— (*1*) The State Government may make rules not inconsistent with the provisions of this code for the purpose of carrying into effect the provisions of this code.

(*2*) In particular and without prejudice to the generality of the foregoing provisions, such rules may provide for all or any of the following matters :—

(*i*) under sub-section (*1*) of section 13, the other powers and duties of appeal, superintendence and control which may be exercised by revenue officers ;

(*ii*) under sub-section (*2*) of section 14, the powers which may be exercised by a Circle Officer and Circle Inspector over the Talathi and the duties and functions which may be performed by them ;

(*iii*) under section 15, the qua om powers may be conferred ;

(*iv*) under sub-section (*1*), the manner of disposal of the property of the State Government and under sub-section (*5*) of section 20, the rules to be made for giving notice ;

(*v*) under section 23, the rules regulating the right of grazing on free pasturage lands ;

1 The Short title of the Act has been amended as "the Maharashtra Court-fees Act" by Mah. 24 of 2012, sections 2 and 3, Schedule, entry 77, *w.e.f.* 1st May 1960.

2 These words were substituted for the words "one hundred rupees" by Mah. 21 of 2017, s. 23(*a*). 3 These words were substituted for the words "five hundred rupees" by Mah. 21 of 2017, s. 23(*b*). 4 Section 326 was deleted by Mah. 25 of 2002, s. 10.

(*vi*) under sub-section (*1*), the rules prohibiting or regulating the cutting of certain trees ; under sub-section (*2*) of section 25, the manner in which the occupant may apply to Collector to fix the value of right in trees and purchase such right ;

(*vii*) under section 26, the manner in which trees, brushwood, jungle or other natural product vesting in Government shall be preserved or disposed of ;

(*viii*) under sub-section (*1*), the rules subject to which wood may be taken without payment of any tax ; under sub-section (*2*) of section 28, the rules regulating the exercise of the privileges ;

1[* * *]

(*x*) under section 31, the rules for the grant of unalienated land including provision for payment of price, action and condition to be annexed to such grant ;

(*xi*) under sub-section (*1*) of section 32, the rules subject to which alluvial land may be disposed of;

(*xii*) under sub-section (*2*) of section 35, the rules subject to which the sub-division shall be disposed of by the Collector ;

(*xiii*) under sub-section (*3*) of section 36, the rules in accordance with which the Collector may determine liabilities for arrears of land revenue or any other dues and the procedure in accordance with which he may dispose of applications for being placed in possession of occupancy and under sub-section (*4*) of that section, the payment of premium ;

(*xiv*) under section 38, the rules subject to which the Collector may lease under grant or contract any unalienated unoccupied land ;

2[* * *]

(*xv*) under section 43, the rules subject to which the Collector or survey officer may prohibit the use of land for other purposes and summarily evict any holder who uses such land for such prohibited purpose ;

3[* * *]

4[(*xix*) under sub-section (*8*) of section 48, the rules prescribing the penalty to be paid by the owner for release of the machinery, equipment or means of transport used for unauthorised extraction, removal, collection, replacement, picking up or disposal of minor minerals; and under sub-section (*9*) of the said section 48, the rules to regulate the extraction and removal of minor minerals ;]

(*xx*) under sub-section (*1*) of section 49, the form in which an application shall be made ;

(*xxi*) under section 51, the rule subject to which the land shall be granted to the encroacher ;

(*xxii*) under section 60, the local area within which the operation of section 55 may be suspended ;

(*xxiii*) under section 66, the rules subject to which a holder of land shall be entitled to decrease of assessment including the rules subject to which the holder is liable for payment of land revenue on reappearance of land lost by diluvion ;

(*xxiv*) under sub-section (*4*) of section 67, rules according to which the assessment may be made under [5][sub-section (*3*)] thereof ;

(*xxv*) under sub-section (*1*) of section 68, the rules subject to which the assessment of the amount to be paid as land revenue may be fixed by the Collector ;

1 Clause (*ix*) was deleted by Mah. 44 of 2018, s. 4.

2 Clauses (*xiv-a*) and (*xiv-aa*) were deleted by Mah. 57 of 2025, s. 12(*ii*).

3 Clauses (*xvi*), (*xvi-a*), (*xvii*) and (*xviii*) were deleted by Mah. 57 of 2025, s. 12(*ii*).

4 This clause was substituted by Mah. 27 of 2015, s. 3.

5 The word, brackets and figure were substituted for the words, brackets and figures "sub-sections (*2*) and (*3*)" by Mah. 57 of 2025, s. 12(*i*).

