

# **The Maharashtra Land Revenue Farm Building (Erection, Renewal, Reconstruction, Alteration, Additions, etc.) Rules, 1989**

MAHARASHTRA

India

## **The Maharashtra Land Revenue Farm Building (Erection, Renewal, Reconstruction, Alteration, Additions, etc.) Rules, 1989**

### **Rule**

### **THE-MAHARASHTRA-LAND-REVENUE-FARM-BUILDING-ERECTION-F of 1989**

- Published on 12 July 1989
- Commenced on 12 July 1989
- [This is the version of this document from 12 July 1989.]
- [Note: The original publication document is not available and this content could not be verified.]

The Maharashtra Land Revenue Farm Building (Erection, Renewal, Reconstruction, Alteration, Additions, etc.) Rules, 1989 Published vide Notification No. G.N., R. & F.D., No. NAP. 1087/38663/(1199)/L-2, dated 12th July 1989 (M.G. Part 4B, page 978) In exercise of the powers conferred by sub-section (1) and clause (xiv-a) of sub section 328(2) section (2) of section 328 read with section 41 if the Maharashtra Land Revenue Code, 1966 (Maharashtra, XLI of 1966) and all other powers enabling it in that behalf the Government of Maharashtra hereby makes the following rule, the same having , been published previously as required by sub-section (1) of section 329 of the code, namely :-

#### **1. Short title.**

- These rules may be called the Maharashtra Land Revenue Farm Building (Erection, renewal, reconstruction, alteration, addition, etc.) Rules, 1989.

#### **2. Definition.**

- In these rules, unless the context require otherwise :-(a)"Code" means the Maharashtra Land Revenue Code, 1966(b)"Section" means a section of the code;(c)"Planing Authority" means a Planing Authority as defined in the Maharashtra Regional and Town Planing Act, 1966;(d)"Construction" means erection of farm building or carrying out the work of renewal,

reconstruction, alterations or additions in farm building.

### **3. Form of application for permission under section 41(2).**

- Every application under sub-section (2) of section 41 of the code for erection of any farm building or carrying out any work of renewal of , reconstruction of, alteration in or additions to any such farm building, or any farm building erected before the commencement of the Maharashtra land Revenue Code (Amendment) Act, 1986 (Maharashtra XXXII of 1986) shall be made in the Form A appended hereto.

### **4. Procedure to be following by Collector on receipt of application under section 41(2).**

(1)The collector on receipt of the said application,--(a)shall acknowledge the receipt of the application within seven days;(b)may return the application if it is not made by the holder or as the case may be, by any other person referred to in sub-section (1) of section 41 of the Code, or if the application is not made in accordance with the form prescribed;(c)May, after due enquiry either grant the permission on such terms and conditions as laid down in rule 5 or refuse the permission applied for after recording in writing the reason for refusal.(2)If the Collector fails to inform the applicant of his decision within ninety days from the date of acknowledge, or where an application has been duly returned for the purpose mentioned in clause (b), then within ninety days from the date in which it is again presented duly complied with, the permission applied for shall be deemed to have been granted subject to the conditions provided in rule 5.

### **5. Conditions on permission under section 41(2) may be granted.**

- The collector after consulting the planing authority and such other authority, as the State Government may, from time direct, shall grant permission for erection of any farm building or carrying out any work of renewal of, reconstruction of, alteration in, or additions to, any farm building subject to the provision of any law for the time being in force and to the following other conditions, namely :-(a)the grant of permission shall be subject to the provision of sub-section (3) and (4) of section 41 of the Code and Rules made thereunder;(b)the farm building shall not be used for purpose other than those provided in sub-section (9) of section 2 of the Code;(c)the applicant shall commence the construction within six months from the date of grant of permission by the collector in that behalf, failing which, unless the said period is extended by the collector, from time to time, the permission, granted shall be deemed to have been lapsed ;(d)the applicant shall continue to pay the agricultural assessment ;(e)any other reasonable conditions which the Collector may deem fit to impose regard being had to sanctioned use of land on which farm building is proposed to be erected or any work of renewal reconstruction, alterations or additions to the farm building is proposed to be carried out.

