

# **The Maharashtra Land Revenue (Reduction, Suspension and Remission) Rules, 1970**

MAHARASHTRA

India

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### **Rule**

### **THE-MAHARASHTRA-LAND-REVENUE-REDUCTION-SUSPENSION-AND-REMISSION-RULES-1970**

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The Maharashtra Land Revenue (Reduction, Suspension and Remission) Rules, 1970 Published vide Government Notification No. UNF. 1667-R, dated 30th May, 1970 (M.G.G., part 4B, page 769) In exercise of the powers conferred upon it by clause (xxviii) of sub-section (2) of Section 328 of the Maharashtra Land Revenue Code, 1966 (Maharashtra XLI of 1966) and of all other powers enabling it in that behalf and in supersession of all previous rules made in this behalf and continued in force by virtue of the third proviso to Section 336 of the said Code, the Government of Maharashtra hereby makes the following rules the same having been previously published as required by sub-section (1) of Section 329 of the said Code, namely :-

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

- These rules may be called the Maharashtra Land Revenue (Reduction, Suspension and Remission) Rules, 1970.

#### **2. Definitions.**

- In these rule unless the context requires otherwise -(a)"Code" means the Maharashtra Land Revenue Code, 1966 (Maharashtra XLI of 1966);(b)"current land revenue" means land revenue payable in respect of any land under Section 170 of the Code;(ba)[ "drought prone areas" means the areas so declared by the State Government under Government Resolution Revenue and Forest Department No. FFC 1073/199770-J4-dated the 4th August 1973 and such other areas as may be declared by the State Government, from time to time, by general or special order in this behalf.]

[Clause (ba) inserted by ANI-1379/129937 M-7, dated 19.9.1980 (M.G.G., part 4, extraordinary, page 699).](c)"general calamity" means wide-spread of general failure of crops in any revenue year caused by drought, floods, failure of rains or excessive or untimely rains, or any other natural calamity; and includes total failure of crops due to land in any tract being left unsown because of any recent calamity or an order made under any law by a competent authority;(d)"local calamity" means loss of, or damage to, crops or other property in any locality in any revenue year occasioned by hailstorm, or fire, or caused by locust, or by theft or mischief by unknown persons, and includes failure of crops by flood or any other causes specified in clause(c);(e)"settlement" has the meaning assigned to it in Chapter VI of the Code;(f)"tract" means any part of a district.

### **3. Reduction of land revenue.**

(1)If during the currency of any settlement, there is such physical deterioration of the soil in any holding as to necessitate reduction of assessment, the holder thereof may apply to the Survey Officer in the district not below the rank of a District Inspector of Land Records for reduction of the assessment.(2)On receipt of such application, the Survey Officer shall acknowledge it, and after making necessary inquiries, submit his proposals to the Settlement Commissioner and Director or Land Records through his immediate superior, if any.(3)If the Settlement commissioner and Director of Land Records is satisfied that in circumstances reported, any reduction in the assessment of the holding applied for is necessary, he may by order sanction the reduction in the annual assessment, howsoever, that the amount does not exceed [Two hundred rupees] [For the words 'Twenty Rupees' the words 'Two Hundred Rupees' substituted by No. CON 3489/16873/(CR 6435)/LI, date of 4.7.1997 (M.G.G., 1998, part IV-B, page 714).] and inform the applicant the terms of the order. All cases where the reduction proposed in the annual assessment exceeds twenty rupees shall be submitted to the State Government for orders. The State Government on receiving papers in any such cases, may make such inquiries as it thinks to be necessary and pass such orders on the application as it deem fit, and require the Settlement Commissioner and Director of Land Records to inform the applicant forthwith accordingly.(4)Any reduction sanctioned under this rule shall take effect from the revenue year next following the date of the order sanctioning the reduction and shall remain in force until the commencement of the term of the fresh settlement.

### **4. Estimate of failure of crops in any tract.**

- If the Collector on hearing and reports has reason to believe that there has been such a failure of crops in any tract due to a general calamity as to make it probable that relief will be required, he shall cause early enquiries to be made into the condition of such tract, the degree of crop failure in each village or group of homogeneous villages therein and make [paise valuation] [The words 'anna valuation' were substituted for the words 'paise valuation' by G.N. of 19.9.1980, section 3.] of the estimated out-turn of crops according to instructions of the State Government issued from time to time in this behalf.

## **5. [ Scale of granting remission. [Rule 5 was substituted, by G.N. of 19.9.1980, section 4.]**

- The Collector, on making local inquiries and ascertaining the degree of crop failure in any tract as aforesaid, may remit the whole of the land revenue payable by any person liable under section 168 of the Code in respect of his land in such tract if the estimated paise valuation of Crops in such tract is 50 percent or below of the normal yield. Provided that, if such tract forms part of the areas declared as drought prone areas by the State Government, the Collector may grant remission of land revenue if the estimated paise valuation of crops in such tract is 60 percent or below of the normal yield; Provided further that if in any tract, suspension of land Revenue was granted by the Collector prior to the Coming into force of the land Maharashtra Land Revenue (reduction, suspension and Remission) (Amend) Rules 1980, the recovery or remission of suspended land revenue may, as far as possible, be governed by these rules as if they were not amended by the said Amendment Rules of 1980, and subject to such directions as the State Government may from time to time, issue by general or special orders.]