(*xxvi*) under section 72, rules subject to which occupancy or alienated holding shall be disposed of ;

(*xxvii*) under section 75, the form of register of alienated lands to be kept, the rules subject to which a certified extract from that register may be granted, and the fees to be paid therefor ;

(*xxviii*) under section 78, the rules in accordance with which reduction, suspension or remission of land revenue in any area may be granted ;

(*xxix*) under section 84, the rules in accordance with which records of the area and assessment of survey numbers and sub-divisions thereof shall be maintained ;

(*xxx*) under section 85, the rules in accordance with which the Collector may divide the holding and apportion assessment thereof [1][* * *] ;

(*xxxi*) under sub-section (*1*) of section 87, the rules in accordance with which the division of survey number in sub-divisions and the fixing of the assessments of the sub-divisions shall be carried out and revised; and the land records in which the area and assessment of such sub-divisions shall be entered ;

(*xxxii*) under clause (*f*) of section 90, the number of soil units in the factor scale corresponding to the sixteen annas classification ;

(*xxxiii*) under sub-section (*1*), the rules for dividing the lands to be settled in groups and fixing the standard rates for each group ; and under sub-section (*3*) of section 94, the manner in which the land revenue assessment of individual survey numbers and sub-divisions shall be fixed by the Settlement Officer on the basis of their classification value ;

(*xxxiv*) under section 96, the manner of ascertaining the average yield of crops of land for the purposes of the settlement and the manner of holding enquiry for that purpose and the manner of submitting report to the Collector ;

(*xxxv*) under section 97, the manner in which a settlement report shall be published ;

(*xxxvi*) under section 99, the amount of costs to be deposited, the manner in which an inquiry shall be made by [2][the Tribunal] ; and the rules for the refund of the costs ;

(*xxxvii*) under section 102, the manner of giving notice ;

[3][* * *]

(*xl*) under sub-section (*2*) of section 127, the rules in accordance with which the amount of survey fee shall be regulated by the Collector ;

(*xli*) under section 128, the manner in which and the maps and registers in which, the results of the operations conducted under section 126 shall be recorded; and the proportion of contribution to be made by a village *panchayat* to the cost of preparing such maps ;

(*xlii*) under section 131, the charge or fees for granting a copy of *sanad* ;

(*xliii*) under sub-section (*2*) of section 136, the rules for regulating the procedure of the Collector in demarcating the boundaries of a survey number or of a sub-division and the nature of the boundary marks to be used and authorising the levy of fees from the holders of land ;

(*xliv*) under section 137, the manner of publication of the scheme, plan and the rules subject to which boundaries may be revised by the survey officer under sub-section (*2*) and the number of members constituting a village committee and the manner in which the committee shall be elected under sub-section (*4*) thereof ;

(*xlv*) under section 139, the rules subject to which the Superintendent of Land Records may determine the description of the boundary marks and survey marks and the manner in which they

1 These words "and the limit of area of land revenue below which partition may be rejected" were deleted by Mah. 4 of 1970, s. 6.

