

SAGBARA AND MEHWASSI ESTATES REGULATION, 1962

1 of 1962

[30th October 1962]

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SCHEDULE 1 :- PART-I

SCHEDULE 2 :-The Mehwassi estate comprising the following villages

SAGBARA AND MEHWASSI ESTATES REGULATION, 1962

1 of 1962

[30th October 1962]

A Regulation to provide for the conferment of occupancy rights on inferior holders and tenants of holders of Sagbara and Mehwassi estate in the Broach and Surat districts and for the abolition of certain proprietary rights of such holders in those estate sand for matters connected therewith. WHEREAS it is necessary, for the peace and good Government of the Sagbara and Mehwassi estates which are Scheduled areas in the Broach and Surat districts in the State of Gujarat, to provide for the conferment of occupancy rights on inferior holders and tenants of the holders of those estates, and for the abolition of certatin propriety rights of the holders of those estates and for matters connected therewith. NOW, therefore, in exercise of the powers conferred by sub- paragraph (2) of paragraph 5 of the Fifth Schedule to the Constitution of India, the Governor of Gujarat with the assent of the President is hereby pleased to make the following Regulation, namely :

1. Short title, extent and commencement :-

(1) This Regulation may be called the Sagbara and Mehwassi Estates (Proprietary Rights Abolition etc.) Regulation, 1962.

(2) It extends to the territory of the Sagbara and Mehwassi Estates in the Broach and Surat districts.

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.¹

1. Subs. by Guj. Reg. 1 of 1969 w.e.f. the beginning.

2. Definitions :-

In this Regulation unless the context otherwise requires

(1) "appointed day" means the data on which this Regulation comes into force;

(2) "assessment" means assessment as defined in Section 8 of the Bombay Tenancy and Agricultural Lands Act, 1948 , (Bom. LXVII of 1948).

(3) "Code" means the Bombay Land Revenue Code 1879; (Bom. V of 1879).

(4) "Collector" includes as Assistant or Deputy Collector performing the duties and exercising the powers of Collector under the Code or any other officer appointed by the State Government to perform the functions and exercise the powers of the Collector under this Regulation;

(5) "Dumaldar" means the holder of a Dumala village and includes this co-sharer, if any;

(6) "Dumala village" means a village within the Sagbara estate and specified in Part II of Schedule I and "Dumalaland" means all land comprised in a Dumala village;

(7) "forest land" means any land in a Sagbara or Mehwassi estate declared as forest under S.34 A of the Indian Forest Act, 1927 (XVI of 1927), before the appointed day, provided the declaration was in force immediately before the appointed day;

(8) "inferior holder" means

(a) a person, other than a Vasava, Dumaldar or a Mehwassi, who has a heritable and transferable right in the Sagbara, Dumala or as the case may be, Mehwassi land held by him, whether such right has been acquired by himself or his predecessor in title by purchase or otherwise, or

(b) a person who holds any Sagbara, Dumala or Mehwassi land from a Vasava or a Dumaldar or Mehwassi and who has or whose predecessor in title had acquired a heritable right in the land on payment of nazarana to the Vasava, Dumaldar, or Mehwassi as the case may be;

(9) "Mamlatdar" includes a Mahalkari and any other officer whom the State Government may appoint to perform the duties of a Mamlatdar under the Regulation;

(10) "Mehwassi estate" means the villages specified in Schedule It and a "Mehwassi" means a holder of the said estate and "Mehwassi land" means and comprised in the territory of the said estate;

(11) "Nazarana" means a sum of money or other consideration charged and received by a Vasava or a Dumaldar or as the case may be, Mehwassi from any person for conferring on such person heritable right in Sagbara or Dumala or as the case may be, Mehwassi land;

(12) "notified day" means a day which the State Government may, by notification in the Official Gazette notify for the purposes of Section 5 , SECTION 6 and SECTION 7 ;

