

# **The Maharashtra Land Revenue (Village, Town and City Survey) Rules, 1969**

MAHARASHTRA

India

## **The Maharashtra Land Revenue (Village, Town and City Survey) Rules, 1969**

### **Rule**

### **THE-MAHARASHTRA-LAND-REVENUE-VILLAGE-TOWN-AND-CITY-SURVEY-RULES of 1969**

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The Maharashtra Land Revenue (Village, Town and City Survey) Rules, 1969 Published vide Notification No. UNF. 2067, R. 28.12.1970: M.G., part 4B, 14.1.1971, page 80R. & F.D. No. UNF. 2067-R, (26-7-1969). - In exercise of the powers conferred by clauses (xl), (xlii), and (xliii) 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 [Village Town and City Survey] [UNF. 2067, R. 28.12.1970: M.G., part 4-B, 14.1.1971, page 80] Rules, 1969.

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

- In these rules unless the context otherwise requires : (a) "Code" means the Maharashtra Land Revenue Code, 1966 : [(a-1) "Commissioner" means the Settlement Commissioner and the Director of Land Records;] [These clauses were inserted by No. CLR. 1004/CR-45/L-1 Cell, dated 25.7.2007 (M.G.G., part IV-B, extraordinary, page 1265).] (b) "District Inspector" means the District Inspector of Land Records : (c) "Form" means a Form appended to these rules : (d) "Section" means a section of the Code ; [(d-1) "software" means the programme for preparation, maintenance and updation of

Record of Rights and the land records as per section 148A, on the storage device, which is specified by the Commissioner by notification; [These clauses were inserted by No. CLR. 1004/CR-45/L-1 Cell, dated 25.7.2007 (M.G.G., part IV-B, extraordinary, page 1265).](d-2) "storage device" means the storage device as defined in clause (33A) of section 2;](e)"Superintendent" means the Superintendent of Land Records.

### **3. Collector to issue notice of survey.**

- Where a survey of lands in any village, town or city as directed to be made by the State Government under Section 126, the Collector shall cause to be issued in Form 'A' a general notice to the inhabitants of such village, town or city informing them about the introduction of the survey and calling upon the house owners, mortgagor, mortgagees, absentee owners and other persons having interest in the lands to be surveyed to give all information to the survey officers appointed for the purpose and to ensure that their lands are measured and rights recorded correctly.

### **4. Survey officer and his staff.**

- Subject to the control of the Superintendent or such other as may be designated by the State Government in this behalf, a survey officer not below the rank of a District Inspector shall be in charge of the survey operations. In conducting the survey operations, the survey officer shall be assisted for such staff of the Land Records Department as the Superintendent or, as the case may be, such other may appoint.[Provided that subject to the control and incharge officer as may be designated by the settlement Commissioner and Director of Land Records such measurements, either fully or partly can be conducted through the private agency. However, criteria methodology terms and conditions technical quality for the selection of private agency shall be decided by the settlement Commissioner and Director of Lands Records, subject to conditions that the concerned Municipal Corporation Municipality or other Government institution or organisation is ready to bear the expenditure to be incurred for such measurement through the Private agency.] [Added by Notification No. CTS 1099/CR-214/L-1 dated 6.10.2000 M.G.G. IV-B 2002 page 41.]

### **5. Survey operations.**

- Operations connected with any survey shall be carried out by the staff referred to in Rule 4 as provided in that rule in such manner as the Director of Land Records may from time to time direct. The operations so carried out shall be recorded in maps drawn to a scale as may from time to time be laid down by the Director of Land Records. The staff shall also record information in respect of particulars of the property and names of the holders thereof and enter it in columns 1 to 4 of the inquiry register in Form 'B' The maps and the register so prepared shall then be forwarded for the purposes of Rule 6 to the Inquiry Officer shall be a Survey Officer not below the rank of a District Inspector of Land Records or a Tahsildar appointed by the State Government or as the case may be, the Director of Land Records.[Provided that, where the record of rights are maintained by using a suitable storage device as per section 148A, the Commissioner may, by notification, specify, from time to time, the software necessary for preparation, maintenance and updation of Enquiry Register in Form 'B-1' and the staff may also record therein, the information in respect of particulars of the

