

# **The Maharashtra Land Revenue (Inclusion of Certain Bhumidharis in Occupants-Class I, Permission) Rules, 1968**

MAHARASHTRA

India

## **The Maharashtra Land Revenue (Inclusion of Certain Bhumidharis in Occupants-Class I, Permission) Rules, 1968**

### **Rule**

### **THE-MAHARASHTRA-LAND-REVENUE-INCLUSION-OF-CERTAIN-BHUMIDHARIS IN OCCUPANTS-CLASS I, PERMISSION) RULES, 1968**

- Published on 22 May 1956
- Commenced on 22 May 1956
- [This is the version of this document from 22 May 1956.]
- [Note: The original publication document is not available and this content could not be verified.]

The Maharashtra Land Revenue (Inclusion of Certain Bhumidharis in Occupants-Class I, Permission) Rules, 1968 Published vide Notification No. UNF. 1567 (1) R., 31.12.1968, M.G.G., Part 4B, Ex. 31.12.1968, page 1128R & F.D. No. UNF. 1567 (1) R. (19-1-1968). - In exercise of the powers conferred by clause (IX) of sub-section (2) of section 328 of the Maharashtra Land Revenue Code, 1966 (Maharashtra XLI of 1966) and suppression 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 rule, 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 (Inclusion of Certain Bhumidharis in Occupants-Class I permission) Rules, 1968.

#### **2. Application of certain Bhumidharis for inclusion in occupants Class-I.**

(1) A person holding land in Bhumidhari rights in the Vidarbha area of the State who is classed as Occupant - Class II under sub-section (3) of Section 29 (not being a Bhumidhari to whom lands have been allotted in accordance with Rules 3 to 9 of the rules published in the former Madhya Pradesh Government in the Land Reforms Department Notification No. 1118/1832-55 XVIII, dated the 22nd

May, 1956 as amended from time to time) and desires to be included in Occupants - Class I under clause © of sub-section (2) of that section shall make an application in that behalf addressed to the Collector. The application shall specify the following particulars, that is to say: -(a)the name, description and place of residence of the applicant;(b)the village in which the land is situated;(c)the number of fields in the land as entered in the latest jamabandi or record of rights of the village, the area of each field, the rent of the land and right in which it is held.(2)The application shall be accompanied by a copy of entries pertaining to the land in the latest janabandi or record or rights of the village in which the land is situated.

### **3. Issue of proclamation.**

- The Collector shall, on receipt of an application, cause to be issued a proclamation in Form 'A' hereto calling on all persons interested in the land to send their objections, if any, in writing against the permission applied for. A copy of such proclamation shall be posted at prominent place in which the headquarters of the taluka, and also in the village in which the land is situated.

### **4. Hearing of application.**

(1)On the date fixed for hearing or any other date to which the hearing may be adjourned, the Collector shall, after examining the applicant and any [other party interested] [No. UNF. 1567 (I) R., 31.12.1968, M.G.G., Part 4-B, Ex. 31.12.1968, page 1128] (if any) and hearing the evidence adduced, if any, record his findings thereon. If the Collector comes to conclusion, that the applicant is entitled to be declared as occupant-class I, he shall record a preliminary order in that behalf, and shall specify in that order the arrears land revenue in respect of the land, if any and order the applicant to [deposit the arrears of land revenue, if any, and an amount equal to] [No. UNF. 1567 (I) R., 31.12.1968, M.G.G., Part 4-B, Ex. 31.12.1968, page 1128] three times the land revenue for the time being assessed on the land; and if the land adjoins a Government forest, the Collector shall also order the applicant to get the land demarcated under the Code.(2)A copy of the order shall be communicated to the applicant.

### **5. Declaration of applicants as Occupant-Class I.**

(1)If within one month from the date of communication of the order, the applicant-(a)deposit an amount equal to three times assessment payable in respect of the land, the arrears of land revenue, if any by crediting the same in he Treasury, and produces a Treasury Challan in support thereof; and(b)take necessary steps to get the land, if adjoining a Govt. forest, to be demarcated; the Collector may draw up a final order in Form 'B' hereto permitting him to be included in Occupants-Class I in respect of such land.(2)If the applicant fails to comply with the provision of sub-rule (1), his application shall be rejected, and the applicant informed accordingly.

### **6. Copy of the order to be sent to Tahsildar and Talathi.**

- A copy of the order passed under Rule 5 shall be forwarded to the Tahsildar concerned and Talathi

of the village in which the land is situated and thereupon, the Talathi shall within a reasonable time make change in accordance with the provision of the Code in the relevant entries in the record of rights and conform with the order so made, and report the fact of having made such change to the Tahsildar.

## 7. Delegation of powers.

- The Collector may delegate his power conferred upon him under these rules to a Sub-Divisional Officer. Form 'A' Proclamation (See Rule 3) Before ..... At ..... Shri ..... Son of Shri ..... Occupant-Class II of Village Settlement No. .... taluka District ..... has made an application under clause (c) of sub-section (2) of section 29 of the Maharashtra Land Revenue Code, 1966 (Maharashtra XLI of 1966) that he should be included in Occupants-Class I of the land comprised in Survey No./ Kshara No. .... consisting of ..... (specify area) ..... of village ..... Taluka ..... district ..... and the date for hearing the application has been fixed on ..... 19 ..... at ..... [here specify the time] [No. UNF. 1567 (I) R., 31.12.1968, M.G.G., Part 4-B, Ex. 31.12.1968, page 1128.] ..... at ..... It is hereby announced that all persons, who are interested in the said land or who have any objection to lodge against such permission being granted are hereby informed that should appear either personally or through a legal practitioner or agent on the said date and state their objection, if any, for my consideration. [Given under my hand and seal] [No. UNF. 1567 (I) R., 31.12.1968, M.G.G., Part 4-B, Ex. 31.12.1968, page 1128.] Dated the 19 Collector, (Seal of the Collector) Form 'B' Declaration as Occupant - Class I (See Rule 5) I ..... permit ..... Son of Shri ..... Occupant-Class II of village ..... settlement No. .... Saza No. .... Taluka ..... district ..... to be included in Occupants-Class I under clause (c) of sub-section (2) of section 29 of the Maharashtra Land Revenue Code, 1966 (Maharashtra XLI of 1966) in respect of land detailed in the Schedule hereto.

## Schedule

Survey No./ kshara No. of the land	Rights in which held	Area	Present revenue
(1)	(2)	(3)	(4)

[Given under my hand and seal.] [No. UNF. 1567 (I) R., 31.12.1968, M.G.G., Part 4-B, Ex. 31.12.1968, page 1128] Dated the ..... 19 Collector. (Seal of the Collector)  
Copy forwarded to | Tahsildar of Talathi of  
Collector. Date the ..... 19