

140. Every landholder shall be responsible for the maintenance and good repair of the boundary marks and survey marks of his holding, and for any charges reasonably incurred on account of the same by the Revenue or Survey Officers in cases of alteration, removal or disrepair. It shall be the duty of the Village Officers and servants to prevent the destruction or unauthorised alteration of the village boundary marks or survey marks.

Responsibility for maintenance of boundary marks and survey marks.

141. Where a survey is introduced into a district, the charge of the boundary marks and survey marks shall devolve on the Collector, and it shall be his duty to take measures for their construction, laying out, maintenance and repair, and for this purpose the powers conferred on Survey Officers by section 139 shall vest in him.

Collector to have charge of boundary marks and survey marks after introduction of survey.

142. (1) Unless the boundaries of his land are demarcated and fixed under any of the foregoing provisions of this Chapter, every holder of the land adjoining a village road shall, at his own cost and in the manner prescribed,—

Demarcation and maintenance of boundary marks between holding and village road.

(a) demarcate the boundary between his land and village road adjoining it by boundary marks ; and

(b) repair and renew such boundary marks from time to time.

(2) If the holder fails to demarcate the boundary or to repair or renew the boundary marks as required by sub-section (1), the Collector may, after such notice as he deems fit, cause the boundary to be demarcated or the boundary marks to be repaired or renewed and may recover the cost incurred as an arrears of land revenue.

(3) In the event of any dispute regarding the demarcation of the boundary or the maintenance of the boundary marks in proper state of repair the matter shall be decided by the Collector whose decision shall be final.

Explanation.—Village road for the purposes of this section means in the districts of Nagpur, Chanda, Wardha and Bhandara and Melghat taluka in the Amravati District a road which bears an indicative *Khasra* number ; and in the rest of the State, a road which has been recorded in the record of rights or village maps.

143. (1) The Tahsildar may inquire into and decide claims by persons holding land in a survey number to a right of way over the boundaries of other survey numbers.

Right of way over boundaries.

(2) In deciding such claims, the Tahsildar shall have regard to the needs of cultivators for reasonable access to their fields.

(3) The Tahsildar's decision under this section shall, subject to the provisions of sub-sections (4) and (5), be subject to appeal and revision in accordance with the provisions of this Code.

(4) Any person who is aggrieved by a decision of the Tahsildar under this section may, within a period of one year from the date of such decision, institute a civil suit to have it set aside or modified.

(5) Where a civil suit has been instituted under sub-section (4) against the Tahsildar's decision, such decision shall not be subject to appeal or revision.