2 These words were substituted for the words "the Divisional Commissioner" by Mah. 23 of 2007, s. 11. 3 Clauses (xx*xvii-a*), (*xxxviii*) and (*xxxix*) were deleted by Mah. 57 of 2025, s. 12(*ii*).

shall be constructed, laid out, maintained or repaired and determining dimensions and materials of such boundary and survey marks under sub-section (*3*) thereof ;

(*xlvi*) under section 142, the manner of demarcating boundary and of repairing and renewing boundary marks under sub-section (*1*) thereof ;

(*xlvii*) under section 148, the other particulars under clause (*e*) thereto which a record of rights shall include ;

(*xlviii*) under section 149, the rules for producing the requisite evidence of the order by which the permission was given as provided by the third proviso thereof ;

(*xlix*) under section 150, the form of acknowledgement to be given by the *Talathi* under sub-section (*3*), the manner in which orders disposing of objections shall be recorded in the register of mutations under sub-section (*4*), the rules subject to which transfers of entries from the register of mutations to the record of rights shall be effected under sub-section (*5*), the manner in which entries in the register of mutations shall be certified under sub-section (*6*) and the manner and procedure to be followed in maintaining the register of tenancies under sub-section (*7*) thereof ;

(*l*) under sub-section (*4*), other matters which the booklet should contain ; and under sub-section (*5*) of section 151, the rules in accordance with which such booklet shall be prepared, issued and maintained and the fees to be charged therefor ;

(*li*) the rules for the purpose of section 153 ;

(*lii*) under section 154, the form in which and the times at which intimation of transfers by registering officers shall be sent ;

(*liii*) under section 156, the other land records to be prepared ;

(*liv*) under sub-section (*2*) of section 170, the rules providing for the payment of land revenue in instalments and prescribing the dates on which the persons to whom, and the places where at, such instalments shall be paid ;

(*lv*) under section 179, the rules subject to which the occupancy or alienated holding forfeited to Government may be sold or otherwise disposed of ;

(*lvi*) under section 187, the rules for the management of unalienated land ;

(*lvii*) under sub-section (*1*) of section 192, the form of proclamation to be issued by the Collector ;

(*lviii*) under sub-section (*4*) of section 193, the form of notice ;

(*lix*) under section 205, the manner in which a fresh notice of re-sale of property shall be given ;

(*lx*) under section 238, the rules of conducting ordinary inquiries ;

(*lxi*) under section 239, the charges for copying, searches, inspection and other like matters ;

(*lxii*) under section 327, the rules subject to which, and the fees on payment of which, maps and records shall be open to the inspection of the public and certified extracts from the same or certified copies thereof shall be given ;

(*lxiii*) any other matter for which rules may be made under this Code.

329.Provisions for previous publication of, and penalty for breach of rules.— (*1*) All rules made under this Code shall be subject to the condition of previous publication.

(*2*) It shall be lawful for the State Government, in making any rules under this Code to prescribe that any person committing a breach of the same shall, in addition to any other consequences that

would ensue from such breach, be punishable with such fine not exceeding [1][one thousand rupees or such amount as may be prescribed, whichever is higher,] as the Collector may, after giving such person an opportunity to be heard, deem fit to impose.

330. Laying of rules before Legislature.— Every rule made under this Code shall be laid as soon as may be after it is made before each House of the State Legislature while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, and notify such decision in the *Official Gazette,* the rule shall from the date of publication of such notification have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that rule.

[2]**[330A.Delegation of powers and duties.—** Save as specifically provided in this Code, the State Government, and subject to the approval of the State Government, any Commissioner or Collector may, by notification in the *Official Gazette,* direct that all or any of the powers conferred or duties imposed on it or him by or under this Code may, subject to such restrictions and conditions, if any, be exercisable also by such officer not below such rank, as may be specified in the notification.]

331.Certain provisions to apply to alienated villages.— (*1*) The provisions of section 68 and of Chapters V, VI, VII, VIII and IX shall be applicable to all alienated villages and alienated shares of villages subject to the following modifications, that is to say—

(*i*) subject to the provisions of any covenant or agreement entered into by the State Government with the holder or holders of any such village or share, the costs of any survey directed under section 79 or a fresh survey directed under section 83 and of any settlement carried out under the said Chapters in any such village or share shall be payable by the holder or holders in proportion to their share in the rent or revenue of the village or share ;

(*ii*) if the State Government so directs such costs shall also be payable by any class of persons who, in the opinion of the State Government, have any interest in any land in such village or share and in such proportions as the State Government may direct ;

(*iii*) on the introduction of a settlement under Chapter V or VI in any such village or share, the holder or holders of such village or share shall, in proportion to his share in the rent or revenue of the village or share, be liable to pay—

