

Amended by Mah. 25 of 2002 (1-5-2002)†
 Amended by Mah. 21 of 2003 (1-8-2003)†
 Amended by Mah. 26 of 2005 § (6-3-2004)†
 Amended by Mah. 43 of 2005 (25-3-2005)†
 Amended by Mah. 17 of 2007 (1-8-2007)†
 Amended by Mah. 23 of 2007 @§(13-12-2007)†
 Amended by Mah. 24 of 2007 §§(1-8-2008)†
 Amended by Mah. 10 of 2009 (24-2-2009)†

An Act to unify and amend the law relating to land and land revenue in the State of Maharashtra.

WHEREAS, it is expedient to unify and amend the law relating to land and land revenue in the State of Maharashtra and to provide for matters connected therewith; It is hereby enacted in the Sixteenth Year of the Republic of India as follows :—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Maharashtra Land Revenue Code, 1966. Short title and commencement.
- (2) This Code extends to the whole of the State of Maharashtra; but the provisions of Chapters III (except the provisions relating to encroachment on land), IV, V, VI, VII, VIII, IX, X, XI, XII (except section 242) and XVI (except sections 327, 329, 330, ¹[(330A)], 335, 336 and 333, shall not apply to the City of Bombay.
- (3) It shall come into force in the whole of the State of Maharashtra on such date ²as the State Government may by notification in the *Official Gazette*, appoint and different dates may be appointed for different provisions.
2. In this Code, unless the context otherwise requires,— Definitions.
 - (1) “agricultural year” means the year commencing on such date as the State Government may, by notification in the *Official Gazette*, appoint ;
 - (2) “alienated” means transferred in so far as the rights of the State Government to payment of rent or land revenue are concerned, wholly or partially, to the ownership of any person ;
 - (3) “boundary mark” means any erection, whether of earth, stone or other material, and also any hedge, unploughed ridge, or strip of ground, or other object whether natural or artificial set up, employed, or specified by a survey officer or revenue officer having authority in that behalf, in order to designate the boundary of any division of land ;
 - (4) “building” means any structure, not being a farm building ;
 - (5) “building site” means a portion of land held for building purposes, whether any building be actually erected thereupon or not, and includes the open ground of courtyard enclosed by, or appurtenant to, any building erected thereupon ;

¹ These figures and letter were inserted by Mah. 35 of 1976. s. 2.

² 15th August 1967 (*vide* G.N., F.D., No. UNF. 1067-R, dated 11th August 1967)

† This indicates the date of commencement of Act.

§ Mah. Ord. 17 of 2004 was repealed by Mah. 26 of 2005, s. 4.

§ *vide* G.N., R. & F.D., No. MRT. 1007/C.R. 21/T-1, dated the 13th December, 2007.

@ Sections 12 and 14 of Mah. 23 of 2007 and Schedule appended thereto reads as under :—

§ *vide* G.N., R. & F.D., No. NAA. 1005/C.R. 7/L-5, dated the 8th October, 2007.

Transfer of pending cases and proceedings.	“ 12. On the coming into force of the Maharashtra Land Revenue Code (Second Amendment) Act, 2007, all cases and proceedings pending before the Divisional Commissioner, on the day immediately preceding the coming into force of the said Act, shall be transferred to the Maharashtra Revenue Tribunal and shall be disposed of by the Tribunal under the provisions of the said Code or, as the case may be, the relevant Act.	Mah. XXIII of 2007.
Construction of reference to Divisional Commissioner.	14. On revival of the Maharashtra Revenue Tribunal by the Maharashtra Land Revenue Code (Second Amendment) Act, 2007, the reference to the Maharashtra Revenue Tribunal in any of the enactments specified in the Schedule appended to this Act as also any such reference in any rules, regulations, bye-laws, notifications, orders issued under any of these or other enactments or in any instrument which was to be construed as the Divisional Commissioner by virtue of the provisions of section 14 of the Maharashtra Land Revenue Code (Amendment) Act, 2002, shall be now referred to as the Maharashtra Revenue Tribunal.	Mah. XXIII of 2007. Mah. XXV of 2002.

