

## **BOMBAY MERGED AREAS, ENCLAVES AND SPECIFIED AREAS (AMENDMENT OF LAWS) ACT, 1950**

**22 of 1950**

**[10th May, 1950]**

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## **BOMBAY MERGED AREAS, ENCLAVES AND SPECIFIED AREAS (AMENDMENT OF LAWS) ACT, 1950**

**22 of 1950**

**[10th May, 1950]**

An Act to amend the Bombay Agricultural Debtors Relief Act, 1947 and the Bombay Tenancy and Agricultural Lands Act, 1948, in their application to certain areas and the Bombay Merged Areas (Amendment of laws) Act, 1949. Whereas it is expedient to amend the Bombay Agricultural Debtors Relief Act, 1947 and the Bombay Tenancy and Agricultural Lands Act, 1948, in their application to

the areas included in and forming part of the State of Bombay under the States' Merger (Bombay) Order, 1950, the Provinces and State (Absorption of Enclaves) Order, 1950, and the India and Hyderabad (Exchange of Enclaves) Order, 1950, and to amend the Bombay Merged Areas (Amendment of laws) Act, 1949, for the purposes hereinafter appearing: It is hereby enacted as follows

#### CHAPTER 1

##### Preliminary

### **1. Short title :-**

This Act may be called the Bombay Merged Areas, Enclaves And Specified Areas (Amendment Of Laws) Act, 1950.

#### CHAPTER 2

##### Amendment of Bombay Act No. XXVIII of 1947

### **2. Definitions :-**

In this Chapter, unless there is anything repugnant in the subject or context-

(1) "enclave" means any of the area specified in Schedule I appended to this Act;

(2) "specified area" means any of the areas specified in Schedule II appended to this Act.

### **3. Amendment of Bombay Agricultural Debtors Relief Act, 1947, in its application to enclaves and specified areas :-**

Notwithstanding anything contained in the States Merger (Bombay) Order, 1950, the Provinces and State (Absorption of Enclaves) Order, 1950, and the India and Hyderabad (Exchange of Enclaves) Order, 1950, the Bombay Agricultural Debtors Relief Act, 1947, shall, in its application to the areas specified in Schedules I and II appended to this Act. be subject to the following modification:- In the said Act-

(1) In Section 2,-

(a) for Clause (2) the following shall be substituted, namely:

"(2) "co-operative society" shall mean a society registered under any of the provisions corresponding to those contained in the Bombay Cooperative Societies Act, 1925, in force in any of the enclaves or specified area, as the case may be, or a society registered under the said Act;"

(b) in Clause (5),-

(i) for the figures, letters and word "30th January, 1940" wherever they occur, the figures, letters and word "25th January, 1950" shall be substituted:

(ii) for the words "the date of the coming into operation of this Act or of the establishment of the Board concerned under the repealed Act" wherever they occur, the words, figures and letters, "25th day of January, 1950" shall be substituted;

(2) In Section 4, for sub-section (1), the following sub-section shall be substituted, namely:-

"(1) Any debtor ordinarily residing in any local area or his creditor may make an application before the 31st October, 1950 to the Court for the adjustment of his debts":

(3) In Section 7, for the figures, letters and word "1st January, 1938", the figures, letters and word "25th January, 1950" shall be substituted;

(4) In Section 22, the following proviso shall be added at the end, namely:-

"Provided further that where any amount due to a creditor is determined by a competent tribunal or authority under any law in force in any of the enclaves or specified areas, as the case may be, relating to the conciliation or adjustment of the debts of agriculturists corresponding to this Act, the amount so determined shall be binding on the parties.";

(5) in Section 23, in the proviso, after the figures "1879" the words "or any enactment corresponding thereto" shall be inserted;

(6) In Section 24, in sub-section (2), for the figures, letters and word "1st August, 1947" the figures, letters and word "31st October, 1950" shall be substituted;

(7) In Section 25,-

(a) in clause (i), the words and figure "or by a Board established under Section 4 of the repealed Act," shall be deleted;

(b) in clause (ii) for the figures, letters and word "15th day of February, 1939" the figures, letters and word "25th January, 1950" shall be substituted;

(8) In Section 32, in sub-section (2),-

(a) for clause (c), the following clause shall be substituted, namely:-

"(c) loans given by resource societies or by persons authorised to advance loans under Section 54 for the financing of crops or for seasonal finance,"

(b) in the Explanation, the words "under the repealed Act" and the words "under this Act" shall be deleted.