(*a*) the salaries of the village officers appointed for the village or the share including the commutation allowance payable in respect of a commuted kulkarni watan in the village, if any ;

(*b*) the costs of the levy of a cess under sections 144, 151 and 152 of the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961 (Mah. V of 1962) ;

(*iv*) the liability under clauses (*i*) and (*iii*) shall be a first charge on the rent or revenue of such village or share ;

(*v*) the total amount payable under clauses (*i*) and (*iii*) in respect of the holding in any such village or share shall be recoverable from the holder of such village or share entered in the record of rights ;

(*vi*) the amount payable under clause (*ii*) by any class of persons shall be recoverable in such manner as the State Government directs from the members of that class as entered in the record of rights.

(*2*) All survey settlements hereto before introduced in alienated villages shall be valid as if they had been introduced in accordance with the provisions of this section.

1 These words were substituted for the words "one thousand rupees" by Mah. 21 of 2017, s. 24. 2 Section 330A was inserted by Mah. 4 of 1970, s. 7.

332.Holders of land in alienated villages.— When a survey settlement has been introduced under the provisions of section 331 or of any law for the time being in force, into an alienated village, the holders of all lands to which such settlement extends shall have the same rights and be affected by the same responsibilities in respect of the lands in their occupation as holders of land in unalienated villages have, or are affected by, under the provisions of this Code, and all the provisions of this Code, relating to holders or land in unalienated villages shall be applicable, so far as may be, to them.

333.Construction of this Code.— Nothing in this Code, which applies in terms to unalienated land or to the holders of unalienated land only, shall be deemed to affect alienated land, or the rights of holders of alienated land or of the Government in respect of any such land and no presumption shall be deemed to arise either in favour, or to the prejudice, of any holder of alienated land from any provision of this Code in terms relating to unalienated land only.

334.Amendment of enactments.— The enactments specified in Schedule K are hereby amended in the manner and to the extent specified in the fourth column thereof.

335.Power to remove difficulty.— If any difficulty arises in giving effect to the provisions of this Code, the State Government may, as the occasion requires, by order do anything not inconsistent with the purposes of this Code which appears to it to be necessary for the purpose of removing the difficulty :

Provided that, no order shall be made under this section after the expiry of one year from the commencement of this Code.

336.Repeal and savings.— On the commencement of this Code, the following laws, that is to say—

(*a*) the Bombay City Land Revenue Act, 1876 (Bom. II of 1876) ;

(*b*) the Bombay Land Revenue Code, 1879 (Bom. V of 1879) ;

(*c*) the Bombay City Survey Act, 1915 (Bom. IV of 1915) ;

(*d*) the Bombay Revenue Tribunal Act, 1957 (Bom. XXXI of 1958) ;

(*e*) the Central Provinces Land Alienation Act, 1916 (C. P. II of 1916) ;

(*f*) the Madhya Pradesh Land Revenue Code, 1954 (M. P. II of 1955) ;

(g) the Hyderabad Land Revenue Act, 1317-F (Hyd. VIII of 1317-F) ;

(*h*) the Hyderabad Record of Rights in Land Regulations, 1358-F (Hyd. LVIII of 1358-F) ;

are hereby repealed :

Provided that, the repeal shall not affect—

(*a*) the previous operation of any law so repealed or anything duly done or suffered thereunder, or

(*b*) any right, privilege, obligation or liability acquired, accrued, or incurred under any law so repealed, or

(*c*) any penalty, forfeiture or punishment incurred in respect of any offence committed against any law so repealed, or

(*d*) any investigation, proceeding, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid ;

and any such investigation, proceeding, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed as if this Code had not been passed :

Provided further that, any temporary alienation made by a member of an aboriginal tribe before the commencement of this Code by mortgage, lease or otherwise under the Central Provinces Land Alienation Act, 1916 (C. P. II of 1916), shall be regulated in accordance with the provisions of that Act, as if this Code had not been passed :

Provided also that, subject to the preceding provisos, and any saving provisions made in any of the Chapters of this Code, anything done or any action taken including any rule, assessments, appointments and transfers made, notifications, orders, summons, notices, warrants and proclamations issued, authorities and powers conferred, forms and leases granted, survey and boundary marks fixed, record of rights and other records framed or confirmed, rights acquired, liabilities incurred and times and places appointed under any law so repealed shall, in so far as it is not inconsistent with the provisions of this Code, be deemed to have been done or taken under the corresponding provision of this Code; and shall continue to be in force accordingly unless and until superseded by anything done or action taken under this Code.