(13) "permanent tenant" means a person, who not being an inferior holder, holds as a permanent tenant any Sagbara, Dumala or Mehwasssi land from the Vasava, a dumaldar or, as the case may be, a Mehwasssi within the meaning of that terms as defined by clause (10A) of Section 2 of the Bombay Tenancy and Agricultural Lands Act, 1948 , (Bom. LXVII of 1948), and includes a person who,

(a) on the appointed day, holds as tenant any Sagbara, Dumala or Mehwasssi land from the Vassava, Dumaldar or Mehwasssi, and

(b) (i) immediately before the appointed day has been a tenant of the Vasava, Dumaldar or, as the case may be, Mehwasssi for a continuous period of twelve years, or

(ii) has been such tenant of such land for a lesser continuous period but has inherited the tenancy, and the period of whose tenancy together with the period of the tenancy of his Predecessors-in-tenancy through whom it has been inherited, aggregate to a continuous period of not less than twelve years;

(14) "prescribed" means prescribed by rules made under this Regulation;

(15) "Sagbara estate" means villages specified in Schedule I and "Sagbara land" means all land comprised in a villages specified in Part I of that Schedule;

(16) "service land" means land held by a person under a grant from the Vasava, Dumaldar or Mehwasssi subject to the condition of rendering service as village Patel or any other kind of service useful to the village administration or village community;

(17) "tenant" means a person who holds any Sagbara, Dumala or Mehwasssi land from the Vasava, Dumaldar or as the case may be, a Mehwasssi as tenant within the meaning of that term as defined in the Bombay Tenancy and Agricultural Lands Act, 1948 (Bombay LXVII of 1948), but does not include a permanent tenant;

(18) "Vasava" means the holder of the Sagbara estate and includes his co-sharer if any;

(19) words and expressions used but not defined in this Regulation shall have the meanings assigned to them in the Bombay Land Revenue Code, 1879 (Bom. V of 1879) and the Bombay Tenancy and Agricultural Lands Act, 1948 (Bom. LXVII of 1948).

3. List of inferior holders and permanent tenants :-

(1) As soon as may be after the appointed day the Collector shall cause a list of inferior holders, and permanent tenants, to be prepared for entry in the Record of Rights in accordance with Chapter XA of the Code.

(2) The Collector shall publish in the prescribed manner the list so prepared and by a public notice call upon all persons effected by the list to submit to him in writing their objections or suggestions, if any, within a period of three months from the date of the publication of the notice. The notice shall be published in the prescribed manner.

(3) If, any objections or suggestions are received under sub-section (2) by the Collector, the Collector shall decide the same after holding a formal inquiry.

(4) Any person aggrieved by the decision of the Collector under sub-section (3) may appeal to State Government or to an officer authorised by it in that behalf.

(5) Subject to an appeal under sub-section (4) the decision of the Collector and the decision of the State Government or of the officer so authorised on an appeal shall be final.

4. Abolition of tenure of Sagbara estate. Dumala villages and Mehwassi estate and incidental provisions :-

(1) Notwithstanding anything contained in any agreement, custom, usage, or any decree or order of a court, or any law for the time being in force with effect on and from the appointed day.

(i) the tenure on which the Sagbara estate, a Dumala village and a Mehwassi estate is held shall be and is hereby abolished,

(ii) save as expressly provided in this Regulation all rights of the Vasava, Dumaldar or Mehwassi in respect of the Sagbara estate, Dumala village or as the case may be, Mehwassi estate and all other incidents appertaining to the said tenure shall be and are hereby extinguished and all land comprised in the Sagbara estate,

a Dumala village and Mehwassi estate shall be subject to the payment of land revenue under the provisions of the Code and the rules made thereunder, and all the provisions of the Code and the said rules relating to unalienated land shall apply to such land.