property and holders thereof and other relevant information. The Enquiry Register so stored on the storage device shall be deemed to be the original copy of the Enquiry Register. The Enquiry Register, in hard copy, as so prepared shall alongwith maps and other relevant documents shall be forwarded for the purposes of rule 6 to the concerned Inquiry Officer.] [Proviso was inserted by No. CLR 1004/CR-45/L-1, Cell, dated 25.7.2007.]

## **6. Procedure of enquiry.**

(1) It shall be the duty of the Inquiry Officer to determine for each parcel of land situated within the limits of the area under survey who is entitled to be confirmed in possession of each such parcel of land, what possession constitute encroachments, easements or licences and what land vest in local authority or Government and in case of land adjudged to be in the legitimate possession of a private individual or body, its tenure and liability to pay land revenue. (2) For purposes of determining the right, title and interest of individuals and bodies in respect of lands under survey under sub-rule (1), the Inquiry Officer shall hold an enquiry under Section 20 of the Code or, as the case may be, Section 91 E of the Bombay Municipal Corporation Act, 1948, Section 69 of the City of Nagpur Municipal Corporation Act 1948, Section 80 of the Bombay Provincial Municipal Corporation Act, 1959, Section 59 of the Bombay Village Panchyats Act, 1958 or Section 89 of the Maharashtra Municipalities Act, 1965. The maps and registers referred to in rule 5 shall be corrected in accordance with the decision of the Inquiry Officer or, where an appeal is filed or a civil suit instituted in accordance with the final order passed in appeal or civil suit. (3) The Inquiry Officer shall send a list of unoccupied vacant plots of waste land which are not claimed by any person to the Collector. The Collector shall, on receipt of such list, cause a public notice in Form 'C' to be affixed on each such plot requiring any person desiring to claim any interest in plots to appear before the Inquiry Officer within the period specified in the notice with documentary evidence of title to the plot. If any claim is made in relation to such plot, the Inquiry Officer shall proceed to determine it in accordance with sub-rule (2). If no claim is made within the period aforesaid, the plot shall be entered as land vesting in the State Government.

## **7. Property card.**

- The final results of the enquiry shall be recorded for each parcel of land separately in a card in Form 'D' to be called the 'Property Card'. [Provided that, where the record of rights are maintained by using a suitable storage device as per section 148A, the Commissioner may, by notification, specify, from time to time, the software necessary for recording the final results of enquiry regarding each parcel of land separately in Form 'D' to be called the "Property Card". The Property Card so stored on storage device shall be deemed to be the original copy of the Property Card.] [Proviso was inserted by No. CLR 1004/CR-45/L-1, Cell, dated 25.7.2007.]

## **8. Survey fees.**

(1) The survey fees payable under Section 127 shall ordinarily be so fixed by the Collector that the total sum payable in respect of the site under survey shall cover the cost of the survey and preparation of the Property Card thereof. (2) In fixing the fees for each building site or any portion

thereof held separately, the Collector shall have regard to the provision of sub-rule (1) and to the position, value and area of such building site or portion thereof.

## 9. Contribution to be paid by village Panchyats for preparation of map.

- The contribution to be charged to village Panchayat under sub-section (2) of Section 128 towards the cost of preparation of a map of a village site showing the plots occupied by the holders shall be not less than sixty per cent of the total cost of preparation of such map:[Provided that where a map required by a village panchayat has already been prepared at the time of conducting survey under Section 126, a copy of such map may be supplied to the panchayat on payment of fees prescribed under Section 327.] [UNF. 2067, R.M., 5.11.1971 (M.G.G., part 4-B, 18.11.1971, page 1785).]