337.Construction of reference.— (*1*) Any reference in any law in force in the Vidarbha region of the State, to—

(*a*) (*i*) a malik makbuza ;

(*ii*) a raiyat malik ;

(*iii*) an absolute occupancy tenant ;

(*iv*) an occupant ;

(*v*) an ante-alienation tenant ;

(*vi*) a tenant of antiquity ;

(*vii*) a Bhumiswami ;

shall be deemed to be a reference to Occupant—Class I ; and

(*b*) (*i*) an occupancy tenant ;

(*ii*) a raiyat ;

(*iii*) a tenant ;

(*iv*) a permanent tenant ;

(*v*) a Bhumidhari ;

shall be deemed to be a reference to Occupant—Class II.

(*2*) Any reference in any law or in any instrument or, other document to the expression “Mamlatdar, Mahalkari, Patwari, Patwari Circle” shall, unless a different intention appears, be construed as a reference to the corresponding expressions “Tahsildar, Naib-Tahsildar, Talathi and Saza” ; and in all suits, or other legal proceeding before any court, tribunal or authority pending on the commencement of this Act in which or to which any of the authorities first mentioned is a party, the authority corresponding thereto shall be deemed to be substituted therefor.

SCHEDULE A

(*See* sections 17 and 183)

Form of warrant to be issued by the Collector under section 17 or 183.

(Seal)

To,

THE OFFICER-IN-CHARGE OF THE CIVIL JAIL AT

WHEREAS*AB* of was on the day of 19 , ordered by to (*here state the substance of the demand made*); and whereas the said *AB* has neglected to comply with the said order, and it has therefore been directed, under the provisions of section 17/183 of the Maharashtra Land Revenue Code, 1966, that he be imprisoned in the civil jail until he obeys the said order, or until he obtains his discharge under the provisions of section 17 or 183 or 191 as the case may be, of the said Code; you are hereby required to receive the said *AB* into jail under your charge and to carry the aforesaid order into execution according to law.

Dated this day of 19 .

Seal

(Signature of the Collector)

SCHEDULE B

Form of Bond to be required under section 19 or 191

WHEREAS I, , have been ordered by to (*here state the nature of the demand*) and whereas I, dispute the right of the said to make the said order, I hereby bind myself to file a suit within fifteen days from the date of this bond in the District Court of to contest the justice of the demand, and do agree that in the event of a decree being passed against me, I will fulfil the same and will pay all, amounts including costs and interests, that may be due by me, or that if I fail to institute a suit as aforesaid, I will, when required, pay the abovementioned amount of rupees (or will deliver up the abovementioned papers or property, as the case may be), and in the case of my making default therein, I hereby bind myself to forfeit to the State Government the sum of rupees.

Dated

(Signature)

Form of Security to be subjoined to the bond of the principal.

WE,

hereby declare ourselves securities for the abovesaid that he shall do and perform all that he has above undertaken to do and perform and in case of his making default therein, we hereby bind ourselves to forfeit to the State Government the sum of rupees.

Dated

(Signature)

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SCHEDULE C

(*See* sections 129 and 130)

Form of sanad for building sites

(The Asoka Capital Motif)

THE GOVERNMENT ofMAHARASHTRA

To . . . . . .

WHEREAS the State Government with a view to the settlement of the land revenue, and the record and preservation of proprietary and other rights connected, with the soil, has under the provisions of the Maharashtra Land Revenue Code, 1966, directed a survey of the lands within the . . . . . of . . . . . and ordered the necessary inquiries connected therewith to be made, this sanad is issued under section 129 or 130 of the said Code to the effect that—

There is a certain plot of ground occupied by you in the Division of the of Register No. in the map marked sheet , No. and facing towards the the road leading from to containing about square metres and of the following shape and about the following dimensions :—

You are hereby confirmed in the said occupancy exempt from all land revenue (*or* subject to the payment of Rs. per annum of the land revenue).