## **6. to 9.**

[\* \* \*] [Rule 6, 7, 8, 9 deleted by G.N. of 19.9.1980.]

## **10. Remission on consequence of prohibitory orders.**

- If crops could not be grown in any year in any area consequent to an order made by a competent authority under any law for the time being in force, the Collector may by an order in writing grant remission -(a) in whole, of the land revenue payable in respect of such area, if more than half such area allowed to remain fallow in such year was cultivated during the previous year; (b) in part, of any amount equal to half of the land revenue payable in respect of such area, if less than half the area allowed to remain fallow was cultivated during the previous year.

## **11. Relief in local calamities.**

(1) When the Collector is satisfied on inquiries made in any year in any tract that there has been a local calamity, he may after taking into account the resource of the owner of the crops affected by such local calamity by an order in writing -(a) if there is total loss of crops or extensive damage to other property, grant permission in whole or in part, of land revenue in that year as he may deem proper after taking into consideration the circumstances of each case: Provided that, the relief by way of remission in any district in any year shall not exceed one thousand rupees; Provided further, that the Collector may, with the previous sanction of the State Government, grant such remission in any district in any year an amount exceeding one thousand rupees; [\* \* \*] [Deleted by G.N. of 19.9.1980.] Explanation. - For the purposes of this sub-rule, the question of extent of damage or loss due to a local calamity in any tract in any year shall, subject to the provisions of the Code, be decided by the Collector. [\* \* \*] [Deleted by G.N. of 19.9.1980.]

## **12. Collector to furnish information to State Government about [\* \* \*] [Deleted by G.N. of 19.9.1980.] remission.**

- The Collector shall furnish to the Government information about [\* \* \*] [Deleted by G.N. of 19.9.1980.] remissions granted by him under these rules every year in the appended form. Note. - The powers of the State Government under Section 78 of the Code to grant reduction of land revenue have been delegated to the Settlement Commissioner and Director of Land Records and the powers to grant suspension and remission of land revenue have been delegated to the Collectors under Section 330-A of the Code under Government Notification, Revenue and Forest Department No. UNF-1667- (a)-R, dated 25th May, 1970.

## **13. [ Procedure where land revenue payable by class of persons remitted. [Added by the Maharashtra Land Revenue (Reduction, Suspension and Remission) (Amendment), Rules 1978 published in the Maharashtra Government Gazette, Part IV-B, dated 15th May, 1978.]**

(1)Where under any rule or special order made under Section 8 of the Code the State Government grants exemption either wholly or partly of the amount of agricultural land revenue payable by any classes of holders in any revenue year, specified in the said order, the Collector shall, on receipt of the said rule order, (herein after referred to "the remission order") endorse copies thereof to all the Tahsildars in his district.(2)As soon as may be, after the receipt of the copy of the remission order under sub-rule(1), the Tahsildar shall cause to be prepared a list of holders in each village in his taluka, who are entitled to the benefit of the remission of land revenue in accordance with such order. The list shall contain names of the holders, particulars of the lands held by them in all or any of the village in the taluka in respect of which they are primarily liable to pay the land revenue and the amount of land revenue so payable by them. Where a person holds land in two or more villages in the taluka, his name shall be included in the list prepared in respect of the village in which he ordinarily resides.(3)After such list is prepared it shall be published by affixing a copy thereof at the office of the Tahsildar, at the Village Chavdi and on the notice board of the Village Panchayat and where there is no Village Panchayat, at any prominent place in village and the fact that such list has been prepared shall also be announced in the village by beat of drum for inviting objections and suggestion within a period of one month.(4)Any person disputing the correctness or omission of any entry in aforesaid list, may make an application to the Tahsildar within one month from the date of the publication of the list under sub-rule(3). Every such application shall state clearly and in brief the ground on which the correctness or omission of an entry in the list published by the Tahsildar under sub-rule(3) is disputed and specify the name and address of the applicant and bear the signature of the applicant or his duly authorised agent. Every such application shall either be presented to the Tahsildar in person or be sent to him by post.(5)If within one month from the date of publication of the list in the village under sub-rule(3), no application is received by the Tahsildar from any holder or other interested person within a period of one month of the date of such publication disputing the correctness or omission of any entry, such list shall be final.(6)On receipt of an application under sub-rule(4), the Tahsildar shall after holding an inquiry, pass such order thereon, as he deems fit. He shall carry out such correction or addition in the list, in accordance with

his decision. The decision of the Tahsildar shall subject to any appeal or revision be final. After all the applications have been disposed of, the Tahsildar, shall publish the list in the manner provided in sub-rule(3) and the list so published shall be final.(7)On the basis of the final list referred to in sub-rule(5) and (6) the Talathi, shall in respect of each holder whose name stands in such list, make an entry in the Record of Rights (Village Form VII-XIII) to the effect that the payment of land revenue in respect of all the lands held by such holder in the village stands remitted for the year, for which it is so remitted. A similar not shall also be taken in other relevant village, taluka and district records, as may be directed by the Collector.][Form] [Substituted by G.N. of 19.9.1980.]District  
 .....Statement showing the amount of land revenue remitted during the year  
 .....

Sr. No.	Name of the Taluka	Total Number of villages	Number of Villages where Paisewari is-	50 percent or below of the normal yield in any tract	60 per cent or below of the normal yield in drought prone areas declared by State Government	Amount of Land Revenue remitted (In Rs.)
1	2	3	4	5	6	