(2) Except as otherwise provided in this Regulation,

(a) in the case of a Sagbara land, the Vasava,

(b) in the case of a Dumala land, the Dumaldar,

(c) in the case of a Mehwassi land, the Mehwassi,

5. Inferior holders and service land holders of Sagbara Dumala and Mehwassi land to be occupants :-

(1) On and from the notified day, notwithstanding anything contained in any agreement, custom, usage, decree or order of a court, or any law for the time being in force, in the case of any Sagbara land, Dumala or Mehwassi land, which is in the possession of an inferior holder in his capacity as such or of holder of service land and has not been sublet,

(a) the inferior holder, or, as the case may be, the holder of the service land shall be deemed to be an occupant thereof and shall be primarily, liable to the State Government for the payment of land revenue in respect of such land under the Code and the rules made thereunder: Provided that the holder of the service land shall be liable to pay to the Vasava, Dumaldar or, as the case may be, the Mehwassi occupancy price equal to three times the amount of the full assessment of the land ¹[before the end of December 1970] and in such manner as may be prescribed; and

(b) any right or interest of the Vasava, Dumaldar or, as the case may be, Mehwassi in that land as superior holder thereof shall be extinguished;

²[(1A) Notwithstanding the expiry of the period specified in the proviso to clause (a) of sub-section (1) the occupancy price payable thereunder may be paid before the end of December, 1972.]

(2) If the holder of the service inam land fails to pay the occupancy price in accordance with the provisions of clause (a) of sub-section (1) ² [or sub-section 1A], the amount of the occupancy price which has remained unpaid shall be recovered from him as an arrear of land revenue and the amount so recovered shall be paid to the

Vasava, Dumaldar, as the case may be, the Mehwasssi.

1. Subs. by Guj. Reg. 1 of 1969 w.e.f. the beginning.
2. Inserted by Guj. Reg. 1 of 1972 (w.e.f. 1-1-1971)

6. Permanent tenants and tenant of Sagbara, Dumala and Mehwasssi lands to be occupants conditions therefor :-

(1) On and from the notified day, notwithstanding anything contained in any agreement, custom, usage, decree or order of a court or any law for the time being in force in the case of a Sagbara land Dumala land, or Mehwasssi land which is in the possession of a permanent tenant or a tenant and has not been sublet,

(a) the permanent tenant or, as the case may be, tenant, shall be deemed to have purchased so much of the land, as he is entitled to retain

(b) any right or interest of the Vasava, Dumaldar or Mehwasssi in the said land as a superior holder thereof shall be extinguished.

(2) If the permanent tenant or tenant in possession of the land referred to in sub-section (1),

(a) does not hold any other/and he shall be entitled to retain possession of the land to the extent of the ceiling area,

(b) holds any other land but less than the ceiling area he shall be entitled to retain possession of so much of the land as would raise his total holding to the extent of the ceiling area, and

(c) holds any other land equal to or more than the ceiling area, he shall not be entitled to retain possession of any of the land.

(3) (a) The permanent tenant shall be liable to pay an occupancy price equal to three times the amount of the full assessment of the said land, and (b) the tenant shall be liable to pay an occupancy price equal to six times the amount of the full assessment of the said land, to the Vasava, Dumaldar, or as the case may be, Mehwasssi within the period and in the manner specified in sub-section (4).

(4)

(a) The permanent tenant shall deposit with the Mamlatdar in lump sum the amount of the occupancy price payable by him under sub-section (3) ¹[before the end of 1970]; ²(aa) Notwithstanding the expiry of the period specified in clause (a), the occupancy price

payable by the permanent tenant under sub-section (3) may be paid before the end of December, 1972]

(b) The tenant shall deposit with the Mamlatdar the entire amount of the occupancy price payable by him under sub-section (3)

(i) either in lump sum within one year from the notified day, or

(ii) in three equal annual instalments with simple interest at 4-1/2 percent per annum on or before such dates as the Mamlatdar may fix. ² [(bb) Notwithstanding the expiry of the period specific in clause (b), the occupancy price payable by the tenant under sub-section (3) may be paid before the end of December, 1972.]