## 10. [ Fee for supply of duplicate copy of sanad. [To be deleted in cases where the village to be surveyed has a population of less than 2,000.]

- If any person applies for a copy of the sanad under Section 131, a copy thereof marked 'Duplicate' in red ink, may be given to him on payment of a fee of rupee one.]Form 'A'(See Rule 3)Public NoticeAll inhabitants of the village, town/ city of ..... are hereby informed that the State Government has, by its Order No. .... dated directed under Section 126 of the Maharashtra Land Revenue Code, 1966, the survey of lands (other than those used ordinarily for the purpose of agriculture only) within the site of the said village, town/city Accordingly, the survey officer will starts work from [.....] [Here state the date.]All house-owners in the said village/town/city are hereby informed that they should be present on the date which will hereafter be fixed by the survey officer for the measurement of their houses and other property and should give all possible information to the survey officer to enable him to measure their properties correctly.[Mortgagors, mortgagees, absentee owners and other persons having interest in the land to be surveyed are also hereby informed that they should remain present on the date which will hereafter be fixed by the survey officer and should ensure that their rights are recorded correctly. After completion of the survey, their rights over property in the land will be fixed permanently by issue of a sanad.] [UNF. 2067, R.M., 5.11.1971 (M.G.G., part 4-B, 18.11.1971, page 1785).]Where it is necessary to enter any premises for purpose of internal measurement, no survey or shall enter therein unless prior notice of not less than twenty four hours has been given to the occupier thereof.[The cost incurred if any, for employing hired labour for measurement or classification of the lands to which the survey extends or for objects incidental to the survey shall be recoverable from the land holders as revenue demand. If the holders render more assistance, the survey work will be expedited and the cost of survey will be less.] [To be deleted in cases where the village to be surveyed has a population of less than 2,000.][Given under my hand and the seal of this office.] [UNF. 2067, R.M., 5.11.1971 (M.G.G., part 4-B, 18.11.1971, page 1785).]Seal of the OfficeCollector ofDated : 20Form 'B'(See Rule 5)Inquiry - RegisterCity Survey .....Peth or Ward .....Tikka or Sheet No. ....

|         |                      |      |                   |                               |                |
|---------|----------------------|------|-------------------|-------------------------------|----------------|
| Sr. No. | Old city Survey,     | Area | Supposed name of  | Date of service of notice (a) | Who of (a)     |
| or      | Municipal or Village |      | holders (a) as in | upon the occupantetc. (b)     | (b), (c), etc. |

| Chalta No. | panchayator Survey and Sub-Division of Plot No. | MunicipalRecords or otherwise and other interested or claiming parties(b), (c), (d) etc. | upon the property issued under Rule 2 (1) of theMaharashtra Land Revenue (Inquiry into Title of Land) Rules,1967. | column 4 were present |
|------------|---|--|---|-----------------------|
| (1)        | (2)   | (3)  | (4)   | (5)                   |

| Is the plan prepared and measurements taken bythe survey or accepted by the party confirmed or corrected byInquiry Officer | Final City Survey No. | Classification under Rule 8 (2) for survey fee | Amount of survey fee fixed by the Collector (withnotes of any additional fees for Sanad under proviso to Section129) | Receipt No. for fees paid | Tenure and rent or assessment with date on whichit is due for revision |
|--|-----------------------|--|--|---------------------------|--|
| (7)  | (8)                   | (9)  | (10)   | (11)                      | (12)   |

| Decisions in respect of name of holder, mortgageein possession, lessee or encumbrance-holder and attached easement | Reference to the file of proceedings whencontested | Date of service of decision order issued underRule 2(3) of the Maharashtra Land Revenue (Inquiry into Title ofLand) Rules, 1967 | Appeal Order if any | Remarks |
|--|--|---|---------------------|---------|
| (13)   | (14)   | (15)  | (16)                | (17)    |

[Form 'B-1'] [Form 'B-1' was inserted by Notification No. CLR-1004/CR-45/L-1 Cell, dated 25.7.2007.](See Rule 5)Inquiry - RegisterCity Survey .....Peth or Ward .....Tikka or Sheet No. ....