(9) in Section 56, in sub-section (1),-

(a) for the words and figures "the Dekkhan Agriculturists' Relief Act, 1879, by the Bombay Agricultural Debtors Relief Act, 1939, the first mentioned Act" the words and figures "any enactment corresponding to the Dekkhan Agriculturists' Relief Act, 1879, in force in any of the enclaves or specified areas, as the case may be, such enactment" shall be substituted;

(b) the words and brackets "with effect from the date of the coming into operation of this Act (hereafter in this section referred to as the said date)" shall be deleted;

(c) for the words "for a period of three years from the said date" the words, figures and letters "up to the 25th day of January, 1953" shall be substituted;

(d) for the first proviso, the following proviso shall be substituted:-

"Provided that any proceeding in or out of any suit instituted on or before the 25th day of January, 1953 shall be continued and disposed of after the said date as if the enactment corresponding to the Dekkhan Agriculturists' Relief Act, 1879, had continued in force after the said date.'

#### CHAPTER 3

Amendment of Bombay Act No. XXX of 1949

#### **4. . :-**

The amendments made by Section 4 have been incorporated in the Bombay Merged Areas (Amendment of Laws) Act, 1949 Bom. XXX of 1949.

#### CHAPTER 4

Amendment of Bombay Act No. LXVII of 1948

#### **5. Definitions :-**

In this chapter 'enclave' and 'specified area' shall have the same

meaning as assigned to them in section 2.

**6. Amendment of Bombay LXVII of 1948 in its application to enclaves and specified areas :-**

Notwithstanding anything contained in the the States' Merger (Bombay) Order, 1950, the Provinces and State (Absorption of Enclaves) Order, 1950, and the India and Hyderabad (Exchange of Enclaves) Order, 1950, the Bombay Agricultural Tenancy and Agricultural Lands Act, 1948, shall, in its application to the areas specified in Schedules I and II appended to this Act, be subject to the following modification:- In the said Act-

(1) In Section 2, for clause (3), the following shall be substituted, namely:-

"(3) "Co-operative Society" means a society registered under any of the provisions corresponding to those contained in the Bombay Co-operative Societies Act, 1925, in force in any of the enclaves or specified areas, as the case may be or a society registered under the said Act;"

(2) In column 4 of the Schedule annexed to the said Act,

(a) in Section 3-A of the Bombay Tenancy Act, 1939, referred to therein, for the words and figures "the eighth day of November 1947" the words and figures "the 25th day of January 1951" shall be substituted.

(b) in the proviso to sub-section (1) of Section 4 of Bombay Tenancy Act, 1939, referred to therein-

(i) reference to "Section 9 of the Bombay Small Holders Relief Act, 1938" shall be read as reference to "any enactment corresponding to Section 9 of the Bombay Small Holders Relief Act, 1938, if any, in force in any of the enclaves or specified areas, as the case may be";

(ii) for the words and figures "the eighth day of November 1946" the words and figures "the 25th day of January 1950" shall be substituted:

(c) in sub-section (2) of Section 4 of the Bombay Tenancy Act. 1939, referred to therein-

(i) for the words and figures, "eighth day of November 1946" the figures, letters and word "the 25th day of January 1950" shall be

substituted;

(ii) in clause (b) (i) for the figures, letters and words "31st day of May 1947" the figures, letters and word "31st day of May 1951" shall be substituted;

(iii) in clause (b) (ii) for the figures, letters and word "1st day of June 1947" the figures, letters and word "1st day of June 1951" shall be substituted;

SCHEDULE 1

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(See Section 2(1))

**(A)**

Enclaves transferred from Rajasthan to Bombay Mial village of farmer Jodhpur State.

**(B)**

Enclaves transferred from Saurashtra to Bombay

1. The following villages of former Limbdi State - Fatepur, Gounjar, Pacham and Ratanpur.
2. Otaria and Sandhida villages of former Bhavnagar State.
3. The following villages of former Lakhtar State - Jalampur, Karakthal, Kishol (Moti), Kishol (Nani), Rupavati, Wasan and Wasawa.
4. Mithapur and Odki villages of former Dasada State.
5. The following villages of former Jetpur State -Khijidiya, Pania and Venivadar.
6. The following villages of former Lakhapadar Thana- Ghadia, Kanor Lakhapadar, Nini-Garmli, Patla and Vaghavdi.
7. Khantadi village of former Eastern Kathiawar States Agency.