The terms of your tenure are such that your occupancy is both transferable and heritable, and will be continued by the State Government, without any objection or question as to title to whosoever shall from time to time be its lawful holder (subject only to the condition of the payment annually of the above land revenue according to the provisions of the Maharashtra Land Revenue Code, 1966 or of any other law for the time being in force, and to the liability to have the said rate of assessment revised at the expiration of a term of years reckoned from the and thereafter at successive periods of years in perpetuity, and to the necessity for compliance with the provisions of the law from time to time in force as to the time and manner of payment of the said assessment, and to the liability of forfeiture of the said occupancy and of all rights and interest connected therewith in case of your failure to pay the said assessment as required by law).

(Signature)

———————

SCHEDULE D

(*See* section 242)

Form of warrant to be issued by the Collector under section 242.

(Seal)

To

THE OFFICER-IN-CHARGE OF THE CIVIL JAIL AT

WHEREAS*AB* of has resisted (*or* obstructed) C. D. in removing *EF* (*or* himself, that is, the said *AB*) from certain land in the village in the taluka . . . . . .
the land or foreshore situated at
and whereas it is necessary, in order to prevent the continuance of such resistance or obstruction to commit the said *AB* to close custody ; you are hereby required under the provisions of section 242 of the Maharashtra Land Revenue Code, 1966, to receive the said *AB* into the jail under your charge and thereto keep him in safe custody for days.

Dated this day of 19 .

(Signature of the Collector)

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SCHEDULE E

(*See* section 247)

	REVENUE OFFICER	APPELLATE AUTHORITY
1.	All Officer in a Sub-Division, Sub-ordinate or Deputy Collector as may be specified by the Collector in this behalf.	Sub-Divisional Officer or such Assistant to the Sub-Divisional Officer.
2.	Sub-Divisional Officer, Assistant or Deputy Collector. Collector who may be invested with powers of the Collector by the State Government in this behalf.	Collector or such Assistant or Deputy Collector
3.	Collector [1][including the Collector of Bombay] or Assistant/Deputy Collector invested with the appellate power of the Collector.	Divisional Commissioner.
4.	A person exercising powers conferred by section [2][15], State Government in this behalf.	Such officer as may be specified by the State Government in this behalf.

	SURVEY OFFICER	APPELLATE AUTHORITY
1.	District Inspector of Land Records, Survey Tahsildar and other Officers not above the rank of District Inspector of Land Records. Officers of equal ranks as may be specified by the State Government in this behalf.	Superintendent of Land Records or such
2.	Superintendent of Land Record and other Director of Land Records, who may be invested with the powers of Director of Land Records by the State Government in this behalf.	Director of Land Records or the Deputy Officer of equal ranks.
3.	Settlement Officer	Settlement Commissioner.

1 These brackets and words were substituted for the brackets and words "(not being the Collector of Bombay)" by Mah. 47 of 1981, s. 12.

2 These figures were substituted for the figures "16" by Mah. 30 of 1968, s. 8.

SCHEDULE F

(*See* section 267)

Table of rates of fees payable under the provisions of section 267 in respect of notices demanding payment of arrears of revenue.

Revenue due	Notice Fee
	Rs. P.
Not exceeding Rs. 25	0.50
Over Rs. 25 and not exceeding Rs.100	1.00
Over Rs. 100	2.00

SCHEDULE G

(*See* section 273)

Table of fees payable under the provisions of section 273 of this Code.