| Sr. No. or Chalta No. | Old city Survey, Municipal orVillagepanchayator Survey and Sub-Division of Plot No. | Area | Supposed name of holders (a) as in MunicipalRecords or otherwise and other interested or claiming parties(b), (c), (d) etc. | Date of service of notice (a) upon the occupantetc. (b) upon the property issued under Rule 2 (1) of theMaharashtra Land Revenue (Inquiry into Title of Land) Rules,1967. | Who of (a) (b), (c), etc. column 4 were present |
|-----------------------|---|------|---|---|---|
| (1)                   | (2)   | (3)  | (4)   | (5)   | (6)   |

| Is the plan prepared and measurements taken bythe survey or accepted by the party confirmed or corrected byInquiry Officer | Final City Survey No. | Classification under Rule 8 (2) for survey fee | Amount of survey fee fixed by the Collector (withnotes of any additional fees for Sanad under proviso to Section129) | Receipt No. for fees paid | Tenure |
|--|-----------------------|--|--|---------------------------|--------|
| (7)  | (8)                   | (9)  | (10)   | (11)                      | (12)   |

| Rent of assessment per sq. mtr. | Total rent | Rent/ assessment commencement date | Rent/ assessment upto date | Period | Date for next revision | Decision |
|---------------------------------|------------|------------------------------------|----------------------------|--------|------------------------|----------|
| (12a)                           | (12b)      | (12c)                              | (12d)                      | (12e)  | (12f)                  | (13)     |

| Name of the Holder | Name of the mortgage in possession | Encumbrances | Easement | Reference to the file of proceedings when contested | Date of service of decision order issued under Rule 2(3) of the Maharashtra Land Revenue (Inquiry into Title of Land) Rules, 1967 |
|--------------------|------------------------------------|--------------|----------|---|---|
| (13a)              | (13b)                              | (13c)        | (13d)    | (14)  | (15)  |

| Appeal Order decision | Rent of assessment per sq. mtr. | Total rent | Rent/ assessment commencement date | Rent/ assessment upto date | Period |
|-----------------------|---------------------------------|------------|------------------------------------|----------------------------|--------|
| (16)                  | (16a)                           | (16b)      | (16c)                              | (16d)                      | (16e)  |

| Date for next revision | Name of the Holder | Name of the mortgage in possession | Encumbrances | Easement | Remarks |
|------------------------|--------------------|------------------------------------|--------------|----------|---------|
| (16f)                  | (16g)              | (16h)                              | (16i)        | (16j)    | (17)    |

Form 'C'[See Rule 6(3)]Public Notice(To be affixed on open land)The plot of waste land described below is claimed by the State Government. If any person has a right of ownership or any other right over it, he should appear with any documentary or other evidence which he may possess regarding his right over the said land, before the survey officer at his office situated in ..... within ten days from the date of his notice. If no person having right of ownership or any other right over the land appears before the survey officer at his office within the said period, the said land will be treated as Government property.[Given under my hand seal of this office.] [UNF. 2067, R. 28.12.1970: M.G., part 4-B, 14.1.1971, page 80]

dated : Seal of Office Collector.

Description of Land

Street House No.

(in Municipal Register or otherwise, known as ..... the boundaries of which are as under :To the North To the EastTo the South To the WestForm 'D'(See Rule 7)Property Card [\*] [UNF. 2067, R.M., 5.11.1971 (M.G.G., part 4-B, 18.11.1971, page 1785).]

| Survey No. | Area | Tenure | Particulars of assessment or rent paid to Government and when due for revision. |
|------------|------|--------|---|
|------------|------|--------|---|

Easements :Holder in origin of the title  
(sofar as traced)Lessee :Other

encumbrances ;Other remarks ;

Date

Transaction  
Volume No.

New Holder (H) Attestation  
Lessee (L) or Encumbrances (E)