SCHEDULE
(See section 14)
Revenue Acts

1. The Hyderabad Court of Wards Act.
2. The Hyderabad Stamp Act.

Tenancy Acts

3. The Bombay Tenancy and Agricultural Lands Act, 1948.
4. The Hyderabad Tenancy and Agricultural Lands Act, 1950.
5. The Bombay Tenancy and Agricultural Lands (Vidarbha Region) Act, 1958.

Ceiling on Holdings Act

6. The Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961.

Tenure Abolition Acts

7. The Bombay Khoti Abolition Act, 1949.
8. The Bombay Pargana and Kulkarni Watans (Abolition) Act, 1950.
9. The Salsette Estates (Land Revenue Exemption Abolition) Act, 1951.
10. The Bombay Personal Inams Abolition Act, 1952.
11. The Bombay Merged Territories (Janjira and Bhor) Khoti Tenure Abolition Act, 1953.
12. The Bombay Kauli and Katuban Tenures Abolition Act, 1953.
13. The Bombay Merged Territories and Area (Jagirs Abolition) Act, 1953.
14. The Bombay Service Inams Useful to Community Abolition Act, 1953.
15. The Bombay Land Tenure Abolition (Amendment) Act, 1953.
16. The Bombay Bhil Naik Inams Abolition Act, 1955.
17. The Bombay Merged Territories Miscellaneous Alienations Act, 1955.
18. The Bombay Shetgi Watan Rights (Ratnagiri) Abolition Act, 1956.
19. The Bombay Inferior Village Watans Abolition Act, 1958.
20. The Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act, 1950.
21. The Maharashtra Revenue Patels (Abolition of Office) Act, 1962.
22. The West Khandesh, Mehwassi Estates (Proprietary Rights Abolition, etc.) Regulation, 1961.

Other Acts

23. The Bombay Public Trusts Act, 1950.
24. The Bombay Hereditary Offices Act, 1874.
25. The Maharashtra Restoration of Lands to Scheduled Tribes Act, 1974.
26. The Maharashtra Private Forest (Acquisition) Act, 1975.

1 of
1872.

(6) "certified copy" or "certified extract" means a copy of extract, as the case may be, certified in the manner prescribed by section 76 of the Indian Evidence Act, 1872;

(7) "Chavadi" means the place ordinarily used by a village officer for the transaction of village business;

(8) "estate" means any interest in lands and the aggregate of such interests vested in a person or aggregate of persons capable of holding the same;

(9) "farm building" means a structure erected on land assessed or held for the purpose of agriculture for all or any of the following purposes connected with such land or any other land belonging to or cultivated by the holder thereof, namely :—

(a) for the storage of agricultural implements, manures or fodder;

(b) for the storage of agricultural produce;

(c) for sheltering cattle;

(d) for residence of members of the family, servants or tenants of the holder; or

(e) for any other purpose which is an integral part of his cultivating arrangement;

(10) "gaothan" or "village site" means the land included within the site of a village, town or city as determined by section 122;

(11) "Government lessee" means a person holding land from Government under a lease as provided by section 38;

(12) "to hold land" or "to be a land holder or holder of land" means to be lawfully in possession of land, whether such possession is actual or not;

(13) "holding" means a portion of land held by a holder;

(14) "improvement" in relation to a holding, means any work which adds materially to the value of the holding which is suitable thereto and consistent with the purpose for which it is held and which, if not executed directly for its benefit or is, after execution, made directly beneficial to it; and, subject to the foregoing provisions, includes—

(a) the construction of tanks, wells, water channels, embankments and other works for storage, supply or distribution of water for agricultural purposes;

(b) the construction of works for the drainage of land or for the protection of land from floods, or from erosion or other damage from water;

(c) the planting of trees and the reclaiming, clearing, enclosing, levelling or terracing of land;

(d) the erection of buildings on or in the vicinity of the holding, elsewhere than in the gaothan required for the convenient or profitable use or occupation of the holdings; and

(e) the renewal or reconstruction of any of the foregoing works, or alterations therein or additions thereto;

but does not include—

(i) temporary wells and such water-channels, embankments, levellings, enclosures or other works, or petty alterations in or repairs to such works, as are commonly made by cultivators of the locality in the ordinary course of agriculture; or

