

# **The Maharashtra Agricultural Lands (Ceiling on Holdings) Removal of Difficulties Order, 1970**

MAHARASHTRA

India

## **The Maharashtra Agricultural Lands (Ceiling on Holdings) Removal of Difficulties Order, 1970**

### **Rule**

### **THE-MAHARASHTRA-AGRICULTURAL-LANDS-CEILING-ON-HOLDINGS-REMOVAL-OF-DIFFICULTIES-ORDER-1970**

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The Maharashtra Agricultural Lands (Ceiling on Holdings) Removal of Difficulties Order, 1970 Published vide Notification No. G. N., R. & F. D., No. ICH-1064/21006G-M (Spl.), dated 20th February, 1970 (M. G., Part 4B, p. 535) Whereas, it is brought to the notice of the State Government that in carrying into effect the provisions of the Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961 (Maharashtra XXVII of 1961) (hereinafter in this Order referred to as the "said Act"), difficulties have arisen in respect of certain lands, which by Merger Agreements with the Rulers of the former Indian States were allotted as private property of those Rulers on the undertaking that the Rulers would pay pensions of certain servants of the former Indian States, and for the like purposes; And Whereas, taking over such lands by the State Government as surplus land under the said Act would provide an excuse to the said Rulers for not carrying out that undertaking; or in certain cases, make it impracticable or impossible for the Ruler to carry out such undertaking; And Whereas, the Government of Maharashtra considers also that as long as the purpose of the undertaking exists, it would not be fair to take over those lands as surplus lands; And whereas, in consequence of the above a difficulty has arisen for the proper ascertainment of the ceiling area, and other purposes of the said Act; Now, Therefore, in exercise of the powers conferred by section 49 of the said Act, the Government of Maharashtra hereby makes the following Order, namely :-

#### **1.**

This Order may be called the Maharashtra Agricultural Lands (Ceiling on Holdings) Removal of Difficulties Order, 1970.

**2.**

Where during any inquiry under sections 17 to 21 (both inclusive) of the said Act, in respect of land held by any Ruler of a former Indian State, it is found that under the agreement or contract entered into with the Government of India, the Ruler is holding any land as his private property, for discharging a liability which would have, but for the agreement entered into with the Government of India, devolved upon the successor State Government, then such land shall, subject to the provisions hereinafter appearing, be excluded for ascertaining the surplus land from the holding of such Ruler.

**3.**

The land excluded under clause 2 of this Order shall be deemed to be excluded land, and the Ruler shall be entitled to retain possession of such excluded land, notwithstanding anything contained in Chapters II to IV of the said Act. The restriction imposed on transfer of land under section 8 of that Act, shall continue to apply to such land.

**4.**

As soon as the liability referred to in clause 2 is discharged or ceases to exist in respect of any such "excluded land", such land shall, from the date of the discharge or cesser of the liability, cease to be excluded land; and thereupon, the provisions of sub-section (2) of section 47 of the said Act, shall apply as they apply in relation to the land which has ceased to be exempted land.

**5.**

When in any proceeding or inquiry under the said Act, a question arises as to -(i)whether any land is excluded land within the meaning of this Order; or(ii)whether any land has ceased to be excluded land under paragraph 4, -such question shall be referred to the State Government for decision; and the decision of the State Government shall be final.

**6.**

This Order shall be deemed to have come into force on the 26th day of January, 1962.