**(C)**

Enclaves transferred from Hyderabad to Bombay

1. Balwara village of Patoda Taluka in District Bid.
2. Borgaon village of Osmanabad Taluka in District Osmanabad.
3. The following villages of Parenda Taluka in District Osmanabad - Shelgaon, Sultanpur, Shirpad Pimpri, Anjangaon, Jamgaon (Byarg), Kevda, Sultanpur, Chavanvadi, Hatkarwadi, Kapsewadi, Dhanora, Manegaon, Bujrugwadi, Pachpundwadi, Kairao, Ridhore, Bhawarja (Byarg), Sindri Jagir, Upla village including hamlets of Wangiwadi, Irla and Tawarwadi.

4. Andewadi (J) village in District Gulbarga, Kakerbli Madbal, and Dholar villages in Jeevargi Taluq.
5. Bhatnoor and Nagarbetta villages in Taluq Shorapur.
6. Gadesankpur village in Taluk Lingsugur.
7. The following villages in Taluq Kushtagi,-  
Mullapur (J), Sarjapur, Santagira, Baleguda, Chigalgundi, Hanamsagar Kurbanna (J), Itgi (J), Gulguli (J), Mugli.
8. Hiralgundi (J) village in District Raichur.
9. The following villages of Tuljapur Taluka in District Osmanabad - Raulgaon, Astha Pophali, Virwad Khurd, Shivni, Karamba (J), Warlegaon, Chikhelli (J), Yellamwadi, Pawarwadi, Bopla, Yekoda, Mangoli, Baborwadi, Waloja, Degaon, Sasoor, Ghorpadi, Daksal, Mansi, Bhagachiwadi, Kowtali, Saklewadi, Kahman, Maslachowadhari, Pudshli, Wangi, Ichgaon, Khameshwar, Bhoir, Ranmasla, Dharpal, Nanaj, Mohtechniwadi, Gharilachiwadi.
10. The following villages of Ashti Taluka in District Bid -Kavadgaon, Hasnabad, Girvalli, Pimpalkhed, Chandi, Aghi, Khamgaon, Dhanora, Fakhirabad, Halgaon, Nanaj, Wagh, Javalki, dhanegaon, Jawla, Tartgaon, Balegaon, Rodagaon, Borgaon, Dimeshwar.

**SCHEDULE 2**  
**SCHEDULE 2**

<b>SCHEDULE 2</b>					
(See Section 2(2))					
<b>Areas of the former Sirohi State merged in the State of Bombay.</b>					
1.	Abu Road.	34.	Ambaveri	67.	Tunka.
2.	Kesarganj.	35.	Mahikheda.	68.	Kivarli.
3.	Akra.	36.	Fatehpura.	69.	Derna.
4.	Manpur.	37.	Chotila.	70.	Tartoli.
5.	Santpur.	38.	Rokhada.	71.	Vasada.
6.	Ganka.	39.	Muliya Mahadevo.	72.	Morthala.
7.	Khadat.	40.	Forest Chotila	73.	Deldar (Jagir)
8.	Umrani.	41.	Chandravati.	74.	Deldar (Devasthan)
9.	Kui.	42.	Upli Bor.	75.	Arna.
10.	Siawa.	43.	Upla Garh	76.	Oria.
11.	Sangna.	44.	Upla Khejira.	77.	Govagam.
12.	Panduri.	45.	Kiyariya.	78.	Javai.
13.	Maval.	46.	Tokiya.	79.	Dhundhai.
14.	Redwa Mota.	47.	Dori.	80.	Torna.
15.	Dona Kakar.	48.	Jambudi	81.	Dilwara.
16.	Dan Vav.	49.	Jayadara.	82.	Salagam.
17.	Mudarla.	50.	Taleti.	83.	Achaloadh.

18.	Kiyara.	51.	Dotra.	84.	Maagam.
19.	Kuyariya.	52.	Nichala Garh.	85.	Sanigam.
20.	Khara.	53.	Nichli Bor.	86.	Hetamji.
21.	Bhesa Sen.	54.	Nichala Khejira.	87.	Block No. 4 (excluding all that portion to the west of a line drawn from western boundaries of Badarpura, Fatehpura, Maliakhera to south west point of Block No. 3 and village Masgam).
22.	Amba.	55.	Pava.		
23.	Mungthala.	56.	Buja.		
24.	Mirgarh	57.	Bori Buj.		
25.	Adaliya.	58.	Bosa.		
26.	Aval.	59.	Dhamariya.		
27.	Chandela.	60.	Men.		
28.	Girwar.	61.	Ranora.		
29.	Bageri.	62.	Rada	88.	Portion of Block No. 2 on south of the Abu Road.
30.	Redwa Chhota.	63.	Surpagala.		
31.	Behadurpura	64.	Amthala	89.	Utraj village Survey Nos. 771 to 785.
32.	Chanar	65.	Od.		
33.	Talvarankanaka	66.	Karoli		