(c) Where a tenant is in arrears of one instalment, and the Mamlatdar is satisfied that the tenant was unable to pay the instalment for sufficient reason, the mamlatdar may allow further time for the payment of the amount in arrears and may for that purpose increase the number of instalments to four.

(5) During any period for which payment of rent is suspended or remitted under section 13 of the Bombay Tenancy and Agricultural Lands Act, 1948, (Bom, LXVII of 1948), the permanent tenant, as the case may be, the tenant shall not be bound to pay the occupancy price in lump sum or the amount of any instalment or interest thereon, if any,

(6) Until the deposit of the entire amount of the occupancy price is made in lump sum or until the year in which the first instalment thereof becomes payable, the permanent tenant or as the case may be, the tenant shall be liable to pay rent of the said land to the Vasava, Damaldar or as the case may be Mehwassi,

(7)

(a) If the permanent tenant or, as the case may be the tenant fails to deposit the amount of the occupancy price within the period specified in sub-section (4) or commits default in depositing any instalment in according with the provisions of sub-section (4), the amount of occupancy price, which has remained unpaid shall be recovered as an arrear of land revenue.

(b) The amount recovered under clause (a) shall be deposited with the Mamlatdar.

(8) The amount deposited under sub-section (4) or (7) shall be

paid to the Vasava, Dumaldar or as the case may be, Mehwassi.

(9) On the deposit of the entire amount of the occupancy price in accordance with sub-section (4) or (7), the Mamlatdar shall issue a certificate of purchase in the prescribed form to the permanent tenant or, as the case may be, the tenant in respect of the said land. Such certificate shall be conclusive evidence of purchase.

(10) If the occupancy price is not paid in accordance with sub-section (4) or is not recovered within the prescribed period

(a) the purchase shall be ineffective,

(b) the said land shall be at the disposal of the Collector under Section 32 of the Bombay Tenancy and Agricultural Lands Act, 1948 , (Bom. LXVII of 1948.),

(c) any amount deposited by such permanent tenant or tenant towards the occupancy price of the said land shall be refunded to him, and

(d) the Vasava, Dumaldar or as the case may be, Mehwassi shall be entitled to recover from the permanent tenant or as the case may be, the tenant the rent of the said land and the amount of rent so recoverable shall be deducted from the amount, if any, to be refunded to the tenant.

Explanation I. For the purposes of this section, 'land' means land which is used for agricultural purposes or which is so used but is left fallow and includes the sites of farm buildings and buildings appurtenant to such land.

Explanation II. For the purposes of this section "ceiling area" shall have the meaning assigned to it under the Bombay Tenancy and Agricultural Lands Act, 1948 (Bom. LXVII of 1948).

1. Subs. by Guj. Reg. 1 of 1969, w.e.f. the beginning.

2. Inserted by Guj. Reg. 1 of 1972, w.e-f. 1-1-1971.

7. 7 :-

(1) Sub-tenant of inferior holders, permanent tenants etc. to be occupants and conditions thereof.

(1)

(a) Where any inferior holder of service land, permanent tenant or tenant has subject the land held by him, the sub-tenant shall be deemed to have purchased so much of the land as he is entitled to

retain in his possession under sub-section (2) (hereinafter referred to in this section as "the said land" and subject to the provisions of sub-sections (3) and (4) of this section shall on and from the notified day be deemed to be an occupant of the said land shall be primarily liable to the State Government for the payment of land revenue in respect of the said land under the Code and the rules made thereunder,

(b) Any right or interest of the Vasava, Dumaldar or Mehwassi in the said land as a superior holder thereof shall be extinguished.

(2) If the sub-tenant in possession of the land referred to in sub-section (1)

(a) does not hold any other land, he shall be entitled to retain possession of the land to the extent of the ceiling area;

(b) holds any other land less than the ceiling area, he shall be entitled to retain possession of so much of the land as would raise his total holding to the extent of the ceiling area; and

(c) holds any other land equal to or more than the ceiling area, he shall not be entitled to retain possession of any of the said land.

