

to the rules made by the State Government in this behalf, offer the same to the occupant (if any) of the bank or shore on which such alluvial land has formed. The price of the land so offered shall not exceed three times the annual assessment thereof.

(2) If the occupant does not accept the offer, the Collector may dispose of the land without any restrictions as to price.

Explanation.—For the purpose of this section, notwithstanding anything contained in clause (24) of section 2, if the bank or shore has been mortgaged with possession, the mortgagor shall be deemed to be the occupant thereof.

33. When alluvial land forms on any bank or shore, the occupant, if any, of such bank or shore shall be entitled to the temporary use thereof unless or until the area of the same exceeds one acre. When the area of the alluvial land exceeds one acre, it shall be at the disposal of the Collector subject to the provisions of section 32.

Temporary right to alluvial lands of small extent.

34. (1) If an occupant dies intestate and without known heirs, the Collector shall take possession of his occupancy and may lease it for a period of one year at a time.

Disposal of intestate occupancies.

(2) If within three years of the date on which the Collector takes possession of the occupancy, any claimant applies for the occupancy, being restored to him, the Collector may, after such enquiry as he thinks fit, place such claimant in possession of the occupancy or reject his claim.

(3) The order of the Collector under sub-section (2) shall not be subject to appeal or revision but any person whose claim is rejected under sub-section (2) may, within one year from the date of the communication of the order of the Collector, file a suit to establish his title, and if such suit is filed, the Collector shall continue to lease out the land as provided in sub-section (2), till the final decision of the suit.

(4) If no claimant appears within three years from the date on which the Collector took possession of the occupancy or if a claimant whose claim has been rejected under sub-section (2) does not file a suit within one year as provided in sub-section (3), the Collector may sell the right of the deceased occupant in the occupancy by auction.

(5) Notwithstanding anything contained in any law for the time being in force, a claimant, who establishes his title to the occupancy which has been dealt with in accordance with the provisions of this section, shall be entitled only to the rents payable under sub-section (1) and the sale-proceeds realised under sub-section (4), less all sums due on the occupancy on account of land revenue and the expenses of management and sale.

35. (1) If any sub-division of a survey number is relinquished under section 55, such sub-division of a survey number shall be treated as Government waste land, and it shall be disposed of by the Collector in the manner provided in sub-section (2).

Disposal of relinquished or forfeited sub-division.

Bom. LXII of 1947. (2) The Collector shall, subject to the provisions of the Bombay Prevention of Fragmentation and Consolidation of Holdings Act, 1947, offer such sub-division at such price not exceeding twenty-four times the assessment thereof as he may