(ii) any work which substantially diminishes the value of any land wherever situated, in the occupation of any other person, whether as occupant or tenant;

Explanation.—A work which benefits several holdings may be deemed to be an improvement with respect to each of such holdings;

(15) "joint holders" or "joint occupants" means holders or occupants who hold land as co-sharers, whether as co-shares in any family undivided according to Hindu law or otherwise, and whose shares are not divided by metes and bounds; and where land is held by joint holders or joint occupants, "holder" or "occupant", as the case may be, means all the joint holders or joint occupants;

(16) "land" includes benefits to arise out of the land, and things attached to the earth, or permanently fastened to anything attached to the earth, and also shares in or charges on, the revenue or rent of villages, or other defined portions of territory;

(17) "landlord" means a lessor;

(18) "land records" means records maintained under the provisions of, or for the purposes of, this Code and includes a copy of maps and plans or a final town planning scheme, improvement scheme or a scheme of consolidation of holdings which has come into force in any area under any law in force in the State and forwarded to any revenue or survey officer under such law or otherwise;

(19) "land revenue" means all sums and payments, in money received or legally claimable by or on behalf of the State Government from any person on account of any land or interest in or right exercisable over land held by or vested in him, under whatever designation such sum may be payable and any cess or rate authorised by the State Government under the provisions of any law for the time being in force; and includes premium, rent, lease money, quit, rent, judi payalbe by a inamdar or any other payment provided under any Act, rule, contract or deed on account of any land;

(20) "legal practitioner" has the meaning assigned to it in the Advocates Act, 1961; 25 of 1961.

(21) "non-agricultural assessment" means the assessment fixed on any land under the provisions of this Code or rules thereunder with reference to the use of the land for a non-agricultural purpose;

(22) "occupancy" means a portion of land held by an occupant;

(23) "occupant" means a holder in actual possession of unalienated land, other than a tenant or Government lessee; provided that, where a holder in actual possession is a tenant, the land holder or the superior landlord, as the case may be, shall be deemed to be the occupant;

(24) "occupation" means possession;

(25) "to occupy land" means to possess or to take possession of land;

(26) "pardi land" means a cultivated land appertaining to house within a village site;

(27) "population" in relation to any area means population as ascertained at the last preceding census of which the relevant figures have been published;

(28) "prescribed" means prescribed by rules made by the State Government under this Code;

(29) "recognised agent" means a person authorised in writing by any party to a proceeding under this Code to make appearances and applications and to do other acts on his behalf in such proceedings;

(30) “relevant tenancy law” means—

Bom.
LXVII
of
1948.

(a) in the Bombay area of the State of Maharashtra, the Bombay Tenancy and Agricultural Lands Act, 1948 ;

Hyd.
XXI
of
1950.

(b) in the Hyderabad area of the State of Maharashtra, the Hyderabad Tenancy and Agricultural Lands Act, 1950 ; and

Bom.
XCIX
of
1958.

(c) in the Vidarbha Region of the State of Maharashtra, the Bombay Tenancy and Agricultural Lands (Vidarbha Region) Act, 1958.

(31) “ revenue officer ” means officer of any rank whatsoever appointed under any of the provisions of this Code, and employed in or about the business of the land revenue or of the surveys, assessment, accounts, or records connected therewith ;

(32) “ revenue year ” means the year commencing on such date as the State Government may, by notification in the *Official Gazette*, appoint ;

(33) “ saza ” means a group of villages in a taluka which is constituted a saza under section 4 ;

¹[(33A) “ storage device ” means an Electronic Device for retention of data in computer and shall include both hardware and software;]

(34) “ Sub-Divisional Officer ” means an Assistant or Deputy Collector who is placed in charge of one or more sub-divisions of a district ;

(35) “ sub-division of a survey number ” means a portion of a survey number of which the area and assessment are separately entered in the land records under an indicative number subordinate to that of the survey number of which it is a portion ;

(36) “ survey mark ” means, for the purposes of this Code, a mark erected for purposes of cadastral survey of land ;

(37) “ survey number ” means a portion of land of which the area and assessment are separately entered, under an indicative number in the land records and includes—

(i) plots reconstituted under a final town planning scheme, improvement scheme or a scheme of consolidation of holding which has come into force in any area under any law ; and

(ii) in the districts of Nagpur, Wardha, Chanda and Bhandara any portion of land entered in the land records under any indicative number known as the *khasra number* ;

¹ Clause (33A) was inserted by Mah. 43 of 2005, s. 2.