(3) The sub-tenant shall be liable to pay occupancy price as follows namely :

(i) where the said land is held from the inferior holder, and amount equal to six times the amount of the full assessment of the said land to the inferior holder,

(ii) where the said land is held from a tenant, an amount equal to six times the amount of the full assessment of the said land to the Vasava, Dumaldar or Mehwassi, from whom the tenant held the said land,

(iii) where the said land is held from a permanent tenant or person holding the said land as service land,

(a) an amount equal to three times the full assessment of the said land to such permanent tenant or as the case may be, such person and,

(b) an amount equal to three times the full assessment of the said land to the Vasava, Dumaldar, or as the case may be, the Mehwassi from whom such permanent tenant or person held the said land.

(4) The provisions of clause (b) and clause (bb) of sub-section (4) and sub-sections (5) to (10) (both inclusive) of Section 6 shall mutatis mutandis apply to the purchase of land and payment of occupancy price by a sub-tenant under this section.

8. Disposal of balance of lands after purchase by permanent tenant or tenant :-

Out of the Sagbara, Dumala or Mehwassi land in possession of a permanent tenant, or sub-tenant, land which such permanent tenant or sub-tenant is not deemed to have purchased under clause (a) of sub-section (1) of Section 6 or clause (a) of sub-section (1) of Section 7 shall stand surrendered to the Vasava, Dumaldar or as the case may be, Mehwassi under section 15 of the Bombay Tenancy and Agricultural Lands Act, 1948 (Bom. LXVII of 1948) as if it were land surrendered to him by a tenant and shall be liable to be disposed of in the manner laid down in the said Section 15 .

9. All public roads etc. situate in Sagbara estate, Dumala village or Mehwassi estate to vest in Government :-

All public roads, lanes and paths, the bridges, ditches, dikes and fences, on or beside the same, the beds of rivers, streams nallas, lakes, wells and tanks, and all canals and water courses, and all standing and flowing water, and all unbuilt village site lands, all forest lands, all waste lands and all uncultivated lands (excluding lands used for building or other non-agricultural purposes), which are situate within the limits of the Sagbara estate, a Dumala village or a Mehwassi estate shall, except in so far as any rights of any persons other than the Vasava, Dumaldar or Mehwassi may be established in or over the same and except as may otherwise be provided by any law for the time being in force, vest in and all be deemed to be with all rights in or over the same or appertaining thereto, the property of the State Government and all rights held by the Vasava, a Dumaldar or a Mebwassi in such property shall be deemed to have been extinguished and it shall be lawful for the Collector subject to the general or special orders of the State Government, to dispose them of as he deems fit, subject always to the rights of way and other rights of the public or of individuals legally subsisting. Explanation For the purposes of this section land shall be deemed to be uncultivated if it has not been cultivated for a continuous period of three years immediately before the appointed day.

10. Compensation to Vasava, Dumaldar and Mehwassi in respect of property vesting in Government under section 9

:-

If the Vasava, or Dumaldar or Mehwassi proves to the satisfaction of the Collector that he had any right or interest in any property referred to in Section 2 he shall be entitled to compensation as follows:

(a) if the property in question is waste, or uncultivated but cultivable land, and is not forest land the amount of compensation shall not exceed three times the assessment of the land:

Provided that, if the land has not been assessed the amount of compensation shall not exceed such amount of assessment as would be leviable in the same village on the same extent of similar land used for the same purpose;

(b) if the property in question is land over which the public has been enjoying or has acquired a right of way or any individual has an easement the amount of compensation shall not exceed the amount of annual assessment leviable in the village for uncultivated land in accordance with the rules made under the Code or if such rules do not provide for the levy of such assessment, such amount as in the opinion of the Collector shall be the market value of the right or interest held by the claimant.