Sum distrained for.	Fee Rs. P.
Not exceeding Rs. 5	0.50
Over Rs. 5 and not exceeding Rs. 10.	1.00
" " 10 " " " " 15	1.50
" " 15 " " " " 20	2.00
" " 20 " " " " 25	2.50
" " 25 " " " " 30	3.00
" " 30 " " " " 35	3.50
" " 35 " " " " 40	4.00
" " 40 " " " " 45	4.50
" " 45 " " " " 50	5.00
" " 50 " " " " 60	6.00
" " 60 " " " " 85	7.50
" " 80 " " " " 100	9.00
Upwards of Rs. 100	10.00

SCHEDULE H

(*See* section 297)

Form of notice of transfer to be given under section 297 of this Code, when the transfer has taken place otherwise than by Instrument.

To,

THE COLLECTOR OF MUMBAI,

I,A.B.,hereby give notice, as required by section 302 of the Maharashtra Land Revenue Code, 1966 of the following transfer of property :—

Date of	Name in which the property is	To whose name it is	Description of the Property				
			Of what	Situation	Collector's Mumbai Dimensions	Boundaries	Remarks

Notice at present entered in the Collector's records transferred

to be consists it No. Survey City of land

SCHEDULE I

(*See* section 297)

Form of notice of transfer to be given under section 297 of this Code, when the transfer has been effected by Instrument.

To,

THE COLLECTOR OF MUMBAI,

I,A.B.,hereby give notice, as required by section 302 of the Maharashtra Land Revenue Code, 1966 of the following transfer of property :—

Date of Instrument	Date of Notice	Name of vendor or assign or	Name of purchaser or assignee	Amount Consider -ation	Description of the property					If Remarks
					Of what consists	Situation	Collector's Dimensions	Bombay Boundar-	City Survey No.	of land

[1][SCHEDULE J

(*See* section 315)

Serial No.	Name of Enactment	Appellate or revisional jurisdiction against orders or decisions in cases arising under the following provisions
(1)	(2)	(3)
1	The Maharashtra Land Revenue Code, 1966 (Mah. XLI of 1966).	Section 24. Section 27. Section 59, except clause (*b*) thereof. Section 65. Section 66.
2	The Hyderabad Tenancy and Agricultural Lands Act, 1950 (Hyderabad Act XXI of 1950).	Section 18, sub-section (*2*). Section 44, sub-section (*1*). Section 47. Section 48. Section 49. Section 71. Section 75.
3	The Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950 (Madhya Pradesh Act I of 1951).	Section 24. Section 25. Section 26. Section 27.]

1 Schedule J was inserted by Mah. 23 of 2007, s. 13.

SCHEDULE K

Enactments amended

(*See* section 334)

Serial No.	Number and year	Short title	Extent of amendment
(1) (2)	(3)	(4)	
1	X of 1876	The Bombay Revenue Jurisdiction Act, 1876.	In section 11, for the words "No Civil Court shall entertain" the words and figures "Except as otherwise expressly provided in the Maharashtra land Revenue Code, 1966 (Mah. XLI of 1966), no civil court shall entertain" shall be substituted.
2	Bom. LXVII of 1948	The Bombay Tenancy And Agricultural Lands Act, 1948.	1. Chapter V-A shall be deleted ; 2. In section 70, clause (*na*) shall be deleted; 3. In section 74, in sub-section (*1*), clause (*t*) shall be deleted ; 4. In section 81, in sub-section (*1*), in the Table, the entries relating to section 66A shall be deleted ; 5. In clause 82, in sub-section (*2*), clause (*1a*) shall be deleted.
3	Hyd. XXI of 1950	The Hyderabad Tenancy and Agricultural Lands Act, 1950, as re-enacted, validated and further amended by Mah. XLV of 1961.	1. Chapter V-A shall be deleted ; 2. In section 96, in sub-section (*1*), in the Table, the last two entries relating to sections 50D and 50F shall be deleted ; [1][* * *]
4	Bom. XCIX of 1958	The Bombay Tenancy and Agricultural Lands (Vidarbha Region) Act, 1958.	1. Chapter IX shall be deleted ; 2. In section 107, in sub-section (*1*), clause (*z*) shall be deleted ; 3. In section 117, in sub-section (*1*), in the Table all entries relating to section 93 shall be deleted.

[1] Entry 3 was deleted by Mah. 11 of 1976, s. 3, Second Schedule.