(38) “superior holder” except in Chapter XIV means a land-holder entitled to receive rent or land revenue from other land-holders (called “inferior holders”) whether he is accountable or not for such rent or land revenue, or any part thereof, to the State Government :

Provided that, where land has been granted free of rent or land revenue, subject to the right of resumption in certain specified contingencies by a holder of alienated land whose name is authorisedly entered as such in the land record, such holder shall, with reference to the grantee, be deemed to be superior holder of land so granted by him, and the grantee shall, with reference to the grantor, be deemed to be the inferior holder of such land, and for the purposes of sections 147, 151 and 152 of the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961, shall notwithstanding anything hereinafter contained in the definition of the word “tenant”, be deemed to be the tenant of such grantor ;

Mah.
V of
1962.

(39) “survey officer” means an officer appointed under, or in the manner provided by, section 8 ;

(40) “tenant” means a lessee, whether holding under an instrument or under an oral agreement and includes a mortgagee of a tenant’s rights with possession ; but does not include a lessee holding directly under the State Government ;

(41) “unoccupied land” means the land in a village other than the land held by an occupant, a tenant or a Government lessee ;

¹[(42) “Urban area” means an area included within the limits of any municipal corporation or municipal council, constituted under the relevant law for the time being in force and the expression “non-urban area” shall be construed accordingly ;]

(43) “village” includes a town or city and all the land belonging to a village, town or city ;

(44) “wada land” means an open land in village site used for tethering cattle or storing crops or fodder, manure or other similar things.

¹ Clause (42) was substituted by Mah. 21 of 2003, s. 2.

Revenue Areas

3. For the purpose of this Code, the State shall be divided into divisions which shall consist of one or more districts ¹[(including the City of Bombay)], and each district may consist of one or more sub-divisions and each sub-division may consist of one or more talukas, and each taluka may consist of certain villages.

Division of State into revenue areas.

4. (1) The State Government may, by notification in the *Official Gazette*, specify—

Constitution of revenue areas.

(i) the districts ¹[(including the City of Bombay)] which constitute a division ;

(ii) the sub-divisions which constitute a district ;

(iii) the talukas which constitute a sub-division ;

(iv) the villages which constitute a *taluka* ;

(v) the local area which constitutes a village ; and

(vi) alter the limits of any such revenue area so constituted by amalgamation, division or in any manner whatsoever, or abolish any such revenue area and may name and alter the name of any such revenue area ; and in any case where any area is renamed, then all references in any law or instrument or other document to the area under its original name shall be deemed to be references to the area as renamed, unless expressly otherwise provided :

Provided that, the State Government shall, as soon as possible after the commencement of this Code, constitute by like notification every *wadi*, and any area outside the limits of the *gaathan* of a village having a separate habitation (such *wadi* or area having a population of not less than ²[three hundred, as ascertained such by a revenue officer not below the rank of a Tahsildar] to be a village ; and specify therein the limits of the village so constituted.

(2) The Collector may by an order published in the prescribed manner arrange the villages in a *taluka* which shall constitute a *saza* ; and the the *sazas* in a *taluka* which shall constitute a circle, and may alter the limits of, or abolish any *saza* or circle, so constituted.

(3) The divisions, districts, sub-division, talukas, circles, *sazas* and villages existing at the commencement of this Code shall continue under the names they bear respectively to be the divisions, districts, sub-divisions, talukas, circles, *sazas* and villages, unless otherwise altered under this section.

(4) Every notification or order made under this section shall be subject to the condition of previous publication ; and the provisions of section 24 of the Bombay General Clauses Act, 1904, shall, so far as may be, apply in relation to such notification or order, as they apply in relation to rules to be made after previous publication.

Bom. I
of
1904.

¹ These brackets and words were substituted for the brackets and words "(excluding the City of Bombay)" by Mah. 47 of 1981, ss. 3 and 4.

² These words were substituted for the words " three hundred " by Mah. 8 of 1969, s. 2.