

# Maharashtra Land Tenures Abolition (Recovery of Records) Act, 1953

MAHARASHTRA

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### Act 50 of 1953

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Maharashtra Land Tenures Abolition (Recovery of Records) Act, 1953 Act No. 50 of 1953 [7th October, 1953] For Statement of Objects and Reasons, see Bombay Government Gazette, 1953, Part v, page 435. An Act to provide for taking over records maintained by the holders of lands or villages held on tenures which have been abolished by certain enactments in the State of Bombay. Whereas it is expedient to provide for taking over records maintained by the holders of lands or villages held on tenures which have been abolished by certain enactments in the State of Bombay; It is hereby enacted as follows:-

### 1. Short title.

- This Act may be called [the Maharashtra Land Tenures Abolition (Recovery of Records) Act] [This short title was substituted for the short title 'the Bombay Land Tenure Abolition (Recovery of Records) Act, 1953' by Maharashtra 24 of 2012, Schedule. entry No. 51 (w.r.e.f. 1.5.1960).].

### 2. Definitions.

- In this Act, unless there is anything repugnant in the subject or context-(1)"holder" means-(a)a talucidar,(b)a watandar,(c)a vazifdar,(d)an estate-holder,(e)a mulgirasia,(f)an ankadedar,(g)[ a kaul-holder, [These sub-clauses were substituted for clauses (g) and (h) by Bombay 52 of 1954, section 2.](h)an inamdar, or(i)a matadar,]as defined or referred to in the respective Land Tenure Abolition Acts and includes his heirs, assigns and legal representatives and also a person who for the time being is in possession of any land records on behalf of such holder;(2)"Land Tenure Abolition Act" means an Act specified in the Schedule to this Act;(3)"land records" means records maintained by a holder in respect of the land or village held by him at any time before the abolition of the tenure on which such land or village was held;(4)"prescribed" means prescribed by rules made under this

Act.

### **3. Holder to deliver land records to State Government.**

- It shall be the duty of every holder to deliver, in the prescribed manner, [within two months from such date as the State Government may, by notification in the Official Gazette, specify in this behalf] [These words were substituted for the words 'within two months from the date of the commencement of the Act' by Bombay 52 of 1954, section 3.] all land records in his possession to the Collector or to such officer as may be appointed by the State Government in this behalf Provided that in the case of any holder, the Collector or the officer, as the case may be, may, for sufficient reasons, extend such period by a further period not exceeding two months.

### **4. Power to make searches.**

- If the Collector or the officer appointed under section 3 has reason to believe that any holder is not likely to deliver the land records as required by section 3 or is likely to destroy them or tamper with them, he may, for the purpose of recovering such records, 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 Code of Criminal Procedure, 1898.

### **5. Offence and penalty.**

- If a holder fails to deliver land records in accordance with the provisions of section 3, he shall on conviction, be punished with fine which may extend to two hundred rupees In the case of a continuing failure to deliver land records, the holder shall be punished with an additional fine which may extend to twenty-five rupees for ever, day during which such failure continues after conviction for the first such failure.

### **6. Rules.**

- The State Government may, subject to the condition of previous publication, make rules for carrying out the purposes of this Act, Such rules shall, when finally made, be published in the Official Gazette.

## **Schedule**

(See section 2)

### **1. The Bombay Talucidari Tenure Abolition Act, 1949 (Bombay LXII of 1949).**

- 2. The Bombay Paragana and Kulkarni Watans (Abolition) Act, 1959 (Bombay LX of 1950).**
- 3. The Bombay Watwa Vazifdari Rights Abolition Act, 1950 (Bombay LXII of 1950).**
- 4. The Salsette Estates (Land Revenue Exemption Abolition) Act, 1951 (Bombay XLVII of 1951).**
- 5. The Bombay Personal Inams Abolition Act, 1952 (Bombay XLII of 1953).**
- 6. The Bombay Merged Territories (Ankadia Tenure Abolition) Act, 1953 (Bombay XLIII of 1953).**
- 7. The Bombay Kauli and Katuban Tenures (Abolition) Act, 1953 (Bombay XLIV of 1953).**
- 8. The Bombay Merged Territories (Baroda Mulgiras Tenure Abolition) Act, 1953 (Bombay XLV of 1953).**
- 9. The Bombay Merged Territories (Baroda Watan Abolition) Act, 1953 (Bombay XLVI of 1953).**
- 10. [ The Bombay Merged Territories Matadari Tenure Abolition Act, 1953 (Bombay XLVIII of 1953).] [This entry was added by Bombay 52 of 1954, section 4.]**

Notifications G. N., R. D., No. 628/49/(a)-M (Spl.), dated 7th December, 1954 (B. G., Part IV-B, pages 1639) - In exercise of the powers conferred by section 3 of the Bombay Land Tenures Abolition (Recovery of Records) Act, 1953 (Bombay L of 1953), the Government of Bombay hereby specifies 15th December 1954 as the date for the purposes of the said section 3. G. N., R. D., No. 628/49/(b)-M (Spl.), dated 7th December, 1954 (B. G., Part IV-B, pages 1640) - In pursuance of the provisions of section 3 of the Bombay Land Tenures Abolition (Recovery of Records) Act, 1953 (Bombay L of 1953), the Government of Bombay hereby appoints all Mamlatdars and all Mahalkaris within the limits of their respective jurisdiction as officers for the purposes of the said section 3. G. N., R. D., No. 628/49/(a)-M (Spl.), dated 26th September, 1955 (B. G., Part IV-B, pages 1796) - In exercise of the powers conferred by section 3 of the Bombay Land Tenures Abolition (Recovery of Records) Act, 1953 (Bombay L of 1953), the Government of Bombay hereby specifies 15th October 1955 as the date for the purposes of the said section 3 in respect of personal inams falling under clause (b) of the proviso to section 4. of the Bombay personal Inams Abolition Act, 1952 (Bombay XLII of 1953). G. N., R. D., No. PKA-1055- M (Spl.), dated 21st January, 1956 (B. G., Part IV-B, pages

106) - In exercise of the powers conferred by section 3 of the Bombay Land Tenures Abolition (Recovery of Records) Act, 1953 (Bombay L of 1953), the Government of Bombay hereby specifies 22nd January 1956 as the date for the purpose of the said section 3. in respect of the Deshmukh Watan of the Borpada Village in Navapur Taluka of the West Khandesh District abolished under the Bombay Paragana and Kulkarni Watans (Abolition) Act, 1950.