(c) if there are any trees or structures on the land to which clause (a) or (b) applies the amount of compensation shall be the market value of such trees or structures, as the case may be,

(d) If the property in question is forest land, the amount of compensation shall be equivalent to seven times the average of the net annual income of forest revenue including the grazing fee received during the ten years immediately preceding the appointed day, such annual income being calculated on the basis of the data regarding average yield of the said ten years.

Explanation.

(I).--For the purpose of this section, the "market value" shall mean the value as estimated in accordance with the provisions of Section 24 OF THE Land Acquisition Act, 1894 (1) and Section 24 of the Land Acquisition Act, 1894 (I of 1894) in so far as the said provisions may be applicable.

(2) In computing the period of ten years for the purpose of clause (d) the year or years in which no income was received by or on behalf of the Vasava, Dumaldar or Mehwassi shall be excluded.

11. Method of awarding compensation :-

(1) The Vasava or Dumaldar or Mehwassi entitled to compensation under Section 10 may make an application for compensation to the Collector in the prescribed form within the prescribed period.

(2) The Collector shall, after holding a formal inquiry, determine the amount of such compensation and the appointment, if necessary, among the co-sharers entitled to it and shall make an award accordingly.

12. Method of awarding compensation to persons other than. Vasava, Dumaldar or Mehwassi :-

(1) If any person other than the Vasava Dumaldar or Mehwassi is aggrieved by any of the provisions of this Regulation as abolishing, extinguishing or modifying any of his rights to, or interest in property and if compensation for such abolition, extinguishing or modification has not been provided for in the provisions of this Regulation, such person may make an application for compensation to the Collector in the prescribed form within the prescribed period.

(2) The Collector shall, after holding a formal inquiry, make an award determining the amount of compensation in the manner and according to the method provided in S.23 Post Office Act, 1898 (1) and 24 of the Land Acquisition Act, 1894 (1 of 1894).

12A. Extension of period for making application for compensation :-

1 .

(1) Notwithstanding the expiry of the period for making an application for compensation, prescribed under Section 11 or Section 12 , the Collector may admit an application for compensation made by any person claiming compensation under the aforesaid Section 11 or Section 12 provided such application is made before the end of December, 1970.

(2) Where an application of compensation made by person before the commencement of the Sagbara and Mehwassi Estates (Proprietary Rights Abolition etc.) (Amendment) Regulation, 1969 (Guj. Reg. I of 1969) was not admitted by the Collector, such

person shall also be entitled to make an application under sub-section (1).

(3) On admission of such application all the provisions of this Section 11 or as the case may be Section 12 ; Provided that if the Collector refuses to admit such application, the applicant may make an appeal to the State Government against the order of the Collector within a period of three months from the date of the order and the State Government may pass such order thereon as it may deem fit.]

1. Ins. by Guj. Reg. 1 of (1969) 19-9-1969.

12B. Extension of period for making application for compensation :-

1 .

(1)Notwithstanding the expiry of the period specified in Section 12A for making an application for compensation under Section 11 or Section 12 , the Collector may admit an application for compensation made by any person claiming compensation under the aforesaid Section 11 or Section 12 , provided such application is made before the end of December, 1972.

(2) Where an application for compensation made by any person before the commencement of the Sagbara and Mehwass Estates (Proprietary Rights Abolition etc.) (Amendment) Regulation, 1972 (Guj. Reg. 1 of 1972), was not admitted by the Collector, such person shall also be entitled to make an application under sub-section (1).

(3) On admission of such application all the provisions of this Regulation shall apply to the application as if it were an application made within the period prescribed under Section 11 or as the case may be Section 12 : Provided that if the Collector refuses to admit such application, the applicant may make an appeal to the State Government against the order of the Collector within a period of three months from the date of the order and the State Government may pass such order thereon as it may deem fit.]

1. Ins. by Guj. Reg. 1 of 1972 (1-12-1970).

13. Form of award and previous approval in certain cases :-

(1) Every award made under Section 11 or Section 12 shall be in the form prescribed in Section 26 of the Land Acquisition Act, 1894

, (I of 1894).