## **6. Application of the Maharashtra Land Revenue (Conversion of use of and Non-Agricultural Assessment) Rules, 1969.**

- In the cases falling under sub-section (6) of section 41 of the Code, the provision of the Maharashtra Land Revenue (Conversion of use of Land and Non-Agricultural Assessment) Rules, 1969, shall apply and they shall be dealt with in accordance with made therein.

## **7. Maintenance of record of permission granted under section 41(2) of the Code.**

- Record of permission granted under sub-section (2) of section 41 of the Code shall be maintained in Form 'B' appended hereto, at village Tahsil, and District levels in which the land in respect of which permission is granted is situated. Form "A" (See rule 3) Form of application under sub-section (2) of section 41 of Maharashtra Land Revenue Code, 1966 To, The collector of The sub-Divisional Officer, The Tahsildar Sir, I ..... residing at ..... Taluka ..... In ..... District hereby apply for permission to use the land described below to erect a farm building to carry out the work of renewal/ reconstruction/ alteration/ additions to the existing farm building.

### **2. I annex to this application :-**

(a) A certified copy of record of rights in respect of the land as it existed at time of application. (b) A certified copy of the holding sheet (V.F.VIII-A). (c) Written consent of the tenant/superior holder/occupant. (d) Sketch or lay-out of the site in question (in triplicate) showing the location of the proposed building for which permission is sought and the nearest road or mean of access.

### **3. I also furnish the following information :-**

- (1) Name of the Applicant
- (2) Full postal Address
- (3) Occupation
- (4) Village, Taluka and District where the land is situated -
- (5) Sr. No. Hissa No. and area and Assessment/Rent of the land. -  
Area of the site out of (5) above
- (6) proposed to be used for farm building  
(Area in Sq. Mtrs.) -  
Whether the applicant is superior holder of the alienated land or occupant
- (7) Class I, Class II or a tenant or a Government lessee. -

- Present use or the land and whether any building exists thereon and if so its use and are thereunder in square metre.
- (8) -
- (9) Whether the land is situated or included -
- (a) In Municipal Corporation Area of Greater Bombay, Pune, Nagpur and within are of 8 kms. from the periphery of the limits of such Municipal Corporation. -
- (b) In the limits of any other Municipal Corporation and the area within 5 kms. From the periphery of the limits of such Municipal Corporation. -
- (c) In limits of 'A' class Municipal Corporation and the are within 3 kms. From the periphery of the limits of such Municipal Corporation. -
- (d) In the limits of the 'B' and 'C' class Municipal Councils.
- (e) Within the are covered by the Regional Plan, Town Planning Scheme or proposal for the Development of the land (within the notified area) or (An are designated as) site or Newtown whether each of these being in draft or final, prepared, sanctioned or approved under Maharashtra Regional and Town Planning Act, 1966.
- (f) In or near a cantonment area
- (g) Near Airport or a Railway line or Railway Station or Jail or prison or local public office or cremation or burial ground. If so, its approximate distance therefrom.
- (10) Whether electrical high transmission lines pass over the land if so; what is the distance.
- (11) Is the land under acquisition, so, stated details.
- (12) Is there a road from whether land is easily accessible? State the time of the road and whether it is highway.... major District Road or village Road, what is the distance the proposed from the centre of the Road.
- (13)

If there is no road adjoining the land  
how is it proposed to provide for access  
to the site?

Was a similar application made in the  
(14) past for farm building and was it  
rejected. If yes, why?

I solemnly affirm that the information given above is true to the best of my knowledge and  
belief. Place : Date : Signature of the Applicant (To be filled in by Revenue Officer) Date of receipt of  
the application ..... Stamp of the officer. Signature and Designation of the  
Receiver Form 'B' (See rule 7) Form of Register of Farm Building(s) Village : Taluka : District :

Serial No.	Name of the holder	Area of total holding of the holder	Description of land in which permission of farm building is applied for.
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(1)	(2)	(3) H. Area	(4) Survey No.
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Area for which permission is granted	Authority (Number and date of permission granted)	Entry Number in village form II-A	Remarks
(5) Area	(6)	(7)	(8)