(2) Where the officer making an award under Section 11 or Section 12 is a Collector under this Act but not a Collector appointed under section 8 of the Code, and the amount of such award exceeds five thousand rupees, then the award shall not be made without the previous approval of

(a) the Collector appointed under sections of the Code, if the amount of the award does not exceed twenty five thousand rupees, or

(b) the Commissioner, if the amount of the award exceeds twenty five thousand rupees.

(3) Where the officer making such award is a Collector under this Regulation and also a Collector appointed under section 8 of the Code, and the amount of such award exceeds twenty five thousand rupees, then such award shall not be made without the previous approval of the Commissioner.

14. Appeal against award :-

(1) Against an award of the Collector made under Section 11 or Section 12 an appeal shall lie to the Gujarat Revenue Tribunal constituted under the Bombay Revenue Tribunal Act, 1957 (B. XXXI of 1958)

.

(2) The Gujarat Revenue Tribunal shall after giving notice of the appellant and the respondent decide the appeal and record its decision.

(3) In deciding an appeal under sub-section (1) the Gujarat Revenue Tribunal shall exercise all the powers which a Court has and follow the same procedure which a court follows in deciding appeals from a decree or order of an original court under the Code of Civil Procedure, 1908.

15. Limitation for appeals :-

Every appeal made under this Regulation to the Gujarat Revenue Tribunal shall be filed within a period of sixty days from the date of the decision or, as the case may be, the award of the Collector. The provisions of Section 4 of the Press and Registration of Books Act, 1867 , Section 5 of the Limitation Act, 1963 , Section 12 of the Limitation Act, 1963 and 14 of the Indian Limitation Act, 1908

(Bom. V of 1908) shall apply to the filing of such appeal.

16. Court fees :-

Notwithstanding anything contained in the Bombay Court Fees Act, 1959, (Bom. XXXVI of 1959), every appeal made under this Regulation to the Gujarat Revenue Tribunal shall bear a Court fee stamp of such value as may be prescribed.

17. Finality of award and decision of Gujarat Revenue Tribunal :-

Subject to an appeal to the Gujarat Revenue Tribunal an award made by the Collector under section 11 or 12 and the decision of the Gujarat Revenue Tribunal on an appeal shall be final and conclusive and shall not be questioned in any suit or proceeding in any court.

18. Inquiries and proceedings to be judicial proceedings :-

All inquiries and proceedings before the Collector and the Gujarat Revenue Tribunal under this Regulation shall be deemed to be judicial proceedings within the meaning of sections 193, 219 and 228 of the Indian Penal Code.

19. Mode of payment of amount of compensation :-

(1) The amount of compensation payable under this Regulation shall be payable in cash or in transferable bonds as provided in sub-section (2) or partly in cash and partly in transferable bonds, according as the State Government may think fit.

(2) Where any amount of compensation is to be paid in transferable bonds, such bonds shall from the date of issue carry interest at the rate of three per cent per annum and shall be repayable, during a period of twenty years from the said date by equated annual instalments of principal and interest.

(3) The bonds shall be of such denomination and shall be in such form as may be prescribed.]

20. Vasavas, Dumaldars and Mehwassis to deliver records to authorised officers :-

(1) Whenever an officer authorised by the State Government in this behalf so directs, the Vasava, Dumaldar or, as the case may be, the Mehwassi shall deliver to him or such other officer as may be specified in the direction, the records relating to the Sagbara estate, Dumala village or, as the case may be, Mehwassi estate

maintained by him.

(2) If the Vasava, Dumaldar or Mehwassi fails without reasonable cause to deliver any such records he shall, on conviction be punished with fine which may extend to two hundred rupees. In the case of a continuing failure to deliver any such records he shall be punished with an additional fine which may extend to twenty five rupees for every day during which such failure continues after conviction.

21. Rules :-

The State Government may make rules for the purpose of carrying put the provision of this Regulation. Such rules shall be subject to the condition of previous publication and shall, when finally made be published in official Gazette.

22. Provisions to govern relations of land lords and tenants :-

Nothing in this Regulation shall in any way be deemed to effect the application of any of the provisions of the Bombay Tenancy and Agricultural Lands Act, 1948 (Bom. LXVIII of 1948), or the Guj. Agricultural Lands Ceiling Act, 1960 (Guj. XXVII of 1961) to any Sagbara land, Dumala lands or as the case may be Mehwassi land or the rights and obligation of a land lord of such land and his tenants in so far as the said provisions are in any way not in consistant with the express provisions of this regulation.

SCHEDULE 1

PART-I

SCHEDULE I		
[See clauses (6) and (15) of section 2]		
PART-I		
The Sagbara estate comprising the following villages, not being Dumala villages.		
District	Mahal	Villages
Broach.	Sagbara.	Amiyar.
		Bedapani.
		Begriayad.
		Bhadod.
		Bhamri Samer.
		Bodvav.
		Chikali.

		Chimlipani.
		Cbitwad.
		Dabka.
		Devidev.
		Devmogra.
		Devsaki.
		Dhabdakuva.
		Dhavliver.
Broach Contd.	Sagbara Contd.	Dodhanvadi.
		Dudhiliver.
		Fatepur.
		Gaisamer.
		Gedi.
		Gansera.
		Godada.
		Godghat.
		Gonamla.
		Gundvan.
		Halgam.
		Holi-ambli.
		Javli.
		Jodvan.
		Kakadpada.
		Kakritmau.
		Kanapada.
		Kevdi.
		Khadkimau.
		Khampada.
		Kheva.
		Khopi.
		Khota.
		Khobda.
		Kodkhadi.
		Kundabar.
		Kuvdavadi.
		Kunnerkbadi.
		Limabadi.
		Mahupada.
		Makran.
		Mavnipada.
		Moiraghad

		Moji agnau.
		Moravi.
		Motadoramba.
		Motakakdiamba,
		Motimogri.
		Motiparodi.
		Movi.
		Nal.
		Nalakund.
Broach Contd.	Sagbara Contd.	Nanadoramba.
		Nanakakdiamba.
		Nanidevrupan.
		Nanimogri.
		Naniparodi.
		Narwadi.
		Navagam.
		Pada.
		Padi.
		Pujarighad.
		Pankhala.
		Patnamau.
		Pathana.
		Piplapani.
		Piparipada.
		Pirmandala.
		Rachhvada.
		Ranbuda.
		Revamba.
		Rupdevri.
		Sajanvav.
		Selamba.
		Sagbara.
		Segdipani.
		Simambli.
		Simkhadi.
		Sonarvadi.
		Sorapada.
		Takni.
		Tarpada.
		Timba.
		Titarghat.

		Tolwai.
		Ubheriya.
		Umbran.
		Umerkui.
Broach	Dediapada.	Chikda.
		Patadi.

SCHEDULE 2

The Mehwassi estate comprising the following villages

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SCHEDULE II		
[See clause (10) of section 2.]		
The Mehwassi estate comprising the following villages.		
District	Mahals	Villages.
Broach.	Sagbara.	Vadgav.
		Khokwad.
		Koktipada.
		Ranzaniwad,
		Logripada.
		Khanore.
		Medhi.
		Kenwada.
Broach.	Sagbara.	Jawli.
		Langadi.
		Rundigavon.
		Chatwad.
		Nawagam,
		Palaswada.
		Kolwan.
		Umrn.
		Ranipur.
		Uman.
		Anghat.
		Chhoti-Karoli
		Newadi.
		Khairpada.
		Pana.
		Pimparipada.
		Parodi.
		Bhogwad.
		Barktura

		Dat Kula.
Surat	Nizar.	Akkalkuva.
		Budral.
		Kevdamoi.
		Devriamba.
		Itwai.
		Gandha
		Parod.
		Palipada.
		Umja.
		Aapazampi.
		Ziribeda.